Pursuant to N.J.S.A.13:20-5j this Resolution shall have no force or effect
until the completion of the Governor's review of the Highlands Council minutes

RESOLUTION 2019-14

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF CONTRACT FOR REGIONAL STORMWATER MANAGEMENT PLANNING

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, section 6.g of the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts to effectuate the purposes of the Highlands Act; and

WHEREAS, on July 17, 2008, the Highlands Council adopted Resolution 2008-27 thereby adopting the Highlands Regional Master Plan (RMP), which became effective September 8, 2008; and

WHEREAS, Policy 2E1 of the RMP directs the Highlands Council to develop regional stormwater plans to promote regional protection, restoration and enhancement of ground water recharge volume and quality where specific watersheds are at risk in the absence of regional analysis and enhanced standards; and

WHEREAS, Policy 2E2 of the RMP directs the Highlands Council to coordinate programs, funding and activities among public and private entities to encourage regional ground water recharge protection, restoration and enhancement activities consistent with the RMP; and

WHEREAS, in consideration of the requirements of the Act and RMP and in furtherance of Policies 2E1 and 2E2, the Highlands Council intends to undertake stormwater management planning in the Highlands Region on a regional basis; and

WHEREAS, the Rutgers University Cooperative Extension (RCE) Water Resources Program submitted a proposal dated February 12, 2019 for Regional Stormwater Management Planning (Proposal) that provides for stormwater management planning activities in the North and South Branch Raritan River watershed, denoted as New Jersey Department of Environmental Protection (NJDEP) Watershed Management Area (WMA) 8; and

WHEREAS, as set forth in the Proposal, RCE will, for each of twenty-four (24) municipalities in that WMA 8, prepare, as a tri-assessment approach: 1) an Impervious Cover Assessment (ICA); 2) an Impervious Cover Reduction Action Plan (RAP); and 3) create a Green Infrastructure (GI) Feasibility Study; and

WHEREAS, the Highlands Council staff has performed extensive due diligence into the qualifications and capabilities of RCE to satisfactorily and timely complete the work set forth in the Proposal; and

WHEREAS, the Highlands Council staff has concluded that RCE has successfully completed numerous tri-assessment studies for various municipalities throughout the State of New Jersey, and is in fact the only public or private entity in the state that offers such services; and

WHEREAS, the Highlands Council may enter into a professional services contract with RCE without soliciting public bids where RCE constitutes a sole source vendor that is uniquely qualified to undertake the task required by the Highlands Council; and

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until the completion of the Governor's review of the Highlands Council minutes

RESOLUTION 2019-14

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF CONTRACT FOR
REGIONAL STORMWATER MANAGEMENT PLANNING

WHEREAS, the Highlands Council staff is therefore recommending a sole source contract pursuant to Executive Order 37 (2006) paragraph 16(c) and GAU Procurement Best Practices dated July 19, 2012, paragraph VII (e) in that RCE's exceptional knowledge of and experience with regional stormwater management planning uniquely qualifies the vendor as the only entity available to meet the Council's specific needs, at a specific time and place with a specific delivery date; and

WHEREAS, under Treasury Circular 05-14, the Highlands Council can enter into a contract directly with RCE as it is part of a state college or university without any requirement to publicly bid the contract and without any requirement to seek a waiver of advertising, subject to the approval of the Office of Management and Budget (OMB), which approval has already been received; and

WHEREAS, RCE proposes to perform the services set forth in the Proposal for a cost not to exceed $264,000, which scope of work and cost have been reviewed and approved by the Budget and Finance Committee;

NOW, THEREFORE, BE IT RESOLVED by the Highlands Council that:

The Executive Director, or his/her designee, is hereby authorized to enter into a contract with the Rutgers University Cooperative Extension (RCE) Water Resources Program for an amount not to exceed $264,000, as approved by the Office of Management and Budget.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 18th day of July, 2019.

Carl Richko, Chair

Vote on the Approval of This Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Carluccio			√			
Councilmember Dougherty			√			
Councilmember Dressler	√		√			
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember James			√			
Councilmember Sebetich						√
Councilmember Visioli		√	√			
Councilmember Vohden				√		
Councilmember Walton				√		
Chairman Richko			√			