

**BOROUGH OF PENNINGTON
RESOLUTION 2018-11.12**

**RESOLUTION AUTHORIZING AMENDMENT OF PROFESSIONAL SERVICES
AGREEMENT WITH CGP&H LLC FOR AFFORDABLE HOUSING SERVICES**

WHEREAS, Pennington Borough has entered into an agreement with CGP&H LLC for the performance of professional services relating to administration of the Borough's Affordable Housing program ("Agreement");

WHEREAS, the Agreement provides in Schedule A, which is attached to the agreement, the following Scope of Services and Compensation:

"For services rendered by the Consultant, the Consultant shall be Compensated as follows;

Administrative Agent Advisory Services paid the Borough

CGP&H shall provide the Borough of Pennington advisory services on the development of the Borough's affordable housing plan and affordable housing matters regarding the eventual resale/turnover of the 16 affordable housing units at the American Properties development and 8 units at Pennington pointe. For these services, CGP&H will bill hourly at \$145 per hour for senior staff and \$100 per hour for all other staff."

WHEREAS, CGP&H now proposes as an amendment to the Agreement which would substitute an expanded Schedule A, breaking down the services to be provided into five (5) categories, including : (1) Initial Program Setup (First Year Only) at the hourly rate of \$145 per hour for senior staff and \$100 per hour for all other staff, total not to exceed \$2,000; (2) Day-to-Day Administrative Agent Services, billed at the same hourly rates as in #1 but capped at a not to exceed \$6,000 per year; (3) Administrative Agent Resale Fee, billed as a flat fee payable by the Borough for each sale unit at the time it is listed for sale (with an additional 3% of the resale price to be paid to CGP&H by the seller at closing); (4) Direct Costs, providing reimbursement for expenses up to \$300 per contract year; (5) Additional Advisory Services as requested by the Borough, billed at the same hourly rates as above. With the exception of the last category, covering additional services upon request, the services to be provided will not require further authorization by the Borough.

WHEREAS, a copy of the proposed new Schedule A is attached to this Resolution, providing additional explanations of each of the categories of services listed;

WHEREAS, CGP&H has provided a form of "Amendment #1 to Contract (Dated August 1, 2022 through July 31, 2023," which is also attached;

WHEREAS, Amendment #1 almost entirely overlaps the form of agreement presently in effect except it appears to omit the provision in the present Agreement that would permit either party to cancel the Agreement on one month's notice, and generally, Amendment #1 creates uncertainty as to precisely what it intends to change in the present Agreement beyond substituting a new Schedule A;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington, that the Mayor, upon resolution of the issues described above to his satisfaction, is hereby authorized to sign and enter into the attached Amendment #1 on behalf of the Borough;

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Gross				
Chandler					Marciante				
Gnatt					Stern				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on November 7, 2022.

Elizabeth Sterling, Borough Clerk