

**BOROUGH OF PENNINGTON
RESOLUTION 2025-1.26**

**RESOLUTION AUTHORIZING PROFESSIONAL SERVICES
AGREEMENT WITH SOUTH JERSEY WATER TEST, LLC FOR
WATER ANALYSIS FOR THE PERIOD JANUARY 1, 2026 TO
DECEMBER 31, 2026**

WHEREAS, the Borough of Pennington requires professional services for routine sampling, analysis and consulting services related to operation of the Borough's potable water system;

WHEREAS, South Jersey Water Test, LLC ("South Jersey Water Test"), having its principal office at 4077 South Black Horse Pike, Williamstown, NJ 08094, is an independent testing company able to provide the professional services required;

WHEREAS, South Jersey Water Test has submitted the attached proposal for the work indicating a fee for sampling in the amount of \$125 per Sampling Event, a sample pickup fee of \$50 per Sample Pickup, and a range of fees for Laboratory Services and Reporting based on the type of test;

WHEREAS, the work shall include all routine laboratory sampling and analysis as set forth in the attached proposal;

WHEREAS, on the advice of the Borough's Superintendent of Public Works, the type and frequency of testing required by the New Jersey Department of Environmental Protection (NJDEP), as set forth in the South Jersey Water Test proposal, applying its fee schedule, will generate a cost not to exceed \$ _____ for the year;

WHEREAS, if sampling and analysis is required by the NJDEP but not included in the proposal, it shall be invoiced separately;

WHEREAS, a condition of any agreement must include a requirement that South Jersey Water Test shall file all analytical reports with the appropriate regulatory agency within the time prescribed by law and shall be responsible for any untimely filings, including all fines and penalties;

WHEREAS, before the agreement may be effective, South Jersey Water Test shall supply proof of general and contract liability insurance and professional liability insurance with minimum limits of \$1,000,000 respectively, naming the Borough of Pennington an additional insured as appropriate;

WHEREAS, approval of this contract complies with NJSA 19:44A-20.5, which prohibits the award of certain professional services contracts to any person or business entity which makes reportable contributions to local political or candidate committees representing members of the governing body;

WHEREAS, this contract is being awarded as a professional services contract in compliance with the Local Public Contracts Law, NJSA 40A:11-1, et seq. without advertising for proposals or competitive bidding;

WHEREAS, South Jersey Water Test has completed and submitted a sworn Business Entity Disclosure Certification which certifies that the firm has not made and shall not make any political contribution prohibited by the relevant provisions of the statute concerning pay-to-play;

WHEREAS, South Jersey Water Test shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Exhibit A;

WHEREAS, the Chief Financial Officer of the Borough has certified that funds are available for the purpose of this contract in the Water/Sewer Operating Budget – Account# 6-05-55-501-000-256;

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing an award of contract for professional services without competitive bid be publicly advertised following adoption;

NOW, THEREFORE, BE IT RESOLVED, by Borough Council of the Borough of Pennington, that the Borough Administrator is hereby authorized to issue an appropriate purchase order and accept as a binding contract the attached proposal by South Jersey Water Test for a **contract price not to exceed \$_____**, for a period of one year from January 1, 2026 through December 31, 2026, provided such agreement shall be further subject to such amendments for supplemental services required by NJDEP as may hereafter be agreed upon, and provided further that such agreement shall state explicitly that South Jersey Water Test shall indemnify and hold harmless the Borough from all negligent acts and omissions by South Jersey Water Test in connection with performance of the agreement, including but not limited to the timely filing of all analytical reports required by law, this agreement to be subject to review and approval by the Borough Attorney; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be publicly advertised as required by law.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Rubenstein				
Chandler					Stern				
Kassler-Taub					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by Pennington Borough Council at a meeting on January 5, 2026.

Elizabeth Sterling, Borough Clerk