

**PLAINSBORO TOWNSHIP ZONING BOARD OF ADJUSTMENT
PROFESSIONAL SERVICES CONTRACT**

AGREEMENT made this 1st day of February 2023, between Michael K. Mueller and Mueller & Associates ("Contractor") and the ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF PLAINSBORO, County of Middlesex, a municipal corporation of the State of New Jersey, having its offices at 641 Plainsboro Road, Plainsboro, New Jersey

W I T N E S S E T H:

WHEREAS, the Township Zoning Board of Adjustment requires the services of a Zoning Board of Adjustment Planner; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(l)(a)(i) authorizes the awarding of professional services contracts without public bidding; and

WHEREAS, the Zoning Board of Adjustment adopted a Resolution on February 1, 2023 awarding this contract to Michael K. Mueller and Mueller & Associates.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the parties hereto mutually covenant and agree as follows:

1. The Contractor agrees to furnish professional services in accordance with the Resolution awarding the contract at the following rates:

Principal	\$98.00/hour
Senior Associate	\$88.50/hour
Research Associate	\$56.00/hour
Draftsperson, Graphics Technician	\$45.00/hour
Production Associate	\$35.00/hour
2. The term of the contract is from January 1, 2023 to December 31, 2023.
3. Payments will be made to the Contractor on a monthly basis upon submission of properly executed vouchers in accordance with established Township procedures.
4. The Contractor and the Zoning Board of Adjustment Planning Board hereby incorporate into this contract the mandatory affirmative action provisions set forth in Exhibit "A" attached hereto.

ATTEST:

TOWNSHIP PLANNING BOARD

Josi Easter, Secretary
Zoning Board of Adjustment

Cary Spiegel, Chairman
Zoning Board of Adjustment

ATTEST/WITNESS:

Witness

Michael K. Mueller

EXHIBIT "A"

During the performance of this contract, the contractor agrees as follows:

- (a) The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;
- (b) The contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation;
- (c) The contractor or subcontractor, where applicable will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Public Agency Compliance officer advising the labor union or worker's representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment;
- (d) The contractor or subcontractor, where applicable agrees to comply with any regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time;
- (e) The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action office pursuant to Section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, 127, as amended and supplemented from time to time;
- (f) The contractor or subcontractor agrees to inform in writing all recruitment agencies, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices;
- (g) The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and applicable federal law and applicable federal court decisions.

- (h) The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey and applicable federal law and applicable federal court decisions.

Provisions (d), (e), (f), (g), or (h) not required for subcontractors with four (4) or fewer employees or a contractor who has presented evidence of a federally approved or sanctioned Affirmative Action Program.

DRAFT