

AGREEMENT FOR PROFESSIONAL SERVICES

THIS AGREEMENT dated the 1st day of January 2021,

BETWEEN: **TOWNSHIP OF BARNEGAT**, a municipal corporation of the State of New Jersey, having its principal offices located at 900 West Bay Avenue, Barnegat, New Jersey 08005 (hereinafter referred to as "Township")

AND: **DASTI & ASSOCIATES, P.C.**, having principal offices located at 310 Lacey Road, Forked River, New Jersey 08731 (hereinafter referred to as "Attorney").

WITNESSETH:

WHEREAS, the Township has the need for a Township Attorney; and

WHEREAS, Christopher J. Dasti of Dasti & Associates, P.C. is duly qualified to serve as Township Attorney; and

WHEREAS, the Township Committee of the Township of Barnegat has appointed Christopher J. Dasti to serve as Township Attorney for 2021; and

WHEREAS, pursuant to law, the parties hereto wish to enter into an agreement for Professional Legal Services.

NOW, THEREFORE, the parties hereunder do agree as follows:

1. That Dasti & Associates, P.C. is hereby appointed and designated as Township Attorney, which shall include affordable housing matters, for the Township for the period beginning January 1, 2021 and ending December 31, 2021.

2. The Attorney shall be paid a flat fee of \$100,000 for general legal services, plus disbursements such as court filing fees, in equal monthly installments over the twelve (12) month period for services rendered. Litigation matters will be billed at the hourly rate of \$140.00 an hour.

3. Any other extraordinary legal services as determined and authorized by the Township and which could not be anticipated at the time of this Agreement shall be authorized by the Township Committee.

DASTI & ASSOCIATES
ATTORNEYS AT LAW
310 Lacey Road
P.O. Box 779
Forked River, N.J. 08753

4. The parties to this contract agree to incorporate into this contract the mandatory language of subsection 3.5(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply fully with the terms, provisions, and obligations of said subsection 3.5(a).

5. The parties to this contract agree to incorporate into this contract the mandatory language of section 3.7 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the contractor or subcontractor agrees to comply fully with the terms, provisions, and obligations of said section 3.7.

6. The Attorney shall execute the Affirmative Action Agreement, Exhibit A attached hereto, which shall be incorporated herein by reference.

7. The Attorney shall submit a copy of the Certificate of Employee Information Report, or a copy of letter of Federal approval, or Form AA-302 (Initial Employee Information Report) prior to execution of this Agreement.

8. The Attorney shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the Attorney.

Before final payment on the contract is made by the Township, the Attorney shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract or shall attest that no subcontractors were used.

For the term of the contract, the Attorney and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

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A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L. 2001, c. 134 (C.52:32-44 et al.) or subsection e. or f. of section 92 of P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

9. The Township and the Attorney for themselves, their heirs, executors, administrators, successors or assigns, hereby agree to the full performance of the covenants herein contained.

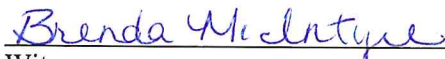
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

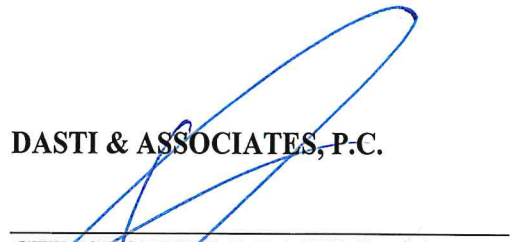
WITNESS & ATTEST:

TOWNSHIP OF BARNEGAT


MICHELE RIVERS, RMC
Township Clerk
(Seal)


ALBERT BILLE, Mayor


Witness

DASTI & ASSOCIATES, P.C.

CHRISTOPHER J. DASTI, President

DASTI & ASSOCIATES

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