Burlington County Board of Social Services

Resolution No. 2026-38

Authorizing Professional Services Agreement with Malamut and Associates, LLC to Serve as General Counsel

WHEREAS, the Burlington County Board of Social Services ("BOARD") has a need for the provision of general legal services following the recent retirement of their longtime Chief Counsel; and

WHEREAS, the Board seeks to retain General Counsel to commence service effective November 1, 2026; and

WHEREAS, pursuant to BOARD Resolution No. 2026-33, the BOARD invited the submission of proposals from individuals and firms interested in serving as the BOARD's General Counsel by prominent publication of a public notice on the BOARD's official internet site on or about September 17, 2026 with a public opening of proposals taking place at 10:00 a.m. on October 14, 2026 at the Burlington County Human Services Facility employing the following publicly announced criteria: (a) Technical Considerations (responsiveness, scope of work understanding, qualifications and experience, innovation, environmental respect); (b) Performance (track record, references and recommendations, responsibility, integrity, cultural sensitivity); (c) Cost (relative cost, full explanation); and (d) Local Criteria (familiarity, community stake); and

WHEREAS, the law firm of Malamut and Associates, LLC ("CONTRACTOR") submitted a proposal to the BOARD dated October 14, 2026; and

WHEREAS, the BOARD has found CONTRACTOR to be exceptionally well-qualified and possessing superior professional skill and ability to provide such legal representation; and

WHEREAS, the CONTRACTOR and the BOARD have reached agreement, the specific terms of which are set forth in the professional services agreement annexed hereto and made a part hereof; and

WHEREAS, this professional services agreement is being awarded through a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the BOARD's fair and open procurement process is fully compliant with "Best Practices for Awarding Service Contracts" promulgated by the New Jersey Office of the State Comptroller; and

WHEREAS, the maximum amount of the agreement is $250,000.00 and funds are available in the current account number 61.2 entitled Special Services: Other Consultants as evidenced by the Certifying Finance Officer's Certification of Availability of Funds No. 2026-15; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires that the resolution authorizing the award of agreements for "Professional Services" and the agreement itself be available for public inspection at the BOARD's administrative offices;

NOW, THEREFORE, BE IT RESOLVED by the Burlington County Board of Social Services, a public body corporate and politic of the State of New Jersey, that:

1. The BOARD is hereby authorized and directed to engage the firm of Malamut and Associates, LLC as General Counsel.

2. The term of this appointment shall be from November 1, 2026 through October 31, 2027.

3. The annexed professional services agreement between the BOARD and the CONTRACTOR is hereby approved.

4. The Chairperson and the Secretary of the BOARD are hereby authorized and directed to execute, attest, seal, and deliver Professional Services Agreement No. 2026-1 on behalf of the BOARD.

5. The Director or designee is hereby authorized and directed to take such steps as necessary and proper to effectuate the terms of this Resolution.

6. This agreement is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the agreement is for a service performed by persons authorized by law to practice a recognized profession that is regulated by law.

7. This agreement is awarded pursuant to a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

8. Notice of this action shall be published once in the BOARD's official newspaper, *Burlington County Times*, within ten (10) days of passage, as required by law.

9. If any provision of this resolution, or the application thereof to any person or circumstance, is held invalid by operation of law or by a Court or other tribunal of competent

jurisdiction, the remainder of the resolution and the application thereof to other persons or circumstances shall not be affected thereby.

10. All resolutions and parts of resolutions are repealed insofar as they are inconsistent herewith.

11. This resolution shall take effect immediately.

Harriet D. Cohen
Chairperson

I hereby certify that the above resolution was adopted by the Burlington County Board of Social Services assembled in regular session on October 15, 2026.

Dorothy D. Bayles
Secretary