Township of West Milford

Passaic County, New Jersey

~ Resolution 2014 - 031 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PAUL FERRIERO OF FERRIERO ENGINEERING, TO WORK ON OPEN SPACE MATTERS AS DICTATED BY THE TOWNSHIP COUNCIL

WHEREAS, with the creation of a dedicated source of tax revenue ("Open Space Trust Fund") for the acquisition of open space, the Township has worked hard in attempting to obtain various parcels of land throughout the Township for open space purposes; and

WHEREAS, the Township Council must perform due diligence prior to expending open space funds on property acquisition; and

WHEREAS, from time to time, such due diligence requires engineering review of certain facets of any given property being considered for open space acquisition; and

WHEREAS*,* Paul Ferriero has completed and submitted a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of West Milford with the elected officials in the previous one year, and that the contract will prohibit the firm of Ferriero Engineering from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for these services said funds to be encumbered from the Township's Open Space Trust Account.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Milford in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

1. The Township Mayor and Township Clerk be and are hereby authorized to execute a contract with Paul Ferriero, PE, PP, CME, LEED AP for professional services to perform due diligence at the Council's direction on properties to be considered for open space acquisition.
2. This contract is awarded without competitive bidding as "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The term of this contract shall be until December 31, 2014.
4. The total fee authorized for this contract shall not exceed $3,000 without the prior written approval of the Township Council.
5. That a notice of this action shall be published in accordance with law, and said notice to provide that the contract awarded and this resolutions authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 4, 2014

Adopted this 4th day of January, 2014
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk