

Township of West Milford

Passaic County, New Jersey

~ Resolution 2014 – 400 ~

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 FOUNDATION TITLE, LLC FOR TITLE COMMITMENT AND SEARCH WORK ASSOCIATED WITH THE PROPERTIES DESIGNATED AS BLOCK 12001 LOTS 16, 19 AND LOTS 17, 18 IN THE TOWNSHIP OF WEST MILFORD IN AN AMOUNT NOT TO EXCEED \$1,734.00

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, as a result, the Township recently authorized the purchase of a certain parcels of land for open space, designated as Block 12001, Lots 16,19 (Ascher property) and Lots 17,18; and

WHEREAS, with this potential acquisition, there is a need for title commitment, assessment and judgment and related search work in accordance with NJDEP Green Acres requirements; and

WHEREAS, the Township wishes to retain Foundation Title, LLC for the purpose of assisting the Township in its potential acquisition with the searches and title commitment searches as outlined in its estimate dated November 10, 2014 associated with the property designated as Block 12001, Lots 16, 19 (Ascher property) in an amount of \$1,309.00 and Lots 17, 18 in an amount of \$425.00; and

WHEREAS, the total amount of the contract shall not exceed \$1,734.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

WHEREAS, Foundation Title, LLC has completed and submitted both a Political Contribution Disclosure Form and 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 Foundation Title LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bid and the contract itself must be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Township of West Milford hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Foundation Title LLC with offices located at 65 Madison Avenue, Suite 250 Morristown, NJ 07960 to assist the Township with the work and preparation of searches and title commitment searches for the property designated

as Block 12001, Lots 16, 19 (Ascher property) and Lots 17,18, in an amount not to exceed \$1,734.00, and in accordance with its estimate dated November 10, 2014, available in the Clerks Office for public inspection.

2. This contract is awarded without competitive bidding as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$1,734.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form and Business Disclosure Entity Certification shall be available in the Clerks Office.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer and Foundation Title LLC, 65 Madison Avenue, Suite 250 Morristown, NJ 07960 for their information and guidance.

Adopted: December 17, 2014

Adopted this 17th day of December 2014
and certified as a true copy of an original.

Antoinette Battaglia, Township Clerk