

## Township of West Milford

Passaic County, New Jersey

### ~ Resolution 2013 – 334 ~

**RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO PAUL W. FERRIERO, PE, CME, OF FERRIERO ENGINEERING, INC., FOR PROFESSIONAL ENGINEERING SERVICES REGARDING THE CONSTRUCTION OF AN ACCESS DRIVEWAY FROM THE TOWNSHIP'S RECYCLING FACILITY, LOCATED ON BLOCK 6002, LOT 18.02 TO AIRPORT ROAD**

**WHEREAS**, the Township has a recycling facility, located on Block 6002, Lot 18.02 (hereinafter, the "property"); and

**WHEREAS**, Block 6002, Lot 18.02 is a "landlocked" parcel that does not have frontage onto a public roadway; and

**WHEREAS**, in order to gain access to the property, the Township desires to construct an access driveway from the property to Airport Road; and

**WHEREAS**, in order to construct the access driveway, the Township anticipates that it will need professional engineering services for various needs, including the filing of an application for Highlands Preservation Area Approval from the NJ Department of Environmental Protection; and

**WHEREAS**, the Township wishes to retain the services of Paul W. Ferriero, PE, CME of Ferriero Engineering, Inc. to perform such services and for such other services as identified in his proposal dated November 8, 2013; and

**WHEREAS**, the professional engineering services to be provided by Paul W. Ferriero, PE, CME of Ferriero Engineering, Inc. shall not exceed the amount of \$10,000 without a Resolution authorizing an increase to the compensation limitations; and

**WHEREAS**, funds are available for this purpose; 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 Township Council of the Township of West Milford, in the 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 Paul W. Ferriero, PE, CME of Ferriero Engineering, Inc., 180 Main Street, P.O. Box 571, Chester, New Jersey 07930, to provide professional engineering services as set forth herein and Ferriero's proposal, dated November 8, 2013. The professional engineering services to be provided by Paul W. Ferriero, PE, CME of Ferriero Engineering, Inc. shall not exceed the amount of \$10,000 without a Resolution authorizing an increase to the compensation limitations.
2. This contract is awarded without competitive bidding as a professional service in accordance with the provisions of the Local Public Contracts Law because said services are performed by a person authorized by law to practice a recognized profession. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that neither Ferriero Engineering, Inc., its subsidiaries, assigns or principals controlling in excess of 10% of the firm has made a contribution in the one (1) year period preceding the award of the contract

that is reportable to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44-16 so as to affect his eligibility to perform this contract, nor will it or they make a reportable contribution during the term of the contract to any political party committee in the Township of West Milford if a member of that political party is serving in an elective public office of the Township of West Milford when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of West Milford when the contract is awarded.

3. Ferriero Engineering, Inc. is advised of the responsibility to file an annual statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271 §3) if it received contracts in excess of \$50,000 from public entities in a calendar year. It is Ferriero Engineering's responsibility to determine if filing is necessary.
4. Notice of this action shall be published once in the Township's official newspaper as required by law.
5. A copy of this Resolution shall be provided to Monica Goscicki, Township Chief Financial Officer and Ferriero Engineering, Inc., 180 Main Street, P.O. Box 571, Chester, New Jersey 07930, for their information and guidance.

This Resolution shall take effect immediately.

Adopted: November 13, 2013

Adopted this 13<sup>th</sup> day of November, 2013  
and certified as a true copy of an original.

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Antoinette Battaglia, Township Clerk