

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2023 – 038 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITH HAWKINS, DELAFIELD, & WOODS, LLP FOR BOND COUNSEL SERVICES

**WHEREAS**, the Township of West Milford has a need to appoint Bond Counsel as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5 as appropriate*; 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 bids and the contract itself must be available for public inspection; and

**WHEREAS**, Robert Beinfield of the firm Hawkins, Delafield & Wood, LLP will provide legal services as bond counsel in an amount not to exceed \$43,000.00; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for these services, said funds to be encumbered from various accounts pursuant to "Section 20" of the Local Bond Law in an amount not to exceed \$43,000.00 with \$22,897.00 from account 04-215-55-827-009 and \$20,103.00 from account 04-215-55-828-003 without prior written approval from the Township Council.

**WHEREAS**, Robert Beinfield, Esq. 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 Hawkins, Delafield & Wood, LLP from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer has recommended that Hawkins, Delafield & Woods, LLP be retained to provide Bond Counsel services to the Township of West Milford.

**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 Mayor and Township Clerk be and are hereby authorized to execute a contract with Hawkins, Delafield, & Woods, LLP of One Gateway Center, Newark, NJ 07102 for professional bond counsel services in an amount not to exceed \$43,000.00 which shall include services administered as bond counsel to the Township.
2. This contract is awarded as a "Professional Services" pursuant to *N.J.S.A. 19:44A-20 et seq.* and the local public contracts law.
3. The duration of the contract shall be for the 2023 calendar year.
4. The total fee authorized for this contract shall not exceed \$43,000.00 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 resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: January 4, 2023

Adopted this 4<sup>th</sup> day of January, 2023  
and certified as a true copy of an original.

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William Senande, Township Clerk