

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2024 – 096 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO BOSWELL ENGINEERING, INC. FOR ENGINEERING SERVICES & ENVIRONMENTAL ANALYSIS OF THE BRADRIK LANE STREAM (TASK 2)

**WHEREAS**, the Township of West Milford has previously expressed an interest in evaluating the Bradrick Lane Stream and determining the extents of potential work in considering the stormwater drainage concerns in the area; and

**WHEREAS**, an Engineering Feasibility Summary (Task 1) was received from Boswell Engineering, Inc. (formerly Ferriero Engineering, Inc.) and reviewed on October 17, 2023 as part of the initial phase of review per the provided proposal based upon requested work by the impacted public in the area; and

**WHEREAS**, the Township of West Milford has expressed an interest to further the evaluation and consider a portion of Task 2 of the proposal, including Site Inspection / Meetings / Correspondence, Wetlands Delineation, Additional Survey Work and Sediment Depth Sampling, in order to determine extents of potential work; and

**WHEREAS**, the Township of West Milford has a need to appoint a Professional Services Contract as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.4 et seq. 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**, Boswell Engineering, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the business 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 Boswell Engineering, Inc. 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 pursuant to N.J.A.C. 5:30-5.4 in an amount not to exceed \$14,625.00 from account #04-215-55-840-007.

**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 with Boswell Engineering, Inc., 180 Main Street, P.O. Box 572, Chester, NJ 07930 for professional services for further evaluation and determinations at the Bradrick Lane Stream not to exceed \$14,625.00.
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 total fee authorized for this contract shall not exceed \$14,625.00 without the prior written approval of the Township Council.
4. 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: February 14, 2024

Adopted this 14<sup>th</sup> day of February, 2024  
and certified as a true copy of an original.

\_\_\_\_\_  
William Senande, Township Clerk