

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF MOUNT OLIVE AUTHORIZING THE
AWARD OF A PROFESSIONAL SERVICES CONTRACT
WITHOUT COMPETITIVE BIDDING TO BOSWELL
ENGINEERING, FOR PROFESSIONAL SERVICES
ASSOCIATED WITH THE COBBLESTONE HEALTH
CARE FACILITY, 20-23 STONEWALD COURT DRIVE,
BUDD LAKE, MOUNT OLIVE TOWNSHIP, NEW JERSEY,
BLOCK 3203, LOTS 21 AND 28**

WHEREAS, the Township previously retained Boswell Engineering to perform hydrogeologic assessments at the Cobblestone Health Care Facility, located at 20-23 Stonewald Court Drive, Budd Lake, Mount Olive Township, New Jersey, Block 3203, Lots 21 and 28 (hereinafter "Property"); and

WHEREAS, well testing need to be performed on the Property in furtherance of Boswell's hydrogeologic assessments; and

WHEREAS, the Township wishes to retain the services of Boswell Engineering to perform such services and for such other services as identified in its proposal dated January 24, 2014; 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 Mount Olive, County of Morris and State of New Jersey as follows:

1. The Township of Mount Olive hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Boswell Engineering, whose office is located at 330 Phillips Avenue, South Hackensack, New Jersey 07606-1722, to install and test a new well, in an amount not to exceed \$75,000 and in accordance with the proposal dated January 24, 2014.
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 Boswell Engineering, or 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 he or they make a reportable contribution during the term of the contract to any political party committee in the Township of Mount Olive if a member of that political party is serving in an elective public office of the Township of Mount Olive when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Mount Olive when the contract is awarded.

3. Boswell Engineering 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 its 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 Sherry Maniscalco CMFO/CTC, Township Chief Financial Officer and Boswell Engineering, 330 Phillips Avenue, P.O. Box 3152, South Hackensack, NJ 07606-1722, for their information and guidance.

TOWNSHIP OF MOUNT OLIVE

Joe Nicastro, Council Vice President

I hereby certify the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on

Lisa Lashway, Township Clerk