

FEBRUARY 8, 2011

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT TO TRC ENVIRONMENTAL CORPORATION TO
PROVIDE ENVIRONMENTAL CONSULTING SERVICES FOR
22-24 CENTRAL AVENUE, WEST ORANGE, NEW JERSEY**

Whereas, on October 12, 2007, Harvard Development Associates, LLC (a partnership between Applied Development and the Alpert Group) submitted a Preliminary Assessment/Phase I Environmental Site Assessment Report to the New Jersey Department of Environmental Protection for the property located at 22-24 Central Avenue, West Orange; and

WHEREAS, on April 7, 2008, the Township of West Orange approved the "Harvard Press Redevelopment Plan", which includes the property located at 22-24 Central Avenue, West Orange; and

WHEREAS, on March 11, 2009 a Hazardous Discharge Site Remediation Fund application was submitted to the New Jersey Department of Environmental Protection; and

WHEREAS, there is now has a need to acquire environmental engineering consulting services through 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 anticipated term of this contract is for one year; and

Whereas, by letter dated June 16, 2010, TRC Environmental Corporation, with offices located at 57 East Willow Street, Millburn, New Jersey, indicated that they could provide the required environmental engineering consulting services for an amount not to exceed \$40,910; and

WHEREAS, the engineering services to be provided by TRC Environmental Corporation are professional services and thus exempt from public bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, TRC Environmental Corporation has completed the required disclosures certifying that the entity has not made any reportable contributions to a political party or candidate committee in the previous one year, and that the contract will prohibit them from making any reportable contributions through the term of the contract; and

WHEREAS, Harvard Development Associates, LLC has agreed to pay for the cost of the environmental engineering consulting services;

Now therefore be it resolved, that the Municipal Council of the Township of West Orange be and hereby authorizes the Mayor to enter into a contract with TRC Environmental Corporation for the above referenced purposes and for an amount not to exceed \$40,910, which shall be paid for entirely by Harvard Development Associates, LLC; and

BE IT FURTHER REOLVED that each firm, consultant and professional appointed shall be required to comply with the Affirmative Action regulations of P.L. 1975, c. 127; and

BE IT FURTHER ESOLVED that a copy of this resolution shall be maintained in the Municipal Clerk's Office and made available for public inspection and be publicized in accordance with applicable law.

Karen J. Carnevale, Municipal Clerk

Sal M. Anderton, Council President

Adopted: February 8, 2011