300-26
November 10, 2026

R E S O L U T I O N

WHEREAS, the Township of West Orange (the "Township") has determined that there exists a need to provide the following additional supplemental professional services for the Township: Professional Design Services for the Interior Alterations for Restrooms Improvements at 10 Rooney Circle; and

WHEREAS, the Professional Services are exempt from the requirements of public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(1) requires that notice of the award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, this additional contract is in the amount of $6,200 to address 2nd floor Tennant current issues and is being awarded pursuant to a "Non-Fair and Open Process" pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township's Interim Public Works Director/Business Administrator solicited and received a proposal dated October 13, 2026 for the Professional Design Services from Herbst-Musciano, LLC, 611 Main Street, Second Floor, Boonton, NJ 07005; and

WHEREAS, Herbst-Musciano, LLC, have performed similar work for other Townships on several projects; and

WHEREAS, Herbst-Musciano, LLC, provides "Professional Services" as defined by N.J.S.A. § 40A:11-2(6), by way of Architecture and Planning Services, and therefore said services are exempt from the requirements of public bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, by letter dated October 23, 2026 the Township's Interim Public Works Director/Business Administrator recommended a professional services contract be awarded to complete the phases described in the Proposal to, Herbst-Musciano, LLC, 611 Main Street, Second Floor, Boonton,

NJ 07005, for Professional Design Services associated for the Interior Alterations for Restrooms Improvements at 10 Rooney Circle, to include architectural design, engineering, and construction contract administration; and

WHEREAS, sufficient funds exist for the services outlined in the proposal of Herbst-Musciano, LLC,; and

WHEREAS, upon execution of the Agreement, Herbst-Musciano, LLC shall complete and submit a Business Entity Disclosure Certification, which certifies that Herbst-Musciano, LLC has not made any reportable contributions to a political or a candidate committee in the Township of West Orange in the previous one (1) year prior to award, and that the contract will prohibit Herbst-Musciano, LLC, from making any reportable contribution through the term of the contract; and

WHEREAS, the Township Council concurs in the foregoing.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange, New Jersey that a professional services contract be awarded to Herbst-Musciano, LLC, to provide additional Professional Design Services for the Interior Alterations for Restrooms Improvements at 10 Rooney Circle in the amount not to exceed $6,200.00, in the same or substantially the same form as attached hereto and incorporated by reference herein, subject to Township Attorney review; and

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within ten (10) days of its approval as required by State Statute.

Karen J. Carnevale, R.M.C., Municipal Clerk **Susan Scarpa, Council President**

November 10, 2026

I hereby certify funds are available from Account No.:

ACCOUNT NO.
Capital Budget
Account # 03-2544-18-0200-010
$6,000.00

John C. Ditinyak, Chief Financial Officer