

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2023 - 109 ~

### RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO GARDEN STATE FIREWORKS, INC. FOR THE TOWNSHIP'S FOURTH OF JULY CELEBRATION IN AN AMOUNT NOT TO EXCEED \$12,000

**WHEREAS**, the Township is in need of professional pyrotechnics handler services for the 2023 Fourth of July celebration; and

**WHEREAS**, Garden State Fireworks, Inc. has vast experience and expertise in providing such services in New Jersey, and to the Township; and

**WHEREAS**, the Township wishes to retain the services of Garden State Fireworks, Inc. to assist the Township of West Milford in providing a Fourth of July celebration by preparing and displaying a fireworks exhibition; and

**WHEREAS**, the total amount of the contract shall not exceed \$12,000 and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for these services and shall come from the Fireworks Trust Account 19-295-56-120-202 and account 01-201-30-420-582; and

**WHEREAS**, pursuant to the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-3, when the cost or price of any contract awarded by the contracting agent in the aggregate does not exceed in a contract year the total sum of \$17,500, the contract may be awarded by the contracting unit without public advertising for bids; and

**WHEREAS**, Garden State Fireworks, Inc. has received the Township's Political Contribution Disclosure Form and 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 Garden State Fireworks, Inc. from making any reportable contributions through the term of the contract, 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 Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Mayor and Township Clerk be and are hereby authorized to execute an agreement with Garden State Fireworks, Inc. PO Box 403 Millington, NJ 07946 for professional pyrotechnics fireworks display in an amount not to exceed \$12,000.
2. This contract is awarded without competitive bidding, as the total price of the contract shall not exceed the \$17,500 bid threshold in accordance with the provisions of the Local Public Contracts Law, specifically N.J.S.A. 40A:11-3.
3. The total fee authorized for this contract shall not exceed \$12,000 without the prior written approval of the Township Council.
4. Notice of this action shall be published in the Township's official newspaper as required by law.

Adopted: March 1, 2023

Adopted this 1<sup>st</sup> day of March, 2023  
and certified as a true copy of an original.

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William Senande, Township Clerk