

# Township of West Milford

Passaic County, New Jersey

## ~ Resolution 2024 - 303 ~

### **RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING AN ADDITION OF A CLIMATE CHANGE RELATED HAZARD VULNERABILITY ASSESSMENT TO THE AWARD OF A PROFESSIONAL SERVICES CONTRACT WITHOUT COMPETITIVE BIDDING TO JESSICA CALDWELL OF J. CALDWELL & ASSOCIATES LLC FOR A COMPREHENSIVE MASTER PLAN UPDATE TASK #3**

**WHEREAS**, March 1, 2023, the Township Council approved Resolution 2023-110 awarding a professional services contract without competitive bidding to Jessica Caldwell of J. Caldwell & Associates to develop a Comprehensive Master Plan updated pursuant to Task 3 of West Milford's Highlands Council grant program along with a Scope of Work (SOW) prepared by Jessica Caldwell, PP/AICP to the Highlands Water Protection and Planning Council (Highlands Council) dated July 20, 2022 with a budget of \$44,000; and

**WHEREAS**, since that time Senate Bill 2607 passed, requiring a Climate Change Related Hazard Vulnerability Assessment (CCRHVA) to be completed in conjunction with any Land Use Plan update and as a result J. Caldwell and Associates submitted a Scope of Work to the Township Administrator and the Highlands Council on February 1, 2024 to add the CCRHVA to the Comprehensive Master Plan update and both the Township Administrator and the Highlands Council approved the Scope of Work (SOW) for the addition of the CCRHVA to the comprehensive Master Plan Update; and

**WHEREAS**, the Scope of Work approved by the Highlands Council added \$15,000 to the Master Plan budget which will be included in the Highlands Council grant to West Milford for a total grant amount of \$59,000; and

**WHEREAS**, the Township aims to address deficiencies in the 35 year old plan and to satisfy the requirements set under the Municipal Law which now includes the requirement of a CCRHVA; and

**WHEREAS**, the Township Council wishes to make an addendum to the agreement with J. Caldwell & Associates LLC to conduct the Master Plan Update from the recommendations in the approved 2024 Scope of Work Master Plan Update that includes a CCRHVA in addition to a statement of objective, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based; and a land use element; and

**WHEREAS**, J. Caldwell & Associates LLC shall be paid an amount not to exceed \$59,000.00 to complete the Master Plan Update and CCRHVA; and

**WHEREAS**, Jessica Caldwell has completed and submitted 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 the firm of J. Caldwell & Associates LLC 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 for these services said funds to be encumbered from account number 02-213-41-734-007.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of West Milford, County of Passaic and State of New Jersey as follows:

1. The Mayor and Township Clerk are hereby authorized to make an addendum to the agreement with Jessica Caldwell, PP/AICP of J. Caldwell & Associates LLC, 145 Spring Street, Suite E, Newton, NJ 07860 for professional services for the Master Plan Update.
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 \$59,000.00 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 resolution authorizing same are available for public inspection in the office of the Township Clerk.

Adopted: August 14, 2024

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

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William Senande, Township Clerk