

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2019-163

A motion was made by Councilman Ryan; seconded by Deputy Mayor Roman that the following resolution be adopted:

**AWARDING CONTRACT TO FIRE & SAFETY SERVICES LTD. FOR THE
PURCHASE ONE NEW PIERCE ENFORCER FIRE PUMPER FOR THE
VERONA FIRE DEPARTMENT COMPANY 1**

WHEREAS, the Verona Fire Department Company 1 ("Department") recommends that Verona procure new Pierce Enforcer Model Fire Pumper for use by the Department in fulfillment of their mission to the residents of the Township replacing the 1999 Pierce Lance Model Fire Pumper; and

WHEREAS, the Department has researched vendors that would achieve their goals and determined that the sought-after equipment may be procured through a nationally-recognized and accepted cooperative purchasing contract between the Houston-Galveston Area Council ("H-GAC") and Fire & Safety Services Ltd. ("Fire & Safety"); and

WHEREAS, pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally-recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

WHEREAS, H-GAC is a regional organization of governments operating under the laws of the State of Texas and is a political subdivision of the State of Texas; and

WHEREAS, the subject cooperative purchasing contract was awarded by H-GAC to Fire & Safety utilizing a competitive contracting process; and

WHEREAS, also pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing contracts, the municipality must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, the Department have determined that Verona's use of the H-GAC cooperative purchasing contract to procure the sought-after fire pumper will result in cost savings to Verona; and

WHEREAS, consistent with the H-GAC cooperative purchasing contract and needs of Verona, Fire & Safety has submitted a proposal to provide one (1) new Pierce Enforcer Model Fire Pumper to Verona for the sum of \$674,992.22 minus a \$15,000 optional trade in of the 1999 Pierce Lance Pumper and a \$13,609 chassis prepayment option for a total of \$646,383.22; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase in Bond Ordinance No 2019-17 (Capital Account # C-53-46-031-001).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey, as follows:

1. The foregoing "Whereas" clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of one (1) new Pierce Enforcer Model Fire Pumper for the sum of \$646,383.22 is hereby awarded to Fire & Safety without the Township soliciting public bids as permitted by law.
3. The Township Manager/Qualified Purchasing Agent shall caused a Notice of Intent to award this contract in the October 10, 2019 edition of the Verona-Cedar

Grove Times establishing a ten-day comment period prior to the execution of a Contract with Fire & Safety; and

4. The Township Manager and Township Clerk are hereby authorized and directed to execute an "End User Agreement" with Fire & Safety pursuant to the terms of its nationally-recognized and accepted cooperative purchasing agreement with the Houston-Galveston Area Council.
5. The form and terms of the End User Agreement shall be consistent with this resolution is subject to the approval of the Township Attorney.

ROLL CALL:

AYES: McGrath, Giblin, Ryan, Roman, McEvoy

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT A REGULAR MEETING HELD ON OCTOBER 7, 2019.


JENNIFER KIERNAN
MUNICIPAL CLERK

