

**RESOLUTION 24-xxx**

**RESOLUTION AUTHORIZING AWARD OF CONTRACT  
TO A VENDOR WITH A NATIONAL COOPERATIVE CONTRACT  
FOR FUEL, SITE, AND FLEET SOFTWARE**

**WHEREAS**, the Township of Middletown as a contracting unit, may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Sourcewell National Cooperative, pursuant to the provision of Local Public Contract Law P.L. 2011, C.139 (the “Law” or “Chapter 139”) and N.J.S.A.52:34-6.2 and the regulations promulgated in Local Finance Notice LFN 2012-10, which permits contracting units to use contracts awarded by national or regional cooperatives or other states that were competitively bid. The law supplements existing law on the use of such contracts and is intended to provide additional flexibility to local government in the area of procurement; and

**WHEREAS** the regulations as set forth within Local Finance Notice LFN 2012-10 have been fully complied with; and

**WHEREAS**, the Qualified Purchasing Agent has complied with the public notification provisions of public advertisement and has received no protests in accord with law and regulation; and

**WHEREAS**, the Qualified Purchasing Agent, recommends the utilization of this contract based on the requirements of State Law; and

**WHEREAS**, under Sourcewell Contract #092920-GVR Ekos can provide the Township with fuel, site, and fleet software in the amount of \$199,512.00 per their software agreement amendment; and

**WHEREAS**, the contract term shall begin, October 22, 2024 and end October 21, 2026; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$50,000.00 are available for this purpose in account/line-item number(s) 4-01-26-315-100-235. A copy of the said certification is attached hereto and made part hereof. Availability of funds for the remaining balance of the contract amount is contingent upon the necessary funds being appropriated by the governing body in the 2025 and subsequent Municipal Budgets, inclusive of amount appropriated in the temporary

budget as required by N.J. A.C. 5:34-5.3 (a). A copy of the said certification is attached hereto and made part hereof.

**THEREFORE, BE IT RESOLVED,** by the Township Committee of the Township of Middletown that Ekos, under Sourcewell Contract #092920-GVR be utilized to provide fuel, site, and fleet software in the amount of \$199,512.00.