

**RESOLUTION 23-xxx**

**Resolution Authorizing the Purchase of Pour in Place Rubber & Site Preparation Through  
the Educational Services Commission of New Jersey**

**WHEREAS**, the Township may without advertising for bids, purchase any materials, supplies or equipment entered into on behalf of the Educational Services Commission of New Jersey Cooperative Purchasing System (Co-Op #65MCESCCPS) pursuant to the provision of N.J.S.A. 40A:11-11: and

**WHEREAS**, Whirl Construction, 194 Main Street, PO Box 110, Port Monmouth, NJ 07758, has been awarded the ESCNJ Contract No. 20/21-02 (expiration 6/30/24) for Playground Surfacing Materials, Installation, and Inspections; and

**WHEREAS**, under Contract 20/21-02, Whirl Construction, can provide pour in place rubber and site preparation as noted in quote numbers 102623 and 092523B for McMahon Park; and

**WHEREAS**, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$179,141.20 are available for this purpose in account/line-item number(s) T-03-56-802-120-004. 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, County of Monmouth, State of New Jersey that the Township of Middletown enter into an agreement with Whirl Construction for the delivery of pour in place rubber and site preparation in the amount of \$179,141.20.