

RESOLUTION 22-xxx

**RESOLUTION AUTHORIZING AWARD OF CONTRACT
TO A VENDOR WITH A NATIONAL COOPERATIVE CONTRACT
FOR ONE (1) CATERPILLAR 315 HYDRAULIC EXCAVATOR**

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 #02119-CAT Foley Inc, an authorized dealer for Caterpillar 315 Hydraulic Excavator, can provide the Township with one (1) new 315 Caterpillar Hydraulic Excavator in the amount of \$254,576.00 per their quote dated October 24th, 2022; and

WHEREAS, the Chief Financial Officer for the Township of Middletown has certified that free and unencumbered funds in the amount of \$254,576.00 are available for this purpose in account/line-item number(s) C-04-55-922-339-004. 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 that Foley Inc, under Sourcewell Contract #02119-CAT be utilized to provide one (1) new 315 Caterpillar Hydraulic Excavator in the amount of \$254,576.00.