

**BOROUGH OF PENNINGTON
RESOLUTION 2023 - 3.6**

**RESOLUTION APPOINTING MICHAEL W. PITTS, JR OF PITTS AND
SONS, LLC AS QUALIFIED PURCHASING AGENT FOR THE
BOROUGH OF PENNINGTON**

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed and granted the authorization to negotiate and award contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, the Borough of Pennington desires to take advantage of the increased bid threshold by the retention of a Qualified Purchasing Agent; and

WHEREAS, Michael W. Pitts, Jr. has received certification from the Division of Local Government Services that he has qualified as a Qualified Purchasing Agent and

WHEREAS, the Borough Administrator has recommended the retention of Michael W. Pitts, Jr. of the firm of Pitts and Sons, LLC; and

WHEREAS, the Borough is authorized by law to retain a Qualified Purchasing Agent by contracting with an individual who possesses a QPA Certificate; and

WHEREAS, Mr. Pitts shall comply with Pay to Play regulations and will complete and submit a sworn Business Entity Disclosure Certification which certifies that neither he nor his firm has made or shall make any political contribution prohibited by relevant provisions of N.J.S.A. 19:44A-20.5 or Chapter 15, Article I of the Pennington Borough Code, regarding pay-to-play;

WHEREAS, Mr. Pitts shall comply with requirements for Anti-Discrimination and Affirmative Action as set forth in the annexed Schedule A;

WHEREAS, Mr. Pitts shall be compensated as Qualified Purchasing Agent for a yearly amount of \$5,000 payable by purchase order, as set forth in his annexed Proposal; and

WHEREAS, the Chief Financial Officer has certified that funds are available for this purpose in the Administration Budget account #3-01-20-100-000-252;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Pennington that Michael W. Pitts, Jr of the firm of Pitts and Sons, LLC is hereby retained as the Qualified Purchasing Agent for the Borough of Pennington to exercise the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a contract with Mr. Pitts consistent with the term of his annexed Proposal, subject to approval as to form by the Borough Attorney; and

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Pennington, that the Borough hereby increases its bid threshold to the maximum amount permitted by law; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 Borough Clerk is hereby authorized and directed to forward a certified copy of this resolution and a copy of Mr. Pitt's

Certification to the Division of Local Government Services.

Record of Council Vote on Passage

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone					Marciante				
Chandler					Stern				
Gnatt					Valenza				

This is to certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Pennington at a meeting on March 6, 2023.

Elizabeth Sterling, Borough Clerk