

**BOROUGH OF PENNINGTON
RESOLUTION 2024 – 1.17**

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

WHEREAS, the Borough of Pennington is subject to the provisions of the New Jersey Local Public Contracts Law, N.J.S.A 40A:11-1 et. seq, which under N.J.S.A. 40A:11-3a permits an increase in the bid threshold upon the appointment of a Qualified Purchasing Agent with the authority to negotiate and award contracts below the bid threshold;

WHEREAS, by Resolution 2023-3.6 adopted on March 6, 2023, Borough Council approved the appointment of Michael W. Pitts, Jr of the firm of Pitts and Sons, LLC 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); 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 Mayor now seeks Borough Council approval of the re-appointment of Michael W. Pitts, Jr. of the firm of Pitts and Sons, LLC, as the Borough's Qualified Purchasing Agent; and

WHEREAS, Mr. Pitts' services are professional services limited to a renewable term of one year;

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, regarding pay-to-play;

WHEREAS, Mr. Pitts shall comply with the 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 the re-appointment of Michael W. Pitts, Jr of the firm of Pitts and Sons, LLC as the Qualified Purchasing Agent for the Borough of Pennington in 2024 is hereby approved;

BE IT FURTHER RESOLVED, that Mr. Pitts shall be paid the lump sum of \$5,000. in accordance with the attached Proposal;

BE IT FURTHER RESOLVED, that the Mayor, with the attestation of the Borough Clerk, is hereby authorized to enter into a contract or purchase order 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 and quote thresholds to the maximum amount permitted by law; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the 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 January 2, 2024.

Elizabeth Sterling, Borough Clerk