

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 22-209

AWARDING CONTRACT TO CXT PRECAST CONCRETE PRODUCTS FOR THE PURCHASE OF TWO CONCRETE RESTROOMS

WHEREAS, the Township of Upper Deerfield (“Department”) wishes to procure two concrete restrooms for use by the Recreation Department; and

WHEREAS, the Department has researched vendors that would achieve the Department’s goals and determined that the sought-after equipment may be procured through a nationally recognized and accepted cooperative purchasing contract between Sourcewell (NJPA) and CXT Precast Concrete Products; and

WHEREAS, pursuant to *N.J.S.A. 52:34-6.2b. (3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally-recognized and accepted cooperative purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

WHEREAS, Sourcewell is a regional organization of governments operating under the laws of the State of Minnesota and is a political subdivision of the State of Minnesota; and

WHEREAS, the subject cooperative purchasing contract was awarded by Sourcewell to CXT Precast Concrete Products utilizing a competitive contracting process with an awarded contract number #081721-CXT; and

WHEREAS, also pursuant to *N.J.S.A. 52:34-6.2b.(3)* (as amended by *P.L. 2011, c.139*) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing contracts, the municipality must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, the Department has determined that Upper Deerfield’s use of the Sourcewell cooperative purchasing contract to procure the sought-after concrete restrooms will result in cost savings to Upper Deerfield; and

WHEREAS, consistent with the Sourcewell cooperative purchasing contract and needs of Upper Deerfield, NJ CXT Precast Concrete Products has submitted a proposal to provide one Kodiak 10’ 6” x 23’ 8” (\$106,255.00) and a Cortez 10’ 3” x 17’ (\$71,755.00) to Upper Deerfield for the sum of (\$177,810.00); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for this purchase.

NOW, THEREFORE, BE IT RESOLVED by the Township of Upper Deerfield,

1. The foregoing “WHEREAS” clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of two concrete restrooms with the sum of \$177,810.00 is hereby awarded to CXT Precast Concrete Products without public bidding as permitted by law.
3. The Township Clerk is hereby authorized and directed to execute an “End User Agreement” with CXT Precast Concrete Products pursuant to the terms of its nationally recognized and accepted cooperative purchasing agreement with the Sourcewell.

Moved By: Thomas Speranza

Seconded By: Scott Smith

VOTING

James P. Crilley
John L. Daddario
Bruce T. Peterson
Scott Smith
Thomas Speranza

| <u>In Favor</u> | <u>Against</u> | <u>Abstain</u> | <u>Absent</u> |
|-----------------|----------------|----------------|---------------|
| X | | | |
| | | | X |
| X | | | |
| X | | | |
| X | | | |

CERTIFICATION

I hereby certify that the foregoing is a true copy of the Resolution adopted by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held December 15, 2022.

Roy J. Spoltore, Township Clerk

