

TOWNSHIP OF UPPER DEERFIELD

RESOLUTION 23-77

AWARDING CONTRACT TO CUMMINS EQUIPMENT CO., INC FOR THE PURCHASE OF A 2023 KUBOTA SKIDSTEER

WHEREAS, the Upper Deerfield Public Works (“Department”) recommends that Upper Deerfield Township procure an 2023 Kubota Skidsteer for use by the 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 Foley Incorporated.; 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 Cummins Equipment Co., Inc. utilizing a competitive contracting process; 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 Skidsteer will result in cost savings to Upper Deerfield; and

WHEREAS, consistent with the Sourcewell cooperative purchasing contract and needs of Upper Deerfield, Cummins Equipment Co., Inc. has submitted a proposal to provide one 2023 Skidsteer to Upper Deerfield for the sum not to exceed \$65,300 using Sourcewell Account No 031121; 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 a 2023 Kubota Skidsteer / Cummins Equipment Co., Inc. for the sum not to exceed \$65,300.00 is hereby awarded without public bidding as permitted by law.
3. The Township Clerk is hereby authorized and directed to execute an “End User Agreement” with Foley Incorporated 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
Scott Smith
Thomas Speranza
Joseph Spoltore

<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 March 16, 2023.

Roy J. Spoltore, Township Clerk

