

**TOWNSHIP OF VERONA  
COUNTY OF ESSEX, STATE OF NEW JERSEY**

**RESOLUTION No. 2018-144**

A motion was made by Councilman McEvoy; seconded by Councilman Roman that the following resolution be adopted:

**AWARDING PURCHASE CONTRACT TO MINE SAFETY APPLIANCES  
COMPANY, LLC / WITMER PUBLIC SAFETY GROUP, INC. FOR THE  
PURCHASE EQUIPMENT FOR THE FIRE DEPARTMENT**

**WHEREAS**, the Chief of the Fire Department ("Department") recommends that Verona procure new equipment for the Department including Self Contained Breathing Apparatus and related appurtenances; 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 in effect until July 31, 2019 between the Houston-Galveston Area Council ("H-GAC") and Mine Safety Appliances Company, LLC / Witmer Public Safety Group, Inc. ("MSA"); 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**, H-GAC is a regional organization of governments operating under the laws of the State of Texas and is a political subdivision of the State of Texas; and

**WHEREAS**, the subject cooperative purchasing contract was awarded by H-GAC to MSA 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 Verona's use of the H-GAC cooperative purchasing contract to procure the sought-after equipment will result in cost savings to Verona compared to the same purchase under a Cooperative Contract awarded by the State of New Jersey Division of Purchase and Property; and

**WHEREAS**, consistent with the H-GAC cooperative purchasing contract and needs of Verona, MSA has submitted a proposal to provide the required equipment to Verona for the sum of \$309,969.00; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this purchase through a grant received from the 2017 Federal Emergency Management Agency - Assistance for Firefighters Grant (Grant Account No. G-60-41-718-325) and Capital Ordinance 2017-30 (Capital Account No. C-53-46-019-000).

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Verona, in the County of Essex, State of New Jersey, as follows:

1. The foregoing "WHEREAS" clauses are hereby incorporated as if fully restated.
2. A contract for the purchase of new equipment for the Fire Department including Self Contained Breathing Apparatus and related appurtenances for the sum of \$309,969.00 is hereby awarded to Mine Safety Appliances Company, LLC / Witmer Public Safety Group, Inc. as permitted by law.

3. The Township Manager and Township Clerk are hereby authorized and directed to execute an "End User Agreement" with MSA pursuant to the terms of its nationally-recognized and accepted cooperative purchasing agreement with the Houston-Galveston Area Council.
4. The form and terms of the End User Agreement shall be consistent with this resolution is subject to the approval of the Township Attorney.

**ROLL CALL:**

**AYES:** Giblin, McEvoy, Roman, Nochimson, Ryan

**NAYS:**

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON OCTOBER 29, 2018.**

  
JENNIFER KIERNAN

MUNICIPAL CLERK

