

**RESOLUTION OF INTENT OF THE BOARD OF FIRE COMMISSIONERS OF FIRE DISTRICT NO. 1 IN THE TOWNSHIP OF FREEHOLD, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO AWARD A CONTRACT FOR THE PROCUREMENT OF A COMBINATION LADDER/PUMPER FIRE ENGINE AND FURTHER AUTHORIZING THE AWARD OF SUCH CONTRACT**

**WHEREAS**, the Board of Fire Commissioners (the “Board”) of Fire District No. 1 (the “Fire District”) in the Township of Freehold, in the County of Monmouth, State of New Jersey, is established and operating pursuant to N.J.S.A. 40A:14-70 et seq.; and

**WHEREAS**, the Board desires to purchase a new combination ladder/pumper fire engine (the “Equipment”) to improve the fire protection of those served by the Fire District; and

**WHEREAS**, on February 16, 2019, the registered voters of the Fire District approved the purchase of the Equipment at a duly held referendum; and

**WHEREAS**, in all matters of procurement, the Board is mandated to comply with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., with the exception of an alternate procurement method as set forth in N.J.S.A. 52:34-6.2(b)(3), which permits procurements by entering into nationally recognized cooperative agreements; and

**WHEREAS**, the Board resolved to join a national cooperative, namely, the Houston-Galveston Area Counsel (HGAC), a regional planning commission and political subdivision of the State of Texas, operating under Chapter 391, Texas Local Government Code (the “HGAC”); and

**WHEREAS**, pursuant to N.J.S.A. 52:34-6.2(b)(3) and LFN 2012-10, prior to making purchases under nationally-recognized and accepted cooperative purchasing agreements, the Board must determine that the use of the cooperative purchasing agreement shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

**WHEREAS**, the Board has determined that use of the HGAC to procure the Equipment will result in cost savings to the Board; and

**WHEREAS**, Fire and Safety Services Ltd. (otherwise known as Pierce Manufacturing) (“Pierce”) has provided Equipment specifications and designs that meet the Board’s needs and provides a cost-effective final price for the Equipment in the amount of \$1,418,450.89 (exclusive of the HGAC fee, if any); and

**WHEREAS**, the Board is required pursuant to N.J.S.A. 52:34-6.2(b)(3) to publish notice of its intent to award a contract under a national cooperative purchasing agreement in the Board’s official newspaper at least ten (10) days prior to entering into a contract procured through the alternate procurement method, and provide a time for public comment; and

**Exhibit A**

**Form of “Notice of Intent to Award Contract Under a National Cooperative Purchasing Agreement”**

**The Board of Fire Commissioners of Fire District No. 1 in the Township of Freehold, in the County of Monmouth, State of New Jersey**

**Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement – Contract HGAC FS12-17**

PLEASE TAKE NOTICE that the Board of Fire Commissioners of Fire District No. 1 in the Township of Freehold, in the County of Monmouth, State of New Jersey (the “Fire District”) through participation in the Houston-Galveston Area Council (HGAC), a regional planning commission and political subdivision of the State of Texas, intend to award a contract for the purchase of a combination ladder/pumper fire engine.

Information regarding the contract may be found at the Office of the Board of Fire Commissioners of Fire District No. 1, 1 Municipal Plaza, Freehold, NJ 07728 during regular business hours. Information on the Houston-Galveston Area Council can be found at its website [HGACBUY.ORG](http://HGACBUY.ORG).

The Fire District authorized membership in the HGAC Cooperative Purchasing Program in a resolution previously adopted by the Fire District. The Fire District is a member/end user of the HGAC Cooperative Purchasing Program. A contract was signed between the Fire District and HGAC.

It is the intent of the Fire District to award the contract to Fire and Safety Services Ltd., 200 Ryan Street, South Plainfield, NJ 07080, pursuant to the proposal submitted in response to the Houston-Galveston Area Council Cooperative known as HGACBUY Request for Bids.

The Fire District is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:34-6.2(b)(3).

The Comment Period ends on the date that is 10 days following the date of publication of this Notice.

**WHEREAS**, the Board finds that it is in the best interest of the Board and the community to utilize the HGAC for the procurement of the Equipment.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Fire Commissioners of Fire District No. 1 in the Township of Freehold, in the County of Monmouth, State of New Jersey, as follows:

**Section 1.** The recitals to this resolution are incorporated as if set forth in full herein.

**Section 2.** The Board hereby intends to purchase the Equipment from Pierce, using the HGAC.

**Section 3.** The Board is hereby authorized and directed to publish a "Notice of Intent to Award Contract Under a National Cooperative Purchasing Agreement" in the form attached hereto as Exhibit A, in the Board's authorized newspaper, on the official website of the Board and on "Bulletin NJ" when available.

**Section 4.** The Board is hereby authorized and directed to execute the contract for the Equipment with Pierce, but only after (1) the Board receives positive findings from the Local Finance Board, Division of Local Government Services, Department of Community Affairs of the State of New Jersey, and all other legal prerequisites are met, and (2) the comment period established in the Notice described in Section 3 hereof, has passed without any comments.

**Section 5.** Each authorized officer of the Board is hereby authorized and directed to execute any agreement, certificate or document and to take any action necessary to effectuate the transaction contemplated by this resolution.

**Section 6.** This resolution shall take effect in accordance with applicable law.

Roll Call Vote:

Ayes:  
4

Nays:  
0

Absent:  
1

Abstain:

*Certified to be a true copy of a Resolution adopted by the Board of Fire Commissioners of Fire District No.1 Freehold Township on 12/10/19.*

  
\_\_\_\_\_, Clerk