

Resolution No. 05092023- ϕ 1

RESOLUTION ACCEPTING BIDS AND AUTHORIZING AN AWARD OF CONTRACT FOR PREVENTIVE MAINTENANCE/REPAIR TO FIRE APPARATUS AND VEHICLES

WHEREAS, the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is charged with the prevention and extinguishment of fires and the regulation of fire hazards within Fire District No. 4 (N.J.S.A. 40A:14-81); and

WHEREAS, in order to fulfill its mandated charge as set forth above, the Board has procured apparatus and vehicles for firefighting purposes; and

WHEREAS, said apparatus and vehicles require annual and regular maintenance and repair; and

WHEREAS, the Board determined that the cost of said maintenance and repair shall exceed the bid threshold as set forth in N.J.S.A. 40A:11-3 and required public advertising; and

WHEREAS, the Board submitted this project to public bid on March 26, 2023, by publishing same in the Asbury Park Press and posting same at the municipal building; and

WHEREAS, on the return date of the Notice to Bid, namely April 18, 2023, the Board received two (2) bid proposals from the following vendors, copies of which are attached hereto:

Defender Emergency Products Sales & Service 126 S. Main Street Farmingdale, New Jersey 07727	Hourly Rate \$125.00 Overtime (After 5:00 p.m. and Before 8:00 a.m.) Monday through Friday Hourly Rate \$187.50 Weekends and Holiday Hourly Rate \$187.50 Emergency Hourly Rate \$187.50; and
Fire & Safety Services, Ltd. 200 Ryan Street South Plainfield, New Jersey 07080	Hourly Rate \$125.00 Overtime (After 5:00 p.m. and Before 8:00 a.m.) Monday through Friday Hourly Rate \$125.00 Weekends and Holiday Hourly Rate \$125.00 Emergency Hourly Rate \$125.00; and

WHEREAS, the bid specifications set forth that the lowest bidder would be determined by the lowest hourly rate for preventive maintenance and general repair; and

WHEREAS, legal counsel, the Board's Qualified Purchasing Agent and the Board Procurement Committee reviewed all bids for compliance with the bid specifications and found that the low bid was responsive to the specifications; and

WHEREAS, the low bidder was Fire & Safety Services, Ltd., 200 Ryan Street, South Plainfield, New Jersey 07080, with bid proposal amounts as set forth above.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, that it award a contract to Fire & Safety Services, Ltd., 200 Ryan Street, South Plainfield, New Jersey 07080, in the bid proposal amounts as set forth above and under the terms and conditions set forth in the specifications for a term of one (1) year; and

BE IT FURTHER RESOLVED, that the within expenditure in the proposed amounts appears in the 2023 and prior budgets under the caption of Cost of Operations & Maintenance - Other - Other Operations & Maintenance Expense #2 - Repairs and Maintenance and is hereby appropriated under the said caption of the operating section of the 2023 and prior budgets; and

BE IT FURTHER RESOLVED, that, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified as of the date of the within Resolution and shall be chargeable to the above said line item as incurred to the maximum amount of same unless otherwise increased as permitted by law and a separate certification of availability of funds is made by the Board's Qualified Purchasing Agent; and

BE IT FURTHER RESOLVED, that the Board Solicitor prepare a contract to purchase the goods and services in accordance with the bid specifications and the proposal including therein the Board's findings as set forth herein; and

BE IT FURTHER RESOLVED, that the Chairman be authorized to execute the contract for and on behalf of the Board and the Clerk attest thereto; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be forwarded to the District Auditor, Robert D. Elliott, C.P.A., of the firm of Mohel, Elliott, Bauer & Gass, for his records and preparation of the 2023 audit; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

CERTIFICATION

I, **MICHAEL L. ACAMPORA**, Clerk of the Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 9th day of May, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, is composed of - 5 - members and that - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 4, Township of Howell, County of Monmouth, State of New Jersey, on this 9th day of May, 2023.

MICHAEL L. ACAMPORA, CLERK
Board of Fire Commissioners
Fire District No. 4
Township of Howell

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WHEREAS, the bid specifications set forth that the lowest bidder would be determined by the lowest hourly rate for preventive maintenance and general repair; and

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BE IT FURTHER RESOLVED, that, pursuant to N.J.A.C. 5:30-5.5(b), the certification of available funds shall be certified as of the date of the within Resolution and shall be chargeable to the above said line item as incurred to the maximum amount of same unless otherwise increased as permitted by law and a separate certification of availability of funds is made by the Board's Qualified Purchasing Agent; and

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BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

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MICHAEL L. ACAMPORA, CLERK
Board of Fire Commissioners
Fire District No. 4
Township of Howell