

SALEM COUNTY IMPROVEMENT AUTHORITY

RESOLUTION 2022-40

February 10, 2022

**RESOLUTION OF THE SALEM COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING PURCHASE OF A CATERPILLAR 420XEIT BACKHOE THROUGH
SOURCEWELL AFTER PUBLICATION OF A PUBLIC NOTICE
REGARDING THE INTENT TO PURCHASE**

WHEREAS, The Salem County Improvement Authority ("SCIA") has a need to purchase a backhoe to replace the current backhoe which is old, inefficient, out of warranty and costly to repair; and

WHEREAS, Landfill Manager Parker Smith conducted due diligence found a backhoe that would fulfill the Authority's needs; and

WHEREAS, Pursuant to Resolution 2018-51 The Salem County Improvement Authority (Authority) authorized joining the Sourcewell; and

WHEREAS, after reviewing the potential contracts, SCIA intends to award a contract for the purchase of a Caterpillar Model 420XEIT Backhoe from Foley CAT through the Sourcewell contract number 032119-CAT for purchase in the amount of \$156,599.72, as per the attached quote/invoice, marked Exhibit A; and

WHEREAS, Pursuant to the requirements of Public Law 2010 Chapter 139 and the Local Public Contracts Law the Authority verifies the following in reference to the Sourcewell contract number 032119-CAT, for the purchase of a Caterpillar Model 420XEIT from Foley CAT, 650 S Egg Harbor Rd, Hammonton, NJ 08037:

1. That the use of the cooperative purchasing agreement shall result in cost savings after all factors, including charges for service, material, and delivery, has been considered by one of the following:
 - a. Comparing current State contract pricing, available to other government entities, to that of the proposed national cooperative.
 - b. Comparing pricing for comparable goods or services under the contracting unit's current contracts or contracts available to it (i.e., New Jersey government based cooperative purchasing programs) to that of the proposed national cooperative.
 - c. Comparing recently procured comparable contracts entered by other public entities to that of the proposed national cooperative.
2. The national cooperative contract was awarded through a "competitive bidding process" that included open competition, or competition among those qualified or pre-qualified, submission of bids, and awarded pursuant to a "lowest responsible", "most advantageous to the public entity, price and other factors considered", or other similar standard employed by a public entity. This excludes contract awards based on unadvertised, "invitation only," negotiated, local preference, or sole source procurement practices.

- a. Publicly advertised in newspapers or on the Internet website maintained by the public entity in sufficient time to give notice in advance of the contract;
 - b. Awarded under a process that provides for public solicitation of proposals or qualifications;
 - c. Awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and
 - d. Publicly opened and announced when awarded.
4. The contract being awarded must have been awarded by a contracting unit as defined in c. 139 and was not awarded by a non-profit or private organization, even if a member of the cooperative. Stated differently, the original contract awarding agency meets the definition of a “contracting unit” as defined by New Jersey purchasing statutes.
 5. The original bid was advertised as a national cooperative contract (or a regional contract that includes New Jersey in its region) – not as a strictly local contract that was made “national” or “regional” after the receipt of bids.
 6. The vendor will comply with the following New Jersey laws by submitting the following required forms to the Authority, as if the contract was originally awarded by the Authority:
 - a. New Jersey Business Registration Certificate for the contractor and any sub-contractors (i.e., copy of certificate)
 - b. Statement of Corporate Ownership (an original form prepared for the contracting agency awarding the contract)
 - c. Public Contract EEO Compliance (Employee Information Report form or proof of participation in a federally approved affirmative action program) A non-collusion affidavit (only if required by a local unit), and.

WHEREAS, funds are available in the full amount of the purchase price of the backhoe and same have been certified by the Certifying Financial Officer;

Vendor: Foley CAT

Account Number	Amount	Department Description
60-00-000-200	\$156,599.72	Equipment Purchase


NOW, THEREFORE, BE IT RESOLVED:

1. The Executive Director is hereby authorized and directed to publish the public notice, attached hereto as Exhibit B in the official newspaper of SCIA; and

2. In the event no comment, objection or alternative approaches are served upon SCIA, at the SCIA offices located at 286 Welchville Road, Alloway, New Jersey 08001, within ten (10) days of the publication of the public notice, the Executive Director and/or the Board Chairman are authorized and directed to sign all documents and take all actions necessary to enter into the contract for the purchase of the Caterpillar 420XEIT from Foley CAT through the Sourcewell contract number 032119-CAT, said contract being attached hereto as Exhibit A; and

3. In the event comment, objection or an alternative approach is served upon SCIA within the ten (10) day time period as outlined in paragraph 2 above and contained in the public notice, the matter shall be returned to the SCIA Board for further discussion, determination and/or action.

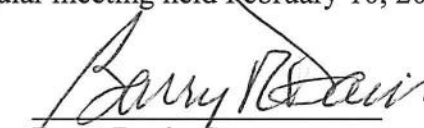
ATTEST:


Barry Davis, Secretary


Cordy Taylor, Chairman

CERTIFICATION

I hereby certify the above to be a true copy of a resolution adopted by the Salem County Improvement Authority Board at their regular meeting held February 10, 2022.


Barry Davis, Secretary