

Resolution No. 2023- 11

RESOLUTION AWARDING CONTRACT TO ROSENBAUER MINNESOTA, LLC,
THROUGH USE OF THE HGAC PROCUREMENT PROCESS
PURSUANT TO N.J.S.A.52:34-6.2(B)(3)

WHEREAS, the Board of Fire Commissioners of Fire District No. 2, Township of Aberdeen, County of Monmouth, State of New Jersey, is charged with the responsibility of fire suppression, protection and prevention within the Township of Aberdeen; and

WHEREAS, in order to fulfill its mandated responsibility as set forth above, the Board finds and determines a need to purchase firefighting apparatus, specifically, a Rosenbauer Commander 4-Dr Cab, EXT Alum Body, T/A 100' MidMount Steel Aerial Platform; and

WHEREAS, the Board is authorized to use what is commonly known as an alternate method of procurement (National Cooperative) pursuant to N.J.S.A. 52:34-6.2(b)(3); and

WHEREAS, the Houston-Galveston Area Council (HGAC) is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, the Board, by Resolution, authorized participation in said HGAC, a recognized National Cooperative, and entered into a contract to effectuate same; and

WHEREAS, the Board published a Notice of Intent to utilize the HGAC process for fire apparatus on April 15, 2023, and provided a time period for public comment on same; and

WHEREAS, thereafter, the Board received information and pricing on a Rosenbauer Commander 4-Dr Cab, EXT Alum Body, T/A 100' MidMount Steel Aerial Platform; and

WHEREAS, the Board conducted a cost analysis and established that entering into the alternate procurement method through HGAC would be the most effective contractual solution to the purchase of the needed fire apparatus; and

WHEREAS, the Board received from Rosenbauer Minnesota, LLC, all supplemental documentation which complies with the laws of the State of New Jersey for entities awarded a contract by a public entity.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 2, Township of Aberdeen, County of Monmouth, State of New Jersey, that, pursuant to said statute made, it enter into a contract to purchase a Rosenbauer Commander 4-Dr Cab, EXT Alum Body, T/A 100' MidMount Steel Aerial Platform from Rosenbauer Minnesota, LLC, 5181

260th Street, Building #2, Wyoming, Minnesota 55092, through HGAC in an amount not to exceed one million six hundred ninety-three thousand dollars (\$1,693,000.00); and

BE IT FURTHER RESOLVED, that the within expenditure in the proposed amount was authorized by referendum at the annual fire district election on February 18, 2023, and that the sum of one million six hundred ninety-three thousand dollars (\$1,693,000.00) will appear under the capital and debt service portions of future 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(s) 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 Treasurer; and

BE IT FURTHER RESOLVED, that the Board President be authorized to enter into a contract on behalf of the Board and the Secretary attest thereto; and

BE IT FURTHER RESOLVED, that the contract entered into be available at the District office during normal business hours; 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.

Board of Commissioners Recorded Vote

Member	Motion	Second	Aye	Nay	Abstain	Absent
Michael Bellmamy			✓			
James Black	✓		✓			
Thomas DeGiglio		✓	✓			
Stephen Gallant			✓			
Thomas Logan			✓			

CERTIFICATION

I, THOMAS LOGAN, Secretary of the Board of Fire Commissioners of Fire District No. 2, Township of Aberdeen, 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 5th day of June, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 2, Township of Aberdeen, 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. 2, Township of Aberdeen, County of Monmouth, State of New Jersey, on this 5th day of June, 2023.

Thomas Logan

THOMAS LOGAN, SECRETARY
 Board of Fire Commissioners
 Fire District No. 2
 Township of Aberdeen