

BOROUGH OF RIDGEFIELD

A G E N D A

Executive Session and Regular Meeting of the Mayor and Council

Date: October 26, 2020

Open Public Meetings Statement by Mayor Suarez

Public Session to Adjourn to Executive Session: C.T.O.: Adjourn:

Mayor Suarez – Adjournment into closed Executive Session in accordance with the “Open Public Meetings Act”

Executive Session: 6:30 P.M. C.T.O.: Adjourn:

Public Session: 7:00 P.M. C.T.O.: Adjourn:

Pledge of Allegiance

Invocation

Citizens Comment on Agenda:

Correspondence:

ROLL CALL-PUBLIC SESSION

	Adj. to Ex.		Public	
	Pres.	Abs.	Pres.	Abs.
Mayor Suarez				
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				

ROLL CALL-EXEC. SESSION

	PRESENT	ABSENT
	Mayor Suarez	
Castelli		
Penabad		
Shim		
Jimenez		
Kontolios		
Larkin		

Presentation of Proclamations:

- Rosemarie Ferrante - Italian Heritage Month
- Angelo Severino - Italian Heritage Month

As advertised, hearing will be held on Ordinance No. 2393 entitled, “AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

Entertain motion to declare the time for the public hearing to be declared open

Public Hearing

Entertain motion to declare the time for the public hearing to be declared closed

Final Reading of Ordinance

Roll Call

CONSENT AGENDA:

All items listed are considered to be routine and non-controversial by the Borough Council and will be approved by one motion. There will be no separate discussion on these items unless a Council member(s) so request it, in which case the item(s) will be removed from the Consent Agenda and considered in its normal sequence on the agenda. The one motion signifies the adoption of all resolutions and approval of applications and minutes.

216-2020	Mayor Suarez	Appointment to Anti-Bullying Committee
217-2020	Councilman Castelli	Hire School Crossing Guards 2020/2021 School Year
218-2020	Councilman Jimenez	Chapter 159-Emergency Management Performance Grant
219-2020	Councilman Castelli	Authorize to Advertise for RFQs -2021 Professionals
220-2020	Councilman Jimenez	Participation in Union County Cooperative Pricing Agreement
221-2020	Councilman Jimenez	Chapter 159-Cares Act
222-2020	Councilman Castelli	Temporary Curfew

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

RESOLUTIONS:

223-2020	Councilman Jimenez	Warrants
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COMMENTS BY MAYOR:

COMMENTS BY COUNCIL:

COMMENTS BY ADMINISTRATOR:

COMMENTS BY CITIZENS: (All speakers are limited to five minutes maximum per meeting)

Agenda subject to change as a result of matters not known at time of printing with the consent of the Mayor and Council.

Respectfully submitted,

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Mayor Suarez

BE IT RESOLVED, that the regular public meeting be adjourned, and that the Mayor and Council of the Borough of Ridgefield shall meet in a closed Executive Session following a five minute recess at the termination of this meeting. The purpose of the Executive Session shall be to discuss the following matters:

- _____ Personnel matters in various departments of the Borough.
- _____ Pending and Potential Litigation
- _____ Tax Court Litigation.
- _____ Potential real estate transactions in which the Borough may engage.

COUNCIL VOTE				
	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

BE IT FURTHER RESOLVED, that as soon as practicable discussion concerning

- _____ Personnel matters
- _____ Potential real estate transactions shall be disclosed to the public.
- _____ And that discussions with the Borough Attorney concerning litigation shall be disclosed when said litigation is terminated.

Adjournment to Closed Session. The Mayor and Council reserve the right to reconvene into Public Session, if necessary, to take action on Closed Session items.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Castelli

ORDINANCE NO. 2393

BE IT ORDAINED by the Borough Council of the Mayor and Council of the Borough of Ridgefield that an Ordinance entitled,

“AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING HANDICAPPED PARKING SPACES”

introduced on the 13th day of October, 2020, do now pass a final reading and be adopted, and that the Borough Clerk be and she is authorized and directed to publish once, the aforesaid title, together with a notice of the date of its passage on final reading and approval thereof in The Record, a newspaper circulating in the Borough of Ridgefield.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 13, 2020

Presented by Councilman Castelli

ORDINANCE NO. 2393

“AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 375-52 DESIGNATING
HANDICAPPED PARKING SPACES”

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Ridgefield as follows:

Section I: Section 375-52 of the Code of the Borough of Ridgefield, entitled “Designated Areas” subpart B, be and hereby is amended by the following:

1. Adding a single handicapped parking space in front of 589 Carpenter Place (on the northerly curb line of Carpenter Place) beginning at a point 239 feet west of the northwest corner of Martling Place and Carpenter Place and continuing west a distance of 20 feet.

Section II: In all other respects, the terms, conditions and provisions of Section 375-52 of the Code of the Borough of Ridgefield are hereby ratified and affirmed.

Section III: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section IV: This ordinance shall take effect immediately upon passage and publication according to law.

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Mayor Suarez

RESOLUTION NO. 216-2020

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

MARILENA OJEDA

be appointed to the Anti-Bullying Committee to fill the unexpired term of MatiMiano through December 31, 2021; and

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Castelli

RESOLUTION NO. 217-2020

BE IT RESOLVED by the Mayor and Council of the Borough of Ridgefield that

Gus Arrocho-\$13.15	Mary Ann Gentile-\$15.90
MarkritBekarogullari -\$15.40	Dawn Giantonio-\$14.15
Domenica Blum-\$15.90	Carol Kelm-\$15.15
ReinaldoBozan-\$15.90	Madeline Kulhan-\$15.90
Antonio Cancian-\$13.15	Benny Lio-\$15.15
Maritza Cedeno-\$14.90	David Martin-\$13.15
John Consoli-\$13.15	Marie Novermbre-\$17.50
Joanne Dobrzynski-\$13.90	Joan Oliver-\$13.15
Ivan Donadic-\$13.15	Gary Sargent-\$14.40
Camille Frusciante-\$14.25	Philomena Trues-\$15.90
SilcaGaudiosi-\$14.90	Bernadette Weir-\$14.90

be hired as School Crossing Guards for the 2020/2021 School Year at the hourly rates listed above.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 218-2020

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount; and

WHEREAS, the Borough of Ridgefield has been awarded grants, and wishes to amend its 2020 Calendar Year Budget to include this amount as a item of revenue; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Mayor and Council hereby requests the Director of Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2020 in the sum of \$10,000.00 which is now available as a revenue item from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenue Off-set with Appropriations:

Emergency Management Performance

Grants \$10,000.00

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption:

General Appropriations

Operations excluded from CAPS

Public and Private Revenues Off-set by Appropriations:

Emergency Management Performance

Grants \$10,000.00

BE IT FURTHER RESOLVED that the Chief Financial Officer file an electronic copy of this resolution with the Director of Local Government Services for approval.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Castelli

RESOLUTION NO. 219-2020

WHEREAS, as of January 1, 2006, N.J.S.A. 1944A-20.1 et seq., commonly known as the “State Pay to Play Law, enacted by the New Jersey State Legislature became effective; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.1 et seq., a municipality may not award a contract with a value in excess of \$17,500.00 to a business entity that has made a contribution within one year of the date the contract is to be awarded that is reportable by the recipient under P.L. 1973, c.83 (C.19.44A-1 et seq.) to a municipal political party committee in that municipality if a member of that party is serving in elective public office when such contract is awarded or to any candidate committee of any person who is serving in an elective public office of the municipality when such contract is awarded, unless the contract is awarded under a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, a “fair and open process” constitutes the following: (1) public advertisement of a Request for Qualifications (“RFQ”) with twenty (20) days notice prior to the receipt of responses to the RFP; (2) award of contract under a process that provides for public solicitation of qualifications; (3) award of contract under publicly disclosed criteria established, in writing, by the municipality prior to the solicitation of qualifications; and (4) the municipality shall publicly open and announce the qualifications when awarded; and

WHEREAS, it has become necessary for the Borough of Ridgefield (“the Borough”) to engage legal, financial, and engineering professionals and to engage the services of other individuals for extraordinary unspecifiable services; and

WHEREAS, the Borough desires to appoint such professionals and services by a “fair and open process” pursuant to N.J.S.A. 19:44A-20.1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, County of Bergen and State of New Jersey that RFQs for professional services for the following professional services for the Borough are hereby authorized:

- 1) Borough Attorney
- 2) Rent Leveling Attorney
- 3) Bond Counsel
- 4) Tax Appeal Attorney
- 5) Borough Engineer
- 6) Borough Planner and/or Planning Board Planner

- 7) Borough Auditor
- 8) Insurance Agent/Risk Manager
- 9) Independent Professional Real Estate Appraiser
- 10) Borough Prosecutor
- 11) Public Defender
- 12) Planning Board Attorney
- 13) Planning Board Engineer
- 14) Labor Attorney
- 15) Special Counsel
- 16) Tenant Advocate
- 17) Special Projects Engineer
- 18) Grant Writer
- 19) Redevelopment Attorney
- 20) Environmental Consultant
- 21) Financial Advisory Services
- 22) Other professional services and extraordinary unspecifiable services as the Council may deem appropriate to award pursuant to a fair and open process.

BE IT FURTHER RESOLVED, that all of the RFQs for the professional services and extraordinary unspecifiable services as set forth hereinabove shall be prepared and published in accordance with N.J.S.A. 19:44A-20.1 et seq. and all submissions in response shall be evaluated on the basis of the most advantageous submission, all factors considered, including, but not limited to:

- 1) Experience and reputation in the field
- 2) Knowledge of the Borough and the subject matter to be addressed under the contract
- 3) Availability to accommodate any required meetings of the Borough or Borough Agency
- 4) Compensation proposal
- 5) Any other factors demonstrated to be in the best interest of the Borough or Borough Agency.

BE IT FURTHER RESOLVED, that on or before November 10, 2020 the Borough Clerk be and she is hereby authorized and directed to publish notice of the RFQs for the professional services and extraordinary unspecifiable services enumerated above by the following means:

- (1) on the Borough's internet web site. (The Borough Clerk is also authorized to publish the RFQ documents themselves on the Borough Website.);
- (2) on the Borough's bulletin Board at Town Hall; and
- (3) in The Record, a newspaper circulating in the Borough of Ridgefield.

The notice of RFQs shall include the following:

- 1) A description of the requested professional or extraordinary unspecifiable service for which the RFQ is made;

- 2) A statement that Qualification Statements must be submitted by 11:00 AM on December 11, 2020
- 3) A statement that the RFQs are being made by the Borough
- 4) The address and phone number of the Borough Purchasing Agent's office and a statement that applicants may obtain the RFQ document from the Purchasing Agent's office if they cannot obtain the RFQ documents from the Borough's website;
- 5) A statement that the RFQs are being made through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

BE IT FURTHER RESOLVED, that the Purchasing Agent is authorized and directed, in consultation with the members of the Finance Committee of the Mayor and Council, to effectuate the drafting of the RFQs, which shall include the evaluation criteria hereinabove stated.

BE IT FURTHER RESOLVED, that the Purchasing Agent or his designee shall publicly open and read aloud the submissions responding to the RFQs, including the name of the applicant and any other pertinent information on December 11, 2020, at 11:00 AM in Borough Hall.

BE IT FURTHER RESOLVED, that those positions included hereinabove are those which the Borough of Ridgefield reasonably believes will be subject to appointment for the year 2021. However, all such appointments are subject to the availability of funds and the continuing needs of the Borough. Accordingly, inclusion of a position in this resolution is not a representation or warranty that such position will be filled, or that if filled, it will be subject to the process contained herein.

BE IT FURTHER RESOLVED, that the Borough Council has determined that the terms of this Resolution constitute a fair and open process as to all positions included herein.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 220-2020

WHEREAS, N.J.S.A. 40A:11-1 et. seq. authorizes contracting units to enter into Cooperative Pricing Agreements; and

WHEREAS, the County of Union hereinafter referred to as “the Lead Agency” has offered voluntary participation in a renewal participation in a Cooperative Pricing System for the purchase of work, materials and supplies; and

WHEREAS, the Borough of Ridgefield in the County of Bergen desires to participate in the Union County Cooperative Pricing Agreement.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield, in the County of Bergen, State of New Jersey that the Mayor and Council authorizes the Borough of Ridgefield to participate in the Union County Cooperative Pricing Agreement and execute a Cooperative Pricing Agreement with the County of Union upon its approval by the Division of Local Government Services; and

BE IT FUTHER RESOLVED, that the County of Union as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq. And all of the provisions of the revised statutes of the State of New Jersey).

Approved:

Anthony R. Suarez, Mayor

Attest:

Linda M. Silvestri,
Borough Clerk

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 221-2020

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget of any Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an appropriation for an equal amount; and

WHEREAS, the Borough of Ridgefield has been awarded grants, and wishes to amend its 2020 Calendar Year Budget to include this amount as a item of revenue; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ridgefield that the Mayor and Council hereby requests the Director of Government Services to approve the insertion of an item of revenue in the Calendar Year Budget of 2020 in the sum of \$101,296.13 which is now available as a revenue item from:

Bergen County Cares Act Municipal Grant Program	\$ 7,047.91
Bergen County Cares Act Municipal Grant Program	\$29,670.59
Bergen County Cares Act Municipal Grant Program	\$45,250.00
Federal Emergency Management Agency - Emergency Protective Measures Grants	\$19,327.63

BE IT FURTHER RESOLVED that a like sum of \$101,296.13 be and the same is hereby appropriated under the caption:

Bergen County Cares Act Municipal Grant Program	\$ 7,047.91
Bergen County Cares Act Municipal Grant Program	\$29,670.59
Bergen County Cares Act Municipal Grant Program	\$45,250.00
Federal Emergency Management Agency - Emergency Protective Measures Grants	\$19,327.63

BE IT FURTHER RESOLVED that the Chief Financial Officer file an electronic copy of this resolution with the Director of Local Government Services for approval.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Castelli

RESOLUTION NO. 222-2020

BE IT RESOLVED by the Mayor and Council that a temporary curfew be implemented in the Borough of Ridgefield for any juvenile on October 30, 2020 and October 31, 2020 between the hours of 7:00 pm and 6:00 am; and

BE IT FURTHER RESOLVED that all parks in the Borough of Ridgefield will be closed at 7:00 pm on October 30, 2020 and October 31, 2020.

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

The undersigned, being the Chief Financial Officer of the Borough of Ridgefield, County of Bergen, New Jersey, and the person charged with the responsibility of maintaining financial records of said Borough in accordance with N.J.S.A. 40:4-57 and the rules of the Local Finance Board of the State of New Jersey adopted thereunder, does hereby certify that there are adequate funds available for the payment of the attached list of invoices, duly adopted by said Borough, and which said list indicates the specific line item of said budget to which expenditures shall be charged.

Francis J. Elenio,
Chief Financial Officer

BOROUGH OF RIDGEFIELD
Bergen County, New Jersey

Meeting October 26, 2020

Presented by Councilman Jimenez

RESOLUTION NO. 223-2020

BE IT RESOLVED, that warrants totaling **\$1,632,476.44**
be drawn on the following accounts:

CURRENT	\$1,517,924.54
TRUST	\$61,998.75
CAPITAL	\$50,268.75
POOL	\$2,195.00
DOG LICENSE	\$89.40
TOTAL	\$1,632,476.44

COUNCIL VOTE

	YES	NO	ABSTAIN	ABSENT
Castelli				
Penabad				
Shim				
Jimenez				
Kontolios				
Larkin				
Mayor Suarez				

Approved:

Attest:

Anthony R. Suarez, Mayor

Linda M. Silvestri,
Borough Clerk

COOPERATIVE PRICING SYSTEM AGREEMENT

COUNTY OF UNION COOPERATIVE PRICING SYSTEM

THIS AGREEMENT made and entered into this day of , 2020
by and between the COUNTY OF UNION, Administration Building, Elizabeth, NJ 07207
hereinafter called the “LEAD AGENCY” or “COUNTY” and Borough of Ridgefield with
offices located at 604 Broad Avenue, Ridgefield NJ 07657, hereinafter referred to as a
“participating contracting unit” or “governmental agency” and other public bodies located with
the County of Union or adjoining counties who choose to participate in the Cooperative Pricing
System.

WITNESSETH:

WHEREAS, N.J.S.A. 40A:11-11(10), N.J.S.A. 18A:64A-25.10 and N.J.S.A. 18A:18A-11, specifically authorizes two or more contracting units to enter into a Cooperative Pricing Agreement for the purchase of work, materials and supplies; and

WHEREAS, N.J.S.A. 40A:11-11(6), specifically establishes that the agreement shall be valid for a period not to exceed five years; and

WHEREAS, N.J.A.C. 5:34-7.1 et seq. regulates the manner in which cooperative purchasing and more specifically, cooperative pricing systems, are operated and conducted; and

WHEREAS, N.J.S.A. 40A:11-10, et seq. specifically permits the County of Union to enter into contractual agreement with any governmental agency municipalities located within the County to undertake any municipal function including purchasing; and

WHEREAS, the County of Union has commenced a voluntary Cooperative Pricing System with other authorized contracting units within County of Union or adjoining counties utilizing the administrative purchasing services and facilities of the County of Union; and

WHEREAS, this Cooperative Pricing Agreement is to effect substantial economies in the purchase of work, materials and supplies; and

WHEREAS, all parties hereto have approved the within Agreement by Ordinance or Resolution as appropriate, in accordance with the aforesaid statutes; and

WHEREAS, it is the desire of all parties to enter into such Agreement for said purposes:

NOW, THEREFORE, IN CONSIDERATION of the promises and of the covenants, terms and conditions hereinafter set forth, it is mutually agreed as follows:

1. The work, materials or supplies to be priced cooperatively may include those items listed on the Union County Website listed under Bulk List and such other items as two or more participating contracting units in the system agree can be purchased on a cooperative basis.
2. The items and classes of items which may be designated by the participating contracting units hereto may be purchased cooperatively for the period commencing with the execution of this Agreement and continuing until termination of the approval for the Cooperative Pricing System as defined by N.J.A.C. 5:34-7.5 and more specifically set forth below.
3. The County of Union, on behalf of all participating contracting units, shall upon approval of the System's registration and annually thereafter on the anniversary of the system's registration, shall publish in its official newspaper a notice similar in content to the following:

Notice of Cooperative Purchasing

The County of Union acts as lead agency in a cooperative purchasing agreement in cooperation with 110 registered members. Under this system, the County of Union solicits competitive bids for certain items purchased by registered members. This is a cooperative pricing system as defined and regulated by N.J.A.C. 5:34-7.

Interested citizens or vendors may obtain information regarding the manner of operation of this system by contacting UC Purchasing Department, 10 Elizabethtown Plaza, Elizabeth, New Jersey 07207, 908-527-4130. System Identifier #8-UCCP), approved by the New Jersey Division of Local Government Services through July, 2021.

4. Before seeking bids, the lead agency shall obtain from the participating contracting units in writing the items to be purchased, estimated quantities that each participating contracting units proposes to contract for during the life of the master contract, the location of delivery and other requirements to permit the preparation of specifications as provided by law.
5. The County of Union shall prepare and disclose the quantities and details of delivery required. The County of Union shall include in the specifications its requirements, stated in definite quantities; and registered member requirements, stated as individual estimated needs.
 - a. The specification shall list the participating contracting units who have submitted estimates, their delivery address, their estimated maximum quantities and other relevant information to permit the bidder to understand what is potentially involved.

6. Prior to the advertisement for bids, a registered member may request a review copy of the bid specifications. No changes shall thereafter be made except as permitted by law. Nothing herein shall be deemed to prevent changes in specifications for subsequent purchases.
7. A single advertisement for bids or the solicitation of informal quotations for the work, materials or supplies to be purchased shall be prepared by the County of Union on behalf of all of the participating contracting units desiring to purchase any item and in accordance with *N.J.S.A. 40A:11-1 et seq.*
8. The County of Union will advertise for bids or the solicitation of informal quotations and shall receive bids or quotations on behalf of all participating contracting units in accordance with *N.J.S.A. 40A:11-1 et seq.* and *N.J.A.C. 5:34-7.10*. Following the receipt of bids, the County of Union shall review said bids and on behalf of all participating contracting units, either reject all or certain of the bids or make one award to the lowest responsible bidder or bidders for each separate item. This award shall result in the County of Union entering into a master contract with the successful bidder(s) providing for two categories of purchases:
 - a. The quantities ordered for the County's own needs, and
 - b. The estimated aggregate quantities to be ordered by other participating contracting units by separate contracts, subject to the specifications and prices set forth in the Lead Agency's overall (master) contract.
9. The County of Union shall enter into a formal written contract(s), when required by law, directly with the successful bidder(s) only after it has certified the funds available for its own needs.

10. Each participating contracting unit shall also certify the funds available only for its own needs ordered; enter into a formal written contract, when required by law, directly with the successful bidder(s); issue purchase orders in its own name directly to successful bidder(s) against said contract; accept its own deliveries; be invoiced by and receive statements from the successful bidder(s); make payment directly to the successful bidder(s), and be responsible for any tax liability.
11. No participating contracting unit in the Cooperative Pricing System shall be responsible for payment for any items ordered or for performance generally, by any other participating contracting unit. Each participating contracting unit shall accordingly be liable only for its own performance and for items ordered and received by it and none assumes any additional responsibility or liability.
12. The provisions of Paragraphs 9, 10 and 11 above shall be quoted or referred to and sufficiently described in all specifications so that each bidder shall be on notice as to the respective responsibilities and liabilities of the participating contracting units.
13. No participating contracting unit in the Cooperative Pricing System shall issue a purchase order or issue a contract for a price which exceeds any other price available to it from any other such system in which it is authorized to participate or from bids which it has itself received.
14. All matters relating to the financial and contractual details of the Cooperative Pricing System shall be in accordance with *N.J.A.C. 5:34-7.11*
15. The County of Union and the participating contracting units shall be responsible for compliance with the change order requirements of *N.J.A.C. 5:34-4*.

16. When applicable, each participating contracting unit may, by resolution, provide for and authorize payment in advance for estimated administrative costs to be paid to the County of Union for a cooperative pricing system. Such administrative costs shall be budgeted by the County of Union as a Special Item of Revenue offset with appropriations.
17. The County of Union reserves the right to exclude any item or commodity from said system if, in its opinion, the pooling of purchasing requirements or needs of the participating contracting units is either not beneficial or not workable.
18. The Director of the Division of Local Government Services within the State Department of Community Affairs shall be notified within thirty (30) days of any change in the designated purchasing agent.
19. This Agreement shall become effective upon execution, subject to the review and approval of the Director of the Division of Local Government Services of the participating contracting units participation in the system. Further, this Agreement shall continue in effect until such time as the approval from the Director of the Division of Local Government Services exists or until July, 2021, in accordance with *N.J.A.C. 5:34-7.5(f)*. Any party to this Agreement which wishes to terminate its participation shall give written notice of its intention to terminate its participation at least thirty (30) days prior to the expiration of the term of the agreement.
20. All records and documents maintained or utilized pursuant to terms for this Agreement shall be identified by the code number assigned by the Director, Division of Local Government Services, and such other numbers as are assigned by the County of Union for purposes of identifying each contract and item awarded.

21. If any governmental agency wishes to withdraw from this agreement or if any other governmental agency wishes to become a party to this agreement, the other terms and conditions of this agreement will remain unchanged as to all the remaining participating contracting units.
22. This Agreement shall be binding upon and endure to the benefit of the successors and assigns of the respective parties hereto.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed by their authorized corporate officers and their respective seals to be hereto affixed on the date and year above written.

FOR THE COUNTY OF UNION

ATTEST:

JAMES E. PELLETTIERE, Clerk
Board of Chosen Freeholders

BY: _____
EDWARD OATMAN
County Manager

APPROVED AS TO FORM:

BRUCE H. BERGEN, ESQ.
County Counsel

FOR THE PARTICIPATING UNIT

ATTEST:

Clerk

APPROVED AS TO FORM:

Counsel

BY: _____

Print Name

Title