

RESOLUTION 40-2023

**RESOLUTION AUTHORIZING THE QUALIFIED PURCHASING AGENT TO MAKE PURCHASES AND AWARD CONTRACTS ON BEHALF OF THE MONROE MUNICIPAL UTILITIES AUTHORITY FOR PURCHASES AND CONTRACTS THAT ARE IN THE AGGREGATE BELOW THE BID THRESHOLD**

**WHEREAS**, the Monroe Municipal Utilities Authority ("Authority") is a public body organized and existing under the laws of New Jersey and has the authority and power to exercise public and essential government functions; and

**WHEREAS**, when seeking to purchase all goods and/or services the Authority is defined as a "contracting unit" and is governed by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("LPCL"); and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, when the cost or price of a contract to be awarded by the Authority, or the Authority's designee, in the aggregate does not exceed the bid threshold (currently \$44,000.00) in a contract year, that contract may be awarded by a purchasing agent or other employee designated by the Authority without public advertising for bids; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-2(19), "aggregate" is defined as "the sums expended or to be expended for the provision or performance of any goods or services in connection with the same immediate purpose or task, or the furnishing of similar goods or services, during the same contract year through a contracted awarded by a contracting agent"; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-6.1.a, for all contracts that are in the aggregate less than the bid threshold but fifteen (15) percent or more of that amount, and for contracts permitted under N.J.S.A. 40A:11-5, the contracting agent is permitted to award the contract after soliciting at least two competitive quotations, if practicable and the award must be made to the vendor whose response is most advantageous, price and other factors considered and the contracting agent must retain the record of the quotation solicitation and include a copy of the record with the voucher used to pay the vendor; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-2(3), "contracting agent" is defined as "the governing body of a contracting unit . . ., or its authorized designee, which has the power to prepare the advertisements, to advertise for and receive bids, and, as permitted by this act, to make awards for the contracting unit in connection with purchases, contracts or agreements"; and

**WHEREAS**, the Authority seeks to designate the Qualified Purchasing Agent as the Authority's designee for the purposes of preparing advertisements, advertising and receiving bids, and seeks to permit the Qualified Purchasing Agent to make awards on behalf of the Authority for purchases, contracts and agreements when such purchases, contracts and agreements are in the aggregate less than the bid threshold pursuant to the LPCL; and

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Monroe Municipal Utilities Authority authorizes the Qualified Purchasing Agent to make awards for purchases, contracts and/or agreements when such are below the bid threshold pursuant to Local Public Contracts Law and consistent with this Resolution, and

**BE IT FURTHER RESOLVED**, The Executive Director and/or the Qualified Purchasing Agent is hereby authorized to sign the purchase and/or contract documents necessary to effectuate the award of such contracts contemplated in this Resolution; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be viewable by the public at the Office of the Monroe Municipal Utilities Authority during regular business hours.

**THIS RESOLUTION** duly adopted at the meeting of the Monroe Municipal Utilities Authority held on Wednesday, February 15, 2023.

**MONROE MUNICIPAL UTILITIES AUTHORITY**

BY: \_\_\_\_\_



Chairman

ATTEST: \_\_\_\_\_



Assistant Secretary