

**TOWNSHIP OF CHESTERFIELD
RESOLUTION 2020-3-7**

**RESOLUTION AUTHORIZING AWARD OF EMERGENCY CONTRACTS UNDER
SECTION 6 OF THE LOCAL PUBLIC CONTRACTS LAW**

WHEREAS, the Township of Chesterfield, along with all other public entities in the State of New Jersey, is operating under a State of Emergency declared by the Governor as a results of the State’s efforts to appropriately prepare for and respond to the public health hazards posed by Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, the Township of Chesterfield is also undertaking to coordinate efforts to prepare for and respond to those hazards posed by COVID-19; and

WHEREAS, the Township Committee is aware that situations may arise which necessitate the purchase of goods and/or services without the ability to do so in a time frame that would otherwise be required under the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, N.J.S.A. 40A:11-6 authorizes any contract to be negotiated or awarded “without public advertising for bids and bidding therefore, notwithstanding that the contract price will exceed the bid threshold, when an emergency effecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services”, provided that the awarding of such contracts is made in the manner set forth in said statute, one of which requirements is that “the official in charge of the agency wherein the emergency occurred, or such other officer or employee as may be authorized to act in place of that official, shall notify the Purchasing Agent, a supervisor of the Purchasing Agent, or a designated representative of the governing body, as may be appropriate to the form of government, of the need for the performance of a contract, the nature of the emergency, the time of its occurrence and the need

for invoking this section; [and] if that person is satisfied that an emergency exists, that person shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs, [which] notification shall be reduced to writing and filed with the Purchasing Agent as soon as practicable”; and

WHEREAS, the Township Committee of the Township of Chesterfield deems it appropriate to designate the Township Emergency Management Coordinator, in conjunction with both the Mayor and applicable Department Liaison(s), as the person(s) authorized to make said purchases; and to notify the Purchasing Agent of the need for and the ordering of said goods and services; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey as follows:

1. Based upon the existence of the State’s emergent efforts to prepare for and respond to the public health hazards posed to COVID-19, and Governor Murphy’s issuance of Executive Order 107 and other Executive Orders, as well as the recognition by the State Legislature that the State of New Jersey is now in a period of emergency affecting the public health, safety and welfare of its residents, the Township Committee hereby determines that the provisions of N.J.S.A. 40A:11-4.6 involving emergency contracts, shall be and is hereby implemented.
2. The Township Emergency Management Coordinator, in consultation with the Mayor and the applicable Township Committee Liaison(s), is hereby authorized to make such purchases of goods and services as are necessary to implement the appropriate protective standards and/or undertake such other actions as are necessary, without resort to public bidding, where time does not otherwise permit

compliance with the bidding requirements of the Local Public Contracts Law, and upon the furnishing of such goods or services, the contractor furnishing such goods or services shall be entitled to be paid therefore and the Township shall be obligated for said payment.

3. The Township's Purchasing Agent shall cooperate with the Township's Emergency Management Coordinator in facilitating the acquisition of the applicable goods and services.

CHESTERFIELD TOWNSHIP COMMITTEE

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on March 26, 2020 at which a quorum was present.

Caryn Hoyer, RMC  
Township Clerk