

AUTHORITY TO AWARD WINDOWING CONTRACTS BETWEEN \$17,500 TO \$44,000 TO THE QUALIFIED PURCHASING AGENT (ELIZABETH PEDDICORD, QPA)

WHEREAS, pursuant to N.J.S.A. 40A:11-3(a), the threshold at which contracts as defined pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. ("LPCL"), may be subject to competitive bidding if they are in excess of the amount designated by the Governor of New Jersey pursuant to N.J.S.A. 40A:11-3(c); and

WHEREAS, N.J.S.A. 40A:11-3(c) permits the Governor of New Jersey to adjust the bid threshold, originally set by statute at \$25,000.00, for the awarding of contracts pursuant to the LPCL with a designated Qualified Purchasing Agent ("QPA"), in an amount proportional to the index rate as defined in N.J.S.A. 40A:11-2 every five (5) years from the date of the effective date of P.L. 1999, c.440; and

WHEREAS, pursuant to previously issued order of the Governor of New Jersey, the bid threshold for the awarding of contracts pursuant to the LPCL with a designated QPA was increased from \$40,000.00 to \$44,000.00 as of July 1, 2020; and

WHEREAS, by Resolution 2023-16 adopted January 6, 2023, the Township Committee appointed Elizabeth Peddicord as the Township's QPA and granted the QPA authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.S.A. 40A:11-3(a) requires that contracts up to the bid threshold that are required to be bid may be awarded by a QPA, or other employee so designated by the governing body by resolution, and such powers may be generally delegated to the QPA; and

WHEREAS, P.L. 2023 Chapter 30, allows the QPA to award directly either through a fair and open or an enhanced disclosure method as appropriate such contracts which exceed the limits set forth in P.L. 2004, c 19, s. 3, but do not exceed the provisions of N.J.S.A. 40A:11-3(a), and

WHEREAS, the Township Committee desires to take advantage of the increased bid threshold which was enacted to increase efficiency and adjust for changes in purchasing and business dynamics, and the Township further wishes to confirm the statutory general delegation of this purchasing power Elizabeth Peddicord as the duly-appointed QPA; and

WHEREAS, P.L. 2023 Chapter 30 repealed Section 1 of P.L. 2005, c. 271 (N.J.S.A. 40A:11-51); and

WHEREAS, the Township Committee has previously adopted rules and procedures in accordance with the repealed N.J.S.A. 40A:11-51 and to be consistent with law the Township now wishes to rescind such policies, forms and procedures.

NOW, THEREFORE, BE IT RESOLVED, that Township Committee of the Township of Pennsauken, County of Camden and the State of New Jersey, as follows

1. That the Township Committee, as the governing body of the Township, hereby maintains its bid threshold as \$44,000.00.
2. Elizabeth Peddicord shall be and is hereby confirmed as the Townships QPA and, as such, she shall be and is hereby authorized to exercise the contracting powers granted pursuant to N.J.S.A. 40A:11-3, including to prepare, sign, and execute such documents as needed for the purposes of such an award.

3. All provisions of the Township's rules and procedures previously adopted by the Township in accordance with N.J.S.A. 40A:11-51 shall be and are hereby rescinded in their entirety.

4. The formal action(s) of the Township Committee of Township of Pennsauken embodied herein are expressly contingent upon and subject to the provisions of N.J.S.A. 40:14B-14(b).

I HEREBY CERTIFY that the foregoing resolution was adopted by the Township Committee of the Township of Pennsauken, County of Camden, State of New Jersey at their meeting held on May 18, 2023

TOWNSHIP OF PENNSAUKEN

Pamela Scott-Forman, RMC
Township Clerk