

RESOLUTION 2009-208

RESOLUTION OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP INTO A RENEWAL AGREEMENT WITH THE OCEAN COUNTY ENERGY COOPERATIVE PRICING SYSTEM

Whereas, N.J.S.A. 40A:11-11(5) authorizes governmental units to enter into a Cooperative Pricing System for the purchase of electric generation service, gas supply service and other energy related services (hereinafter collectively referred to as "Energy Services"): and

Whereas, the Electric Discount and Competition Energy Act (N.J.S.A. 48:3-49 et. Seq.) and the Government Energy Aggregation Program Standards adopted by the Board of Public Utilities permit municipalities and other governmental units to join together for the purchase of Energy Services; and

Whereas, the County of Ocean (hereinafter referred to as the "Lead Agency") previously offered municipalities and other governmental units an opportunity to participate in the Ocean County Energy Cooperative Pricing System (hereinafter referred to as the "System") for the purchase of Energy Services; and

Whereas, the Township of Barnegat, County of Ocean, State of New Jersey, previously agreed to participate in the System and executed a Cooperative Pricing System Agreement with the Lead Agency for the supply of Energy Services; and

Whereas, the previous Agreement executed by the parties for certain services expired on December 31, 2008; and

Whereas, the Township of Barnegat, County of Ocean, State of New Jersey, desires to continue to participate in the System.

Now, therefore be it resolved on the 16th day of March, 2009 by the Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

1. This Resolution shall be known and may be cited as the Ocean County Energy Cooperative Pricing System Resolution of the Township of Barnegat.
2. Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Township of Barnegat is hereby authorized and directed to enter into and execute a new Cooperative Pricing System Agreement with the Lead Agency for the purchase of Energy Services. Said Cooperative Pricing System Agreement shall take effect upon full execution and shall terminate on December 31, 2011, unless otherwise terminated in accordance with the provisions therein. The Cooperative Pricing System Agreement shall allow the Lead Agency to seek bids and render an award for the supply of Energy Services to the System at any time during the term of the contract. Any award made by the Lead Agency, during the term of the Cooperative Pricing System Agreement, may provide for the supply of Energy Services beyond the expiration of that Agreement.

3. The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq.) and all other provisions of the revised statutes of the State of New Jersey.
4. This resolution shall take effect immediately upon passage.
5. Certified copies of this Resolution together with an executed copy of the Cooperative Pricing System Agreement shall be forwarded to the following:
 - a. Ocean County Director of Purchase;
 - b. Ocean County Counsel

CERTIFICATION

I, Kathleen T. West, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held on the 16th day of March, 2009, in the Municipal Court Room, 900 West Bay Avenue, Barnegat, New Jersey.

Kathleen T. West, RMC
Municipal Clerk