

ORDINANCE 2017 - 25

ORDINANCE OF THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 12C OF THE TOWNSHIP CODE ENTITLED "OFFICERS AND EMPLOYEES" TO ESTABLISH THE POSITION OF QUALIFIED PURCHASING AGENT

BE IT ORDAINED BY the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (hereinafter referred to as the "Township") has continually strived to minimize costs to the Township and therefore to the taxpayers.

WHEREAS, The Township believes that creating the position of a Qualified Purchasing Agent, in accordance with the criteria and regulations set forth herein below, will assist the Township in preparing Bid Specifications and awarding Contracts, all of which will result in minimizing costs to professionals of the Township and other persons thereby reducing costs to the Township and the taxpayers;

WHEREAS, the Township believes it appropriate and necessary to establish a position of Qualified Purchasing Agent (QPA).

NOW THEREFORE, BE IT ORDAINED, by the governing body of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township modifies and supplements Chapter 12C-6 of the Township Code to establish the position of Qualified Purchasing Agent.

SECTION 2. The Purchasing Agent shall be:

The individual duly assigned the authority, responsibility and accountability for the purchasing activity of the Township, and who has such duties as are defined by the Township appropriate to the form and structure of the Township. The Purchasing Agent shall have the power to prepare advertisements, to advertise for and receive bids, and to recommend the award of Contracts as permitted by N.J.S.A. 40:11-1 et seq.

SECTION 3. In general the qualifications of the Purchasing Agent shall be the following:

- a. Knowledge of accepted procedures used in making large scale purchases,
- b. Knowledge of laws, rules and regulations affecting purchasing,
- c. Knowledge of the accepted preparation of specifications of commodity markets, marketing practices, and commodity pricing methods, and the application of bookkeeping methods to procurement practices,

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

- d. Ability to interpret market prices and trends, and apply such interpretations to procurement problems,
- e. Ability to establish and maintain harmonious working relationships,
- f. Ability review and prepare specifications,
- g. Ability to recommend suitable action on bids,
- h. Ability to establish and maintain purchasing and other records,
- i. Ability to utilize various types of electronic and/or manual recoding and information systems used by the agency, office or related units,
- j. Ability to read, write, speak, understand and communicate in English sufficiently to perform duties of this position. American Sign Language or Braille may also be considered as acceptable forms of communication,
- k. Persons who may have mental or physical disabilities are eligible as long as they can perform essential functions of the job with or without reasonable accommodation. If the accommodation cannot be made because it would cause the employer undue hardship, such persons may not be eligible.

SECTION 4. The Township Committee for good cause shall have the ability to waive any requirements for the appointment of a person to the position of Qualified Purchasing Agent.

SECTION 5. A Qualified Purchasing Agent, in accordance with the provisions of N.J.S.A. 40A:11-9, will be required to possess a valid Qualified Purchasing Agent Certification issued by the State Division of Local Government Services, and the Department of Community Affairs.

SECTION 6. In addition to the above the Township Qualified Purchasing Agent shall be required to continue to enroll in, attend and sufficiently pass all appropriate post certification courses and seminars as mandated by the provisions of the New Jersey Administrative Code and the New Jersey Annotated Statutes.

SECTION 7. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 8. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed on the first reading by the Township Committee of Barnegat, County of Ocean, State of New Jersey on **September 5, 2017 at 6:30 p.m.**, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. The Ordinance will be considered for second and final reading at a meeting of the Township Committee on **October 3, 2017, at 6:30 p.m.**, or as soon thereafter as the matter may be reached and considered, at the Barnegat Township Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey. At that time the public is invited to ask questions, raise objections or provide public comment with regard to the proposed adoption of this Ordinance.

Michele Rivers, RMC
Township Clerk

Prepared by:

DASTI, MURPHY, McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS
Forked River, New Jersey 08731

DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731

Z:\CLIENT MATTERS - GL\Barnegat\SPECIAL GENERAL [RETAINER]\GL-25475 ORDINANCES 2017\Ordinance re QPA 8-15-17.docx

CERTIFICATION

Ordinance 2017-25

I, Michele A. Rivers, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing ordinance was introduced and passed on first reading at a meeting held on the 5th day of September, 2017, and finally adopted by the Township Committee after public hearing at their regular meeting held on the 3rd day of October, 2017 at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

Michele A. Rivers, RMC
Municipal Clerk

**DASTI, MURPHY
McGUCKIN, ULAKY,
KOUTSOURIS & CONNORS**

COUNSELLORS AT LAW

620 WEST LACEY ROAD
P.O. BOX 1057
FORKED RIVER, N.J. 08731