

**RESOLUTION TO ENTER INTO AN AGREEMENT WITH THE MORRIS COUNTY
COOPERATIVE PRICING COUNCIL, BY THE TOWNSHIP OF RANDOLPH,
ACTING AS LEAD AGENCY**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to enter into a cooperative agreement for the purchase of work, materials and supplies; and

WHEREAS, the Morris County Cooperative Pricing Council (MCCPC) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the Morris County and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, The TOWNSHIP OF WEST ORANGE is desirous to renew membership in the MCCPC.

NOW, THEREFORE, IN CONSIDERATION of the promises and of the covenants, terms and conditions herein set forth, it is mutually agreed as follows:

1. The term of this agreement shall be October 1, 2016 to September 30, 2021, subject to the approval of the Division of Local Government Services. Each Contracting Unit shall execute a separate, identical Agreement with the MCCPC establishing or renewing its membership with the MCCPC. All parties shall have approved the within Agreement by Ordinance or Resolution as appropriate. An executed Agreement and authorizing Ordinance or Resolution shall be submitted to the Lead Agency. Any party to this Agreement shall give written notice to the Lead Agency of its intention to terminate its participation in the MCCPC by August 31st of any year during the Agreement term. Said termination shall be effective on October 1st following said notice. The withdrawal of any member in the MCCPC shall not invalidate the Agreement.
2. The MCCPC shall be administered by the Lead Agency. The Lead Agency is hereby designated as Randolph Township. The Lead Agency shall prepare bid specifications, advertise for bids, receive and evaluate bids, receive and evaluate bids and award contracts pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq.
3. The Lead Agency shall have sufficient funds to enable it to administer the MCCPC. It is agreed that each member shall pay to the Lead Agency an annual fee of One Thousand Two Hundred Fifty Dollars ((\$1,250.00) as their estimated prorated share of the administrative expenses. A DISCOUNT IN THE AMOUNT OF ONE HUNDRED AND FIFTY DOLLARS (\$150.00) SHALL BE APPLIED TO MEMBERS WHO SUBMIT THEIR PAYMENT EARLY.

A reduced fee of One Thousand One Hundred Dollars (\$1,100.00) can be submitted in lieu of the full fee if said payment is received by the Lead Agency within forty-five (45) days from the date of the invoice. The full fee is due to the Lead Agency within Ninety (90) days from receipt of the invoice from the Lead Agency. Failure of any member to submit the annual fee to the Lead Agency within ninety (90) days of the date of the invoice shall result in the termination of membership.

The annual fee is for the administration of the MCCPC and does not cover fees associated with litigation costs.

Members may join or rejoin the MCCPC at any time for a prorated fee to be determined by the Lead Agency.

4. Each member of the MCCPC shall provide the Lead Agency with one contact person. The MCCPC shall provide the designated contact person for each member with all notices and correspondence related to the MCCPC.
5. The Lead Agency shall hold an annual meeting of the members to update the members on the MCCPC activities, provide a forum for the exchange of ideas and to address any concerns.

THIS AGREEMENT, made this _____ day of _____, _____ by

and between: Township of West Orange
 66 Main Street
 West Orange, New Jersey

and: Morris County Cooperative Pricing Council
 Township of Randolph Acting as Lead Agency
 502 Millbrook Avenue
 Randolph, NJ 07869

Karen J. Carnevale, R.M.C.,
Municipal Clerk

Victor Cirilo, Council President

Adopted: August 9, 2016