

**Stockton Borough Council**  
**Resolution #24- 89**  
**AWARDING CONTRACT FOR NEW EMERGENCY GENERATOR**  
**FOR SEWER SYSTEM TO FOLEY, INC. UNDER STATE APPROVED**  
**COOPERATIVE PRICING SYSTEM #65MCECCPS ADMINISTERED BY**  
**THE EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY**

**WHEREAS**, the Borough of Stockton requires the purchase and installation of a new emergency generator for its sewer system; and

**WHEREAS**, the Borough has researched available goods and services from qualified vendors that would serve its needs, and has determined that the sought-after goods and services may be procured through New Jersey State Approved Cooperative Pricing System #65MCECCPS, administered by the Educational Services Commission of New Jersey (“ESCNJ”), pursuant to N.J.S.A. 40A:11-11; and

**WHEREAS**, ESCNJ has entered into a Cooperative Pricing Agreement with Foley, Inc., referred to as Bid Number #ESCNJ 22/23-46 (“Generator Equipment and Maintenance”), which is made available to local units through the above-referenced Cooperative Pricing System; and

**WHEREAS**, consistent with the ESCNJ Cooperative Pricing Agreement, Foley, Inc. submitted a proposal dated October 9, 2024 to the Borough to provide the goods and services for a sum not to exceed \$137,430.00; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-10 et seq., the Borough is a member of ESCNJ’s Cooperative Pricing System and is authorized to purchase goods and services without public bidding thereunder; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this purpose, as set forth in the attached certification.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey as follows:

1. The foregoing “Whereas” clauses are hereby incorporated as if fully restated.
2. A contract for the procurement and installation of an emergency generator for the Borough’s sewer system is hereby awarded to Foley, Inc. without public bidding as permitted by law, for the total not to exceed contract amount of \$137,430.00, as more fully set forth in the End User Agreement between the parties.
3. The Mayor and Clerk are hereby authorized and directed to execute the End User Agreement with Foley, Inc. in accordance with this Resolution.

**Certification:**

I, Laurie A. Courter, Borough Clerk of the Borough of Stockton, County of Hunterdon, State of New Jersey, do hereby certify that the foregoing Resolution is a true and exact copy of a Resolution adopted by the Borough Council of the Borough of Stockton on December 16, 2024.

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Laurie A. Courter, RMC

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Borough this

<sup>16th</sup> day of \_\_\_\_\_ December \_\_\_\_\_, 2024

.[SEAL]