



Approved as to Form and Legality

Date Adopted

Committee

Salem County Counsel

December 18, 2019

Administrative

RESOLUTION DECLARING AN EMERGENCY TO PERMIT IMMINENT ACQUISITION OF GOODS AND/OR SERVICES TO MAKE REPAIRS/REPLACEMENT TO FUEL DISPENSING SYSTEM FOR THE COUNTY OF SALEM

WHEREAS, the Local Public Contracts Law 40A:11-6 permits a contracting unit to declare an emergency to permit imminent acquisition of goods or performance of services; and

WHEREAS, on November 27, 2019 the Salem County Administrator was notified by the Road Superintendent that the County gasoline dispensing system was inoperable; and

WHEREAS, it was necessary to the secure services of a licensed contractor to troubleshoot the fuel dispensing system and make emergency repairs; and

WHEREAS, on December 2, 2019 DeMaio's Incorporated performed the necessary repairs/replacement to the spill buckets and fuel dispensing system and further determined that additional work would be required to secure the system; and

WHEREAS, notification was made to the New Jersey Department of Environmental Protection (NJDEP) who has issued an Administrative Consent Order to the County of Salem; and

WHEREAS, De Maio's Incorporated is a licensed and qualified contractor who has been authorized to perform required repairs/replacement to the fuel dispensing system; and

WHEREAS, the Salem County Treasurer has certified funding for this contract in the amount not to exceed Forty Thousand Dollars and Zero Cents (\$40,000.00) shall be encumbered in accordance with N. J. A. C. 50:30-5.4 in account C-04-55-810-096-902 Ordinance 96-1 Fuel Tanks.

NOW THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Salem that DeMaio's Incorporated is herein contracted in an amount not to exceed Forty Thousand Dollars and Zero Cents (\$40,000.00) to provide for immediate repairs/replacement to the fuel dispensing system at the Salem County Road Department.

BE IT FURTHER RESOLVED that the Salem County Administrator and Salem County Purchasing Agent are hereby authorized to execute any and all documents associated with the Administrative Consent Order and contract for goods and services to resolve outstanding issues associated with the fuel dispensing system.

 BENJAMIN H. LAURY, Freeholder Director
 Board of Chosen Freeholders

I hereby certify the foregoing to be a true resolution adopted by the Board of Chosen Freeholders of the County of Salem on December 18, 2019.

 STACY L. PENNINGTON
 Clerk of the Board

RECORD OF VOTE

FREEHOLDER	AYE	NAY	ABSTAIN	ABSENT	RESOLUTION MOVED	RESOLUTION SECONDED
G. Ostrum, Jr.	✓					
C. Hassler	✓				✓	
L. Ware	✓					✓
R.S. Griscom	✓					
B. Laury	✓					

✓ Indicates Vote

Department Initials

Purchasing/Facilities Management



CERTIFICATION OF AVAILABILITY OF FUNDS

NOTE TO COUNTY DEPARTMENTS: This form is to be prepared by each department entering into a contract with a vendor when a resolution is required to be adopted by the Board of Chosen Freeholders of the County of Salem.

This form must accompany the resolution, and must be submitted with the resolution to the Finance Officer for approval by the Finance Officer at least one week prior to the Freeholder meeting at which it will be presented for adoption.

The contract/agreement between the County and the vendor shall be further contingent upon availability and appropriation of sufficient funds for this purpose in the County's Temporary and Permanent Budget. *If grant funds are utilized, this contract/agreement is further contingent upon the grants funds availability during the appropriate grant period.*

I, **Kelly A. Hannigan, Treasurer** of the County of Salem, hereby certify in accordance with **Section 5:34-5 of the Local Public Contracts Guidelines and Local Public Contracts Regulations** that adequate funds for the contract listed below are available.

I further certify that the funds are contained in the **OFFICIAL BUDGET** of the County of Salem under the item listed below.

AMOUNT:	\$ 40,000.00
ACCOUNT NAME:	Ordinance 96-1 Fuel Tanks
ACCOUNT #:	C-04-55-810-096-902
FOR:	Emergency Repairs on Fuel Tanks
DATE:	December 18, 2019
VENDOR:	DeMaio's Incorporated 543 Columbia Road Eg Harbor, NJ 08215

Kelly A. Hannigan, Treasurer/ Temporary CFO