

**RESOLUTION NO. 39-18**

**BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**March 29, 2018**

**A RESOLUTION RESCINDING RESOLUTION 08-18 FOR THE PURCHASE OF AN  
INDUCTIVELY COUPLED PLASMA MASS SPECTROMETER FROM AGILENT  
TECHNOLOGIES THROUGH STATE CONTRACT T0115  
PROJECT 710036A, AMOUNT \$130,564.56**

**WHEREAS**, the Brick Township Municipal Utilities Authority (hereinafter referred to as "Authority") owns an Inductively Coupled Plasma Mass Spectrometer (ICPMS) used for metals analysis which equipment is well beyond its useful life and has become unreliable and difficult to repair due to the unavailability of spare parts causing disruptions in laboratory workflow; and

**WHEREAS**, the Authority requested and received a proposal from Agilent Technologies to furnish a new ICPMS in the amount of \$130,564.56; and

**WHEREAS**, the proposal requires the Authority to transfer ownership of the ICPMS currently owned by the Authority to Agilent Technologies; and

**WHEREAS**, the Authority via Resolution No. 08-18 authorized the purchase of an ICPMS from Agilent Technologies through State Contract T0115; and

**WHEREAS**, Agilent Technologies' State Contract T0115 expired prior to procurement by the Authority; and

**WHEREAS**, the application for renewal of a State Contract by Agilent Technologies has been timely filed but is still pending (not yet approved); and


**WHEREAS**, procurement through an approved New Jersey State Contract pursuant to N.J.S.A. 40A:11-1 et seq. is an exception to the Local Public Contracts Law; and

**NOW, THEREFORE, BE IT RESOLVED** this 29th day of March, 2018, by the Brick Township Municipal Utilities Authority as follows:

1. Resolution 08-18 for the purchase of an ICPMS from Agilent Technologies through State Contract T0115 is hereby rescinded.
2. The Chairman and Executive Director and Secretary of the Authority be and hereby are authorized to execute any and all necessary documents in order to implement the intent of this resolution.
3. A copy of this resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
  1. Chairman Gregory M. Flynn
  2. Secretary William Neafsey
  3. Chris A. Theodos, PE, PP, CME, CPWM, CFM, Executive Director
  4. John Clifford, Chief Financial Officer
  5. Joseph Maggio, Director Water Quality
  6. Nicholas Montenegro, Esq., Montenegro, Thompson, Montenegro & Genz
  7. Agilent Technologies

**CERTIFICATION**

I hereby certify that the foregoing Resolution was duly adopted at a Regular Meeting of the Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, held on Thursday, March 29, 2018 a quorum being present and voting in the majority.

  
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William Neafsey, Secretary