

RESOLUTION NO. 2024-224

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A
CONTRACT FOR THE PURCHASE OF FITNESS COURT EQUIPMENT
THROUGH THE NATIONAL FITNESS CAMPAIGN GRANT TO
NATIONAL FITNESS CAMPAIGN, LP (PROJECT #2024-095)**

WHEREAS, the Township was notified by the National Fitness Campaign Grant Committee that the Township has been selected as a grant eligible partner in the 2024 Horizon Blue Cross Blue Shield of New Jersey Campaign and eligible for one (1) 2024 NFC Grant of \$50,000.00; and

WHEREAS, the Township of Little Egg Harbor is in receipt of a quote from National Fitness Campaign, LP for Fitness Court Equipment and National Campaign Resources in the amount of \$160,000.00, less the \$50,000.00 Grant for a total of \$110,000.00, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, National Fitness Campaign, LP is the only company that: (a) is authorized to and provide a \$50,000.00 grant to offset the cost; (b) makes the subject equipment; and (c) makes the app that is specific to the subject equipment, as set forth on the letter from National Fitness Campaign, LP, a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, this proposal is being awarded without public advertising pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) as an Extraordinary Unspecifiable Services (“EUS”); and

WHEREAS, the Township of Little Egg Harbor, believes this project, because of its unique nature, is defined as an extraordinary unspecifiable service and as such is not

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subject to competitive bidding but is by law subject to appropriate notice and completion of required paperwork pursuant to the provisions of N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, Township Administrator and Purchasing Agent have reviewed the quote submitted by National Fitness Campaign LP for the Fitness Court and National Campaign Resources in the amount of \$160,000.00 less the \$50,000.00 Grant for a total of \$110,000.00 and recommend the approval of same; and

WHEREAS, the concrete slab and fitness court equipment installations will be installed by separate vendors in accordance with New Jersey Prevailing Wage Laws; and

WHEREAS, pursuant to N.J.A.C. 5:34-2.3, before the governing body awards a contract under the EUS provisions which exceeds the bid threshold established in accordance with N.J.S.A. 40A:11-6.1(b), the Township Administrator or Qualified Purchasing Agent must file a certificate with the governing body clearly describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, describing the informal solicitation of quotations, and describing in detail why the contract meets the provisions of the statute and these rules; and

WHEREAS, a mere recitation of the language in the statute shall not be sufficient for this purpose and standard certification format is available from the Department of Community Services, Division of Local Government Services and must be utilized; and

WHEREAS, the above-noted certification must be kept with the resolution awarding the contract; and

WHEREAS, the governing body, in addition to stating the supporting reasons for its action in the resolution awarding the contract, shall direct the Township Clerk to place a notice of the action in an official newspaper pursuant to N.J.S.A. 40A:11-5(1)(a).

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee for the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

1. That National Fitness Campaign, LP having its principal office located at P.O. Box 2367, San Francisco, CA 94126-2367 (BRC Address: 1740 Kearny Street, San Francisco, CA 94133-9413), is hereby awarded a contract to provide Fitness Court Equipment and National Campaign Resources, in an amount not to exceed \$110,000.00.
2. That a Certificate of Availability of Funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract:

C.04-55-974-110

3. That the governing body authorizes the Mayor to execute, and the Township Clerk to attest, any and all necessary documents to effectuate the purchase of the Fitness Court and National Campaign Resources.
4. That the Township Administrator or Qualified Purchasing Agent, pursuant to N.J.A.C. 5:34-2.3, must file a certificate with the governing body clearly describing the nature of the work to be done, stating that it is not reasonably possible to draft specifications, describing the informal solicitation of quotations, and describing in detail why the contract meets the provisions of the statute and these rules, in the standard format available from the Department of Community Services, Division of Local Government Services.
5. That the Township Clerk shall place a notice of the action in an official newspaper pursuant to N.J.S.A. 40A:11-5(1)(a).
6. National Fitness Campaign, LP shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.
7. A certified copy of this Resolution shall be forwarded by the Township Clerk to the Chief Financial Officer, Township Engineer, the Superintendent of Public Works, Division of Local Government Services, and National Fitness Campaign, LP.

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CERTIFICATION

I, **KELLY LETTERA, CMC, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 12th day of **September 2024**.



KELLY LETTERA, CMC, RMC
Township Clerk
Little Egg Harbor Township

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CERTIFICATE OF AVAILABILITY OF FUNDS

I, **RODNEY R. HAINES**, Chief Financial Officer for the Township of Little Egg Harbor, do hereby certify that adequate funds are available for a contract with National Fitness Campaign, LP for Fitness Court Equipment and National Campaign Resources, in an amount not to exceed \$110,000.00. The funds which are available for this contract are found in the following line item appropriations or ordinances:

C-04-55-974-110



RODNEY R. HAINES, Chief Financial Officer
Township of Little Egg Harbor

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STANDARD CERTIFICATION DECLARATION FOR AN EXTRAORDINARY UNSPECIFIABLE SERVICE

TO: Members of the Governing Body

FROM: *Rodney R. Haines, Township Administrator/CMFO*

DATE: September 12, 2024

SUBJECT: This is a contract for Fitness Court Equipment for the National Fitness Campaign

This is to request your approval of a resolution authorizing a contract to be executed as follows:

Firm: National Fitness Campaign, LP

Cost: \$160,000 less grant of \$50,000

Duration: Until Completed

Purpose: Fitness Equipment specific to the grant campaign

This is to request an award of a contract without the receipt of formal bids as an Extraordinary Unspecifiable Service [N.J.S.A. 40A:11-5(1)(a)(ii) and N.J.A.C. 5:34-2.3(b)]. I do hereby certify to the following:

1. Provide a clear description of the nature of the work to be done.

Provide Fitness Specific Equipment as required by the National Fitness Campaign Grant

2. Describe in detail why the contract meets the provisions of the statute and rules:

National Fitness Campaign, LP is the only company that is authorized to and provide a \$50,000 grant to offset cost; makes the necessary equipment; and provides an app that is specific to the equipment as set forth in the grant

3. The service(s) is of such a specialized and qualitative nature that the performance of the service(s) cannot be reasonably described by written specifications because:

Sole provider of the equipment

4. Describe the informal solicitation of quotations:

National Fitness Campaign, LP is the sole provider of equipment specified in the offsetting grant.

5. I have reviewed the rules of the Division of Local Government Services pursuant to N.J.A.C. 5:34-2.1 et seq. and certify that the proposed contract may be considered an extraordinary unspecifiable service in accordance with the requirements thereof.

Respectfully,

Name  _____

Rodney R. Haines

Title: Township Administrator/CMFO

(Original to be retained by governing body.s Clerk with the affirmed copy of the resolution; signed duplicate to be kept by appropriate official.)

10-02-02



Little Egg Harbor Township, NJ - National Fitness Campaign 2024 Funding Cycle Grant Program Requirements (G.P.R.)

Important: Grant Program Requirement (GPR) Dates must be adhered to in order to confirm grant availability within the awarded campaign year. While NFC strives to accommodate all approved applicants for participation, National Fitness Campaign cannot guarantee grant availability within each calendar year should approved milestone dates not be met, due to the volume of applicants joining the campaign and limited nature of Grant Funding in each state. Please contact your Partnership Development manager for more information.

MILESTONE 1: ADOPTION

Summary: Commit to project adoption and confirm intent to provide remaining matching funding

- Requirement: Complete Resolution of Adoption
- **Deadline: 8/15/2024**

MILESTONE 2: AUTHORIZATION TO PROCEED - FUNDING CONFIRMED

Summary: Approve and secure funding (as needed) and confirm total required remaining funding listed below.

- Requirement: Funding confirmation document submitted to NFC for remaining program funding (typically a Purchase Order (P.O)). Refer to Official Quote and Funding Requirements Summary for details.
 - **Remaining Funding Requirement: \$110,000.00**
- **Deadline: 9/19/2024**

MILESTONE 3: SHIPMENT FOR STORAGE

Summary: Identify Fitness Court® storage location and schedule Fitness Court® delivery

- Requirement: Accept Fitness Court® delivery and store at a secure location, prepare to be invoiced for remaining program funds due per Milestone 2.
- **Deadline: 9/20/2024 to 10/11/2024**

MILESTONE 4: PLANNING AND DESIGN

Summary: Confirm Fitness Court Orientation and Site Layout, Approve Fitness Court® Art Designs

- Requirement: Approve Site Orientation, Site Plan and Approve artwork.
- **Deadline: September/October 2024**

MILESTONE 5: CONCRETE SLAB INSTALLATION

Summary: Review concrete slab drawings & schedule concrete installer, Confirm Art is produced and shipped.

- Requirement: Install concrete slab (cure time of 28 days before Fitness Court® installation)
 - **Estimated Funding Requirement: \$0-\$40,000 (Pending Standard or Studio Configuration)**
- **Deadline: September/October 2024 - pending weather (may go to Spring 2025)**

MILESTONE 6: FITNESS COURT® ASSEMBLY


Summary: Select Fitness Court® Assembly Team - NFC'S Installation Network is recommended, (includes art install)

- Requirement: Confirm installation timeline with NFC, provide completed installation photos for NFC inspection
 - **Estimated Funding Requirement: \$25,000-\$34,500 (Pending Standard or Studio Configuration)**
- **Deadline: October 2024 - pending weather (may go to Spring 2025)**

MILESTONE 7: PRESS LAUNCH CEREMONY

Summary: Hold Fitness Court® press launch event & ribbon cutting (in coordination with State Sponsor if applicable)

- Requirement: Promote press release, hold launch event within campaign year (weather permitting)
- **Deadline: Spring 2025 - pending weather**

G.P.R. Authorized by:  Trent Matthias - Campaign Director