

**RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MOUNT OLIVE AUTHORIZING THE SOLICITATION OF REQUESTS FOR PROPOSALS (RFP'S) FOR A PUBLIC-PRIVATE ENTERPRISE CONTRACT FOR THE OPERATION, MAINTENANCE AND IMPROVEMENT TO THE TOWNSHIP'S WATER SYSTEM**

WHEREAS, the Township of Mount Olive has owned and operated a water system which has approximately 2,300 customers, including residential, commercial and industrial; and

WHEREAS, the Mayor and Administration have, for a long period of time, been seeking alternative ways to do business i.e., rather than the Township operating the water system there may be a more satisfactory and efficient arrangement for the operation of the system, which would cost the Township less monies; and

WHEREAS, the Mayor and Township Attorney have spent a considerable period of time exploring the provisions of N.J.S.A. 50A:26-19 et seq. commonly referred to as the Public-Private Partnership Act, which permits a municipality to contract with a private entity for the purpose of operating and maintaining the municipality's water system; and

WHEREAS, the process by which such a contract may be entered into requires the advertising of a Request for Proposals (RFP's), negotiations with the public-private enterprise and ultimately approval by the Board of Public Utilities of the contract to be entered into between the municipality and the private enterprise; and

WHEREAS, the Township Council wishes to concur with the Mayor, given the economic times, and the fact that the Township must think "out of the box" and attempt to utilize these new mechanisms which are available to municipalities by way of the Public-Private Partnership Act; and

WHEREAS, the Township Council wishes to authorize the Administration to proceed to seek responses to the Township's RFP with enterprises experienced in the operation of water systems with the hope that a private enterprise may be able to bring new techniques, new methods and greater efficiency to the water system, with the understanding that the Administration shall report periodically to the Council.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mount Olive as follows:

1. The Administration is hereby authorized to take the appropriate steps to solicit responses to its RFP, a copy of which, together with a Pro Forma form of contract, is on file with the Township Clerk.

2. It is hereby authorize that an advertisement, as required by statute, as to the solicitation of RFP's shall be advertised on one occasion in the Newark Star Ledger, the Daily Record and the Mt. Olive Chronicle.

3. The Township Attorney, the Administrator and the Administration are authorized to take any and all steps necessary to solicit responses to the RFP; to meet with proposed respondents to the RFP; to report on any negotiations; and to ultimately recommend to the Township Council a contract, with the Administration reporting periodically to the Township Council as the process progresses and as various milestones are reached.

TOWNSHIP OF MOUNT OLIVE

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Phil Tobey  
Mount Olive Township Council President

I hereby certify the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on \_\_\_\_\_, 2010.

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LISA M. LASHWAY  
Mount Olive Township Municipal Clerk