

**RESOLUTION - AUTHORIZE PURCHASE – FY2010 PRESCRIPTION INSURANCE  
POLICIES – BENECARD**

**WHEREAS**, the Township of Franklin desires to purchase items as follows:

<u>VENDOR</u>	<u>ITEM</u>	<u>COST</u>
<b>Benecard</b> Benecard Services Inc. 3131 Princeton Pike Bldg. #2B, Suite 203 Lawrenceville, NJ 08648	Prescription Insurance	Not to Exceed \$2,000,000.00

**WHEREAS**, the Chief Financial Officer has certified hereon, that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

**WHEREAS**, that continuation of the terms of this contract beyond June 30, 2010 is contingent upon availability of funds in the 2011 FY Budget, and in the event of unavailability of such funds, the Township of Franklin reserves the right to cancel this contract;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Franklin, County of Somerset that the above purchases be authorized subject to the following provisions:

- (1) These contracts are awarded without competitive bidding as an exemption under the provisions of the Local Public Contracts Law, NJSA 40A:11-5(1)(m).
- (2) A notice of this action shall be printed in the **LEGAL NEWSPAPER OF THE TOWNSHIP** as required by law within ten (10) days of its passage.
- (3) The vendors shall supply the Township of Franklin with Federal Affirmative Action Plan Approval or State Certificate of Employee Information Report within the time period specified by NJAC 17:27. The Contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts required by NJAC 17:27, a copy of which shall be attached to and incorporated in the contract authorized herein.

(4) The vendors shall agree to comply with the requirements of Title II of the Americans with Disabilities Act of 1990 and indemnify, protect and save harmless the Township from all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of alleged violations of the Act. A copy of the Act shall be attached to and incorporated in the contract authorized herein.

**CERTIFICATION**

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the day of August 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this day of August 2009.

Ann Marie McCarthy  
Township Clerk

Verified and Encumbered as  
to Availability of Funds:

Certification No. \_\_\_\_\_

Date: \_\_\_\_\_

Account No.: \_\_\_\_\_

PO No. \_\_\_\_\_

By: \_\_\_\_\_

VANDANA KHURANA, Chief Financial Officer