

RESOLUTION NO. 784

**BOROUGH OF MALVERN
CHESTER COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF MALVERN,
CHESTER COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING
COOPERATIVE PURCHASING AND PARTICIPATION IN THE REGIONAL
STREETLIGHT PROCUREMENT PROGRAM ADMINISTERED BY THE DELAWARE
VALLEY REGIONAL PLANNING COMMISSION**

WHEREAS, the Borough of Malvern is located in Chester County, Pennsylvania (the "Borough"); and

WHEREAS, the Borough qualifies as a "local public procurement unit" as defined under Chapter 19 of the Commonwealth Procurement Code, 62 Pa C.S. §1901 et seq. (the "Code"); and

WHEREAS, the Delaware Valley Regional Planning Commission ("DVRPC") qualifies as a "public procurement unit" under the Code, and has established a Regional Streetlight Procurement Program (the "Program") for the purpose of entering into "cooperative purchasing" agreements with regional municipalities; and

WHEREAS, the Borough, in its capacity as a local public procurement unit, is agreeable to participating in the Program, as reflected by the execution of a letter of intent; and

WHEREAS, Participation in the program will allow the Borough to implement a project (the "Project") to improve the performance of municipal street lighting, and specifically to design, procure, install, and finance the transition to light-emitting-diode (LED) street lighting and other street light improvements, and to maintain those improvements; and

WHEREAS, DVRPC has entered into a contract with Keystone Lighting Solutions ("KLS") to provide design services for the Program; and

WHEREAS, participating municipalities, including the Borough, are able to "piggyback off of" contracts entered into by DVRPC for design services, equipment acquisition, distribution, and installation, in accordance with the Code; and

WHEREAS, as part of its contract with DVRPC, KLS has presented a Preliminary Feasibility Study (Phase 1), developed free of charge to the Borough to estimate the equipment and services required for, and to estimate the cost associated with, the Project; and

WHEREAS, as part of its contract with DVRPC, KLS has also estimated the costs to the Borough associated with KLS' services for Phase 2 – 4 of the Program; and

WHEREAS, the Borough has determined that its interests warrant piggybacking off of DVRPC's contract with KLS, thereby forming a separate and new Contract between the Borough

and KLS in the form attached hereto as Exhibit "A"; and

WHEREAS, in accordance with this Contract KLS will provide Professional Design Services to evaluate, recommend, audit, design and manage the Project.

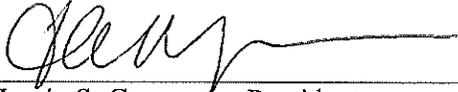
NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Malvern hereby authorizes the Borough to enter into cooperative purchasing in the form of the Contract with KLS and to proceed to Phase 2 of the Program for Project Development Services; and it is

FURTHER RESOLVED that the Borough Council of the Borough of Malvern hereby authorizes and directs its employees, agents and representatives to take all such further actions and to execute and deliver all such instruments and other documents as may be necessary or appropriate to enable the Borough to carry out the intent and purposes of the foregoing resolutions and the transactions contemplated thereby.

IN WITNESS WHEREOF, the Borough Council of the Borough of Malvern has adopted and enacted this Resolution this 19th day of February, 2019.

Resolved by Borough Council,

this 19 day of February, 2019.



Jamie S. Grossman, President

Approved by the Mayor,

this 19 day of February, 2019.



David B. Burton, Mayor

Enacted,

this 19 day of February, 2019.



Christopher Bashore, Secretary