

**RESOLUTION 2025-214**

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AGREEMENT WITH BEN SHAFFER RECREATION THROUGH EDUCATIONAL SERVICES COMMISSION OF NEW JERSEY (ESCNJ) COOPERATIVE UNDER BID NUMBERS ESCNJ 24/25-03 AND ESCNJ 24/25-01, CO-OP #65MCESCCPS**

**WHEREAS**, the Township of Little Egg Harbor desires to procure and replace existing play equipment and safety surface at Parkertown beach.

**WHEREAS**, N.J.S.A. 52:34-6.2 authorizes the Township to make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process and the Township has determined that the use of the cooperative purchasing agreement shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

**WHEREAS**, the Township desires to award a Contract for replacement playground equipment and playground surfacing materials in accordance with the attached proposals from Ben Shaffer Recreation through ESCNJ Cooperative under Bid Numbers ESCNJ 24/25-03 and ESCNJ 24/25-01, Co-Op #65MCESCCPS.

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

1. That the governing body does hereby the award of a Contract for replacement playground equipment and playground surfacing materials in accordance with the attached proposals from Ben Shaffer Recreation through ESCNJ Cooperative under Bid Numbers ESCNJ 24/25-03 and

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Rothstein, Mandell, Strohm,  
Halm & Cipriani, P.A.  
ATTORNEYS AT LAW

98 East Water Street  
Toms River, NJ 08753

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f: 732.905.6555

ESCNJ 24/25-01, Co-Op #65MCESCCPS for an amount not to exceed \$97,631.87 in accordance with the attached proposals hereinafter Schedule A (Ben Shaffer Proposal for safety surfacing materials, \$20,806.80 and Ben Shaffer Proposal for replacement playground equipment, \$76,825.07).

2. That the Mayor is authorized to execute and the Township Clerk to attest to the Contract for replacement playground equipment and playground surfacing materials in accordance with the attached proposals from Ben Shaffer Recreation through ESCNJ Cooperative under Bid Numbers ESCNJ 24/25-03 and ESCNJ 24/25-01, Co-Op #65MCESCCPS.
3. 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:

\$ 70,000.00	RECREATION GRANT
27631.87	CAPITAL IMPROVEMENT FUNDS

4. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer, Ben Shaffer Recreation, ESCNJ Cooperative, and the Department of Community Affairs.

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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 **14th** day of **August, 2025**.



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

**r|m|sh|c**

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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 for replacement playground equipment and playground surfacing materials in accordance with the attached proposals from Ben Shaffer Recreation through ESCNJ Cooperative under Bid Numbers ESCNJ 24/25-03 and ESCNJ 24/25-01, Co-Op #65MCESCCPS in an amount not to exceed \$97,631.87.

The funds which are available for this contract are found in the following line item appropriations or ordinances:

          \$ 70000.00 RECREATION GRANT

          \$ 27,631.87 CAPITAL IMPROVEMENT FUND.



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

**r|m|s|h|c**

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**AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_\_ day of \_\_\_\_\_, 2025,

by and between the **TOWNSHIP OF LITTLE EGG HARBOR**, a municipal corporation of the State of New Jersey, with its principal offices located at 665 Radio Road, Little Egg Harbor, New Jersey 08087, hereinafter referred to as "Township," and **BEN SHAFFER RECREATION**, having an address of P.O. Box 844, Lake Hopatcong, NJ 07849, hereinafter referred to as "Contractor."

**W I T N E S S E T H:**

That and for and in consideration of total sum of **NINETY-SEVEN THOUSAND SIX HUNDRED THIRTY-ONE DOLLARS AND 87/100 (\$97,631.87)**, in accordance with the two quotations (\$20,806.80 for safety surfacing materials; \$76,825.07 for replacement playground equipment) attached herein, Contractor agrees to furnish to the Township a Nuclus Play Structure and mechanically engineered wood fiber safety surfacing described in the attached Schedule A in accordance with the contract documents hereinafter set forth.

That for and in consideration of the amount payable under this agreement by the Township, the Contractor agrees, at its own proper cost and expense, and with due skill and diligence, that it will supply a Nuclus Play Structure and mechanically engineered wood fiber safety surfacing to the Township of Little Egg Harbor, in accordance with the contract documents and in compliance with this agreement.

The Contractor agrees to receive as full compensation the amount stated herein, namely a total of **\$97,631.87**, in accordance with the two quotations (\$20,806.80 for safety surfacing materials; \$76,825.07 for replacement playground equipment) as delineated in Schedule A to the Township of Little Egg Harbor. The Contractor shall be responsible for all

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loss or damage arising out of the furnishing of a Nuclus Play Structure and mechanically engineered wood fiber safety surfacing to the Township of Little Egg Harbor or from any action of the elements; or from any unforeseen obstruction or difficulties which may be encountered of every description connected with the furnishing of a Nuclus Play Structure and mechanically engineered wood fiber safety surfacing to the Township of Little Egg Harbor until the same have been accepted by the Township.

The contract is awarded to Contractor pursuant to ESCNJ Cooperative under Bid Numbers ESCNJ 24/25-03 and ESCNJ 24/25-01, Co-Op #65MCESCCPS in an amount not to exceed \$97,631.87.

To prevent all disputes and litigation, it is agreed by and between the parties to this agreement that the Township shall in all cases determine the quantity and/or quality of goods and/or services delivered, rendered and paid for under this agreement.

The parties to this agreement agree to incorporate into this agreement the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the Contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said subsection 3.4(a).

The parties to this agreement further agree to incorporate into this agreement the mandatory language of section 3.6 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and the Contractor or subcontractor agrees to comply fully with the terms, provisions and obligations of said section 3.6.

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The Contractor shall execute the Affirmative Action Agreement, Exhibit A attached hereto, which shall be incorporated herein by reference.

The Contractor shall execute a Certification in accordance with P.L. 2022, c. 3.

The Contractor shall submit a copy of the Certificate of Employee Information Report, or a copy of letter of Federal approval, or Form AA-302 (Initial Employee Information Report) prior to the execution of this agreement.

The Contractor shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the Contractor.

Before final payment on the contract is made by the Township, the Contractor shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

For the term of the contract, the Contractor and each of its affiliates, and a subcontractor and each of its affiliates, [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property intended for a contract with a contracting agency.

A business organization that fails to provide a copy of a business registration as required pursuant to Section 1 of P.L. 2001, c. 134 (C.52:32-44 *et al.*) or Subsection e. or f. of Section 92 P.L. 1977, c.110 (C.5:12-92), or that provides false business registration information under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

This agreement, together with the contract documents, form the contract and they are as fully a part of this agreement as if hereto attached or herein repeated.

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The Township and the Contractor for themselves, their heirs, executors, administrators, successors or assigns, hereby agree to the full performance of the covenants herein contained.

IN WITNESS WHEREOF, the parties hereto have executed this agreement.

WITNESS & ATTEST:

**TOWNSHIP OF LITTLE EGG  
HARBOR**

\_\_\_\_\_  
**KELLY LETTERA, RMC**  
Township Clerk  
(Seal)

By \_\_\_\_\_  
**DANIEL MAXWELL, Mayor**

**BEN SHAFFER RECREATION**

\_\_\_\_\_  
Secretary  
(Seal)

By \_\_\_\_\_  
President

**r|m|sh|c**

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Ben Shaffer Recreation  
 P.O. Box 844  
 Lake Hopatcong NJ 07849 US

# Proposal

**TERMS**                      **REP**                      **DATE**                      **Proposal #**  
 Net 30                      Greg Powell                      7/31/2025                      2479

**BILL TO**  
 Little Egg Harbor Township  
 665 Radio Rd  
 Little Egg Harbor Township NJ  
 08087

**SHIP TO**

**CONTACT**



As requested, we are pleased to quote the following using Bid #: 24/25-03; Co-op #65MCESCCPS:

ITEM# / DESCRIPTION	VENDOR	QTY	RATE	AMOUNT
SPD-DIS-ESCNJSB Site Preparation/Demolition Demo and disposal of swings and borders Drain panels over concrete	BSR	20.00	\$540.00	\$10,800.00
DGLD0-100-N-ESCNJSB Mechanically Engineered Wood Fiber Safety surfacing Material Per Cubic Yard - 100+ - Does not include delivery or install	Brad Cosh Landscape & Supply LLC	130.00	\$18.00	\$2,340.00
GEO-ESCNJSB Geo Textile Fabric Per sq. ft. 2 Rolls of Liner	Brad Cosh Landscape & Supply LLC	1,000.00	\$0.51	\$510.00
FREIGHT Freight	Brad Cosh Landscape & Supply LLC	1.00	\$1,696.80	\$1,696.80
INS-EWF-SDMI-ESCNJSB Install of EWF Safety Surfacing Material Per Cubic Yard - Standard Delivery/Manual Install - All Cubic Yards Plus Freight	BSR	130.00	\$42.00	\$5,460.00

Please make sure there is ample clearance for a tractor trailer to make the delivery at the designated drop site including clearing power lines. Minimum width is 10'. Minimum height clearance is 14'. If there is insufficient space for a tractor trailer, smaller loads will need to be quoted with additional freight charges.



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Net 30	Greg Powell	7/31/2025	2479

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**CONTACT**



As requested, we are pleased to quote the following using Bid #: 24/25-03; Co-op #65MCECCPS:

ITEM# / DESCRIPTION	VENDOR	QTY	RATE	AMOUNT
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<b>Little Egg Harbor - Parkertown PG Wood Fiber Surfacing</b>	<b>\$20,806.80</b>
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The above items are priced in accordance with Bid #: ESCNJ 24/25-03; Co-op #65MCECCPS. Freight quotes are honored for 30 days & may need to be updated before order placement.

Approximate delivery time is 8-10 weeks after receipt of order. When placing your order, kindly advise whom the trucker should notify to schedule delivery. The trucker will make one contact and that person must inform any other parties to coordinate delivery.

Please make your Purchase Order payable to "Ben Shaffer Recreation Inc."

Standard colors and finish are quoted unless noted. Final count is the responsibility of the contractor/purchaser. Note that assembly/installation is NOT provided. Sales Tax will be added if applicable.

Greg Powell

856.425.2370

greg@benshaffer.com

SBE Certified Recreation Consultant

If you agree to the terms set forth in this proposal, please fill out name, signature, and date to confirm approval:

Estimate Approved By \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

P.O. Number \_\_\_\_\_

Trucker Contact \_\_\_\_\_ Trucker Phone \_\_\_\_\_

Ship To Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



Ben Shaffer Recreation  
 P.O. Box 844  
 Lake Hopatcong NJ 07849 US

# Proposal

**TERMS**                      **REP**                      **DATE**                      **Proposal #**  
 Net 30                      Greg Powell                      7/31/2025                      2478

**BILL TO**  
 Little Egg Harbor Township  
 665 Radio Rd  
 Little Egg Harbor Township NJ  
 08087

**SHIP TO**

**CONTACT**



As requested, we are pleased to quote the following using Bid #: ESCNJ 24/25-01; Co-op #65MCESCCPS:

ITEM# / DESCRIPTION	VENDOR	QTY	RATE	AMOUNT
PROJECT Project 130-166114-2 Ages 2-5 Nucleus - Intensity Play Structure, 2 Bay Swings and Custom Sign	BCI Burke Company, LLC	1.00	\$46,216.00	\$46,216.00
CPU-ESCNJPG COASTAL PACKAGE UPCHARGE 3.10% FOR ALL PIECES OR STRUCTURES (\$3.10 per \$100)	BCI Burke Company, LLC	462.16	\$3.10	\$1,432.70
SMF-ESCNJPG SURFACE MOUNT - FOOTER	BCI Burke Company, LLC	8.00	\$32.20	\$257.60
SMP-ESCNJPG SURFACE MOUNT - POST	BCI Burke Company, LLC	20.00	\$64.38	\$1,287.60
DISCOUNT	BSR	1.00	(\$2,459.70)	(\$2,459.70)
INSTALL Standard installation of above items to manufacturer's specification	BSR	1.00	\$21,952.60	\$21,952.60
MHL Man-Hour Labor (not covered as part of standard installation costs) Upcharge for surface mount footings.	BSR	29.00	\$145.00	\$4,205.00
RECEIVE Receive/Unload/Transport Delivery. Cost per man-hour.	BSR	6.20	\$145.00	\$899.00
FREIGHT	BSR	1.00	\$3,034.27	\$3,034.27



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# Proposal

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As requested, we are pleased to quote the following using Bid #: ESCNJ 24/25-01; Co-op #65MCECCPS:

ITEM# / DESCRIPTION	VENDOR	QTY	RATE	AMOUNT
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**Little Egg Harbor - Parkertown PG** **\$76,825.07**

The above items are priced in accordance with Bid #: ESCNJ 24/25-01; Co-op #65MCECCPS. Freight quotes are honored for 30 days & may need to be updated before order placement.

Approximate Material delivery time is 6-8 weeks after receipt of order. If installation is included that time frame shall be TBD. When placing your order, kindly advise whom the trucker should notify to schedule delivery. The trucker will make one contact and that person must inform any other parties to coordinate delivery.

Please make your Purchase Order payable to "Ben Shaffer Recreation Inc." Prices do not include installation unless otherwise specified above.

Playground Equipment must be installed over a resilient surface. Standard colors and finish are quoted unless noted. Final count is the responsibility of the contractor/purchaser. Note that assembly/installation is NOT provided. Sales Tax will be added if applicable

Greg Powell

856.425.2370

greg@benshaffer.com  
 SBE Certified Recreation Consultant

If you agree to the terms set forth in this proposal, please fill out name, signature, and date to confirm approval:

Estimate Approved By \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

P.O. Number \_\_\_\_\_

Trucker Contact \_\_\_\_\_ Trucker Phone \_\_\_\_\_

Ship To Address \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_