

**BASIS FOR AN AGREEMENT
FOR THE RESALE OF GASOLINE AND DIESEL FUEL
AS PART OF A COMMODITY RESALE SYSTEM**

AN AGREEMENT for the resale of Gasoline, Diesel Fuel, Ice Removal Chemicals and Public Works Materials, by and between Franklin Township and **The County of Gloucester** entered into pursuant to the Commodity Resale Provisions of the Cooperative Purchasing Rules (N.J.A.C. 5:34-7.1 et seq.).

WHEREAS, The County of Gloucester created a Commodity Resale System for its own need for Diesel Fuel, Gasoline, Ice Removal Chemicals and Public Works Materials.

WHEREAS, Franklin Township is desirous of making use of this Commodity System on an as needed basis.

NOW THEREFORE, in consideration for the promises and of the mutual covenants herein contained, the parties hereto agree as follows:

1. PAYMENT OBLIGATION

A monthly invoice for the previous month's usage shall be forwarded from the County of Gloucester to Franklin Township on or before the first day of each month. Monies received from Franklin Township shall be placed in the account associated with that commodity. If Franklin Township has a negative cash balance for three (3) consecutive billing periods, that shall constitute cause for termination of the Agreement. Prior to any termination, Franklin Township shall receive a thirty (30) day advance notice regarding its negative cash balance.

2. EMERGENCIES

In the event of an emergency, The County of Gloucester will use its best efforts to provide any of these commodities that each member requires.

3. TERMINATION

This Agreement shall be in effect to a period of five (5) years upon approval by the governing bodies of The County of Gloucester and **Franklin Township**. Either party may terminate this Agreement with thirty (30) days advance notice by certified mail, to the official address of the other party.

4. GOVERNING LAW

This Agreement shall be governed by and interpreted in accordance with the laws of the State of New Jersey.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year first written.

THE COUNTY OF GLOUCESTER:

BY: _____
ROBERT M. DAMMINGER, FREEHOLDER DIRECTOR

ATTEST:

BY: _____
LAURIE J. BURNS, CLERK OF THE BOARD

PARTICIPATING UNIT:

By: _____

(NAME AND TITLE)