

**RESOLUTION NO. 6-2004**

**REQUESTING PERMISSION TO PARTICIPATE IN THE COMMONWEALTH  
OF PENNSYLVANIA, DEPARTMENT OF GENERAL SERVICES,  
COOPERATIVE PURCHASING PROGRAM**

**WHEREAS** Section 1902 of Act 57 of May 15, 1998, as amended by Act 142 of December 3, 2002, 62 Pa C.S. Section 1902, authorizes local public procurement units to participate in those contracts for supplies, services, or construction entered into by the Department of General Services or the Office of Administration that are made available to local public procurement units, including political subdivisions of the Commonwealth, and

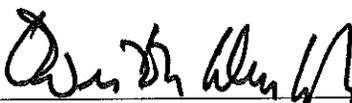
**WHEREAS** Honey Brook Township, Chester County is a political subdivision of the Commonwealth,

**BE IT RESOLVED** that Honey Brook Township hereby requests permission to participate in Department of General Services' or the Office of Administration contracts for the procurement of supplies, services or construction to the extent that such contracts are made available to local public procurement units, and **FURTHER** that the Township:

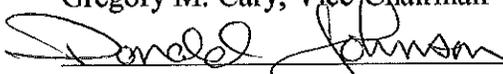
1. Agrees to be bound by the terms and conditions in the Department of General Services' contract or the Office of Administration,
2. Agrees to be responsible for payment directly to the contractor under each contract for those supplies, services or construction ordered by the Township,
3. Understands and agrees that the Department of General Services or the Office of Administration shall not be responsible for ensuring that the contractor performs in accordance with the contract terms and conditions in its performance of any order issued by the Township,
4. Understands and agrees that the Department of General Services or the Office of Administration makes no warranty concerning the supplies, services or construction ordered by the Township and specifically disclaims any implied warranty by the Department of merchantability or fitness for a particular purpose, and
5. Shall be considered an intended beneficiary of the Department of General Services' or the Office of Administration contract with the right to sue and be sued.

**ENACTED**, this 14<sup>th</sup> day of July, 2004.

ATTEST:

  
D. Weston Darby, Jr., Chairman

  
Michael J. Brown, Secretary

Gregory M. Cary, Vice-Chairman  
  
Donald M. Johnson, Member