

**RESOLUTION NO. 11-2018**  
**AWARD OF A FAIR AND OPEN CONTRACT**  
**BOND COUNSEL - JOHN DRAIKIWICZ, ESQ**  
**GIBBONS, P.C.**

Councilmember Leckstein introduced and offered the following Resolution for its adoption; seconded by Councilmember Keeler:

**WHEREAS**, the request for proposals for various professional services was posted, and advertised in the Asbury Park Press to be received on November 28, 2017; and,

**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a) does not require competitive bidding for this position, it was nevertheless advertised pursuant to the fair and open process (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, the six (6) proposals for Bond Counsel were received on November 28th from 1) DeCotiis, FitzPatrick, Cole & Giblin, LLC; 2) Gibbons, P.C.; 3) Gluck Walrath, LLP; 4) McManimon, Scotland & Baumann, LLC; 5) Waters, McPherson, McNeill, P.C.; and 6) Wilentz, Goldman & Spitzer; and

**WHEREAS**, the proposal from Gibbons, P.C. of Newark, New Jersey is being considered for the term of one year commencing January 1, 2018 through December 31, 2018; and

**CERTIFICATION OF FUNDS:**

I, Michael J. Bascom, Chief Financial Officer, hereby certify that based on the amount of funds expended in the prior year for these services, it is estimated that the total 2018 appropriation for this contract will be \$3,677.47, said amount subject to unforeseen decreases or increases in bond issues. Funds will be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided in the Budget for the year 2018, when finally adopted, in the appropriation entitled Legal #8-01-20-155-000.

  
MICHAEL J. BASCOM, CFO

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, does hereby award a professional service contract to **JOHN DRAIKIWICZ, Esq. of the Law Firm of GIBBONS, P.C.** to serve as Bond Counsel for one year commencing January 1, 2018 through December 31, 2018 pursuant to the rate provided in their proposal; and

**BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized and directed to execute an agreement for the provision of such professional service, a copy of which shall be maintained by the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that the Borough Clerk is hereby authorized to advertise this award of contract according to law in the local newspaper and is further authorized to forward a certified copy of this resolution to the following:

1. John Draikiwicz, Gibbons, P.C.
2. Finance Manager

Roll Call:      Birdsall,      Keeler,      Kelly,      Leckstein,      Rooney,      Schwartz  
                    Yes            Yes            absent      Yes            Yes            Yes

January 6, 2018

**CERTIFICATION**

I, Christine Pfeiffer, Borough Clerk do hereby certify that the foregoing is a Resolution adopted by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey, at a Council meeting held on January 6, 2018.

  
Christine Pfeiffer, Borough Clerk