

**RESOLUTION NO. 12-2021**  
**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**, there exists a need to appoint a qualified individual as Bond Counsel in the Borough of Sea Bright; and

**WHEREAS**, a request for proposals for Borough Bond Counsel was posted and advertised in the Asbury Park Press to be received on December 4, 2020; and,

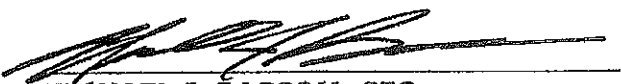
**WHEREAS**, while the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a) does not require competitive bidding for this position, it was nevertheless advertised pursuant to the fair and open process (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, five proposals for Bond Counsel were received on December 4, 2020 and evaluated by the Governing Body with due consideration as to qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the proposal from Gibbons, P.C. of Newark, New Jersey is being considered for the term of one year commencing January 1, 2021 through December 31, 2021; 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 2021 appropriation for this contract will be \$10,000.00, said amount subject to unforeseen decreases or increases in bond issues. Funds will be provided for the first three months of 2021 in the 2021 Temporary Budget and funds for the balance of 2021 will be provided in the Budget for the year 2021, when finally adopted, in the appropriation entitled Legal #21-01-20-155-000.



**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, 2021 through December 31, 2021 pursuant to the rates 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:

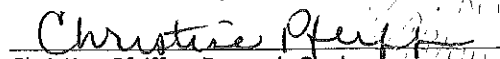
1. John Draikiwicz, Gibbons, P.C.
2. Finance Manager

Roll Call:	Birdsall,	Booker,	Catalano,	Keeler,	Lamia,	Leckstein
	Yes	Yes	Yes	Yes	Yes	Yes

January 2, 2021

**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 2, 2021.

  
Christine Pfeiffer, Borough Clerk