

RESOLUTION NO. 14-2023
AWARD OF A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT
ALTERNATE PUBLIC DEFENDER
THE MORIARTY LAW FIRM - KEVIN C. MORIARTY, ESQ.

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

WHEREAS, pursuant to N.J.S.A. 2B:24-3 there exists a need to appoint a qualified individual to serve as Alternate Public Defender in the Borough of Sea Bright to provide services that cannot be addressed by the Borough Public Defender; and

WHEREAS, a request for proposals for Alternate Public Defender was posted and advertised in the Asbury Park Press to be received on December 9, 2022; and,

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

WHEREAS, two (2) proposals were received and evaluated by the Governing Body with due consideration as to qualifications, experience, compensation and other factors and criteria; and

WHEREAS, the proposal received from The Moriarty Law Firm of West Long Branch, New Jersey is being considered for the term of one year (January 1, 2023 - December 31, 2023) at the rate of \$300.00 per assignment; 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 2023 appropriation for this contract will be \$3,000.00, said amount subject to unforeseen decreases or increases in litigation. Funds will be provided for in the 2023 Temporary Budget and in the Budget for the year 2023, when finally adopted, in the appropriation entitled Public Defender #3-01-43-495-111.


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 authorize the Mayor and Borough Clerk to execute a professional service contract with **Kevin C. Moriarty, Esq.** to serve as Alternate Public Defender for one year commencing January 1, 2023 through December 31, 2023 pursuant to the rates and term set forth in the submitted proposal, a copy of which is maintained in the Borough Clerk's office; 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:

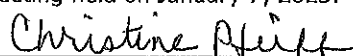
1. Kevin C. Moriarty, Esq.
2. Finance Manager
3. Court Administrator

Roll Call:	Bieber,	Booker,	Catalano,	Gorman,	Keeler,	Lamia
	Yes	Yes	Yes	Abstain	Yes	Yes

January 7, 2023

CERTIFICATION

I, Christine Pfeiffer, 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 7, 2023.


Christine Pfeiffer, Borough Clerk