

**RESOLUTION NO. 15-2023**  
**AWARD OF A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT**  
**BOND COUNSEL**  
**GIBBONS, P.C.**  
**JOHN DRAIKIWICZ, ESQ.**

Councilmember Booker introduced and offered the following Resolution for its adoption; seconded by Councilmember Catalano:

**WHEREAS**, there exists a need to appoint a qualified individual or firm to serve 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 9, 2022; and,

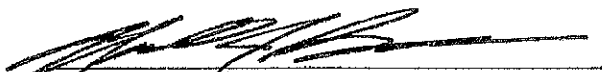
**WHEREAS**, while the Local Public Contracts Law N.J.S.A. 40A:11-5 (1)(a) does not require competitive bidding for such professional services, the Borough nevertheless advertised pursuant to the fair and open process (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, three (3) proposals for Bond Counsel were received on December 9, 2022 and evaluated by the Governing Body with due consideration as to qualifications, experience, compensation and other factors and criteria; and

**WHEREAS**, the qualifying proposal submitted by Gibbons, P.C. of Newark, New Jersey is being considered for the term of one year (January 1, 2023 - December 31, 2023) at a rate not to exceed \$195 per hour; 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 \$20,000.00, said amount subject to unforeseen decreases or increases in bond issues. 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 Legal #3-01-20-155-000.



**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, do hereby authorize the Mayor and Borough Clerk to execute a professional service contract with **JOHN DRAIKIWICZ, Esq. of the Law Firm of GIBBONS, P.C.** to serve as Bond Counsel for one year commencing January 1, 2023 through December 31, 2023 pursuant to the rates and terms 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:

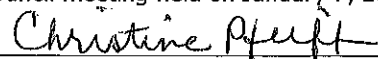
1. John Draikiwicz, Gibbons, P.C.
2. Finance Manager

<b>Roll Call:</b>	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