

RESOLUTION NO. 20-2023
**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL SERVICES FOR WIRELESS
TELECOMMUNICATIONS CONSULTING SERVICES TO
FSD ENTERPRISES, LLC**

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

WHEREAS, the Borough of Sea Bright has a need to acquire consulting services from a wireless telecommunications consultant as a non-fair and open contract pursuant to the provision of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Borough Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year (January 1, 2023 – December 31, 2023); and

WHEREAS, FSD Enterprises, LLC has set forth its proposed services in a written proposal dated January 23, 2020, a copy of which is available at the office of the Borough Clerk; and

WHEREAS, the proposed amount of the contract with FSD Enterprises, LLC includes a \$3,000.00 initial retainer, and thirty-five percent (35%) of the gross first year lease payment from each wireless telecommunications tenant secured through FSD Enterprises, LLC's services; and

WHEREAS, FSD Enterprises, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that FSD Enterprises, LLC has not made any reportable contributions to a political or candidate committee in the Borough of Sea Bright in the previous one year, and that the contract will prohibit FSD Enterprises, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the Borough Council has determined it is in the best interest of the Borough to retain FSD Enterprises, LLC as the Borough's Wireless Telecommunications Consultant according to the terms and conditions as set forth in its proposal; and

CERTIFICATION OF FUNDS

I, Michael J. Bascom, Chief Financial Officer of the Borough of Sea Bright do hereby certify that funds are available in the appropriation entitled A/E Contractual Services #3-01-20-100-220 for the purpose stated herein:



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 an agreement with FSD Enterprises, LLC, Red Bank, New Jersey, for one year commencing January 1, 2023 through December 31, 2023 to provide professional wireless telecommunications consulting services as described herein; and

BE IT FURTHER RESOLVED, a copy of this Resolution, Business Disclosure Entity Certification, Determination of Value and said contract shall be placed on file and available for inspection in the office of 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. FSD Enterprises, LLC
2. Finance Manager

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

January 7, 2023

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 7, 2023.



Christine Pfeiffer, Borough Clerk