

RESOLUTION NO. 04-2024
AWARD OF A FAIR AND OPEN PROFESSIONAL SERVICE CONTRACT
SPECIAL/CONFLICTS COUNSEL

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

WHEREAS, there exists a need to appoint Special/Conflicts Counsel within the Borough of Sea Bright to provide services that cannot be addressed by the Borough Attorney; and

WHEREAS, a request for proposals for Special/Conflicts Counsel was posted and advertised in the Asbury Park Press to be received on December 8, 2023; 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, four (4) proposals for Special/Conflicts Counsel were received and evaluated by the Governing Body with due consideration as to qualifications, experience, compensation and other factors and criteria; and

WHEREAS, Borough Council has determined that appointing multiple qualified individuals as Special/Conflicts Counsel to be utilized on a case-by-case basis based on expertise, availability and pricing would best serve the Borough.

CERTIFICATION OF FUNDS

I, Michael J. Bascom, CFO, hereby certify that funds will be provided for this purpose by resolution at the time special conflict services are required in the appropriation entitled Legal #4-01-20-155-000.


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 professional service contracts with the following to serve as Special/Conflicts Counsel for one year commencing January 1, 2024 through December 31, 2024 pursuant to the rate and terms set forth in their submitted proposals, copies of which are maintained in the Borough Clerk's office; and

Andrew Bayer, Pashman Stein Walder Hayden, PC of Holmdel, New Jersey
Eric M. Bernstein, Bernstein & Associates, LLC of Warren, New Jersey
Michael L. Collins, King Moench & Collins LLP of Red Bank, New Jersey
Victoria A. Flynn, Victoria Flynn, LLC of Holmdel, New Jersey

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:

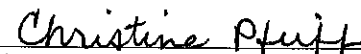
1. All Attorneys
2. Finance Manager

Roll Call: Bieber, Catalano, Gorman, Keeler, Lamia, Leckstein
Yes Yes Yes Yes Yes Yes

January 6, 2024

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 6, 2024.


Christine Pfeiffer, Borough Clerk