

January 28, 2020

BOROUGH OF BRADLEY BEACH, MONMOUTH COUNTY

RESOLUTION NO. 2020-

**RESOLUTION AWARDING A FAIR AND OPEN CONTRACT TO
SHAIN SCHAFFER, P.C. FOR CONTINUING LEGAL SERVICES
EFFECTIVE JANUARY 14, 2020**

_____ offered the following Resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach, 701 Main Street, Bradley Beach, NJ 07720 (hereinafter, the “Borough”), requires the services of a Borough Attorney according to law; and

WHEREAS, the law firm of Shain Schaffer, P.C. served as Borough Attorney for the Borough until January 14, 2020, whereupon a successor Borough Attorney was appointed; and

WHEREAS, Shain Schaffer, P.C. was handling ongoing legal matters on behalf of the Borough upon the appointment of a successor Borough Attorney on January 14, 2020; and

WHEREAS, for reasons of economy and efficiency, the Governing Body and successor Borough Attorney believe that Shain Schaffer, P.C. should continue handling certain legal matters until the conclusion of said matters on behalf of the Borough; and

WHEREAS, the Borough advertised for the provision of Borough Attorney Legal Services through a fair and open process under the Pay-To-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*, to which advertisement Shain Schaffer, P.C. was a respondent; and

WHEREAS, Shain Schaffer, P.C. is willing to continue handling legal matters that were ongoing as of January 14, 2020 until the conclusion of said matters in accordance with its response to the Borough’s advertisement for the provision of Borough Attorney Legal Services; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1, *et seq.*, requires that this Resolution authorizing the award of a contract for professional services without competitive bids, together with the contract itself, must be available for public inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, that:

- 1.** The Mayor and/or Administrator are authorized to enter into a professional services contract with Shain Schaffer, P.C. to continue handling legal matters assigned to the firm as former Borough Attorney until the conclusion of said matters.

2. The engagement of Shain Schaffer, P.C. is exempt from public bidding as a professional service under N.J.S.A. 40A:11-5.1(a)(i), and is being awarded under a “fair and open” process in accordance with New Jersey’ Pay-to-Play Law.
3. Notice of the Resolution shall be published in the designated official newspapers as required by law within ten (10) days of the passage of this Resolution.
4. A certified copy of this Resolution be forwarded to the Borough Administrator, Borough CFO, Borough Attorney, and Shain Schaffer, P.C.

Seconded by _____ and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Mr. Bonnell				
Mr. Gubitosi				
Mr. Sexsmith				
Mr. Weber				
Mayor Engelstad				

CERTIFICATION

I, Kelly Barrett, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Mayor and Council at the January 28, 2020 meeting.

 KELLY BARRETT, RMC, CMR
 Municipal Clerk