

May 10, 2022

BOROUGH OF BRADLEY BEACH

RESOLUTION 2022-141

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT
FOR A REGISTERED MUNICIPAL AUDITOR TO PERFORM THE 2021 AUDIT**

Mayor Fox offered the following resolution and moved its adoption:

WHEREAS, the Borough of Bradley Beach has a need for Professional Services in connection with Audit Services pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, **Oliwa & Company** has set forth its proposed services in a written proposal dated April 19, 2022. A copy which is available at the office of the Municipal Clerk; and

WHEREAS, the said proposal is for Audit Services:

WHEREAS, the said proposal is for Audit Services in connection with the 2021 Audit for the Borough of Bradley Beach.

WHEREAS, the proposed amount of the contract with **Oliwa & Company** to perform the Audit for 2021 is **\$29,000.00** for a period through December 31, 2022; and

WHEREAS, such Professional Audit Services can only be provided by licensed professionals and the firm of **Oliwa & Company** is so recognized; and

WHEREAS, the Governing Body has determined that it is in the best interest of the Borough of Bradley Beach to retain **Oliwa & Company** for the proposed Audit Services for the 2021 Audit set forth in its proposals for a period through **December 31, 2022**; and

WHEREAS, this contract is to be awarded for the amount not to exceed **\$29,000.00** for Audit Services for 2021 as stated in **Oliwa & Company's** proposal dated April 19, 2022; and

WHEREAS, **Oliwa & Company** has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the Borough of Bradley Beach in the previous one year and that the contract will prohibit **Oliwa & Company** from making any reportable contributions through the term of the contract; and

WHEREAS, certification of available funds is hereby provided by the Chief Financial Officer of the Borough of Bradley Beach;

I hereby certify that the funds are available as follows:



Anthony Mannino, Chief Financial Officer

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11 et. seq. requires that notice with respect to contracts for professional services awarded without competitive bids must be publicly advertised.

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Bradley Beach as follows:

1. **Oliwa & Company** is hereby retained to provide Audit Services for the 2021 Audit in connection with the Borough of Bradley Beach as described in their proposal dated April 19, 2022 for an amount not to exceed **\$29,000.00** for a period through December 31, 2022.
2. The contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5 (1) (a). The Mayor and Municipal Clerk are hereby authorized to sign said contract.
3. A copy of the Resolution and Contract shall be placed on file with the Municipal Clerk.
4. The Municipal Clerk is hereby directed to publish notice of this award as required by law.

Seconded by Councilman Sexsmith and adopted on roll call by the following vote:

| | AYES | NAYS | ABSTAIN | ABSENT |
|--------------|------|------|---------|--------|
| Mr. Bonnell | | | X | |
| Mr. Gubitosi | | X | | |
| Mr. Sexsmith | X | | | |
| Mr. Weber | X | | | |
| Mayor Fox | X | | | |

CERTIFICATION

I, Erica Kostyz, Municipal Clerk, Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the May 10, 2022 Council Business Meeting.


Erica Kostyz, RMC, CMR
Municipal Clerk