

September 13, 2023

**BOROUGH OF BRADLEY BEACH**

**RESOLUTION 2023-234**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR  
A REGISTERED MUNICIPAL AUDITOR FOR 2022**

**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 November 25, 2022; a copy which is available at the office of the Municipal Clerk; and

**WHEREAS**, the said proposal is for Audit Services in connection with the Borough of Bradley Beach; and

**WHEREAS**, the proposed amount of the contract with **Oliwa & Company** for Audit Services is **\$29,000.00** for the period through December 31, 2022 to perform the 2022 Municipal Audit; 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 set forth in its proposal for the period through **December 31, 2022 to perform the 2022 Municipal Audit**; and

**WHEREAS**, this contract is to be awarded for the amount not to exceed **\$29,000.00** for Audit Services as stated in **Oliwa & Company's** proposal dated November 25, 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; and

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 in connection with the Borough of Bradley Beach as described in their proposal dated November 25, 2022 for an amount not to exceed \$29,000.00 for the 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 Councilperson Gubitosi and adopted upon the following vote:

	AYES	NAYS	ABSTAIN	ABSENT
Ms. DeMarco	X			
Ms. DeNoble	X			
Mr. Gubitosi	X			
Mr. Weber	X			
Mayor Fox	X			

#### CERTIFICATION

I, Erica Kostyz, Borough Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the September 13, 2023 Council Business Meeting.

  
Erica Kostyz, RMC, CMR  
Municipal Clerk