

**RESOLUTION - AUTHORIZING THE AWARD OF A "FAIR AND OPEN" CONTRACT FOR
RFP #5-23 SPECIAL/CONFLICTS COUNSEL SERVICES**

WHEREAS, the Borough of Tinton Falls has a need for professional Special/Conflicts Counsel services that may arise during the contract year January 1, 2023 through December 31, 2023; and

WHEREAS, the Borough has, through the fair and open process, advertised on its website and in the Asbury Park Press on Thursday, November 10, 2022, the solicitation for receipt of proposals from legal firms for said services, and eight (8) proposals were received and documented on Tuesday, December 6, 2022; and

WHEREAS, the Borough has reviewed all proposals received, and it was determined the firms of Caruso & Baxter P.A., 1129 Broad Street, #103, Shrewsbury, NJ 07702, Gluck Walrath LLP, 11 Wharf Avenue, Red Bank, NJ 07701 and Victoria A. Flynn LLC, 15 Grandview Drive Holmdel, NJ 07733 satisfy the requisites contained in the Request for Proposals to be considered for professional Special/Conflict Counsel services that the Borough may require during the contract year; and

WHEREAS, this contract is to be awarded for Special/Conflict Counsel Matters for an amount not to exceed \$50,000.00, plus miscellaneous reimbursables for professional Special/Conflicts Counsel services; and

NOW, THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Tinton Falls as follows:

1. The firms of Caruso & Baxter, P.A., Gluck Walrath, and Victoria A. Flynn LLC are hereby retained to provide professional Special/Conflict Counsel Services for an amount not to exceed \$50,000.00 plus miscellaneous reimbursables for a term expiring December 31, 2022.
2. This contract is awarded through the fair and open process as a Professional Service in accordance with NJSA 19:44A-20.5 et seq. and in accordance with NJSA 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution as well as the contract shall be placed on file with the Clerk of the Borough of Tinton Falls.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

I hereby certify funds availability contingent upon the necessary funds being appropriated by the governing body in the 2023 Municipal Budget as follows: Legal \$50,000.00

Thomas P. Fallon, Chief Financial Officer

Council President

BOROUGH OF TINTON FALLS COUNCIL

Council Member	Moved	Second	Ayes	Nays	Absent	Abstain
Ms. Buckley						
Mrs. Clay						
Dr. Dobrin						
Mr. Manginelli						
Mr. Nesci						

CERTIFICATION

I, Michelle Hutchinson, Borough Clerk of the Borough of Tinton Falls, hereby certify the foregoing to be a true copy of a resolution adopted by the Tinton Falls Borough Council at their meeting held January 3, 2023.

WITNESS, my hand and the seal of the Borough of Tinton Falls this 3rd day of January, 2023.

Michelle Hutchinson
Borough Clerk