

**COUNCIL OF THE BOROUGH OF PROSPECT PARK
PASSAIC COUNTY, NEW JERSEY**

**RESOLUTION
RESOLUTION NO. 2022-23**

TITLE: RESOLUTION APPOINTING BOROUGH BOND COUNSEL AND AUTHORIZING A PROFESSIONAL SERVICE CONTRACT TO GIBBONS P.C. FOR THE PROVISION OF BOND COUNSEL SERVICES TO THE BOROUGH OF PROSPECT PARK

WHEREAS, the Borough of Prospect Park (the “Borough”) has determined that it is necessary to retain the services of consultants in connection with the provision of legal services as Bond Counsel for the Borough of Prospect; and

WHEREAS, said services are of the nature of a professional service pursuant to N.J.S.A. 40A:11-5 (1) (a) (i), and, therefore, a contract for the services may be negotiated and awarded by the Board without public advertising for bids and bidding therefore; and

WHEREAS, said services are of the type contemplated by the New Jersey Local Unit Pay-To-Play law (N.J.S.A. 19:44A-20.4, et seq.) , and, therefore, a contract for the services must be awarded pursuant to a “fair and open” or “non-fair and open” process, both of which are defined in the law; and

WHEREAS, the Borough has determined that it is in its best interests to proceed in a fair and open manner to obtain said services through the public advertising of a Request for Proposals/Qualifications (the “RFP/RFQ”) pursuant to the Local Public Contracts Law (N.J.S.A. 40A:11-1, et. seq.); and

WHEREAS, the Borough of Prospect Park’s Request for Proposal/Qualifications was advertised and on or before December 10, 2021, the Borough received various proposals/qualifications from firms to render professional bond counsel services to the Borough; and

WHEREAS, a proposal/qualifications to provide said services of Bond Counsel was submitted by the firm of Gibbons P.C.; and

WHEREAS, the Borough is satisfied, based upon Gibbons P.C.’s proposal/qualifications, that the firm has the knowledge and experience required by the Borough; and

WHEREAS, the Borough has determined it to be in its best interests to enter into an Agreement for professional legal services as Bond Counsel to be performed by Gibbons P.C. for a period of twelve (12) months not to exceed an hourly rate of \$225.00;


NOW THEREFORE, BE IT RESOLVED, by the Borough of Prospect Park as follows:

1. The Mayor is authorized to execute and deliver on behalf of the Borough a contract for the provision of legal services as Bond Counsel by and between the Borough and Gibbons P.C., for a period of twelve (12) months at the billable hour rate of not to exceed \$225.00; and


2. The foregoing contract is awarded in accordance with the Local Public Contracts Law and as the result of a fair and open process; and
3. The Chief Financial Officer has certified funds in General Capital Fund in an amount estimated not to exceed \$10,000.00; and
4. A copy of this Resolution shall be filed with Municipal Clerk of the Borough of Prospect Park and notice of the award of contract shall be published in the TapintoHawthorne, Herald News, and The Record in accordance with the requirements of the Local Public Contracts Law.

I hereby certify that this resolution, consisting of 2 page(s), was adopted at a meeting of the Borough Council of the Borough of Prospect Park, held this 5th day of January 2022.

	Moved	Second	Ayes	Nays	Abstain	Absent
Artis						✓
Hussain		✓	✓			
Matari	✓		✓			
Ortiz		✓	✓			
Perez			✓			
Shah			✓			



 Mohamed T. Khairullah
 Mayor



 Beauty Nadim, CMR
 Acting Municipal Clerk