

ORDINANCE #35-2006
ORDINANCE AUTHORIZING THE SOLICITATION OF QUALIFICATIONS FOR
PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 19:44A-20.4, 20.5 ET SEQ. - PURSUANT
TO A "FAIR AND OPEN" PROCESS

WHEREAS, N.J.S.A. 19:44A-20.4, 20.5 et seq. went into effect January 1, 2006, and determined new procedures for awarding contracts in excess of \$17,500.00 for goods and services, including professional services, which are not subject to bidding requirements under the Local Public Contracts Law; and

WHEREAS, the aforesaid State Statute addresses two types of contract processes, one known as the "Non-fair and Open" process of contract awards and the other the "Fair and Open" process of contract awards; and

WHEREAS, Council had previously approved of the "Fair and Open" process for the year 2006 by Resolution, but would like to now make it a permanent process by Ordinance for 2007 and future years; and

WHEREAS, the Borough would like to continue to undertake a "Fair and Open" process in awarding contracts for professional services, and seek public solicitation of qualifications from all professionals for all professional positions to be filled by the Borough pursuant to N.J.S.A. 19:44A-20.5 on an annual basis, or when needed.

NOW, THEREFORE BE IT ORDAINED AND ENACTED, by the Mayor and Council of the Borough of Eatontown, Monmouth County, New Jersey, that the governing body hereby authorizes the Borough Clerk on an annual basis to publicly advertise in the newspaper named as the official newspaper of the Borough of Eatontown and publicly solicit qualifications which will be established as the basis for an award of professional contracts for all professional positions sought by the Mayor and Council during reorganization in January, 2007 and thereafter, as well as all professional positions awarded by Boards within the jurisdiction of the governing body of the Borough of Eatontown.

BE IT FURTHER ORDAINED, that the Borough Clerk will follow the procedures for solicitation set forth by N.J.S.A. 19:44A-20.4 et seq. (20.5 for municipal entity) which requires public advertising for qualifications, establishing a disclosure process documented in writing prior to any solicitation and publicly opening said qualifications and referring the same to the Mayor and Council or the appropriate Board of Authority for the selection and awarding of contracts.

BE IT FURTHER ORDAINED, that the Borough Attorney shall prepare the necessary Notice for Publication and criteria to be used by the Council for the "basis of award" per the requirements of N.J.S.A. 19:44A-20.4, 20.5 et seq. and as recommended by the Division of Local Government Services of the State of New Jersey.

BE IT FURTHER ORDAINED, the standard used by the Borough of Eatontown for a "Fair and Open" process shall be a competitive contracting criteria setting forth factors most advantageous for awarding the contract to the Borough of Eatontown.

BE IT FURTHER ORDAINED, that this Ordinance shall go into effect upon adoption and advertisement according to law.


DATE INTRODUCED: 10/25/2006

DATE ADOPTED: 11/08/2006

APPROVED:


GERALD J. TARANTOLO, MAYOR

ATTEST:


KAREN R. SIANO, BOROUGH CLERK

