

Resolution of the City of Newark, N.J.

7R7-b 010919

JAN 09 2019

NO. 7R7-B

Date of Adoption _____

Title Page

Dept/ Agency: Office of the Mayor**Action:** (X) Ratifying (X) Authorizing () Amending**Type of Service:** Professional Service Contract**Purpose:** To Serve As Per Diem Public Defender for the Newark Municipal Court
Representing Indigent Defenders**Entity Name:** Jason A. Dennis, Esq.**Entity Address:** 331 Newman Springs Road, Bldg. #1, Red Bank, New Jersey 07701**Contract Amount:** An amount not to exceed \$17,000.00**Funding Source:** 2019 Budget/Office of the Mayor**Contract Period:** January 1, 2019 through December 31, 2019**Contract Basis:** () Bid () State Vendor (X) Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Approved as to Form and Legality on Basis of Facts Set Forth

Factual contents certified by

Corporation Counsel_____
Title

Council Member _____ presents the following Resolution:

Resolution of the City of Newark, N.J.

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Approved as to Form and Legality on Basis of Facts Set Forth

K. J. [Signature]
Corporation Counsel

Factual contents certified by

[Signature]
Title

Council Member Council of the whole presents the following Resolution:

WHEREAS, the City of Newark is in need of Per Diem Attorneys to serve as Municipal Public Defenders to be assigned to cases in the Newark Municipal Court; and

WHEREAS, legal services are professional services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A.:11-5(1)(a)(i); and

WHEREAS, the City of Newark desires to enter into a contract with Jason A. Dennis, Esq., 331 Newman Springs Road, Building #1-Suite 143-4th Floor, Red Bank, New Jersey 07701, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for the period commencing January 1, 2019 and terminating December 31, 2019; and

WHEREAS, this contract is for an amount under seventeen thousand, five hundred dollars and zero cents (\$17,500.00) and therefore is not subject to State Pay-to-Play Law (N.J.S.A. 19:44A-20.5); and

WHEREAS, this contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A.:11-5(1)(a)(i); and

WHEREAS, the State Local Public Contracts Law, (N.J.S.A. 40A:11-1, et seq.) requires that notice of award of contracts for "Professional Services" without competitive bidding must be published in a local newspaper; and

WHEREAS, the Municipal Council adopted the Contractor Pay to Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract, candidate committees of the aforementioned candidates, and political party committees of the City of Newark or County of Essex, and continuing political committees or political action committees regularly engaged in the support of the City of Newark or County of Essex elections, and certain other political party or candidate committees, in excess of certain thresholds.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Chief Municipal Public Defender, are hereby authorized to enter into and execute a Professional Services contract

JAN 09 2019

with Jason A. Dennis, Esq., 331 Newman Springs Road, Building #1-Suite 143-4th Floor, Red Bank, New Jersey 07701, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for the period commencing January 1, 2019 and terminating December 31, 2019.

2. This contract is for an amount under seventeen thousand, five hundred dollars and zero cents (\$17,500.00) and therefore is not subject to State Pay-to-Play Law N.J.S.A. 19:44A-20.5.
3. This contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) because service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
4. This contract is being awarded as open-ended contract under N.J.A.C. 5:30-5.5(b), and pursuant to N.J.A.C. 5:30-5.5(b)(2), a certification of availability of funds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and Jason A. Dennis, Esq. is ratified from January 1, 2019 through the date of the adoption of this authorizing resolution.
6. The Chief Municipal Public Defender shall file a copy of the fully-executed contract herein authorized in the Office of the City Clerk and it shall be made available for public inspection.
7. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of the adoption of this Resolution.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a professional services contract with Jason A. Dennis, Esq., 331 Newman Springs Road, Building #1-Suite 143-4th Floor, Red Bank, New Jersey 07701, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for the period commencing January 1, 2019 and terminating December 31, 2019.

CERTIFIED TO BY ME THIS

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JAN 11 2019

RECORD OF COUNCIL VOTE ON FINAL PASSAGE

| Council Member | AYE | NAY | NV | AB | Council Member | AYE | NAY | NV | AB | Council Member | AYE | NAY | NV | AB |
|------------------|-----|-----|----|----|----------------|-----|-----|----|----|----------------------|-----|-----|----|----|
| Amador | ✓ | | | | McCallum, Jr. | ✓ | | | | Quintana, Vice Pres. | ✓ | | | |
| Gonzalez | ✓ | | | | Mclver | ✓ | | | | Ramos, Jr. | ✓ | | | |
| James | ✓ | | | | Osborne | | | | ✓ | Crump, President | ✓ | | | |
| ✓ Indicates Vote | | | | | AB - Absent | | | | | NV - Not Voting | | | | |

Adopted at a meeting of the Municipal Council of the City of Newark, N.J.,

JAN 09 2019

Andrew C. Crump

President of the Council

Kenneth L...

010

18-1923
City Clerk

This Resolution when adopted must remain in the custody of the City Clerk. Certified copies are available.