



## Legislation Details (With Text)

**File #:** 12-2435      **Version:** 1      **Name:** 12-2435 Maraziti Redevelopment Litigation  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/24/2012      **In control:** Law  
**On agenda:** 1/16/2013      **Final action:** 2/6/2013

**Title:** Dept/ Agency: Law  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Services Contract  
Purpose: Redevelopment/Land Use Counsel Services  
Entity Name: Maraziti, Falcon & Healey, LLP  
Entity Address: 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078  
Contract Amount: \$150,000.00  
Funding Source: Morris Companies / Trust Fund  
Contract Period: January 1, 2013 through December 31, 2013  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
Failed 7R7-f 011613

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
2/6/2013	1	Municipal Council	Adopt	Pass
1/16/2013	1	Municipal Council	Adopt	Fail

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**WHEREAS,** the City of Newark is involved in ongoing legal matters and therefore has a need to acquire legal services; and

**WHEREAS,** the City of Newark issued a Request for Qualifications for Special Counsel

concerning Redevelopment and Land Use Matters on or about September 17, 2012; and

**WHEREAS**, the City of Newark received a total of seven (7) proposals in response to its request; and

**WHEREAS**, Maraziti, Falcon & Healey, LLP, with offices located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, submitted a proposal and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing legal services concerning Redevelopment/Land Use Matters; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Maraziti, Falcon & Healey, LLP to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013 which shall cover any existing matters currently being handled by Maraziti, Falcon & Healey, LLP as well as new matters that may arise during the contract term; and

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

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract.

**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 Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with Maraziti, Falcon & Healey, LLP to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013 which shall cover any existing matters currently being handled by Maraziti, Falcon & Healey, LLP as well as new matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2013 through December 31, 2013 for such matters that may arise during the contract term.
3. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. The Municipal Council hereby ratifies its authorization of this contract from January 1, 2013 to the date of adoption of this authorizing Resolution.

5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. Funds for this contract in an amount not to exceed \$100,000.00 shall be provided from the City of Newark Budget, Law Department.
6. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and 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 Corporation Counsel, to enter into a contract for legal services for Redevelopment/Land Use Matters with Maraziti, Falcon & Healey, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, in an amount not to exceed One Hundred and Fifty Thousand Dollars (\$150,000.00), for the period of January 1, 2013 through December 31, 2013.