



Legislation Details (With Text)

File #: 23-1792 **Version:** 1 **Name:** Resolution: Arleo & Donohue, LLC (2023-2024)
Type: Resolution **Status:** Adopted
File created: 11/8/2023 **In control:** Municipal Council and City Clerk
On agenda: 12/6/2023 **Final action:** 12/6/2023

Title: Dept/ Agency: Offices of Municipal Council/City Clerk
Action: Ratifying Authorizing Amending
Type of Service: Exception to Public Bidding - N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 40A:11-5 (1)(l)
Purpose: To provide legal services to the Office of the City Clerk in connection with Election Matters.
Entity Name: Arleo & Donohue, LLC
Entity Address: 622 Eagle Rock Avenue, West Orange, New Jersey 07052
Contract Amount: Not to exceed \$50,000.00
Funding Source: 2023 and 2024 Budgets/Office of the City Clerk/NW011-020-0201-96110-B2023
Contract Period: One (1) year commencing November 27, 2023 through November 26, 2024
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
Additional Information:
Partial Certification of Funds in the amount of \$8,333.34.

Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
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| 12/6/2023 | 1 | Municipal Council | | |

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WHEREAS, the City of Newark (the "City"), Office of the City Clerk has a need for legal services in connection with election matters; and

WHEREAS, Arleo & Donohue, LLC, located at 622 Eagle Rock Avenue, West Orange, New Jersey 07052, is a law firm having expertise with issues involving election matters and it is in the best interest of the City to enter into a contract with the law firm to provide legal services related to election matters; and

WHEREAS, the City wishes to enter into a contract with Arleo & Donohue, LLC, to provide legal services to the Office of the City Clerk in connection with election matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of one (1) year commencing November 27, 2023 through November 26, 2024; and

WHEREAS, the City Clerk has determined and certified in writing that the value of this contract will exceed Seventeen Thousand Five Hundred Dollars and Zero Cents (\$17,500.00); and

WHEREAS, this contract is being awarded without public bidding pursuant to the Professional Services Exception of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), as these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys, and pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(l), because these services are necessary or required to prepare and conduct an election; and

WHEREAS, Local Public Contract Law, N.J.S.A. 40A:11-1, et seq., requires a resolution of the Governing Body authorizing the award of contracts for Professional Services and further requires that the contract itself must be available for public inspection; and

WHEREAS, the actions contemplated by this Resolution shall result in the award of a Non-Fair and Open Contract in accordance with N.J.S.A. 19:44A-20.5 and the City's Ordinance on Pay-to-Play; and

WHEREAS, Arleo & Donohue, LLC, has completed and submitted a Business Entity Disclosure Certification, which certifies that the Business Entity has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, and the contract will prohibit the Business Entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq., requires that notice of the award of a contract for Professional Services without public bidding is published in a local newspaper.

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

1. The City Clerk, on behalf of the City of Newark, is hereby authorized to enter into and execute a contract with Arleo & Donohue, LLC, located at 622 Eagle Rock Avenue, West Orange, New Jersey 07052, to provide legal services in connection with election matters to the Office of the City Clerk, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of one (1) year commencing November 27, 2023 through November 26, 2024.
2. Pursuant to N.J.A.C. 5:30-5(a), Adopted Budget, attached hereto is the Chief Finance Officer's Certification, which states funds in the amount of Eight Thousand Three Hundred

Thirty-Three Dollars and Thirty-Four Cents (\$8,333.34) are available in the 2023 Budget, Business Unit: NW011; Dept.: 020; Div./Proj.: 0201; Activity: A; Account #: 96110; Budget Ref.: B2023.

3. The Certification shall be filed, along with the original Resolution and the executed contract in the Office of the City Clerk.
4. The amount of Forty-One Thousand Six Hundred Sixty-Six Dollars and Sixty-Six Cents (\$41,666.66) shall be made available in the 2024 Temporary Budget.
5. The contract is awarded as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and the Business Entity has provided a statement that it is in compliance with the City of Newark, Contractor Pay-to-Play Ordinance, 2:4-22C.1.
6. The contract will contain language prohibiting any contributions in violation of any State or Local law.
7. The contract shall be ratified to the date of this authorizing Resolution.
8. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.
9. There shall be no amendments or changes to the contract without approval of the Municipal Council.

STATEMENT

This Resolution authorizes the City Clerk, on behalf of the City of Newark, to enter into and execute a contract with Arleo & Donohue, LLC, located at 622 Eagle Rock Avenue, West Orange, New Jersey 07052, to provide legal services to the Office of the City Clerk in connection with election matters, in an amount not to exceed \$50,000.00, for the period of one (1) year commencing November 27, 2023 through November 26, 2024.