



Legislation Details (With Text)

File #: 21-1572 **Version:** 1 **Name:** Resolution: Volunteer Lawyers for Justice - Professional Services Contract

Type: Resolution **Status:** Adopted

File created: 10/20/2021 **In control:** Economic and Housing Development

On agenda: 12/1/2021 **Final action:** 12/1/2021

Title: Dept./ Agency: Economic and Housing Development
 Action: () Ratifying (X) Authorizing () Amending
 Type of Service: Professional Services Contract
 Purpose: To provide legal defense services to tenants of low-income facing threat of eviction.
 Entity Name: Volunteer Lawyers For Justice
 Entity Address: 24 Commerce Street, Suite 610, Newark, New Jersey 07102
 Contract Amount: Not to exceed \$150,000.00
 Funding Source: 2021 Budget/Department of Economic and Housing Development/Business Unit NW011, Dept. 200, Div./Proj. 2001, Activity A, Account #71260, Budget Ref. B2021
 Contract Period: One (1) year from the date of a written Notice to Proceed
 Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
 (X) Fair & Open () No Reportable Contributions () RFP (X) RFQ
 () Private Sale () Grant () Sub-recipient () n/a
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/1/2021	1	Municipal Council	Adopt	Pass

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WHEREAS, the Governing Body of the City of Newark declared that an emergency exists within the City of Newark, where many of its residents are homeless or are at risk of homelessness and/or reside in uninhabitable living conditions due to a shortage of affordable housing and an absence of awareness concerning tenant’s rights; and

WHEREAS, N.J.S.A. 40:48-2 allows any municipality to make ordinances, rules, regulations, and by-laws, as the municipality deems necessary and proper for the good government, order and protection of its residents and for the protection of the health, welfare and safety of the municipality and its residents; and

WHEREAS, the City of Newark by way of Ordinance 6PSF-I adopted on December 19, 2018, amended and supplemented Title XIX of its Revised General Ordinances to provide its low-income residents facing eviction in landlord tenant court with access to free legal representation by way of the creation of the Office of Tenant Legal Services; and

WHEREAS, a need exists to provide outside legal assistance to the Office of Tenant Legal Services in order to effectuate the charge of its office; and

WHEREAS, the Deputy Mayor/Director of the City of Newark's Department of Economic and Housing Development (hereinafter, "EHD") caused to be published on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Legal Defense Services for Tenants of Low-Income facing the Threat of Eviction on August 10, 2021; and

WHEREAS, the City of Newark received a total of two (2) responses to the RFQ; and

WHEREAS, Volunteer Lawyers for Justice, 24 Commerce Street, Suite 610, Newark, New Jersey 07102, submitted a Qualification Statement 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 Defense Services to Tenants of Low-Income facing the Threat of Eviction; and

WHEREAS, the City of Newark wishes to enter into a new contract with Volunteer Lawyers for Justice to provide Legal Defense Services to Tenants of Low-Income facing the Threat of Eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one (1) year, from the date of the issuance of a written Notice to Proceed by the Deputy Mayor/Director of EHD, which shall cover new matters that may arise during the contract term; 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. 40A:11-5(1)(a)(i); 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 pursuant to the Fair and Open Procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 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 (i) a candidate, candidate committee or joint candidate committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Newark or County of Essex political committee or action committee that regularly engages in the support of City of Newark Municipal or County of Essex candidates,

candidate committees, joint candidates committees, political committees, political party committee, (hereinafter "PAC), in excess of certain specified thresholds within one (1) calendar year immediately preceding the date of the contract or agreement.

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

1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are authorized on behalf of the City of Newark to enter into and execute a contract with Volunteer Lawyers for Justice, 24 Commerce Street, Suite 610, Newark, New Jersey, to provide Legal Defense Services to Tenants of Low-Income facing the Threat of Eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one (1) year from the date of the issuance of a written Notice to Proceed by the Deputy Mayor/Director of EHD, which shall cover new matters that may arise during the contract term.
2. The term of this contract shall be a period of one (1) year from the date of the issuance of a written Notice to Proceed by the Deputy Mayor/Director of EHD, 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 the City of Newark's Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 2:4-22C.
4. Attached hereto is the Certification of Funds from the Director of the Department of Finance, which states that there are sufficient available legally appropriated funds in the amount of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the purposes set forth herein. The Certification of Funds issued shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development together with this Resolution. The account line to be charged is as follows:

Business Unit	Dept.	Div./Proj.	Activity	Account #	Budget Ref.
NW011	200	2001	A	71260	B2021

5. The Contract complies with the Local Pay-to-Play Law, N.J.S.A. 19:44A-20.5 and is awarded via a Fair and Open Procedure.
6. A copy of the executed Agreement herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development 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 authorizes the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a contract for Legal Defense Services for Tenants of Low-Income facing the Threat of Eviction with Volunteer Lawyers for Justice, 24 Commerce Street, Suite 610, Newark, New Jersey 07102, in an amount not to exceed \$150,000.00, for a period of one (1) year from the date of the issuance of a written Notice to Proceed by the Deputy Mayor/Director of EHD.