



Legislation Details (With Text)

**File #:** 15-1625      **Version:** 1      **Name:** DeCottis General Counsel Services  
**Type:** Resolution      **Status:** Filed  
**File created:** 8/20/2015      **In control:** Law  
**On agenda:** 9/2/2015      **Final action:** 9/2/2015

**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: General Counsel Services  
Entity Name: Decotiis Fitzpatrick & Cole, LLP  
Entity Address: Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666  
Contract Amount: An amount not to exceed \$50,000.00  
Funding Source: City of Newark Budget, Law Department  
Contract Period: September 2, 2015 through August 31, 2016  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
( ) Fair & Open ( X ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/2/2015	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Law  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Professional Services Contract  
**Purpose:** General Counsel Services  
**Entity Name:** Decotiis Fitzpatrick & Cole, LLP  
**Entity Address:** Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666  
**Contract Amount:** An amount not to exceed \$50,000.00  
**Funding Source:** City of Newark Budget, Law Department  
**Contract Period:** September 2, 2015 through August 31, 2016  
**Contract Basis:** ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
( ) Fair & Open ( X ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
**Additional Information:**

**WHEREAS**, the City of Newark as the largest municipality in the State of New Jersey faces novel issues on a daily basis and has a need to acquire legal services for general matters involving municipal government; and

**WHEREAS**, Decotiis Fitzpatrick & Cole, LLP (Decotiis Fitzpatrick & Cole) Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, is a law firm with diverse practice and specific expertise in issues involving municipal government and submitted a proposal to provide legal services for general matters involving municipal government and it was found, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing legal services for general matters involving municipal government; and

**WHEREAS**, the Mayor and the Corporation Counsel wish to enter into a contract with Decotiis Fitzpatrick & Cole, to provide legal services for general matters involving municipal government in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of September 2, 2015 through August 31, 2016; and

**WHEREAS**, the Corporation Counsel has determined and certified in writing that the value of this contract will exceed \$17,500.00; and

**WHEREAS**, this Contract is awarded without competitive bidding as an exception to public bidding, pursuant to *N.J.S.A. 40A:11-5(1)(a)(i)*, professional services; and

**WHEREAS**, Local Public Contracts 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

**WHEREAS**, Decotiis Fitzpatrick & Cole has completed and submitted a Business Entity Disclosure Certification which certifies that Decotiis Fitzpatrick & Cole has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit Decotiis Fitzpatrick & Cole 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 contracts for "Professional Services" without public bidding must be published in a local newspaper; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, 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 or 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 municipal 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 of the City of Newark and his designee, the Corporation Counsel, are authorized to

execute a contract with Decotiis Fitzpatrick & Cole, LLP Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, to provide legal services for general matters involving municipal government in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of September 2, 2015 through August 31, 2016.

2. This contract is awarded without competitive bidding as an exception to public bidding pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), professional services, pursuant to the non-fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C.
3. Attached is a certification of funds from the Acting Comptroller of the City of Newark which states that there are available sufficient and legally appropriated funds for the purposes stated herein. Funds for this contract are provided for in the 2015 City of Newark Budget, Law Department.
4. The Determination of Value and Business Entity Disclosure Certification are attached and will be filed in the Office of the City Clerk.
5. A copy of the executed agreement shall be filed in the Office of the City Clerk by the Corporation Counsel and shall be made available for public inspection.
6. 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 his designee, the Corporation Counsel, to enter into a contract with Decotiis Fitzpatrick & Cole, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, to provide legal services for general matters involving municipal government, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of September 2, 2015 through August 31, 2016..