



Legislation Details (With Text)

File #: 18-0066 **Version:** 2 **Name:** First Amendment to Professional Legal Services - Municipal Prosecutor's Office
Type: Resolution **Status:** Adopted
File created: 1/18/2018 **In control:** Law
On agenda: 2/7/2018 **Final action:** 2/7/2018

Title: Dept/ Agency: Law
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to the Agreement to Provide Legal Services as Municipal Prosecutor's Office Per Diems to Increase Contract Amount by \$17,750.00.
Entity Name: Multiple Vendors
Entity Address: Multiple Vendors
Contract Amount: Amount not to exceed \$167,750.00
Funding Source: 2017 Budget/Law Department
Contract Period: January 1, 2017 through December 31, 2017
Contract Basis: () Bid () State Vendor Prof. Ser. () EUS
 Fair & Open () No Reportable Contributions () RFP RFQ
() Private Sale () Grant () Sub-recipient () n/a
Additional Information:
Resolution 7R6-b adopted on January 19, 2017 awarded contract in the amount of \$150,000.00. First amendment increases the contract amount by \$17,750.00, for a new total contract amount not to exceed \$167,750.00.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/7/2018	2	Municipal Council	Adopt	Pass

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WHEREAS, legal services are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, *N.J.S.A. 40A:11-5(1)(a)(i)*; and

WHEREAS, the Municipal Council of the City of Newark, by Resolution 7R6-b, adopted on January 19, 2017, awarded a contract to multiple vendors, to serve as Per Diems in the Municipal Prosecutor's Office during the contract term, in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2017 through December 31, 2017; and

WHEREAS, the contract was awarded in compliance with Local Public Contracts Law, and through the fair and open process of State Pay-to-Play, and in compliance with Ordinance 2:4-22C; and

WHEREAS, multiple vendors, currently have outstanding legal bills for November and December 2017, which will exhaust the total contract amount; and

WHEREAS, the outstanding legal bills for November and December 2017 require an increase in the total contract amount; and

WHEREAS, multiple vendors have represented that an additional Seventeen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$17,750.00), is necessary to pay the outstanding bills for November and December 2017; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay for legal services provided through December 31, 2017; and

WHEREAS, the increase of an additional Seventeen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$17,750.00), brings the total contract to an amount not to exceed One Hundred Sixty-Seven Thousand Seven Hundred Fifty Dollars and Zero Cents (\$167,750.00), for January 1, 2017 through December 31, 2017; 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.

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 Acting Corporation Counsel, are authorized to execute a First Amendment to the Agreement to provide Legal Services with the following multiple vendors, for legal services provided as Per Diems in the Municipal Prosecutor's Office, for an additional Seventeen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$17,750.00), for a total contract amount not to exceed One Hundred Sixty-Seven Thousand Seven Hundred Fifty Dollars and Zero Cents (\$167,750.00), for the period of November 1, 2017 through December 31, 2017, to cover outstanding bills incurred for the following vendors:

1. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105;

2. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
 3. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
 4. Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932;
 5. Connie Bentley McGhee, Esq., 292 Northfield Avenue, Newark, New Jersey 07105;
 6. Cheryl Craft, Esq., 59 Robins Place, Metuchen, New Jersey 08840;.
 7. Paul Bradley, Esq., 16 Meyer Court, West Orange, New Jersey 07052; and
 8. Gina DeVito, Esq., 20 Church Street, Montclair, New Jersey 07042.
2. The Municipal Council hereby ratifies this first contract amendment from November 1, 2017 to the date of the adoption of this resolution.
 3. All other terms and conditions of the contract shall remain the same.
 4. This First Amendment to the Agreement to Provide Legal Services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law (*N.J.S.A. 40A:11-5(1)(a)(i)*), and pursuant to the Fair and Open Procedures of State Pay-to-Play Law (*N.J.S.A. 19:44A-20.5*) and is in compliance with the Contractor Pay-to-Play Reform Ordinance 2:4-22C.
 5. Attached are Certification of Funds issued by the Chief Financial Officer stating that there are available, sufficient and appropriated funds in the amount of Seventeen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$17,750.00), for the purposes set forth herein.
 6. A copy of the executed First Amendment to the Agreement to provide Legal Services shall be filed in the Office of the City Clerk by the Acting 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, amends and authorizes the Mayor and/or his designee, the Acting Corporation Counsel, to enter into and execute a First Amendment to the Agreement with the multiple vendors mentioned below to provide Legal Services as Per Diems in the Municipal Prosecutor's Office for an additional Seventeen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$17,750.00), for a total contract amount not to exceed One Hundred Sixty-Seven Thousand Seven Hundred Fifty Dollars and Zero Cents (\$167,750.00):

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