City of Newark

City Hall
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Newark, New Jersey 07102

Legislation Details (With Text)

File #:	22-1812	**Version:**	1	**Name:**	2023 Resolution Ehrlich, Petriello, Gudin, Plaza & Reed P.C. Litigation Professional Services Counsel
Type:	Resolution			**Status:**	Adopted
File created:	12/8/2022			**In control:**	Law
On agenda:	12/21/2022			**Final action:**	12/21/2022
Title:	Dept/ Agency: Law Action: ( ) Ratifying (X) Authorizing ( ) Amending Type of Service: Professional Services Contract Purpose: To provide legal services concerning Litigation Defense Matters. Entity Name: Ehrlich, Petriello, Gudin, Plaza and Reed, P.C. Entity Address: 60 Park Plaza, #1016, Newark, New Jersey 07102 Contract Amount: Not to exceed $100,000.00 Funding Source: 2023 Budget/Law Department Contract Period: January 1, 2023 through December 31, 2023 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
12/21/2022	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Professional Services Contract
Purpose: To provide legal services concerning Litigation Defense Matters.
Entity Name: Ehrlich, Petriello, Gudin, Plaza and Reed, P.C.
Entity Address: 60 Park Plaza, #1016, Newark, New Jersey 07102
Contract Amount: Not to exceed $100,000.00
Funding Source: 2023 Budget/Law Department
Contract Period: January 1, 2023 through December 31, 2023
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:

WHEREAS, the City of Newark is involved in ongoing Legal Matters and therefore has a need to acquire Legal Services; 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 Corporation Counsel of the City of Newark caused to be published on the City

of Newark's website, a Notice of Request for Qualifications (RFQ) for Litigation Defense Counsel Services on or about September 19, 2022; and

WHEREAS, the City of Newark received a total of twenty one (21) proposals in response to the RFQ for Litigation Defense Counsel Services; and

WHEREAS, Ehrlich, Petriello, Gudin, Plaza & Reed P.C. 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 Litigation Defense Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with Ehrlich, Petriello, Gudin, Plaza & Reed P.C., to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for a period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled Ehrlich, Petriello, Gudin, Plaza & Reed P.C., 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 $44,000.00 and is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5 and is in compliance with the State Pay-to-Play and the City's Pay-to-Play Ordinance; and

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 Corporation Counsel, are authorized on behalf of the City of Newark to execute a contract with Ehrlich, Petriello, Gudin, Plaza & Reed P.C., 60 Park Plaza, #1016, Newark, New Jersey 07102 to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for the period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled by Ehrlich, Petriello, Gudin, Plaza & Reed P.C., as well as new matters that may arise during the contract term.

2. 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's Ordinance on Pay-to-Play..

3. This is a contract which shall be awarded in one (1) fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly, this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect pursuant to N.J.A.C. 5:30-5.5(e). Funds for this contract in the amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), shall be provided from the City of Newark 2023 Budget, Law Department.

4. A copy of the executed Agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and same shall be made available for public inspection.

5. 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 Corporation Counsel, to enter into a contract for Services for Litigation Defense Matters with Ehrlich, Petriello, Gudin, Plaza & Reed P.C., 60 Park Plaza, #1016, Newark, New Jersey 07102, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for the period of January 1, 2023 through December 31, 2023.