



Legislation Details (With Text)

File #: 13-0136 **Version:** 1 **Name:** Bryan F. Ferrick, Esq.
Type: Resolution **Status:** Filed
File created: 11/27/2012 **In control:** Mayor's Office
On agenda: 1/22/2014 **Final action:** 1/22/2014

Title: Dept/ Agency: Office of the Mayor
Action: (X) Ratifying (X) Authorizing () Amending
Type of Service: Professional Service Contract
Purpose: To serve as a Per Diem Municipal Public Defender for the Newark Municipal Court representing indigent defendants
Entity Name: Bryan F. Ferrick, Esq .
Entity Address: 665 Newark Avenue, Room 404, Jersey City, New Jersey 07306
Contract Amount: \$17,000.00
Funding Source: 2014 City of Newark Budget/Office of the Mayor
Contract Period: January 1, 2014 through December 31, 2014
Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () 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
1/22/2014	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark is in need of Per Diem Attorneys to serve as Municipal Public Defenders to be assigned to cases in the Newark Municipal Court; and

WHEREAS, the City of Newark desires to enter into a contract with Bryan F. Ferrick, Esq., 665 Newark Avenue Room 404, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public

Defender for the Newark Municipal Court, Representing indigent defendants, for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014; and

WHEREAS, this contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law (N.J.S.A. 19:44A-20.5); and

WHEREAS, this contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A.:11-5(1)(a)(i); and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "(Pay-to-Play Executive Order)"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

WHEREAS, the State Local Public Contracts Law, (N.J.S.A. 40A:11-1, et seq.) requires a resolution authorizing the award of contracts for "Professional Services".

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 Chief Municipal Public Defender, are hereby authorized to enter into and execute a Professional Services contract with Bryan F. Ferrick, Esq., 665 Newark Avenue, Room 404, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014.
2. The Municipal Council hereby ratifies this contract from January 1, 2014 to the date of adoption of this authorizing resolution.
3. This contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law N.J.S.A. 19:44A-20.5.
4. This contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, certification of availability of sufficient funds, as required by N.J.A.C. 5:305.5(b)(2), shall be executed before a contractual liability is incurred each time a services is requested, covering the amount of the services. Funds for this contract in the amount not to exceed \$17,000.00 shall be provided from the City of Newark Budget- Office of the Mayor.
6. The Chief Municipal Public Defender shall file a copy of the fully-executed contract herein authorized in the Office of the City Clerk and it shall be made available for public

inspection.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a professional services contract with Bryan F. Ferrick, Esq., 665 Newark Avenue, Room 404, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014.