



## Legislation Details (With Text)

**File #:** 22-1684      **Version:** 1      **Name:** 2023 Resolution Special Municipal Prosecutor Professional Services  
**Type:** Resolution      **Status:** Adopted  
**File created:** 11/15/2022      **In control:** Law  
**On agenda:** 12/21/2022      **Final action:** 12/21/2022

**Title:** Dept/ Agency: Law  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Services Contract  
Purpose: To serve as Per Diem Attorneys in the Newark Municipal Court.  
Entity Name: Multiple Vendors - See list below  
Entity Address: Multiple Vendors - See list below  
Contract Amount: For a cumulative amount for all four (4) vendors not to exceed \$250,000.00  
Funding Source: 2023 Budget/Law Department  
Contract Period: January 1, 2023 through December 31, 2023  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
1) Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange, New Jersey 07079; and  
2) Gina DeVito, Esq., 28 Valley Road, #1, Montclair, New Jersey 07042; and  
3) Gracia Robert Montilus, Esq., d/b/a GRM Legal Works, LLC, 76 South Orange Avenue, Suite 107, South Orange, New Jersey 07079; and  
4) Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/21/2022	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark operates a Municipal Court and has a need to engage attorneys as Special Municipal Prosecutors; 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 Municipal Prosecutor Services on or about September 19, 2022; and

**WHEREAS**, the City of Newark received a total of four (4) proposals in response to its request and one was disqualified for non-compliance with applicable law; and

**WHEREAS**, the City of Newark wishes to award a multiple-vendor contract for the period from January 1, 2023 through December 31, 2023, to be used in the City of Newark's sole discretion on an "as needed" basis during the term of the contract; and

**WHEREAS**, the cumulative amount of compensation for four (4) vendors awarded contracts under this multiple award contract shall not exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) for the contract term; and

**WHEREAS**, each vendor shall expressly acknowledge and agree that services may be required from any and/or all of the single vendors with no single vendor receiving any promise or guarantee of minimum compensation except for a flat daily fee of \$250.00 per session should such service be required; and

**WHEREAS**, four (4) vendors submitted proposals and it was found based upon price and other factors to be in the best interest of the City of Newark to accept the four (4) proposals for the purpose of providing legal services concerning, Special Municipal Prosecutors; and

**WHEREAS**, the City of Newark wishes to enter into contracts with the following four (4) vendors in a multiple vendor award to provide legal services concerning Special Municipal Prosecutors, for the cumulative amount for all of the vendors not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00), for the period of January 1, 2023 through December 31, 2023:

1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange New Jersey 07079;
2. Gina DeVito, Esq., 28 Valley Road, #1, Montclair, New Jersey 07042;

3. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 107, South Orange, New Jersey 07079;
4. Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105; 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.

**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 contracts with the following vendors to provide legal services in the capacity as Special Municipal Prosecutor:
  1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange New Jersey 07079;
  2. Gina DeVito, Esq., 28 Valley Road, #1, Montclair, New Jersey 07042;
  3. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 107, South Orange, New Jersey 07079;
  4. Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105; and
2. This is a multiple award contract and no vendor shall have any expectation as to minimum compensation under this multiple award.
3. Services may be required from any and/or all of the single vendors; however, the cumulative amount of compensation for all of the vendors shall not exceed Two Hundred and Fifty Thousand Dollars and Zero Cents (\$250,000.00), for the period of January 1, 2023 through December 31, 2023.
4. These contracts are 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.
5. This multiple vendor contract shall be awarded in one fiscal year although the date on which it will properly take effect falls in the next fiscal year. Accordingly, this multiple vendor contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect. N.J. Admin. Code 5:30-5.5(e). Funds for this multiple vendor contract in a cumulative amount not to exceed Two Hundred and Fifty Thousand Dollars and Zero Cents (\$250,000.00), shall be provided by the City of Newark 2023 Budget, Law Department.
6. A copy of the executed agreement herein authorized shall be filed in the Office of the City

Clerk by the 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 authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into a multiple vendor contract with:

1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange New Jersey 07079;
2. Gina DeVito, Esq., 28 Valley Road, #1, Montclair, New Jersey 07042;
3. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 107, South Orange, New Jersey 07079;
4. Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105; and

to provide legal services in the capacity as Special Municipal Prosecutors for the cumulative amount not to exceed Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00), for the period of January 1, 2023 through December 31, 2023, among all four (4) vendors.