



Legislation Details (With Text)

File #: 17-0626 **Version:** 1 **Name:** Action Title Research 2017 In Rem Foreclosure Project
Type: Resolution **Status:** Adopted
File created: 4/6/2017 **In control:** Law
On agenda: 8/2/2017 **Final action:** 8/2/2017

Title: Dept/ Agency: Law Department
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract - Title Searches and Review
Purpose: Title Searches, Review and Report of Properties in the 2017 In Rem Tax Foreclosures
Entity Name: Action Title Research, LLC.
Entity Address: 611 Route 46W, Suite 103, Hasbrouck Heights, New Jersey 07604
Contract Amount: Not to exceed \$160,000.00
Funding Source: 2017 Budget/ Law Department
Contract Period: April 25, 2017 through April 24, 2018
Contract Basis: Bid State Vendor 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
8/2/2017	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark, Department of Law ("City") has determined that there is a need for professional services contracts for title searches, review and reports of properties on the City of Newark's, 2017 In Rem Tax Foreclosure List. Title review of these properties is necessary in order to conduct the City's In Rem Foreclosure proceedings in the Superior Court of New Jersey as dictated by New Jersey Court Rules 4:64-7, et seq.; and

WHEREAS, the Mayor and the Acting Corporation Counsel desire to enter into a contract with a vendor who has exhibited the necessary qualifications and capacity to meet the needs of the City in connection with the 2017 In Rem Tax Foreclosure proceedings and which is willing to provide the specified services at a mutually agreeable prices; and

WHEREAS, the services to be provided are professional services pursuant to N.J.S.A. 40A:11-5(1)(a)(i) because these services are to be rendered by a person or persons licensed by the State of New Jersey as title officers; and

WHEREAS, the firm, Action Title Research, LLC, 611 Route 46 W., Suite 103, Hasbrouck Heights, New Jersey, 07064, is a title company with specific expertise in providing title records, review, reports and related title search services involving tax sale certificates and In Rem Foreclosures; and

WHEREAS, the Mayor and the Acting Corporation Counsel recommend entering into a contract with Action Title Research, LLC., to provide title searches, review and reports for properties on the 2017 In Rem Tax Foreclosure list in an amount not to exceed One Hundred Sixty Thousand Dollars and Zero Cents (\$160,000.00), for the period of one (1) year commencing on April 25, 2017 through April 24, 2018; and

WHEREAS, the Acting 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 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, 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, Action Title Research, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that the firm 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 Action Title Research, LLC, 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 2:4-22C, 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 the Acting Corporation Counsel, are authorized to execute and enter into a contract with the Action Title Research, LLC., 611 Route 46 W., Suite 103, Hasbrouck Heights, New Jersey 07064, to provide title searches, review and reports for properties on the 2017 In Rem Tax Foreclosure list in an amount not to exceed One Hundred Sixty Thousand Dollars and Zero Cents (\$160,000.00), for the period of one (1) year commencing on April 25, 2017 through April 24, 2018.
2. The contract is hereby ratified from April 25, 2017 to the date of adoption of this authorizing resolution
3. 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 New Jersey State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and in compliance with City of Newark Contractor Pay-to-Play Reform Ordinance 2:4-22C.
4. Pursuant to *N.J.A.C. 5:30-5.5(a)*, Temporary Budget, attached hereto is the Director of Finance's Certification, which states that funds in the amount of \$50,000.00 are available in the 2017 Temporary Budget, the balance of \$110,000.00 to be provided in the 2017 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.
5. The Determination of Value and Business Entity Disclosure certifications are attached and will be filed with the Office of the City Clerk.
6. The Acting Corporation Counsel shall file a copy of the executed agreement in the Office of the City Clerk and it 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 and authorizes the Mayor of the City of Newark and the Acting Corporation Counsel, to enter into a contract with the firm of Action Title Research, LLC., 611 Route 46 W., Suite 103, Hasbrouck Heights, New Jersey 07064, to provide title searches, review and reports for properties on the 2017 In Rem Tax foreclosure list in an amount not to exceed One Hundred Sixty Thousand Dollars and Zero Cents (\$160,000.00), for the period from April 25, 2017 through April 24, 2018.