



## Legislation Details (With Text)

**File #:** 13-1606      **Version:** 1      **Name:** Medvin & Elberg Legal Services  
**Type:** Resolution      **Status:** Filed  
**File created:** 8/9/2013      **In control:** Law  
**On agenda:** 10/2/2013      **Final action:** 10/17/2013

**Title:** Dept/ Agency: Law  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Services Contract  
Purpose: Legal Services concerning Special Tax Matters and Tax Appeals  
Entity Name: Medvin & Elberg, Attorneys at Law  
Entity Address: One Gateway Center, 6th Floor, Newark, New Jersey 07102  
Contract Amount: Not to exceed \$35,000.00  
Funding Source: City of Newark, Law Department  
Contract Period: June 1, 2013 through May 31, 2014  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
No Action Taken 7R7-c 100213  
No Action Taken 7R7-c 101013

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/17/2013	1	Municipal Council	Adopt	Pass
10/10/2013	1	Municipal Council	no action taken	
10/2/2013	1	Municipal Council	no action taken	

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**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 City of Newark is presently involved in three tax appeals concerning certain City of Newark Watershed properties; and

**WHEREAS**, Medvin & Elberg, Attorneys at Law, with offices located at One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, have handled Tax Appeals for the City of Newark and have represented the City of Newark in the three above-mentioned matters; and

**WHEREAS**, it was found, based upon experience in the area, prior representation of the City in the abovementioned three matters, price and other factors, to be in the best interest of the City of Newark to continue Medvin & Elberg's representation of the City of Newark for the purpose of providing legal services concerning Special Tax Matters and Tax Appeals as they concern the Watershed properties; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Medvin & Elberg, Attorneys at Law, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, as well as new matters concerning Watershed properties 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 \$17,500.00 and is being awarded as a non-fair and open contract and in accordance with the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), and Contractor Pay-to-Play Ordinance, 6PSF-a, 080112.

**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 his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with Medvin & Elberg, Attorneys at Law, One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, as well as new matters that may arise during the contract term.
2. The term of this contract shall be June 1, 2013 through May 31, 2014, for such matters that may arise during the contract term.

3. This contract is being awarded pursuant to the non-fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and Contractor Pay-to-Play Ordinance, 6PSF-a, 080112, and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. This professional service contract is awarded pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)).
5. The Municipal Council hereby ratifies the award of this contract from June 1, 2013 to the date of adoption of this Resolution.
6. This is an open-ended contract to be used as needed during the term of the contract. . Attached hereto is a partial Certification of Funds issued by the Chief Financial Officer, City of Newark, which state that there are available sufficient legally appropriated funds for the purposes set forth hereinabove, in the amount of \$17,500.00. The remaining funds for this contract shall be from the 2014 Budget of the Department of Law. There will be no expenditure of funds authorized until a certification of funds is obtained and filed with the City Clerk.
7. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and shall be made available for public inspection.
8. 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 and/or his designee, the Corporation Counsel, on behalf of the City to enter into and execute a contract with Medvin & Elberg, Attorneys at Law, One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014..