



Legislation Details (With Text)

**File #:** 11-1404      **Version:** 1      **Name:** Vito A. Mazza, Esq. - Public Defender  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/1/2011      **In control:** Mayor's Office  
**On agenda:** 3/7/2012      **Final action:** 3/7/2012

**Title:** Dept/ Agency: Office of the Mayor  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Service Contract  
Purpose: Per Diem Municipal Public Defender  
Entity Name: Law Office of Vito A. Mazza, LLC  
Entity Address: 630 Third Avenue, Elizabeth, New Jersey 07202  
Contract Amount: \$15,000.00  
Funding Source: City of Newark's Budget/Mayor's Office  
Contract Period: January 1, 2012 through December 31, 2012  
Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  n/a  
Additional Information:  
N/A

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/7/2012	1	Municipal Council	Adopt	Pass

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**Additional Information:**  
N/A

**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 **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants,

for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**; 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 **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**.
2. 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.
3. 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.
4. This contract is being awarded as open-ended contract under N.J.A.C. 5:30-5.5(b), and pursuant to N.J.A.C. 5:30-5.5(b)(2), a certification of availability of funds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and **Vito A. Mazza, Esq.** is hereby ratified from **January 1, 2012** through the date of the adoption of this authorizing resolution.
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.

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 its passage.

### **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 **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**.