



City of Newark

City Hall
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Legislation Details (With Text)

File #: 16-0876 **Version:** 1 **Name:** Chasan Leyner First Amendment
Type: Resolution **Status:** Adopted
File created: 5/17/2016 **In control:** Law
On agenda: 6/15/2016 **Final action:** 6/15/2016

Title: Dept/ Agency: Law
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to the Agreement to Provide Legal Services as Litigation Defense Counsel to Increase Contract Amount by \$75,000.00
Entity Name: Chasan, Leyner & Lamparello, P.C.
Entity Address: 300 Lighting Way, Secaucus, New Jersey 07094
Contract Amount: \$75,000.00
Funding Source: City of Newark Budget/Law Department
Contract Period: January 1, 2016 through December 31, 2016
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
Contract for Litigation Defense Counsel initially awarded for \$75,000.00.
First Amendment to the Agreement to increase the contract amount by \$75,000.00, for a total contract amount not to exceed \$150,000.00

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/15/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, legal services are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, *N.J.S.A. 40A:11-5(1)(a)(i)*; and

WHEREAS, the Municipal Council of the City of Newark by Resolution 7R7-r(s), adopted on December 16, 2015, awarded a contract to Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to provide legal services concerning Litigation Defense Matters, in an amount not to exceed Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for the period of January 1, 2016 through December 31, 2016; and

WHEREAS, the contract was awarded in compliance with Local Public Contracts Law, and through the fair and open process of State Pay-to-Play, and in compliance with Ordinance 2:4-22C; and

WHEREAS, Chasan, Leyner & Lamparello, P.C., continues to vigorously defend the City of Newark in several cases in which bills will be submitted for the remainder of the contract year; and

WHEREAS, Chasan, Leyner & Lamparello, P.C. represents to the City of Newark that an additional Seventy Five Thousand Dollars and Zero Cents (\$75,000.00) is necessary for the firm to continue to provide legal services through December 31, 2016; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding and anticipated legal bills through December 31, 2016; and

WHEREAS, the increase of an additional Seventy Five Thousand Dollars (\$75,000.00) brings the total contract to an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) for January 1, 2016, through December 31, 2016.

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 Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a First Amendment to the Agreement to provide legal services with Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to continue providing the legal services concerning Litigation Defense Matters for an additional Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for a total contract amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2016 through December 31, 2016, to cover ongoing litigation and new matters that may arise during the term of the contract.
2. The Municipal Council hereby ratifies this First Amendment to the Agreement to Provide Legal Services from May 2, 2016, to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. This First Amendment to the Agreement to provide legal services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law

(*N.J.S.A. 40A:11-5(1)(a)(i)*), and Fair and Open Procedures of the State Pay-to-Play Law (*N.J.S.A. 19:44A-20.5*) and is in compliance with Contractor Pay-to-Play Reform Ordinance, 6PSF-a adopted on August 1, 2012.

5. Pursuant to *N.J.A.C. 5:30-5.5(a)*, a Temporary Budget, attached hereto is the Chief Finance Officer's Certification, which states partial funds in the amount of \$37,500.00 are available in the 2016 Temporary Budget, the balance to be provided in the 2016 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.
6. The Corporation Counsel shall file a copy of the executed First Amendment to the Agreement to provide legal services herein authorized in the Office of the City Clerk and the same 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 hereby ratifies, amends and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement to Provide Legal Services as Litigation Defense Counsel, with Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to increase the contract amount by Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for a total contract amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2016 through December 31, 2016 to cover ongoing litigation and new matters that may arise during the term of the contract..