



Legislation Details (With Text)

**File #:** 16-0069      **Version:** 1      **Name:** Resolution: DeCotiis, Fitzpatrick & Cole, LLP - Legal Services for Redevelopment and Land Use Matters (2016)  
**Type:** Resolution      **Status:** Filed  
**File created:** 1/13/2016      **In control:** Economic and Housing Development  
**On agenda:** 3/16/2016      **Final action:** 3/16/2016

**Title:** Dept/ Agency: Economic & Housing Development  
Action:  Ratifying  Authorizing  Amending  
Type of Service: Professional Services Contract  
Purpose: Legal Services for Redevelopment and Land Use Matters  
Entity Name: DeCotiis, Fitzpatrick & Cole, LLP  
Entity Address: Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666  
Contract Amount: Amount not to exceed \$600,000.00  
Funding Source: City of Newark, Department of Economic and Housing Development  
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:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/16/2016	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark (the “City”) 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 Corporation Counsel of the City caused to be published on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Special Counsel concerning Redevelopment and Land Use Matters on or about December 16, 2015; and

**WHEREAS**, the City received a total of two (2) proposals in response to its request; and

**WHEREAS**, DeCotiis, Fitzpatrick & Cole, LLP, with offices located at Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, submitted a proposal which was found, based upon price and other factors, to be in the best interest of the City to accept for the purpose of providing legal services concerning Redevelopment/Land Use Matters; and

**WHEREAS**, the City wishes to enter into a new contract with DeCotiis, Fitzpatrick & Cole, LLP, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed \$600,000.00, for the period of January 1, 2016 through December 31, 2016, which shall cover existing and new matters 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 Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 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 and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized and directed on behalf of the City of Newark to enter into and execute a contract with DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Boulevard., Suite 31, Teaneck, New Jersey 07666, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed \$600,000.00 for the period of January 1, 2016 through December 31, 2016, which shall cover those matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2016 through December 31, 2016.
3. The contract is ratified from January 1, 2016 until the date of adoption of this resolution.

4. This contract is 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 the Local Public Contracts Law (*N.J.S.A. 40A:11-5 (1)(a)(i)*) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
5. Attached hereto is a Certification of Funds from the Director of Finance, which states that: (1) there are sufficient funds in the amount of \$600,000.00 for the purpose set forth herein above; and (2) that the line appropriation of the official budget which shall be charged is; Business Unit NW026, Dept. ID BS, Account# 32100, Budget Ref. B2016.
6. A copy of the executed contract shall be filed in the Office of the City Clerk by the Director of the Department of Economic and Housing Development 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 hereby ratifies and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into and execute a contract for legal services for Redevelopment/Land Use Matters with DeCotiis, Fitzpatrick & Cole, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, in an amount not to exceed \$600,000.00, for the period of January 1, 2016 through December 31, 2016.