



Legislation Details (With Text)

**File #:** 14-2207      **Version:** 1      **Name:** Professional Services Contract (Municipal Prosecutors)  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/19/2014      **In control:** Law  
**On agenda:** 1/7/2015      **Final action:** 1/7/2015

**Title:** Dept/ Agency: Law  
Action:  Ratifying    Authorizing    Amending  
Type of Service: Professional Services Contract  
Purpose: Legal Services - Municipal Prosecutors Services  
Entity Name: Multiple Vendors Below  
Entity Address: See Below  
Contract Amount: An amount not to exceed \$126,000.00  
Funding Source: 2015 City of Newark Budget, Law Department  
Contract Period: January 1, 2015 - December 31, 2015  
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
1/7/2015	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark operates a Municipal Court and has a need to engage attorneys as Special Municipal Prosecutors; and

**WHEREAS**, legal services are professional services which are exceptions to the requirement of public advertisement and 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 desirous of acquiring such legal services as fair and open contracts pursuant to the provisions of the Local Pay- to-Play Statute, N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Corporation Counsel of the City of Newark caused to be published on the City of Newark's website, a Notice of Request for Qualifications for Municipal Prosecutor Services on or about October 31, 2014; and

**WHEREAS**, the City of Newark received a total of nine (9) proposals in response to its request; and

**WHEREAS**, the City of Newark wishes to award an open-ended multiple-vendor contract for the period from January 1, 2015 through December 31, 2015, to be used in the City of Newark's sole discretion on an "as needed" basis during the term of the contract; and

**WHEREAS**, the cumulative amount of compensation for all of the vendors awarded contracts under this multiple award contract shall not exceed One Hundred Twenty-Six Thousand Dollars (\$126,000.00), for the contract term; and

**WHEREAS**, each vendor shall expressly acknowledge and agree that services may be required from any and/or all of the single vendors with no single vendor receiving any promise or guarantee of minimum compensation except for a flat daily fee of \$250.00 per session should such service be required; and

**WHEREAS**, eight (8) vendors submitted proposals in response to the request and it found, based upon qualifications, price and other factors, to be in the best interest of the City of Newark to accept for the purposes of providing legal services as Special Municipal Prosecutors; and

**WHEREAS**, the City of Newark wishes to enter into contracts with the following seven vendors in a multiple vendor award for the period of January 1, 2015 through December 31, 2015:

1. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105;
2. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
3. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
4. Andrea P. McCoy Johnson, Esq., 185 Village Road, South Orange, New Jersey 07079;
5. Keith C. Harvest, Esq., P.O. Box 193, South Orange, New Jersey 07079;
6. Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932;
7. Michelle N. Nelson, Esq., 98 Vaughan Drive, Newark, New Jersey 07103; and
8. Robert L. Tedeschi, Esq., 216 Dayton Street, Second Floor, Ridgewood, New Jersey 07450.

**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 being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5; 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 Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal and County of Essex 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/or his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute contracts with the following vendors to provide legal services in the capacity as Special Municipal Prosecutor:
  - a. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105;
  - b. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
  - c. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
  - d. Andrea P. McCoy Johnson, Esq., 185 Village Road, South Orange, New Jersey 07079;
  - e. Keith C. Harvest, Esq., P.O. Box 193, South Orange, New Jersey 07079;
  - f. Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932;
  - g. Michelle N. Nelson, Esq., 98 Vaughan Drive, Newark, New Jersey 07103; and
  - h. Robert L. Tedeschi, Esq., 216 Dayton Street, Second Floor, Ridgewood, New Jersey 07450.
2. This is a multiple award contract and no vendor shall have any expectation as to minimum compensation under this multiple award.
3. Services may be required from any and/or all of the single vendors; however, the cumulative amount of compensation for all of the vendors shall not exceed One Hundred and Twenty-Six Thousand Dollars (\$126,000.00,) for the period of January 1, 2015 through December 31, 2015.
4. These contracts are 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 pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)); is in compliance with Executive Order MEO-07-0001, effective March 31, 2007; and is in compliance with the Contractor Pay-to-Play

Reform Ordinance, R.O. 2:4-22C.

5. This is a contract which shall be awarded in one fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect. New Jersey Administrative Code 5:30-5.5(e). Funds for this multiple vendor contract in a cumulative amount not to exceed One Hundred Twenty-Six Thousand Dollars (\$126,000.00), shall be provided by the City of Newark Budget, Law Department.
6. A copy of the executed agreements herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel 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 authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into an open-ended multiple vendor contract with Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105; Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079; Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020; Andrea P. McCoy Johnson, Esq., 185 Village Road, South Orange, New Jersey 07079; Keith C. Harvest, Esq., P.O. Box 193, South Orange, New Jersey 07079; Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932; Michelle N. Nelson, Esq., 98 Vaughan Drive, Newark, New Jersey 07103; and

Robert L. Tedeschi, Esq., 216 Dayton Street, Second Floor, Ridgewood, New Jersey 07450, to provide legal services in the capacity as Special Municipal Prosecutors in a cumulative amount not to exceed One Hundred Twenty-Six Thousand Dollars (\$126,000.00), for the period of January 1, 2015 through December 31, 2015.