



## Legislation Details (With Text)

**File #:** 12-1916      **Version:** 2      **Name:** Masiel Valentin, Esq. (Per Diem Public Defender) (2013)  
**Type:** Resolution      **Status:** Returned to Administration  
**File created:** 9/13/2012      **In control:** Mayor's Office  
**On agenda:** 3/20/2013      **Final action:** 3/20/2013

**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: Masiel Valentin, Esq.  
Entity Address: 349 Summer Avenue-Lower Level, Newark, New Jersey 07104  
Contract Amount: \$15,000.00  
Funding Source: Office of the Mayor  
Contract Period: January 1, 2013 through December 31, 2013  
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:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/20/2013	2	Municipal Council	Returned to Administration	Pass

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 Private Sale    Grant    Sub-recipient    n/a  
**Additional Information:**

**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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, 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, 2013** and terminating **December 31, 2013**; 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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, 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, 2013** and terminating **December 31, 2013**.
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 offunds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and **Masiel Valentin, Esq.** is hereby ratified from **January 1, 2013** 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 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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, 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, 2013** and terminating **December 31, 2013**.