



## Legislation Details (With Text)

**File #:** 16-1557      **Version:** 1      **Name:** First Amendment to Maraziti Falcon, LLP  
Redevelopment/Land Use Counsel Services

**Type:** Resolution      **Status:** Adopted

**File created:** 10/5/2016      **In control:** Economic and Housing Development

**On agenda:** 11/2/2016      **Final action:** 11/2/2016

**Title:** Dept/ Agency: Economic and Housing Development  
Action: (X) Ratifying (X) Authorizing (X) Amending  
Type of Service: Professional Services Contract  
Purpose: First Amendment to the Agreement to Provide Legal Services as Redevelopment and Land Use Counsel, to Increase Contract Amount by \$150,000.00  
Entity Name: Maraziti Falcon, LLP.  
Entity Address: 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078  
Contract Amount: Amount not to exceed \$400,000.00  
Funding Source: 2016 Budget/Department of Economic and Housing Development  
Contract Period: January 1, 2016 through December 31, 2016  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Resolution 7R3-c adopted on March 16, 2016 awarded the contract for \$250,000.00.  
First Amendment increased the contract amount by \$150,000.00, for a new total contract amount not to exceed \$400,000.00.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 11/2/2016 | 1    | Municipal Council | Adopt  | Pass   |

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**Additional Information:**  
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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 7R3-c, adopted on March 16, 2016, awarded a contract to Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, to serve as Redevelopment and Land Use Counsel for matters that are currently being handled by Maraziti Falcon, LLP and any new matters that may arise during the contract term, in an amount not to exceed Two Hundred Thousand Dollars and Zero Cents (\$250,000.00) 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 Reform Ordinance 2:4-22c; and

**WHEREAS**, Maraziti Falcon, LLP, currently has outstanding legal bills for 2016 and pending legal matters, which will exhaust the total contract amount; and

**WHEREAS**, the outstanding legal bills for 2016 and pending legal matters require an increase in the total contract amount; and

**WHEREAS**, Maraziti Falcon, LLP, represents that an additional One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), 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 for legal services provided through December 31, 2016; and

**WHEREAS**, the increase of an additional One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) brings the total contract to an amount not to exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00), 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, Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized and directed on behalf of the City of Newark to amend and execute a First Amendment to the Agreement with Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, to provide legal services as Redevelopment and Land Use Counsel, in the amount of, an additional One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a total contract amount not to exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00), for the term of January 1, 2016 through December 31, 2016, to cover outstanding bills, ongoing litigation and new matters that may arise during the term of the contract.
2. The Municipal Council hereby ratifies this First Amendment from January 1, 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)), the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, 2:4-22C.
5. Attached is a full Certification of Funds from the Director of Finance stating that there are available, sufficient, legally appropriated funds in the amount of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the purposes set forth herein and the line appropriations which shall be charged are as follows:

| <u>Bus. Unit</u> | <u>Dept. ID</u> | <u>Div/Proj.</u> | <u>Acct.#</u> | <u>Bud Ref.</u> |
|------------------|-----------------|------------------|---------------|-----------------|
| NW026            | BS              |                  | 32100         | B2016           |

6. A copy of the executed First Amendment to the Agreement to provide Legal Services herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/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, amends and authorizes the Mayor and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a First Amendment to the Agreement for Redevelopment and Land Use Counsel legal services with Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, to cover outstanding bills, ongoing and new matters that may arise during the term of the contract for, for an additional One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a total contract amount not to exceed Four Hundred Thousand Dollars and Zero Cents (\$400,000.00).