



Legislation Details (With Text)

File #: 17-2152 **Version:** 1 **Name:** Municipal Prosecutors Per Diems Professional Services Contract to Provide Legal Services
Type: Resolution **Status:** Adopted
File created: 12/7/2017 **In control:** Law
On agenda: 1/10/2018 **Final action:** 1/10/2018

Title: Dept/ Agency: Law
Action: Ratifying Authorizing Amending
Type of Service: Professional Services Contract
Purpose: To serve as Per Diem Attorneys in the Newark Municipal Court
Entity Name: Multiple Attorneys
Entity Address: See list below.
Contract Amount: An amount not to exceed \$150,000.00
Funding Source: 2018 Budget/ Law Department
Contract Period: January 1, 2018 through December 31, 2018
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
Additional Information:

- The City of Newark wishes to enter into contracts with the following ten (10) vendors:
1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC., 76 South Orange Avenue, Suite 200, South Orange, New Jersey 07079
 2. Cheryl Craft, Esq., 59 Robins Place, Metuchen, New Jersey 08840
 3. Gina DeVito, Esq., 20 Church Street, Montclair, New Jersey 07042
 4. Yvette Gibbons, 4 South Orange Avenue, No. 139, South Orange, New Jersey 07079
 5. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079-1923
 6. Steven Robert Hummell, Esq., 697 Kearny Avenue, Kearny, New Jersey 07032
 7. Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105
 8. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105
 9. Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932
 10. Andrew B. Vallejos, Esq. 200 Mercer Street, (Route 33), Suite D, Hightstown, New Jersey 08520

Sponsors: Council of the Whole

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Date	Ver.	Action By	Action	Result
1/10/2018	1	Municipal Council	Adopt	Pass

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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 pursuant to the fair and open provisions of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5; and

WHEREAS, the Acting Corporation Counsel of the City of Newark caused to be published on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Municipal Prosecutor Services on or about October 27, 2017; and

WHEREAS, the City of Newark received a total of eleven (11) proposals in response to the RFQ; and

WHEREAS, the City of Newark wishes to award an open-ended multiple-vendor contract for the period from January 1, 2018 through December 31, 2018, 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 ten vendors awarded contracts under this multiple award contract shall not exceed One Hundred Fifty-Thousand Dollars and Zero Cents (\$150,000.00) 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 Two Hundred Fifty Dollars and Zero Cents (\$250.00) per session should such service be required; and

WHEREAS, ten (10) vendors submitted responses that were found, based upon qualifications, price and other factors, to be in the best interest of the City of Newark 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 ten (10) vendors in a multiple-vendor contract award for the period of January 1, 2018 through December 31, 2018:

1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange New Jersey 07079.
2. Cheryl Craft, Esq., 59 Robins Place, Metuchen, New Jersey 08840;
3. Gina DeVito, Esq., 20 Church Street, Montclair, New Jersey 07042;
4. Yvette Gibbons, 4 South Orange Avenue, No. 139, South Orange, New Jersey 07079;
5. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079-1923;
6. Steven Robert Hummell, Esq., 697 Kearny Avenue, Kearny, New Jersey 07039;
7. Connie Bentley McGhee, Esq., 292 Lafayette Street, Newark, New Jersey 07105;
8. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105;
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10. Andrew B. Vallejos, Esq. 200 Mercer Street, (Route 33), Suite D, Hightstown, New Jersey 08520

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, each vendor has completed and submitted a Political Contribution Disclosure Form which certifies that each has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and that the contract will prohibit each vendor from making any prohibited contributions through the term of the contract; and

WHEREAS, 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

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 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 (i) a candidate, candidate committee or joint candidate committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Newark or County of Essex political committee or action committee that regularly engages in the support of City of Newark Municipal or County of Essex candidates, candidate committees, joint candidates committees, political committees, political party committee, (hereinafter “PAC), in excess of certain specified thresholds within one (1) calendar year immediately preceding the date of the contract or agreement.

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 Acting Corporation Counsel, are authorized on behalf of the City of Newark to execute contracts with the following ten (10) vendors to provide legal services in the capacity of Special Municipal Prosecutor:
 1. Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange New Jersey 07079
 2. Cheryl Craft, Esq., 59 Robins Place, Metuchen, New Jersey 08840;
 3. Gina DeVito, Esq., 20 Church Street, Montclair, New Jersey 07042.
 4. Yvette Gibbons, 4 South Orange Avenue, No. 139, South Orange, New Jersey 07079
 5. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
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 8. Daniel Serratelli, Esq., 172 New York Avenue, Newark, New Jersey 07105;
 9. Charlotte L. Smith, Esq., 31 Brandywyne Drive, Florham Park, New Jersey 07932;
 10. Andrew B. Vallejos, Esq. 200 Mercer Street,(Route 33), Suite D, Hightstown, New Jersey 08520.
2. This is a multiple award contract and no vendor shall have any expectation as to minimum compensation under this contract.
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 Fifty-Thousand Dollars and Zero Cents (\$150,000.00) for the period of January 1, 2018 through December 31, 2018.
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)) and is in compliance with the City of Newark's Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 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. N.J.A.C.5:30-5.5(e). Funds for this multiple vendor contract in a cumulative amount not to exceed One Hundred and Fifty-Thousand Dollars and Zero Cents (\$150,000.00) shall be provided by the City of Newark Budget, Law Department.
6. The Acting Corporation Counsel shall file a copy of the executed agreements herein authorized in the Office of the City Clerk, and 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 authorizes the Mayor of the City of Newark and/or his designee, the Acting Corporation Counsel, to enter into an open-ended multiple-vendor contract with the following ten (10) attorneys:

Evelyn Akushie-Onyeani, Esq., Onyeani Law Firm, LLC, 76 South Orange Avenue, Suite 200, South Orange, New Jersey 07079;
Cheryl Craft, Esq., 59 Robins Place, Metuchen, New Jersey 08840;
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The purpose of said contract is for the aforesaid vendors to provide legal services in the capacity of Special Municipal Prosecutor for a cumulative amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2018 to December 31, 2018.