



## Legislation Text

File #: 21-0715, Version: 1

**Dept/ Agency:** Economic and Housing Development

**Action:** (X) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Professional Services Contract

**Purpose:** To provide legal services for Redevelopment/Land Use Matters.

**Entity Name:** DeCotiis, FitzPatrick, Cole and Giblin, LLP

**Entity Address:** 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652

**Contract Amount:** Not to exceed \$350,000.00

**Funding Source:** 2021 Budget/Department of Economic and Housing Development

**Contract Period:** March 12, 2021 through March 11, 2022

**Contract Basis:** ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**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 Department of Economic and Housing Development 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 7, 2020; and

**WHEREAS**, the City received a total of one (1) proposals in response to its request by the RFQ due date on December 21, 2020; and

**WHEREAS**, DeCotiis, FitzPatrick, Cole & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, 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 contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP, to provide Legal Services for Redevelopment/Land Use Matters in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for the period of March 12, 2021 through March 11, 2022; and

**WHEREAS**, 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 of the City of Newark and/or his designee, the Corporation Counsel, are hereby authorized on behalf of the City of Newark to enter into and execute a contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for the period of March 12, 2021 through March 11, 2022.
2. The Contract between the City of Newark and DeCotiis, FitzPatrick, Cole & Giblin, LLP, is hereby ratified from March 12, 2021 to the date of adoption of this authorizing resolution.
3. 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.
4. Attached hereto is a Certification of Funds from the Director of the Department of Finance, which states that: 1) there are sufficient funds in the amount of \$350,000.00 for the purpose set forth herein above; and 2) that the line appropriation of the Official Budget which shall be charged is:

<u>Bus.Unit</u>	<u>Account#</u>	<u>BudgetRef.</u>
NW026	32100	B2021

5. The Corporation Counsel shall file a copy of the executed contract in the Office of the City Clerk and the same shall be made available for public inspection.
6. 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 ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, 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 & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, in an amount not to exceed \$350,000.00, for the period of March 12, 2021 through March 11, 2022.