



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 24-0830, Version: 1

Dept/ Agency: Law

Action: Ratifying Authorizing Amending

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Defense of Civil Litigation Matters.

Entity Name: Lite, DePalma, Greenberg and Afanador, LLC

Entity Address: 570 Broad Street, Suite 1201, Newark, New Jersey 07102

Contract Amount: Not to exceed \$300,000.00

Funding Source: 2024 Budget/Law Department/Bus. Unit. NW011, Dept. 040, Div./Proj. 0401, Account #71260, B2024

Contract Period: January 1, 2024 through December 31, 2024

Contract Basis: Bid State Vendor Prof. Ser. EUS

Fair & Open No Reportable Contributions RFP RFQ

Private Sale Grant Sub-recipient n/a

Additional Information:

WHEREAS, the City of Newark 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 Corporation Counsel of the City of Newark caused to be published in the Star Ledger and on the City of Newark's electronic procurement portal, a Notice of Request for Qualifications (RFQ) for Litigation Defense Counsel Services on or about September 6, 2023; and

WHEREAS, the City of Newark received a total of thirty (30) proposals in response to the RFQ for Litigation Defense Counsel Services; and

WHEREAS, Lite DePalma Greenberg & Afanador, LLC submitted a proposal and it was found based upon price and other factors to be in the best interest of the City of Newark to accept the proposal for the purpose of providing Legal Services concerning Litigation Defense Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with Lite DePalma Greenberg & Afanador, LLC to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00), for a period of January 1, 2024 through December 31, 2024, which shall cover those existing matters currently being handled by Lite DePalma Greenberg & Afanador, LLC, as well as new matters that may arise during the contract term; and

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 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 is in compliance with the State Pay-to-Play and the City's Pay-to-Play Ordinance; and

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 authorized on behalf of the City of Newark to execute a contract with Lite DePalma Greenberg & Afanador, LLC to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00), for the period of January 1, 2024 through December 31, 2024, which shall cover those existing matters currently being handled by Lite DePalma Greenberg & Afanador, LLC, as well as new matters that may arise during the contract term.
2. 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 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's Ordinance on Pay-to-Play.
3. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states partial available funds in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), are available in the 2024 Temporary Budget, the balance to be provided in the 2024 Adopted Budget. The Certification shall be filed, along with the original Resolution and the executed contract in the Office of the City Clerk. 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>
NW 011	040	0401	71260	2024

4. The Municipal Council hereby ratifies this contract from January 1, 2024 to the date of adoption of this authorizing Resolution.
5. A copy of the executed Agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and 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, to enter into a contract for Professional Services for Litigation Defense Matters with Lite DePalma Greenberg & Afanador, LLC, 570 Broad Street, Suite 1201, Newark, New

Jersey 07102, in an amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00), for the period of January 1, 2024 through December 31, 2024.