



## Legislation Text

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File #: 20-1445, Version: 1

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**Dept./ Agency:** Law

**Action:**  Ratifying  Authorizing  Amending

**Type of Service:** Professional Services Contract

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

**Entity Name:** Michael A. Armstrong & Associates, LLC

**Entity Address:** Willingboro, New Jersey 08046

**Contract Amount:** Not to exceed \$25,000.00

**Funding Source:** 2021 Budget/Law Department

**Contract Period:** January 1, 2021 through December 31, 2021

**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 (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 Corporation Counsel caused to be published on the City of Newark's website, a notice of Request for Qualifications (RFQ) for Redevelopment/Land Use Counsel Services on or about September 21, 2020; and

**WHEREAS**, the City received a total of nine (9) proposals in response to the RFQ for Redevelopment/Land Use Counsel Services; and

**WHEREAS**, Michael A. Armstrong & Associates, LLC, of Willingboro, New Jersey 08046, 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 Redevelopment/Land Use Counsel Services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Michael A. Armstrong & Associates, LLC, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), for a period of one (1) year, from January 1, 2021 through December 31, 2021, which shall cover those existing matters currently being handled by Michael A. Armstrong & Associates, 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

**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 Newark Municipal and County of Essex 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 authorized on behalf of the City of Newark to enter into and execute a contract with Michael A. Armstrong & Associates, LLC, of Willingboro, New Jersey 08046, to provide legal services concerning Redevelopment/Land Use Matters, in an amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), for the period of one (1) year, January 1, 2021 through December 31, 2021, which shall cover those existing matters currently being handled by Michael A. Armstrong & Associates, LLC, as well as new matters that may arise during the contract term.
2. The contract is ratified from January 1, 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 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.
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states partial funds in the amount of Ten Thousand Dollars and Zero Cents (\$10,000.00) are available in the 2021 Temporary Budget, the balance to be provided in the 2021 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.
5. The Corporation Counsel shall file a copy of the executed agreement and certification of funds herein authorized 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, to enter into and execute a contract for legal services for Redevelopment/Land Use Matters with Michael A. Armstrong & Associates, LLC, of Willingboro, New Jersey 08046, in an amount not to exceed \$25,000.00, for the period of January 1, 2021 through December 31, 2021.