



Legislation Text

File #: 13-1746, Version: 2

Dept/ Agency: Law

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

Purpose: Settlement of Pre-Suit Demand

Docket No.:

Claimant: Royal Engineers & Consultants, LLC

Claimant's Attorney: N/A

Attorney's Address: New Orleans Corporate, 601 Elysian Fields Avenue, New Orleans, Louisiana 70117

Settlement Amount: \$128,746.00

Funding Source: List name(s) and amount(s)

Additional Comments:

No Action Taken 7R7-e (as) 101013

WHEREAS, the City of Newark (the "City") was in need of Hurricane Sandy Disaster Emergency Services; and

WHEREAS, the City entered into an Emergency Contract with Royal Engineers & Consultants, LLC, New Orleans Corporate, 601 Elysian Fields Avenue, New Orleans, Louisiana 70117, to provide Hurricane Sandy Disaster Emergency Services; and

WHEREAS, the Emergency Contract between the City of Newark and Royal Engineers & Consultants, LLC terminated on February 13, 2013; and

WHEREAS, Royal Engineers & Consultants, LLC continued to provide Hurricane Sandy Disaster Emergency Services through June 2013; and

WHEREAS, all services were provided to the satisfaction of the City of Newark; and

WHEREAS, this resulted in monies owed by the City of Newark to Royal Engineers & Consultants, LLC for which Royal Engineers & Consultants, LLC seeks payment; and

WHEREAS, the parties have agreed to settle this matter for payment in the amount of \$128,746.00 for all services rendered to present.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Corporation Counsel is hereby authorized on behalf of the City of Newark to negotiate and execute a Settlement Agreement and Release any other documents, sufficient in form

and content to Corporation Counsel and to take whatever actions are necessary to effectuate the terms of the within resolution and settlement of this matter pursuant to the terms contained in the within Resolution.

2. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue payment to Royal Engineers & Consultants, LLC, in the amount of **\$128,746.00**, as consideration of and pursuant to the terms and conditions contained in the Settlement Agreement and Release annexed hereto.

3. In exchange for the execution by **Royal Engineers & Consultants, LLC**, of the Settlement Agreement and Release, acceptable in form to the Corporation Counsel and after passage of this resolution and upon receipt by the Corporation Counsel and the Director of Finance of any and all other documents deemed necessary, the Director of Finance of the City of Newark is hereby authorized to make the payment for the benefit of **Royal Engineers & Consultants, LLC**.

4. The within settlement and resolution does not admit nor should it be construed as an admission of liability or violation of any law, statute or regulation or a breach of any duty by the City of Newark, its agents, officers and/or employees whatsoever and is entered into based upon recommendations of Counsel and to eliminate all risks and future litigation costs.

5. A Certification of Funds is annexed hereto.

6. A fully executed copy of the Settlement Agreement and Release shall be filed in the Office of the City Clerk by the Corporation Counsel.

7. This Resolution shall be effective upon adoption in accordance with applicable State law.

STATEMENT

This resolution authorizes the settlement of a demand for payment from Royal Engineers & Consultants, LLC, New Orleans Corporate, 601 Elysian Fields Avenue, New Orleans, Louisiana 70117, through the payment of the lump sum of **\$128,746.00**, in exchange for the execution of a Settlement Agreement and Release