



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-0115, Version: 2

Dept/ Agency: Offices of Municipal Council/City Clerk

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

Type of Service: Professional Service Contract

Purpose: Statutory Auditor Services for 2012

Entity Name: Samuel Klein and Company

Entity Address: 550 Broad Street, Newark, New Jersey 07102

Contract Amount: \$730,250.00

Funding Source: Office of the City Clerk

Contract Period: January 1, 2012 through December 31, 2012

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

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

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

Additional Information:

Deferred 7R9-a 021612

WHEREAS, the City of Newark on behalf of the Municipal Council advertised an RFQ for Statutory Auditor Services pursuant to N.J.S.A. 40A:5-4 for related accounting and auditing services for the Municipal Council year ending December 31, 2012; and

WHEREAS, two statements for qualifications were received on December 8, 2011, with Samuel Klein and Company (Joseph J. Faccone, Registered Municipal Accountant), 550 Broad Street, Newark, New Jersey 07102, submitting the proposal that was found to be in the best interest of the City of Newark; and

WHEREAS, the Municipal Council of the City of Newark wishes to enter into a contract with Samuel Klein and Company, 550 Broad Street, Newark, New Jersey 07102, who employs registered municipal accountants to provide Statutory Auditor Services and related accounting and auditing services for the Municipal Council, in the amount of \$730,250.00 for the period of January 1, 2012 to December 31, 2012; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for Professional Services without public bidding must be publicly advertised; 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 Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions during the duration of the contract.

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

1. The City Clerk is hereby authorized and directed on behalf of the City of Newark to execute a contract with Samuel Klein and Company, 550 Broad Street, Newark, New Jersey 07102, to provide Statutory Auditor Services pursuant to N.J.S.A. 40A:5-4 for related accounting and auditing services for the Municipal Council, in the amount of \$730,250.00 for the period of January 1, 2012 to December 31, 2012.
2. The Council ratifies this contract for the period of January 1, 2012 to the date of adoption of this resolution.
3. Attached hereto is the Comptroller's Certification, which states the funds in the amount of \$190,000.00 are available in the 2012 Temporary Budget, Fund 011, Agency 020, Organization 0201, Object 7125, the balance to be provided in the 2012 Adopted Budget. The certification shall be filed along with the original resolution and the executed contract in the Office of the City Clerk.
4. This contract is being awarded pursuant to the fair and open procedures of the Pay-to- Play Law N.J.S.A. 19:44A-20.5, and is in compliance with the City of Newark Executive Order on Pay-to-Play Reform, MEO-07-0001.
5. This contract is being awarded without public bidding pursuant to the professional services exception of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), and because these services are to be rendered by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction.
6. The contract will contain language prohibiting any contributions during the term of the contract in violation of any state or local law.
7. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.
8. 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 its passage.

STATEMENT

This resolution ratifies and authorizes the execution of the contract between the City of Newark and Samuel Klein and Company, 550 Broad Street, Newark, New Jersey 07102, to provide Statutory Auditor Services for related accounting and auditing services for the Municipal Council in the amount of \$730,250.00 for the period of January 1, 2012 to December 31, 2012.

