



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-1275, Version: 1

Dept/ Agency: Law

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

Type of Service: Professional Services Contract

Purpose: First Amendment to the Agreement to provide legal services as Conflict Counsel.

Entity Name: Walsh Pizzi O'Reilly Falanga, LLP

Entity Address: 3 Gateway Center, 100 Mulberry Street, 15th Floor, Newark, New Jersey 07102

Contract Amount: Not to exceed \$75,000.00

Funding Source: 2022 Budget/Law Department

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

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

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

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

Additional Information:

Original Resolution 7R6-b adopted on April 27, 2021 awarded a contract in an amount not to exceed \$25,000.00 for the period of January 1, 2021 through December 31, 2021.

This First Amendment will increase the contract amount by \$50,000.00 for a new total contract amount not to exceed \$75,000.00.

WHEREAS, legal services are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, *N.J.S.A. 40A:11-5(1)(a)(i)*; and

WHEREAS, the Municipal Council of the City of Newark, by Resolution 7R6-b, adopted on April 27, 2021, awarded a contract to Walsh Pizzi O'Reilly Falanga, LLP, Three Gateway Center, 100 Mulberry Street, 15th Floor, Newark, New Jersey 07102, to provide Legal Services concerning Conflict Matters, in an amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), for a period of January 1, 2021 through December 31, 2021; and

WHEREAS, Walsh Pizzi O'Reilly Falanga, LLP, exhausted the \$25,000.00 during the contract term and continued to provide legal services at the request of the Corporation Counsel for the remainder of the contract period; and; and

WHEREAS, the outstanding legal invoices require an increase in the total contract amount of \$50,000.00; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding and anticipated legal bills through the remainder of the contract period; and

WHEREAS, the increase of an additional Fifty Thousand Dollars and Zero Cents (\$50,000.00) brings the total contract to an amount not to Seventy-Five Thousand Dollars and Zero Cents

(\$75,00.00), for services provided from January 1, 2021, through December 31, 2021.

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

1. The Mayor and/or his designee, the Corporation Counsel, are authorized on behalf of the City of Newark to execute a First Amendment to the Agreement to Provide Legal Services with Walsh Pizzi O'Reilly Falanga, LLP, Three Gateway Center, 100 Mulberry Street, 15th Floor, Newark, New Jersey 07102, for legal services concerning Conflict Matters for an additional Fifty Thousand Dollars and Zero Cents (\$50,000.00) for a period of January 1, 2021 through December 31, 2021, to cover the outstanding legal bills for a total contract not to exceed Seventy-Five Thousand Dollars (\$75,000.00).
2. The Municipal Council ratifies this First Amendment to the Agreement to provide Legal Services from January 1, 2021 to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. Attached hereto is a Certificate of Funds from the Municipal Comptroller of the City of Newark which states that there are sufficient funds, in the amount of Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the purpose set forth herein. The Certification of Funds shall be filed along with the original resolution in the Office of the City Clerk.
5. A copy of the executed First Amendment to the Agreement to provide Legal Services shall be filed in the Office of the City Clerk by the Corporation Counsel and 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, amends and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement to provide Legal Services for Conflict Counsel matters for an additional Fifty Thousand Dollars and Zero Cents (\$50,000.00) for a total contract amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for the period of January 1, 2021 through December 31, 2021.