



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-0174, Version: 1

**Dept/ Agency:** Economic and Housing Development

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

**Type of Service:** Professional Services Contract

**Purpose:** First Amendment to the Agreement to provide legal services as Redevelopment and Land Use Counsel.

**Entity Name:** Maraziti Falcon, LLP

**Entity Address:** 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078

**Contract Amount:** Not to exceed \$346,147.25

**Funding Source:** 2018 Budget/Department of Economic and Housing Development

**Contract Period:** January 1, 2018 through December 31, 2018

**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:**

Resolution 7R2-b adopted on April 4, 2018 awarded the contact in the amount of \$300,000.00.

The First Amendment increases the contract amount by \$46,147.25, for a new total contract amount not to exceed \$346,147.25.

**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 7R2-b, adopted on April 4, 2018, awarded a contract to Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078,

(the "Firm") to serve as Redevelopment and Land Use Counsel for matters that were currently being handled by the Firm, and any new matters that may arise during the contract term, in an amount not to exceed Three Hundred Thousand Dollars and Zero Cents (\$300,000.00) for the period of January 1, 2018 through December 31, 2018; and

**WHEREAS**, the contract was awarded in compliance with Local Public Contracts Law ( N.J.S.A. 40A:11-5(1)(a)(i)); and through the fair and open process of State Pay-to-Play, and in compliance with the City Contractor Pay-to-Play Reform Ordinance 2:4-22c; and

**WHEREAS**, Maraziti Falcon, LLP, continues to vigorously represent the City of Newark in several cases in which bills have been submitted for the remainder of the 2018 contract year; and

**WHEREAS**, the outstanding legal bills for 2018 and pending legal matters require an increase in the total contract amount; and

**WHEREAS**, Maraziti Falcon, LLP, represents that an additional Forty-Six Thousand One

Hundred Forty-Seven Dollars and Twenty-Five Cents (\$46,147.25), is necessary to cover the cost of legal services performed by the Firm from October 1, 2018, through December 31, 2018; and

**WHEREAS**, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding legal bills from October 1, 2018, through December 31, 2018; and

**WHEREAS**, the approval of an additional Forty-Six Thousand One Hundred and Forty-Seven Dollars and Twenty-Five Cents (\$46,147.25) brings the total contract to an amount not to exceed Three Hundred Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$346,147.25).

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

1. The Mayor and/or his designee, Interim Deputy Mayor/Director of the Department of Economic and Housing Development, are authorized on behalf of the City of Newark to execute a First Amendment to the Agreement with Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, to continue providing the contracted Redevelopment and Land Use Legal Services for an additional Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$46,147.25), for a total contract amount not to exceed Three Hundred Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$346,147.25) to cover the cost of legal services performed by the Firm from October 1, 2018, through December 31, 2018.
2. The Municipal Council hereby ratifies this First Amendment from October 1, 2018 to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. This First Amendment to the Agreement to provide Legal Services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), and Fair and Open Procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, 2:4-22C.
5. Attached is a Certification of Funds from the Director of Finance stating that there are available, sufficient, legally appropriated funds in the amount of Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$46,147.25), 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>
NW026	BS		32100	B2018

6. 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 Interim Deputy Mayor/Director of the Department of Economic and Housing Development and shall be made available for public inspection.

7. 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 Interim Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a First Amendment with Maraziti Falcon, LLP, 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, to provide Legal Services for Redevelopment and Land Use for an additional Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$46,147.25), for a total contract amount not to exceed Three Hundred Forty-Six Thousand One Hundred Forty-Seven Dollars and Twenty-Five Cents (\$346,147.25), to cover the cost of legal services performed by the firm from October 1, 2018, through December 31, 2018).