



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 24-0768, Version: 1

Dept/ Agency: Law

Action: Ratifying Authorizing Amending

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Consent Decree Litigation Matters.

Entity Name: Critchley, Kinum and Luria, LLC

Entity Address: 75 Livingston Avenue, Roseland, New Jersey 07068

Contract Amount: Not to exceed \$100,000.00

Funding Source: 2024 Budget/Law Department/Bus. Unit: NW011, Dept. 040, Div./Proj.: 0401, Acct: 71260, B2024

Contract Period: January 1, 2024 through December 31, 2024

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 is involved in ongoing Legal Matters and has a need to acquire Legal Services; and

WHEREAS, Critchley Kinum & Luria, LLC has agreed to serve as Special Counsel for the City regarding the court-ordered, ongoing federal monitoring of its police department pursuant to a Consent Decree entered into with the United States Department of Justice in 2016; and

WHEREAS, given the complexity and history of this matter, it is more efficient and cost-effective for Critchley Kinum & Luria, LLC to continue representing the City in this matter; and

WHEREAS, Critchley Kinum & Luria, LLC has agreed to provide legal services in this matter at the same rate as the prior contract, and has represented that they are qualified by their training and experience to provide the required legal services, which the Corporation Counsel certifies is essential and necessary to conduct the Department's affairs; and

WHEREAS, the City of Newark wishes to enter into a contract with Critchley Kinum & Luria, LLC to provide Legal Services concerning the Consent Decree Matter, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for a period of January 1, 2024 through December 31, 2024, which shall cover the existing matter currently being handled by Critchley Kinum & Luria, LLC; and

WHEREAS, the actions contemplated by this resolution shall result in the award of a Non-Fair and Open Contract in accordance with the State Pay to Play Law, N.J.S.A. 19:44A-20.5, which has been determined and certified in writing to have a value in excess of \$17,500.00; and,

WHEREAS, this Contract is awarded without competitive bidding as an exception to public

bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i) professional 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 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, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., requires a Resolution of the Governing Body authorizing the award of contracts for professional services and further requires that the contract itself must be available for public inspection; and

WHEREAS, Corporation Counsel has determined and certified in writing that the value of this contract will not exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), Bus. Unit: NW011, Dept. 040, Div./Proj.: 0401, Acct: 71260, B2024; and

WHEREAS, Critchley Kinum & Luria, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that it has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and that the contract will prohibit the Critchley Kinum & Luria, LLC from making any reportable contributions through the term of the contract.

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 execute a contract with Critchley Kinum & Luria, LLC to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2024 through December 31, 2024, which shall cover the existing matter currently being handled by Critchley Kinum & Luria, LLC.
2. This contract is awarded as an open-ended contract; pursuant to N.J.A.C. 5:30-5.5(d)(2). Attached hereto is a partial certification of funds in the amount of Forty-Five Thousand Dollars and Zero Cents (\$45,000.00). A Certification of the Availability of Funds shall be executed each time a purchase order is placed and charged against the following Funding Sources Bus. Unit: NW011, Dept. 040, Div./Proj.: 0401, Acct: 71260.
3. This contract is ratified from January 1, 2024 to the date of adoption of this Resolution.
4. A copy of the executed Agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and same shall be made available for public inspection. The Business Disclosure Entity Certification and the Determination of Value will be placed on file with this Resolution.
5. 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 authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into a contract for Professional Services for Consent Decree Litigation Matters with Critchley Kinum & Luria, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2024 through December 31, 2024.