



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1606, Version: 1

Dept/ Agency: Law

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

Type of Service: Professional Services Contract

Purpose: Legal Services concerning Special Tax Matters and Tax Appeals

Entity Name: Medvin & Elberg, Attorneys at Law

Entity Address: One Gateway Center, 6th Floor, Newark, New Jersey 07102

Contract Amount: Not to exceed \$35,000.00

Funding Source: City of Newark, Law Department

Contract Period: June 1, 2013 through May 31, 2014

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

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

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

Additional Information:

No Action Taken 7R7-c 100213

No Action Taken 7R7-c 101013

WHEREAS, the City of Newark is involved in ongoing legal matters and therefore has a need to acquire legal 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 City of Newark is presently involved in three tax appeals concerning certain City of Newark Watershed properties; and

WHEREAS, Medvin & Elberg, Attorneys at Law, with offices located at One Gateway Center, 6th Floor, Newark, New Jersey 07102, have handled Tax Appeals for the City of Newark and have represented the City of Newark in the three above-mentioned matters; and

WHEREAS, it was found, based upon experience in the area, prior representation of the City in the abovementioned three matters, price and other factors, to be in the best interest of the City of Newark to continue Medvin & Elberg's representation of the City of Newark for the purpose of providing legal services concerning Special Tax Matters and Tax Appeals as they concern the Watershed properties; and

WHEREAS, the City of Newark wishes to enter into a new contract with Medvin & Elberg, Attorneys at Law, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, as well as new matters concerning Watershed properties that may arise during the contract term; 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, this contract is for an amount over \$17,500.00 and is being awarded as a non-fair and open contract and in accordance with the Local Unit Pay-to-Play Law, N.J.S.A. 19:44A-20.5, Executive Order Number MEO-07-0001 (hereinafter “Pay-to-Play Executive Order”), and Contractor Pay-to-Play Ordinance, 6PSF-a, 080112.

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 his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with Medvin & Elberg, Attorneys at Law, One Gateway Center, 6th Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, as well as new matters that may arise during the contract term.
2. The term of this contract shall be June 1, 2013 through May 31, 2014, for such matters that may arise during the contract term.
3. This contract is being awarded pursuant to the non-fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and Contractor Pay-to-Play Ordinance, 6PSF-a, 080112, and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. This professional service contract is awarded pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)).
5. The Municipal Council hereby ratifies the award of this contract from June 1, 2013 to the date of adoption of this Resolution.
6. This is an open-ended contract to be used as needed during the term of the contract. . Attached hereto is a partial Certification of Funds issued by the Chief Financial Officer, City of Newark, which state that there are available sufficient legally appropriated funds for the purposes set forth hereinabove, in the amount of \$17,500.00. The remaining funds for this contract shall be from the 2014 Budget of the Department of Law. There will be no expenditure of funds authorized until a certification of funds is obtained and filed with the City Clerk.
7. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel 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 the adoption of this Resolution.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Corporation Counsel, on behalf of the City to enter into and execute a contract with Medvin & Elberg, Attorneys at Law, One Gateway Center, 6th Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties, in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00), for the period of June 1, 2013 through May 31, 2014..