



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 11-1404, Version: 1

Dept/ Agency: Office of the Mayor

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

Type of Service: Professional Service Contract

Purpose: Per Diem Municipal Public Defender

Entity Name: Law Office of Vito A. Mazza, LLC

Entity Address: 630 Third Avenue, Elizabeth, New Jersey 07202

Contract Amount: \$15,000.00

Funding Source: City of Newark's Budget/Mayor's Office

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

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:

N/A

WHEREAS, the City of Newark is in need of Per Diem Attorneys to serve as Municipal Public Defenders to be assigned to cases in the Newark Municipal Court; and

WHEREAS, the City of Newark desires to enter into a contract with **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**; and

WHEREAS, this contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law (N.J.S.A. 19:44A-20.5); and

WHEREAS, this contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A.:11-5(1)(a)(i)); 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 to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

WHEREAS, the State Local Public Contracts Law, (N.J.S.A. 40A:11-1, et seq.) requires a resolution authorizing the award of contracts for "Professional Services".

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 Chief Municipal Public Defender, are hereby authorized to enter into and execute a Professional Services contract with **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**.
2. This contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law N.J.S.A. 19:44A-20.5.
3. This contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
4. This contract is being awarded as open-ended contract under N.J.A.C. 5:30-5.5(b), and pursuant to N.J.A.C. 5:30-5.5(b)(2), a certification of availability of funds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and **Vito A. Mazza, Esq.** is hereby ratified from **January 1, 2012** through the date of the adoption of this authorizing resolution.
6. The Chief Municipal Public Defender shall file a copy of the fully-executed contract herein authorized in the Office of the City Clerk and it 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 its passage.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a Professional Services contract with **Vito A. Mazza, Esq., Law Office of Vito A. Mazza, LLC., 630 Third Avenue, Elizabeth, New Jersey 07202**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2012** and terminating **December 31, 2012**.

