



Legislation Text

File #: 24-0496, 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 concerning Litigation Defense Matters.

Entity Name: Chasan Lamparello Mallon and Cappuzzo, PC

Entity Address: 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094

Contract Amount: Not to exceed \$184,413.93

Additional Contract Amount: \$59,413.93

Funding Source: 2023 Budget/Law Department

Contract Period: January 1, 2023 through December 31, 2023

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

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

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

Additional Information:

Resolution 7R6-r adopted on December 21, 2022, awarded a contract in an amount not to exceed \$125,000.00, for the period of January 1, 2023 through December 31, 2023.

This First Amendment will increase the contract amount by \$59,413.93, for a new total contract amount not to exceed \$184,413.93.

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, by Resolution 7R6-r, adopted on December 21, 2022 awarded a contract to Chasan Lamparello Mallon and Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094 to provide legal services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$125,000.00), for a period of January 1, 2023 through December 31, 2023; and

WHEREAS, Chasan Lamparello Mallon and Cappuzzo, PC on or about November 2023 expended the \$125,000.00 and continued to provide legal services at the request of the Corporation Counsel for the remainder of the contract period; and

WHEREAS, the outstanding legal invoices require an increase in the total contract amount of \$59,413.93; and

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

WHEREAS, the increase of an additional Fifty-Nine Thousand Four Hundred Thirteen Dollars and Ninety-Three Cents (\$59,413.93), brings the total contract to an amount not to exceed One Hundred Eight-Four Thousand Four Hundred Thirteen Dollars and Ninety-Three Cents (\$184,413.93) for January 1, 2023 through December 31, 2023.

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, on behalf of the City of Newark to enter into and execute a First Amendment to the Agreement to provide legal services with Chasan Lamparello Mallon and Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094, to continue providing legal services concerning Litigation Defense matters for an additional Fifty-Nine Thousand Four Hundred Thirteen Dollars and Ninety-Three Cents (\$59,413.93) for a total contract amount not to exceed One Hundred Eight-Four Thousand Four Hundred Thirteen Dollars and Ninety-Three Cents (\$184,413.93) for the period of January 1, 2023 through December 31, 2023, to cover the outstanding legal invoices from on or about November 01, 2023 - December 31, 2023.
2. The Municipal Council hereby ratifies this First Amendment to the Agreement to provide legal services from November 01, 2023 to the date of the adoption of this Resolution.
3. All other terms and conditions of the Contract shall remain the same.
4. The funds for this First Amendment to the Agreement to provide Legal Services shall be paid from the City of Newark Budget/Law Department, after the issuance of a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Fifty-Nine Thousand Four Hundred Thirteen Dollars and Ninety-Three Cents (\$59,413.93), line NW011, Department 046, Division 0461, Account 71260, Budget 2023 are available in the aforementioned Law Department Budget. The Certification of Funds shall be filed along with the original Resolution in the Office of the City Clerk.
5. The Corporation Counsel shall file a copy of the executed First Amendment to the Agreement to provide legal services herein authorized in the Office of the City Clerk and the same 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 of the City of Newark and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement to provide legal services as counsel for Litigation Defense matters with Chasan Lamparello Mallon and Cappuzzo, PC for an additional \$59,413.93 for a total contract amount not to exceed (\$159,413.93), for the period of January 1, 2023 through December 31, 2023.

