



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-1958, Version: 1

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**Dept/ Agency:** Offices of Municipal Council/City Clerk

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

**Type of Service:** Professional Service Contract

**Purpose:** Legal Services Related to Election Matters

**Entity Name:** DeCotiis, Fitzpatrick & Cole, LLP

**Entity Address:** 500 Frank W. Burr Blvd. Suite 31, Teaneck, New Jersey 07666

**Contract Amount:** \$75,000.00

**Funding Source:** 2013 Office of the City Clerk Budget

**Contract Period:** December 31, 2013 through December 30, 2014

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

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

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

**Additional Information:**

**WHEREAS**, the City of Newark advertised a Request for Qualifications (RFQ) for Legal Services in connection with Election Matters and one (1) proposal was received from DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Blvd. Suite 31, Teaneck, New Jersey 07666; and

WHEREAS, the proposal submitted was found to be responsive to the RFQ and in the best interest of the City of Newark to accept; and

**WHEREAS**, the City of Newark wishes to enter into a contract with DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Blvd. Suite 31, Teaneck, New Jersey 07666, to provide legal services to the Office of the City Clerk in connection with election matters, in an amount not to exceed \$75,000.00, for the period of December 31, 2013 through December 30, 2014; and

**WHEREAS**, this contract is being awarded without public bidding pursuant to the professional services and election exceptions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) and 5(1)(l) because these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys and because these services are necessary or required to prepare and conduct an election; 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 during the duration of the contract. The award of this contract is in compliance with the City of Newark Executive Order on Pay-to-Play Reform, MEO-07-0001 and the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, 080112; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5.

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

1. The City Clerk is hereby authorized to execute a contract with DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Blvd. Suite 31, Teaneck, New Jersey 07666, to provide legal services to the Office of the City Clerk in connection with election matters, in an amount not to exceed \$75,000.00, for the period of December 31, 2013 through December 30, 2014.
2. The Council ratifies this contract for the period of December 31, 2013 to the date of adoption of this resolution.
3. Attached hereto is the Chief Financial Officer's certification which states the funds in the amount of \$75,000.00 are available in the 2013 Adopted Budget, Business Unit NW011, Dept. ID 020, Div./Proj. 0201, Account 71280. The certification shall be filed along with the original resolution and the executed contract in the Office of the City Clerk.
4. This contract is being awarded without public bidding pursuant to the professional services exception of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), and because these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys, and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(L)) because these goods and services are necessary or required to prepare and conduct an election.
5. The contract will contain language prohibiting any contributions in violation of any state or local law or ordinance.
6. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk 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 10 days of its passage.
8. There shall be no amendments or changes of this contract without approval of the Municipal Council and there shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.

**STATEMENT**

This resolution ratifies and authorizes the execution of a professional services contract between the City of Newark, with DeCotiis, Fitzpatrick & Cole, LLP, 500 Frank W. Burr Blvd. Suite 31, Teaneck, New Jersey 07666, to provide legal services to the Office of the City Clerk in connection with election matters, in an amount not to exceed \$75,000.00, for the period of December 31, 2013 to December 30, 2014.

