



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 12-2429, Version: 1

**Dept/ Agency:** Law

**Action:**  Ratifying  Authorizing  Amending

**Type of Service:** Professional Services Contract

**Purpose:** To provide Special Tax Counsel Services

**Entity Name:** Nowell Amoroso Klein Bierman, P.A.

**Entity Address:** 155 Polifly Road, Hackensack, New Jersey 07601

**Contract Amount:** Not to exceed \$300,000.00

**Funding Source:** City of Newark Budget/Law Department

**Contract Period:** January 1, 2013 through December 31, 2013

**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 therefore has a need to acquire legal services; and

**WHEREAS**, the City of Newark issued a Request for Qualifications for Special Tax Matters and Tax Appeals, on or about September 17, 2012; and

**WHEREAS**, the City of Newark received a total of seven (7) proposals in response to its request; and

**WHEREAS**, Nowell Amoroso Klein Bierman, P.A., with offices located at 155 Polifly Road, Hackensack, New Jersey 07601, submitted a proposal and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing legal services concerning Special Tax Matters and Tax Appeals; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Nowell Amoroso Klein Bierman, P.A., to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00), for the period of January 1, 2013 through December 31, 2013, which shall cover those existing matters currently being handled by Nowell Amoroso Klein Bierman, P.A., as well as new matters 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 fair and

open contract pursuant to N.J.S.A. 19:44A-20.5; 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.

**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 Nowell Amoroso Klein Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601, to provide legal services concerning Special Tax Matters and Tax Appeals in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00), for the period of January 1, 2013 to December 31, 2013, which shall cover those existing matters currently being handled by Nowell Amoroso Klein Bierman, P.A., as well as new matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2013 through December 31, 2013, for such matters that may arise during the contract term.
3. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. The Municipal Council hereby ratifies the award of this contract from January 1, 2013 to the date of adoption of this Resolution.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. Funds for this contract in this amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) shall be provided from the City of Newark Budget, Law Department.
6. 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.
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 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 Nowell Amoroso Klein Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00), for the period of January 1, 2013 through December 31, 2013.