



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 17-2123, Version: 1

Dept/ Agency: Law

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

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Conflict Counsel Services

Entity Name: Florio Kenny Raval, L.L.P.

Entity Address: 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030

Contract Amount: An amount not to exceed \$50,000.00

Funding Source: City of Newark Budget/ Law Department

Contract Period: January 1, 2018 through December 31, 2018

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

(X) Fair & Open () No Reportable Contributions () RFP (X) 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, 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 issued a Request for Qualifications (RFQ) for Conflict Counsel Services on or about October 27, 2017; and

WHEREAS, the City of Newark received a total of fifteen (15) proposals in response to its request; and

WHEREAS, Florio Kenny Raval, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030, 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 Conflict Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with Florio Kenny Raval, L.L.P., to provide legal services concerning Conflict Counsel Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for a period of January 1, 2018 through December 31, 2018, which shall cover those existing matters currently being handled Florio, Kenny & Raval, LLP 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 Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal and County of Essex Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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 Acting Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with Florio Kenny Raval, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030, to provide legal services concerning Conflict Counsel Matters in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2018 through December 31, 2018, which shall cover those existing matters currently being handled by Florio Kenny Raval, LLP as well as new matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2018 through December 31, 2018, 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)).
4. This is a contract which shall be awarded in one fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly, this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect. New Jersey Administrative Code 5:30-5.5(e). Funds for this contract in the amount not to exceed \$50,000.00 shall be provided from the City of Newark Budget, Law Department.
5. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Acting Corporation Counsel and 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 and authorizes the Mayor of the City of Newark and his designee, the Acting Corporation Counsel, to enter into a contract for legal services for Conflict Counsel Matters with Florio Kenny Raval, L.L.P., 5 Marine View Plaza, Suite 103, P.O. Box 771, Hoboken, New Jersey 07030, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2018 to December 31, 2018.