



Legislation Text

File #: 20-1433, Version: 1

Dept./ Agency: Law

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

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Labor and Employment Defense Matters.

Entity Name: Law Offices of Yvette Gibbons, LLC

Entity Address: 4 South Orange Avenue, #139, South Orange, New Jersey 07079

Contract Amount: Not to exceed \$50,000.00

Funding Source: 2021 Budget/Law Department

Contract Period: January 1, 2021 through December 31, 2021

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 (the "City") 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's Corporation Counsel caused to be published on the City of Newark's website a Notice of Request for Qualifications (RFQ) for Labor and Employment Counsel Services on or about September 21, 2020; and

WHEREAS, the City received a total of sixteen (16) proposals in response to the RFQ for Labor and Employment Counsel Services; and

WHEREAS, the Law Offices of Yvette Gibbons LLC, 4 South Orange Avenue, #139, South Orange, New Jersey 07079 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 Labor and Employment Defense Matters; and

WHEREAS, the City wishes to enter into a contract with the Law Offices of Yvette Gibbons LLC to provide Legal Services concerning Labor and Employment Defense Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2021 through December 31, 2021, which shall cover those existing matters currently being handled by the Law Offices of Yvette Gibbons LLC, 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, Newark, New Jersey, Municipal Code § 2:4-22C, 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 and/or his designee, the Corporation Counsel, are authorized on behalf of the City of Newark to enter into and execute a contract with the Law Offices of Yvette Gibbons LLC, 4 South Orange Avenue, #139, South Orange, New Jersey 07079, to provide legal services concerning Labor and Employment Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2021 through December 31, 2021, which shall cover those existing matters currently being handled by the Law Offices of Yvette Gibbons LLC, as well as, new matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2021 through December 31, 2021.
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 the City of Newark's Contactor Pay-to-Play Reform Ordinance, Newark, New Jersey Municipal Code § 2:4-22C.
4. This is a contract which shall be awarded in one (1) 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, pursuant to N.J.A.C. 5:30-5.5(e). Funds for this contract in the amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), shall be provided from the City of Newark 2021 Budget, Law Department.
5. A copy of the executed agreement, herein authorized, shall be filed in the Office of the City Clerk by the 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.

7. There shall be no amendment or change to this resolution without the approval of Municipal Council.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute a contract for Legal Services for Labor and Employment Matters with the Law Offices of Yvette Gibbons LLC, 4 South Orange Avenue, #139, South Orange, New Jersey 07079 in an amount not to exceed \$50,000.00, for the period of January 1, 2021 through December 31, 2021.