



Legislation Text

File #: 22-0851, Version: 1

Dept/ Agency: Law

Action: Ratifying Authorizing Amending

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Environmental Matters.

Entity Name: Decotiis, Fitzpatrick, Cole, Giblin, LLP

Entity Address: 61 South Paramus Road, Paramus, New Jersey 07652

Contract Amount: Not to exceed \$100,000.00

Funding Source: 2022 Budget/Law Department

Contract Period: January 1, 2022 through December 31, 2022

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 (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, on or about September 10, 2021, the City’s Corporation Counsel caused to be published on the City of Newark’s website, a Notice of Request for Qualifications (RFQ) for Environmental Counsel Services on September 22, 2021, issued an addendum; and

WHEREAS, the City received a total of four (4) proposals in response to the RFQ for Environmental Counsel Services; and

WHEREAS, Decotiis, Fitzpatrick, Cole, Giblin, LLP, 61 South Paramus Road, Paramus, New Jersey 07652, 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 Environmental Counsel Services; and

WHEREAS, the City wishes to enter into a contract with Decotiis, Fitzpatrick, Cole, Giblin, LLP to provide legal services concerning Environmental Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for a period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Decotiis, Fitzpatrick, Cole, Giblin, 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 is in compliance with State Pay-to-Play and the City's Pay-to-Play Ordinance.

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, are authorized on behalf of the City of Newark to enter into and execute a contract with Decotiis, Fitzpatrick, Cole, Giblin, LLP, 61 South Paramus Road, Paramus, New Jersey 07652, to provide legal services concerning Environmental Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Decotiis, Fitzpatrick, Cole, Giblin, LLP, as well as new matters that may arise during the contract term.
2. The contract is ratified from January 1, 2022 through the date of adoption of this authorizing Resolution.
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's Ordinance on Pay-to-Play.
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states available partial funds in the amount Fifty Thousand Dollars and Zero Cents (\$50,000.00), are available in the 2022 Temporary Budget, the balance to be provided in the 2022 Adopted Budget. The Certification shall be filed, along with the original Resolution and the executed contract in the Office of the City Clerk. For the purposes set forth herein and the line appropriations which shall be charged are as follows:

<u>Bus. Unit</u>	<u>Dept. ID</u>	<u>Div/Proj.</u>	<u>Acct.#</u>	<u>Bud. Ref.</u>
NW 011	040	0401	71260	2022

5. The Corporation Counsel shall file a copy of the executed Agreement herein authorized in the Office of the City Clerk and 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 authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into and execute a contract for legal services for Environmental Matters with Decotiis, Fitzpatrick, Cole, Giblin, LLP, 61 South Paramus Road, Paramus, New Jersey 07652, in an amount not to exceed \$100,000.00, for the period of January 1, 2022 through December 31, 2022.