



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 16-0036, Version: 1

Dept. / Agency: Law

Action: Ratifying Authorizing Amending

Type of Service: Professional Services Contract

Purpose: Legal Services - Special Tax Counsel

Entity Name: O'Donnell McCord, P.C.

Entity Address: 15 Mount Kemble Avenue, Morristown, New Jersey 07960

Contract Amount: \$50,000.00

Funding Source: City of Newark Budget, Law Department

Contract Period: January 1, 2016 through December 31, 2016

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, 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 Corporation Counsel of the City of Newark caused to be published on the City of Newark's website, a Notice of a Request for Qualifications ("RFQ") for Special Tax Counsel Services on or about October 27, 2015; and

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

WHEREAS, O'Donnell McCord, PC, located at 15 Mount Kemble Avenue, Morristown, New Jersey 07960, submitted a proposal and it was found to be in the best of interest of the City of Newark to accept the proposal for the purpose of providing legal services concerning Special Tax Matters; and

WHEREAS, the City of Newark wishes to enter into a contract with O'Donnell McCord, PC, to provide legal services concerning Special Tax Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2016 to December 31, 2016, for any 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, R.O. 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 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 Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with O'Donnell McCord, PC to provide legal services concerning Special Tax Matters, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), for the period of January 1, 2016, to December 31, 2016, which shall cover new matters that may arise during the contract term.
2. The term of the contract shall be January 1, 2016 to December 31, 2016.
3. The contract is ratified from January 1, 2016 to the date of adoption of this resolution.
4. 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)).
5. Attached is a Certification of Funds from the Chief Financial Officer certifying that there are sufficient, available and appropriated funds for the purposes set forth herein. The Certification shall be filed, along with the original resolution and the executed contract, in the Office of the City Clerk.
6. 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.
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 of the City of Newark and/or his designee, the Corporation Counsel, to enter into a contract for legal services for Special Tax Counsel Services with O'Donnell McCord, PC, 15 Mount Kemble Ave., Morristown, New Jersey, 07960 in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2016, through December 31, 2016.

