



## Legislation Text

File #: 23-1916, Version: 1

**Dept./ Agency:** Law

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

**Type of Service:** Professional Services Contract

**Purpose:** First Amendment to Agreement to provide legal services concerning Labor and Employment Matters.

**Entity Name:** Jalloh and Jalloh, LLC, formerly known as Schaffer, Shain Jalloh, PC

**Entity Address:** 21 W. Blancke Street, 2<sup>nd</sup> Floor, Linden, New Jersey 07036

**Contract Amount:** Not to exceed \$140,000.00

**Funding Source:** 2023 Budget/Law Department

**Contract Period:** January 1, 2023 through December 31, 2023

**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:**

The Original Resolution 7R6-a(S) awarded a contract to Schaffer, Shain, Jalloh, PC, this entity has now filed for dissolution and will be defunct.

The New entity will be known as Jalloh and Jalloh, LLC.

This First Amendment will increase the amount of contract by \$65,000.00, for a new total contract amount not to exceed \$140,000.00, for the period of January 1, 2023 through December 31, 2023.

**WHEREAS**, Legal Services are Professional Services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically N.J.S.A. 40A:11-5(1)(a)(i); and

**WHEREAS**, the Municipal Council by Resolution 7R6-a(S), adopted on December 13, 2022, awarded a contract to Schaffer, Shain, Jalloh, PC, 21 W. Blancke Street, 2<sup>nd</sup> Floor, Linden, New Jersey 07036, (the "Firm") to serve as Labor and Employment Counsel for the City of Newark, (the "City"); and

**WHEREAS**, Shaffer, Shain, Jalloh, PC dissolved as a corporate entity on or about July 31, 2023 and resumed business as Jalloh and Jalloh, LLC and the City wishes to amend the contract for Labor and Employment Counsel Service to reflect the correct contracting entity; and

**WHEREAS**, Jalloh and Jalloh, LLC continue to serve as Labor and Employment Counsel and have matters that are currently being handled by the Firm and any new matters that may arise during the contract term, in an amount not to exceed Four Hundred Fifty Thousand Dollars and Zero Cents (\$75,000.00), for the period of January 1, 2023 through December 31, 2023; and

**WHEREAS**, the contract was awarded in compliance with Local Public Contracts Law, and through the fair and open process of State Pay-to-Play, and in compliance with Reform Ordinance

2:4-22C.1; and

**WHEREAS**, Jalloh and Jalloh, LLC currently have outstanding legal bills for 2023 and pending legal matters; and

**WHEREAS**, Jalloh and Jalloh, LLC continue to vigorously represent the City in several matters for which Jalloh and Jalloh, LLC will submit bills for the remainder of the Contract year; and

**WHEREAS**, the outstanding legal bills for 2023 and pending legal matters require an increase in the total contract amount; and

**WHEREAS**, Jalloh and Jalloh, LLC, represents that an additional Sixty- Five Thousand Dollars and Zero Cents (\$65,000.00), is necessary for the Firm to continue to provide legal services through December 31, 2023; and

**WHEREAS**, the requested increase in the total contract amount is deemed reasonable and necessary to pay for legal services provided through December 31, 2023; and

**WHEREAS**, the increase of an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00) brings the total contract to an amount not to exceed One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), for January 1, 2023 through December 31, 2023.

**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 enter into and execute a First Amendment to the Agreement to provide legal sServices with Jalloh and Jalloh, LLC, 21 W. Blancke Street, 2nd Floor, Linden, New Jersey 07036, provided through December 31, 2023 as Labor and Employment Counsel, for an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), for a total contract amount not to exceed One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), for the period of January 1, 2023 through December 31, 2023, to cover outstanding bills, ongoing litigation and new matters that may arise during the term of the contract.
2. The Municipal Council hereby ratifies this First Amendment of the Agreement from July 31, 2023 to the date of the adoption of this resolution.
3. All other terms and conditions of the contract shall remain the same.
4. This First Amendment to the Agreement to provide Legal Services is made in accordance with the Professional Services Exception to public bidding in the Local Public Contracts Law ( N.J.S.A. 40A:11-5(1)(a)(i)), the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, 2:4-22C.1.
5. The funds for this First Amendment to the Agreement to provide Legal Services shall be paid from the City of Newark Budget/Law Department, after the issuance of a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Sixty-Five Thousand

Dollars and Zero Cents (\$65,000.00), line NW011, Department 040, Division 0401, Account 71260, Budget 2021 are available in the aforementioned Law Department Budget. The Certification of Funds shall be filed along with the original Resolution in the Office of the City Clerk.

6. A copy of the executed First Amendment to the Agreement to provide Legal Services herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/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 the resolution.

### **STATEMENT**

This Resolution ratifies, amends and authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement with Jalloh and Jalloh, LLC, 21 W. Blancke Street, 2nd Floor, Linden, New Jersey 07036, provided through December 31, 2023 as Labor and Employment Counsel, for an additional Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), for a total contract amount not to exceed One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), for the period of January 1, 2023 through December 31, 2023, to cover outstanding bills, ongoing litigation and new matters that may arise during the term of the contract.