



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 14-2187, Version: 1

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**Dept/ Agency:** Law

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

**Type of Service:** Professional Services Contract

**Purpose:** Legal Services Special Tax Counsel

**Entity Name:** Nowell Amoroso Klein Bierman, P.A.

**Entity Address:** 155 Polifly Road, Hackensack, New Jersey 07601

**Contract Amount:** An amount not to exceed \$175,000.00

**Funding Source:** 2015 City of Newark Budget, Law Department

**Contract Period:** January 1, 2015 through December 31, 2015

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

( ) 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 Corporation Counsel of the City of Newark caused to be published on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Special Tax Matters and Tax Appeals, on or about October 31, 2014; and

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

**WHEREAS**, Nowell Amoroso Klein Bierman, P.A., with offices located at 155 Polifly Road, Hackensack, New Jersey 07601, 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 Special Tax Matters and Tax Appeals; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Nowell Amoroso Klein Bierman, P.A., to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00), for the period of January 1, 2015 through December 31, 2015, which shall cover those existing matters currently being handled by Nowell Amoroso Klein Bierman, P.A., 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 Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter “Pay-to-Play Executive Order”), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract  
; 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 Nowell Amoroso Klein Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601, to provide legal services concerning Special Tax Matters and Tax Appeals in an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00), for the period of January 1, 2015 to December 31, 2015, which shall cover those existing matters currently being handled by Nowell Amoroso Klein Bierman, P.A., as well as new matters that may arise during the contract term.
2. The term of this contract shall be January 1, 2015 through December 31, 2015, 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)); is in compliance with Executive Order MEO-07-0001, effective March 31, 2007; and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
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 \$175,000.00, shall be provided from the City of Newark Budget, Law Department.

5. A copy of the executed contract 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.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Corporation Counsel, on behalf of the City to enter into and execute a contract with Nowell Amoroso Klein Bierman, P.A., 155 Polifly Road, Hackensack, New Jersey 07601, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed One Hundred Seventy-Five Thousand Dollars (\$175,000.00), for the period of January 1, 2015 through December 31, 2015.