



## Legislation Text

File #: 22-0674, Version: 1

**Dept./ Agency:** Law

**Action:**  Ratifying  Authorizing  Amending

**Type of Service:** Professional Services Contract

**Purpose:** To provide legal services concerning Redevelopment/Land Use matters.

**Entity Name:** Michael A. Armstrong and Associates, LLC

**Entity Address:** Willingboro, New Jersey 08046

**Contract Amount:** Not to exceed \$25,000.00

**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 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 Redevelopment/Land Use Counsel Services on or about September 10, 2021; and

**WHEREAS**, the City of Newark received a total of nine (9) proposals in response to the RFQ for Redevelopment/Land Use Counsel Services; and

**WHEREAS**, Michael A. Armstrong and Associates, LLC, 79 Mainbridge Lane, Willingboro, New Jersey 08046, 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 Redevelopment/Land Use Counsel Services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Michael A. Armstrong and Associates, LLC, to provide Legal Services concerning Redevelopment/Land Use Matters in an amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), for a period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Michael A. Armstrong and Associates, 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 \$17,750.00 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 execute a contract with Michael A. Armstrong and Associates, LLC, 79 Mainbridge Lane, Willingboro, New Jersey 08046, to provide Legal Services concerning Redevelopment/Land Use Matters, in an amount not to exceed Twenty-Five Thousand Dollars and Zero Cents (\$25,000.00), for the period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Michael A. Armstrong and Associates, LLC as well as new matters that may arise during the contract term.
2. 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 State Pay-to-Play and the City's Pay-to-Play Ordinance.
3. Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is the Comptroller's partial Certification of Funds which states that funds in the amount of \$6,250.00 are available in the 2022 Temporary Budget under Business Unit: NW011, Department ID: 040, Division: 0401, Account: 71260. The Certification shall be filed along with the original resolution in the Office of the City Clerk. The remainder of the funding for this contract will be subject to appropriation in the 2022 Budget and funds will be certified prior to services being provided by the contractor.
4. Pursuant to N.J.S.A. 27:25-17, any and all debts, expenses or obligations incurred by the City shall be payable only from funds available to the City of Newark, and no liability or obligation shall be incurred by the City of Newark beyond the extent to which monies are available.
5. The contract is ratified from January 1, 2022, to the date of adoption of this authorizing resolution.
6. The Corporation Counsel shall file a copy of the executed Agreement herein authorized in the Office of the City Clerk and the same 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 Services for Redevelopment/Land Use Matters with Michael A. Armstrong and Associates, LLC, 79 Mainbridge Lane, Willingboro, New Jersey 08046, in an amount not to exceed \$25,000.00, for the period of January 1, 2022 through December 31, 2022.