



## Legislation Details (With Text)

**File #:** 12-2436      **Version:** 2      **Name:** Best Best Litigation Def  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/24/2012      **In control:** Law  
**On agenda:** 2/6/2013      **Final action:** 2/20/2013  
**Title:** Dept/ Agency: Law  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Professional Services Contract  
Purpose: Special Tax Matters and Tax Appeals Legal Services  
Entity Name: Best, Best & Krieger, LLP  
Entity Address: 2000 Pennsylvania Avenue, N.W., Suite 4300, Washington, DC 20006  
Contract Amount: Not to exceed \$75,000.00  
Funding Source: City of Newark Budget, Law Department  
Contract Period: January 1, 2013 to December 31, 2013  
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS  
☒ Fair & Open ☒ No Reportable Contributions ☐ RFP ☒ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a  
Additional Information:  
Deferred to Special 7R7-n 020613  
Deferred 7R7-a (s) 021413

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
2/20/2013	1	Municipal Council	Adopt	Pass
2/14/2013	1	Municipal Council	Defer	Pass
2/6/2013	1	Municipal Council	Defer to a Special Meeting	Pass

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**WHEREAS,** the City of Newark is involved in ongoing legal matters and therefore has a need

to acquire legal services; and

**WHEREAS**, the City of Newark issued a Request for Qualifications for Special Tax Matters on or about September 17, 2012; and

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

**WHEREAS**, Best, Best & Krieger, LLP, with offices located at 2000 Pennsylvania Avenue, NW, Suite 4300, Washington, DC 20006 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 Best, Best & Krieger, LLP, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed Twenty Five Thousand Dollars (\$75,000.00), for the period of January 1, 2013 to December 31, 2013, which shall cover those existing matters currently being handled by Best, Best & Krieger, 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 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.

**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 his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a contract with Best, Best & Krieger, LLP, 2000 Pennsylvania Avenue, N.W., Suite 4300, Washington, DC 20006, to provide legal services concerning special tax matters in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00), for the period of January 1, 2013 to December 31, 2013 which shall cover those existing matters currently being handled by Best, Best & Krieger, LLP as well as new matters that may arise during the contract term.

2. The term of this contract shall be January 1, 2013 to December 31, 2013 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)) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.

4. The Municipal Council hereby ratifies the award of this contract from January 1, 2013 to the

date of adoption of this Resolution.

5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed, covering the amount of the order. Funds for this contract in an amount not to exceed \$75,000.00 shall be provided from the City of Newark Budget, Law Department.

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 authorizes the Mayor of the City of Newark and his designee, the Corporation Counsel, to enter into a contract for legal services for Special Tax Matters and Tax Appeals with Best, Best & Krieger, LLP, 2000 Pennsylvania Avenue, NW, Suite 4300, Washington, DC 20006, in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00), for the period of January 1, 2013 to December 31, 2013.