Legislation Details (With Text)

File #:	13-2355	**Version:** 1	**Name:**	Municipal Prosecutor Multi-vendor contract 2014	
Type:	Resolution		**Status:**	Filed	
File created:	12/6/2013		**In control:**	Law	
On agenda:	12/18/2013		**Final action:**	12/18/2013	

Title: Dept/ Agency: Law
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Professional Services Contract
Purpose: Special Municipal Prosecutor Services
Entity Name: Multiple Vendors listed below
Entity Address: See below
Contract Amount: A cumulative amount not to exceed $126,000.00
Funding Source: 2014 City of Newark Budget, Law Department
Contract Period: January 1, 2014 through December 31, 2014
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS
(X) Fair & Open (X) No Reportable Contributions ( ) RFP (X) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
Additional Information:
a. John Zunic, 216 Anderson Avenue, Fairview, New Jersey 07022;
b. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
c. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
d. Cherelle C. Tolor, Esq., d/b/a Law Office of Cherelle C. Tolor, LLC, 28 Sherman Place, Irvington, New Jersey 07111;
e. Andrew B. Vallejos, Esq., d/b/a Law Offices of Andrew B. Vallejos, P.C., 200 Mercer Street (Route 33), Suite D, Hightstown, New Jersey 08520;
f. Gisel J. Ortiz, Esq., d/b/a Law Offices of Gisel J. Ortiz, LLC, 17 Academy Street, Suite 615, Newark, New Jersey 07102; and
g. Daniel A. Serratelli, Esq. 172 New York Avenue, Newark, New Jersey 07105;

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/18/2013	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark operates a Municipal Court and has a need to engage attorneys as Special Municipal Prosecutors; and

WHEREAS, legal services are professional services which are exceptions to the requirement of public advertisement and bidding pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the City of Newark is desirous of acquiring such legal services as fair and open contracts pursuant to the provisions of the Local Pay- to-Play Statute, N.J.S.A. 19:44A-20.5; and

WHEREAS, the City of Newark issued a Request for Qualifications for Municipal Prosecutor Services on or about September 17, 2012; and

WHEREAS, eleven (11) vendor packages were picked up for consideration for the Special Municipal Prosecutor contract; and

WHEREAS, the City of Newark received a total of nine (9) proposals in response to its request; and

WHEREAS, the City of Newark wishes to award a multiple-vendor contract for the period from January 1, 2014 through December 31, 2014, to be used in the City of Newark's sole discretion on an "as needed" basis during the term of the contract; and

WHEREAS, the cumulative amount of compensation for all of the vendors awarded contracts under this multiple award contract shall not exceed One Hundred Twenty-Six Thousand Dollars ($126,000.00) for the contract term; and

WHEREAS, each vendor shall expressly acknowledge and agree that services may be required from any and/or all of the single vendors with no single vendor receiving any promise or guarantee of minimum compensation except for a flat daily fee of $250.00 per session should such service be required; and

WHEREAS, seven (7) vendors submitted responses found, based upon qualifications, price and other factors, to be in the best interest of the City of Newark to accept for the purposes of providing legal services as Special Municipal Prosecutors; and

WHEREAS, the City of Newark wishes to enter into contracts with the following seven (7) vendors in a multiple vendor award for the period of January 1, 2014 through December 31, 2014:

1. John Zunic, 216 Anderson Avenue, Fairview, New Jersey 07022;
2. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
3. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
4. Cherelle C. Tolor, Esq., d/b/a Law Office of Cherelle C. Tolor, LLC, 28 Sherman Place, Irvington, New Jersey 07111;
5. Andrew B. Vallejos, Esq., 200 Mercer Street (Route 33), Suite D, Hightstown, New Jersey 08520;
6. Gisel J. Ortiz, Esq., d/b/a Law Offices of Gisel J. Ortiz, LLC, 17 Academy Street, Suite 615, Newark, New Jersey 07102; and
7. Daniel A. Serratelli, Esq. 172 New York Avenue, Newark, New Jersey 07105;

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 public bidding must be published in a local newspaper; and

WHEREAS, each vendor has completed and submitted Political Contribution Disclosure Form which certifies that each has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and that the contract will prohibit each vendor from making any prohibited contributions through the term of the contract; and

WHEREAS, this contract 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.

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6PSF-a, August 1, 2012, 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 contracts with the following vendors to provide legal services in the capacity as Special Municipal Prosecutor:

a. John Zunic, 216 Anderson Avenue, Fairview, New Jersey 07022;
b. Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079;
c. Steven R. Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020;
d. Cherelle C. Tolor, Esq., d/b/a Law Office of Cherelle C. Tolor, LLC, 28 Sherman Place, Irvington, New Jersey 07111;
e. Andrew B. Vallejos, Esq., 200 Mercer Street (Route 33), Suite D, Hightstown, New Jersey 08520;
f. Gisel J. Ortiz, Esq., d/b/a Law Offices of Gisel J. Ortiz, LLC, 17 Academy Street, Suite 615, Newark, New Jersey 07102; and
g. Daniel A. Serratelli, Esq. 172 New York Avenue, Newark, New Jersey 07105;

2. This is a multiple award contract and no vendor shall have any expectation as to minimum compensation under this multiple award.

3. Services may be required from any and/or all of the single vendors; however, the cumulative amount of compensation for all of the vendors shall not exceed One Hundred and Twenty-Six Thousand Dollars ($126,000.00) for the period of January 1, 2014 to December 31, 2014.

4. These contracts are 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 and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pa- to-Play Reform Ordinance, PSF-a, August 1, 2012.

5. 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 multiple vendor contract in a cumulative amount not to exceed One Hundred Twenty-Six Thousand Dollars ($126,000.00) shall be provided by the 2014 City of Newark Budget, Law Department.

6. A copy of the executed agreements 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 and ratifies the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into an open-ended multiple vendor contract with John Zunic, 216 Anderson Avenue, Fairview, New Jersey 07022; Gracia Robert Montilus, Esq., d/b/a GRM Legal Works LLC, 76 South Orange Avenue, Suite 109, South Orange, New Jersey 07079; Steven R.

Hummell, Esq., 1055 River Road, Edgewater, New Jersey 07020; Cherelle C. Tolor, Esq., d/b/a Law Office of Cherelle C. Tolor, LLC, 28 Sherman Place, Irvington, New Jersey 07111; Andrew B. Vallejos, Esq., 200 Mercer Street (Route 33), Suite D, Hightstown, New Jersey 08520; Gisel J. Ortiz, Esq., d/b/a Law Offices of Gisel J. Ortiz, LLC, 17 Academy Street, Suite 615, Newark, New Jersey 07102; and Daniel A. Serratelli, Esq. 172 New York Avenue, Newark, New Jersey 07105, to provide legal services in the capacity as Special Municipal Prosecutors in a cumulative amount not to exceed One Hundred Twenty-Six Thousand Dollars ($126,000.00), for the period of January 1, 2014 through December 31, 2014.

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