



## Legislation Details (With Text)

**File #:** 14-2199      **Version:** 1      **Name:** Professional Services Contract ( Special Tax Counsel - Watershed) - Medvin & Elberg  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/19/2014      **In control:** Law  
**On agenda:** 1/7/2015      **Final action:** 1/7/2015

**Title:** Dept/ Agency: Law  
Action: (X) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: Legal Service -Special Tax Counsel - Watershed  
Entity Name: Medvin & Elberg, Attorneys at Law  
Entity Address: One Gateway Center, 6th Floor, Newark, New Jersey 07102  
Contract Amount: An amount not to exceed \$50,000.00  
Funding Source: 2015 City of Newark Budget, Law Department  
Contract Period: January 1, 2015 - December 31, 2015  
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:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
1/7/2015	1	Municipal Council	Adopt	Pass

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**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 for Special Tax Counsel Services - Watershed ("RFQ") on or about October 31, 2014; and

**WHEREAS**, the City of Newark received a total of five (5) proposals in response to the RFQ; and

**WHEREAS**, Medvin & Elberg, Attorneys at Law, with offices located at One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, have previously handled Tax Appeals for the City of Newark and has represented the City of Newark with regard to theabovementioned matters; and

**WHEREAS**, it was found, based upon experience in the area, prior representation of the City in the abovementioned matters, price and other factors, to be in the best interest of the City of Newark to continue Medvin & Elberg's, Attorneys at Law, representation of the City of Newark for the purpose of providing legal services concerning Special Tax Matters and Tax Appeals as they concern the Watershed properties; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Medvin & Elberg, Attorneys at Law, to provide legal services concerning Special Tax Matters and Tax Appeals, in an amount not to exceed **Fifty Thousand Dollars (\$50,000.00)**, for the period of January 1, 2015 through December 31, 2015, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, as well as new matters concerning Watershed properties 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 Medvin & Elberg, Attorneys at Law, One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties in an amount not to exceed **Fifty Thousand Dollars (\$50,000.00)**, for the period of January 1, 2015 to December 31, 2015, which shall cover those existing matters currently being handled by Medvin & Elberg, Attorneys at Law, 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)) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. 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 this amount not to exceed Fifty Thousand Dollars (\$50,000.00) 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 ratifies and authorizes the Mayor and/or his designee, the Corporation Counsel, on behalf of the City to enter into and execute a contract with Medvin & Elberg, Attorneys at Law, One Gateway Center, 6<sup>th</sup> Floor, Newark, New Jersey 07102, to provide legal services concerning Special Tax Matters and Tax Appeals as they concern Watershed properties, in an amount not to exceed **Fifty Thousand Dollars (\$50,000.00)**, for the period of January 1, 2015 through December 31, 2015