



## Legislation Details (With Text)

**File #:** 14-2169      **Version:** 1      **Name:** Philippe P. Kouassi, Esq.  
**Type:** Resolution      **Status:** Filed  
**File created:** 12/17/2014      **In control:** Mayor's Office  
**On agenda:** 4/15/2015      **Final action:** 4/15/2015  
**Title:** Dept/ Agency: Office of the Mayor/Municipal Court  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Service Contract  
Purpose: To serve as a Per Diem Municipal Public Defender for the Newark Municipal Court representing indigent defendants  
Entity Name: Philippe P. Kouassi, Esq.  
Entity Address: 24 Commerce Street - Suite 1420, Newark, New Jersey 07102  
Contract Amount: \$17,000.00  
Funding Source: City of Newark Budget/Office of the Mayor  
Contract Period: Upon adoption for a term not to exceed one (1) year  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
**Sponsors:** Council of the Whole

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
4/15/2015	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Office of the Mayor/Municipal Court  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Professional Service Contract  
**Purpose:** To serve as a Per Diem Municipal Public Defender for the Newark Municipal Court representing indigent defendants  
**Entity Name:** Philippe P. Kouassi, Esq.  
**Entity Address:** 24 Commerce Street - Suite 1420, Newark, New Jersey 07102  
**Contract Amount:** \$17,000.00  
**Funding Source:** City of Newark Budget/Office of the Mayor  
**Contract Period:** Upon adoption for a term not to exceed one (1) year  
**Contract Basis:** ( ) Bid ( ) State Vendor (X) 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 in need of Per Diem Attorneys to serve as Municipal Public Defenders to be assigned to cases in the Newark Municipal Court; and

**WHEREAS**, the City of Newark desires to enter into a contract with **Philippe P. Kouassi, Esq., 24 Commerce Street - Suite 1420, Newark, New Jersey 07102**, to serve as a Per Diem Municipal Public

Defender for the Newark Municipal Court, Representing indigent defendants, for an amount not to exceed **\$17,000.00**, for the period commencing upon adoption for a term of one (1) year; and

**WHEREAS**, this contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, this contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A.:11-5(1)(a)(i); 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; and

**WHEREAS**, the State Local Public Contracts Law, (N.J.S.A. 40A:11-1, et seq.) requires a resolution authorizing the award of contracts for “Professional Services”.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Chief Municipal Public Defender, are hereby authorized to enter into and execute a Professional Services contract with **Philippe P. Kouassi, Esq., 24 Commerce Street - Suite 1420, Newark, N.J. 07102**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$17,000.00**, for the period commencing upon adoption for a term of one (1) year.
2. This contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law N.J.S.A. 19:44A-20.5.
3. This contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
4. This contract is being awarded as open-ended contract under N.J.A.C. 5:30-5.5(b), and pursuant to N.J.A.C. 5:30-5.5(b)(2), a certification of availability of funds shall be executed each time services are used and charged against this contract.
5. The Chief Municipal Public Defender shall file a copy of the fully-executed contract herein authorized in the Office of the City Clerk and it 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 10 days of its passage.

**STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a professional services contract with **Philippe P. Kouassi, Esq.**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed **\$17,000.00**, for the period commencing upon adoption for a term of one (1) year.