



Legislation Details (With Text)

File #: 12-1916 **Version:** 2 **Name:** Masiel Valentin, Esq. (Per Diem Public Defender) (2013)
Type: Resolution **Status:** Returned to Administration
File created: 9/13/2012 **In control:** Mayor's Office
On agenda: 3/20/2013 **Final action:** 3/20/2013

Title: Dept/ Agency: Office of the Mayor
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Service Contract
Purpose: Per Diem Municipal Public Defender
Entity Name: Masiel Valentin, Esq.
Entity Address: 349 Summer Avenue-Lower Level, Newark, New Jersey 07104
Contract Amount: \$15,000.00
Funding Source: Office of the Mayor
Contract Period: January 1, 2013 through 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:

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/20/2013	2	Municipal Council	Returned to Administration	Pass

Dept/ Agency: Office of the Mayor
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Service Contract
Purpose: Per Diem Municipal Public Defender
Entity Name: Masiel Valentin, Esq.
Entity Address: 349 Summer Avenue-Lower Level, Newark, New Jersey 07104
Contract Amount: \$15,000.00
Funding Source: Office of the Mayor
Contract Period: January 1, 2013 through 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:

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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an

amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**; 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 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 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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**.
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 Newark Executive Order MEO-07-0001, effective March 31, 2007.
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 offunds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and **Masiel Valentin, Esq.** is hereby ratified from **January 1, 2013** through the date of the adoption of this authorizing resolution.
6. 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.

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 days of its passage.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a professional services contract with **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**.