

## City of Newark

City Hall 920 Broad Street Newark, New Jersey 07102

## Legislation Details (With Text)

16-0876	Version: 1	Name:	Chasan Leyner First Amend	dment
Resolution		Status:	Adopted	
5/17/2016		In control:	Law	
6/15/2016		Final action:	6/15/2016	
Action: (X) Ra Type of Service Purpose: First to Increase Co Entity Name: (Entity Address Contract Amore Funding Source Contract Period Contract Basis (X) Fair & Ope ( ) Private Sa Additional Info Contract for Li First Amendm	atifying (X) Autoe: Professional Standard Amount to the Intract Amount by Chasan, Leyner & Standard Amount: \$75,000.00 ce: City of Neward: January 1, 20 standard () Standard () Grant () Grant () Grant () Grant () The Intraction: N/A stigation Defensement to the Agreer	Services Contract he Agreement to y \$75,000.00 & Lamparello, P. Vay, Secaucus, Nay, Secaucus, Nate Vendor (X) table Contribution) Sub-recipient  Counsel initially ment to increase	t Provide Legal Services as Lit C. New Jersey 07094  epartment ember 31, 2016 Prof. Ser. ( ) EUS ns ( ) RFP (X) RFQ ( ) n/a  awarded for \$75,000.00.	
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**WHEREAS,** legal services are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, *N.J.S.A. 40A:11-5(1)(a)* (i); and

**WHEREAS,** the Municipal Council of the City of Newark by Resolution 7R7-r(s), adopted on December 16, 2015, awarded a contract to Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to provide legal services concerning Litigation Defense Matters, in an amount not to exceed Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for the period of January 1, 2016 through December 31, 2016; and

**WHEREAS**, the contract was awarded in compliance with Local Public Contracts Law, and through the fair and open process of State Pay-to-Play, and in compliance with Ordinance 2:4-22C; and

**WHEREAS,** Chasan, Leyner & Lamparello, P.C., continues to vigorously defend the City of Newark in several cases in which bills will be submitted for the remainder of the contract year; and

**WHEREAS,** Chasan, Leyner & Lamparello, P.C. represents to the City of Newark that an additional Seventy Five Thousand Dollars and Zero Cents (\$75,000.00) is necessary for the firm to continue to provide legal services through December 31, 2016; and

**WHEREAS**, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding and anticipated legal bills through December 31, 2016; and

**WHEREAS,** the increase of an additional Seventy Five Thousand Dollars (\$75,000.00) brings the total contract to an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) for January 1, 2016, through December 31, 2016.

## 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 Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to execute a First Amendment to the Agreement to provide legal services with Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to continue providing the legal services concerning Litigation Defense Matters for an additional Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for a total contract amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2016 through December 31, 2016, to cover ongoing litigation and new matters that may arise during the term of the contract.
- 2. The Municipal Council hereby ratifies this First Amendment to the Agreement to Provide Legal Services from May 2, 2016, to the date of the adoption of this resolution.
- 3. All other terms and conditions of the contract shall remain the same.
- 4. This First Amendment to the Agreement to provide legal services is made in accordance with the professional services exception to public bidding in the Local Public Contracts Law

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(*N.J.S.A. 40A:11-5(1)(a)(i))*, and Fair and Open Procedures of the State Pay-to-Play Law (*N.J.S.A. 19:44A-20.5*) and is in compliance with Contractor Pay-to-Play Reform Ordinance, 6PSF-a adopted on August 1, 2012.

- 5. Pursuant to *N.J.A.C.* 5:30-5.5(a), a Temporary Budget, attached hereto is the Chief Finance Officer's Certification, which states partial funds in the amount of \$37,500.00 are available in the 2016 Temporary Budget, the balance to be provided in the 2016 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.
- 6. The Corporation Counsel shall file a copy of the executed First Amendment to the Agreement to provide legal services herein authorized in the Office of the City Clerk and the same 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 hereby ratifies, amends and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement to Provide Legal Services as Litigation Defense Counsel, with Chasan, Leyner & Lamparello, P.C., 300 Lighting Way, Secaucus, New Jersey 07094, to increase the contract amount by Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), for a total contract amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2016 through December 31, 2016 to cover ongoing litigation and new matters that may arise during the term of the contract..