



Legislation Details (With Text)

File #: 16-0704 **Version:** 1 **Name:** Prof Service - Alan D. Bowman
Type: Resolution **Status:** Adopted
File created: 4/14/2016 **In control:** Law
On agenda: 6/23/2016 **Final action:** 6/23/2016
Title: Dept/ Agency: Law
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: Legal Counsel for Criminal Related Matters in addition to general municipal legal issues
Entity Name: Law Offices of Alan Dexter Bowman, PA
Entity Address: 1 Gateway Center #110, Newark, New Jersey 07102
Contract Amount: An amount not to exceed \$50,000.00
Funding Source: City of Newark Budget, Law Department
Contract Period: April 1, 2016 through March 31, 2017
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☐ Fair & Open ☒ No Reportable Contributions ☐ RFP ☐ RFQ
☐ Private Sale ☐ Grant ☐ Sub-recipient ☐ n/a
Additional Information:
Deferred 7R7-I (as) 061516
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/23/2016	1	Municipal Council	Adopt	Pass
6/15/2016	1	Municipal Council	Defer	Pass
6/15/2016	1	Municipal Council		

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WHEREAS, the City of Newark as the largest municipality in the State of New Jersey faces novel issues on a daily basis and has a need to acquire legal services for criminal and related matters; and

WHEREAS, the Law Offices of Alan Dexter Bowman, PA, 1 Gateway Center #110, Newark, New Jersey 07102, is a law firm with specific expertise in issues involving criminal matters and submitted a proposal to provide legal services for criminal related matters in addition to general municipal legal issues and it is in the best interest of the City of Newark to accept the proposal for the purpose of providing criminal related matters in addition to general municipal legal issues; and

WHEREAS, the Mayor and the Corporation Counsel wish to enter into a contract with the Law Offices of Alan Dexter Bowman, PA, to provide legal services for criminal related matters in addition to general municipal legal issues in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of April 1, 2016 through March 31, 2017; and

WHEREAS, the Corporation Counsel has determined and certified in writing that the value of this contract will exceed \$17,500.00; and

WHEREAS, this Contract is awarded without competitive bidding as an exception to public bidding, pursuant to *N.J.S.A. 40A:11-5(1)(a)(i)*, professional services; and

WHEREAS, Local Public Contracts Law *N.J.S.A. 40A:11-1*, et seq. requires a Resolution of the Governing Body authorizing the award of contracts for professional services and further requires that the contract itself must be available for public inspection; and

WHEREAS, the actions contemplated by this Resolution shall result in the award of a non-fair and open contract in accordance with *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Law Offices of Alan Dexter Bowman, PA has completed and submitted a Business Entity Disclosure Certification which certifies that the Law Offices of Alan Dexter Bowman, PA has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one year, and the contract will prohibit the Law Offices of Alan Dexter Bowman, PA from making any reportable contributions through the term of the contract; 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 public bidding must be published in a local newspaper; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance 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 authorized

to execute and enter into a contract with the Law Offices of Alan Dexter Bowman, PA 1 Gateway Center #110, Newark, New Jersey 07102, to provide legal services for criminal related matters in addition to general municipal legal issues in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of April 1, 2016 through March 31, 2017.

2. The contract is ratified from April 1, 2016, to the date of adoption.
3. This contract is awarded without competitive bidding as an exception to public bidding pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), professional services, pursuant to the non-fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and the Business Entity has certified that it has not made or solicited a contribution in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C.
4. Pursuant to *N.J.A.C. 5:30-5.5(a)*, a Temporary Budget, attached hereto is the Director of Finance's Certification, which states partial funds in the amount of \$25,000.00 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.
5. The Determination of Value and Business Entity Disclosure Certification are attached and will be filed with the Office of the City Clerk.
6. The Corporation Counsel shall file a copy of the executed agreement 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 (10) days of the adoption of this Resolution.

STATEMENT

This resolution ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into a contract with the Law Offices of Alan Dexter Bowman, PA, 1 Gateway Center #110, Newark, New Jersey 07102, to provide legal services for criminal related matters, in addition to general municipal legal issues, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of April 1, 2016 through March 31, 2017.