



## Legislation Details (With Text)

**File #:** 19-0757      **Version:** 1      **Name:** DeCotiis, Fitzpatrick, Cole & Giblin, LLP 2019 Agreement  
**Type:** Resolution      **Status:** Adopted  
**File created:** 5/1/2019      **In control:** Economic and Housing Development  
**On agenda:** 6/6/2019      **Final action:** 6/6/2019

**Title:** Dept/ Agency: Economic and Housing Development  
Action: (X) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: To provide legal services for Redevelopment/Land Use Matters  
Entity Name: DeCotiis, FitzPatrick, Cole & Giblin, LLP  
Entity Address: Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666  
Contract Amount: Not to exceed \$350,000.00  
Funding Source: 2019 Budget/Department of Economic and Housing Development  
Contract Period: March 12, 2019 through March 11, 2020  
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 |
|----------|------|-------------------|--------|--------|
| 6/6/2019 | 1    | Municipal Council | Adopt  | Pass   |

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**Additional Information:**

**WHEREAS**, the City of Newark (the "City") 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 Department of Economic and Housing Development of the City caused to be published, on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Special Counsel concerning Redevelopment and Land Use Matters on or about February 14, 2019; and

**WHEREAS**, the City received a total of eight (8) proposals in response to its request by the RFQ due date on March 5, 2019; and

**WHEREAS**, DeCotiis, FitzPatrick, Cole & Giblin, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, submitted a proposal which was found, based upon price and other factors, to be in the best interest of the City to accept for the purpose of providing legal services concerning Redevelopment/Land Use Matters; and

**WHEREAS**, the City wishes to enter into a new contract with Decotiis, FitzPatrick, Cole & Giblin, LLP, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for the period of March 12, 2019 through March 11, 2020; 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 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 and/or his designee, the Interim Deputy Mayor/ Director of the Department of Economic and Housing Development, are hereby authorized and directed on behalf of the City of Newark to enter into and execute a contract with Decotiis, FitzPatrick, Cole & Giblin, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, to provide legal services concerning Redevelopment/Land Use Matters in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for the period of March 12, 2019 through March 11, 2020.
2. This contract is ratified from March 12, 2019 to the date of adoption by the Municipal Council.
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 the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(a)(i)) and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

4. Attached hereto is a Certification of Funds from the Director of Finance, which states that: (1) there are sufficient funds in the amount of \$350,000.00 for the purpose set forth herein above; and (2) that the line appropriation of the official budget which shall be charged is:

|                  |                 |                  |                 |                   |
|------------------|-----------------|------------------|-----------------|-------------------|
| <u>Bus. Unit</u> | <u>Dept. ID</u> | <u>Div/Proj.</u> | <u>Account#</u> | <u>BudgetRef.</u> |
| NW026            | BS              |                  | 32100           | B2019             |

5. A copy of the executed contract shall be filed in the Office of the City Clerk by the Acting Director of the Department of Economic and Housing Development 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 hereby ratifies and authorizes the Mayor and/or his designee, the Interim Deputy Mayor/Director of the Department of Economic and Housing Development, on behalf of the City of Newark, to enter into and execute a contract for legal services for Redevelopment/Land Use Matters with Decotiis, FitzPatrick, Cole & Giblin, LLP, Glenpointe Centre West, 500 Frank W. Burr Boulevard, Suite 31, Teaneck, New Jersey 07666, in an amount not to exceed Three Hundred Fifty Thousand Dollars and Zero Cents (\$350,000.00), for the period of March 12, 2019 through March 11, 2020.