



## Legislation Details (With Text)

**File #:** 19-0950      **Version:** 1      **Name:** Essex-Newark Legal Services Professional Services Agreement  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/3/2019      **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 defense services for low-income tenants facing eviction  
Entity Name: Essex-Newark Legal Services  
Entity Address: 5 Commerce Street, Newark, New Jersey 07102  
Contract Amount: Not to exceed \$150,000.00  
Funding Source: 2019 Budget/Department of Economic and Housing Development/011-200-2001 A-71260  
Contract Period: June 1, 2019 through May 31, 2020  
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS  
(X) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
Additional Information:  
Pursuant to Ordinance 6PSF-I adopted on December 19, 2018.

**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:**  
Pursuant to Ordinance 6PSF-I adopted on December 19, 2018.

**WHEREAS**, the Municipal Council of the City of Newark enacted Ordinance 6PSF-I December 19 2018, establishing the Office of Tenant Legal Services within the Department of Economic and

Housing Development to provide legal services to low-income tenants facing eviction in the City of Newark; and

**WHEREAS**, the ordinance authorizes the City to issue a Request for Proposals (RFP) to seek attorney services to represent eligible Newark residents facing eviction in Landlord Tenant Court; 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 Interim Deputy Mayor/Director of the City of Newark's Department of Economic and Housing Development caused to be published on the City of Newark's website, a Notice of Request for Proposals ("RFP") for Legal Defense Services for Low-Income Tenants on or about May 10, 2019; and

**WHEREAS**, the City of Newark received a total of two (2) proposals in response to the RFP and Essex County Legal Aid Society was deemed non-responsive after an evaluation of the proposals; and

**WHEREAS**, Essex-Newark Legal Services, 5 Commerce Street, Newark, New Jersey 07102, submitted a proposal and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing Legal Defense Services for Low-Income Tenants facing eviction; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Essex-Newark Legal Services to provide legal defense services for low-income tenants facing eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of June 1, 2019 through May 31, 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 pursuant to the fair and open procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 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 (i) a candidate, candidate committee or joint candidate committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Newark or County of Essex political committee or action committee that regularly engages in the support of City of Newark Municipal or County of Essex candidates, candidate committees, joint candidates committees, political committees, political party committee, (hereinafter "PAC), in excess of certain specified thresholds within one (1) calendar year immediately preceding the date of the contract or agreement.

**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 authorized on behalf of the City of Newark to execute a contract with Essex-Newark Legal Services to provide Legal Defense Services for Low-Income Tenants in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of June 1, 2019 through May 31, 2020, which shall cover new matters that may arise during the contract term.
2. This contract is ratified as of June 1, 2019, to the date of adoption of this resolution.
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 pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with the City of Newark's Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 2:4-22C.
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached hereto is a Certification of Funds issued by the Director of Finance for the City of Newark, which states that funds in the amount of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), are available for the purpose set forth herein above. The line appropriation, which shall be charged is as follows: Business Unit NW011, Dept. 200, Div./Proj. 2001, Activity A, Account# 71260, Budget Ref: B2019 .
5. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Interim Deputy Mayor/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 ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Interim Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into a contract with Essex-Newark Legal Services, with offices located at 5 Commerce Street, Newark, New Jersey 07102, to provide legal defense services for low-income tenants facing eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of June 1, 2019 through May 31, 2020.