



## Legislation Details (With Text)

**File #:** 21-1875      **Version:** 1      **Name:** Resolution: Schenck, Price, Smith & King, LLP  
Professional Services Contract (2022)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 12/13/2021      **In control:** Law  
**On agenda:** 5/4/2022      **Final action:** 5/4/2022

**Title:** Dept./ Agency: Law  
Action: (X) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Professional Services Contract  
Purpose: To provide legal services concerning Litigation Defense Matters.  
Entity Name: Schenck, Price, Smith and King, LLP  
Entity Address: 220 Park Avenue, P.O. Box 991, Florham Park, New Jersey 07932  
Contract Amount: Not to exceed \$125,000.00  
Funding Source: 2022 Budget/Law Department  
Contract Period: January 1, 2022 through December 31, 2022  
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
5/4/2022	1	Municipal Council	Adopt	Pass

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**Additional Information:**

**WHEREAS**, the City of Newark 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**, on or about September 10, 2021, the Corporation Counsel of the City of Newark

caused to be published on the City of Newark's website, a Notice of Request for Qualifications (RFQ) for Litigation Defense Counsel Services an on September 22, 2021, issued an addendum; and

**WHEREAS**, the City of Newark received a total of twenty-four (24) proposals in response to the RFQ for Litigation Defense; and

**WHEREAS**, Schenck, Price, Smith & King, LLP, 220 Park Avenue, P.O. Box 991, Florham Park, New Jersey 07932, 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 Services concerning Litigation Defense Counsel Services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Schenck, Price, Smith & King, LLP, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for a period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Schenck, Price, Smith & King, LLP, as well as new matters that may arise during the contract term; 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, is being awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5 and is in compliance with State Pay-to-Play and the City's Pay-to-Play Ordinance.

**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 on behalf of the City of Newark to execute a contract with Schenck, Price, Smith & King, LLP, 220 Park Avenue, P.O. Box 991, Florham Park, New Jersey 07932, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Schenck, Price, Smith & King, LLP, as well as new matters that may arise during the contract term.
2. The contract is ratified from January 1, 2022 through the date of adoption of this authorizing 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's Ordinance on Pay-to-Play.
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states available funds in the amount Twelve Thousand Five Hundred Dollars and Zero Cents (\$12,500.00), are available in the 2022 Temporary

Budget, the balance to be provided in the 2022 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk. For the purposes set forth herein and the line appropriations which shall be charged are as follows:

<u>Bus. Unit</u>	<u>Dept. ID</u>	<u>Div/Proj.</u>	<u>Acct.#</u>	<u>Bud. Ref.</u>
NW 011	040	0401	71260	2022

5. A copy of the executed Agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and same 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 Corporation Counsel, to enter into a contract for Legal Services for Litigation Defense Matters with Schenck, Price, Smith & King, LLP, 220 Park Avenue, P.O. Box 991, Florham Park, New Jersey 07932, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2022 through December 31, 2022.