



## Legislation Details (With Text)

**File #:** 22-0616      **Version:** 1      **Name:** DeCotiis, FitzPatrick, Cole and Giblin 2022 Professional Services Contract

**Type:** Resolution      **Status:** Adopted

**File created:** 4/20/2022      **In control:** Economic and Housing Development

**On agenda:** 5/24/2022      **Final action:** 5/24/2022

**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 and Giblin, LLP  
Entity Address: 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652  
Contract Amount: Not to exceed \$350,000.00  
Funding Source: 2022 Budget/Department of Economic and Housing Development/NW026, Account #32100, B2022  
Contract Period: March 12, 2022 through March 11, 2023  
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

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### Code sections:

Date	Ver.	Action By	Action	Result
5/24/2022	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 January 26, 2022; and

**WHEREAS**, the City received a total of four (4) proposals in response to its request by the RFQ due date on February 9, 2022; and

**WHEREAS**, DeCotiis, FitzPatrick, Cole & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, 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 contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP, to provide Legal Services for 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, 2022 through March 11, 2023; and

**WHEREAS**, 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**, the contract is for an amount over \$17,750.00 and is being awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5, and is in compliance with the 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 Deputy Mayor/Director of the Department of Economic and Housing Development, are hereby authorized on behalf of the City of Newark to enter into and execute a contract with DeCotiis, FitzPatrick, Cole & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, 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, 2022 through March 11, 2023.
2. The Contract between the City of Newark and DeCotiis, FitzPatrick, Cole & Giblin, LLP, is hereby ratified from March 12, 2022 to the date of adoption of this authorizing Resolution.
3. The 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)).
4. Attached hereto is a Certification of Funds from the Director of the Department of Finance, which states that: 1) there are sufficient funds in the amount of Three Hundred Fifty Thousand Dollars and Zero Cents (\$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>Account#</u>	<u>BudgetRef.</u>
NW026	32100	B2022

5. There shall be no advance payment pursuant to N.J.S.A. 40A:5-16.
6. There shall be no amendments or changes to the Contract without the approval of the Municipal Council.
7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall file a copy of the executed Contract in the Office of the City Clerk and the same shall be made available for public inspection.
8. 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 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, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, in an amount not to exceed \$350,000.00, for the period of March 12, 2022 through March 11, 2023.