



Legislation Details (With Text)

File #: 22-0365 **Version:** 1 **Name:** First Amendment DeCotiis, Fitzpatrick, Cole & Giblin, Dept./ Agency: Law
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to the Agreement to provide legal services co

Type: Resolution **Status:** Adopted

File created: 3/14/2022 **In control:** Law

On agenda: 7/13/2022 **Final action:** 7/13/2022

Title: Dept/ Agency: Law
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to the Agreement to provide legal services concerning Special Tax 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 \$199,268.50
Funding Source: 2021 Budget/Law Department
Contract Period: January 1, 2021 through December 31, 2021
Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP (X) RFQ
() Private Sale () Grant () Sub-recipient () n/a
Additional Information:
Resolution 7R6-n adopted on December 22, 2020, awarded a contract for the period of January 1, 2021 through December 31, 2021 for a contract amount not to exceed \$150,000.00.
This First Amendment will increase the contract amount by \$49,268.50, for a new total contract amount not to exceed \$199,268.50.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/13/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, Legal Services are Professional Services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Municipal Council, by Resolution 7R6-n, adopted on December 22, 2020, awarded a contract to DeCotiis, Fitzpatrick, Cole & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, to provide legal services as Special Tax Counsel, in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of January 1, 2021 through December 31, 2021, through a fair and open process; and

WHEREAS, DeCotiis, Fitzpatrick, Cole, & Giblin, LLP, on or about September 2021 expended the \$150,000.00 and continued to provide legal services at the request of the Corporation Counsel for the remainder of the contract period; and

WHEREAS, the outstanding legal invoices require an increase in the total contract amount of \$49,268.50; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding legal bills through the remainder of the contract period; and

WHEREAS, the increase of an additional Forty-Nine Thousand, Two Hundred Sixty-Eight Dollars and Fifty Cents (\$49,268.50), brings the total contract to an amount not to exceed One Hundred Ninety-Nine Thousand Two Hundred Sixty-Eight Dollars and Fifty Cents (\$199,268.50) for January 1, 2021 through December 31, 2021.

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, on behalf of the City of Newark are authorized to enter into and execute a First Amendment to the Agreement to provide Legal Services with DeCotiis, Fitzpatrick, Cole, & Giblin, LLP, 61 South Paramus Road, Suite 250, Paramus, New Jersey 07652, to continue providing legal services concerning Special Tax Matters for an additional Forty-Nine Thousand Two Hundred Sixty-Eight Dollars and Fifty Cents (\$49,268.50) for a total contract amount not to exceed One Hundred Ninety-Nine Thousand Two Hundred Sixty-Eight Dollars and Fifty Cents (\$199,268.50) for the period of January 1, 2021 through December 31, 2021, to cover the outstanding legal invoices from on or about September 1, 2021 through December 31, 2021.

2. The Municipal Council ratifies this First Amendment to the Agreement to provide legal services from September 1, 2021 to the date of the adoption of this Resolution.

3. All other terms and conditions of the Contract shall remain the same.

4. Attached is a Certification of Funds from the Chief Financial Officer, which states that there are sufficient on line NW011, Department 046, Division 0461, Account 71260, Budget 2021 in the Law Department Budget. The Certification of Funds shall be filed along with the original Resolution in the Office of the City Clerk.

5. The Corporation Counsel shall file a copy of the executed First Amendment to the Agreement to provide legal services herein authorized in the Office of the City Clerk and the 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, amends and authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement to provide legal services as Special Tax Matters Counsel for an additional \$49,268.50 for a total contract amount not to exceed \$199,268.50, for the period of January 1, 2021 through December 31, 2021.