



Legislation Details (With Text)

File #: 22-0122 **Version:** 1 **Name:** Resolution: Walsh Pizzi O'Reilly Falanga LLP Professional Service Contract (2022)

Type: Resolution **Status:** Adopted

File created: 1/26/2022 **In control:** Law

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

Title: Dep.t/ 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: Walsh Pizzi O'Reilly Falanga, LLP
Entity Address: Three Gateway Center, 100 Mulberry Street, 15th Floor, Newark, New Jersey 07102
Contract Amount: Not to exceed \$75,000.00
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
7/13/2022	1	Municipal Council	Adopt	Pass

Dep.t/ 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: Walsh Pizzi O'Reilly Falanga, LLP
Entity Address: Three Gateway Center, 100 Mulberry Street, 15th Floor, Newark, New Jersey 07102
Contract Amount: Not to exceed \$75,000.00
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:

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, 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 on or about September 10, 2021; and

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

WHEREAS, Walsh Pizzi O'Reilly Falanga, LLP, Three Gateway Center, 100 Mulberry Street 15th Floor, 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 Services concerning Litigation Defense Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with Walsh Pizzi O'Reilly Falanga, LLP to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for a period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Walsh Pizzi O'Reilly Falanga, 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 \$17,750.00 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 Corporation Counsel, are hereby authorized on behalf of the City of Newark to execute a contract with Walsh Pizzi O'Reilly Falanga, LLP, Three Gateway Center, 100 Mulberry Street 15th Floor, Newark, New Jersey 07102, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00).
2. The term of the Contract shall be January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by Walsh Pizzi O'Reilly Falanga, LLP as well as new matters that may arise during the contract term.
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 pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)).
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached hereto is a Partial Certification of Funds issued by the Director of Finance, which states available funds in the amount Eighteen Thousand Seven Hundred Fifty Dollars and Zero Cents (\$18,750.00), are available in the 2022 Temporary Budget. The Certification of Funds shall be filed, along with this 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.</u>	<u>Div/Proj.</u>	<u>Activity</u>	<u>Acct.#</u>	<u>Bud. Ref.</u>
NW011	040	0401	A	71260	2022

5. The Contract is ratified from January 1, 2022, to the date of adoption of this authorizing Resolution.
6. A copy of the executed Contract 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.
7. 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 Walsh Pizzi O'Reilly Falanga, LLP, Three Gateway Center, 100 Mulberry Street 15th Floor, Newark, New Jersey 07102, in an amount not to exceed \$75,000.00, for the period of January 1, 2022 to December 31, 2022, and ratifies the within Resolution from January 1, 2022 to the date of adoption of this Resolution.