Legislation Details (With Text)

File #:	22-1463	**Version:** 1	**Name:**	Resolution: Arleo & Donohue, LLC., - Special Counsel/Election Matters (2022-2023)
Type:	Resolution		**Status:**	Adopted
File created:	10/6/2022		**In control:**	Municipal Council and City Clerk
On agenda:	11/2/2022		**Final action:**	11/2/2022
Title:	Dept/ Agency: Offices of Municipal Council/City Clerk Action: ( ) Ratifying (X) Authorizing ( ) Amending Type of Service: Exception to Public Bidding - (N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 40A:11-5 (1)(l) Purpose: To provide legal services to the Office of the City Clerk in connection with Election Matters. Entity Name: Arleo & Donohue, LLC Entity Address: 622 Eagle Rock Avenue, West Orange, New Jersey 07052 Contract Amount: Not to exceed $50,000.00 Funding Source: 2022 Budget/Office of the City Clerk/Business Unit: NW011; Dept.: 020; Div./Proj.: 0201; Activity: A; Account #: 71280; Budget Ref.: B2022 Contract Period: November 27, 2022 through November 26, 2023 Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS ( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a Additional Information:			
Sponsors:	Council of the Whole			
Indexes:				
Code sections:				

Date	Ver.	Action By	Action	Result
11/2/2022	1	Municipal Council	Adopt	Pass

Dept/ Agency: Offices of Municipal Council/City Clerk
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Exception to Public Bidding - (N.J.S.A. 40A:11-5(1)(a)(i) and N.J.S.A. 40A:11-5 (1)(l)
Purpose: To provide legal services to the Office of the City Clerk in connection with Election Matters.
Entity Name: Arleo & Donohue, LLC
Entity Address: 622 Eagle Rock Avenue, West Orange, New Jersey 07052
Contract Amount: Not to exceed $50,000.00
Funding Source: 2022 Budget/Office of the City Clerk/Business Unit: NW011; Dept.: 020; Div./Proj.: 0201; Activity: A; Account #: 71280; Budget Ref.: B2022
Contract Period: November 27, 2022 through November 26, 2023
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open (X) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
Additional Information:
WHEREAS, the City of Newark, Office of the City Clerk (the “City”) has a need for legal services in connection with Election Matters; and

WHEREAS, Arleo & Donohue, LLC, 622 Eagle Rock Avenue, West Orange, New Jersey 07052, is a law firm with expertise in issues involving election matters and it is in the best interests of

the City to enter into a contract with the law firm to provide legal services related to Election Matters; and

WHEREAS, the City wishes to enter into a contract with Arleo & Donohue, LLC, 622 Eagle Rock Avenue, West Orange, New Jersey 07052, to provide legal services to the Office of the City Clerk in connection with Election Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents ($50,000.00), for the period of one (1) year commencing November 27, 2022 through November 26, 2023; and

WHEREAS, the Acting City Clerk has determined and certified in writing that the value of this contract will exceed $17,500.00; and

WHEREAS, this contract is being awarded without public bidding, pursuant to the Professional Services Exception of the Local Public Contracts Law, (N.J.S.A. 40A:11-5(1)(a)(i), and because these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys and pursuant to the provisions of the Local Public Contracts Law, (N.J.S.A. 40A:11-5 (1)(l)) because these goods and services are necessary or required to prepare and conduct an election; and

WHEREAS, Local Public Contract Law, N.J.S.A. 40A:11-1, et seq. requires a Resolution of the Governing Body authorizing the award of contracts for Professional Services and further requires that the contract itself must be available for public inspection; and

WHEREAS, the actions contemplated by this Resolution shall result in the award of a Non-Fair and Open Contract in accordance with N.J.S.A. 19:44A-20.5 and the City's Ordinance on Pay-to-Play; and

WHEREAS, Arleo & Donohue, LLC, has completed and submitted a Business Entity Disclosure Certification, which certifies that the Business Entity has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and the contract will prohibit the Business Entity from making any reportable contributions through the term of the contract; 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 public bidding must be published in a local newspaper.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Acting City Clerk on behalf of the City of Newark is hereby authorized to enter into and execute a contract with Arleo & Donohue, LLC, 622 Eagle Rock Avenue, West Orange, New Jersey 07052, to provide legal services in connection with Election Matters to the Office of the City Clerk, in an amount not to exceed Fifty Thousand Dollars and Zero Cents ($50,000.00), for the period of November 27, 2022 through November 26, 2023.

2. Pursuant to N.J.A.C. 5:30-5(a), Adopted Budget, attached hereto is the Chief Finance Officer's Certification, which states funds in the amount of Fifty Thousand Dollars and Zero Cents ($50,000.00) are available in the 2022 Budget; Business Unit: NW011; Dept.: 020; Div./Proj.: 0201; Activity: A; Account #: 71280; Budget Ref.: B2022. The Certification

of Funds shall be filed, along with the original Resolution and the executed contract in the Office of the City Clerk.

3. The contract is awarded as a Non-Fair and Open Contract, pursuant to N.J.S.A. 19:44A-20.5; and the Business Entity has provided a statement that it is in compliance with the City of Newark, Contractor Pay-to-Play Ordinance, 2:4-22C.1.

4. The contract will contain language prohibiting any contributions in violation of any State or local law.

5. A copy of the executed contract herein authorized shall be filed in the Office of the City Clerk and shall be made available for public inspection.

6. There shall be no amendments or changes to this contract without approval of the Municipal Council.

STATEMENT

This Resolution authorizes the Acting City Clerk, on behalf of the City of Newark to enter into and execute a contract with Arleo & Donohue, LLC, 622 Eagle Rock Avenue, West Orange, New Jersey 07052, to provide legal services to the Office of the City Clerk in connection with Election Matters, in an amount not to exceed $50,000.00, for the period of one (1) year commencing November 27, 2022 through November 26, 2023.

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