



Legislation Details (With Text)

File #: 22-1766 **Version:** 1 **Name:** 2023 Resolution John J. Zidziunas & Associates, LLC Professional Services Counsel
Type: Resolution **Status:** Adopted
File created: 12/2/2022 **In control:** Law
On agenda: 12/21/2022 **Final action:** 12/21/2022

Title: Dept/ Agency: Law
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: To provide legal services concerning Labor and Employment Matters.
Entity Name: John J. Zidziunas and Associates, LLC
Entity Address: 33 Plymouth Street, #202A, Montclair, New Jersey 07042
Contract Amount: Not to exceed \$100,000.00
Funding Source: 2023 Budget/Law Department
Contract Period: January 1, 2023 through December 31, 2023
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☒ Fair & Open ☐ 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
12/21/2022	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: ☐ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: To provide legal services concerning Labor and Employment Matters.
Entity Name: John J. Zidziunas and Associates, LLC
Entity Address: 33 Plymouth Street, #202A, Montclair, New Jersey 07042
Contract Amount: Not to exceed \$100,000.00
Funding Source: 2023 Budget/Law Department
Contract Period: January 1, 2023 through December 31, 2023
Contract Basis: ☐ Bid ☐ State Vendor ☒ Prof. Ser. ☐ EUS
☒ Fair & Open ☐ No Reportable Contributions ☐ RFP ☒ 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 Labor & Employment Counsel Services on or about September 19, 2022; and

WHEREAS, the City of Newark received a total of eighteen (18) proposals in response to the RFQ for Labor & Employment; and

WHEREAS, John J Zidziunas & Associates, LLC 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 Labor & Employment Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with John J. Zidziunas & Associates, LLC, to provide Legal Services concerning Labor & Employment Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for a period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled John J. Zidziunas & Associates, LLC, 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 \$44,000.00 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 authorized on behalf of the City of Newark to execute a contract with John J. Zidziunas & Associates, LLC, 33 Plymouth Street, #202A, Montclair, New Jersey 07042, to provide Legal Services concerning Labor & Employment Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled by John J. Zidziunas & Associates, LLC, as well as new matters that may arise during the contract term.
2. 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.
3. This is a contract which shall be awarded in one (1) fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly, this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect pursuant to N.J.A.C. 5:30-5.5(e). Funds for this contract in the amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), shall be provided from the City of Newark 2023 Budget, Law Department.

4. 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.
5. 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 authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into a contract for Services for Labor & Employment Matters with John J Zidziunas & Associates, LLC, 33 Plymouth Street, #202A, Montclair, New Jersey 07042, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents (\$100,000.00), for the period of January 1, 2023 through December 31, 2023.