



## Legislation Details (With Text)

**File #:** 22-1804      **Version:** 1      **Name:** 2023 Resolution Michael A. Armstrong & Associates  
Litigation Professional Services Counsel  
**Type:** Resolution      **Status:** Adopted  
**File created:** 12/8/2022      **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 Litigation Defense Matters.  
Entity Name: Michael A. Armstrong and Associates, LLC  
Entity Address: Willingboro, New Jersey 08046  
Contract Amount: Not to exceed \$125,000.00  
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

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**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 19, 2022; and

**WHEREAS**, the City of Newark received a total of twenty one (21) proposals in response to the RFQ for Litigation Defense Counsel Services; and

**WHEREAS**, Michael A. Armstrong & 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 Litigation Defense Counsel Services; and

**WHEREAS**, the City of Newark wishes to enter into a contract with Michael A. Armstrong & Associates LLC, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for a period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled Michael A. Armstrong & 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 Michael A. Armstrong & Associates LLC, Willingboro, New Jersey 08046 to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled by Michael A. Armstrong & 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 Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), 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 Litigation Defense Matters with Michael A. Armstrong & Associates LLC, Willingboro, New Jersey 08046, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), for the period of January 1, 2023 through December 31, 2023.