



Legislation Details (With Text)

File #: 23-0074 **Version:** 1 **Name:** Resolution: White ad Co. Attorney and Counselors, LLC (2023) - Evening Municipal Prosecutorial Services
Type: Resolution **Status:** Adopted
File created: 1/11/2023 **In control:** Law
On agenda: 2/15/2023 **Final action:** 2/15/2023

Title: Dept/ Agency: Law
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Professional Services Contract
Purpose: To provide legal services concerning Evening Municipal Prosecutorial Services.
Entity Name: White and Co. Attorney and Counsellors, LLC
Entity Address: Orange, New Jersey 07050
Contract Amount: Not to exceed \$150,000.00
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
2/15/2023	1	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, the City of Newark (the "City") 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 caused to be published on the City of Newark's website, a Notice of Request for Qualifications (RFQ) for Evening Municipal Prosecutorial Services on or about September 19, 2022; and

WHEREAS, the City received a total of one (1) proposal in response to the RFQ for Evening Municipal Prosecutorial Services; and

WHEREAS, White and Co. Attorney and Counsellors, 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 Evening Municipal Prosecutorial Services; and

WHEREAS, the City of Newark wishes to enter into a contract with White and Co. Attorney and Counsellors, LLC, to provide legal services concerning Evening Municipal Prosecutorial Matters, in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled by White and Co. Attorney and Counsellors, 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 enter into and execute a contract with White & Co, Attorney and Counsellors, LLC, of Orange, New Jersey 07050, to provide legal services concerning Evening Municipal Prosecutorial Matters, in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for the period of January 1, 2023 through December 31, 2023, which shall cover those existing matters currently being handled by White and Co. Attorney and Counsellors, 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. The funds for this Agreement to provide legal services shall be paid from the City of Newark Budget/Law Department, after the issuance of a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of One Hundred-Fifty Thousand Dollars and Zero Cents (\$150,000.00) line: Business Unit NW011, Department 040, Division 0401, Account# 71260, Budget 2022 are

available in the aforementioned Law Department Budget.

4. Funds for this contract in the amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), shall be provided from the City of Newark 2023 Budget, Law Department.
5. This contract is hereby ratified to January 1, 2023.
6. 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.
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 and execute a contract for legal services for Evening Municipal Prosecutorial Matters with White and Co. Attorney and Counsellors, LLC, of Orange, New Jersey 07050, in an amount not to exceed \$150,000.00, for the period of January 1, 2023 through December 31, 2023.