



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-2196, Version: 2

Dept/ Agency: Law

Action: (X) Ratifying (X) Authorizing (X) Amending

Type of Service: Professional Services Contract

Purpose: To provide a contract amendment as a result of increased and unforeseen activity in litigation defense matters.

Entity Name: Chasan, Leyner & Lamparello, P.C.

Entity Address: 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094-3621

Contract Amount: Increase of \$60,000.00 for a total contract amount not to exceed \$310,000.00

Funding Source: 2013 City of Newark Budget, Law Department

Contract Period: January 1, 2013 through December 31, 2013

Contract Basis: () Bid () State Vendor (X) Prof. Ser. () EUS
() Fair & Open (X) No Reportable Contributions () RFP (X) RFQ
() Private Sale () Grant () Sub-recipient () n/a

Additional Information:

Increasing contract amount by \$60,000.00 for a total contract amount not to exceed \$310,000.00.
Originating Resolution #7R7-h January 16, 2013

WHEREAS, the City of Newark is involved in ongoing legal matters and therefore has a need to acquire legal services; and

WHEREAS, the City of Newark issued a Request for Qualifications for Legal Services concerning Litigation Defense Matters on or about September 17, 2012; and

WHEREAS, legal services are professional services and are exempt from the requirements for public bidding pursuant to the Local Public Contracts Law, more specifically, *N.J.S.A. 40A:11-5(1)(a)(i)*; and

WHEREAS, the City of Newark by Resolution 7R7-h adopted on January 16, 2013, awarded a contract to Chasan Leyner & Lamparello, P.C., with offices located at 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094-3621, to provide legal services in litigation defense matters in an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), for the period of January 1, 2013 through December 31, 2013; and

WHEREAS, increased and unforeseen activity in matters assigned to Chasan, Leyner & Lamparello, P.C. necessitates increasing the contract amount by Sixty Thousand Dollars (\$60,000.00), so that the total contract amount will be an amount not to exceed Three Hundred and Ten Thousand Dollars (\$310,000.00); 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 amendment was awarded as a Non-Fair and Open contract pursuant to *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 (hereinafter "Pay-to-Play Executive Order") and the Contractor Pay to Play Reform Ordinance, 6PSF-A, adopted on August 1, 2012, which forbids the award of a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates and office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract.

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

1. The Mayor and/or his designee, the Corporation Counsel, are hereby authorized and directed on behalf of the City of Newark to enter into and execute an amended contract with Chasan, Leyner & Lamparello P.C., of 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094-3621 to provide legal services concerning Litigation Defense Matters, in an increased amount of Sixty Thousand Dollars (\$60,000.00) for a total contract amount not to exceed Three Hundred Ten Thousand Dollars (\$310,000.00), for the period of January 1, 2013 through December 31, 2013, which shall cover those existing matters currently being handled by Chasan Leyner & Lamparello, P.C., as well as new matters that may arise during the contract term.
2. All other terms and conditions of the contract shall remain the same.
3. This contract amendment is made in accordance with the professional services exception to public bidding pursuant to the Local Public Contracts Law (*N.J.S.A. 40A:11-5(1)(a)(i)*) and pursuant to the Non-Fair and Open Procedures of the State Pay-to-Play Law (*N.J.S.A. 19:44A-20.5*) and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007 and the Contractor Pay--to -Play Ordinance, 6PSF-A adopted on August 1, 2012.
4. Pursuant to *N.J.A.C. 5:30-5.1, et seq.*, attached hereto is a Partial Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Sixty Thousand Dollars (\$60,000.00) are available in the 2013 Budget under Business Unit: NW011, Department ID: 040, Division/Proj.: 0401, Account: 71260. The Certification of Funds shall be filed along with the original resolution in the Office of the City Clerk.
5. A copy of the executed Amended Contract herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and shall be made available for public inspection.
6. 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 hereby ratifies, amends and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into and execute an amended contract for legal services concerning increased and unforeseen activity in litigation defense matters with Chasan, Leyner & Lamparello, P.C., 300 Harmon Meadow Boulevard, Secaucus, New Jersey 07094-3621, in an increased amount of Sixty Thousand Dollars (\$60,000.00) for a total contract amount not to exceed Three Hundred Ten Thousand Dollars (\$310,000.00), for the period of January 1, 2013 through December 31, 2013.