



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-2265, Version: 1

**Dept/ Agency:** Office of the Mayor

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

**Type of Service:** Professional Service Contract

**Purpose:** To serve as a Per Diem Municipal Public Defender for the Newark Municipal Court representing indigent defendants

**Entity Name:** Ana R. Tolentino, Esq.

**Entity Address:** 41 Gifford Avenue, Jersey City, New Jersey 07304

**Contract Amount:** \$17,000.00

**Funding Source:** 2014 City of Newark Budget/Office of the Mayor

**Contract Period:** January 1, 2014 through December 31, 2014

**Contract Basis:** ( ) Bid ( ) State Vendor ( X ) 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 in need of Per Diem Attorneys to serve as Municipal Public Defenders to be assigned to cases in the Newark Municipal Court; and

**WHEREAS**, the City of Newark desires to enter into a contract with Ana R. Tolentino, Esq., 41 Gifford Avenue, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, Representing indigent defendants, for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014; and

**WHEREAS**, this contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law (N.J.S.A. 19:44A-20.5); and

**WHEREAS**, this contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A.:11-5(1)(a)(i); and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number MEO-07-0001 hereinafter "(Pay-to-Play Executive Order)", which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

**WHEREAS**, the State Local Public Contracts Law, (N.J.S.A. 40A:11-1, et seq.) requires a resolution authorizing the award of contracts for "Professional Services".

**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 Chief Municipal Public Defender, are hereby authorized to enter into and execute a Professional Services contract with Ana R. Tolentino, Esq., 41 Gifford Avenue, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014.
2. The Municipal Council hereby ratifies this contract from January 1, 2014 through the date of the adoption of this authorizing resolution.
3. This contract is for an amount under \$17,500.00 and therefore is not subject to State Pay-to-Play Law N.J.S.A. 19:44A-20.5.
4. This is an open-ended contact to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, certification of availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time a services are requested, covering the amount of the services. Funds for this contract in the amount not to exceed \$17,000.00 shall be provided from the City of Newark-Office of the Mayor.
5. The Chief Municipal Public Defender shall file a copy of the fully-executed contract herein authorized in the Office of the City Clerk and it shall be made available for public inspection.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and execute a professional services contract with Ana R. Tolentino, Esq., 41 Gifford Avenue, Jersey City, New Jersey 07304, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed \$17,000.00, for the period commencing January 1, 2014 and terminating December 31, 2014.