



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 12-1916, Version: 2

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

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

**Type of Service:** Professional Service Contract

**Purpose:** Per Diem Municipal Public Defender

**Entity Name:** Masiel Valentin, Esq.

**Entity Address:** 349 Summer Avenue-Lower Level, Newark, New Jersey 07104

**Contract Amount:** \$15,000.00

**Funding Source:** Office of the Mayor

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

**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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**; 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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants, for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**.
2. 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.
3. This contract is being awarded as a Professional Service pursuant to the provisions of the State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) because service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
4. This contract is being awarded as open-ended contract under N.J.A.C. 5:30-5.5(b), and pursuant to N.J.A.C. 5:30-5.5(b)(2), a Certification of availability offunds shall be executed each time services are used and charged against contract.
5. The contract between the City of Newark and **Masiel Valentin, Esq.** is hereby ratified from **January 1, 2013** through the date of the adoption of this authorizing resolution.
6. 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.
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 days of its passage.

**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 **Masiel Valentin, Esq., 349 Summer Avenue - Lower Level, Newark, New Jersey 07104**, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendants for an amount not to exceed **\$15,000.00**, for the period commencing **January 1, 2013** and terminating **December 31, 2013**.

