



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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**File #:** 18-0157, **Version:** 1

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**Dept/ Agency:** Offices of Municipal Council/City Clerk

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

**Type of Service:** Professional Service Contract

**Purpose:** To provide Legal Services to the Office of the City Clerk in connection with Election Matters.

**Entity Name:** Chasan Lamparello Mallon & Cappuzzo, PC.

**Entity Address:** 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094

**Contract Amount:** Amount not to exceed \$50,000.00

**Funding Source:** 2018 Budget/Office of the City Clerk

**Contract Period:** For the period of one (1) year, commencing upon adoption of this authorizing resolution

**Contract Basis:** ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS

(X) Fair & Open ( ) No Reportable Contributions ( ) RFP (X) RFQ

( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**Additional Information:**

**WHEREAS,** the Office of the City Clerk has a need for Legal Services in connection with Election Matters; and

**WHEREAS,** in order to obtain those services, the Office of the City Clerk, posted on the City of Newark's website, a notice of a Request for Qualifications ("RFQ") for Legal Services in connection with Election Matters; and

**WHEREAS,** one (1) proposal was received in response to the RFQ; and

**WHEREAS,** the proposal received from the law firm, Chasan Lamparello Mallon & Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094, was found to be in the best interest of the City of Newark to accept, price and other factors considered; and

**WHEREAS,** the City of Newark wishes to enter into a contract with Chasan Lamparello Mallon & Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094, to provide Legal Services to the Office of the City Clerk in connection with Election Matters, in an amount not to exceed \$50,000.00, for a period of one (1) year; and

**WHEREAS,** this contract is being awarded without public bidding pursuant to the professional services and election exceptions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i) and 5(1)(l)) because these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys and because their services are necessary or required to prepare and conduct an election; and

**WHEREAS**, the Business Entity has provided a statement that it is in compliance with the City of Newark, Contractor Pay-to-Play Reform Ordinance, 2:4-22C, et al, which forbids, inter alia, the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal and County of Essex Candidates, officer 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 or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City; and certain other political party or candidate committees, in excess of certain thresholds; and

**WHEREAS**, this contract is for an amount over \$17,500.00 and is being awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5.

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

1. The City Clerk is hereby authorized to execute a contract with Chasan Lamparello Mallon & Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094, to provide Legal Services to the Office of the City Clerk in connection with Election Matters, in an amount not to exceed \$50,000.00, for the period of one (1) year, commencing upon adoption of this authorizing resolution.
2. Pursuant to N.J.A.C. 5:30-5(a), Temporary Budget, attached hereto is the Chief Finance Officer's Certification, which states partial funds in the amount of \$20,000.00 are available in the 2018 Temporary Budget, Business Unit NW011, Dept. 020, Div./Proj. 0201, Account# 96110, the balance to be provided in the 2018 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk.
3. This contract is being awarded without public bidding pursuant to the professional services exception of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)), and because these services are to be rendered by a person (or persons) licensed by the State of New Jersey as attorneys, and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5 (1)(l)) because these goods and services are necessary or required to prepare and conduct an election.
4. The contract is awarded as a Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and the Business Entity has provided a statement that it is in compliance with the City of Newark Contractor Pay-to-Play Ordinance, 2:4-22C.
5. The contract will contain language prohibiting any contributions in violation of any State or local law.
6. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk and 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 its passage.

8. There shall be no amendments or changes to this contract without approval of the Municipal Council and there shall be no advance payments on this contract in accordance with N.J.S.A. 40A:5-16.

### **STATEMENT**

This resolution authorizes the Office of the City Clerk to enter into and execute a Professional Services Contract between the City of Newark and Chasan Lamparello Mallon & Cappuzzo, PC, 300 Lighting Way, Suite 200, Secaucus, New Jersey 07094, to provide Legal Services to the Office of the City Clerk in connection with Election Matters, in an amount not to exceed \$50,000.00, for the period of one (1) year commencing upon adoption of this authorizing resolution.