



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 18-1050, Version: 1

Dept/ Agency: Office of the Mayor

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

Type of Service: Professional Service Contract

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

Entity Name: Jason A. Dennis, Esq.

Entity Address: 331 Newman Springs Road, Building 1, Red Bank, New Jersey 07701-5688

Contract Amount: Not to Exceed \$17,000.00

Funding Source: 2018 Budget/Office of the Mayor

Contract Period: July 1, 2018 through December 31, 2018

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

WHEREAS, the City of Newark desires to enter into a contract with Jason A. Dennis, Esq., 331 Newman Springs Road, Building 1, Red Bank, New Jersey 07701-5688, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, providing representation to indigent defendants for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for the period commencing on July 1, 2018 and terminating December 31, 2018; and

WHEREAS, 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 under seventeen thousand, five hundred dollars and zero cents (\$17,500.00) and therefore is not subject to the fair and open procedures of the 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 Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which

has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract, candidate committees of the aforementioned candidates, political party committees of the City of Newark or County of Essex, continuing political committees or political action committees regularly engaged in the support of the City of Newark or County of Essex elections, and certain other political party or candidate committees in excess of certain thresholds.

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 authorized on behalf of the City of Newark to enter into and execute a Professional Services contract with Jason A. Dennis, Esq., 331 Newman Springs Road, Building 1, Red Bank, New Jersey 07701-5688, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defenders for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for the period commencing on July 1, 2018 and terminating on December 31, 2018.

2. This contract is for an amount under seventeen thousand, five hundred dollars and zero cents (\$17,500.00) and therefore is not subject to State Pay-to-Play Law, N.J.S.A. 19:44A-20.5.

3. Pursuant to State Local Public Contract Law, N.J.S.A. 40A:11-5(1)(a)(i), this contract is being awarded as a Professional Service because the service required must be performed by someone who is licensed to practice law in the State of New Jersey and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.

4. This contract is being awarded as an 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 of funds shall be executed each time services are used and charged against contract.

5. The contract between the City of Newark and Jason A. Dennis, Esq. is ratified from July 1, 2018 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 (10) days of the adoption of this Resolution.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Chief Municipal Public Defender, to enter into and executed a Professional Services contract with Jason A. Dennis, Esq., 331 Newman Springs Road, Building 1, Red Bank, New Jersey 07701-5688, to serve as a Per Diem Municipal Public Defender for the Newark Municipal Court, representing indigent defendant for an amount not to exceed seventeen thousand dollars and zero cents (\$17,000.00), for period commencing on July

1, 2018 and terminating on December 31, 2018.