Legislation Text

File #: 18-1755, **Version:** 1

Dept/ Agency: Law
Action: (X) Ratifying (X) Authorizing ( ) Amending
Type of Service: Professional Services Contract
Purpose: To provide legal services concerning Redevelopment/Land Use Matters.
Entity Name: Rainone Coughlin Minchello, LLC
Entity Address: 555 U.S. Highway One South, Suite 440, Iselin, New Jersey 08830
Contract Amount: Not to exceed $100,000.00
Funding Source: 2019 Budget/Law Department
Contract Period: January 1, 2019 through December 31, 2019
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:
No Action Taken 7R6-aa(as) 121918

WHEREAS, the City of Newark is involved in ongoing Legal Matters and therefore has a need to acquire Legal Services; and

WHEREAS, Legal Services are Professional Services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Corporation Counsel of the City of Newark caused to be published on the City of Newark's website, a Notice of Request for Qualifications (RFQ) for Redevelopment/Land Use Counsel Services on or about September 10, 2018; and

WHEREAS, the City of Newark received a total of six (6) proposals in response to the RFQ for Redevelopment/Land Use Counsel Services; and

WHEREAS, Rainone Coughlin Minchello, LLC, 555 U.S. Highway One South, Suite 440, Iselin, New Jersey 08830, submitted a proposal and it was found based upon price and other factors to be in the best interest of the City of Newark to accept the proposal for the purpose of providing Legal Services concerning Redevelopment/Land Use Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with Rainone Coughlin Minchello, LLC, to provide Legal Services concerning Redevelopment/Land Use Matters, in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for a period of January 1, 2019 through December 31, 2019, which shall cover those existing matters currently being handled by Rainone Coughlin Minchello, LLC, as well as new matters that may arise during the contract term; 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 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; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 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 and County of Essex Candidates, 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 or County of Essex; 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.

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

1. The Mayor of the City of Newark and/or his designee, the Corporation Counsel, are authorized on behalf of the City of Newark to execute a contract with Rainone Coughlin Minchello, LLC, 555 U.S. Highway One South, Suite 440, Iselin, New Jersey 08830, to provide Legal Services concerning Redevelopment/Land Use Matters in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for the period of January 1, 2019 through December 31, 2019, which shall cover those existing matters currently being handled by Rainone Coughlin Minchello, LLC, as well as new matters that may arise during the contract term.

2. This contract is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with the City of Newark’s Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey Municipal Code § 2:4-22C.

3. This is a contract which shall be awarded in one fiscal year although the date on which it properly takes effect falls in the next fiscal year. Accordingly, this contract is subject to the availability and appropriation of sufficient funds in the year in which it takes effect. New Jersey Administrative Code 5:30-5.5(e). Funds for this contract in the amount not to exceed $100,000.00 shall be provided from the City of Newark 2019 Budget, Law Department.

4. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Corporation Counsel and shall be made available for public inspection.

5. 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.

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STATEMENT

This resolution authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into a contract for Legal Services for Redevelopment /Land Use Matters with Rainone Coughlin Minchello, LLC, 555 U.S. Highway One South, Suite 440, Iselin, New Jersey 08830 in an amount not to exceed One Hundred Thousand Dollars and Zero Cents ($100,000.00), for the period of January 1, 2019 to December 31, 2019.