



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 22-0121, Version: 1

Dept/ Agency: Law

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

Type of Service: Professional Services Contract

Purpose: To provide legal services concerning Litigation Defense matters.

Entity Name: L'Abbate Balkan Colavita

Entity Address: 100 Eagle Rock Avenue, Suite 220, Livingston, New Jersey 07039

Contract Amount: Not to exceed \$50,000.00

Funding Source: 2022 Budget/Law Department

Contract Period: January 1, 2022 through December 31, 2022

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 City of Newark (the "City") 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, on or about September 10, 2021, the City's Corporation Counsel of the caused to be published on the City of Newark's website, a Notice of Request for Qualifications (RFQ) for Litigation Counsel Services and on September 22, 2021, issued an addendum; and

WHEREAS, the City received a total of twenty-four (24) proposals in response to the RFQ for Litigation Defense; and

WHEREAS, L'Abbate Balkan Colavita, 100 Eagle Rock Avenue, Suite 220, Livingston, New Jersey 07039, submitted a proposal which 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 Litigation Defense Counsel Services; and

WHEREAS, the City of Newark wishes to enter into a contract with L'Abbate Balkan Colavita, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for a period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by L'Abbate Balkan Colavita, 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 awarded as a fair and open contract pursuant to N.J.S.A. 19:44A-20.5 and is in compliance with the State Pay-to-Play Law and the City's Pay-to-Play Ordinance.

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 L'Abbate Balkan Colavita, 100 Eagle Rock Avenue, Suite 220, Livingston, New Jersey 07039, to provide Legal Services concerning Litigation Defense Matters, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2022 through December 31, 2022, which shall cover those existing matters currently being handled by L'Abbate Balkan Colavita, as well as new matters that may arise during the contract term.
2. The contract is ratified from January 1, 2022, to the date of adoption of this authorizing resolution.
3. 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)).
4. Pursuant to N.J.A.C. 5:30-5.5(a), Temporary Budget, attached is the Chief Finance Officer's Certification, which states available funds in the amount Twelve Thousand Five Hundred Dollars and Zero Cents (\$12,500.00), are available in the 2022 Temporary Budget, the balance to be provided in the 2022 Adopted Budget. The Certification shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk. For the purposes set forth herein and the line appropriations which shall be charged are as follows:

<u>Bus. Unit</u>	<u>Dept. ID</u>	<u>Div/Proj.</u>	<u>Acct.#</u>	<u>Bud. Ref.</u>
NW011	040	0401	71260	B2022

5. The Corporation Counsel shall file a copy of the executed Agreement herein authorized in the Office of the City Clerk and the same shall be made available for public inspection.
6. 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 ratifies and authorizes the Mayor and/or his designee, the Corporation Counsel, to enter into a contract for Services for Litigation Matters with L'Abbate Balkan Colavita, 100 Eagle Rock Avenue, Suite 220, Livingston, New Jersey 07039, in an amount not to exceed Fifty Thousand Dollars and Zero Cents (\$50,000.00), for the period of January 1, 2022 through December

31, 2022.