Legislation Text

File #: 25-1061, **Version:** 1

Dept/ Agency: Law
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Professional Services Contract
Purpose: First Amendment to the Agreement to provide legal services concerning Litigation Matters.
Entity Name: Michael A. Armstrong & Associates, LLC
Entity Address: 79 Mainbridge Lane, Willingboro, New Jersey 08043
Contract Amount: Not to exceed $325,000.00
Funding Source: 2025 Budget/Law Department
Contract Period: January 1, 2025 through December 31, 2025
Contract Basis: ( ) Bid ( ) State Vendor (X) Prof. Ser. ( ) EUS
(X) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a
Additional Information:
Resolution 7R6-e(s) adopted on January 14, 2025, awarded a contract for the period of January 1, 2025 through December 31, 2025, for a contract amount not to exceed $125,000.00.
This First Amendment will increase the contract amount by $200,000.00, for a new total contract amount not to exceed $325,000.00.

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

WHEREAS, the Municipal Council, by Resolution 7R6-g(s) adopted on January 14, 2025, awarded a contract to Michael A. Armstrong & Associates, LLC, 79 Mainbridge Lane, Willingboro, New Jersey 08043, to provide legal services concerning Litigation Matters, in an amount not to exceed One Hundred Twenty-Five Thousand Dollars and Zero Cents ($125,000.00), for a period of January 1, 2025 through December 31, 2025; and

WHEREAS, Michael A. Armstrong & Associates, LLC, on or about May 2025 expended the $125,000.00 and continued to provide legal services at the request of the Corporation Counsel for the remainder of the contract period; and

WHEREAS, the estimated outstanding legal invoices require an increase in the total contract amount of $200,000.00; and

WHEREAS, the requested increase in the total contract amount is deemed reasonable and necessary to pay the outstanding legal bills through the remainder of the contract period; and

WHEREAS, the increase of an additional Two Hundred Thousand Dollars and Zero Cents ($200,000.00), brings the total contract to an amount not to exceed Three Hundred Twenty-Five Thousand Dollars and Zero Cents ($325,000.00) for January 1, 2025 through December 31, 2025.

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 hereby authorized on behalf of the City of Newark to enter into and execute a First Amendment to the Agreement to provide legal services with Michael A. Armstrong & Associates, LLC, 79 Mainbridge Lane, Willingboro, New Jersey 08043, to continue providing legal services concerning Litigation Defense Matters for an additional One Hundred Twenty-Five Thousand Dollars and Zero Cents ($125,000.00) for a total contract amount not to exceed Three Hundred Twenty-Five Thousand Dollars and Zero Cents ($325,000.00) for the period of January 1, 2025 through December 31, 2025, to cover the outstanding legal invoices from on or about May 1, 2025 through December 31, 2025.

2. The Municipal Council hereby ratifies this First Amendment to the Agreement to provide legal services from May 1, 2025 to the date of the adoption of this Resolution.

3. All other terms and conditions of the Contract shall remain the same.

4. The funds for this First Amendment to the Agreement to provide Legal Services shall be paid from the City of Newark Budget/Law Department, after the issuance of a Certification of Funds from the Chief Financial Officer, which states that funds in the amount of Two Hundred Thousand Dollars and Zero Cents ($200,000.00), Line NW011, Department 040, Division 0401, Account 71260, Budget 2025 are available in the aforementioned Law Department Budget. The Certification of Funds shall be filed along with the original Resolution in the Office of the City Clerk.

5. The Corporation Counsel shall file a copy of the executed First Amendment to the Agreement to provide legal services 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, amends, and authorizes the Mayor of the City of Newark and/or his designee, the Corporation Counsel, to enter into and execute a First Amendment to the Agreement with Michael A. Armstrong & Associates, LLC to provide legal services as Litigation Counsel for an additional $200,000.00, for a total contract amount not to exceed $325,000.00, for the period of January 1, 2025 through December 31, 2025.