

RESOLUTION NO. 2014-290

## RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH DECOTIIS, FITZPATRICK &amp; COLE, LLP, TEANECK, NEW JERSEY FOR LEGAL SERVICES REGARDING THE VINELAND POLICE DEPARTMENT

WHEREAS, there exists a need for Professional Services for Legal Representation regarding the Gamaliel Cruz Notice of Final Disciplinary Action (NFDA); and

WHEREAS, the City of Vineland has a need to acquire such professional services as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

WHEREAS, the City Solicitor's Office has recommended a contract be awarded to DeCotiis FitzPatrick & Cole, LLP, Teaneck, New Jersey, in an amount not to exceed \$50,000.00, for a period of one year from date of award; and

WHEREAS, DeCotiis FitzPatrick & Cole, LLP has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that DeCotiis FitzPatrick & Cole, LLP has not made any reportable contributions to a political or candidate committee in the City of Vineland in the previous one year and that the contract will prohibit DeCotiis FitzPatrick & Cole, LLP from making any reportable contributions through the term of the contract to a political or candidate committee in the City of Vineland; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded herein have been certified by the City Comptroller; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40A:11-1, et seq) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vineland as follows:

1. That the City Council President and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A-20.5 with DeCotiis FitzPatrick & Cole, LLP, Teaneck, New Jersey for Professional Services for Legal Representation regarding the Gamaliel Cruz Notice of Final Disciplinary Action (NFDA), in an amount not to exceed \$50,000.00.
2. That this Agreement is awarded without competitive bidding as a Professional Services in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

Adopted:

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President of Council

ATTEST:

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City Clerk

**REQUEST FOR RESOLUTION FOR CONTRACT AWARDS  
UNDER 40A:11-5 EXCEPTIONS  
(PROFESSIONAL SERVICES, EUS, SOFTWARE MAINTENANCE, ETC)**

7/14/2014  
(DATE)

NFDA

1. Service (detailed description): Legal representation regarding Gamilel Cruz ~~FNDA~~  
(Notice of Final Disciplinary Action)

2. Amount to be Awarded: \$ Not to exceed \$50,000.00

- Encumber Total Award
- Encumber by Supplemental Release

3. Amount Budgeted: \$ \_\_\_\_\_

4. Budgeted: By Ordinance No. \_\_\_\_\_  
Or Grant: Title & Year \_\_\_\_\_

5. \*\*Account Number to be Charged: \_\_\_\_\_

6. Contract Period: one year

7. Date To Be Awarded: July 22, 2014

8. Recommended Vendor and Address: DeCotiis FitzPatrick & Cole,LLP  
Teaneck, New Jersey

9. Justification for Vendor Recommendation:(attach additional information for Council review)  
This Law firm has extensive experience in municipal law and has represented the  
City of Vineland in the past.

- Non-Fair & Open (Pay-to-Play documents required)
- Fair & Open: How was RFP advertised? \_\_\_\_\_

10. Evaluation Performed by: Richard P. Tonetta

11. Approved by: Richard P. Tonetta

12. Attachments:  
 Awarding Proposal  
 Other: \_\_\_\_\_

- Send copies to:  
Purchasing Division  
Business Administration

\*\* If more than one account #, provide break down