

CITY OF VINELAND

RESOLUTION NO. 2016-\_\_\_\_\_

RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH THE LAW OFFICE OF ARCHER AND GREINER, HADDONFIELD, NJ FOR DEFENSE LITIGATION

WHEREAS, on June 9, 2015, the City Council of the City of Vineland adopted Resolution No. 2015-228, a Resolution authorizing the execution of a Professional Services Agreement with the Law Firm of Archer and Greiner, Haddonfield, NJ, for representation in the Clayville Unit 1 contract and related legal issues; and

WHEREAS, on June 17, 2015, A Professional Services Contract was issued in accordance with Resolution 2015-228, with an amount not to exceed \$50,000.00 ; and

WHEREAS, as a result of the complexity of the legal issues and ensuing litigation, the unanticipated cost will exceed the previous contractual cap of \$50,000.00; and

WHEREAS, it is anticipated that the cost through the term of the Professional Services Agreement may exceed an additional \$100,000.00; and

WHEREAS, the representation of the City is necessary and the services provided by Archer and Greiner continued to be of the highest quality and City Council finds it to be in the best interest of the City: and

WHEREAS, the availability of funds for said Amendment to be executed have been certified by the City Comptroller/CFO.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Vineland that the Mayor and Clerk are hereby authorized and directed to execute an amendment to a Professional Services Contract to increase the cap amount by an additional \$100,000.00.

Adopted:

\_\_\_\_\_  
President of Council

ATTEST:

\_\_\_\_\_  
City Clerk

## CITY OF VINELAND

March 30, 2016

To: The Mayor and City Council

Re: Amendment to PSA for Archer and Greiner  
Legal Services for Clayville Unit 1

Dear Mayor and Members of City Council,

We are requesting an amendatory supplemental change order to the Professional Services Agreement with the Law Firm of Archer and Greiner for their representation of the Vineland Municipal Electric Utility in the pending litigation with C&H Industrial Services.

The change order requested in the amount of \$100,000 will provide for additional legal services. As this is developing into an extremely complex and prolonged litigation, this amount is necessary to continue the representation by the law firm.

Depending upon the outcome of the scheduled mediation it may be necessary in the future to request for additional sums.

Richard P. Tonetta, Esq.  
Solicitor City of Vineland