

CITY OF VINELAND

RESOLUTION NO. 2016-274

RESOLUTION AUTHORIZING THE EXECUTION OF A
SECOND 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, a first amendment to the professional services agreement was approved by resolution in the amount of \$100,000.00; and

WHEREAS, as the matter has begun the discovery process and additional mediation will be scheduled which will increase the contract amount through the end of 2016 with anticipated costs to be incurred beyond the amount set forth in the first amendment to the Professional Services Contract; and

WHEREAS, it is anticipated that the cost through December 31, 2016 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 a Second Amendment to a Professional Services Contract with the Law Firm of Archer and Greiner to increase the cap amount by an additional \$100,000.00 through the end of 2016.

Adopted:

President of Council

ATTEST:

City Clerk

Reid Wanda

From: Tonetta Richard
Sent: Tuesday, August 09, 2016 2:57 PM
To: Bermudez Ruben; Calakos Angela; Fanucci Anthony R; Procopio John A; Gonzalez Maritza R; Spinelli Paul
Cc: Isabella Joseph; Reid Wanda
Subject: Change Order to PSA for Archer & Greiner

Dear Mayor Bermudez, Council President Fanucci and members of City Council,

On March 30, 2016 a request was made to increase the amount of the professional services agreement with Archer and Greiner, City's attorney in the Clayville Litigation. I am advised that we are now coming to the end of this amount due to the numerous court matters and discovery exchanges. I am suggesting that we do an amendment to their agreement to add another \$200,000.00 to the contract. If this is not acceptable please advise, otherwise I will place this on the next agenda. Thanks

Richard P. Tonetta, Esq.
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