

RESOLUTION NO. 2022-392

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE HONORABLE JULIO MENDEZ, A.J.S.C., RET'D VINELAND, NEW JERSEY AND THE CITY OF VINELAND FOR SPECIAL LEGAL COUNSEL SERVICES AS HEARINGS OFFICER AND OTHER LEGAL MATTERS WITHIN THE CITY OF VINELAND.

WHEREAS, the City of Vineland has, from time to time, substantial disciplinary issues which require the services of hearings officer with experience in such matters including issues with Civil Service; and

WHEREAS, the City of Vineland has a need to acquire such professional legal services to assist the City in properly and fairly mediating and hearing disciplinary matters as well as litigation specialist as a Non-Fair and Open Contract pursuant to NJSA 19:44A-20.5; and

WHEREAS, the Honorable Julio Mendez is a retired Assignment Judge of the Superior Court of New Jersey and has extensive knowledge and experience in adjudicating matters and assisting in the resolution of disputes between parties and has served the City of Vineland as the Solicitor for several years prior to his appointment to the Bench and has submitted a proposal to serve the City as Special Counsel at an hourly rate of \$275.00 on an as needed basis; and

WHEREAS, Judge Mendez has completed and submitted a Business Entity Disclosure Certification for Non-Fair And Open Contract which certifies that he 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 His Honor from making any reportable contributions through the term of the contract or its extension 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 have been certified by the City CFO; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40 A: 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 Council of the City of Vineland as follows:

1. That the Mayor 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 the Honorable Julio Mendez, A.J.S.C. Ret'd, Vineland, New Jersey for Professional Services for Special Legal Counsel for Civil Service disciplinary Hearings, mediation and other legal services as necessary at an hourly rate of \$275.00 on an as needed basis.
2. That this Professional Services Agreement is awarded without competitive bidding in accordance with NJSA 40 A: 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:

President of Council

ATTEST:

City Clerk