

RESOLUTION NO. 2014-88

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH RICHARDSON, GALELLA & AUSTERMUEHL, WOODBURY, NJ, FOR INVESTIGATION INTO ALLEGED HARASSMENT COMPLAINT AGAINST JUDGE MONTANEZ.

WHEREAS, there exists a need for professional services for Investigation into alleged harassment complaint against Judge Montanez; 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, Richardson, Galella & Austermuhl, Woodbury, NJ, has been recommended by TRICO JIF (the City's Insurance Carrier) to provide the professional services in an amount not to exceed \$2,006.30 for a period of sixty (60) days; and

WHEREAS, Richardson, Galella & Austermuhl, Woodbury, NJ has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Richardson, Galella & Austermuhl, Woodbury, NJ 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 Richardson, Galella & Austermuhl, Woodbury, NJ 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 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 Richardson, Galella & Austermuhl, Woodbury, NJ, Woodbury, NJ for Professional Services for Investigation into alleged harassment complaint against Judge Montanez, in an amount not to exceed \$2,006.30.
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 and the Political Contribution Disclosure Form be placed on file with the Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

Adopted:

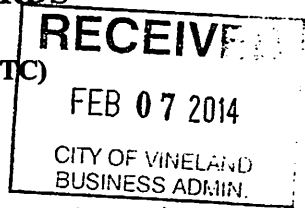
President of Council

ATTEST:

City Clerk

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

2/7/2014
(DATE)



1. Service (detailed description): Investigation into alleged harassment complaint against Judge Montanez

2. Amount to be Awarded: \$ 2006.30

- Encumber Total Award
- Encumber by Supplemental Release

3. Amount Budgeted: \$ 2006.30

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

5. **Account Number to be Charged: 011-0-00-00-0000-2-5620301

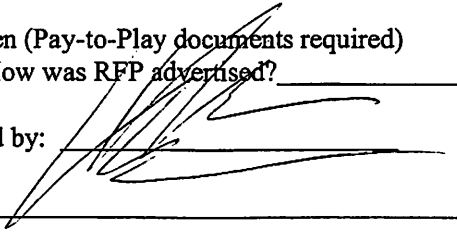
6. Contract Period: 60 days

7. Date To Be Awarded: asap

8. Recommended Vendor and Address: Richardson, Galella & Austermuhl
Attn: Allan E. Richardson

9. Justification for Vendor Recommendation:(attach additional information for Council review)
Recommended by TRICO JIF to City Solicitor and Business Administrator to perform the investigation.

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

10. Evaluation Performed by: 

11. Approved by: _____

12. Attachments:
 Awarding Proposal
 Other: _____

- Send copies to:
Purchasing Division
Business Administration

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

Richardson, Galella & Austermuhl

Attorneys Chartered, LLC

142B Emerson St., Woodbury NJ, 08096, Tel: 856-579-7045, Fax: 856-579-7051

WWW.Employmentlaw-nj.com

Allan E. Richardson ARichardson@EmploymentLaw-nj.com

Certified Civil Trial Attorney, R.1:40 mediator

Linda A. Galella LGalella@EmploymentLaw-nj.com

Charles B. Austermuhl CAustermuhl@EmploymentLaw-nj.com†

Jennifer Chen Tran JCTran@EmploymentLaw-nj.com‡

Admitted to practice in all federal and state courts and administrative agencies in New Jersey.

† Admitted in Pennsylvania

‡ Admitted in New York

December 12, 2013

William E. Lutz

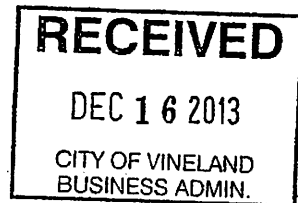
Business Administrator

City of Vineland

P.O. Box 1508

Vineland, NJ 08362-1508

Re: Montanez (IMO)
Docket:
My file: MONTANEZ13



Dear Mr. Lutz:

Enclosed please find my bill for services rendered in the above matter.

Kindly make the check out to Allan E. Richardson, Esq., LLC, Tax ID 20-2012018.

Cordially,
/s/Allan E. Richardson
Allan E. Richardson

AER/wk w/encl

Richardson, Galella & Austermuhl, LLC

142 Emerson St.
Ste. B
Woodbury, NJ 08096
Telephone: 856-579-7045
Fax: 856-579-7051

12/12/2013

Invoice No. 3223

William E. Lutz
Business Administrator
City of Vineland
P.O. Box 1508
Vineland, NJ 08362-1508

Client Number: 12744 William E. Lutz
Matter Number: MONTANEZ13 Montanez (IMO)
For Services Rendered Through 12/12/2013.

Fees

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
11/13/2013	AER	Review of emails sent by court employees.	0.40	\$60.00
11/13/2013	AER	E-mail to Judge Curio and her response.	0.10	\$15.00
11/14/2013	AER	Teleconference with Meryl Nadler of AOC and Mark Sprock. I am clear to do investigation. AOC will not get involved unless and until there is an ACJC complaint.	0.10	\$15.00
11/14/2013	AER	Draft retainer letter.	0.00	\$0.00
11/15/2013	AER	Teleconference with Bill Lutz regarding emails sent today.	0.10	\$15.00
11/18/2013	AER	Teleconference with Carole Cummings, muni court administrator.	0.30	\$45.00
11/18/2013	AER	Teleconference with administrator regarding change in municipal attorney.	0.20	\$30.00
11/18/2013	AER	Second Teleconference with Carole Cummings.	0.10	\$15.00
11/19/2013	AER	Preparation of Weingarten notices for each employee.	0.30	\$45.00
11/19/2013	AER	Letter to administrator confirming appointment and forwarding Weingarten notices.	0.10	\$15.00
11/19/2013	AER	Receipt and review of multiple emails concerning matter.	0.20	\$30.00
11/19/2013	AER	Teleconference with Judge Montanez for contact information.	0.10	\$15.00

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11/27/2013	AER	Preparation for interviews with court employees.	0.60	\$90.00
11/27/2013	AER	Travel time to and from Vineland.	2.40	\$360.00
11/27/2013	AER	Interview complainants at Courthouse in Vineland, Landis Avenue, between 7th and 8th.Street.- Conference Room Reserved for you - CONFIRMED William Lutz (856)794-4000 x4145	2.20	\$330.00
12/2/2013	AER	Teleconference with administrator concerning my initial impressions and what remains in this matter.	0.20	\$30.00
12/3/2013	AER	Travel time to and from Vineland.	2.00	\$300.00
12/3/2013	AER	Meet judge. at 720 E. Landis, Vineland - CONFIRMED	1.00	\$150.00
12/5/2013	AER	Meet Bill Lutz regarding case.(856)794-4000 x4145 - CONFIRMED No charge.	0.00	\$0.00
12/10/2013	AER	Preparation of report.	1.20	\$180.00

Billable Hours / Fees:	11.60	\$1,740.00
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Timekeeper Summary

Timekeeper AER worked 11.60 hours at \$150.00 per hour, totaling \$1,740.00.

Payment Detail

<u>Date</u>	<u>Description</u>	<u>Amount</u>
11/30/2013 12:	Transcriptionist charges	\$266.30
Total Payments Received:		\$266.30

Prior Balance:	\$0.00	Last Payment: 11/30/2013
Payments Received:	\$266.30	
Current Fees:	\$1,740.00	
Advanced Costs:	\$0.00	
TOTAL AMOUNT DUE:	\$2,006.30	

Thank You for Letting Us Serve You.
Payment Due Upon Receipt.

SPEAKWRITE

Invoice Number: **b21fa244**

November 30, 2013

Credit Card Invoice for Account:

Allan Richardson - 8568583330

<u>Job Num</u>	<u>Date</u>	<u>File Name</u>	<u>Word Count</u>	<u>Job Total</u>
<hr/>				
Allan Richardson - 8568583330				
13333-001	2013-11-29	131129_103149_WW	13315	\$266.30
			Total:	\$266.30
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			Charged to credit card:	\$266.30

Thank you for your business.

If you have any questions or comments, please contact us at:

support@peakwrite.com

(800) 828-3889