

RESOLUTION NO. 2021-171

A RESOLUTION AUTHORIZING AN AGREEMENT FOR PROFESSIONAL LEGAL SERVICES WITH DECOTIIS LLP, PARAMUS, NJ FOR ALL UTILITY POWER FILINGS, REVIEW OF DOCUMENTS AND REPRESENTATION ON RULINGS AFFECTING THE VINELAND MUNICIPAL ELECTRIC UTILITY, IN AN AMOUNT NOT TO EXCEED \$40,000.00.

WHEREAS, it is the desire of the Vineland Municipal Electric Utility to enter into a professional services contract for legal support for all Utility Power filings, review of documents and representation on rulings affecting the Vineland Municipal Electric Utility; and

WHEREAS, the City of Vineland has a need to acquire such professional legal 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, Decotiis LLP, Paramus, NJ, has submitted a proposal indicating they will provide the professional services in an amount not to exceed \$40,000.00 for a period February 1, 2021 through January 31, 2022; and

WHEREAS, Decotiis LLP has completed and submitted a Business Entity Disclosure Certification for Non-Fair and Open Contract which certifies that Decotiis 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 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 Chief Financial Officer; 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 with Decotiis LLP, Paramus, NJ, for Professional Legal Services in connection with Utility Power filings, review of documents and representation on rulings affecting the Vineland Municipal Electric Utility, in an amount not to exceed \$40,000.00.
2. That this Agreement is awarded without competitive bidding as a Professional Service 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 this Resolution.
4. That a Notice of this action shall be printed once in the Daily Journal.

BE IT FURTHER RESOLVED, that the Director of Law is authorized to make minor changes to the contract as needed after Council approved.

Adopted:

President of Council

ATTEST:

City Clerk

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



3-18-2021


(DATE)

1. Service (detailed description): Provide Legal Services for all Utility Power filings review of documents and representation on rulings affecting the Electric Utility.
2. Amount to be Awarded: \$ Not to exceed \$40,000.00 for this (1) year contract


- Encumber Total Award
 Encumber by Supplemental Release

3. Amount Budgeted: \$ 40,000.00
4. Budgeted: By Ordinance No. _____
Or Grant: Title & Year _____
5. **Account Number to be Charged: 1-05-55-502-9006-53409-E923
6. Contract Period: 2-1-2021 to 1-31-2022
7. Date To Be Awarded: -----TBD-----after approval from Council
8. Recommended Vendor and Address: Decotiis LLP 61 South Paramus Road
Paramus NJ 07652
9. Justification for Vendor Recommendation:(attach additional information for Council review)
Vast knowledge in all areas of Municipal Power issues as well as an excellent understanding of the VMEU requirements as they have been our Power Attorney Firm for multiple years

- Non-Fair & Open (Pay-to-Play documents required)
 Fair & Open: How was RFP advertised? COV RFP # 2020-37

10. Evaluation Performed by: John Lillie
11. Approved by: John Lillie 

12. Attachments:
- Awarding Proposal
 Other: Scope of work and quotation

- Send copies to:
Purchasing Division
Business Administration 

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

to the entire State, including the City. As a result, our attorneys are available to attend Council meetings, whether scheduled or emergent, when requested by the Mayor, City Council, or any of the other members of the City's administration and staff.

As detailed above, the Firm is uniquely qualified, both professionally and administratively, to address all of the City's needs in a timely, efficient and professional manner.

Cost Proposal

If selected for this engagement, we propose the following rate set forth below, we will, however, be more than willing to work with the City to arrive at a mutually agreeable fee arrangement.

Hourly Rate: We propose an hourly rate of One Hundred Ninety-Five Dollars (\$195.00) per hour for all services performed for all attorney time, including travel plus disbursements. All services performed by law clerks will be billed at a rate of One Hundred Twenty-Five Dollars (\$125.00) per hour, and all legal services provided by paralegals and legal assistant will be provided at a rate of Ninety-Five Dollars (\$95.00) per hour.

Travel Time: Travel time during which legal work is being undertaken on behalf of the client will be billed at our normal hourly rate(s). Other travel time will be billed at One Hundred Dollars (\$100.00) per hour.

Mileage, Tolls and Parking: We propose that mileage will be reimbursed at the prevailing IRS reimbursement rate, and the cost of tolls and parking shall be reimbursed at cost.

Reimbursable Expenses:

Photocopies	\$.30 per page;	Faxes	\$.25 per page
Printing	\$.10 per page;	Color Copies	\$.65 per page
CD Copy	\$5.00;	DVD Copy	\$10.00

Any additional reimbursable expenses will be subject to the approval of the City.

Invoices and Payment: Invoices are sent on a monthly basis and payment is due within 30 days thereafter.

Required Forms

Pursuant to the RFP, attached under **Exhibit C** please find the following required forms: (1) Proposal Checklist; (2) Proposal Document; (3) Statement of Ownership Disclosure; (4) EEO/Affirmative Action Compliance Notice; (5) Mandatory Equal Employment Opportunity Language; (6) Certificate of Employee Information Report; (7) Americans with Disabilities Act Mandatory Language; (8) Acknowledgment of Receipt of Addenda; (9) Disclosure of Investment Activities in Iran; (10) Business Registration Certificate; and (11) a Certificate of Insurance detailing our firm's coverages, if selected for this engagement, the City will be added as an additional insured.