

**TOWNSHIP OF VERONA
COUNTY OF ESSEX, STATE OF NEW JERSEY**

RESOLUTION No. 2021-106

A motion was made by Councilman Tamburro; seconded by Mayor Roman that the following resolution be adopted:

**AUTHORIZING AN INCREASE TO THE MAXIMUM CONTRACT AMOUNT
WITH McMANIMON, SCOTLAND & BAUMANN, LLC FOR SERVICES AS
SPECIAL LEGAL COUNSEL**

WHEREAS, on January 4, 2021 the Township Council passed Resolution No. 2021-18 appointing McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 as Special Legal Counsel at a rate not to exceed \$50,000 for the calendar year without further authorization by the Township Council; and

WHEREAS, the Township Attorney and the Township Manager have determined a need for outside Special Legal Counsel to handle certain matters related to but not limited to land acquisition, litigation, and redevelopment matters which are expected to exceed the \$50,000 maximum contract amount set by Resolution 2021-18; and

WHEREAS, the Local Public Contracts Law (*N.J.S.A. 40A:11-5(a)(1)(i)*) permits contracts for professional services to be negotiated and awarded by the governing body without public advertising for bids and requires that the resolution authorizing the award of a contract for professional services without competitive bids and the contract itself be available for public inspection; and

WHEREAS, the award of the contract to McManimon, Scotland & Baumann, LLC, is being made pursuant to *N.J.S.A. 19:44A-20.5* and the Business Entity Disclosure Certification and Political Contribution Disclosure Form completed by McManimon, Scotland & Baumann, LLC is annexed to Resolution No. 2021-18; and

WHEREAS, the cost for said professional services shall be set at a fixed hourly rates of ranging from \$125.00 to \$ 215.00 per hour for services plus the cost of reimbursable expenses; and

WHEREAS, this expenditure shall be charged to Budget Account No. 1-01-20-155-028, certain Capital Ordinances, Certain Escrow/Trust Accounts or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds which shall be certified by the Chief Financial Officer of the Township upon presentation of a property executed Purchase Order.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Verona, in the County of Essex, New Jersey that the maximum contract amount awarded to McManimon, Scotland & Baumann, LLC, 75 Livingston Avenue, Roseland, New Jersey 07068 acting as Special Legal Counsel and shall be increased to a maximum amount not to exceed \$100,000 for the calendar year without further authorization by the Township Council.

BE IT FURTHER RESOLVED, that the Township reserves the right to cancel this contract upon thirty (30) days' notice and McManimon, Scotland & Baumann, LLC shall only be paid for the work completed; furthermore, no minimum amount of work or payment is implied or guaranteed.

BE IT FURTHER RESOLVED that a notice of this action shall be published once in the Verona-Cedar Grove Times.

BE IT FURTHER RESOLVED that the Township Manager and the Township Clerk are hereby authorized to enter into any agreement necessary for the aforementioned services a copy of which shall be available for public inspection in the Office of the Township Clerk.

ROLL CALL:

AYES: Holland, Tamburro, McEvoy, McGrath, Roman

NAYS:

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON AUGUST 2, 2021.


JENNIFER KIERNAN
MUNICIPAL CLERK



EXHIBIT A
DETERMINATION OF VALUE

TO: Township Council of the Township of Verona
FROM: Matthew Cavallo, Township Manager
RE: Professional Services - Legal Services (Bond Counsel / Special Litigation)
DATE: July 27, 2021

This memorandum is being written to request your approval of a resolution authorizing the award of a contract pursuant to *N.J.S.A. 19:44A-20.5*, for professional services.

Contractor: McManimon, Scotland & Baumann, LLC
75 Livingston Avenue
Roseland, New Jersey 07068

Cost: Rates per original engagement agreement
Not to exceed \$100,000 per calendar year.

Purpose: Bond Counsel & Special Litigation

I certify that the value of the contract exceeds \$17,500.00 and is to be awarded as a Non-Fair and Open Contract, pursuant to *N.J.S.A. 19:44A-20.5*.



MATTHEW CAVALLO,
Township Manager