

CITY COUNCIL**The City of Orange Township, New Jersey**DATE January 2, 2024NUMBER 13-2024

TITLE: RESOLUTION RENEWING A PROFESSIONAL SERVICE AGREEMENT WITH BELL & SHIVAS, P.C., AS CONFLICT COUNSEL TO REPRESENT THE CITY OF ORANGE TOWNSHIP AND DWAYNE D. WARREN IN THE LAWSUIT ENTITLED: CITY OF ORANGE TOWNSHIP AND DWAYNE D. WARREN, MAYOR V. MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, (DOCKET NO. ESX-L-003047-21), CITY OF ORANGE TOWNSHIP AND DWAYNE D. WARREN, MAYOR V. MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP (DOCKET NO. ESX-L-005312-21), AND CITY OF ORANGE TOWNSHIP AND DWAYNE D. WARREN, MAYOR V. MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP (DOCKET NO. ESX-L-006949-21) IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE CALENDAR YEAR ENDING 2024

WHEREAS, The Municipal Counsel of the City of Orange approved Resolution No. 142-2022, adopted on March 1, 2022 authorizing a (1) year professional service agreement for total contract amount of \$20,000.00 with the Bell & Shivas, P.C. to represent the City, its officers and employees; and

WHEREAS, the lawsuit is still ongoing and it is necessary to renew the contract and to increase the contract amount by an additional \$20,000.00; and

WHEREAS, the City awarded the contract to Bell & Shivas, P.C. under the "fair and open process" of the Pay-to-Play Law, N.J.S.A. 19-44A-20.4 et seq; and

WHEREAS, the Chief Financial Officer of the City of Orange Township has prepared the necessary Certificate of Availability of Funds, a copy of which is attached hereto certifying that funds will be available for this purpose in Account No. 4-01-20-155-000-519, contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract with the Bell & Shivas, P.C.


NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Orange Township, that the Addendum to the Agreement between the City of Orange Township and Bell & Shivas, P.C., is hereby approved in an amount not to exceed \$20,000.00.

BE IT FURTHER RESOLVED that the Mayor Dwayne D. Warren, is hereby authorized and directed to execute the Addendum to the Agreement.

Adopted: January 2, 2024

Joyce Lanier, Municipal Clerk

Tency A. Eason, Council President

 A. M. ZANTI

CITY OF ORANGE TOWNSHIP
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS
NEXT BUDGET - CURRENT FUND

I, Nile Clements, Chief Financial Officer for the City of Orange Township, do hereby confirm that based on the Quote or RFP, RFQ, bid results or "extraordinary unspecifiable services" without competitive bids for 2024 service contract, and the resolution to be presented to the Council for approval, and contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract with:

Vendor Name: Bell, Shivas & Bell, P.C.

Address: 150 Mineral Springs Drive
P.O. Box 220

City: Rockaway
State: New Jersey
Zip Code: 07866

Purpose: Special Counsel for Docket No. ESX-L-003047-21
Mayor Warren vs Orange City Council

Vendor ID: BELLS005

Fund: Current Fund
Line Description LAW - Professional Services
Account Numbers(s): CY'24 4-01-20-155-000-519 \$ 20,000.00

Purchase Order # : TBD

Amount not to exceed: \$ 20,000.00

Division Head

Date

Nile Clements

12/27/2023

Chief Financial Officer

Date

**AMENDMENT TO CONTRACT
EXTENSION AGREEMENT**

THIS EXTENSION AGREEMENT is made this _____ day of _____, 2023 by and between the City of Orange Township, a municipal corporation of the State of New Jersey, having its principal office at 29 North Day Street, Orange, New Jersey 07050 (hereinafter referred to as "City") and Bell & Shivas, P.C., P.C., 150 Mineral Springs Drive, P.O. Box 220, Rockaway, New Jersey 07066 (hereinafter referred to as "Counsel");

It is mutually understood and agreed by and between the undersigned contracting parties to amend the previously executed Agreement as follows:

This Agreement shall be binding on the heirs, successors, and assigns of each party hereto. The term of this Agreement shall be for a period of one (1) year from the date of this Agreement and Bell & Shivas, P.C., shall continue to serve in all matters assigned to him/her as to this issue prior to the end of the term to their completion.

All other terms and conditions that are not hereby amended are to remain in full force and effect.

CITY OF ORANGE TOWNSHIP

ATTEST:

By: _____
Dwayne D. Warren, Esq.,
Mayor

Joyce Lanier, Municipal Clerk

BELL & SHIVAS, P.C.

ATTEST:

By: _____

Approved as to form and sufficiency

Gracia Robert Montilus
City Attorney