

**CITY COUNCIL****The City of Orange Township, New Jersey**DATE January 16, 2024NUMBER 35-2024**TITLE:**

**A RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT FOR SPECIAL COUNSEL TO PROVIDE LEGISLATIVE RESEARCH OFFICER SERVICES FROM JANUARY 1, 2024 THROUGH DECEMBER 31, 2024 IN AN AMOUNT NOT TO EXCEED \$50,000.00**

**WHEREAS**, the City of Orange Township solicited Special Counsel to provide Legislative Research Officer Services for the Orange City Council by publishing a Request for Qualifications (RFQ) on October 26, 2023 and November 22, 2023; and

**WHEREAS**, two (2) bids were received in response to the Request for Qualifications; and

**WHEREAS**, Municipal Council of the City of Orange Township did approve by Resolution 21-2024 the two bidders to provide Legislative Research Officer services to the City of Orange Township for a period of January 1, 2024 through December 31, 2024; and

**WHEREAS**, Resolution #21-2024 did not establish a contract and only listed qualified professionals for consideration for Legislative Research Officer services; and

**WHEREAS**, a separate resolution is needed to enter into a contract for the Legislative Research Officer; and

**WHEREAS**, the Municipal Council agreed to select O'Toole Scrivo, LLC from the approved list of qualified professionals to provide Legislative Research Officers services; and

**WHEREAS**, O'Toole Scrivo, LLC has completed and submitted a business Entity Disclosure Certification which certifies that O'Toole Scrivo, LLC not made any reportable contributions.

**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 4-01-20-112-000-519 contingent upon Council approval and inclusion of said item in the Temporary Budget and adopted 2024 Budget, there will be sufficient funds to contract O'Toole Scrivo, LLC; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF ORANGE TOWNSHIP, AS FOLLOWS:**

1. O'Toole Scrivo, LLC be awarded a contract as Special Counsel to provide Legislative Research Officer Services at a rate of \$150.00 per hour in an amount not to exceed \$50,000.00 from January 1, 2024 through December 31, 2024.
2. The Mayor and the City Council are hereby authorized to execute a contract in connection with same.

**Adopted: January 16, 2024**

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Joyce L. Lanier  
City Clerk

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Tency A. Eason  
Council President

**Section 2.** The Mayor be and is hereby authorized and directed to resolve the Anthony Carey Litigation in accordance with any terms and conditions as set forth thereto.

**Section 3.** This Resolution shall take effect immediately.

**Adopted: January 16, 2024**

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**Joyce L. Lanier**  
**City Clerk**

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**Tency A. Eason**  
**Council President**

CITY OF ORANGE TOWNSHIP  
FINANCE DEPARTMENT

CERTIFICATION OF FUNDS  
NEXT BUDGET

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: O'Toole Scrivo LLC.  
Address: 14 Village Park Road

City: Cedar Grove  
State: New Jersey  
Zip Code: 07009

Purpose: Legislative Research Officer Services  
Vendor ID: OTOOL005

Temporary Budget: \$ 12,500.00  
Fund: Current Fund  
Line Description CNL - City Council O&E - Professional Services  
Account Numbers(s): CY24 4-01-20-112-000-5119

The remainder of: \$ 37,500.00  
will be provided in  
Fund: Current Fund  
Line Description CNL - City Council O&E - Professional Services  
Account Numbers(s): CY24 4-01-20-112-000-5119

Purchase Order # : 24-00175

Amount not to exceed: \$ 50,000.00

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Division Head

Date

*Nile Clements*

1/11/2024

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Chief Financial Officer

Date

## AGREEMENT

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2024, 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 O’Toole Scrivo, LLC, 14 Village Park Grove, New Jersey 07009, (hereinafter referred to as “the Law Firm”);

**WHEREAS**, The City agrees to retain The Law Firm for the purpose of Legislative Research Officer Services on a specialized nature to the City.

1. **Legal Services.** The Law Firm of O’Toole Scrivo, LLC shall provide legislative research officer services to the City of Orange Township City Council, which shall include, but not be limited to, preparing legislation, researching legal and factual issues, preparing research memorandums, and drafting procurement documents for the City Council. The Law firm of O’Toole Scrivo, LLC agrees to provide conscientious, competent and diligent services and at all times and will seek to achieve solution, which are just and reasonable for the City.
2. **Additional Legal Services.** If the City of Orange Township City Council need any other services which may or may not be related to the above matter, the City of Orange Township City Council and the Law Firm of O’Toole Scrivo, LLC may make a new agreement to provide the other services.
3. **Payment.** The Law Firm of O’Toole Scrivo, LLC will commence working upon passing of the resolution authorizing this agreement. The Law Firm of “O’Toole Scrivo, LLC will bill the City of Orange Township monthly based on services provided.
  - A. **Maximum Fee.** The City of Orange Township City Council agree to pay an amount

not to exceed \$50,000.00 for legal services for the contract.

**B. Hourly Rate.** The City of Orange Township City Council agree to pay The Law Firm of O'Toole Scrivo, LLC for the services at the following rates:

<u>Rate Per Hour</u>	<u>Services of</u>
\$150.00	Partners
\$150.00	Associates

- C. All Services Will Be Billed.** The City of Orange Township will be billed at the hourly rates set forth in paragraph 3B for all services rendered. This includes telephone calls, dictation of legislation and procurement documents, and any other legislative services requested.
4. **Your Responsibility.** The City of Orange Township will also pay all bills as required by this Agreement.
5. **Arbitration Clause.** Any controversy and/or dispute between the City of Orange and the Law Firm of O'Toole Scrivo, LLC regarding fees or any controversy, claim, dispute or other matter in question arising out of or relating to this agreement, or the breach thereof, shall be resolved by binding arbitration between the parties. Arbitration will be governed by the Commercial Industry Arbitration Rules of the American Arbitration Association, and any award by any arbitration shall be deemed final.
6. **Signatures.** The City of Orange Township and The Law Firm of O'Toole Scrivo, LLC have read and agree to this Agreement, consisting of two (2) pages.

**CITY OF ORANGE TOWNSHIP**

By: \_\_\_\_\_  
**Dwayne D. Warren, Esq., Mayor**

**ATTEST:**

\_\_\_\_\_  
**Joyce Lanier, Municipal Clerk**

**O'TOOLE SCRIVO, LLC**

By: \_\_\_\_\_  
**O'Toole Scrivo, LLC**

**ATTEST:**

\_\_\_\_\_

**Approved as to form and sufficiency:**

\_\_\_\_\_  
**Gracia Robert Montilus**  
**City Attorney**





**RESOLUTION NO. 21-2024**

**ON CONSENT AGENDA**

**REGULAR COUNCIL MEETING – January 2, 2024**

**MOTION TO ADOPT: Summers-Johnson**

**SECOND: Montague, III**

**YEAS: Coley, Hilbert, Montague, III, Ross, Summers-Johnson & Council President Eason**

**NAYS: None**

**ABSTENTIONS: None**

**ABSENCES: Wooten**