

County of Passaic

Board of County Commissioners



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County Counsel
Louis E. Imhof, RMC
Clerk Of The Board

Date: Feb 27, 2024 - 5:30 PM

Agenda: RESOLUTION APPROVING ADDITIONAL LEGAL FEE AUTHORIZATION TO WEBER DOWD LAW, LLC FOR LEGAL SERVICES PROVIDED TO THE COUNTY OF PASSAIC IN CALENDAR YEAR 2023, PURSUANT TO N.J.A.C. 5:30-11.6

THIS RESOLUTION WAS REQUESTED BY:
COUNTY COUNSEL

REVIEWED BY:

Matthew P. Jordan, Esq.

APPROVED AS TO FORM AND LEGALITY:

Nadege D. Allwaters, Esq.

Official Resolution#	
Meeting Date	2/27/2024
Introduced Date	2/20/2024
Adopted Date	
Agenda Item	3.
CAF#	3-01-35-230-001-299
Purchase Req. #	
Result	

Administration and Finance

COMMITTEE NAME

RESOLUTION APPROVING ADDITIONAL LEGAL FEE AUTHORIZATION TO WEBER DOWD LAW, LLC FOR LEGAL SERVICES PROVIDED TO THE COUNTY OF PASSAIC IN CALENDAR YEAR 2023, PURSUANT TO N.J.A.C. 5:30-11.6

WHEREAS, the County of Passaic (“County”) is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1, the Board of County Commissioners of the County of Passaic (“Board”) is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the County requires a law firm to provide legal services related to public works projects, contract disputes, change orders, and other construction related legal matters, as needed during calendar year 2023; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, et seq., the Passaic County Purchasing Agent issued RFQ-23-024, Outside Legal Counsel (“RFQ-23-024”), seeking a pool of outside legal counsel to provide professional services to the County, as needed during calendar year 2023; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.4, the County’s request for qualifications is a fair and open process, specifically, the request for qualifications for a pool of outside legal counsel for calendar year 2023 was publicly advertised, awarded under a process that provides for public solicitation of qualifications, established the basis of an award and disclosure process documented in writing prior to any solicitation, and was publicly opened and announced when awarded; and

WHEREAS, on November 22, 2022, the Board passed Resolution No. R-22-0981, qualifying a pool of outside legal counsel for calendar year 2023, to be hired on an as-needed basis and as recommended by the Passaic County Counsel, which included Weber Dowd Law, LLC; and

WHEREAS, on March 28, 2023, the Board passed Resolution No. R-23-0266, retaining Weber Dowd Law, LLC to provide legal services related to public works projects, contract disputes, change orders, and other construction related legal matters, as needed during calendar year 2023, in an amount not to exceed twenty thousand dollars (\$20,000.00); and

WHEREAS, the Passaic County Counsel is recommending to approve an additional legal fee authorization to Weber Dowd Law, LLC to pay outstanding invoices for legal services provided in calendar year 2023, in an amount not to exceed six thousand one hundred thirty-two dollars and fifty cents (\$6,132.50); and

WHEREAS, pursuant to N.J.A.C. 5:30-11.6, the County can authorize contract modifications for professional services and extraordinary unspecifiable services, when the change is within the scope of activities of the original contract, and not for the purpose of undertaking new or different work or projects; and

WHEREAS, funds are available in Account No. 3-01-35-230-001-299, or any other account that may be deemed appropriate by the Chief Financial Officer or his designee, and the availability of funds has been contingently certified by the Chief Financial Officer subject to sufficient funds being appropriated by the Board in the 2023 and/or subsequent County budget(s), which is attached hereto and made part of this Resolution; and

WHEREAS, this matter was discussed at the February 14, 2024 Administration and Finance Committee meeting, and is being recommended to the Board for approval; and

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:11-5(1)(a)(i), the Board of County Commissioners of the County of Passaic approves an additional legal fee authorization to Weber Dowd Law, LLC to pay outstanding invoices for legal services provided to the County of Passaic in calendar year 2023, related to public works projects, contract disputes, change orders, and other construction legal matters, in an amount not to exceed six thousand one hundred thirty-two dollars and fifty cents (\$6,132.50), for a total contract award for calendar year 2023, in an amount not to exceed twenty-six thousand one hundred thirty-two dollars and fifty cents (\$26,132.50).

LET IT BE FURTHER RESOLVED, that the Clerk of the Board shall print, in the official

newspaper, a brief notice stating the nature, duration, service and amount of the contract awarded to Weber Dowd Law, LLC and maintain a copy of this Resolution on file and available for public inspection in the Office of the Clerk to the Board.

LET IT BE FURTHER RESOLVED, that the Clerk of the Board, County Counsel, and Director of the Board are authorized to take any action necessary to carry out the purpose of this Resolution.

SF

February 27, 2024