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COUNTY OF PASSAIC
Board of County Commissioners

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ATTORNEY-CLIENT COMMUNICATION

TO: Administration & Finance Committee

FROM: Office of the Passaic County Counsel

RE: Case Summary – *Albert E. Garcia v. County of Passaic, et al.*

DATE: May 28, 2025

Date of Incident: July 24, 2023

NOC Filed: August 14, 2023

Complaint Filed: May 15 2025

Answer Due: June 24, 2025 (County of Passaic was served on May 20, 2025)

Albert E. Garcia v. County of Passaic, et al., Docket No. PAS-L-1645-25

This matter arises from an incident that occurred on May 7, 2024. Plaintiff claims that he was driving his moped scooter on Madison Avenue in Paterson when he became tangled in some low hanging wires in the area around 777 Madison Avenue and fell off his scooter, injuring his arm. Plaintiff, who is represented by Clark Sarkisian, Esq. (Law Office of Grosso & Sarkisian), alleges that his injuries were caused by the negligence of multiple private and public entities, including PSE&G Corporation, Verizon, the City of Paterson, the County, and the State.

Madison Avenue is a County road.



RESOLUTION REQUEST FORM

NAME OF REQUESTER: Nadege D. Allwaters, Esq. DEPARTMENT/DIVISION: County Counsel

1. DESCRIPTION OF RESOLUTION

TYPE OF RESOLUTION: Litigation

PROJECT NAME & NO. (If applicable): Albert Encarnacion Garcia v. County of Passaic, et al., Docket No. PAS-L-1645-25

PROJECT LOCATION (If applicable): Passaic County Superior Court

SUMMARY:

The office of the Passaic County Counsel is seeking authorization to retain Waters McPherson McNeill, PC to provide outside legal services in the matter of Albert Encarnacion Garcia v. County of Passaic, et al., Docket No. PAS-L-1645-25, in an amount not to exceed fifty thousand dollars (\$50,000.00).

2. **CERTIFICATION OF FUNDS**

AMOUNT OF EXPENDITURE: \$ 50,000.00

REQUISITION # _____
(A copy of the requisition from Edmunds must be attached)

PURCHASE ORDER # _____
(A copy of the purchase order and change order request form must be attached)

ACCOUNT # T-19-56-850-000-801
(If more than one account please list individually below, with designated amounts)

ACCOUNT # _____ Amount: _____

ACCOUNT # _____ Amount: _____

ACCOUNT # _____ Amount: _____

ACCOUNT # _____ Amount: _____

3. **METHOD OF PROCUREMENT**

☐ RFP #: _____

☒ RFQ #: RFQ-25-042

Add qualifying resolution no. if requesting an award

☐ BID #: _____

☐ CO-OP: _____ Number: _____

Did the vendor agree to extend pricing to Passaic County Cooperative Pricing #38PCCP?

☐ Yes ☐ No

☐ STATE CONTRACT #: _____

☐ EXCEPTIONS (per N.J.S.A. 40A:11-5 et seq.): _____

☐ QUOTES: (Please add all solicited quotes herein; including vendor name and total amount.)

☐ NON-FAIR & OPEN: (A copy of an executed *Business Entity Disclosure Certification* must be attached)

☐ OTHER: _____

4. CERTIFICATION OF PROHIBITED ACTIVITIES:

(Please check the Russia-Belarus Prohibited Activity Entity List & Chapter 25 List for this section)

☒ Confirmed not on Russia-Belarus Entity List

Date Confirmed: 5/28/25

<https://sanctionssearch.ofac.treas.gov/>

☒ Confirmed not on Chapter 25 Prohibited Activities in Iran List

Date Confirmed: 5/28/25

<http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>

5. COMMITTEE REVIEW / DISTRIBUTION

(Please check off the committee(s) the resolution request is being submitted to and the meeting date it is associated with)

- ☒ Administration & Finance
- ☐ Health & Human Services
- ☐ Law & Public Safety
- ☐ Planning & Economic Development
- ☐ Public Works

Meeting Date: 5/28/25

Meeting Date: _____

Meeting Date: _____

Meeting Date: _____

Meeting Date: _____