

County of Passaic
Board of County Commissioners



OFFICE OF COUNTY COMMISSIONERS

Director Pasquale “Pat” Lepore
Deputy Director Cassandra “Sandi” Lazzara
John W. Bartlett
Orlando Cruz
Rodney De Vore
Terry Duffy
Bruce James

401 Grand Street
Paterson, New Jersey 07505
Tel: 973-881-4402
Fax: 973-742-3746

Matthew P. Jordan, Esq.
Administrator
Nadege D. Allwaters, Esq.
County Counsel
Louis E. Imhof
Clerk Of The Board

Date: Jun 17, 2025 - 5:30 PM

Agenda: RESOLUTION RETAINING WATERS, MCPHERSON, MCNEILL, P.C., TO PROVIDE OUTSIDE LEGAL SERVICES IN THE MATTER OF ALBERT E. GARCIA V. COUNTY OF PASSAIC, ET AL., DOCKET NO. PAS-L-1645-25, PURSUANT TO N.J.S.A. 40A:11-5 AND RFQ-25-042

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	6/17/2025
Introduced Date	6/12/2025
Adopted Date	
Agenda Item	8.
CAF#	T-19-56-850-000-801
Purchase Req. #	
Result	

Administration and Finance
COMMITTEE NAME

RESOLUTION RETAINING WATERS, MCPHERSON, MCNEILL, P.C., TO PROVIDE OUTSIDE LEGAL SERVICES IN THE MATTER OF ALBERT E. GARCIA V. COUNTY OF PASSAIC, ET AL., DOCKET NO. PAS-L-1645-25, PURSUANT TO N.J.S.A. 40A:11-5 AND RFQ-25-042

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 is a named defendant in Albert E. Garcia v. County of Passaic, et al., Docket No. PAS-L-1645-25, a matter pending in Superior Court, requiring retention of outside legal counsel; and

WHEREAS, pursuant to N.J.S.A. 40A:11-5, et seq., on October 15, 2024, the Passaic County Purchasing Agent issued RFQ-25-042, Outside Legal Counsel (“RFQ-25-042”), seeking qualified law firms to provide outside legal services to the County in calendar year 2025; and

WHEREAS, on December 10, 2024, the Board passed Resolution No. R-24-1092, qualifying a pool of outside legal counsel for calendar year 2025 to be hired on an as-needed basis and as recommended by the Passaic County Counsel, which included Waters, McPherson, McNeill, P.C.; and

WHEREAS, the Passaic County Counsel is recommending to retain Waters, McPherson, McNeill, P.C. to represent the County in the Garcia matter, in an amount not to exceed fifty thousand dollars (\$50,000.00); and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.4, this contract is being awarded under a fair and open procurement process, which requires that a contract be: publicly advertised in sufficient time to give notice in advance of the contract; awarded under a process that provides for public solicitation of proposals or qualifications; awarded and disclosed under criteria established in writing by the public entity prior to the solicitation of proposals or qualifications; and publicly opened and announced when awarded; and

WHEREAS, pursuant to N.J.S.A. 52:32-60.1, et seq., Waters, McPherson, McNeill, P.C. executed the Non-Involvement in Prohibited Activities in Russia or Belarus Certification, attached hereto and made part of this Resolution, certifying the law firm is not involved in prohibited activities in Russia and Belarus, and the County confirmed that said law firm is not identified on the Specially Designated Nationals and Blocked Persons list created by the Office of Foreign Assets Control; and

WHEREAS, funds are available in Account No. T-19-56-850-000-801, or any 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 2025 and/or subsequent County budget(s), which is attached hereto and made part of this Resolution; and

WHEREAS, this matter was considered by the Administration and Finance Committee and is being recommended to the Board for approval.

NOW, THEREFORE, LET IT BE RESOLVED, pursuant to N.J.S.A. 40A:11-5, the Board of County Commissioners of the County of Passaic retains Waters, McPherson, McNeill, P.C. to represent the County of Passaic in Albert E. 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), in accordance with the terms and conditions set forth in RFQ-25-042.

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 Waters, McPherson, McNeill, P.C., 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.

NB

June 17, 2025