

RESOLUTION NO. 2018 – 133

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE CONTRACT WITH RUMPF LAW FIRM AS CHIEF MUNICIPAL PUBLIC DEFENDER

WHEREAS, the Township of Little Egg Harbor was in need of services of Chief Municipal Public Defender for its Municipal Court; and

WHEREAS, on January 1, 2018 by Resolution 2018-17, a contract was awarded to the Law Firm of Brian E. Rumpf, P.C. to serve as the Chief Municipal Public Defender; and

WHEREAS, the Law Firm of Brian E. Rumpf, P.C. has been dissolved and the professionals within the firm have established a new firm under the name of the Rumpf Law Firm; and

WHEREAS, due to the enactment of N.J.S.A. 2A:162-19, Municipal Public Defenders are required to represent defendants in pretrial detention appeals; and

WHEREAS, this additional work was unanticipated at the time of submission of the RFP response by the Law Firm of Brian E. Rumpf, P.C; and

WHEREAS, the amount to be awarded under this resolution is to be an amount not to exceed \$17,500.00, which sum is a reasonably estimated based upon such legal services as may be required over the contract term to be awarded under this resolution, including, but not limited to, the amount spent for such legal services from the previous calendar year, the costs of compensation under the contract to be awarded, and any projected increase and decrease in services anticipated versus the prior year, and which sum the Township of Little Egg Harbor is under no obligation to spend and which may be exceeded; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this addendum to the contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1- et. seq., authorizes the award of contracts for "Professional Services" and requires that the resolution and contracts be made available for public inspection; and

WHEREAS, it is the desire of the governing body to authorize the execution of an addendum to the contract effectuating the change of the firm name to the Rumpf Law Firm and amending the contract to provide for payment for the additional work concerning pre-trial detention appeals.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of an addendum to the contract with the Law Firm of Brian E. Rumpf, P.C. as Chief Municipal Public Defender indicating a change in firm name to the Rumpf Law Firm and amending the contract to provide for payment for the additional work concerning pre-trial detention appeals.

2. That the Mayor and Municipal Clerk are hereby authorized to execute an addendum to the contract with the Rumpf Law Firm, in accordance with the provisions of this resolution.

3. That the agreement shall be open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following is the line item appropriation[s], which constitute the availability of fund for this contract: _____.

3. That a certified copy of this resolution, together with a copy of the addendums to the contract between the parties, shall be forwarded by the Township Clerk to the Chief Financial Officer and Rumpf Law Firm.

Motion to Approve: Stevens Second: Kehm Roll Call:

Crea	<u>Abstain</u>
Gormley	<u>yes</u>
Kehm	<u>yes</u>
Schlick	<u>yes</u>
Stevens	<u>yes</u>

CERTIFICATION

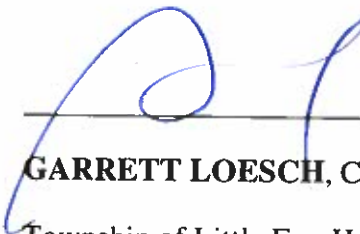
I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 24th day of May, 2018.


DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township

CERTIFICATE OF AVAILABILITY OF FUNDS

I, **GARRETT LOESCH**, Chief Financial Officer for the Township of Little Egg Harbor, do hereby certify that adequate funds are available for the addendum to the contract with the Rumpf Law Firm for Chief Municipal Public Defender services in an amount not to exceed \$17,500.00 which sum is a reasonably estimated based upon such legal services as may be required over the contract term to be awarded under this resolution, including, but not limited to, the amount spent for such legal services from the previous calendar year, the costs of compensation under the contract to be awarded, and any projected increase and decrease in services anticipated versus the prior year, and which sum the Township of Little Egg Harbor is under no obligation to spend and which may be exceeded.

The funds which are available for this contract are found in the following line item appropriations or ordinances: 8-01-20-856-027



GARRETT LOESCH, Chief Financial Officer
Township of Little Egg Harbor

ADDENDUM TO AGREEMENT FOR PROFESSIONAL SERVICES

**AND
RUMPF LAW, P.C.**

THIS ADDENDUM dated the 4th day of May, 2018,

BETWEEN: **TOWNSHIP OF LITTLE EGG HARBOR**, a municipal corporation of the State of New Jersey, having its principal offices located at 665 Radio Road Little Egg Harbor, N.J., 08087, (hereinafter referred to as "Township");

AND: **RUMPF LAW, P.C.**, having the principal office located at 11 Leifried Lane, Tuckerton, New Jersey 08087 (hereinafter referred to as "Attorney").

WHEREAS, pursuant to law, the parties hereto wish to enter into an Addendum to the Agreement for Professional Services

NOW, THEREFORE, the parties hereunder do agree as follows:

1. The Attorney is hereby retained as the Public Defender for the Township pursuant to a contract executed on February 1, 2018.
2. The Attorney shall provide all legal services required and necessary as the Public Defender for the Township of Little Egg Harbor, with respect to preparing for and attending all Appeals of Decisions from Pretrial Detention Hearings, at an hourly rate of One Hundred Sixty-five (\$165.00) Dollars per hour.
3. The Township of Little Egg Harbor and the Attorney for themselves, their heirs, executors, administrators, successors or assigns, hereby agree to the full performance of the covenants herein contained.
4. All other terms and conditions of the original contract remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused the Agreement to be executed the day and year first above written.

WITNESS & ATTEST:



**RAYMOND GORMLEY,
MAYOR LEH TOWNSHIP**



**DEBRA H. RUMPF, ESQUIRE
for LAW RUMPF, P.C.**