

RESOLUTION NO. 22-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AWARDING PROFESSIONAL SERVICE
CONTRACTS FOR WORKERS COMPENSATION COUNSEL**

WHEREAS, pursuant to § 4-32E of the Code of the Township of Middletown there exists a need to appoint an individual or law firm to serve as special counsel to the Township of Middletown to handle workers compensation matters as may be needed; and

WHEREAS, while the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)) does not require competitive bidding for this position it was nevertheless advertised pursuant to the Fair and Open Process (N.J.S.A. 19:44A-20.5); and

WHEREAS, the law firms of Biancamano & Distefano PC, Capehart & Scatchard PA and Malamut & Associates LLC are qualified and agree to provide legal services in relation workers compensation matters; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Biancamano & Distefano PC has agreed to perform at a rate of \$155 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Capehart & Scatchard PA has agreed to perform at a rate of \$155 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses; and

WHEREAS, subject to the certification of availability of funds by the Chief Financial Officer, the law firm of Malamut & Associates LLC has agreed to perform at a rate of \$170 per hour, estimated not to exceed \$17,500, exclusive of fees for witnesses, experts, filing fees, legal research, or other reasonable allowable expenses.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey that the law firms of Biancamano & Distefano PC, Capehart & Scatchard PA and Malamut & Associates LLC are hereby awarded professional services contracts for the provision of legal services as Special Workers Compensation Counsel to the Township, as needed, during 2022 for an estimated amount not to exceed \$17,500 each.