



Legislation Details (With Text)

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**File created:** 2/14/2012      **In control:** Administration  
**On agenda:** 10/23/2013      **Final action:** 10/29/2013

**Title:** Dept/ Agency: Administration/Office of the Business Administrator  
Action: ( x ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Contract with Sub-recipient  
Purpose: Provide Urban Agriculture/Tree Planting Services  
Entity Name: Lincoln Park/Coast Cultural District, Inc.  
Entity Address: 450 Washington Street, Newark, New Jersey 07102  
Grant Amount: \$50,000.00  
Funding Source: United States Department of Housing and Urban Development (HUD)/ Community Development Block Grants (CDBG) Funds  
Contract Period: January 1, 2012 through December 31, 2012  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( x ) Fair & Open ( ) No Reportable Contributions ( x ) RFP ( ) RFQ  
( ) Private Sale ( x ) Grant ( x ) Sub-recipient ( ) n/a  
Additional Information:  
Funds accepted by Resolution 7R1-F adopted October 5, 2011  
No Action Taken 7R1-a 102313

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
10/29/2013	1	Municipal Council	Adopt	Pass
10/23/2013	1	Municipal Council	no action taken	

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**WHEREAS,** pursuant to Resolution 7R1-F, adopted October 5, 2011, the Mayor and/or his

designee, the Business Administrator, were authorized to file FY2011 (Program Year 2011-2012) One-Year Action Plan with the U.S. Department of Housing and Urban Development (HUD), which contained requests for funds from four grant programs: Community Development Block Grants (CDBG), \$7,835,598.00; HOME Investment Partnerships (HOME), \$3,716,178.00; Housing Opportunities for People With AIDS (HOPWA), \$6,646,588.00 (on behalf of Newark and the "Eligible Metropolitan Area"); and Emergency Shelter Grants (ESG), \$379,213.00, and were further authorized to accept these grant funds and enter into a grant agreement with HUD for these funds, with no municipal funds required; and

**WHEREAS**, pursuant to the competitive contracting process of the State Local Public Contracts Law, as authorized by N.J.S.A. 40A:11-4.1b(1) (being the operation, management or administration of a social services program), and pursuant also to the fair and open process of State Pay-to-Play Law N.J.S.A. 19:44A-20.5, the City of Newark publicly advertised a Request for Proposals (RFP) for Urban Agriculture/Tree Planting Services on August 23, 2011 with all proposals due on September 16, 2011; and

**WHEREAS**, the Municipal Council of the City of Newark hereby ratifies the use of competitive contracting for processing these Housing and Urban Development Entitlement Programs from August 23, 2011 to the date of adoption of this Resolution, and authorizes its use in the future; and

**WHEREAS**, the proposal received from Lincoln Park/Coast Cultural District, Inc., 450 Washington Street, Newark, New Jersey 07102, hereinafter, "Sub-Recipient" was the most advantageous to the City of Newark, based on experience and all other criteria listed in the RFP; and

**WHEREAS**, the Business Administrator desires to enter into an Agreement with the Sub-Recipient, for the purpose of providing Urban Agriculture/Tree Planting Services for the contract period January 1, 2012 to December 31, 2012, for a total contract amount of \$50,000.00; and

**WHEREAS**, this Agreement is awarded to the Sub-Recipient, in compliance with Local Public Contracts Law, including but not limited to N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5, and Community Development Block Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR. 570.201; and

**WHEREAS**, the Mayor of the City of Newark signed into law Executive Order Number ME0-07-0001 (hereinafter "Pay-to-Play Executive Order"), which requires reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract; and

**WHEREAS**, reporting requirements pursuant to N.J.S.A. 19:44A-20.5, et seq. and MEO-07-0001 are only applicable to Business Entities as defined therein and do not include non-profit organizations. As a non-profit organization, Lincoln Park/Coast Cultural District, Inc., is therefore not required to submit certain disclosure statements.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee, the Business Administrator, are hereby authorized to enter into and execute an Agreement with Lincoln Park/Coast Cultural District, Inc., 450 Washington Street, Newark, NJ 07102 for the period January 1, 2012 to December 31, 2012, to provide

Urban Agriculture/Tree Planting Services, which are further described in the "Scope of Services" attached hereto as Exhibit A.

2. The contract between the City of Newark and sub-recipient is hereby ratified from January 1, 2012 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$50,000.00 and shall be paid from CDBG funding.
4. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from August 23, 2011 to the date of adoption of this Resolution, and authorizes its use in the future.
5. This Agreement is being awarded pursuant to the fair and open procedures of the State Pay-to-Play Law, N.J.S.A 19:44A-20.5, State Local Public Contracts Law, including but not limited to N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5, and Community Development Block Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR 570.201 and is in compliance with Executive Order Number M EO-07-0001, effective March 31, 2007.
6. Attached hereto is a Certification of Funds from the Municipal Comptroller of the City of Newark, which states that there are sufficient funds for the purpose set forth hereinabove.
7. An executed copy of said Agreement shall be filed with the Office of the City Clerk by the Business Administrator.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Business Administrator, to enter into a contract with Lincoln Park/Coast Cultural District, Inc., 450 Washington Street, Newark, New Jersey 07102, utilizing CDBG funding, for the purpose of providing Urban Agriculture/Tree Planting Services, for the period of January 1, 2012 to December 31, 2012, for the total contract amount of \$50,000.00.