



## Legislation Details (With Text)

**File #:** 22-0615      **Version:** 1      **Name:** 2022 ESG YMCA

**Type:** Resolution      **Status:** Adopted

**File created:** 4/20/2022      **In control:** Mayor's Office

**On agenda:** 7/26/2022      **Final action:** 7/26/2022

**Title:** Dept/ Agency: Office of the Mayor/Office of Homeless Services  
 Action:  Ratifying  Authorizing  Amending  
 Type of Service: Contract with Grant Sub-recipient  
 Purpose: To provide emergency shelter services, homelessness prevention, and/or Rapid Rehousing assistance in the City of Newark.  
 Entity Name: YMCA of Newark and Vicinity  
 Entity Address: 600 Broad Street, Newark, New Jersey 07102  
 Grant Amount: Not to exceed \$75,000.00  
 Funding Source: United States Department of Housing and Urban Development (HUD)  
 Account Code Line: 2021 Budget/Department of Health and Community Wellness/NW 051; Dept. ID G21; Division/Project 2H21U; Activity A; Account # 72030; Budget Ref. B2021  
 Contract Period: January 1, 2022 through December 31, 2022  
 Contract Basis:  Bid  State Vendor  Prof. Ser.  EUS  
 Fair & Open  No Reportable Contributions  RFP  RFQ  
 Private Sale  Grant  Sub-recipient  N/A  
 Additional Information:  
 Funds accepted by Resolution 7R1-a adopted on November 15, 2021.  
 Budget Insertion by Resolution 7R1-f adopted on December 1, 2021.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 7/26/2022 | 1    | Municipal Council | Adopt  | Pass   |

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**WHEREAS**, the City of Newark (hereinafter “City”) desires to continue to act as the Grantee/Sub-Grantor for disbursement of funds made available by the United States Department of Housing and Urban Development (HUD), Emergency Solutions Grants (ESG) Program, to provide housing assistance and emergency shelter for persons who are homeless or at risk of homelessness; and

**WHEREAS**, pursuant to Resolution 7R1-a adopted on November 15, 2021, the Municipal Council of the City of Newark authorized the Mayor and/or his designee, the Business Administrator, to enter into an agreement with HUD to receive and expend grant funds in the amount of Six Hundred Twenty Four Thousand Eight Hundred Ninety Three Dollars and Zero Cents (\$624,893.00) from HUD’s ESG Program; and

**WHEREAS**, pursuant to State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2), the competitive contracting process may be used for the operation, management or administration of social service programs; and

**WHEREAS**, pursuant to the Fair and Open Process of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the City of Newark (hereinafter “City”) publicly advertised a Request for Proposal (RFP) for emergency shelter services, homelessness prevention, and/or rapid rehousing with all such proposals due on September 29, 2021; and

**WHEREAS**, the Municipal Council of the City previously authorized the use of competitive contracting for processing these HUD Entitlement Programs and authorized said use for the future; and

**WHEREAS**, the proposal received from YMCA of Newark & Vicinity , (hereinafter referred to as “Sub-Recipient”), was one of the most advantageous to the City of Newark based on experience and all other criteria listed in the RFP; and

**WHEREAS**, the Office of Homeless Services desires to enter into a contract with the Sub-Recipient, for the purpose of providing emergency shelter to the homeless and those at risk of being homeless in the City for the contract period January 1, 2022 through December 31, 2022 for a total contract amount not to exceed Seventy Five Thousand Dollars and Zero Cents (\$75,000.00); and

**WHEREAS**, this contract awarded to the Sub-Recipient is in compliance with the Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5, as well as the federal Emergency Solutions Grants (ESG) program regulations, 24 CFR 576 et seq.; and

**WHEREAS**, this Agreement is being awarded pursuant to the fair and open procedures of State Pay-to-Play Law (N.J.S.A. 19:44A-20.5 and is in compliance with the City’s Ordinance on Pay-to-Play, 2:4-22C; and

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq. and the Pay-to-Play Reform Ordinance, reporting requirements are only applicable to business entities as defined therein and do not include non-profit organizations, and as a non-profit organization, Sub-recipient, is therefore not required to submit certain disclosure statements ; and

**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 Homelessness Czar, are authorized to enter into and execute a contract with YMCA of Newark and Vicinity, located at 600 Broad Street Newark, New Jersey 07102, to provide emergency shelter to the homeless and those at risk of being homeless in the City as further described in the "Scope of Services" (attached hereto and made a part hereof) for the period January 1, 2022 through December 31, 2022.
2. The Municipal Council ratifies this contract from January 1, 2022, through the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said contract shall not exceed Seventy Five Thousand Dollars and Zero Cents (\$75,000.00), shall be paid for from ESG funding.
4. The terms of the contract may only be waived or amended in writing and signed by the parties duly authorized to execute this contract, subject to the approval of the Newark Municipal Council by Resolution. The term of this contract may be extended for up to two (2) six-month periods, provided that any such extension is at no additional cost to the City, the services are being performed in an effective and efficient manner, and is in a writing signed by both parties.
5. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from January 1, 2022, to the date of adoption of this authorizing resolution and authorizes said use in the future.
6. This contract is being awarded pursuant to the Emergency Solutions Grants Program, 24 CFR 576.1 et seq., and is in compliance with 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 the City's Pay-to-Play Reform Ordinance.
7. 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. NW 051; Dept. ID G21; Division/Project 2H21U; Activity A; Account # 72030; Budget Ref. B2021.
8. The Homelessness Czar shall file the fully executed copy of said contract with the Office of the City Clerk and said contract shall be made available for public inspection.

**STATEMENT**

This Resolution ratifies and authorizes the actions taken by the Mayor and/or his designee, the Homelessness Czar, to enter into and execute a contract with YMCA of Newark and Vicinity utilizing ESG funding, for the provision of homelessness prevention services and rapid rehousing to the homeless and those at risk of being homeless in the City of Newark, for the period January 1, 2022, through December 31, 2022, in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00).