



Legislation Details (With Text)

File #: 14-0103 **Version:** 1 **Name:** ICC 2013-2014 CDBG Grant Agreement
Type: Resolution **Status:** Filed
File created: 1/24/2014 **In control:** Economic and Housing Development
On agenda: 9/17/2014 **Final action:** 9/17/2014

Title: Dept/ Agency: Economic & Housing Development
Action: Ratifying Authorizing Amending
Type of Service: Contract with Sub-recipient
Purpose: Physical Rehabilitation to its facility located at 432 Lafayette Street Newark, NJ 07105
Entity Name: Ironbound Community Corporation
Entity Address: 179 Van Buren Street, Newark, NJ 07105
Grant Amount: \$94,750.00
Funding Source: United States Department of Housing & Urban Development (HUD) Community Development Block Grant (CDBG) Program
Contract Period: January 1, 2014 through December 31, 2015
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
List of Property: (If applicable)
(Address/Block/Lot/Ward)
432 Lafayette Street/Block 1980/ Lot(s) 58, 65/ East Ward
Additional Information:
Funds applied for and accepted by Resolution 7R1-j 091813
Funds appropriated by Resolution 7R1-B 111813
2012 latest financial/audit attached to file; 2013 audit scheduled to be completed in March 2014
(needs to be submitted)

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/17/2014	1	Municipal Council	Adopt	Pass

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WHEREAS, pursuant to Resolution 7R1-J, adopted September 18, 2013, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2013 (Program Year 2013-2014) 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), \$6,752,671.00; HOME Investment Partnerships (HOME), \$1,799,805.00; Housing Opportunities for People With AIDS (HOPWA), \$6,419,016.00 (on behalf of Newark and the “Eligible Metropolitan Area”); and Emergency Shelter Grants (ESG), \$483,211.00, 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 CDBG Physical Rehabilitation Services on June 27, 2013 with all proposals due on July 29, 2013; 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 June 27, 2013 to the date of adoption of this Resolution and authorizes its use in the future; and

WHEREAS, the proposal received from the Ironbound Community Corporation, 179 Van Buren Street, Newark, NJ 07105, 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 Assistant Business Administrator and the Director of the Department of Economic & Housing Development desire to enter into an Agreement with the Sub-Recipient, for the purpose of providing the Sub-recipient with a CDBG Grant so that they perform physical rehabilitation services to their facility located at 432 Lafayette Street, Newark, NJ, which consists of replacing the HVAC unit, for the contract period January 1, 2014 to December 31, 2015, for a total contract amount of \$94,750.00; 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 all Statutes and Regulations governing the use of Community Development Block Grant funds; and

WHEREAS, on February 8, 2007 the former Mayor of the City of Newark, Cory A. Booker, 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 Ironbound Community Corporation, 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 Assistant Business Administrator and the Director of the Department of Economic & Housing Development, are hereby authorized to enter into and execute an Agreement with Ironbound Community Corporation, 179 Van Buren Street, Newark, NJ 07105, hereinafter, "Sub-Recipient," for the purpose of providing the Sub-recipient with a CDBG Grant so that they perform physical rehabilitation services to their facility located at 432 Lafayette Street, Newark, NJ, which consists of replacing the HVAC unit, which is further described in the "Scope of Services" attached hereto as Exhibit A, for the contract period January 1, 2014 to December 31, 2015
2. The CDBG Sub-recipient Agreement between the City of Newark and Sub-recipient is hereby ratified from January 1, 2014 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said CDBG Sub-recipient Agreement is \$94,750.00 and shall be paid from CDBG funding.
4. The terms of the CDBG Sub-recipient Agreement may only be waived or amended in writing and signed by the parties duly authorized to execute this CDBG Sub-recipient Agreement, subject to the approval of the Newark Municipal Council by Resolution. The term of this CDBG Sub-recipient Agreement may be extended for up to two (2) 6-month periods, provided that any such extension is at no additional cost to the City, is authorized by Resolution of the Newark Municipal Council including a finding that the services are being performed in an effective and efficient manner, and is in writing and 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 June 27, 2013 to the date of adoption of this Resolution and authorizes its use in the future.
6. This CDBG Sub-recipient 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 all Statutes and Regulations governing the use of Community Development Block Grant funds.
7. Attached hereto is a Certification of Funds from the Municipal Comptroller of the City of Newark, which states that: (1) there are sufficient funds for the purpose set forth hereinabove and (2) that the line appropriation of the official budget which shall be charged is: Business Unit, NW027; Department, A13; Div./Proj., EW380; Activity, A; Account, 72090; Budget, B2013.
8. An executed copy of said Agreement shall be filed with the Office of the City Clerk by the Assistant Business Administrator.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Assistant Business Administrator and the Director of the Department of Economic & Housing Development, to enter into and execute an Agreement with Ironbound Community Corporation, 179 Van Buren Street, Newark, NJ 07105, hereinafter, "Sub-Recipient," for the purpose of providing the Sub-recipient with a CDBG Grant so that they perform physical rehabilitation services to their facility located at 432 Lafayette Street, Newark, NJ, which consists of replacing the HVAC unit, which is further described in the "Scope of Services" attached hereto as Exhibit A. (East Ward)