



Legislation Details (With Text)

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Title: Dept/ Agency: Administration/ Office of the Business Administrator
 Action: (X) Ratifying (X) Authorizing () Amending
 Type of Service: Accepting a Donation
 Gift: Maintenance to Mulberry Commons and Military Park
 Purpose: To provide maintenance to Mulberry Commons and Military Park: collect litter and trash during an eight (8) hour shift, wipe down trash receptacle and remove trash daily, lavatories will be stocked with toiletries and clean periodically during the shift, and will be providing horticultural services, etc.
 Entity Name: Newark Downtown District Management, Corp.
 Entity Address: 60 Park Place, Suite 2100, Newark, New Jersey 07102
 Gift Value: \$140,000.00 to \$166,000.00
 City Contribution: No municipal funds required
 Other Funding Source/Amount: \$0.00
 Contract Period: June 15, 2020 through December 31, 2020
 Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/10/2020	2	Municipal Council	Adopt	Pass

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Additional Information:

WHEREAS, Newark Downtown District Management, Corp. (hereinafter “NDD”) proposes to perform the Maintenance Mulberry Commons and Military Park (hereinafter the “Parks”) during the 2020 outdoor season, specifically June 15, 2020 through December 31, 2020; and

WHEREAS, NDD proposes to maintain the Parks: collect litter and trash during an 8-hour shift, wipe down trash receptacle and remove trash daily, lavatories will be stocked with toiletries and clean periodically during the shift, and will be providing horticultural services, etc.; and

WHEREAS, NDD is gifting the maintenance services, with an estimated value of One Hundred Forty Thousand Dollars and Zero Cents to One Hundred Sixty-Six Thousand Dollars and Zero Cents (\$140,000.00 to \$166,000.00); and

WHEREAS, the intent is to support the City of Newark in its efforts in maintaining the Parks; and

WHEREAS, pursuant to Local Public Contracts Law, N.J.S.A. 40A:5-29, a local unit is authorized and empowered to accept bequests, legacies and gifts made to it and is empowered to utilize such bequests, legacies and gifts in the manner set forth in the conditions of the bequest, legacy or gift provided, however, that such bequest, legacy, or gift shall not be put to any use which is inconsistent with the laws of the State of New Jersey and the United States of America; and

WHEREAS, NDD fully understands and agrees that they are not entitled to receive any direct benefit from the City of Newark in exchange for its gift; and

WHEREAS, the Department of Recreation, Cultural Affairs and Senior Services desires to accept the gift of maintenance services as more fully set forth in a Memorandum of Understanding (MOU), pursuant to N.J.S.A. 40A:5-29.

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 (BA) and/or the Director of the Department of Recreation, Cultural Affairs and Senior Services (hereinafter the "Department of Recreation"), are authorized, pursuant to N.J.S.A. 40A:5-29, to execute the Memorandum of Understanding and accept the gift of maintaining Mulberry Commons and Military Park: collect litter and trash during an 8-hour shift, wipe down trash receptacle and remove trash daily, lavatories will be stocked with toiletries and clean periodically during the shift, and will be providing horticultural services, etc. with an estimated value between One Hundred Forty Thousand Dollars and Zero Cents to One Hundred Sixty-Six Thousand Dollars and Zero Cents (\$140,000.00 to \$166,000.00).
2. No municipal funds will be expended for the acceptance of this gift. Only usual and customary park maintenance and refuse disposal is required by the City of Newark.
3. The Memorandum of Understanding shall be filed in the Office of the City Clerk by the Director of the Department of Recreation.

STATEMENT

This resolution ratifies authorizes the Mayor, and/or his designee, the Business Administrator and/or the Director of the Department of Recreation, Cultural Affairs and Senior Services to enter into a

Memorandum of Understanding and accept a gift from Newark Downtown District Management Corp., 60 Park Place, Suite 2100, Newark, New Jersey 07102, for maintenance services such as: collect litter and trash during an 8-hour shift, wipe down trash receptacle and remove trash daily, lavatories will be stocked with toiletries and clean periodically during the shift, and will be providing horticultural services, etc., with an estimated value between \$140,000.00 to \$166,000.00, and related maintenance services, with no municipal funds to be expended.