



Legislation Details (With Text)

File #: 12-0447 **Version:** 1 **Name:** Newark Performing Arts Corp
Type: Resolution **Status:** Filed
File created: 2/13/2012 **In control:** Administration
On agenda: 2/6/2013 **Final action:** 2/6/2013

Title: Dept/ Agency: Administration/Office of the Business Administrator
Action: Ratifying Authorizing Amending
Type of Service: Contract with Sub-recipient
Purpose: Provide Youth Services
Entity Name: Newark Performing Arts Corporation
Entity Address: 1030 Broad Street, Newark, New Jersey 07102
Grant Amount: \$18,929.00
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
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a
List of Property: (Not Applicable)
(Address/Block/Lot/Ward)

Additional Information:
Funds reprogrammed by Resolution # 7R1-A(S) 090111

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/6/2013	1	Municipal Council	Adopt	Pass

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WHEREAS, pursuant to Resolution 7R1-A(S), adopted September 1, 2011, the Municipal Council amended Resolution 7R1-A, adopted September 1, 2010, by including the Substantial Amendment to the Program Year 2010-2011 One-Year Action Plan with HUD to de-obligated \$6,782,655.37 in unexpended funds for various Community Development Block Grants (CDBG) programs from 1990 through 2009 and redistribute them to City projects, City-wide public services, and CDBG administration; and

WHEREAS, the City of Newark redistributed a portion of the unexpended funds totaling \$375,000, for City-wide public service activities, with the reprogrammed City-wide public service dollars to be awarded to sub-recipients through a competitive process; 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 this service 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 and authorizes its use in the future; and

WHEREAS, the proposal received from Newark Performing Arts Corporation, 1030 Broad Street, Newark, New Jersey 07103, 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 Youth Services for the contract period January 1, 2012 to December 31, 2012, for a total contract amount of \$18,929.00; 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, Newark Performing Arts 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 Business Administrator, are hereby authorized to enter into and execute an Agreement with Newark Performing Arts Corporation, 1030 Broad Street, Newark, NJ 07102 for the period January 1, 2012 through December 31, 2012, to provide Youth Services, which is 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 \$18,929.00 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 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.
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 and ratifies the actions of the Mayor and/or his designee, the Business Administrator, to enter into a contract with Newark Performing Arts Corporation, 1030 Broad Street, Newark, New Jersey 07102, utilizing CDBG funding, for the purpose of providing Youth Services, for the period of January 1, 2012 through December 31, 2012, for the total contract amount of \$18,929.00. This contract 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; Community Development Block Grant, 24 CFR 570.201 and is in compliance with Executive Order Number MEO-07-0001, effective March 31, 2007.