



Legislation Details (With Text)

File #: 16-0440 **Version:** 1 **Name:** Edward Joseph Cologna Productions, Inc. - Municipal Television Studio
Type: Resolution **Status:** Tabled
File created: 3/3/2016 **In control:** Administration
On agenda: 3/8/2016 **Final action:** 3/16/2016

Title: Dept/ Agency: Administration/ Office of the Business Administrator
Action: Ratifying Authorizing Amending
Type of Service: Contract for Operation and Management Services of Government Access Television
Purpose: Operation and Management Services for the Government Access Television Studio
Entity Name: Edward Joseph Cologna Productions, Inc.,
Entity Address: 119 Aycrigg Avenue, Passaic, New Jersey 07055
Contract Amount: Amount not to exceed \$191,360.00
Funding Source: 2015 Budget/Administration
Contract Period: November 4, 2015 through November 3, 2016
Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a Competitive Contracting with permission of the Division of Local Government Services and Municipal Council N.J.S.A. 40A:11-4.1(k) and N.J.S.A. 40A:11-4.3(a)
Additional Information:

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 3/16/2016 | 1 | Municipal Council | Tabled | Pass |
| 3/8/2016 | 1 | Municipal Council | | |
| 3/8/2016 | 1 | Municipal Council | Defer | Pass |

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Additional Information:

WHEREAS, the City of Newark is in need of technical and management assistance in connection with the operation and management of the City of Newark's Municipal Television Studio; and

WHEREAS, N.J.S.A. 40A:11-4.1(k) provides for the use of competitive contracting for the procurement of specialized goods and services for the operation, management or administration of other services with the approval of the Director of the Division of Local Government Services (DLGS); and

WHEREAS, pursuant to N.J.S.A. 40A:11-4.3(a) Resolution 7R1-a (S) adopted June 11, 2013 authorized approval to proceed by way of competitive contracting for the services as described in the Request for Proposal; and

WHEREAS, the City issued a Request for Proposal (RFP) for Operation and Management Services for the Municipal Television Studio on March 23, 2015; and

WHEREAS, the City received one (1) bid by the RFP deadline of April 15, 2015, which was found to be deficient; and

WHEREAS, the City then re-issued another RFP for Operation and Management Services for the Municipal Television Studio from July 14, 2015 through July 20, 2015 with a deadline date of August 14, 2015; and

WHEREAS, four (4) proposals were picked up, and the City received three (3) bids on August, 14, 2015 in response to this advertisement, and one (1) bid received was determined to be deficient; and

WHEREAS, the Director of Communications believes it is in the best interest of the City of Newark to award the contract to Edward Joseph Cologna, Productions, Inc.; and

WHEREAS, Edward Joseph Cologna, Productions, Inc., with an address at 119 Aycrigg Avenue, Passaic, New Jersey 07055, was the highest scored respondent, has demonstrated a proven track record with managing the Municipal Television Studio, experience, knowledge of the equipment, and demonstrated responsibility for developing and implementing a new NWKTV with the City's intent to improve the quality of life programming, and additional programming to capture the Administration and the Mayor's vision of "*A City We Can All Believe In*"; and

WHEREAS, Edward Joseph Cologna, Productions, Inc., is compliant with all training and experience in the field of municipal and government access television working in partnership with local municipalities and communities to meet their needs and objectives; and

WHEREAS, due to the unique nature of the work and the qualifications and experiences that Edward Joseph Cologna, Productions, Inc., possesses, the City of Newark wishes to ratify and enter into a contract in an amount not to exceed \$191,360.00. (One Hundred Ninety- One Thousand Three Hundred Sixty Dollars and Zero Cents), for a period of one (1) year from November 4, 2015 through November 3, 2016., with an option to renew the contract for two (2), one (1) year options with the approval and authorization of the Newark Municipal Council. The option to renew the contract with Municipal Council authorization for year two (2) shall not exceed \$193,856.00 (One Hundred Ninety-Three Thousand Eight Hundred Fifty-Six Dollars and Zero Cents) and year three (3) shall not exceed

\$197,600.00 (One Hundred Ninety-Seven Thousand Six Hundred Dollars and Zero Cents); and

WHEREAS the contract is being awarded as a Fair and Open Process pursuant to State Pay-to-Play Law pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, 6SPSF-a, August 1, 2012, which forbids the award of a contract to a business entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

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 and/or the Director of Communications, are hereby authorized to enter into and execute a contract with Edward Joseph Cologna, Productions, Inc., 119 Aycrigg Avenue, Passaic, New Jersey 07055, for operation and management services of the Newark Municipal Television Studio, for an amount not to exceed \$191,360.00.00 (One Hundred Ninety-One Thousand Three Hundred Sixty Dollars and Zero Cents), for the period of one (1) year from November 4, 2015 through November 3, 2016 with an option to renew the contract for two (2), one (1) year options with the approval and authorization of the Newark Municipal Council. The option to renew contract with Municipal Council authorization for year two (2) shall not exceed \$193,856.00 (One Hundred Ninety-Three Thousand Eight Hundred Fifty-Six Dollars and Zero Cents) and year three (3) shall not exceed \$197,600.00 (One Hundred Ninety-Seven Thousand Six Hundred Dollars and Zero Cents).
2. The contract is hereby ratified from November 4, 2015 to the date of the adoption of this resolution.
3. Attached hereto is a partial Certification of Funds in the amount of \$40,000.00 from the Comptroller of the City of Newark that states that there are sufficient legally appropriated funds available in: Fund NW 011, Department ID200, and Account # 96770, for the purposes set forth above. A copy of the Comptroller's Certification shall be filed along with the original resolution and the executed contract with the Office of the City Clerk.
4. This contract was procured and awarded as a Fair and Open Process of the State Pay-to-Play Law pursuant to N.J.S.A. 19:44A-20.5, State Local Public Contracts Law N.J.S.A. 40A:11-4.1 (k) and N.J.S.A. 40A:11-4.3(a), and is in compliance with the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C.
5. A copy of the executed contract shall be filed in the Office of the City Clerk by the Director of Communications.
6. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within ten (10) days of its passage.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designee, the Business Administrator and/or the Director of Communication, to enter into and execute a contract with Edward Joseph Cologna, Productions Inc., for the purpose of providing operation and management services for the Municipal Television Studio, pursuant to State Local Public Contracts Law N.J.S.A. 40A:11-4.1(k) and N.J.S.A. 40A:11-4.3(a), in an amount not to exceed \$191,360.00 (One Hundred Ninety-One Thousand Three Hundred Sixty Dollars and Zero Cents), for the period of one (1) year from November 4, 2015 through November 3, 2016 with an option to renew the contract for two (2), one (1) year options with the approval and authorization of the Newark Municipal Council.