



Legislation Details (With Text)

**File #:** 13-1504      **Version:** 1      **Name:** Greater Newark Conservancy Contract

**Type:** Resolution      **Status:** Returned to Administration

**File created:** 7/25/2013      **In control:** Economic and Housing Development

**On agenda:** 9/18/2013      **Final action:** 9/18/2013

**Title:** Dept/ Agency: Economic & Housing Development  
 Action: ( ) Ratifying (X) Authorizing ( ) Amending  
 Type of Service: Professional Services Contract  
 Purpose: To provide Transitional Employment Services to three hundred and sixty (360) formerly incarcerated individuals.  
 Entity Name: The Greater Newark Conservancy  
 Entity Address: 32 Prince Street, Newark, New Jersey, 07103  
 Contract Amount: \$774,000.00  
 Funding Source: City of Newark/Finance Department /Motor Vehicle Rental Tax Fund  
 Contract Period: June 1, 2013 through December 31, 2014  
 Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
 ( ) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
 ( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
 Additional Information:  
 Ordinance 6PSF-I 050510  
 Resolution 7R3-i 080112 (12-1341)  
 Ordinance 6PSF-a(s) 062513 (13-0867)

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
9/18/2013	1	Municipal Council	Returned to Administration	Pass
9/5/2013	1	Municipal Council	Defer	Pass
8/21/2013	1	Municipal Council	Defer	Pass

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**WHEREAS**, N.J.S.A. 40:48H-1 et seq. (the “Municipal Motor Vehicle Rental Tax Law”) authorizes qualifying municipalities to impose, by ordinance, a tax upon motor vehicle rental transactions occurring within designated industrial zones of the municipality and to utilize the tax proceeds collected thereunder for specified eligible purposes; and

**WHEREAS**, as authorized by the Municipal Motor Vehicle Rental Tax Law, the Municipal Council of the City of Newark adopted Ordinance 6PSF-I on May 5, 2010 (the “Motor Vehicle Rental Tax Ordinance”) imposing a tax upon motor vehicle rental transactions occurring within the Second and Third Industrial Districts of the City; and

**WHEREAS**, pursuant to Resolution 7R3-i, adopted August 1, 2012, the Municipal Council of the City of Newark authorized, among other items, the Director of the Department of Economic and Housing Development (“DEHD”) to use up to four million dollars (\$4,000,000.00) of the tax proceeds collected pursuant to the Motor Vehicle Rental Tax Ordinance for the purpose of funding such redevelopment-related activities performed under the City’s Clean and Green Program, which are determined to be eligible for such funding, provided that a certification of funds will not be issued for the use of the tax proceeds for this purpose until a redevelopment plan is adopted governing the rehabilitation of City-owned properties under the City’s Clean and Green program; and

**WHEREAS**, pursuant to Ordinance 6PSF-a(s), adopted on June 25, 2013, the Municipal Council approved a City-wide Scattered Site Redevelopment Plan in order to implement and establish standards for: (i) the acquisition, re-sale and rehabilitation of privately-owned properties that have been or that will in the future be included on the City’s abandoned property list in accordance with the Abandoned Properties Rehabilitation Act, N.J.S.A. 55:19-78 et seq. (the “APRA”) and with Ordinance 6S&FC032107 (the “Abandoned Property Ordinance”); and (ii) the rehabilitation of City-owned lots that are in need of clearance or removal of buildings from land, demolition, or other site preparation activities in order to prepare them for future redevelopment; and

**WHEREAS**, DEHD, through its Office of Reentry, is in need of Case Management, Job Placement, and Transitional Employment Services to assist in the implementation and administration of the Clean and Green Program; 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 publically advertised a Request for Proposals (“RFP”) on March 25, 2013 to obtain proposals from vendors to provide Case Management, Job Placement, and Transitional Employment Services; and

**WHEREAS**, the Municipal Council of the City of Newark hereby ratifies the use of competitive contracting for processing the above services from March 25, 2013 to the date of adoption of this authorizing resolution; and

**WHEREAS**, the RFP announcement was sent to approximately two hundred (200) contacts, advertised, and was picked up in the Office of Reentry by thirty-six (36) entities between March 25,

2013 and April 12, 2013; and

**WHEREAS**, nine (9) vendors submitted proposals (the "Proposals") in response to the City's RFP; and

**WHEREAS**, the Proposals were reviewed and evaluated by a staff from DEHD and select community organizations (the "Review Committee"); and

**WHEREAS**, the proposal received from Greater Newark Conservancy ("The Conservancy"), located at 32 Prince Street, Newark, NJ, 07103, to provide transitional employment services to three hundred and sixty-four (364) participants was found to be one of the most advantageous to the City of Newark, based on experience and all other criteria listed in the RFP; and

**WHEREAS**, due to The Conservancy's experience and proven ability to work with formerly incarcerated individuals and the quality of its proposal, the Review Committee selected The Conservancy as one of the vendors to provide Transitional Employment Services for the Clean and Green Program; and

**WHEREAS**, the Deputy Mayor/Director of the Department of Economic and Housing Development desires to enter into a contract with The Conservancy in the amount of \$774,000.00 for the purpose of providing Transitional Employment Services to three hundred and sixty (360) formerly incarcerated individuals for the period from June 1, 2013 through December 31, 2014; and

**WHEREAS**, this contract is being awarded to a non-profit corporation and as such is not governed by State Pay to Play Law, N.J.S.A. 19:44A-20.5, or Newark Executive Order on Pay to Play Reform, MEO-07-0001; and

**WHEREAS**, this Agreement is awarded to The Conservancy, 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

**WHEREAS**, there are sufficient tax proceeds currently available within the rental tax account maintained by the City's Finance Director pursuant to the Municipal Motor Vehicle Rental Tax Law and the Motor Vehicle Rental Tax Ordinance to fund the purposes set forth herein.

**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 Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute a contract with The Greater Newark Conservancy, located at 32 Prince Street, Newark, NJ, 07103, in the attached hereto and made a part hereof, for the purpose of providing Transitional Employment Services to three hundred and sixty (360) formerly incarcerated individuals for the period from June 1, 2013 through December 31, 2014.
1. The Municipal Council hereby ratifies the contract from June 1, 2013 to the date of adoption of this authorizing resolution.
1. The contract shall be funded through the following source: \$774,000.00 from The City of Newark Municipal Motor Vehicle Rental Tax Law Fund created through Ordinance 6PSF-I on

May 5, 2010 and Resolution 7R3-j, adopted August 1, 2012.

1. Attached hereto is the certification of funds from the Municipal Comptroller of the City of Newark, which states that (1) there are available legally appropriated funds for the purpose set forth hereinabove in the amount of \$774,000.00 and that the line appropriation of the official budget which shall be charged is Business Unit: ; Department: ' Div./Proj.: ' Activity: ; Account: ; Budget Ref.: .
1. This contract is being awarded to The Greater Newark Conservancy 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.. Since The Greater Newark Conservancy is a non-profit organization, the procedures of the State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, and Newark Executive Order MEO-07-0001, effective March 31, 2007, do not apply.
1. A copy of the Comptroller's Certification and the fully executed contract herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development.

### **STATEMENT**

This resolution ratifies and authorizes the Mayor and/or his designee the Deputy Mayor/Director of the Department of Economic and Housing Development to enter into and execute a contract with The Greater Newark Conservancy, located at 32 Prince Street, Newark, NJ, 07103, in a form substantially similar to the contract attached hereto and made a part hereof, for the purpose of providing Transitional Employment Services to three hundred and sixty (360) formerly incarcerated individuals, in an amount not to exceed \$774,000.00 for the period commencing on June 1, 2013 and terminating on December 31, 2014. 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 and since the Urban League of Essex County is a non-profit organization the State Pay to Play Law, N.J.S.A. 19:44A-20.5, and Newark Executive Order MEO-07-0001 do not apply.