



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-1999, Version: 1

Dept/ Agency: Economic & Housing Development

Action: (X) Ratifying (X) Authorizing () Amending

Type of Service: Manage and Administer MNI Commercial Façade Mural Project

Purpose: Agreement to Provide Services to Coordinate, Manage and Administer the Newark Model Neighborhood Initiative (MNI) Commercial Façade Mural Project

Entity Name: Yendor Arts A NJ Nonprofit Corporation

Entity Address: 30 Spruce Street, Suite #1, Newark, New Jersey 07102

Contract Amount: Not to Exceed \$190,035.00

Funding Source: : CDBG

Contract Period: November 15, 2015 through November 14, 2016

Contract Basis: (X) Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant () Sub-recipient (X) n/a

Additional Information:

This resolution authorizes the City of Newark, Department of Economic and Housing Development, (EHD) to contract for services to design, coordinate, manage and administer the Model Neighborhood Commercial Façade Mural Project ("MNI Mural Project"), which seeks to produce a minimum of 20 murals by the end of the term of this Agreement]

(Address/Block/Lot/Ward)

West Ward Area consisting of a 20-block grid with a perimeter of South Orange Avenue, Ashland Street, 14th Avenue, South 13th Street, 16th Avenue, South 20th Street, 14th Avenue, and South 19th Street ("West Ward MNI").

South Ward Area consisting of a 38-block grid with a perimeter of Avon Avenue, Chadwick Avenue, Hawthorne Avenue, Clinton Place, Clinton Avenue, and South 14th Street ("South Ward MNI").

WHEREAS, the City of Newark, Department of Economic and Housing Development, (EHD) seeks to acquire services to design, coordinate, manage and administer the Model Neighborhood Commercial Façade Mural Project ("MNI Mural Project"), which seeks to produce a minimum of 20 murals by the end of the term of this Agreement; and

WHEREAS, EHD sought to proceed by way of competitive contracting pursuant to the fair and open procedures of "New Jersey Local Unit Pay-to-Play" Law, N.J.S.A. 19:44A-20.4 et seq. and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A 40A:11-4.1 et seq.) .; and

WHEREAS, N.J.S.A. 40A:11-4.1(b)(2) provides for the use of competitive contracting for operation, management or administration of recreation or social service facilities or programs; and

WHEREAS, on September 15, 2016, EHD advertised in the Star Ledger a Request for Proposal 2015 for services to coordinate, manage, and administer the Newark Model Neighborhood Initiative (MNI) commercial façade mural project, a copy of which is attached;; and

WHEREAS, in accordance with N.J.S.A. 40A:11- 4.4c EHD issued an Amendment to the RFP (“Amendment”) on September 16, 2015 to include a solicitation for another mural project called the Gateway Mural Project; and

WHEREAS, the RFP and the Amendment were available for pickup from September 16, 2015 through October 6, 2015; and

WHEREAS, one bid was submitted by the deadline date of October 6, 2015; and

WHEREAS, Yendor Arts, a NJ Nonprofit Corporation (Yendor Arts), 30 Spruce Street, Suite #1 Newark, New Jersey 07102, was found by the RFP committee to be in the best interest of the City of Newark based on experience and technical qualifications; and

WHEREAS, the City of Newark wishes to engage Yendor Arts to perform the services to coordinate, manage, and administer the Newark Model Neighborhood Initiative (MNI) commercial façade mural project in the West and South Wards as described in the RFP for a term of one (1) year commencing November 15, 2015 and terminating November 14, 2016 in the amount not exceed \$190,035.00 (One Hundred Ninety Thousand Thirty Five Dollars and Zero Cents); and

WHEREAS, Yendor Arts will receive an administrative service fee of seventeen (17) percent of the gross contract amount of \$190,035.00 (One Hundred Ninety Thousand Thirty-Five Dollars and Zero Cents); and

WHEREAS, Yendor Arts is a nonprofit entity and not subject to the 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 of the City of Newark wishes to authorize and ratify the use of competitive contracting for the services to coordinate, manage, and administer the Newark Model Neighborhood Initiative (MNI) commercial façade mural project.

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 execute the “Agreement To Provide Services To Coordinate, Manage, and Administer The Newark Model Neighborhood Initiative (MNI) Commercial Façade Mural Project” (the “Agreement”) attached hereto, with Yendor Arts, a NJ Nonprofit Corporation (Yendor Arts), for a term of (1) year commencing November 15, 2015 and terminating November 14, 2016.
2. The total cost of the MNI Mural Project, including all services and materials, shall not exceed \$190,035.00 (One Hundred Ninety Thousand Thirty-Five Dollars and Zero Cents)
3. Yendor Arts will receive an administrative service fee of seventeen (17) percent of the gross contract amount of \$190,035.00(One Hundred Ninety Thousand Thirty Five Dollars and Zero Cents).

4. Yendor Arts shall coordinate and complete all murals no later than November 14, 2016.
5. Attached hereto is a Certification of Funds from the Municipal Comptroller of the City of Newark, which states that there are (1) sufficient funds in the amount of \$190,035.00 (One Hundred Ninety Thousand Thirty-Five Dollars and Zero Cents) for the purposes set forth hereinabove and (2) that the line appropriation of the official budget which shall be charged is Business Unit NW027, Department ID A11, Div/Proj EB1J0, Activity A, Account 72040, Budget Reference B2011.
6. There shall be no advance payment on this contract in accordance with N.J.S.A 40A:5-16.
7. The Municipal Council of the City of Newark wishes to authorize and ratify the use of competitive contracting for the services to coordinate, manage, and administer the Newark Model Neighborhood Initiative (MNI) commercial façade mural project.
8. This Agreement is being awarded to a non-profit organization and as such is not governed by the State Pay-to-Play Law, N.J.S.A 9:44A-20.5 and Municipal Council adopted Contractor Pay to Play Reform Ordinance 6SPSF-a, August 1,2012.A copy of the executed Agreement, Resolution and the Certification of Funds shall be placed on file 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 an agreement with Yendor Arts to perform the services to coordinate, manage, and administer the Newark Model Neighborhood Initiative (MNI) commercial façade mural project, in the West and South Wards, as described in the RFP for a term of one (1) year commencing November 15, 2015 and terminating November 14, 2016 for an amount not to exceed \$190,035.00 (One Hundred Ninety Thousand Thirty Five Dollars and Zero Cents).