



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 13-0407, Version: 1

**Dept/ Agency:** Administration/Office of the Business Administrator

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

**Type of Service:** Contract with Sub-recipient / Consent to Assignment Agreement

**Purpose:** Provide General Services

**Entity Name:** Episcopal Community Development, Inc., and Phenomenal Woman Outreach Center, Inc.

**Entity Address:** 620 Clinton Avenue, Newark, New Jersey 07108

**Grant Amount:** \$10,520.00

**Funding Source:** U.S. Department of Housing and Urban Development (HUD)/ Community Development Block Grants (CDBG) Funds

**Contract Period:** January 1, 2013 through December 31, 2013

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

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

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

**Additional Information:**

Funds accepted by Resolution 7R1-F 121912

Simultaneous Assignment of Contract with Sub-Recipient

**WHEREAS**, pursuant to Resolution 7R1-F, adopted December 19, 2012, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2012 (Program Year 2012-2013) One-Year Action Plan with the U.S. Department of Housing and Urban Development (HUD), which contained requests for funds from four grant programs: Community Development Block Grants (CDBG), \$6,623,599.00; HOME Investment Partnerships (HOME), \$1,944,355.00; Housing Opportunities for People With AIDS (HOPWA), \$7,218,919.00 (on behalf of Newark and the "Eligible Metropolitan Area"); and Emergency Shelter Grants (ESG), \$678,542.00, and were further authorized to accept these grant funds and enter into a grant agreement with HUD for these funds, with no municipal funds required; 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 June 21, 2012 with all proposals due on July 23, 2012; 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 June 21, 2012 to the date of adoption and authorizes its use in the future; and

**WHEREAS**, the proposal received from Episcopal Community Development, Inc., 620 Clinton Avenue, Newark, New Jersey 07108 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 General Services for the contract period January 1, 2013 to December 31, 2013, for a total contract amount of \$10,520.00; 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**, prior to the finalization of the legislation to formally award the grant of monies and execute a CDBG Sub-Recipient Agreement, Episcopal Community Development, Inc., has a need to withdraw from the active participation in the program and assign the rights and responsibilities in the program that is the subject of the Agreement to Phenomenal Woman Outreach Center, Inc., which was the intended provider of the programmatic services; 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 non-profit organizations, Episcopal Community Development, Inc., and Phenomenal Women Outreach Center, Inc., are 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 Episcopal Community Development, Inc., 620 Clinton Avenue, Newark, New Jersey 07108, for the period January 1, 2013 to December 31, 2013, to provide General 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, 2013 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$10,520.00 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 June 21, 2012 to the date of adoption of this resolution 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. The Mayor and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a Consent to Assignment Agreement with Episcopal Community Development, Inc., 620 Clinton Avenue, Newark, New Jersey 07108, and Phenomenal Woman Outreach Center, Inc., 620 Clinton Avenue, Newark, New Jersey 07108.
7. 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.
8. An executed copy of said Agreements shall be filed with the Office of the City Clerk by the Business Administrator.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designee, the Business Administrator, to enter into a contract with Episcopal Community Development, Inc., 620 Clinton Avenue, Newark, New Jersey 07108, for the period of January 1, 2013 to December 31, 2013, for the total contract amount of \$10,520.00. This resolution further authorizes the Mayor and/or his designee, the Business Administrator, to enter into a Consent to Assignment Agreement with Episcopal Community Development, Inc., 620 Clinton Avenue, Newark, New Jersey 07108 and Phenomenal Woman Outreach Center, Inc., 620 Clinton Avenue, Newark, New Jersey 07108.