



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1855, Version: 2

Dept/ Agency: Administration/Office of the Business Administrator

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

Type of Service: EUS Contract

Purpose: To provide technical assistance for HUD Entitlement Programs.

Entity Name: Dennison Associates, Inc.

Entity Address: 1629 K Street NW, Suite 503, Washington, DC 20006-1634

Contract Amount: Not to exceed \$750,000.00

Funding Source: Community Development Block Grant, (CDBG)/HUD Entitlement Program

Contract Period: March 1, 2014 through February 29, 2016

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

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

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

Additional Information:

No municipal funds are required for use of this contract

WHEREAS, the City of Newark remains in need of and is desirous of technical assistance for:

WHEREAS, the City of Newark remains in need of and is desirous of technical assistance for:

- Administration of \$12 million in Section 108 funds, including the development of policies and procedures, systems and compliance protocols to guide project selection, evaluation, oversight, and monitoring.
- Technical assistance to City of Newark on current HUD, CDBG and HOME programs, including completion of all compliance activities and implementation of related policies and procedures.
- Preparation, in consultation with the City of Newark staff, the HUD Consolidated Plan for 2016 -2020, Annual Action Plan for 2015, and CAPER reports, using HUD's eCon Planning Suite.
- Assess City of Newark's current grants management process and identify strengths and weaknesses in meeting critical programmatic, organizational and financial needs and provide routine updates to the Business Administrator and City staff.
- Provision monthly CDBG timeliness status summary reports and participate in routine strategy meetings with the Business Administrator and City staff, as required.
- Development of written policies and procedures for HOME program administration, to address new 2013 HOME Final Rule requirements.
- Training to up to 2 Newark staff, timely identified by the City, on Section 108 program requirements, processes, and portfolio and subrecipient management; and on the Annual Action Plan process, including preparing Annual Action Plan and CAPER documents, and using eCon Planning Suite/IDIS systems.

WHEREAS, the Business Administrator on behalf of the City of Newark has determined that it would be in the best interest of the City to retain the services of Dennison Associates, Inc., 1629 K Street NW, Suite 503, Washington, DC 20006-1634, to provide the technical assistance described above, in an amount not to exceed \$750,000.00, for the period of March 1, 2014 through February 29, 2016, with an option to extend for an additional term of one (1) year funded by the Department of Housing and Urban Development Act (HCDA); and

WHEREAS, pursuant to the Local Public Contracts Law (*N.J.S.A. 401A:11-1 et seq.*), this contract may be awarded and entered into without public bidding as an extraordinary unspecifiable services contract in accordance with *N.J.S.A. 40A:11-5(1)(a)(1)(ii)* (a copy of a Certification of Extraordinary Unspecifiable Services is attached hereto and made a part hereof); and

WHEREAS, the Business Administrator has determined and certified in writing that the value of the agreement will exceed \$17,500.00; and

WHEREAS, Dennison Associates, Inc., 1629 K Street NW, Suite 503, Washington, DC 20006-1634, has completed and submitted a Business Entity Disclosure Certification, which certifies that Dennison Associates, Inc. has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and this contract will prohibit Dennison Associates, Inc. from making any reportable contributions through the term of the contract; 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, the Municipal Council of the City of Newark deems it to be in the best interests of the City to enter into a contract with Dennison Associates, Inc. for the provision of technical assistance for HUD Entitlement programs.

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 a contract, on behalf of the City of Newark, with Dennison Associates, Inc., 1629 K Street NW, Suite 503, Washington, DC 20006-1634, for the provision of technical assistance services to the HUD Entitlement Programs, in an amount not to exceed \$750,000.00, funded by the Department of Housing and Urban Development Act (HCDA) for a period of March 1, 2014 through February 29, 2016, with an option to extend for an additional term of one (1) year subject to approval and authorization of the Newark Municipal Council.
2. This contract is being awarded pursuant to the Non-Fair and Open Procedures of State Pay-to-Play Law, *N.J.S.A. 19:44A-20.5* and pursuant to the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-5(1)(a)(ii)*) and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007, and the City of Newark's Pay-to-Play Reform Ordinance.
3. A Determination of Value Letter is attached hereto and shall be filed in the Office of the City

Clerk with the original resolution.

4. Dennison Associates, Inc. has completed and submitted a Business Entity Disclosure Certificate (a copy of which is attached hereto), certifying that Dennison Associates, Inc., has not made any reportable contributions to a political candidate or committee in the City of Newark in the previous one (1) year, and the contract will prohibit Dennison Associates, Inc., from making reportable contributions through the term of the contract.
5. The Certification of Extraordinary Unspecifiable Services, as required by State Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(ii)), is attached hereto and shall be filed in the Office of the City Clerk with the original resolution.
6. This contract is awarded as open-ended contract under *N.J.A.C. 5:34-5.3(b)* and pursuant to *N.J.A.C. 5:34-5.3(b)(2)*, a certification of availability of funds shall be executed each time services are used and charged against the contract.
7. Attached hereto is a partial Certification of Funds from the Comptroller of the City of Newark, which states that there are available sufficient and legally appropriated funds available for the first contract year.
8. The contract was awarded without public bidding or competitive contracting as an exception to the Local Public Contracts Law pursuant to *N.J.S.A. 40A:11-5(1)(a)(ii)* as "Extraordinary Unspecifiable Services."
9. 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.
10. A fully executed copy of the contract shall be filed with the Office of the City Clerk by the Business Administrator.

STATEMENT:

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Business Administrator, to enter into and execute a contract on behalf of the City of Newark with Dennison Associates, Inc., 1629 K Street NW, Suite 503, Washington, DC 20006-1634, to provide technical assistance services for the HUD Entitlement Programs, for a period of March 1, 2014 through February 29, 2016, in an amount not to exceed \$750,000.00 funded by the Department of Housing and Urban Development Act (HCDA), with an option to extend for an additional term of one (1) year subject to the approval and authorization by the Newark Municipal Council. No municipal funds are required.