



Legislation Text

File #: 24-0725, Version: 1

Dept/ Agency: Administration/Office of the Business Administrator

Action: Ratifying Authorizing Amending

Type of Service: Competitive Contract - Pursuant to State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2), the competitive contracting process may be used for the operation, management or administration of social service programs.

Purpose: To provide Consulting Services and Technical Assistance for HUD Entitlement Programs.

Entity Name: W. Frank Newton, Inc. d/b/a WFN Consulting, LLC

Entity Address: 1860 Sandy Plains Road, Suite 204, PMB 2001, Marietta, Georgia 30066

Contract Amount: Not to exceed \$118,550.00

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

Contract Period: May 1, 2024 through April 30, 2026

Contract Basis: Bid State Vendor Prof. Ser. EUS

Fair & Open No Reportable Contributions RFP RFQ

Private Sale Grant Sub-recipient n/a

Additional Information:

No municipal funds are required for use of this contract.

WHEREAS, the City of Newark (hereinafter “City”) requires consulting services and technical assistance to support the City’s compliance with HUD Entitlement Programs grant regulations and guidelines for the following four programs:

- Community Development Block Grant (CDBG)
- HOME investment Partnership Program (HOME)
- Emergency Solutions Grant (ESG)
- Housing Opportunities for People with AIDS (HOPWA)

WHEREAS, pursuant to the Fair and Open Process of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the City publicly advertised a Request for Proposal (RFP) for HUD Consulting Services with all such proposals due on March 21, 2024; and

WHEREAS, pursuant to State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2), the competitive contracting process may be used for the operation, management or administration of social service programs;

WHEREAS, the proposal received from W. Frank Newton, Inc. dba WFN Consulting LLC located at 1860 Sandy Plains Road, Ste. 204 PMB 2001 Marietta, GA 30066, (hereinafter referred to as “Consultant”), was one of the most advantageous to the City based on experience and all other criteria listed in the RFP; and

WHEREAS, a review committee, pursuant to N.J.S.A. 40A:11-4.5, evaluated four (4) submissions and recommended to the Interim Purchasing Agent that it would be in the best interest of the City to retain the services of Consultant to provide consulting services and technical assistance, in an amount not to exceed One Hundred Eighteen Thousand Five Hundred and Fifty Dollars and Zero Cents (\$118,550.00), for the period of May 1, 2024 through April 30, 2026, 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, the Office of the Business Administrator desires to enter into a contract with the Consultant, for the purpose of providing consulting services and technical assistance for the contract period May 1, 2024 through April 30, 2026 for a total contract amount not to exceed \$118,550.00; and

WHEREAS, this Agreement is being awarded to the Consultant is in compliance with the State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2); and

WHEREAS, Consultant has completed and submitted a Business Entity Disclosure Certification, which certifies that Consultant has not made any reportable contributions to a political or candidate committee in the City in the previous one (1) year, and this contract will prohibit Consultant from making any reportable contributions through the term of the contract; and

WHEREAS, this Contract is being awarded pursuant to the fair and open procedures of State Pay-to-Play Law (N.J.S.A. 19:44A-20.5 et seq.) and is in compliance with the City's Ordinance on Pay-to-Play; and

WHEREAS, the Municipal Council of the City deems it to be in the best interest of the City to enter into a contract with Consultant for the provision of consulting services and 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 ("City"), with W. Frank Newton, Inc. dba WFN Consulting LLC located at 1860 Sandy Plains Road, Ste. 204 PMB 2001 Marietta, GA 30066, for the provision of consulting services and technical assistance services to the HUD Entitlement Programs, in an amount not to exceed One Hundred Eighteen Thousand Five Hundred and Fifty Dollars and Zero Cents (\$118,550.00), funded by the Department of Housing and Urban Development Act (HCDA) for a period of May 1, 2024 through April 30, 2026, with an option to extend for an additional term of one (1) year subject to approval and authorization of the Newark Municipal Council.
2. The Municipal Council ratifies this contract from May 1, 2024, through the date of adoption of this authorizing Resolution.
3. The total compensation to be paid pursuant to said contract shall not exceed 118,550.00, this

shall be funded by the Department of Housing and Urban Development Act (HCDA).

4. The terms of the contract may only be waived or amended in writing and signed by the parties duly authorized to execute this contract, subject to the approval of the Newark Municipal Council by Resolution. The term of this contract may be extended for up to one (1) year, provided that any such extension is at no additional cost to the City, the services are being performed in an effective and efficient manner, and is in a writing signed by both parties.
5. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from May 1, 2024, to the date of adoption of this authorizing resolution and authorizes said use in the future.
6. This contract is being awarded pursuant to the Community Development Block Grants Program, 24 CFR 576.1 et seq., and is in compliance with 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 the City's Ordinance on Pay-to-Play, R. O. 2:4-22C.1.
7. Attached hereto is a partial Certification of Funds from NW027-A23-EC300-Activity A-Acct# 71250-Budget 2023, in the amount of \$30,000.00 from the Director of Finance of the City, which states that there are available sufficient and legally appropriated funds available for the first contract year.
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 W. Frank Newton, Inc. dba WFN Consulting LLC located at 1860 Sandy Plains Road, Ste. 204 PMB 2001 Marietta, GA 30066, to provide consulting services and technical assistance services for HUD Entitlement Programs, for a period of May 1, 2024 through April 30, 2026, in an amount not to exceed One Hundred Eighteen Thousand Five Hundred and Fifty Dollars and Zero Cents (\$118,550.00), 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.