



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-0988, Version: 1

Dept/ Agency: Administration/Office of Emergency Management

Action: Ratifying Authorizing Amending

Type of Service: EUS Contract

Purpose: Contract to reconcile FEMA Grants from Hurricane Sandy.

Entity Name: 1st Choice Financial Group (1stCHOICEFG)

Entity Address: 133 North 21st Street, Camp Hill, Pennsylvania 17011

Contract Amount: Not to exceed \$300,000.00

Funding Source: Hurricane Sandy Balance sheet account \$143,000.00 and Economic Development Trust Fund \$157,000.00

Contract Period: *January 1, 2015 through July 31, 2015.*

Contract Basis: Bid State Vendor Prof. Ser. EUS
 Fair & Open No Reportable Contributions RFP RFQ
 Private Sale Grant Sub-recipient n/a

Additional Information:

WHEREAS, the City of Newark, Office of Emergency Management and Homeland Security, requests the City of Newark Municipal Council to authorize a contract with 1st Choice Financial Group (1stChoiceFG) to reconcile FEMA Grants from Hurricane Sandy. The contract shall include within its scope for fact finding regarding outstanding grants related to the Office of Emergency Management, consultation regarding procurement of outstanding grants related to the Office of Emergency Management, consultation regarding grants process relating to outstanding grants for the Office of Emergency Management, technical consultation regarding current grants, relating to grants for the Office of Emergency Management, assessing the current grants management process, and making recommendations for outstanding grants related to the Office of Emergency Management with 1st Choice Financial Group (1stCHOICEFG), 133 North 21st Street, Camp Hill, Pennsylvania 17011; and

WHEREAS, the City of Newark has \$143,000.00 through the Hurricane Sandy Balance sheet account and \$157,000.00 through the Economic Development Trust Fund. For a total not to exceed \$300,000.00; and

WHEREAS, the Director of Emergency Management and Homeland Security 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 1stCHOICEFG, located at 133 North 21st Camp Hill, Pennsylvania 17011, to reconcile FEMA Grants from Hurricane Sandy; and

WHEREAS, the vendor, 1stCHOICEFG, has represented that it shall provide these services for a substantial discount to the City of Newark from its original rates, the contract amount for the services shall not exceed \$300,000.00 for the period of January 1, 2015 through July 31, 2015; and

WHEREAS, pursuant to the Local Public Contracts Law (*N.J.S.A. 40A: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, 1stCHOICEFG located at 133 North 21st Camp Hill, Pennsylvania 17011, has completed and submitted a Business Entity Disclosure Certification, which certifies that 1stCHOICEFG 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 1stCHOICEFG from making any reportable contributions through the term of the contract; and

WHEREAS, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; 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 1stCHOICEFG to reconcile FEMA Grants from Hurricane Sandy.

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 Director of Emergency Management and Homeland Security, are hereby authorized to execute a contract, on behalf of the City of Newark, with 1stCHOICEFG located at 133 North 21st Camp Hill, Pennsylvania 17011, to reconcile FEMA Grants from hurricane Sandy. The scope of services shall include fact finding regarding outstanding grants related to the Office of Emergency Management, consultation regarding procurement of outstanding grants related to the Office of Emergency Management, consultation regarding grants process relating to outstanding grants for the Office of Emergency Management, technical consultation regarding current grants, relating to grants for the Office of Emergency Management, assessing the current grants management process, and making recommendations for outstanding grants related to the Office of Emergency Management
2. The vendor, 1stCHOICEFG has provided a discount to the City of Newark, the contract shall not exceed \$300,000.00, and these funds shall come from \$143,000.00 through the Hurricane Sandy Balance sheet account and \$157,000.00 through the Economic Development Trust Fund, for a total amount not to exceed \$300,000.00. The Contract period shall be from January 1, 2015 through July 31, 2015.
3. 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 Contractor Pay-to-Play Reform

Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds.

4. 1st Choice Financial Group (1stCHOICEFG) located at 133 North 21st Camp Hill, Pennsylvania 17011, has completed and submitted a Business Entity Disclosure Certification, which certifies that 1stCHOICEFG 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 1stCHOICEFG from making any 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 are Certifications 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. No amendments and or changes are allowed to this contract without prior Municipal Council approval.
9. There shall be no advance payments made against this contract in accordance with N.J.S.A. 40A:5-16.
10. 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."
11. 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.
12. 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 Director of

Emergency Management and Homeland Security, to enter into and execute a contract on behalf of the City of Newark with 1st Choice Financial Group (1stCHOICEFG) 133 North 21st Street, Camp Hill, Pennsylvania 17011, to reconcile FEMA Grants from Hurricane Sandy for an amount not to exceed \$300,000.00.