



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 21-1569, Version: 1

Dept./ Agency: Economic and Housing Development

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

Type of Service: Professional Services Contract

Purpose: To provide Legal Defense Services to tenants of low-income facing eviction or threat of eviction.

Entity Name: Essex-Newark Legal Services

Entity Address: 5 Commerce Street, 2nd Floor, Newark, New Jersey 07102

Contract Amount: Not to exceed \$150,000.00

Funding Source: 2021 Budget/Department of Economic and Housing Development/Business Unit: NW011, Dept. 200, Div./Proj. 2001, Activity A, Acct #71260, Budget Ref. B2021

Contract Period: One (1) year from the date of the issuance of a Notice to Proceed

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

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

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

Additional Information:

WHEREAS, the Governing Body of the City of Newark declared that an emergency exists within the City of Newark, where many of its residents are homeless or are at risk of homelessness and/or reside in uninhabitable living conditions due to a shortage of affordable housing and an absence of awareness concerning tenant's rights; and

WHEREAS, N.J.S.A. 40:48-2 allows any municipality to make ordinances, rules, regulations, and by-laws, as the municipality deems necessary and proper for the good government, order and protection of its residents and for the protection of the health, welfare and safety of the municipality and its residents; and

WHEREAS, the City of Newark by way of Ordinance 6PSF-I adopted on December 19, 2018, amended and supplemented Title XIX of its Revised General Ordinances to provide its low-income residents facing eviction in landlord tenant court with access to free legal representation by way of the creation of the Office of Tenant Legal Services; and

WHEREAS, a need exists to provide outside legal assistance to the Office of Tenant Legal Services in order to effectuate the charge of its office; and

WHEREAS, the Deputy Mayor/Director of the City's Department of Economic and Housing Development (hereinafter, "EHD"), caused to be published on the City of Newark's website, a Notice of Request for Qualifications ("RFQ") for Legal Defense Services to Tenants of Low-Income Facing the Threat of Eviction on August 11, 2021; and

WHEREAS, the City of Newark received a total of two (2) responses to the RFQ; and

WHEREAS, Essex-Newark Legal Services, 5 Commerce Street, 2nd Floor, Newark, New Jersey 07102, submitted a proposal and it was found, based upon price and other factors, to be in the best interest of the City of Newark to accept the proposal for the purpose of providing Legal Defense Services to tenants of low-income facing eviction or the threat of eviction; and

WHEREAS, the City of Newark wishes to enter into a new contract with Essex-Newark Legal Services to provide Legal Defense Services to tenants of low-income facing eviction or the threat of eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one (1) year to commence upon the issuance of a Notice to Proceed by the Deputy Mayor/Director of EHD, which shall cover new matters that may arise during the contract term; and

WHEREAS, legal services are professional services, exempt from the requirement for public bidding, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that notice of the award of contracts for “Professional Services” without competitive bidding must be published in a local newspaper; and

WHEREAS, this contract is for an amount over \$17,500.00 and 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; and

WHEREAS, the Municipal Council adopted New Jersey Municipal Code § 2:4-22C.1, which adopted the State of New Jersey's Pay-to-Play statutory requirements pursuant to N.J.S.A. 19:44A-20.5, as may be amended and supplemented, governing eligibility for municipal contracts.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development (EHD), are authorized on behalf of the City of Newark to enter into and execute a contract with Essex-Newark Legal Services, 5 Commerce Street, 2nd Floor, Newark, New Jersey 07102, to provide Legal Defense Services to tenants of low-income facing eviction or the threat of eviction in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one (1) year to commence upon the issuance of a Notice to Proceed by the Deputy Mayor/Director of EHD, which shall cover new matters that may arise during the contract term.
2. This contract 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) and pursuant to the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a)(i)) and is in compliance with the City of Newark's Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 2:4-22C.
3. Attached hereto is a Certification of Funds from the Director of the Department of Finance which states: (1) that there are available sufficient legally appropriated funds in the amount

not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00); and (2) that the line appropriation of the official budget which shall be charged is as follows:

<u>Bus. Unit</u>	<u>Dept.</u>	<u>Div./Proj.</u>	<u>Account</u>	<u>Budget Ref.</u>
NW 011	200	2001	71260	B2021

4. This contract complies with the Local Pay-to-Play law, N.J.S.A. 19:44A-20.5 as a State contract awarded via a Fair and Open Procedure.
5. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Deputy Mayor/Director of the Department of Economic and Housing Development and shall be made available for public inspection.
6. 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 the adoption of this Resolution.

STATEMENT

This Resolution authorizes the Mayor of the City of Newark and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, to enter into and execute a contract for legal services for Legal Defense Services to tenants of low-income facing eviction or the threat of eviction with Essex-Newark Legal Services, 5 Commerce Street, Newark, New Jersey 07102, in an amount not to exceed \$150,000.00, for a period of one (1) year to commence upon the issuance of a Notice to Proceed by the Deputy Mayor/Director of EHD.