



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 24-0281, Version: 1

Dept/ Agency: Administration / Office of the Business Administrator

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

Type of Service: Contract with Grant Sub-recipient

Purpose: To provide emergency shelter services, homelessness prevention, and/or Rapid Rehousing assistance in the City of Newark.

Entity Name: HBP RAIN Foundation

Entity Address: 168 Park Street, East Orange, New Jersey 07017

Grant Amount: Not to exceed \$60,000.00

Funding Source: United States Department of Housing and Urban Development (HUD)

Account Code Line: 2024 Budget/Department of Administration/NW051; Dept. ID G24; Project M24C0; Account# 72030; Budget Ref. B2024

Contract Period: January 1, 2024 through December 31, 2024

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-j adopted on December 6, 2023.

Budget Insertion by Resolution 7R1-i adopted on February 7, 2024.

WHEREAS, the City of Newark (hereinafter "City") desires to continue to act as the Grantee/Sub-Grantor for disbursement of funds made available by the United States Department of Housing and Urban Development (HUD), Emergency Solutions Grants (ESG) Program, to provide housing assistance and emergency shelter for persons who are homeless or at risk of homelessness; and

WHEREAS, pursuant to Resolution 7R1-j adopted on December 6, 2023, the Municipal Council authorized the Mayor of the City of Newark and/or his designee, the Business Administrator, to enter into an agreement with HUD to receive and expend grant funds in the amount of Six Hundred Eight Thousand Six Hundred Twelve Dollars and Zero Cents (\$608,612.00) from HUD's ESG Program; 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; and

WHEREAS, pursuant to the Fair and Open Process of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the City of Newark (hereinafter "City") publicly advertised a Request for Proposal (RFP) for emergency shelter services, homelessness prevention, and/or rapid rehousing with all such proposals due on December 18, 2023; and

WHEREAS, the Municipal Council previously authorized the use of competitive contracting for

processing these HUD Entitlement Programs and authorized said use for the future; and

WHEREAS, the proposal received from HBP RAIN Foundation, (hereinafter referred to as “Sub-Recipient”), was one of the most advantageous to the City of Newark based on experience and all other criteria listed in the RFP; and

WHEREAS, the Office of Homeless Services desires to enter into a contract with the Sub-Recipient, for the purpose of providing emergency shelter services and rapid rehousing to the homeless and those at risk of being homeless in the City for the contract period January 1, 2024 through December 31, 2024, for a total contract amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00); and

WHEREAS, this Agreement is being awarded to the Sub-Recipient is in compliance with the State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5 and/or as a Professional Service pursuant to N.J.S.A. 40A:11-5(1)(a)(i) (where applicable), as well as the federal Emergency Solutions Grants (ESG) program regulations, 24 CFR Part 576 et seq.; and

WHEREAS, this Agreement 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, reporting requirements are only applicable to business entities as defined therein and do not include non-profit organizations, and as a non-profit organization, Sub-recipient, is 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 of the City of Newark and/or his designee, the Homelessness Czar, of the Division of Homeless Services, are authorized to enter into and execute a contract with HBP RAIN Foundation, located at 168 Park Street, East Orange, New Jersey 07107, to provide emergency shelter services and rapid rehousing to the homeless and those at risk of being homeless in the City as further described in the “Scope of Services” (attached hereto and made a part hereof) for the period January 1, 2024 through December 31, 2024.
2. The Municipal Council ratifies this contract from January 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 Sixty Thousand Dollars and Zero Cents (\$60,000.00), this shall be paid for from ESG funding.
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 Municipal Council by Resolution. The term of this contract may be extended for up to two (2) six (6) month periods, 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 January 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 Emergency Solutions Grants Program, 24 CFR Part 576 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/or N.J.S.A. 40A:11-5, and the City's Ordinance on Pay-to-Play, R. O. 2:4-22C.1.
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. NW051; Dept. ID G24; Project M24C0; Account# 72030; Budget Ref. B2024.
8. The Homelessness Czar shall file the fully executed copy of said contract with the Office of the City Clerk and said contract shall be made available for public inspection.

STATEMENT

This Resolution authorizes and ratifies the actions taken by the Mayor of the City of Newark and/or his designee, the Homelessness Czar, to enter into and execute a contract with HBP RAIN Foundation utilizing ESG funding, for the provision of emergency shelter services and rapid rehousing to the homeless and those at risk of being homeless in the City of Newark, for the period of January 1, 2024, through December 31, 2024, in an amount not to exceed \$60,000.00.