



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-0477, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: Contract with Sub-recipient

Purpose: Public Facility Services/Physical Rehabilitation

Entity Name: Newark School of the Arts, Inc.

Entity Address: 89 Lincoln Park, Newark, New Jersey 07102

Grant Amount: \$125,000.00

Funding Source: United States Department of Housing & Urban Development/Community Development Block Grants (CDBG)

Contract Period: January 1, 2012 through December 31, 2012

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

List of Property:

(Address/Block/Lot/Ward)

89 Lincoln Park, Newark, New Jersey 07102/Block 2824/ Lot 4/Central Ward

Additional Information:

Funds applied for and accepted by Resolution # 7R1-F 100511

Funds appropriated by Resolution # 7R1-A(S) 020712

Latest audit submitted June 30, 2011

WHEREAS, pursuant to Resolution 7R1-F, adopted October 5, 2011, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2011 (Program Year 2011-2012) One-Year Action Plan with the U.S. Department of Housing and Urban Development (HUD), which contained requests for funds from four grant programs: Community Development Block Grants (CDBG), \$7,835,598.00; HOME Investment Partnerships (HOME), \$3,716,178.00; Housing Opportunities for People With AIDS (HOPWA), \$6,646,588.00 (on behalf of Newark and the "Eligible Metropolitan Area"); and Emergency Shelter Grants (ESG), \$379,213.00, and were further authorized to accept these grant funds and enter into a grant agreement with HUD for these funds, with no municipal funds required; 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 publicly advertised a Request for Proposals (RFP) for this service on August 23, 2011 with all proposals due on September 16, 2011; and

WHEREAS, the Municipal Council of the City of Newark hereby ratifies the use of competitive contracting for processing these Housing and Urban Development Entitlement Programs from August 23, 2011 to the date of adoption and authorizes its use in the future; and

WHEREAS, the proposal received from the Newark School of the Arts, Inc., hereinafter, "Sub-Recipient" was the most advantageous to the City of Newark, based on experience and all other

criteria listed in the RFP; and

WHEREAS, the Business Administrator and/or his designee, the Deputy Mayor/Director of the Department of Economic and Housing Development, desires to enter into and execute an Agreement with the Sub-Recipient, for the purpose of providing Physical Rehabilitation Services to its facility located at 89 Lincoln Park, Newark, New Jersey 07102, that consists of elevator repair, for the contract period January 1, 2012 through December 31, 2012, for a total contract amount of \$125,000.00; and

WHEREAS, this Agreement is awarded to the Sub-Recipient, in compliance with 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 Community Development Block Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR. 570.201; 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, reporting requirements pursuant to N.J.S.A. 19:44A-20.5, et seq. and MEO-07-0001 are only applicable to Business Entities as defined therein and do not include non-profit organizations. As a non-profit organization, the Newark School of the Arts, Inc., 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 and/or his designees, the Business Administrator and the Deputy Mayor/Director of the Department of Economic & Housing Development, are hereby authorized to enter into and execute an Agreement with the Newark School of the Arts, Inc. 89 Lincoln Park, Newark, New Jersey 07102, for the period January 1, 2012 through December 31, 2012, to provide Physical Rehabilitation Services to its facility located at 89 Lincoln Park, Newark, New Jersey 07102, that consists of elevator repair, which is further described in the "Scope of Services" attached hereto and made a part thereof.
2. The Agreement between the City of Newark and Sub-recipient is hereby ratified from January 1, 2012 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$125,000.00 and shall be paid from CDBG funding.
4. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from August 23, 2011 to the date of adoption and authorizes its use in the future.
5. This Agreement 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, 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 Community Development Block

Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR 570.201.

6. 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.

Bus. Unit	Depart. ID	Div/Proj.	Activity	Account #	Budget Ref.
NW027	A12	EW2Q0	A	72090	B2012

7. An executed copy of said Agreement shall be filed with the Office of the City Clerk by the Business Administrator.

STATEMENT

This resolution ratifies and authorizes the Mayor and/or his designees, the Business Administrator and the Deputy Mayor/Director of the Department of Economic and Housing Development,, to enter into and execute an Agreement with the Newark School of the Arts, Inc. 89 Lincoln Park, Newark, New Jersey 07102, utilizing CDBG funding, for the purpose of providing Physical Rehabilitation Services to its facility located at 89 Lincoln Park, Newark, New Jersey 07102, that consists of elevator repair , for the period of January 1, 2012 through December 31, 2012, for the total contract amount of \$125,000.00. This Agreement 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, 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; Community Development Block Grant, 24 CFR 570.201 and is in compliance with Executive Order Number MEO-07-001, effective March 31, 2007.