



Legislation Text

File #: 12-1194, Version: 1

ADDED STARTER 7R2-n (as) 090612

Dept/ Agency: Child and Family Well-Being

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

Type of Service: Contract with humane societies where no pound established

Purpose: Animal Control Services

Entity Name: Associated Humane Societies, Inc.

Entity Address: 124 Evergreen Avenue, Newark, New Jersey 07114

Contract Amount: \$631,926.00

Funding Source: City of Newark/Budget

Contract Period: February 1, 2012 through January 31, 2013 with an option to renew for two one (1) year contracts for 2014 and 2015

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

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

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

Additional Information:

Contract - Services not subject to Local Public Contract Law, Specific Statutory Exception, *N.J.S.* 40:48-5.1

WHEREAS, the City of Newark has a need to provide animal shelter management services for its injured animals, trapped animals, sick animals and animals whose lives are endangered or animals that are a danger to human beings; and

WHEREAS, the City of Newark desires to provide animal control services in order to protect the health, safety and welfare of the citizens of the City of Newark; and

WHEREAS, N.J.S.A. 40:48-5.1 authorizes any municipality not having a public animal pound to award negotiated contracts for animal control services without public bidding, with a non-profit humane society situated in the County or any adjoining County to provide said services; and

WHEREAS, the Associated Humane Societies, Inc., 124 Evergreen Avenue, Newark, New Jersey, 07114, (hereinafter called the Contractor) has represented that they are qualified by its training and experience to perform this required services in the manner and on the terms and conditions set forth in the proposed contract; and

WHEREAS, pursuant to N.J.S.A. 40:48-5.1, the City wishes to enter into a contract with the Contractor for the period of one (1) year beginning February 1, 2012 and terminating January 31, 2013; and

WHEREAS, the contract period for February 1, 2012 to January 31, 2013 shall not exceed \$631,926.00, with an option to renew for two (2) additional years February 1, 2013 through January 31, 2014 and February 1, 2014 through January 1, 2015, not to exceed \$631,926.00 per year, subject to the additional funding; and

WHEREAS, the contract is awarded without competitive bidding because such services are not subject

to the Local Public Contracts Law, N.J.S.A. 40:48-5.1, in that the contract is between the City of Newark and Associated Humane Societies, Inc., and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007; and

WHEREAS, pursuant to N.J.S.A. 40:48-5.1, a request for proposal is not required. However, the City concluded it was in the best interest of the City to award the contract to Associated Humane Societies, Inc.; and

WHEREAS, pursuant to N.J.A.C.5:30-5.5(c), this contract is subject to the availability and appropriation of sufficient funds annually.

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 the Department of Child and Family Well-Being is hereby authorized to enter into and execute a contract with Associated Humane Societies, Inc., 124 Evergreen Avenue, Newark, New Jersey 07114, for provision of animal control services in the City of Newark, in an amount of \$631,926.00, for the contract period of February 1, 2012 through January 31, 2013., with an option to renew for two (2) additional years, February 1, 2013 through January 31, 2014 and February 1, 2014 through January 1, 2015, not to exceed \$631,926.00 per year, subject to additional funding
2. The contract between the City of Newark and Associated Humane Societies, Inc., is hereby ratified from February 1, 2012 to the date of adoption of this authorizing resolution.
3. The contract is awarded without competitive bidding because such services are not subject to the Local Public Contracts Law as authorized by N.J.S.A. 40:48-5.1 in that the contract is between the City of Newark and Associated Humane Societies, Inc., and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.
4. Attached hereto is a partial certification of funds in the amount \$144,800.00, which shall be charged to: **Business Unit 011; Dept. ID 120; Division 1203; Account 9592**. This states that there are available legally appropriated funds for the purpose set forth hereinabove.
5. This resolution further authorizes the Director of Child and Family Well-Being of the City of Newark, to extend this contract to its full value of \$631,926.00, for year one when the balance of funds in the amount of \$487,126.00 becomes available and certified, contingent upon appropriation as required by N.J.A.C. 5:30-5.5(a)(2). The certification of funds shall be filed in the Office of the City Clerk.
6. Pursuant to N.J.A.C.5:30-5.5(c), this contract is subject to the availability and appropriations of sufficient funds annually.
7. A copy of the proposed Contract is attached hereto.
8. A copy of the executed contract shall be filed in the Office of the City Clerk by the Director of the Department of Child and Family Well-Being.

STATEMENT:

This legislation ratifies and authorizes the Mayor and/or his designee, the Director of Child and Family Well-Being to enter into and execute a contract pursuant to N.J.S.A.40:48-5.1 with the Associated Humane Societies, Inc., 124 Evergreen

Avenue, Newark, New Jersey 07114, for the provision of animal control services in the City of Newark, in the amount of \$631,926.00, for the contract period of February 1, 2012 through January 31, 2013. The, with an option to renew for two (2) additional years, February 1, 2013 through January 31, 2014 and February 1, 2014 through January 1, 2015, not to exceed the amount of \$631,926.00 per year, subject to additional funding, contract is awarded without public bidding because such services are not subject to Local Public Contracts Law in that the contract is between the City of Newark and Associated Humane Societies, Inc., N.J.S.A. 40:48-5.1 and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.