



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 15-0551, Version: 1

**Dept/ Agency:** Economic & Housing Development

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

**Type of Service:** Contract with Sub-recipient

**Purpose:** Provide Physical Rehabilitation to its facility located at 202-216 First Street, Newark, New Jersey 07107

**Entity Name:** La Casa de Don Pedro

**Entity Address:** 75 Park Avenue, Newark, New Jersey 07104

**Grant Amount:** \$20,000.00

**Funding Source:** United States Department of Housing and Urban Development (HUD)/Community Development block Grants (CDBG) Funds

**Contract Period:** January 1, 2015 through December 31, 2015

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

**List of Property:** (If applicable)

**(Address/Block/Lot/Ward)**

202-204 1<sup>ST</sup> Street/Block 1912/Lot 38/ Central Ward  
(Lots 27, 28, 32, 35 merged into Lot 38.),

### Additional Information:

Funds applied for and accepted by Resolution 7R1-K 010715

Funds appropriated by Resolution 7R1-C 020415

2014 Financial/Audit report attached to file

**WHEREAS**, pursuant to Resolution 7R1-K, adopted January 7, 2015, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2015 (Program Year 2014-2015) 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), \$6,569,453.00; HOME Investment Partnerships (HOME), \$1,853,743.00; Housing Opportunities for People With AIDS (HOPWA), \$6,473,182.00 (on behalf of Newark and the "Eligible Metropolitan Area"); and Emergency Shelter Grants (ESG), \$548,578.00, 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 competitive contracting process of the State Local Public Contracts Law, as authorized by N.J.S.A. 40A:11-4.1b(1) (being the operation, management or administration of a social services program), and pursuant also 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 CDBG Childcare Services on June 20, 2014 with all proposals due on July 28, 2014; 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 June 20, 2014 to the date of adoption of this Resolution and authorizes its use in the future; and

**WHEREAS**, the proposal received from La Casa de Don Pedro, 75 Park Avenue, Newark, New Jersey 07104, 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 & Housing Development desires to enter into an Agreement with the Sub-Recipient, for the purpose of providing CDBG Physical Rehabilitation Services for the contract period January 1, 2015 to December 31, 2015, for a total contract amount of \$20,000.00, to allow the Sub-recipient to perform physical rehabilitation services consisting of HVAC and Security upgrades to its childcare services facility located at 202-216 First Street, Newark New Jersey 07104; 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, and all Statutes and Regulations governing the use of Community Development Block Grant funds; and

**WHEREAS**, the requirements of the reporting of political contributions pursuant to N.J.S.A. 19:44A-20.5, et seq. are only applicable to Business Entities as defined therein and do not include non-profit organizations. As a non-profit organization, La Casa de Don Pedro 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 a Sub-recipient Agreement with La Casa de Don Pedro, 75 Park Avenue., Newark, New Jersey 07104, hereinafter, "Sub-Recipient," for the period January 1, 2015 through December 31, 2015, to provide a Community Development Block Grant ("CDBG") in an amount not to exceed \$20,000.00, to allow the Sub-recipient to perform physical rehabilitation services consisting of HVAC and Security upgrades to its childcare services facility located at 202-216 First Street, Newark New Jersey 07107, which is further described in the "Scope of Services" attached hereto as Exhibit A.
2. The CDBG Sub-recipient Agreement between the City of Newark and Sub-recipient is hereby ratified from January 1, 2015 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$20,000.00 and shall be paid from CDBG 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 Newark Municipal

Council by Resolution. The term of this contract may be extended for up to two (2) 6-month periods, provided that any such extension is at no additional cost to the City, is authorized by Resolution of the Newark Municipal Council including a finding that the services are being performed in an effective and efficient manner, and is in writing and 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 June 20, 2014 to the date of adoption of this Resolution and authorizes its use in the future.
6. This CDBG Sub-recipient 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 all Statutes and Regulations governing the use of Community Development Block Grant funds.
7. Attached hereto is a Certification of Funds from the Acting Director of Finance, which states that (1) there are sufficient funds for the purpose set forth hereinabove and (2) the line appropriation of the official budget which shall be charged is Business Unit, NW027; Department, A15; Div/Proj., EA5A0, Activity, A; Account, 72090; Budget, B2015.
8. 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 & Housing Development, to enter into and execute a Sub-recipient Agreement with La Casa de Don Pedro, 75 Park Avenue, Newark, NJ 07104, for the period January 1, 2015 to December 31, 2015, to provide a Community Development Block Grant ("CDBG") in an amount not to exceed \$20,000.00, to allow the Sub-recipient to perform physical rehabilitation services consisting of HVAC and Security upgrades to its childcare services facility located at 202-216 First Street, Newark NJ 07104 as further described in the "Scope of Services" attached hereto as Exhibit A.