



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 20-0345, 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 for Low-Income Tenants.

**Entity Name:** Essex County Legal Aid Association

**Entity Address:** 465 Dr. Martin Luther King, Jr. Boulevard, Room 118, Newark, New Jersey 07102

**Contract Amount:** Not to exceed \$150,000.00

**Funding Source:** 2020 Budget/Department of Economic and Housing Development/Community and Economic Development Trust/Business Unit NW026; Dept. BS; Account # 32100; Budget Ref. B2020

**Contract Period:** For one (1) year to commence upon 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**, approximately 78.2% of Newark residents are renters, according to the 2016-2017 United States Census Bureau data; and

**WHEREAS**, low-income tenants residing in the City of Newark are often not represented by counsel when challenging eviction actions; and

**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 tenants' 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 December 19, 2018, amended and supplemented Title XIX of its Revised General Ordinances to provide 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 Director of the City of Newark's Department of Economic and Housing Development (the "Director") caused to be published a Notice of Request for Qualifications ("RFQ") for *Legal Defense Services to Low-Income Tenants Facing Eviction or the Threat Thereof* on or about November 26, 2019; and

**WHEREAS**, the City of Newark received a total of two (2) Qualification Statements in response to the RFQ; and

**WHEREAS**, Essex County Legal Aid Association (hereinafter, "ECLAA"), 465 Dr. Martin Luther King, Jr. Boulevard, Room 118, Newark, New Jersey 07102, submitted a Qualification Statement 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 for Low-Income Tenants; and

**WHEREAS**, the City of Newark wishes to enter into a new contract with Essex County Legal Aid Association to provide *Legal Defense Services to Low-Income Tenants Facing Eviction or the Threat Thereof* in an amount not to exceed One Hundred-Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one year, commencing upon the Director's issuance of a Notice to Proceed, and 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 the Contractor Pay-to-Play Reform Ordinance, Newark, New Jersey, Municipal Code § 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to (i) a candidate, candidate committee or joint candidate committee of any candidate for elective municipal office in the City of Newark or a holder of public office having ultimate responsibility for the award of a contract, or (ii) to any City of Newark or County of Essex political committee or action committee that regularly engages in the support of City of Newark Municipal or County of Essex candidates, candidate committees, joint candidates committees, political committees, political party committee, (hereinafter "PAC), in excess of certain specified thresholds within one (1) calendar year immediately preceding the date of the contract or agreement.

**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 City of Newark's Department of Economic and Housing Development, are hereby authorized on behalf of the City of Newark to execute a contract with Essex County Legal Aid Association (ECLAA), to provide Legal Defense Services to Low-Income Tenants Facing Eviction or the Threat

Thereof in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a period of one year, commencing upon the Director's issuance of a Notice to Proceed, and 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. Funds for this contract in the amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) shall be provided from the City of Newark Budget, Department of Economic and Housing Development.
4. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Director of the City of Newark Department of Economic and Housing Development and shall be made available for public inspection.
5. 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 Director of the Department of Economic and Housing Development (the "Director"), to enter into a contract for legal services for Legal Defense Services to Low-Income Tenants Facing Eviction or the Threat Thereof with Essex County Legal Aid Association (ECLAA), 465 Dr. Martin Luther King, Jr. Boulevard, Room 118, Newark, New Jersey 07102, in an amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00), for a one-year period commencing upon the Director's issuance of a Notice to Proceed.