



## Legislation Text

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File #: 23-0964, Version: 1

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**Dept/ Agency:** Administration/Division of Central Purchasing

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

**Type of Service:** Competitive Contracting

**Purpose:** To provide Miller Street Pathways to Housing Center Shelter Operations Management.

**Entity Name(s)/Address(s):** Catholic Charities of the Archdiocese of Newark, 590 North 7<sup>th</sup> Street, Newark, New Jersey 07107

**Contract Amount:** Not to exceed \$2,500,000.00

**Funding Source:** 2022 Budget/Department of Health and Community Wellness NW051-G22-ARP2C -71280-B2022

**Contract Period:** Upon Municipal Council approval to be established for twelve (12) consecutive months with one (1) one-year option to renew

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

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

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

**Additional Information:**

Advertised Date: March 2, 2023

Addendum Date: March 17, 2023

Bids Received: Five (5)

**WHEREAS**, on March 2, 2023, pursuant to N.J.S.A. 40A:11-4.1 et seq., the City of Newark through its Purchasing Agent, QPA, advertised to solicit an Request for Proposals (“RFP”) for contractors to provide Miller Street Pathways to Housing Center Shelter Operations Management, for the Department of Administration/Office of Homeless Services, as described in the attached RFP proposal; and

**WHEREAS**, N.J.S.A. 40A:11-4.1(b)(2) provides for the use of competitive contracting for the operation, management or administration of recreation or social services facilities or programs; and

**WHEREAS**, the Division of Central Purchasing published the RFP on the City of Newark’s procurement portal to provide broader access and download capability to potential bidders; and

**WHEREAS**, the Division of Central Purchasing issued an addendum on March 17, 2023; and

**WHEREAS**, via the procurement portal, thirteen (13) prospective vendors downloaded the RFP following the date of advertisement; and

**WHEREAS**, on April 6, 2023, the Division of Central Purchasing received five (5) proposals in response to this advertisement; and

**WHEREAS**, as required by N.J.A.C 5:34-4.3(g), the three (3) members of the evaluation committee established to evaluate the proposals signed no-conflict letters; and

**WHEREAS**, the Purchasing Agent, QPA, obtained signed no conflict letters from the members of the evaluation committee (copies of which are attached hereto and made a part hereof) before releasing the RFP responses to the evaluators via the electronic procurement portal; and

**WHEREAS**, the evaluation committee, pursuant to N.J.S.A. 40A:11-4.5, evaluated the five (5) responses and, made its recommendation to the Qualified Purchasing Agent for a single award finding that from the proposals received, the proposal from Catholic Charities of the Archdiocese of Newark, 590 North 7<sup>th</sup> Street, Newark, New Jersey 07107 is the most advantageous and in the best interest of the City of Newark, cost and other factors considered, pursuant to the criteria listed in the RFP; and

**WHEREAS**, the Purchasing Agent, QPA, concurs with the evaluation committee's recommendation that the award be made to: Catholic Charities of the Archdiocese of Newark 590 North 7<sup>th</sup> Street, Newark, New Jersey 07107; and

**WHEREAS**, 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

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 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 Newark Municipal Candidates, office holders having ultimate responsibility for the award of a contract; candidate committees of the aforementioned candidates; and political or political party committees of the City of Newark or County of Essex; and continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections; and certain other political party or candidate committees, in excess of certain thresholds; and

**WHEREAS**, the Municipal Council adopted R.O. 2:4-22C.1, which adopted the State of New Jersey's Pay-to-Play statutory requirements pursuant to N.J.S.A. 19:44A-20.5, as may be amended and supplemented, governing eligibility for municipal contracts. The awardees have not made, and has agreed not to make during the term of the contract, any political contributions that would violate New Jersey's Pay-to-Play Law, N.J.S.A. 19:44A-20.4 et seq., or the City of Newark's Pay-to-Play Reform Ordinance.

**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/or the Purchasing Agent, QPA, are hereby authorized to enter into and execute a contract with Catholic Charities of the Archdiocese of Newark, 590 North 7<sup>th</sup> Street, Newark, New Jersey 07107, for the Miller Street Pathways to Housing Center Shelter Operations Management, whose proposal was received on the advertised due date and determined to be the overall responsive and responsible respondent in accordance with the proposal specifications. The term of the contract will be established upon approval of Municipal Council for twelve (12) consecutive months with one (1) one-year option to renew, pursuant to N.J.S.A. 40A:11-15, start date to commence upon a fully executed contract.

2. There shall be no amendment or change of this contract without the approval of the Municipal Council.
3. There shall be no advance payment on this contract in accordance with N.J.S.A. 40A:5-16. Funds for 2023 and subsequent years are contingent upon appropriations, pursuant to N.J.A.C. 5:30-5.5(d)(2).
4. The Municipal Council ratifies the use of competitive contracting for Miller Street Pathways to Housing Center Shelter Operations Management from March 2, 2023 to the date of adoption of this Resolution and authorizes its use in the future.
5. This is an open-ended contract to be used as needed during the term of the contract. Thus, for any and all expenditures against this contract, a certification of the availability of sufficient funds, as required by N.J.A.C. 5:30-5.5(b)(2), shall be executed before a contractual liability is incurred each time an order is placed from Account Code Line: Department of Health and Community Wellness NW051-G22-ARP2C-71280-B2022, covering the amount of an order. This contract shall not exceed Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00) for a period to be established and not to exceed twelve (12) consecutive months with one (1) one-year option to renew.
6. The Purchasing Agent, QPA, shall file a copy of this resolution and the duly executed copy of the contract in the Office of the City Clerk.
7. If required by State Law, the City Clerk shall provide the appropriate notice of the award of this contract to the State Comptroller, no later than twenty (20) business days following such award, in accordance with N.J.S.A. 52:15C-10 and the Notice of the Office of the State Comptroller dated May 7, 2008.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designees, the Business Administrator and/or the Purchasing Agent, QPA, to enter into and execute a contract with: Catholic Charities of the Archdiocese of Newark to provide Miller Street Pathways to Housing Center Shelter Operations Management to the City's Office of Homeless Services, at a contract amount not to exceed Two Million Five Hundred Thousand Dollars and Zero Cents (\$2,500,000.00), for a period to be established upon Municipal Council approval and not exceed twelve (12) consecutive months with one (1) one-year option to renew with the start date commencing upon contract execution.