



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1867, Version: 1

Dept/ Agency: Administration/Office of the Business Administrator

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

Type of Service: Contract with Sub-recipient

Purpose: To provide Homeless Prevention and Shelter Operations Services (Facility Costs Only)

Entity Name: AIDS Resource Foundation for Children, Inc.

Entity Address: 77 Academy Streest, Newark, New Jersey 07102

Grant Amount: \$40,000.00

Funding Source: U.S. Department of Housing and Urban Development (HUD)/ Emergency Solutions Grants Program (ESG)

Contract Period: January 1, 2014 through December 31, 2014

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: (Not Applicable)

(Address/Block/Lot/Ward)

Additional Information:

Funds accepted by Resolution 7R1-J adopted September 18, 2013

WHEREAS, pursuant to Resolution 7R1-J, adopted September 18, 2013, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2013 (Program Year 2013-2014) One-Year Action Plan with the U.S. Department of Housing and Urban Development (HUD), which contained requests for funds from four (4) grant programs: Community Development Block Grants (CDBG), \$6,752,671.00; HOME Investment Partnerships (HOME), \$1,799,805.00; Housing Opportunities for People With AIDS (HOPWA), \$6,419,016.00 (on behalf of the City of Newark and the "Eligible Metropolitan Area"); and Emergency Solutions Grants (ESG), \$483,211.00, 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(2)* (being the operation, management or administration of a social service program), and pursuant also to the Fair and Open Process of State Pay-to-Play Law, *N.J.S.A. 19:44A-20.5, et. seq.* the City of Newark publicly advertised a Request for Proposals (RFP) for this service on June 27, 2013 with all proposals due on July 29, 2013; 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 27, 2013 to the date of adoption and authorizes its use in the future; and

WHEREAS, the proposal received from AIDS Resource Foundation for Children, Inc., 77

Academy Streest, Newark, New Jersey 07102, 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 desires to enter into an Agreement with the Sub-Recipient, for the purpose of providing Homeless Prevention and Shelter Operations Services (Facility Costs Only) for the contract period January 1, 2014 through December 31, 2014, for a total contract amount of \$40,000.00; 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 Emergency Solutions Grants (ESG), *24 CFR 576*; 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, AIDS Resource Foundation for Children, 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 designee, the Business Administrator, are hereby authorized to enter into and execute a contract with AIDS Resource Foundation for Children, Inc., located at 77 Academy Streest, Newark, New Jersey 07102, for the period January 1, 2014 through December 31, 2014, to provide Homeless Prevention and Shelter Operations Services (Facility Costs Only), which are further described in the "Scope of Services" attached hereto.
2. The contract between the City of Newark and Sub-Recipient is hereby ratified from January 1, 2014 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$40,000.00 and shall be paid from ESG 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 27, 2013 to the date of

adoption of this authorizing resolution and authorizes its use in the future.

6. 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 Emergency Solutions Grants, 24 *CFR 576*.
7. Attached hereto are two (2) Certifications of Funds from the Comptroller of the City of Newark, which state that there are sufficient and available funds for the purpose set forth hereinabove.
8. An executed copy of said contract shall be filed with the Office of the City Clerk by the Business Administrator.

STATEMENT:

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Business Administrator, to enter into and execute a contract with AIDS Resource Foundation for Children, Inc., 77 Academy Street, Newark, New Jersey 07102, for the provision of Homeless Prevention and Shelter Operations Services (Facility Costs Only) for the period of January 1, 2014 through December 31, 2014, for a total contract amount of \$40,000.00. No municipal funds are required.