



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-0412, 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 Urban Agriculture/Tree Planting Services

Entity Name: Marion P. Thomas Charter School, Inc.

Entity Address: 370 South 7th Street, Newark, New Jersey 07103

Grant Amount: \$15,500.00

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

Contract Period: January 1, 2012, through December 31, 2012

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-F100511

WHEREAS, pursuant to Resolution 7R1-F, adopted October 5, 2011, the Mayor and/or his designee, the Business Administrator, were authorized to file FY2011 (Program Year 2011-2012) 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), \$7,835,598.00; HOME Investment Partnerships (HOME), \$3,716,178.00; Housing Opportunities for People With AIDS (HOPWA), \$6,646,588.00 (on behalf of Newark and the "Eligible Metropolitan Area"); and Emergency Shelter Grants (ESG), \$379,213.00, 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 this service on August 23, 2011 with all Proposals due on September 16, 2011; 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 August 23, 2011 to the date of adoption and authorizes its use in the future; and

WHEREAS, the Proposal received from Marion P. Thomas Charter School, Inc., 370 South 7th Street, Newark, New Jersey 07103, 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 Urban Agriculture/Tree Planting Services for the contract period January 1, 2012 through December 31, 2012, for a total contract amount of \$15,500.00; 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 Community Development Block Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR. 570.201; and

WHEREAS, the Mayor of the City of Newark signed into law Executive Order Number MEO-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, Marion P. Thomas Charter School, Inc., 370 South 7th Street, Newark, New Jersey 07103, 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 an Agreement with Marion P. Thomas Charter School, Inc., 370 South 7th Street, Newark, New Jersey 07103, for the period January 1, 2012 through December 31, 2012, to provide Urban Agriculture/Tree Planting Services, which are further described in the "Scope of Services" attached hereto as Exhibit A.
2. The contract between the City of Newark and sub-recipient is hereby ratified from January 1, 2012 to the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said Agreement is \$15,500.00 and shall be paid from CDBG funding.
4. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from August 23, 2011 to the date of adoption and authorizes its use in the future.
5. 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 Community Development Block

Grant, 24 CFR 135 (Section #3 reporting requirements) and 24 CFR 570.201.

6. Attached hereto is a certification of funds from the Municipal Comptroller of the City of Newark, which states that there are sufficient funds for the purpose set forth hereinabove.
7. 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 designee, the Business Administrator to enter into a contract with Marion P. Thomas Charter School, Inc., 370 South 7th Street, Newark, New Jersey 07103, utilizing CDBG funding, for the purpose of providing Urban Agriculture/Tree Planting Services for the period of January 1, 2012 through December 31, 2012, for the total contract amount of \$15,500.00. 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, 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, Community Development Block Grant, 24 CFR 570.201 and is in compliance with Executive Order Number MEO-07-0001, effective March 31, 2007.