



Legislation Details (With Text)

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Type: Resolution **Status:** Adopted
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On agenda: 8/3/2022 **Final action:** 8/3/2022
Title: Dept/ Agency: Health and Community Wellness
Action: ☒ Ratifying ☒ Authorizing ☐ Amending
Type of Service: Contract with Sub-Recipient
Purpose: To provide Ryan White HIV Health and Support Services for ending the HIV epidemic in the City of Newark and the Newark Eligible Metropolitan Area (NEMA).
Entity Name: Smith Center for Infectious Disease and Urban Health
Entity Address: 310 Central Avenue, Suite 307, East Orange, New Jersey 07018
Grant Amount: Not to exceed \$150,000.00
Funding Source: United States Department of Health and Human Services, Health Resources and Services Administration (HRSA)
Contract Period: March 1, 2022 through February 28, 2023
Contract Basis: ☐ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS
☒ Fair & Open ☐ No Reportable Contributions ☒ RFP ☐ RFQ
☐ Private Sale ☒ Grant ☒ Sub-recipient ☐ n/a
Additional Information:
Ending the HIV Epidemic funds accepted by Resolution 7R5-a adopted on April 6, 2022.
Partial Certification of Funds in the amount of \$10,418.00.
Sponsors: Council of the Whole
Indexes:
Code sections:

Date	Ver.	Action By	Action	Result
8/3/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark (the “City”) desires to continue to provide HIV/AIDS healthcare, supportive and related services to people living with HIV and AIDS in the Newark Eligible Metropolitan Area (EMA) which is comprised of Essex, Union, Morris, Sussex and Warren Counties; and

WHEREAS, pursuant to Resolution 7R5-a adopted on April 6, 2022, the Municipal Council authorized the Mayor of the City of Newark and the Director of the Department of Health and Community Wellness, to accept funds from the United States Department of Health and Human Services, Health Resources and Services Administration (HRSA), 5600 Fishers Lane, Rockville, Maryland 20857, pursuant to the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*, for the provision of HIV/AIDS healthcare, supportive and related services to individuals and families living with HIV in the Newark Eligible Metropolitan Area (EMA); and

WHEREAS, pursuant to Resolution 7R5-a adopted on April 6, 2022, the Municipal Council authorized the Mayor of the City of Newark and the Director of the Department of Health and Community Wellness to accept funds in the amount of Four Hundred Ninety-Two Thousand Three Hundred Dollars and Zero Cents (\$492,300.00), from HRSA through the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*; and

WHEREAS, the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B* requires that the City of Newark, which is the lead agency for the Newark EMA, to provide funding for HIV/AIDS related health and support services for people living with HIV and AIDS in Essex County; and

WHEREAS, the City’s Department of Health and Community Wellness, Division of Health Planning/Ryan White Unit, publicly advertised a Request For Proposals (RFPs) for medical and support services (eligible Ryan White and Initiative Services) from November 22, 2021 through November 24, 2021, and received fourteen (14) proposals on December 23, 2021; and

WHEREAS, the City’s legal notice and RFP for FY2022 eligible Ryan White and Initiative Services was filed with Resolution 7R5-a adopted on April 6, 2022, which authorized the acceptance of grant funding for the continued provision of eligible Ryan White and Initiative Services; and

WHEREAS, the Proposal submitted by Smith Center for Infectious Disease and Urban Health, 310 Central Avenue, Suite 307, East Orange, New Jersey 07018, (hereinafter referred to as “Sub-Recipient”), was determined to be most advantageous to the City, based on experience and criteria listed in the RFP; and

WHEREAS, the Sub-Recipient has demonstrated that they have the expertise to provide HIV related health and support services to meet this requirement; and

WHEREAS, the City’s Department of Health and Community Wellness, desires to enter into an Agreement with the Sub-Recipient to provide eligible Ryan White and Initiative Services, which is more specifically described in the “Scope of Services” (attached hereto and made a part hereof) for the period commencing March 1, 2022 and terminating February 28, 2023, for a partial award amount of Ten Thousand Four Hundred Eighteen Dollars and Zero Cents (\$10,418.00) and a contract not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00); and

WHEREAS, the Mayor of the City of Newark and the Director of the Department of Health and Community Wellness desire to accept additional funds as they may become available from HRSA under the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*; and

WHEREAS, the City's Department of Health and Community Wellness shall, upon receipt of additional funding, file an amending resolution reflecting the final award amount of each Sub-Recipient, accompanied with a copy of the Notice to Proceed/Award Letter and Certification of Funds; and

WHEREAS, the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1995 requires that all Sub-Recipients complete a formalized Business Associate Agreement to protect client's health information and insure the privacy of that information; and

WHEREAS, this Agreement is being awarded pursuant to the Fair and Open Procedures of State Pay-to-Play Law (N.J.S.A. 19:44A-20.5) and is in compliance with the City's Ordinance on Pay-to-Play, 2:4-22C; and

WHEREAS, this Agreement is being awarded pursuant to State Local Public Contracts Law, including N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5 and/or as a Professional Service pursuant to N.J.S.A. 40A:11-5(1)(a)(i) (where applicable), and the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Health and Community Wellness, are hereby authorized to enter into and execute an Agreement with Smith Center for Infectious Disease and Urban Health, 310 Central Avenue, Suite 307, East Orange, New Jersey 07018, for the provision of Ryan White HIV Health and Support Services for ending the HIV epidemic in the City of Newark and the Newark Eligible Metropolitan Area (NEMA), which is more specifically described in the "Scope of Services" attached hereto and made a part hereof, for the period commencing March 1, 2022 and terminating February 28, 2023, for a partial award amount of Ten Thousand Four Hundred Eighteen Dollars and Zero Cents (\$10,418.00) and a total contract amount not to exceed One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00).
2. The Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Health and Community Wellness, are hereby authorized to accept and expend additional funds as they become available from the United States Department of Health and Human Services, Health Resources and Services Administration, pursuant to the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*, for the period commencing on March 1, 2022 and terminating on February 28, 2023.
3. Attached hereto is a partial Certification of Funds in the amount of Ten Thousand Four Hundred Eighteen Dollars and Zero Cents (\$10,418.00) from the Municipal Comptroller and that the line appropriation of the official budget which shall be charged is: Business Unit 051; Dept. ID G22; Division 2H22D; Account# 72090; Budget Ref. B2022.

4. The City's Department of Health and Community Wellness shall file an Amending Resolution upon receipt of the additional funds, which shall state the contract amount for each Sub-Recipient and/or Vendor accompanied with the Notice to Proceed and the Certification of Funds.
5. The Municipal Council hereby ratifies the use of competitive contracting for processing agreements under *the Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B* from November 22, 2021 to the date of adoption and authorizes its use in the future.
6. This Agreement is hereby ratified from March 1, 2022 through the date of adoption of this authorizing Resolution.
7. The Sub-Recipient shall not proceed with the provision of any services beyond the twelve (12) month period of March 1, 2022 and terminating on February 28, 2023, until the issuance of a Notice to Proceed/Award Letter by the Acting Director of the Department of Health and Community Wellness.
8. The Sub-Recipient shall execute and formalize a Business Associate Agreement with the City of Newark to protect clients' health information and ensure the privacy of that information, in accordance with the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1995 (a copy is attached hereto).
9. This Agreement was procured and 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 N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5 and/or as a Professional Service pursuant to N.J.S.A. 40A:11-5(1)(a)(i) (where applicable), the *Ending the HIV Epidemic: A Plan for America - Ryan White HIV/AIDS Program Parts A and B*, and is in compliance with the City's Ordinance on Pay-to-Play, R.O. 2:4-22C.
10. The legal notice/advertisement and RFP for FY2022 Ryan White HIV Health and Support Services for ending the HIV epidemic in the City of Newark and the Newark Eligible Metropolitan Area (NEMA) shall be filed with Resolution 7R5-a adopted on April 6, 2022.
11. The Acting Director of the Department of Health and Community Wellness shall file a fully executed copy of said Agreement with the Office of the City Clerk.

STATEMENT

This Resolution ratifies and authorizes the Mayor of the City of Newark and/or his designee, the Acting Director of the Department of Health and Community Wellness, to enter into and execute an Agreement with Smith Center for Infectious Disease and Urban Health, 310 Central Avenue, Suite 307, East Orange, New Jersey 07018, to provide eligible Ryan White and Initiative Services to the Newark EMA, for the period commencing March 1, 2022 and terminating February 28, 2023, for a partial award amount of \$10,418.00 and a total contract amount not to exceed \$150,000.00.