



Legislation Details (With Text)

File #: 22-1300 **Version:** 1 **Name:** Resolution: Extension of Emergency Contract #E2021-10 Temporary Container Shelter

Type: Resolution **Status:** Adopted

File created: 9/13/2022 **In control:** Administration

On agenda: 10/19/2022 **Final action:** 10/19/2022

Title: Dept/ Agency: Administration/Division of Central Purchasing
Action: (X) Ratifying (X) Authorizing (X) Amending
Type of Service: Extension of Emergency Contract #E2021-10
Purpose: To extend and amend the delivery of Temporary Container Sheltering and Shelter Operations of Hope Village 2 and Hope Village 3, to a new site address located at 51-63 Elizabeth Avenue, Newark, New Jersey 07108, increase two (2) vendor contract amounts, add one (1) vendor to the contract, and extend the contract period for all eight (8) vendors during Code Blue and the ongoing Covid-19 Pandemic.
Entity Name:
1) Custom Containers 915, 500 W. Paisano Drive, Suite B, El Paso, Texas 79901;
2) Think Wilder Architecture, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052;
3) Project for Empty Space, 800 Broad Street, Newark, New Jersey 07102;
4) United Community Corporation, 332 South 8th Street, Newark, New Jersey 07103;
5) AIDS Resource Foundation for Children, 77 Academy Street, Newark, New Jersey 07102;
6) Hamlett Development Partners, Inc., 1929 Springfield Avenue, Maplewood, New Jersey 07040;
7) A. Lembo Car and Heavy Truck Collision, Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and
8) EP2 Project Management LLC, 87 Hibernia Avenue, Rockaway, New Jersey 07866
Entity Address: See list above
Contract Amount: Not to exceed \$3,227,971.00
Funding Source: 2021 Budget/Business Unit: 051, Dept: G21, Div/Project: ARPJO, Account: 72090, Budget Year: B2021
Contract Period: August 4, 2022 through February 3, 2023
Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS
() Fair & Open () No Reportable Contributions () RFP () RFQ
() Private Sale () Grant () Sub-recipient (X) n/a
Additional Information:
This contract will be increased by \$100,125.00 for an amended total contract amount not to exceed \$3,227,971.00 for eight (8) vendors).

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/19/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, on November 1, 2021, the Department of Administration requested a declaration of emergency to retrofit safe, low cost shelter solutions in the form of temporary container sheltering up to sixty (60) individuals in each of two (2) sites, Hope Village 2 and Hope Village 3, side-by-side lots, located at 112-124 North Munn Avenue, Newark, New Jersey 07106 pending the termination of the City's contract for shelter services at the Holiday Inn, over capacity at City of Newark contracted shelters, lack of units for persons with little to no income, during Code Blue in order to prevent, prepare for and respond to the COVID-19 Pandemic and for services related to the operation of the two (2) temporary container shelters; and

WHEREAS, on November 3, 2021, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a)3, the Qualified Purchasing Agent (the "QPA"), approved the aforementioned request and the Office of Homeless Services entered into Emergency Contract #E-2021-10 for a period of November 3, 2021 through February 3, 2022 with a "not to exceed" amount of One Million Eight Hundred and Fifty-One Thousand Two Hundred and Fifty Dollars and Zero Cents (\$1,851,256.00) with five (5) vendors: (1) Custom containers 915, 500 W. Paisano Drive, Suite B, El Paso, Texas 79901 for Retro Fit of containers-not to exceed One Million Four Hundred and Fifty Thousand Dollars and Zero Cents (\$1,450,000.00); (2) Think Wilder Architecture, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052 for Pre-design, design and container renderings not to exceed Thirty-Four Thousand Five Hundred Dollars and Zero Cents (\$34,500.00); (3) Project For Empty Space, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052 for Artwork not to exceed Fourteen Thousand Dollars and Zero Cents (\$14,000.00); (4) United Community Corporation, 332 South 8th Street, Newark, New Jersey 07103 for Operation of the Container Shelter not to exceed One Hundred Seventy-Seven Thousand Seven Hundred and Sixty-Five Dollars and Zero Cents (\$177,765.00); and (5) AIDS Resource Foundation For Children, 77 Academy Street, Newark, New Jersey 07102 for Operation of container Shelter not to exceed One Hundred Seventy-Five Thousand Dollars and Zero

Cents (\$175,000.00); and

WHEREAS, on April 12, 2022, pursuant to N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1(a)3, the Municipal Council adopted Resolution 7R1-h(S/A) on April 12, 2022, which authorized the Mayor of the City of Newark and/or his designee, the QPA and/or the Business Administrator, to award a contract to seven (7) vendors the aforementioned Emergency Contract #E-2021-10 that commenced from February 4, 2022 through August 3, 2022. A copy of said Resolution is attached hereto and made a part hereof; and

WHEREAS, the Department of Administration, Office of Homeless Services, continues to be in immediate and emergent need for the vendors to continue to provide low cost shelter solutions in the form of temporary container sheltering for the most vulnerable citizens in the City of Newark, during Code Blue and the Covid-19 Pandemic commencing for the period between August 4, 2022 through February 3, 2023; and

WHEREAS, N.J.S.A. 40A:11-6 provides that Emergency Contracts may be entered into when an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services; and

WHEREAS, the Office of Homeless Services has represented to the QPA to the need to amend Emergency Contract #E2021-10, to change the site's location of Hope Village 2 and Hope Village 3, side-by-side lots, located at 112-124 North Munn Avenue, Newark, New Jersey 07106 to a new site location, 51-63 Elizabeth Avenue, Newark, New Jersey 07108; and

WHEREAS, the Office of Homeless Services, has represented to the QPA the need to add one (1) vendor, E2 Project Management, LLC, 87 Hibernia Avenue Rockaway, New Jersey 07866, to the extension of Emergency Contract #E2021-10, for the provision of engineering services, at the new site location, 51-63 Elizabeth Avenue, Newark, New Jersey 07108, in an amount not to exceed Thirty-Eight Thousand One Hundred Twenty-Five Dollars and Zero Cents (\$38,125.00); and

WHEREAS, the Office of Homeless Services wishes to increase the not to exceed amount for two (2) vendors under Contract #E2021-10: Think Wilder Architecture, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052 by Twenty-Seven Thousand Five Hundred Dollars and Zero Cents (\$27,500.00), for a total amount not to exceed Ninety-Seven Thousand Dollars and Zero Cents (\$97,000.00) and Hamlett Development Partners, Inc., 1929 Springfield Avenue, Maplewood, New Jersey 07040 by Thirty-Four Thousand Five Hundred Dollars and Zero Cents (\$34,500.00), for a total amount not to exceed One Million Two Hundred Twenty-Seven Thousand Five Hundred Dollars and Zero Cents (\$1,227,500.00) for the continued provision of providing for the same services at the new site location; and

WHEREAS, the Office of Homeless Services represents the remaining five (5) vendors listed on Contract #E2021-10, require no increase in the contract amounts and have continued to provide the necessary and required temporary container shelter and shelter operation services during Code Blue and COVID-19 Pandemic; and

WHEREAS, as a result of the need to amend and extend Contract #E2021-10, the Department of Administration, wishes to enter into and execute contract amendments with seven (7) vendors under Contract #E2021-10 and enter into a new contract with (1) vendor (copies of the Agreements for each vendor are attached hereto, and incorporated herein) which will increase the

contract total by One Hundred Thousand One Hundred Twenty Five Dollars and Zero Cents (\$100,125.00), for a total amount not to exceed Three Million Two Hundred Twenty-Seven Thousand Nine Hundred and Seventy-One Dollars and Zero Cents (\$3,227,971.00) for all eight (8) vendors; and

WHEREAS, the Department of Administration has assured the Division of Central Purchasing that it has developed specifications to enable the issuance of an RFQ to solicit for continued services; and

WHEREAS, N.J.A.C. 5:34-6.1(a)3 provides that the emergency purchasing procedure may be used when the need for such goods or services has arisen notwithstanding a good faith effort on the part of a municipality to plan for the purchase of any goods or services required by the municipality; and

WHEREAS, the services of vendors listed on this Resolution are essential to the continued protection of the health, safety and welfare of the residents of the City of Newark; and

WHEREAS, it is a matter of public health, safety and welfare that the above-described Emergency Contract be extended because the City of Newark still needs to ensure the safe and uninterrupted services for its residents that need temporary shelter during Code Blue the Covid-19 Pandemic; and

WHEREAS, City Ordinance 6PSF-e adopted on April 6, 2011, Article 2:5-13.2 (E)(1)(b)(c) limits the period of Emergency Contracts to ninety (90) days and no extensions of Emergency Contracts shall be permitted without authorization by the Municipal Council by Resolution; and

WHEREAS, the Municipal Council has the exclusive authority to extend an emergency; and

WHEREAS, the Department of Administration now seeks authorization by the Municipal Council to ratify, extend and amend the emergency to prevent interruption of temporary container shelter and shelter operation services for Homeless individuals during Code Blue and Covid-19 Pandemic.

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 Business Administrator, are hereby authorized to amend, extend, enter into and and execute an extension of Emergency Contract #E2021-10 with: (1) Custom Containers 915, 500 W. Paisano Drive, Suite B, El Paso, Texas 79901; (2) Think Wilder Architecture, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052; (3) Project for Empty Space, 800 Broad Street, Newark, New Jersey 07102; (4) United Community Corporation, 332 South 8th Street, Newark, New Jersey 07103; (5) AIDS Resource Foundation for Children, 77 Academy Street, Newark, New Jersey 07102; (6) Hamlett Development Partners, Inc., 1929 Springfield Avenue, Maplewood, New Jersey 07040; and (7) A. Lembo Car and Heavy Truck Collision, Inc., 76 Riverside Avenue, Newark, New Jersey 07104 and further authorized to enter into a contract with: (8) EP2 Project Management, LLC, 87 Hibernia Avenue, Rockaway, New Jersey 07866 for the period commencing on August 4, 2022 through February 3, 2023, which shall increase the total contract amount by One Hundred Thousand One Hundred Twenty Five Dollars and Zero

Cents (\$100,125.00), for a total amended contract amount not to exceed Three Million Two Hundred Twenty-Seven Thousand Nine Hundred Seventy-One Dollars and Zero Cents (\$3,227,971.00) for all eight (8) vendors for the City of Newark.

2. This extension and amendment will allow for the continuation of Temporary Container Shelter and Shelter Operation Services during Code Blue and Covid-19 Pandemic for individuals and families in the City of Newark.
3. The extension of Emergency Contract #E2021-10 is ratified from August 4, 2022 to the date of adoption of this authorizing Resolution and until February 3, 2023.
4. Attached hereto are Certification of Funds for Think Wilder Architecture, LLC in an amount of Twenty-Seven Thousand Five Hundred Dollars and Zero Cents (\$27,500.00), Hamlett Development Partners in an amount of Thirty-Four Thousand Five Hundred Dollars and Zero Cents (\$34,500.00) and EP2 Project Management in an amount of Thirty Eight Thousand One Hundred Twenty Five Dollars and Zero Cents (\$38,125.00) from the Director of the Department of Finance and the line appropriation of the Official Budget, which shall be charged is: 051- G21-ARPJO-72090-B2021.
5. The Qualified Purchasing Agent, for the City of Newark, has filed a copy of Emergency Contract #E2020-21, attached hereto, with the Office of the City Clerk.
6. If required by State Law, the Acting 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 ratifies and authorizes the Mayor of the City of Newark, and/or his designee, the Business Administrator, to extend and amend Emergency Contract #E2021-10: with (1) Custom Containers 915, 500 W. Paisano Drive, Suite B, El Paso, Texas 79901; (2) Think Wilder Architecture, 155 Prospect Avenue, Suite 204, West Orange, New Jersey 07052; (3) Project for Empty Space, 800 Broad Street, Newark, New Jersey 07102; (4) United Community Corporation, 332 South 8th Street, Newark, New Jersey 07103; (5) AIDS Resource Foundation for Children, 77 Academy Street, Newark, New Jersey 07102; (6) Hamlett Development Partners, Inc., 1929 Springfield Avenue, Maplewood, New Jersey 07040; and (7) A. Lembo Car and Heavy Truck Collision, Inc., 76 Riverside Avenue, Newark, New Jersey 07104; and further authorizes the Mayor of the City of Newark and/or his designee, the Business Administrator and/or Qualified Purchasing Agent to enter into and execute a contract with: (8) EP2 Project Management LLC, 87 Hibernia Avenue, Rockaway, New Jersey 07866; for provisions of the delivery of Temporary Container Sheltering and Shelter Operations, during Code Blue and the Covid-19 Pandemic, for the period commencing on August 4, 2022 through February 3, 2023, or until such time as the emergency condition is abated, which shall increase the total contract by \$100,125.00, for a total amount not to exceed \$3,227,971.00 for all eight (8) vendors for the City of Newark.