



## Legislation Details (With Text)

**File #:** 25-0371      **Version:** 1      **Name:** FY2025 Ryan White - Rutgers FXB CQM

**Type:** Resolution      **Status:** Adopted

**File created:** 3/7/2025      **In control:** Health and Community Wellness

**On agenda:** 5/7/2025      **Final action:** 5/7/2025

**Title:** Dept/ Agency: Health and Community Wellness  
Action: ☒ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Contract with Sub-recipient  
Purpose: To provide HIV/AIDS-related health and support services to the Newark Eligible Metropolitan Area  
Entity Name: Rutgers, The State University of New Jersey/FXB Center (Clinical Quality Management Program)  
Entity Address: 65 Bergen Street, 8th Floor, Newark, New Jersey 07103  
Grant Amount: Not to exceed \$233,943.00  
Funding Source: United States Department of Health and Human Services, Health Resources and Services Administration (HRSA)  
Contract Period: March 1, 2025 through February 29, 2028  
Contract Basis: ☐ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS  
☒ Fair & Open ☐ No Reportable Contributions ☒ RFP ☐ RFQ  
☐ Private Sale ☒ Grant ☒ Sub-recipient ☐ n/a  
Additional Information:  
Partial Certification of Funds in the amount of \$112,500.00 is attached.  
Ryan White funds were accepted by Resolution 7R5-c adopted on January 8, 2025.  
Contract years two (FY2026) and three (FY2027) are subject to the availability and the annual appropriation of sufficient funds to meet the extended obligation.

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
5/7/2025	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Health and Community Wellness  
**Action:** ☒ Ratifying ☒ Authorizing ☐ Amending  
**Type of Service:** Contract with Sub-recipient  
**Purpose:** To provide HIV/AIDS-related health and support services to the Newark Eligible Metropolitan Area  
**Entity Name:** Rutgers, The State University of New Jersey/FXB Center (Clinical Quality Management Program)  
**Entity Address:** 65 Bergen Street, 8<sup>th</sup> Floor, Newark, New Jersey 07103  
**Grant Amount:** Not to exceed \$233,943.00  
**Funding Source:** United States Department of Health and Human Services, Health Resources and Services Administration (HRSA)  
**Contract Period:** March 1, 2025 through February 29, 2028  
**Contract Basis:** ☐ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS  
☒ Fair & Open ☐ No Reportable Contributions ☒ RFP ☐ RFQ  
☐ Private Sale ☒ Grant ☒ Sub-recipient ☐ n/a  
**Additional Information:**

Partial Certification of Funds in the amount of \$112,500.00 is attached.  
Ryan White funds were accepted by Resolution 7R5-c adopted on January 8, 2025.  
Contract years two (FY2026) and three (FY2027) are subject to the availability and the annual appropriation of sufficient funds to meet the extended obligation.

**WHEREAS**, the City of Newark (hereinafter “City”) desires to continue to provide HIV/AIDS healthcare, supportive and related services to infected and affected residents of the Newark Eligible Metropolitan Area (NEMA) which is comprised of Essex, Union, Morris, Sussex, and Warren Counties; and

**WHEREAS**, pursuant to Resolution 7R5-c adopted on January 8, 2025, the Municipal Council of the City authorized the Mayor, and/or his designee, and the Director of the Department of Health and Community Wellness, to apply for 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 Ryan White HIV/AIDS Treatment Extension Act of 2009, for the provision of HIV/AIDS healthcare, supportive and related services to infected individuals and their families in the NEMA; and

**WHEREAS**, the Municipal Council authorized the Mayor, and/or his designee, the Director of the Department of Health and Community Wellness, to accept funds in the amount of Eight Million, Three Hundred Sixty-Nine Thousand, Five Hundred Five Dollars and Zero Cents (\$8,369,505.00), from HRSA through the Ryan White HIV/AIDS Treatment Extension Act of 2009; and

**WHEREAS**, the Ryan White HIV/AIDS Treatment Extension Act of 2009 requires that the City, which is the lead agency for the NEMA, provides funding for HIV/AIDS-related health and support services for people living with HIV and AIDS in the NEMA; and

**WHEREAS**, pursuant to this requirement, the City established the NEMA Ryan White Continuum of Care; and

**WHEREAS**, the City, through the Department of Health and Community Wellness, Division of Health Planning/Ryan White Unit, publicly advertised the FY2025 multi-year Request for Proposals (RFPs) for medical and social services, quality management, and other professional services (“Ryan White eligible services”) on October 3, 2024, with a letter of intent due on November 1, 2024, and Proposals due on November 18, 2024, and received thirty-six (36) proposals on or before the due date; and

**WHEREAS**, the funder HRSA/HIV AIDS Bureau has transitioned the Ryan White HIV/AIDS Program (RWHAP) from an annual competitive application program to a three-year funded program effective FY2022, thus the City’s RWHAP has shifted to a three-year performance period commencing in FY2022, and shall repeat the funding cycle for FY2025 through FY2027, should funding permit. Funding shall commence on March 1, 2025, and terminate on February 29, 2028, in alignment with the funder; and

**WHEREAS**, sub-recipients shall submit non-competing continuation (NCC) progress reports and budget documents for contract years two (FY2026) and three (FY2027), which is subject to availability and the annual appropriation of sufficient funds to meet the extended obligation; and

**WHEREAS**, the evaluation score from the subjective (internal) and objective (external)

proposal review process for applications submitted in year one of the performance period shall be utilized to award sub-recipients in the second and third years, providing there is funding from HRSA. In addition, the HIV Planning Council completes its annual Priority Setting and Resource Allocation processes, and the sub-recipient contract performance for FY2025 meets requirements for funding; and

**WHEREAS**, the proposal submitted by Rutgers, The State University of New Jersey/FXB Center (Clinical Quality Management Program), 65 Bergen Street, 8<sup>th</sup> Floor, Newark, New Jersey 07101, (hereinafter referred to as “Sub-Recipient”), was determined to be 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 Ryan White eligible services to the NEMA, which is more specifically described in the “Scope of Services” (attached hereto and made a part hereof) for the period commencing on March 1, 2025 and terminating on February 29, 2028, **for a partial award amount of One Hundred Twelve Thousand, Five Hundred Dollars and Zero Cents (\$112,500.00)** and a total contract amount not to exceed Two Hundred Thirty-Three Thousand, Nine Hundred Forty-Three Dollars and Zero Cents (\$233,943.00) for FY 2025; and

**WHEREAS**, the Mayor, and/or his designee, the Director of the Department of Health and Community Wellness desires to accept additional funds as they may become available from HRSA under the Ryan White HIV/AIDS Treatment Extension Act of 2009; and

**WHEREAS**, the City’s Department of Health and Community Wellness, shall upon receipt of additional funding, file an amending resolution reflecting the final amount awarded to the 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 clients’ health information and ensure 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, R.O. 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:11-4.5, and the Ryan White HIV/AIDS Treatment Extension Act of 2009.

**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 Director of the Department of Health and Community Wellness, is hereby authorized to enter into and execute an Agreement with the Rutgers, The State University of New Jersey/FXB Center (Clinical Quality Management Program), 65

Bergen Street, 8<sup>th</sup> Floor, Newark, New Jersey 07103, for the provision of Ryan White's eligible services to 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 on March 1, 2025 and terminating on February 29, 2028, **for a partial award amount of One Hundred Twelve Thousand, Five Hundred Dollars and Zero Cents (\$112,500.00)** and a total contract amount not to exceed Two Hundred Thirty-Three Thousand, Nine Hundred Forty-Three Dollars and Zero Cents (\$233,943.00) for FY 2025.

2. The Mayor and/or his designee, the Director of the Department of Health and Community Wellness, is 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 Ryan White Treatment Extension Act of 2009, for the period commencing on March 1, 2025, and terminating on February 29, 2028.
3. Attached hereto is a partial Certification of Funds in the amount of **One Hundred Twelve Thousand, Five Hundred Dollars and Zero Cents (\$112,500.00)** from the Municipal Comptroller of the City of Newark ("City") and that the line appropriation of the official budget which shall be charged is Business Unit NW 051; Dept. G25; Div./Proj.: 5H5N0; Activity: A; Account# 72090; Budget Ref. B2025.
4. The City's Department of Health and Community Wellness shall file an Amending Resolution upon receipt of any 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 of the City hereby ratifies the use of competitive contracting for processing agreements under the Ryan White HIV/AIDS Treatment Extension Act of 2009 from October 7, 2024, to the date of adoption and authorizes its use in the future.
6. This Agreement is hereby ratified from March 1, 2025, 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, 2025 through February 28, 2026, until the issuance of an additional Notice to Proceed/Award Letter by the Director of the Department of Health and Community Wellness. Sub-Recipients and Vendors shall submit non-competing continuation (NCC) progress reports and budget documents for contract years two (FY2026) and three (FY2027) which is subject to availability and the annual appropriation of sufficient funds to meet the extended obligation, subject to Municipal Council approval.
8. The Sub-Recipient shall execute and formalize a Business Associate Agreement with the City 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 40A:11-4.5, the Ryan White HIV/AIDS Treatment Extension Act of 2009, 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 FY2025 Ryan White eligible services shall be filed with 7R5-c adopted on January 8, 2025.
11. The 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 and/or his designee, the Director of the Department of Health and Community Wellness, to enter into and execute an Agreement with the Rutgers, The State University of New Jersey/FXB Center (Clinical Quality Management Program), 65 Bergen Street, 8<sup>th</sup> Floor, Newark, New Jersey 07103, to provide Ryan White eligible services to the Newark Eligible Metropolitan Area, for the period commencing on March 1, 2025 and terminating on February 29, 2028, for a **partial award amount of One Hundred Twelve Thousand, Five Hundred Dollars and Zero Cents (\$112,500.00)** and a total contract amount not to exceed Two Hundred Thirty Three Thousand, Nine Hundred Forty-Three Dollars and Zero Cents (\$233,943.00), for FY2025.