



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1206, Version: 1

Dep't/ Agency: Child and Family Well-Being

Action: (X) Ratifying (X) 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: University of Medicine and Dentistry of New Jersey - Infectious Disease Practice and assignee, Rutgers New Jersey School of Medicine - Infectious Disease Practice

Entity Address: 185 South Orange Avenue, MSBI-506, Newark, New Jersey 07101

Grant Amount: \$1,881,864.00

Funding Source: United States Department of Health and Human Services, Human Resources & Services Administration

Contract Period: March 1, 2013 through February 28, 2014

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions (X) RFP () RFQ

() Private Sale (X) Grant (X) Sub-recipient () n/a

Additional Information:

Partial Certification of Funds in the amount of \$577,288.00

Ryan White Funds accepted by Resolution 7R2-A-adopted May 1, 2013

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

WHEREAS, pursuant to Resolution 7R2-A adopted on May 1, 2013 by the Municipal Council of the City of Newark, which authorized the Mayor and/or his designee, the Director of the Department of Child and Family Well-Being, to apply for funds from the United States Department of Health and Human Services, Health Resources and Services Administration, 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 and affected individuals and families in the Newark Eligible Metropolitan Area (EMA); and

WHEREAS, pursuant to Resolution 7R2-A adopted on May 1, 2013 by the Municipal Council, which authorized the Mayor and the Director of the Department of Child and Family Well-Being, to accept a partial grant award in the amount of Five Million, Three Hundred Twenty-Nine Thousand, Eight Hundred Three Dollars and Zero Cents (\$5,329,803.00), from the United States Department of Health and Human Services 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 of Newark, which is the lead agency for the Newark EMA, provide funding for HIV/AIDS related health and support services for people living with HIV and AIDS in the Newark Eligible Metropolitan

Area (EMA); and

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

WHEREAS, the City of Newark through the Department of Child and Family Well-Being, Division of Health Planning/Ryan White Unit, publicly advertised a Request For Proposals (RFPs) for medical, social service, quality management, professional and fiduciary services ("Ryan White eligible services") from November 26, 2012 through November 28, 2012, and received forty-five (45) proposals on January 10, 2013; and

WHEREAS, the proposal submitted by the University of Medicine and Dentistry of New Jersey - Infectious Disease Practice, 185 South Orange Avenue, MSBI-506, Newark, New Jersey 07101, was determined to be most advantageous to the City of Newark, based on experience and criteria listed on the RFP; and

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

WHEREAS, the City of Newark, Department of Child and Family Well-Being desires to enter into an Agreement with the University of Medicine and Dentistry of New Jersey - Infectious Disease Practice and assignee, Rutgers New Jersey School of Medicine - Infectious Disease Practice, 185 South Orange Avenue, MSBI-506, Newark, New Jersey 07101, hereinafter referred to as "Sub-Recipient," to provide Ryan White eligible services to the Newark EMA, which is more specifically described in the "Scope of Services" attached hereto and made a part hereof, for the period commencing on March 1, 2013 and terminating on February 28, 2014, for an award amount of Five Hundred Seventy-Seven Thousand, Two Hundred Eighty-Eight Dollars and Zero Cents (\$577,288.00); and

WHEREAS, on or about July 1, 2013, University of Medicine and Dentistry of New Jersey - Infectious Disease Practice, as a result of the New Jersey Medical and Health Sciences Education Reorganization Act, (N.J.S.A. 18A:9-65) (the 'Act') shall seek to assign the contract to the newly created entity Rutgers New Jersey School of Medicine - Infectious Disease Practice, a body corporate and politic, a separate legal entity operating as an instrumentality of the State of New Jersey formed pursuant to the Act; and

WHEREAS, the Mayor and/or the Director of the Department of Child and Family Well-Being may consent to the assignment of this contract on or about July 1, 2013, solely to the entity, which will be known as the Rutgers New Jersey School of Medicine - Infectious Disease Practice, any other future assignment shall be by resolution of the Municipal Council; and

WHEREAS, the Mayor and the Director of the Department of Child and Family Well-Being desire to accept additional funds as they may become available from the United States Department of Health and Human Services under the Ryan White HIV/AIDS Treatment Extension Act of 2009; and

WHEREAS, the City of Newark, Department of Child and Family Well-Being 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 and Certification of Funds; and

WHEREAS, the Federal Health Insurance Portability and Accountability Act (HIPAA) of 1995 requires that all Service Providers complete a formalized Business Associate Agreement to protect clients health information and insure the privacy of that information; and

1. **WHEREAS**, this Agreement is being awarded pursuant to the Fair and Open Contract not to exceed One Million, Eight Hundred Eighty-One Thousand, Eight Hundred Sixty-Four Dollars and Zero Cents (\$1,881,864.00).
2. The Mayor and/or his designee, the Director of the Department of Child and Family Well-Being, 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 Ryan White Treatment Extension Act of 2009, for the period commencing on March 1, 2013 and terminating on February 28, 2014.
3. Attached hereto is a Partial Certification of Funds in the amount of Five Hundred Seventy-Seven Thousand, Two Hundred Eighty-Eight Dollars and Zero Cents (\$577,288.00) from the Municipal Comptroller of the City of Newark and that the line appropriation of the official budget which shall be charged is: Business Unit 051; Dept. ID G13; Division 2H320; Account 72090.
4. The City of Newark, Department of Child and Family Well-Being, shall file an amending resolution upon receipt of the additional funds, which shall state the contract amount for each Sub-Recipient accompanied with the Notice to Proceed and the Certification of Funds.
5. The Municipal Council of the City of Newark hereby ratifies the use of competitive contracting for processing agreements under the Ryan White HIV/AIDS Treatment Extension Act of 2009 from November 26, 2012 to the date of adoption and authorizes its use in the future.
6. This Agreement is hereby ratified from March 1, 2013 through the date of adoption of this authorizing resolution.
7. The Mayor and/or the Director of Child and Family Well-Being are authorized to consent to the assignment of this Agreement from University of Medicine and Dentistry of New Jersey - Infectious Disease Practice to Rutgers New Jersey School of Medicine - Infectious Disease Practice. Any future assignments must be by resolution of the Municipal Council.
8. The assignment of this Agreement to the Rutgers New Jersey School of Medicine - Infectious Disease Practice is ratified from July 1, 2013 through the date of adoption of this authorizing resolution.
9. The Sub-Recipient shall not proceed with the provision of any services beyond the twelve (12) month period of March 1, 2013 through February 28, 2014, until the issuance of a Notice to Proceed/Award Letter by the Director of the Department of Child and Family Well-Being.
10. 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).

11. 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 Ryan White HIV/AIDS Treatment Extension Act of 2009, and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.
12. The Director of the Department of Child and Family Well-Being shall file a fully executed copy of said Agreement with the Office of the City Clerk.

STATEMENT

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Child and Family Well-Being, to enter into and execute an Agreement with University of Medicine and Dentistry of New Jersey - Infectious Disease Practice and assignee, Rutgers New Jersey School of Medicine - Infectious Disease Practice, 185 South Orange Avenue, MSBI-506, Newark, New Jersey 07101, to provide Ryan White eligible services to the Newark EMA., for an amount of Five Hundred Seventy-Seven Thousand, Two Hundred Eighty-Eight Dollars and Zero Cents (\$577,288.00), contract not to exceed One Million, Eight Hundred Eighty-One Thousand, Eight Hundred Sixty-Four Dollars and Zero Cents (\$1,881,864.00).