Legislation Text

File #: 13-2051, **Version:** 1

Dept/ Agency: Administration/Office of the Business Administrator
Action: (X) Ratifying (X) Authorizing ( ) Amending
Type of Service: Contract for Operation and Management Services of Government Access Television Studio
Purpose: Operation and Management Services for the Municipal Television Studio
Entity Name: Soraida Peres
Entity Address: 44 Berkeley Avenue, Newark, NJ 07104
Contract Amount: $160,000.00
Funding Source: City of Newark Budget/Department of Administration
Contract Period: One year from the date of authorization by the Municipal Council
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
(X) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a (X) Competitive Contracting with permission of the Division of Local Government Services and Municipal Council *N.J.S.A.* 40A:11-4.1(k) and *N.J.S.A.* 40A:11-4.3 (a)
Additional Information:
Deferred 7R1-c 121813

WHEREAS, the City of Newark is in need of technical and management assistance in connection with the operation and management of the City of Newark's Municipal Television Studio; and

WHEREAS, *N.J.S.A.* 40A:11-4.1(k) provides for the use of competitive contracting for the procurement of specialized goods and services for the operation, management or administration of other services with the approval of the Director of the Division of Local Government Services (DLGS); and

WHEREAS, the City of Newark, through its Purchasing Director sought such permission from DLGS and on April 4, 2013, and July 25, 2013, received approval to proceed by way of competitive contracting for the services as described in the Request for Proposal; and

WHEREAS, on August 22, 2013, the City of Newark advertised a Request for Proposals (RFP) for Management Services for the Municipal Television Studio; and

WHEREAS, On September 12, 2013, one (1) proposal was received in response to this advertisement; and

WHEREAS, the Business Administrator and the Director of Communications believe it is in the best interest of the City of Newark to award to the contract to Soraida Peres, Sole Proprietor, the only

responsible bidder; and

WHEREAS, Soraida Peres, 44 Berkeley Avenue, Newark, New Jersey, 07104, submitted the proposal that was found to be in the best interest of the City of Newark to accept because of experience and a proven track record with managing the Municipal Television Studio and knowledge of equipment, and based on her training and experience in the field of municipal and government access television working in partnership with local municipalities and communities to meet their needs and objectives; and

WHEREAS, Soraida Peres submitted a proposal that included two options for management services, one for baseline management service and another for expanded management service including the option to hire with the approval of the Director of Communications, up to two sub-contractors, with a preference for Newark residents, for the positions of Senior Production Tech and Production Technician, the City of Newark deems the proposed option of expanded management service as in the best interest of the station and the city; and

WHEREAS, Soraida Peres will be responsible, under the Director of Communications,for the management, administration and payment of the supporting staff she chooses to hire as sub-contractors; and

WHEREAS, due to the unique nature of the work and the qualifications and experiences that Soraida Peres possesses, the City of Newark wishes to enter into a contract with Soraida Peres, 44 Berkeley Street, Newark, NJ 07104, in an amount not to exceed $160,000 for up to three staff members for the period of one year from the date of authorization by the Municipal Council; and

WHEREAS the contract is being awarded as a fair and open contract pursuant to State Pay-to -Play Law (N.J.S.A. 19:44A-20.5); 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, the City of Newark wishes to enter into a contract with Soraida Peres, Sole Proprietor whose office is located at 44 Berkeley Avenue, Newark, New Jersey, 07104, to provide operation and management services for the Municipal Television Studio, in an amount not to exceed $160,000.00, commencing upon Municipal Council approval for a term commencing upon Municipal Council approval not to exceed one year from the date of authorization by the Municipal Council.

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 and/or the Director of Communications, are hereby authorized to enter into and execute a contract with Soraida Peres, Sole Proprietor with offices located at 44 Berkeley Avenue, Newark NJ, 07104, for operation and management services of the Newark Municipal Television Studio for a total contract amount not to exceed $160,000.00 for a term commencing upon Municipal Council

approval not to exceed one year from the date of authorization by the Municipal Council.

2. Attached hereto is a Certification of Funds from the Comptroller of the City of Newark that states that there are available sufficient legally appropriated funds in Fund 011, Department 200, and Account 96770 for the purposes set forth hereinabove. A copy of the Comptroller's Certification shall be filed along with the original resolution and the executed contract in the office of the City Clerk.

3. This contract is being awarded pursuant to provisions of the State Local Public Contracts Law (*N.J.S.A.* 44.1(k) and *N.J.S.A.* 40A:11-4.3(a), and is in compliance with Newark Executive Order MEO-07-0001, effective March 31, 2007.

4. A copy of the executed agreement herein authorized shall be filed in the Office of the City Clerk by the Director of Communications.

5. A notice of this action shall be published in the newspaper authorized by law to publish a legal advertisement and as required by law within 10 days of its passage.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Business Administrator and/or the Director of Communications, to enter into and execute a contract between the City of Newark and Soraida Peres, Sole Proprietor, 44 Berkeley Avenue, Newark, New Jersey, 07102, for the purpose of providing operation and management services for the Municipal Television Studio, in an amount not to exceed $160,000.00 for a term of one year from the date of authorization by the Municipal Council.

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