



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

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File #: 13-1371, Version: 1

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

**Action:** ( X ) Ratifying (X) Authorizing ( ) Amending

**Type of Service:** Professional Service Contract

**Purpose:** To maintain a level of preparedness and response to biological, chemical, radiological, nuclear, explosive and/or natural emergency event throughout the City of Newark and Essex County

**Entity Name:** Newark Beth Israel Medical Center

**Entity Address:** 201 Lyons Avenue, Newark, New Jersey 07112

**Contract Amount:** \$14,466.00

**Funding Source:** State of New Jersey Office of Homeland Security and Preparedness/Metropolitan Medical Response System

**Contract Period:** January 1, 2013 through December 31, 2013

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

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

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

**Additional Information:**

State of New Jersey Office of Homeland Security and Preparedness funds accepted by Resolution 7R2-A adopted April 4, 2012

**WHEREAS**, the City of Newark Department of Child and Family Well-Being wishes to develop and maintain a level of preparedness that meets the OSHA Guideline for Level B preparedness and response to biological, chemical or radiological events; and

**WHEREAS**, pursuant to Resolution 7R2-A adopted April 4, 2012 by the Municipal Council of the City of Newark, which authorized the Mayor and the Director of the Department of Child and Family Well-Being to apply for funds from the State of New Jersey Office of Homeland Security and Preparedness, Grants and Program Management Bureau, P.O. Box 091, Trenton, New Jersey 08625, for continued provision of emergency preparedness through planning, training, equipment acquisition and exercising in order to respond to a chemical, biological, radiological, nuclear, explosive (CBRNE) event within the Newark Metropolitan Response System area; and

**WHEREAS**, pursuant to Resolution 7R2-A adopted April 4, 2012, the Municipal Council authorized the Mayor and the Director of the Department of Child and Family Well-Being to accept the grant award in the amount of Two Hundred Eighty-One Thousand, Six Hundred Ninety-Three Dollars and Zero Cents (\$281,693.00), from the State of New Jersey Office of Homeland Security and Preparedness through the Newark Metropolitan Medical Response System; and

**WHEREAS**, the Contractor, Newark Beth Israel Medical Center has represented that they are qualified by training and experience to provide the services in the manner and the terms and conditions set forth in the proposed Professional Services contract; and

**WHEREAS**, Newark Beth Israel Medical Center agrees to maintain a level of preparedness

that meets OSHA Guidelines for Level B preparedness; and

**WHEREAS**, the City of Newark desires to provide said services for the period of January 1, 2013 through December 31, 2013; and

**WHEREAS**, the Local Public Contracts Law *N.J.S.A. 40A:11-5(1)(a)* requires that the Notice of Award of contracts for "Professional Services" without competitive bidding be published in a local newspaper; and

**WHEREAS**, the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the resolution authorizing the awarding of an Agreement for "Professional Services" without competitive bids, and the Agreement itself, be available for public inspection; and

**WHEREAS**, this contract is for the amount of Fourteen Thousand Four Hundred Sixty-Six Dollars and Zero Cents (\$14,466.00) and is being awarded as a Non-Fair and Open Contract pursuant to *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, Newark Beth Israel Medical Center has completed and submitted a Business Entity Disclosure Certificate, which certifies that Newark Beth Israel Medical Center has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and that the contract will prohibit Newark Beth Israel Medical Center from making any reportable contributions through the term of the contract; 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 the reporting of political contributions to Newark Municipal Candidates and prohibits certain political contributions during the duration of the contract.

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

1. The Municipal Council 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 Newark Beth Israel Medical Center, of 201 Lyons Avenue, Newark, New Jersey 07112, to maintain a level of preparedness that meets OSHA Guidelines for Level B preparedness and response to biological, chemical or radiological events, in an amount not to exceed Fourteen Thousand Four Hundred Sixty-Six Dollars and Zero Cents (\$14,466.00), for a period of one (1) year from January 1, 2013 through December 31, 2013.
2. Attached hereto is a Certification of Funds issued by the Director of Finance of the City of Newark, which states that there are available sufficient legally appropriated funds in the amount of Fourteen Thousand Four Hundred Sixty-Six Dollars and Zero Cents (\$14,466.00) for the purpose set forth herein, under Business Unit: NW051, Department ID G12, Division 2H230, Account 71280, Budget Ref. B2012. A copy of the Certification of Funds shall be filed, along with the original resolution and the executed contract in the Office of the City Clerk by the Director of the Department of Child and Family Well-Being.

3. This contract is being awarded pursuant to the Non-Fair and Open Procedures of the Pay-to-Play Law *N.J.S.A. 19:44A-20.5* and pursuant to the provisions of the Local Public Contract Law *N.J.S.A. 40A:11-5(1)(a)(i)*, and is in compliance with Executive Order MEO-07-0001, effective March 31, 2007.

4. This contract is awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A: 11-5(1)(a)(i)*, of the Local Public Contracts Law, because the performance of the service required must be performed by a person (or persons) licensed to practice a recognized profession (medical) by the State of New Jersey, whose performance required knowledge of an advanced type in a field of learning acquired by a prolong formal course of specialized instruction and study, as distinguished from general academic instruction.

5. A copy of the fully executed contract shall be filed in the Office of the City Clerk by the Director of the Department of Child and Family Well-Being and shall be made available for public inspection.

6. A copy of the Business Entity Disclosure Certification and the Determination of Value shall be placed on file in the Office of the City Clerk.

7. Newark Beth Israel Medical Center has completed and submitted a Business Entity Disclosure Certificate, which shall be placed on file in the Office of the City Clerk by the Director of the Department of Child and Family Well-Being certifying that Newark Beth Israel Medical Center has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and that the contract will prohibit Newark Beth Israel Medical Center from making any reportable contributions through the term of the contract.

8. There shall be no amendments or changes of this contract without approval of the Municipal Council.

9. There shall be no advance payments on this contract in accordance with *N.J.S.A. 40A:5-16*.

10. 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 ten (10) days of the adoption of this resolution.

#### **STATEMENT:**

This resolution hereby ratifies and authorizes the Mayor and/or his designee, the Director of Child and Family Well-Being, to enter into and execute a contract with Newark Beth Israel Medical Center, of 201 Lyons Avenue, Newark, New Jersey 07112, to maintain a level of preparedness that meets OSHA Guidelines for Level B preparedness and response to biological, chemical or radiological events, for the period of January 1, 2013 through December 31, 2013, in the amount of Fourteen Thousand Four Hundred Sixty-Six Dollars and Zero Cents (\$14,466.00).

