



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 19-0046, Version: 1

**Dept/ Agency:** Public Safety/Office of Emergency Management

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

**Type of Service:** EUS Contract

**Purpose:** To provide Incident Management training to Emergency Managers, First Responders, Municipal Officials and Executives

**Entity Name:** Incident Management Training and Consulting, LLC

**Entity Address:** 1250 Twelve Stones Xing, Goodlettsville, Tennessee 37072

**Contract Amount:** Not to exceed \$47,500.00

**Funding Source:** New Jersey Office of Homeland Security and Preparedness

**Contract Period:** From the date of adoption through August 31, 2019

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

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

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

**Additional Information:**

Grant funds accepted by Resolution 7R1-f adopted on December 21, 2016.

**WHEREAS**, by Resolution 7R1-f, adopted on December 21, 2016, the Municipal Council of the City of Newark accepted funds awarded to the Department of Public Safety, Office of Emergency Management from the State of New Jersey Office of Homeland Security and Preparedness, in the amount of \$1,788,500.00 for training, maintenance, surveillance, Emergency Operations Centers (EOC) integration, Domestic Preparedness Planner position, Metropolitan Medical Response System positions, and equipment; and

**WHEREAS**, the City of Newark Department of Public Safety, Office of Emergency Management Division (OEM) desires to utilize a portion of the above described grant funding to procure the following 3 training classes:

- Class 1- Incident Command System ("ICS") 402, ICS for Executive and Administrators with IS-908, Emergency Management for Senior Officials (20 participants at a total cost of \$5,395.00),
- Class 2- Initial Response Operations for NIMS (IRON) training course (30 participants at a total cost of \$16,000.00) and
- Class 3 - USFA All Hazards Incident Management Team training course, O-305 (20 participants at a total cost of \$26,105.00),

for a grand total cost of \$47,500.00, with all training classes to be conducted at the Office of Emergency Management, 480 Clinton Avenue, Newark, New Jersey 07108; and

**WHEREAS**, under the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, a municipality may enter into a contract for the performance of services without competitive public bidding if the services being procured qualify as an Extraordinary Unspecifiable Services contract in accordance with N.J.S.A. 40A:11-5(1)(a)(ii); and

**WHEREAS**, the services necessary to implement and perform qualify as Extraordinary

Unspecifiable Services pursuant to N.J.S.A. 40A:11-5(1)(a)(ii) because the services to be provided are of a specialized and qualitative nature requiring expertise, extensive training, and proven reputation in the field of endeavor, and the services cannot be reasonably described by written specifications; and

**WHEREAS**, the Mayor, the Director of Public Safety and the Coordinator of the Office of Emergency Management Division have determined that Incident Management Training and Consulting, LLC ("IMTC"), located at 1250 Twelve Stones Xing, Goodlettsville, Tennessee 37072, is best qualified to provide the service as an Extraordinary Unspecifiable Service; and

**WHEREAS**, due to the unique nature of the work performed by IMTC and its experience in providing training in National Incident Management Systems ("NIMS"), ICS and Emergency Operation Center courses designed to enhance the knowledge, skills and abilities of the City of Newark's executives, managers, responders and volunteers, the City of Newark wishes to enter into a contract with IMTC for such services for the period beginning on the date of adoption of this authorizing Resolution through August 31, 2019, for an amount not to exceed \$47,500.00; and

**WHEREAS**, IMTC has demonstrated that it is qualified by its training and experience to provide the required services in the manner and on the terms and conditions set forth in the contract; and

**WHEREAS**, IMTC has executed a "Business Entity Disclosure Certification," a "Certificate of Compliance" and a "C.271 Political Contribution Disclosure Form," as this contract is being awarded as Non-Fair and Open in accordance with the provisions of the New Jersey Local Unit Fair Pay-to-Play Law, N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the Municipal Council adopted the Contractor Pay-to-Play Reform Ordinance, R.O. 2:4-22C, which forbids the award of a contract to a Business Entity, as defined therein, which has made or solicited political contributions to or from [i] Newark Municipal Candidates, [ii] office holders having ultimate responsibility for the award of a contract, [iii] candidate committees of the aforementioned candidates, [iv] political or political party committees of the City of Newark or County of Essex, [v] continuing political committees or political action committees regularly engaged in the support of the City of Newark Municipal or County of Essex elections and [vi] certain other political party or candidate committees, in excess of certain thresholds.

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

1. The Mayor and/or his designees, the Business Administrator, the Director of Public Safety and/or the Coordinator of the Office of Emergency Management Division, are hereby authorized to execute a contract on behalf of the City of Newark with Incident Management Training and Consulting, LLC ("IMTC"), 1250 Twelve Stones Xing, Goodlettsville, Tennessee 37072, whereby IMTC will provide the following 3 training classes to City personnel
  - Class 1- Incident Command System ("ICS") 402, ICS for Executive and Administrators with IS-908, Emergency Management for Senior Officials (20 participants at a total cost of \$5,395.00),
  - Class 2- Initial Response Operations for NIMS (IRON) training course (30 participants

- at a total cost of \$16,000.00) and
- Class 3 - USFA All Hazards Incident Management Team training course, O-305 (20 participants at a total cost of \$26,105.00),
- for a grand total cost of \$47,500.00, with all training classes to be conducted at the Office of Emergency Management, 480 Clinton Avenue, Newark, New Jersey 07108, during the period beginning on the date of adoption of this authorizing Resolution through August 31, 2019.
2. This contract is being awarded without competitive bidding as an exception to the State Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a)(ii)), Extraordinary Unspecifiable Services.
  3. The Certification of Extraordinary Unspecifiable Service, as required by N.J.A.C. 5:34-2.3(b), shall be filed in the Office of the City Clerk with the original resolution.
  4. This contract complies with the State Pay-to-Play Law (N.J.S.A. 19:44A-20.5), and IMTC and its subcontractors have certified that they have not made or solicited any contributions in violation of the Contractor Pay-to-Play Reform Ordinance 2:4-22C.
  5. A copy of the Comptroller's Certification of Funds is attached in the amount of \$47,500.00, and shall be filed in the Office of the City Clerk with the original resolution by the Coordinator of the Office of Emergency Management Division.
  6. There shall be no advance payments made against this contract in accordance with N.J.A.C. 40A:5-16.
  7. The Determination of Value Letter shall be filed with the Office of the City Clerk with the original resolution by the Coordinator of the Office of Emergency Management Division.
  8. IMTC has completed and submitted a City of Newark Political Contribution Disclosure Form and a Business Entity Disclosure Certificate, which certifies that IMTC has not made any reportable contributions to a political or candidate committee in the City of Newark in the previous one (1) year, and this contract will prohibit IMTC from making any reportable contributions through the term of the contract.
  9. 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.
  10. The Coordinator of the Office of Emergency Management Division, shall file a fully-executed copy of the contract with the Office of the City Clerk.

### **STATEMENT**

This resolution authorizes the Mayor and/or his designees, the Business Administrator, the Director of Public Safety and/or the Coordinator of the Office of Emergency Management Division, to execute a contract with Incident Management Training and Consulting, LLC, 1250 Twelve Stones Xing, Goodlettsville, Tennessee 37072, to provide 3 training classes in emergency management to various City personnel at a grand total cost of \$47,500.00 during the period beginning on the date of adoption

of this authorizing Resolution through August 31, 2019. Said classes are to be held at the Office of Emergency Management, 480 Clinton Avenue, Newark, New Jersey 07108.