



# City of Newark

City Hall  
920 Broad Street  
Newark, New Jersey 07102

## Legislation Text

File #: 23-0741, Version: 1

**Dept/ Agency:** Office of the Mayor/Office of Homeless Services

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

**Type of Service:** Contract with Grant Sub-recipient

**Purpose:** To provide emergency shelter services, homelessness prevention, and/or Rapid Rehousing assistance in the City of Newark.

**Entity Name:** HBP RAIN Foundation d/b/a Essex County LGBT RAIN Foundation

**Entity Address:** 168 Park Street East Orange, New Jersey 07017

**Grant Amount:** Not to exceed \$60,000.00

**Funding Source:** United States Department of Housing and Urban Development (HUD)

**Account Code Line:** NW051; Dept. ID G23; Project M23D0; Budget Ref. B2023

**Contract Period:** January 1, 2023 through December 31, 2023

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

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

( ) Private Sale (X) Grant (X) Sub-recipient ( ) N/A

**Additional Information:**

Funds accepted by Resolution 7R1-h adopted on March 1, 2023.

Budget Insertion by Resolution 7R1-b adopted on April 19, 2023.

**WHEREAS**, the City of Newark (hereinafter "City") desires to continue to act as the Grantee/Sub-Grantor for disbursement of funds made available by the United States Department of Housing and Urban Development (HUD), Emergency Solutions Grants (ESG) Program, to provide housing assistance and emergency shelter for persons who are homeless or at risk of homelessness;

**WHEREAS**, pursuant to Resolution 7R1-h adopted on March 1, 2023, the Municipal Council of the City of Newark authorized the Mayor and/or his designee, the Business Administrator, to enter into an agreement with HUD to receive and expend grant funds in the amount of Six Hundred Thirty Two Thousand Six Hundred Ninety Five Dollars and Zero Cents (\$632,695.00) from HUD's ESG Program;

**WHEREAS**, pursuant to State Local Public Contracts Law, N.J.S.A. 40A:11-4.1(b)(2), the competitive contracting process may be used for the operation, management or administration of social service programs; and

**WHEREAS**, pursuant to the Fair and Open Process of State Pay-to-Play Law, N.J.S.A. 19:44A-20.5, the City publicly advertised a Request for Proposal (RFP) for emergency shelter services, homelessness prevention, and/or rapid rehousing with all such proposals due on November 7, 2022; and

**WHEREAS**, the Municipal Council of the City previously authorized the use of competitive contracting for processing these HUD Entitlement Programs and authorized said use for the future; and

**WHEREAS**, the proposal received from HBP RAIN Foundation, (hereinafter referred to as “Sub-Recipient”), was one of the most advantageous to the City of Newark based on experience and all other criteria listed in the RFP; and

**WHEREAS**, the Office of Homeless Services desires to enter into a contract with the Sub-Recipient, for the purpose of providing homelessness prevention services and rapid rehousing to the homeless and those at risk of being homeless in the City for the contract period January 1, 2023 through December 31, 2023 for a total contract amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00); and

**WHEREAS**, this Agreement is being awarded to the Sub-Recipient is in compliance with the State Local Public Contracts Law, 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), as well as the federal Emergency Solutions Grants (ESG) program regulations, 24 C.F.R. 576 et seq.; 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 et seq.) and this Agreement is being awarded pursuant to the fair and open procedures of State Pay-to-Play Law and the City’s Ordinance on Pay-to-Play R.O. 2:4-22C.1, reporting requirements are only applicable to business entities as defined therein and do not include non-profit organizations, and as a non-profit organization, Sub-recipient, is therefore not required to submit certain disclosure statements.

**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 Homelessness Czar, are authorized to enter into and execute a contract with HBP RAIN Foundation, located at 168 Park Street East Orange, New Jersey 07017, to provide emergency shelter to the homeless and those at risk of being homeless as further described in the “Scope of Services” (attached hereto and made a part hereof) for the period January 1, 2023 through December 31, 2023.
2. The Municipal Council ratifies this contract from January 1, 2023, through the date of adoption of this authorizing resolution.
3. The total compensation to be paid pursuant to said contract shall not exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00), this shall be paid for from ESG funding.
4. The terms of the contract may only be waived or amended in writing and signed by the parties duly authorized to execute this contract, subject to the approval of the Newark Municipal Council by Resolution. The term of this contract may be extended for up to two (2) six-month periods, provided that any such extension is at no additional cost to the City, the services are being performed in an effective and efficient manner, and is in a writing signed by both parties.
5. The Municipal Council ratifies the use of competitive contracting for processing and awarding Housing and Urban Development Entitlement Programs from January 1, 2023, to the date of adoption of this authorizing resolution and authorizes said use in the future.

6. This contract is being awarded pursuant to the Emergency Solutions Grants Program, 24 C.F.R. 576.1 *et seq.*, and is in compliance with 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 but not limited to N.J.S.A. 40A:11-4.1(b)(2) and/or N.J.S.A. 40A:11-5, and the City's Ordinance on Pay-to-Play R. O. 2:4-22C.1.
7. Attached hereto is a Certification of Funds, in an amount not to exceed Sixty Thousand Dollars and Zero Cents (\$60,000.00), from the Municipal Comptroller of the City of Newark, which states that there are sufficient funds for the purpose set forth hereinabove. NW051; Dept. ID G23; Project M23D0; Budget Ref. B2023.
8. The Homelessness Czar shall file the fully executed copy of said contract with the Office of the City Clerk and said contract shall be made available for public inspection.

### **STATEMENT**

This resolution authorizes and ratifies the actions taken by the Mayor and/or his designee, the Homelessness Czar, to enter into and execute a contract with HBP RAIN Foundation, 168 Park Street East Orange, New Jersey 07017, utilizing ESG funding, for the provision of homelessness prevention services and rapid rehousing to the homeless and those at risk of being homeless in the City of Newark, for the period January 1, 2023, through December 31, 2023, in an amount not to exceed \$60,000.00.