

# RESOLUTION

21-031

Date of Adoption February 4, 2021

Approved as to Form and Legality

CITY ATTORNEY

*J. G. Murray*

Councilman /woman

*CALDWELL - WILSON*

Factual content certified by

*Benjamin Delisle*  
BENJAMIN DELISLE, DIRECTOR OF HOUSING & ECONOMIC DEVELOPMENT

RESOLUTION AWARDING A CONTRACT THROUGH A FAIR AND OPEN PROCESS IN ACCORDANCE WITH N.J.S.A. 19:44 A-20.4 ET SEQ., TO NORTHEAST & BUCKS COMPANY T/A MULLIN & LONERGAN ASSOCIATES FOR PROFESSIONAL PROGRAM ADMINISTRATIVE SERVICES FOR THE DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT, HOME INVESTMENT PARTNERSHIP PROGRAM FOR A PERIOD OF ONE (1) YEAR IN AN AMOUNT NOT TO EXCEED \$50,000.00 RFP2020-51

WHEREAS, the City has a need for Professional Program Administrative Services to provide grants compliance and management assistance to support the Department's compliance with federal grant program regulations and guidelines for the Home Investment Partnerships Program (HOME). The City of Trenton receives \$700,000-\$800,000 annually in Home funds. It is expected that the consultant will be available to work on site, as needed. The City currently has limited staff available to support the consultant and will rely on the personnel, experience and expertise of the consultant to ensure completion of the work, for a period of one (1) year for Home Investment Partnership Program; and

WHEREAS, a request for proposal was advertised, and one (1) proposal was received on November 17, 2020 and was evaluated by a committee based on criteria that included, experience, understanding of requirements and cost; and

WHEREAS, the proposal of Northeast & Bucks Company T/A Mullin & Lonergan Associates, 800 Venial Street, Suite B414, Pittsburgh, PA 15212 were deemed to have the necessary qualifications and expertise for the performance of the services at the rates budgeted; and

WHEREAS, funds in an amount not to exceed \$96,105.00 have been certified to be available in the following account number(s): T-22-21-60-8200-290 from January 8, 2021 to January 7, 2022.

NOW, THEREFORE IT IS RESOLVED, by the City Council of the City of Trenton, as follows:

1. The Mayor is hereby authorized to enter into a contract with Northeast & Bucks Company T/A Mullin & Lonergan Associates, 800 Venial Street, Suite B414, Pittsburgh, PA 15212 for Professional Program Administrative Services in an amount not to exceed \$50,000.00 for a period of one (1) year for the City of Trenton, Department of Housing and Economic Development, Home Investment Partnership Program.
2. This contract is awarded pursuant to the authority set forth in the Local Public Contracts Law at N.J.S.A. 40A:11-5.
3. A notice of this action shall be printed once in the official newspaper for the City of Trenton and the Resolution and contract shall remain on file in the City Clerk's Office.

	Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent		Aye	Nay	Abstain	Absent
BLAKELEY	✓				MCBRIE			✓		VAUGHN	✓		✓	
CALDWELL WILSON	✓				MUSCHAL	✓								
HARRISON	✓				RODRIGUEZ	✓								

This Resolution was adopted at a Meeting of the City Council of the City of Trenton on

*February 4, 2021*

*Kathy McBride*  
President of Council

*M. L.*  
City Clerk

**PROFESSIONAL SERVICES CONTRACT**

**RFP2020-51**

**RESOLUTION 21-031**

**PROFESSIONAL ADMINISTRATIVE SERVICES TO PROVIDE GRANTS COMPLIANCE AND  
MANAGEMENT ASSISTANCE**

THIS CONTRACT, made this **4<sup>TH</sup>** day of **FEBRUARY 2021** by and between the **CITY OF TRENTON, 319 EAST STATE STREET, TRENTON, NEW JERSEY 08608** a Municipal Corporation of the State of New Jersey, ("City") and **NORTHEAST & BUCKS COMPANY T/A MULLIN & LONERGAN ASSOCIATES, 800 VENIAL STREET, SUITE B414, PITTSBURGH, PA 15212** (CONTRACTOR").

WHEREAS, the City has a need for **PROFESSIONAL ADMINISTRATIVE SERVICES TO PROVIDE GRANTS COMPLIANCE AND MANAGEMENT ASSISTANCE** for the City of Trenton, Department of Housing and Economic Development.

WHEREAS, Contractor agrees to provide **PROFESSIONAL ADMINISTRATIVE SERVICES TO PROVIDE GRANTS COMPLIANCE AND MANAGEMENT ASSISTANCE** for the City of Trenton, Department of Housing and Economic Development in accordance with the terms and conditions as set forth hereinafter, and the City being agreeable thereto;

NOW THEREFORE, the parties mutually agree as follows:

**PROFESSIONAL ADMINISTRATIVE SERVICES TO PROVIDE GRANTS COMPLIANCE AND MANAGEMENT ASSISTANCE** for the City agrees to retain **NORTHEAST & BUCKS COMPANY T/A MULLIN & LONERGAN ASSOCIATES, 800 VENIAL STREET, SUITE B414, PITTSBURGH, PA 15212** ("the request of and under the general supervision of the City of Trenton, Department of Housing and Economic Development.

**1. SCOPE OF SERVICES**

**SEE ATTACHED SCOPE OF SERVICES**

**DURATION OF THE CONTRACT:**

This contract shall remain in full force and effect for a period of one (1) year from January 8, 2021 to January 7, 2022 on an as needed basis in an amount not to exceed \$50,000.00.

2. **STATUS OF CONTRACTOR:** It is expressly understood by and between the parties hereto that the status of the Contractor retained to carry out the services set forth in this agreement is that of an Independent Contractor. It is further understood by and between the parties that is not intended nor shall it be construed, that the contractor is an agent, employee, or officer of the City of Trenton.
3. **NOTICES:** Any notices required to be delivered to either party pursuant to this Contract shall be in writing to their respective addresses. The parties shall be responsible for notifying each other of any change of address.
4. **INTEGRATION:** **Resolution #21-031** and this contract constitutes the entire agreement between the parties and any representation that may have been made prior to the execution of this Contract are nonbonding, void, and of no effect and neither party has relied on any such prior representations in entering into this Contract with the City of Trenton, Department of Housing and Economic Development.

5. **ENFORCEABILITY:** If any term or condition of this Contract or its application to any party or circumstances shall be deemed invalid or unenforceable, the remainder of the Contract and its application to other parties and circumstances shall not be affected.

6. **GOVERNING LAW:** This Contract shall be governed by the laws of the State of New Jersey.

7. **MISCELLANEOUS PROVISIONS:**

- a. Contractor, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional or sexual orientation, disability or nationality. Contractor will take affirmative action to ensure that such applicants are recruited and employed and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional, gender identity or expression, sexual orientation. Such action shall include, but is not limited to the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;
- b. Contractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional or sexual orientation.
- c. Contractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the American with Disabilities Act.
- d. Contractor, where applicable, agrees to attempt to schedule minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2, amended and supplemented from time to time.
- e. Contractor, where applicable, agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional, sexual orientation, disability or nationality and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- f. Contractor, where applicable, agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, sex, gender identity or expression, affectional, sexual orientation, disability or nationality. Contractor will conform these employment goals

consistent with statutes and court decisions of the State of New Jersey, and applicable Federal law and Federal court decisions.

- g. Contractor, where applicable, shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations. Contractor shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).
- h. Contractor, shall submit along with the signed contract one of the following as evidence of compliance with N.J.A.C. 17:27:
  1. Appropriate evidence that the Independent contractor is operating under an existing Federally approved or sanctioned affirmative action program.
  2. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4.
  3. An initial employee information report (Form AA#302) provided by the Affirmative Action Office and completed by the contractor in accordance with N.J.A.C. 17:27-4

Matthew J. Conlon, Secretary

3-11-21

NORTHEAST & BUCKS COMPANY  
T/A MULLIN & LONERGAN ASSOCIATES  
800 VENIAL STREET, SUITE B414  
PITTSBURGH, PA 15212

Seal: \_\_\_\_\_

Attest: Juli Ebel

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year above written.

ATTEST:

M. Conlon  
MATTHEW H. CONLON, RMC  
MUNICIPAL CLERK

DATE

3-11-21

CITY OF TRENTON

W. Reed Gusciora  
W. REED GUSCIORA, ESQ.  
MAYOR

DATE

3-9-21

**CITY OF TRENTON  
DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT  
REQUEST FOR PROPOSALS  
FOR PROFESSIONAL PROGRAM ADMINISTRATIVE SERVICES FOR THE  
HOME INVESTMENT PARTNERSHIP PROGRAM**

**I. PROJECT OVERVIEW**

The City of Trenton, Department of Housing and Economic Development is soliciting sealed proposals from qualified firms or individuals through a fair and open process in accordance with 24 CFR 200.318 and N.J.S.A. 19:44A-20.4 et seq. for professional services consultants to assist in the planning and implementation of various HOME Investment Partnership projects. The following table provides a list of current/pending projects. This information is provided for information purposes and may not necessarily reflect the current status of any project.

<b>Project Description</b>	<b>Funding Commitment</b>
Project 1 - four-story mixed used building with seventy-two (72) affordable residential rental units to low and moderate income families	\$425,000 of \$19 million project
Project 2 – Pending. 120 one to three bedroom units	\$1.5 million of \$40 million project
Implementation of Tenant Based Rental Assistance Program	
Monitoring of past HOME projects	

The primary purpose of the services solicited in this Request for Proposals (RFP) is to assist the Department of Housing and Economic Development's staff in creating efficient systems for long and short term compliance and monitoring of funded or contemplated projects. It is expected that any respondent to this RFP will have extensive programmatic experience with HUD programs. It is expected that the consultant will be available to work on site (virtually during Covid), and attend meetings on the city's behalf as needed. The City currently has limited staff available to support the consultant and will rely on the personnel, experience and expertise of the consultant to ensure completion of the work.

All costs incurred by proposing firm or individuals are considered by the City to be marketing costs required in order to select a firm or individual to perform this work, and the City will not reimburse any proposing firm or individual for any costs incurred.

MBE/WBE firm or individuals and New Jersey based firm or individuals are highly encouraged to apply. Evaluation criteria are not necessarily listed in order of importance. The City reserves the right to weigh its evaluation criteria in any matter it deems appropriate.

The purpose and intent of this Request for Proposal is to enter into a Contract for said services.

**II. SCOPE OF WORK**

The Department of Housing and Economic Development is seeking a consultant to provide grants compliance and management assistance to support the Department's compliance with federal grant program regulations and guidelines for the HOME Investment Partnerships Program (HOME). The City of Trenton receives \$700,000-\$800,000 annually in HOME funds. It is expected that the consultant will be available to work on site, as needed. The City currently has limited staff available to support the consultant and will rely on the personnel, experience and expertise of the consultant to ensure completion of the work.

A. The successful firm shall be required to perform the following tasks:

Program review, the development of written policies and procedures, and technical assistance shall begin upon the signing of the contract, shall be comprehensive, and shall include, but not be limited to:

- Coordinate with various City staff as necessary to successfully implement the projects.
- Compare content of Department files with designated program checklists and other applicable federal regulations to determine completeness and compliance with federal requirements.
- Review and revise HOME existing administration policies and procedures.
- Assist Department staff in developing forms, protocols, and reports required from developers, Community Housing Developing Organizations (CHDO), managers, tenants, and property owners, in order to facilitate compliance with all program or project-related reporting and recordkeeping requirements, whether imposed by Federal, State, or Local laws or rules.
- Review and make recommendations for the development of policies and procedures, and documents related to the launching of the homeownership program, homeowner rental rehabilitation program, and tenant based rental assistance program, including project files, record keeping, and monitoring procedures.
- Assist the City in the designation and certification of CHDOs.
- Assist the City in matters pertaining to the eligibility of HOME-funded activities.
- Assist the City in the development of written HOME policies and procedures based on current HOME program regulations, including:
  - Project underwriting and subsidy layering
  - Environmental review
  - Homebuyer underwriting
  - Risk-based monitoring
  - Rehabilitation Standards
  - Tenant-Based Rental Assistance
- Assist the City in the development of HOME resale and recapture guidelines.
- Assist the City in structuring HOME-assisted projects, including those activities that involve private or non-profit development entities.
- Assist the City in preparing HOME written agreements for subrecipients and CHDOs.
- Provision of subsidy underwriting and layering analyses for HOME-assisted projects per HOME program regulations.
- Review and make recommendations for projects election.
- Assist the City in evaluating proposals from private sector, non-profit and CHDO developers and sponsors.
- Provision of project market/feasibility assessments for projects per new HOME program requirements.
- Complete environmental Review
- Develop program loan agreements. Mortgages, Notes and Deed restrictions
- Monitor project construction/rehab
- Certify income of beneficiaries, homeowners or renters
- Enter accomplishment data into IDIS
- Inspect previous projects for affordability requirements
- Prepare and assist with grant reimbursement correspondences and tasks;
- Make recommendations to the City regarding feasibility and cost effectiveness of project and approaches;
- Attend site meetings with and/or on behalf of the City;
- Review, editing and approval of payment requests, and preparation of recommendations for payments and change orders; and

- Preparation of notices, correspondences as necessary for duration of project;
- Provision of general technical assistance for the HOME program.

B. The successful firm or individual shall designate key staff member (s) to the project for the duration of the contract, unless the City of Trenton agrees in writing to modify the assignment. If a key member(s) leaves during the course of the contract, the City must be notified immediately, and the contractor must submit the replacement's name and credentials for approval by the City prior to that person starting work on the contract.

C. The assigned designee of the successful firm must have the following skills and credentials: The designee must have at least 5 years of HOME Investment Partnership Program experience that includes writing policy and managing multiple projects. The designee should be a self-starter experienced in working with municipalities with limited staff capacity. The firm's designee shall meet with the City of Trenton's Department and Economic Development Grant Administrator on a bi-weekly basis, during which the status and strategies for each project will be reviewed.

### III. PROPOSAL FORMAT

Each proposal shall be prepared simply and economically, providing a straightforward, concise description of the responder's capabilities to satisfy the requirements of the RFP. Emphasis should be on completeness and clarity of content.

**Title Page** – Show the RFP subject, the name of your firm or individual, address, telephone number, name of contact person, email address, and date.

**Letter of Transmittal** - The proposal shall include an original transmittal letter signed by a representative authorized to contractually bind their firm or individual to the proposal. Letter should include the following:

- State the location of the office from which the work is to be accomplished.
- Describe the firm's general qualifications and the range of activities performed by the firm.
- Briefly state the proposer's familiarity with the needs and conditions existing in the City of Trenton as well as their knowledge of the proposed project.
- Indicate if personnel of the proposer have previously developed and/or administered any HOME or similar grant projects for the City of Trenton and/or for other jurisdictions.
- Certify that the proposer will provide professional guidance to the city relative to compliance with applicable federal, state, and local laws and regulations.
- Indicate if your firm is a Certified Minority Business Enterprise.
- Provide any additional information that the proposer feels is essential to their proposal.

**Project Profile** - Provide a comprehensive list of similar projects. Details shall include: client name, client contact information, a description of the services provided, project location, key personnel, duration of project or portion of project if the project involves other work beyond this scope, and projected and actual cost.

**Methodology and Work Plan** – The City of Trenton was designated a high risk grantee by HUD. The Department that administers the CDBG, ESG and HOME grants has limited staff capacity and will rely on the consultant to provide guidance and be able to work independently on time sensitive projects. Please provide a description of the proposed work plan and techniques to complete the scope of services. The work plan should demonstrate your firm's ability to provide HOME Project Administration services in a professional, timely, and efficient manner.

**Key Personnel Qualifications and Experience** - Extensive experience with HOME final rule required. Identify one person who will be involved in the provision of services described herein. Describe the person's qualifications, including relevant experience and education/training in HOME program management for participating jurisdictions.