

**RESOLUTION NO. 2023-159**

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING REHABCO, INC. AS TOWNSHIP HOUSING REHABILITATION PROGRAM MANAGEMENT SERVICES**

**WHEREAS**, there exists a need for Housing Rehabilitation Program Management Services for the Township of Little Egg Harbor to administer the Township's Affordable Housing Projects; and

**WHEREAS**, the Township issued a request for proposals for Housing Rehabilitation Program Management Services in accordance with the competitive negotiation procedure as delineated within Section 40-8 of the Township Code of the Township of Little Egg Harbor, entitled "Fair and open process utilized to award contracts with anticipated value in excess of \$17,500"; and

**WHEREAS**, said competitive negotiation procedure satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

**WHEREAS**, all proposals were to be submitted to the Office of the Township Clerk by May 2, 2023; and

**WHEREAS**, the Township Administrator has reviewed the only proposal submitted and recommends Rehabco, Inc. for Housing Rehabilitation Program Management Services for the Township of Little Egg Harbor; and

**WHEREAS**, it is the desire of the Mayor and Township Committee to appoint Rehabco, Inc. for Housing Rehabilitation Program Management Services for the Township of Little Egg Harbor in accordance with the terms of this Resolution; and

**WHEREAS**, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That Rehabco, Inc. is hereby appointed as Housing Rehabilitation Program Management Servicer for the Township of Little Egg Harbor for a term commencing May 11, 2023 and ending December 31, 2023 and shall be paid for all services as set forth on Schedule A, attached hereto and made a part hereof.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the attached agreement with Rehabco, Inc.
3. That this resolution shall take effect on May 11, 2023.
4. That the agreement shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. A certificate of availability of funds executed by the Chief Financial Officer is attached hereto. The following is the line item appropriation(s), which constitute the availability of funds for this contract:  
AFFORDABLE HOUSING TRUST
5. That a certified copy of this resolution, together with a copy of the contract between the parties, shall be provided by the Township Clerk to the Chief Financial Officer, and to Rehabco, Inc.

**CERTIFICATION**

I, **KELLY LETTERA, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 11<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
**KELLY LETTERA, RMC**  
Township Clerk  
Little Egg Harbor Township

**CERTIFICATE OF AVAILABILITY OF FUNDS**

I, **RODNEY HAINES**, Chief Financial Officer for the Township of Little Egg Harbor, do hereby certify that adequate funds are available for an open-ended contract with Rehabco, Inc. for Township Housing Rehabilitation Program Management Services.

The amount of the contract to be awarded under this resolution is determined not to exceed \$ 10,000 which sum is based upon a reasonable estimate of the services required over the contract term. The Township of Little Egg Harbor is not obligated to spend this amount and is permitted to exceed this amount during the course of performance of this contract.

The funds which are available for this open-ended contract are found in the following line item appropriation(s): AFFORDABLE HOUSING TRUST



\_\_\_\_\_  
**RODNEY HAINES**, Chief Financial Officer  
Township of Little Egg Harbor

**AGREEMENT**

**THIS AGREEMENT** made this \_\_\_\_ day of **May, 2023**,

**BETWEEN:** **TOWNSHIP OF LITTLE EGG HARBOR**, a municipal corporation of the State of New Jersey, having its principal offices located at 665 Radio Road, Little Egg Harbor, New Jersey 08087 (hereinafter referred to as "Township");

**AND:** **REHABCO, INC.** having its principal place of business located at 44 East Water Street, 2<sup>nd</sup> Floor, Toms River, NJ 08753, hereinafter referred to as "Township Housing Rehabilitation Program Management Service"

**WITNESSETH:**

**WHEREAS**, there exists a need for Township Housing Rehabilitation Program Management Services for the Township of Little Egg Harbor; and

**WHEREAS**, the Township issued a request for proposals for Housing Rehabilitation Program Management Services in accordance with the competitive negotiation procedure as delineated within Section 40-8 of the Township Code of the Township of Little Egg Harbor, entitled "Fair and open process utilized to award contracts with anticipated value in excess of \$17,500"; and

**WHEREAS**, said competitive negotiation procedure satisfies the requirements of a fair and open process under N.J.S.A. 19:44A:20.2 et seq.; and

**WHEREAS**, all proposals were to be submitted to the Office of the Township Clerk on May 2, 2023; and

**WHEREAS**, the Township Administrator has reviewed the only proposal submitted and recommends Rehabco, Inc. as the Township Housing Rehabilitation Program Management Servicer; and

**WHEREAS**, Rehabco, Inc. is duly qualified to serve as Township Housing Rehabilitation Program Management Servicer; and

**WHEREAS**, it is the desire of the Mayor and Township Council to appoint Rehabco, Inc. as Township Housing Rehabilitation Program Management Servicer for the Township of Little Egg Harbor; and

**WHEREAS**, pursuant to law, the parties hereto wish to enter into an agreement for Township Housing Rehabilitation Program Management Services.

**NOW, THEREFORE**, the parties hereunder do agree as follows:

1. That Rehabco, Inc. is hereby appointed as Township Housing Rehabilitation Program Management Servicer for the Township of Little Egg Harbor for a term commencing May 11, 2023 and ending December 31, 2023 and shall be paid for all services as set forth on Schedule A, attached hereto and made a part hereof.

2. Rehabco, Inc. shall perform all normal services as determined and authorized by the Township in accordance with the terms of this Agreement as Township Housing Rehabilitation Program Management Servicer for all Affordable Housing projects in the Township.

3. The parties to this contract agree to incorporate into this contract the mandatory language of subsection 3.4(a) of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Township Housing Rehabilitation Program Management Servicer or subcontractor agrees to comply fully with the terms, provisions, and obligations of said subsection 3.4(a).

4. The parties to this contract agree to incorporate into this contract the mandatory language of section 3.6 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time and the Township Housing Rehabilitation Program Management Servicer or subcontractor agrees to comply fully with the terms, provisions, and obligations of said section 3.6.

5. The Township Housing Rehabilitation Program Management Servicer shall execute the Affirmative Action Agreement, Exhibit A attached hereto, which shall be incorporated herein by reference.

6. The Township Housing Rehabilitation Program Management Servicer shall submit a copy of the Certificate of Employee Information Report, or a copy of letter of Federal approval, or Form AA-302 (Initial Employee Information Report) prior to execution of this Agreement.

7. The Township Housing Rehabilitation Program Management Servicer shall provide written notice to its subcontractors of the responsibility to submit proof of business registration to the Township Housing Rehabilitation Program Management Servicer.

8. Before final payment on the contract is made by the Township, the Township Housing Rehabilitation Program Management Servicer shall submit an accurate list and the proof of business registration of each subcontractor or supplier used in the fulfillment of the contract, or shall attest that no subcontractors were used.

9. For the term of the contract, Township Housing Rehabilitation Program Management Servicer and each of its affiliates and a subcontractor and each of its affiliates [N.J.S.A. 52:32-44(g)(3)] shall collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act on all sales of tangible personal property delivered into this State, regardless of whether the tangible personal property is intended for a contract with a contracting agency.

10. A business organization that fails to provide a copy of a business registration as required pursuant to section 1 of P.L.2001, c.134 (C.52:32-44 *et. al.*) or subsection e. or f. of section 92 of P.L.1977, c.110 (C.5:12-92), or that provides false business registration information

under the requirements of either of those sections, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration copy not properly provided under a contract with a contracting agency.

11. The Township and the Township Housing Rehabilitation Program Management Servicer for themselves, their heirs, executors, administrators, successors or assigns, hereby agree to the full performance of the covenants herein contained.

**IN WITNESS WHEREOF**, the parties hereto have caused this Agreement to be executed the day and year first above written.

**WITNESS AND ATTEST:**

**TOWNSHIP OF LITTLE EGG HARBOR**

\_\_\_\_\_ By \_\_\_\_\_  
**KELLY LETTERA, RMC** **BLAISE SCIBETTA, Mayor**  
Township Clerk  
(Seal)

**REHABCO, INC.**

\_\_\_\_\_ By \_\_\_\_\_  
As to

**1 – Township Housing Rehabilitation Program Management Services**  
**SCHEDULE 'A' – SCOPE OF SERVICES**

The services to be provided by the Township Rehabilitation Program Management Services Contractor shall include, but are not limited to, the following:

**Community Development Planning Housing Rehabilitation Administration**

- At least five (5) years' experience as an appointed Township Housing Rehabilitation Management Service contractor;
- Marketing the housing rehabilitation loan program;
- Screening and qualifying eligible candidates and updating the program administration manual;
- Community Development Income qualification;
- Assist in establishing programs available for grant funding;
- Design and write grant proposals;
- Conducting and/or coordinating dwelling inspections;
- Qualifying rehabilitation contractors and working with eligible applicants to solicit quotes for home repairs, execute contracts and monitor projects up through completion including;
- Coordinating loan closing documents and closing out transactions;
- Adhering to the requirements of public facility and infrastructure projects;