



UNION COUNTY IMPROVEMENT AUTHORITY

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Resolution No. 52-2015

Date: July 8, 2015

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY
 ACCEPTING NETTA ARCHITECT'S PROPOSAL TO GENERATE A
 STONE PANEL EXPERT REPORT IN CONNECTION WITH THE
 CONSTRUCTION OF THE NEW UNION COUNTY FAMILY COURT
 BUILDING AT CHERRY STREET, ELIZABETH, NEW JERSEY.**

APPROVED AS TO FORM:
 Lisa M. da Silva, RMC
 Clerk of the Authority

APPROVED AS TO SUFFICIENCY OF FUNDS
 YES NO NONE REQUIRED
 UNION COUNTY IMPROVEMENT AUTHORITY

Lisa M. da Silva

M. W. B. [Signature]

	PRESENT	ABSENT	AYE	NAY	ABSTAIN	MOTION	SECOND
<i>Bornstad</i>	✓		✓				
<i>D'Elia</i>	✓		✓				
<i>Hines</i>		✓					
<i>Hockaday</i>	✓		✓				
<i>Salerno, Secretary</i>	✓		✓			✓	
<i>Tomko, Treasurer</i>		✓					
<i>Vollero</i>		✓					
<i>Rountree, Vice Chair</i>	✓		✓				✓
<i>Scutari, Chairman</i>	✓		✓				

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WHEREAS, the Union County Improvement Authority (the "Authority") has been duly created by ordinance of the Union County Board of Chosen Freeholders as a public body corporate and politic of the State of New Jersey pursuant to and in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, the Authority has entered into a Shared Services Agreement dated November 1, 2011 with the County of Union (the "County"), pursuant to the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*, in which the County has requested that the Authority assist it with the design, financing, management and construction of a new Family Court Building and Parking Deck for the Superior Court, County of Union (the "Project") in Elizabeth, New Jersey, and the Authority has agreed to undertake all actions necessary to implement the Project; and

WHEREAS, in or about February 2013, the Authority published a notice of bids pursuant to New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.* for the Construction of the Project (the "Project Services"), and on March 13, 2013, it received eleven (11) for the Project Services, all of which were over budget; and

WHEREAS, on June 12, 2013, the Authority awarded a contract (the "Contract") for the construction of the new Union County Family Court Building to APS Contracting Inc. as the lowest responsible bid, exclusive of the deduct alternate, in accordance with N.J.S.A. 40A: 11-1 *et seq.*; and

WHEREAS, in accordance with the Contract, APS Contracting Inc. is responsible for the fabrication and installation of stone panels ("Stone Panel Work") in connection with the Project; and

WHEREAS, APS Contracting Inc. has failed to perform the Stone Panel Work in accordance with the terms and conditions of the Contract documents; and

WHEREAS, APS Contracting Inc.'s failure to perform has jeopardized the timely completion and caused damages to the Project; and

WHEREAS, the Authority requires assistance to generate a Stone Panel Expert Report to determine the extent of damages and create an updated Project schedule; and

WHEREAS, the Authority desires to accept Netta Architect's proposal, dated June 18, 2015, a copy of which is attached hereto for and made a part hereof as Exhibit A to generate a Stone Panel Expert Report; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Authority that:

1. The Authority hereby formally accepts Netta Architect's proposal to generate a Stone Panel Expert Report in connection with the Project for an amount not to exceed \$158,340.00.
2. The Executive Director is hereby formally authorized and directed to take any and all actions necessary to accept Netta Architect's proposal to generate a Stone Panel Expert Report in connection with the Project.
3. This resolution shall take effect immediately.