

# UNION COUNTY IMPROVEMENT AUTHORITY

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Resolution No. 70-2016

Date: August 3, 2016

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDED SHARED SERVICES AGREEMENT WITH THE COUNTY OF UNION TO PROVIDE STRATEGIC FACILITY PLANNING SERVICES.**

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. - E*

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

**RESOLUTION OF THE UNION COUNTY IMPROVEMENT AUTHORITY  
TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDED  
SHARED SERVICES AGREEMENT WITH THE COUNTY OF UNION TO PROVIDE  
STRATEGIC FACILITY PLANNING SERVICES.**

**WHEREAS**, the Union County Improvement Authority (the “Authority”) has been duly created by an Ordinance of the Board of Chosen Freeholders (the “Freeholders”) of the County of Union, State of New Jersey (the “County”) duly adopted 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, and the acts amendatory thereof and supplemental thereto (the “Act”); and

**WHEREAS**, the Freeholders reviewed and approved a shared services agreement (the “Shared Services Agreement”) between the County and the Authority for the purposes of conducting a Space Utilization Study (“Study”) on behalf of the County and to prepare the County’s Strategic Planning Services Report (“Report”); and

**WHEREAS**, pursuant to Resolution 66-2016, the Authority authorized and directed the Executive Director to execute the Agreement between the County and the Authority; and

**WHEREAS**, on October 19, 2015, the County and the Authority executed the Agreement; and

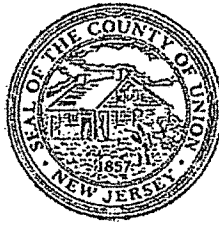
**WHEREAS**, pursuant to Resolution 2016-620, the Freeholders have reviewed and approved an amendment to the Shared Services Agreement authorizing the Authority to engage the services of a professional consultant to perform architectural services related to the Study; and

**WHEREAS**, the County shall provide the Authority with an amount not to exceed \$70,000 for the architectural services; and

**WHEREAS**, the Authority desires to execute an Amended Agreement between the County and the Authority,

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Authority as follows:

- 1) The foregoing recitals are incorporated herein as if set forth at length; and
- 2) The Executive Director is hereby authorized and directed to execute an amended shared services agreement with the County of Union authorizing the Authority to engage the services of a professional consultant to perform architectural services related to the Study, in exchange for which the County shall provide the Authority with an amount not to exceed \$70,000 for payment of such architectural services; and
- 3) The Executive Director is hereby authorized and directed to take any and all actions necessary to execute the agreement;



**UNION COUNTY BOARD OF CHOSEN FREEHOLDERS**

**RESOLUTION:** 2016-620

JULY 21, 2016

CHAIRMAN BRUCE H. BERGEN

*WHEREAS*, the County of Union (the "County") created the Union County Improvement Authority ("UCIA") pursuant to the county improvement authorities law, constituting Chapter 183 of the Laws of New Jersey of 1960 and the acts amendatory thereof and supplemental thereto, (the "Act") for the express purpose, among other things, of facilitating the development and financing of public facilities and development projects within the County; and

*WHEREAS*, on September 24, 2015, this Board adopted Resolution 2015-800 authorizing the County of Union to enter into a Shared Services Agreement, pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., with the UCIA for the purposes of conducting a space utilization study ("Study") on behalf of the County at no cost to the County and to prepare the County's Strategic Planning Services Report (the "Report"); and

*WHEREAS*, on October 19, 2015, the parties did execute a Shared Services Agreement in accordance with Resolution 2015-800; and

*WHEREAS*, it is now necessary to continue with the next phase of the Study, which shall include the engagement of professional consulting services by the UCIA, in an amount not to exceed \$70,000.00 and

*WHEREAS*, this Board now wishes to amend the Shared Services Agreement to reflect the additional services and costs; and

*WHEREAS*, Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., permits units of local government to share services for particular purposes and to effectuate agreements for any service or circumstance that will aid and encourage a reduction of local expenses;

*WHEREAS*, pursuant to N.J.S.A. 40A:11-5(2), the UCIA and the County are authorized each to enter into an Amendment to the Shared Services Agreement without public advertising for bids.

**NOW, THEREFORE, BE IT RESOLVED** by the Union County Board of Chosen Freeholders that it hereby authorizes the County Manager to enter into an Amendment to the Shared Services Agreement with the Union County Improvement Authority for the next phase of the Strategic Facility Planning Services in accordance the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, in an amount not to exceed \$70,000.00 which shall be charged to Account No. 6-01-26-775-570-389; and

**BE IT FURTHER RESOLVED** that the County Manager is hereby authorized to execute said Amendment pursuant to the approval of the Office of the County Counsel; and

**BE IT FURTHER RESOLVED** that pursuant to N.J.S.A. 40A:65-4(b), a copy of the Amendment to the Shared Services Agreement shall be filed with the New Jersey Department of Community Affairs, Division of Local Government Services; and

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

Sufficiency of Funds Authorized :  
 Approved as to Form:  
 Certifying as to an Original Resolution:  
 Certified as to a True Copy:

*[Handwritten Signature]*  
 \_\_\_\_\_  
*[Handwritten Signature]*  
 \_\_\_\_\_

| ✓ Vote Record - Resolution RES-2016-620     |                     | Yes/Aye                             | No/Nay                   | Abstain                  | Absent                              |
|---|---------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| ✓ Adopted                                   | Bruce H. Bergen     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Adopted as Amended | Angel G. Estrada    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Defeated           | Sergio Granados     | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| <input type="checkbox"/> Tabled             | Christopher Hudak   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input type="checkbox"/> Withdrawn          | Bette Jane Kowalski | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|   | Alexander Mirabella | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   | Vernell Wright      | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   | Linda Carter        | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
|   | Mohamed S. Jalloh   | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**AMENDMENT TO SHARED SERVICES AGREEMENT, DATED OCTOBER 19, 2015,  
BY AND BETWEEN THE UNION COUNTY IMPROVEMENT AUTHORITY AND THE  
COUNTY OF UNION FOR STRATEGIC FACILITY PLANNING SERVICES**

**THIS AMENDMENT TO THE SHARED SERVICES AGREEMENT** dated October 19, 2015 by and between the Union County Improvement Authority, a public body corporate and politic of the State of New Jersey (the "Authority") and the County of Union, a public body corporate and politic of the State of New Jersey (the "County") is made this \_\_\_\_\_ day of August, 2016 (the "Agreement") .

**WITNESSETH:**

**WHEREAS**, the Authority has been created by a resolution of the Board of Chosen Freeholders of the County of Union, New Jersey (the "County"), as a public body corporate and politic of the State of New Jersey, pursuant to and in accordance with the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et seq., and the acts amendatory thereof and supplemental thereto (the "Improvement Authorities Law"); and

**WHEREAS**, in or about May 2015, the County published a Request for Proposals for Architectural Services for Strategic Facility Planning Services (the "RFP") which was advertised as County of Union Project #2015-016; and

**WHEREAS**, in or about August 2015, the Authority submitted an alternative proposal in response to the RFP suggesting that the County utilize the facility planning services of the Authority to conduct the space utilization study (the "Study") on behalf of the County; and

**WHEREAS**, the Authority was created by the County for purposes which are authorized and set forth in N.J.S.A. 40:37A-44 et seq. and which clearly indicate that the Authority is uniquely able to provide the County with detailed information in the form of a report which would identify and quantify the County's future facility needs; and

**WHEREAS**, the Improvement Authorities Law and the Uniformed Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq. authorizes the County and the Authority to do all acts and things which are necessary, convenient or desirable to carry out and perform such agreements and to provide for the discharge of their respective obligations; and

**WHEREAS**, subsequently, on October 19, 2015, the County and the Authority entered into a Shared Services Agreement (the "Agreement") requiring the Authority to undertake all necessary steps to carry out the Study and prepare a report to the County (the "Report"), all as more fully set forth in the Agreement; and

**WHEREAS**, pursuant to Resolution 2016-620, the Freeholders reviewed and approved an amendment to the Shared Services Agreement authorizing the Authority to engage the services of a professional consultant to perform architectural services related to the Study (“Architectural Services”); and

**WHEREAS**, the County shall provide the Authority with an amount not to exceed \$70,000 for the architectural services; and

**WHEREAS**, the Authority and the County desire to amend the Agreement to provide for the Architectural Services; and

**WHEREAS**, the Authority and the County have each duly authorized their proper officials to enter into and execute this Amendment to the Agreement;

**NOW, THEREFORE**, the parties hereto, intending to be legally bound hereby, agree as follows:

1. The Agreement shall be modified as follows:

## **ARTICLE I SCOPE**

Section 1.01. Duties of the County. In addition to all of its duties under the Agreement, the County shall also be obligated to provide the Authority with the amount of Seventy Thousand (\$70,000) Dollars in payment of the Architectural Services to be provided by the Authority under this Amendment to the Agreement.

Section 1.02. Duties of the Authority. In addition to all of its duties under the Agreement, the Authority shall engage a professional to perform the Architectural Services required by the County

Section 1.03. Payment. The Authority shall undertake and complete the Study identified in the RFP and submit a Report to the County Manager and the Board of Chosen Freeholders at no expense to the County. Upon completion of the Report, the Authority shall engage the services of a professional consultant to perform Architectural Services related to the Study; and the County shall provide the Authority with an amount not to exceed \$70,000 for the architectural services; and

2. All other terms and conditions in the Agreement shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Authority and the County have caused their respective seals to be hereunto affixed hereto and attested and this Amendment to the Agreement to be signed by their respective officers duly authorized and this Amendment to the Agreement to be dated as of the day and year first above written.

**ATTEST:**

**THE UNION COUNTY IMPROVEMENT  
AUTHORITY**

By: \_\_\_\_\_  
Lisa M. da Silva, RMC, Clerk  
Union County Improvement Authority

By: \_\_\_\_\_  
Daniel P. Sullivan, Executive Director

[SEAL]

**ATTEST:**

**THE COUNTY OF UNION**

By: \_\_\_\_\_  
James E. Pellettiere, RMC, Clerk  
Board of Chosen Freeholders

By: \_\_\_\_\_  
Alfred J. Faella, County Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Robert E. Barry, Esq.  
County Counsel

[SEAL]