



Resolution No. 37-2021
Adoption Date February 25, 2021

Sufficiency of Funds Bibi Taylor
Form and Legality David Minichello

AUTHORIZING THE SELECTION OF A REDEVELOPER FOR THE PLANNING, DESIGN AND CONSTRUCTION OF A NEW UNION COUNTY GOVERNMENT COMPLEX

WHEREAS, a special meeting of the Union County Improvement Authority (the "Authority") was held on February 25, 2021; and

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t) a county improvement authority is empowered to enter into any and all agreements or contracts, execute any and all instruments and do and perform any and all things necessary, convenient or desirable for the purposes of the Authority or to carry out any power given in the County Improvement Authorities Law, N.J.S.A. 40:37A-44 et seq. (the "Act"), subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq; and

WHEREAS, pursuant to the Act, the Authority is empowered to provide public facilities as such term is defined therein, within the County which includes the financing, acquisition and/or construction of such public facility and to act as a Redevelopment Entity for purposes of the New Jersey Local Redevelopment and Housing Law; and

WHEREAS, the County desired to have the Authority undertake a redevelopment project as defined by N.J.S.A. 40A:12A-1 in order to meet the County's long-term occupancy requirements, specialized space and security needs for County owned properties (the "Project"); and

WHEREAS, the County adopted Resolution 2020-609 on August 13, 2020 authorizing a Memorandum of Agreement with the Authority for the planning, design and construction of a new Union County Government Complex to be undertaken, financed and completed pursuant to the provisions of the NJ Local Redevelopment and Housing Law; and

WHEREAS, the Authority adopted Resolution 48-2020 on August 14, 2020, authorizing the execution of the Memorandum of Agreement with the County; and

WHEREAS, to facilitate the planning and implementation of the Project, the County and the Authority entered into the Memorandum of Agreement on August 14, 2020, which provided for the Authority and the County to undertake duties and obligations concerning the Project; and

Commissioner	Motion	Second	Yes/Aye	No-Nay	Abstain	Absent
David Barnett						✓
Steve Hockaday	✓		✓			
Christopher Kolibas		✓	✓			
Debra Marshall			✓			
Andrea Mojica			✓			
Ahmed Shehata			✓			
Scott Huff, Vice Chairman			✓			
Sebastian D'Elia, Chairman			✓			

WHEREAS, on August 17, 2020 the Authority solicited for RFQ/P for the Planning Design and Construction of the New Union County Government Complex; and

WHEREAS, proposals were received and opened by the Authority on October 30, 2020; and

WHEREAS, five proposals were received from AST/MAR LLC, Ernest Bock & Sons Inc., Dobco Inc., Terminal Construction Corp. and Turner Construction Company; and

WHEREAS, the County and the Authority appointed a Review Committee to oversee the procurement process and the responsibility of recommending a redeveloper; and

WHEREAS, the Review Committee met on November 17, 2021 to consider the Respondents and prepare their responses in accordance with scoring Matrix I; and

WHEREAS, the three highest scoring Respondents were Ernest Bock & Sons Inc., Terminal Construction Corp., and Turner Construction Company; and

WHEREAS, interviews and presentations by the three Respondents were conducted by the Review Committee on February 10, 11 and 12, 2021; and

WHEREAS, the Review Committee in their February 22, 2021 recommended the selection of Terminal Construction Company as the Redeveloper for this Project pending successful negotiation discussions regarding the terms of the Redeveloper's Agreement and a final Guaranteed Maximum Price for the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MEMBERS OF THE UNION COUNTY IMPROVEMENT AUTHORITY AS FOLLOW:

1. The Authority hereby accepts the recommendation of the Review Committee and designates Terminal Construction Company as the Redeveloper for the Project, subject to continued successful negotiations and conditioned upon the execution of a Redeveloper's Agreement.
2. The Authority hereby authorizes the Union County Project Manager to enter negotiations with Terminal Construction Company, for the purpose of establishing the terms of the Redeveloper's Agreement and ascertaining a final Guaranteed Maximum Price for the Project. Should the Project Manager determine there is an impasse in negotiations, she is hereby authorized to terminate those negotiations and the Redeveloper designation is hereby withdrawn.
3. The Authority hereby further authorizes and directs the Union County Project Manager to cease negotiations with Terminal Construction and to proceed to negotiate with the next highest ranking Proposer should she determine, in her sole discretion, that the negotiations with Terminal Construction have now reached an impasse.
4. This resolution shall take effect immediately.