



UNION COUNTY IMPROVEMENT AUTHORITY

Resolution No. 57-2021
Adoption Date: April 14, 2021

Sufficiency of Funds Elli Taylor
Form and Legality David Minichello

AUTHORIZING APPROVAL OF THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT WITH COUNTY OF UNION FOR THE PLANNING DESIGN AND CONSTRUCTION OF A NEW UNION COUNTY GOVERNMENT COMPLEX WITHIN THE CITY OF ELIZABETH

WHEREAS, a regular meeting of the Union County Improvement Authority (the "Authority") was held on April 14, 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 Union County Board of County Commissioners 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, to facilitate the planning and implementation of the Project, the County and the Authority determined that it would be economical, efficient and otherwise advantageous to each of them and the residents and taxpayers of Union County to enter into a Memorandum of Agreement, which provides 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			✓			



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WHEREAS, the County adopted Resolution 2020-609 on August 13, 2020 authorizing the County Manager to enter into 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 in an amount not to exceed \$1,145,000.00; and

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

WHEREAS, pursuant to Union County Board of Commissioners Resolution 2020-632, the Board deemed it necessary and appropriate to provide additional funding to the Authority for the purpose of aiding the Authority and co-operating in the planning, and undertakings of the new Union County Government Complex (hereafter the "Project") in an additional amount of not to exceed \$2,000,000.00; and

WHEREAS, the Board, pursuant to Resolution 2021-288, now deems it necessary and appropriate to provide additional funding to the Authority in the amount of not to exceed \$15,000,000.00 to reduce the construction portion of the project, and a not to exceed amount of \$1,750,000.00 to fund the Owner's Representative and construction administrative services, for a total amount not to exceed \$16,750,000.00; and

WHEREAS, the appropriation of moneys for such project is specifically authorized by N.J.S.A. 40:37A-79; and

WHEREAS, the Union County Board of County Commissioners by Resolution 2021-288 further authorized the County Manager to execute and enter into an Amendment No. 1 to the Memorandum of Agreement between the County and Union County Improvement Authority by increasing the funding to the UCIA in an additional amount not to exceed \$15,000,000.00 to reduce the construction portion of the project, and a not to exceed amount of \$1,750,000.00 to fund the Owner's Representative and construction administrative services, for a total amount not to exceed \$16,750,000.00; and

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

1. The Authority hereby authorizes the Project Manager to execute the First Amendment to the Memorandum of Agreement between the County and the Authority in substantially the form attached, by increasing the funding to the UCIA in an additional amount not to exceed \$15,000,000.00 to reduce the construction portion of the project, and a not to exceed amount of \$1,750,000.00 to fund the Owner's Representative and construction administrative services, for a total amount not to exceed \$16,750,000.00; and



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2. That all other terms and conditions of the Memorandum of Agreement setting forth the duties and obligations of the UCIA and the County relative to the planning, design and construction of a new Union County Government Complex remains in full force and effect.
3. The Secretary is authorized to attest to the signature of the Project Manager appearing thereon and to affix the seal of the Authority thereto.
4. The Authority authorizes the Authority staff to take all actions reasonable and necessary in connection with all duties and obligations as authorized in the Memorandum of Agreement and herein.
5. This resolution shall take effect immediately.