



Resolution No. 80-2023

Adoption Date Dec. 5, 2023

Sufficiency of Funds Bibi Taylor

Form and Legality David Minchella

RESOLUTION AUTHORIZING ADDITIONAL FUNDING TO NETTA ARCHITECTS FOR THE ROSELLE LIBRARY ALTERATION AND ADDITION PROJECT

WHEREAS, pursuant to N.J.S.A. 40:37A-55(t), the Authority is empowered to enter into any and all agreements, contracts, execute any and all instruments, and do and perform any and all acts and things necessary, convenient or desirable for the purposes of the Authority, subject to the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et. seq.*; and

WHEREAS, on October 31, 2021, the Authority enacted Resolution No. 102-2021 and awarded a professional services contract to Netta Architects for a Guaranteed Maximum Price of Eight Hundred and Twenty-Five Thousand Dollars and xx/100 (\$825,000.00) for the Roselle Library Alteration and Additional Project (hereinafter referred to as the “Project”); and

WHEREAS, on June 28, 2023, the Authority enacted Resolution No. 56-2023 which authorized Change Order No. 1 and additional funding to in the amount of \$55,000.00 for a new contract value of Eight Hundred and Eighty Thousand Dollars and xx/100 (\$880,000.00); and

WHEREAS, on August 30, 2023, Netta Architects submitted Change Order No. 3 in the amount of \$4,446.50 to observe additional test pits in the proposed parking lots and provide a letter presenting the results of those explorations; and

WHEREAS, on October 17, 2023, Netta Architects submitted Change Order No. 4 in the amount of \$3,500.00 for additional or amended architectural/engineering services to the original Contract Agreement; and

WHEREAS, these change orders are required to keep the Project moving forward and to avoid unnecessary delays; and

WHEREAS, this contract amendment does not negate the Guaranteed Maximum Price contract awarded on October 31, 2021 as the Authority reserves the right to recoup these additional costs via the current litigation filed against Authority has against Netta Architects; and

Commissioner	Motion	Second	Yes/Aye	No	Abstain	Absent
David Barnett			X			
Jonathan Boguchwal	X		X			
Steve Hockaday		X	X			
Terri Riley Hudak			X			
Andrea Mojica			X			
Ahmed Shehata						X
Jenny Davis Toth			X			
Scott Huff, Vice Chairman						X
Christopher Kolibas, Chairman			X			



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WHEREAS, the Authority authorizes additional funding to Netta Architects in the amount of \$7,946.50 for a new contract value of Eight Hundred and Eighty-Seven Thousand, Nine Hundred and Forty-Six Dollars 50/100 (\$887,946.50).

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

1. The Authority hereby authorizes an increase in the funding of \$7,946.50 awarded to Netta Architects for the Roselle Library Alteration and Addition Project at a cost not to exceed \$887,946.50.
2. The Authority reserves the right to recoup this additional funding via the current complaint filed against Netta Architects
3. The Authority authorizes the Chairman or Executive Director to execute any and all amendments to the original contract with Netta Architects.