

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
ELECTION OF OFFICERS
FOR 2024-2025**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority, as such, is subject specifically to N.J.S.A. 40:37A-49 which provides for the annual election of a chairperson and vice-chairperson and for the election of other officers from among its members.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority, that the following persons are elected for the term beginning February 8th, 2024, through the 2025 Annual Reorganization Meeting.

Chairperson	<u>Roy Foster</u>
Vice-chairperson	<u>Robert Tarby</u>
Secretary	<u>Edwin Blake</u>
Assistant Secretary	<u>Reverend Hendricks</u>
Treasurer	<u>Joseph Giraldo</u>

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director shall serve as Assistant Secretary in the absence of the Secretary and Assistant Secretary.


Roy M. Foster, Chairman


Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR DECEMBER 2023**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, including N.J.A.C. 5:31-4.1(c) regarding the approval and payment of claims which requires the "governing body (of the Authority) shall approve or disapprove all claims in accordance with Regulations adopted by the Authority;" and

WHEREAS, such claims and the expenditures thereto for the month of December 2023, are contained in the Financial Report submitted hereto for approval by the Board of Commissioners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the expenditures contained in the Financial Report for the month of December 2023, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
APPROVAL OF DEPOSITORIES**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, Local Finance Board and specifically N.J.A.C. 5:31 et seq. pursuant to N.J.S.A. 40A: 5A-10 and 15; and

WHEREAS, N.J.A.C. 5:31-3.1 provides, inter alia, "the governing body shall, by resolution passed by not less than a majority of the full membership, adopt a cash management plan which shall include the designation of a depository, the State of New Jersey Cash Management Fund or a public depository or depositories...."; and

WHEREAS, the Authority wishes to designate (1) State of New Jersey Cash Management Fund, (2) First National Bank of Absecon, (3) Bank of New York Mellon, (4) Cape Savings Bank, (5) Capital Bank of New Jersey, (6) TD Bank, (7) Wells Fargo & Company, (8) Bank of America, (9) U.S. Bank, (10) Ocean First Bank, (11) PNC Bank, (12) Santander Bank, (13) Crown Bank, (14) NJ/ARM - New Jersey Asset & Rebate Program, (15) Parke Bank, (16) Fulton Bank, (17) Hudson City Savings Bank, (18) BB&T, (19) Investors Bank, (20) Republic Bank and (21) Wilmington Trust as such depositories.

WHEREAS, to conform with such rules and regulations, the Authority wishes to designate the Financial Manager and Executive Director each as Designated Officials authorized and directed to deposit and/or invest the funds in accordance with this resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority, that the Designated Officials are hereby instructed to deposit the Authority's funds in (1) State of New Jersey Cash Management Fund, (2) First National Bank of Absecon, (3) Bank of New York Mellon, (4) Cape Savings Bank, (5) Capital Bank of New Jersey, (6) TD Bank, (7) Wells Fargo & Company, (8) Bank of America, (9) U.S. Bank, (10) Ocean First Bank, (11) PNC Bank, (12) Santander Bank, (13) Crown Bank, (14) NJ/ARM - New Jersey Asset & Rebate Program, (15) Parke Bank, (16) Fulton Bank, (17) Hudson City Savings Bank, (18) BB&T , (19) Investors Bank, (20) Republic Bank or (21) Wilmington Trust as such depositories as directed by the rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, Local Finance Board; and



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVAL OF ELIGIBLE INVESTMENTS**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, Local Finance Board and specifically N.J.A.C. 5:31 et seq. pursuant to N.J.S.A. 40A: 5A-10 and 15; and

WHEREAS, the Authority wishes to designate the Financial Manager and Executive Director each as Designated Officials authorized to make Eligible Investments of its various Bond Funds in accordance with its various Bond Indentures with the depositories and others.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Designated Officials can make Eligible Investments of its various Bond Funds consisting of:

- U.S. Government Obligations;
- U.S. Agency Obligations;
- New Jersey Cash Management Account, NJ/ARM, and NJ/TERM;
- Funds administered by our Trustees that consist solely of U.S. Government and Agency obligations and Repurchase Agreements;
- Funds administered by our Trustees that consist of tax-exempt bonds;
- Deposits backed by FDIC;
- Deposits in: State of New Jersey Cash Management Fund, First National Bank of Absecon, Bank of New York Mellon, Cape Savings Bank, Capital Bank of New Jersey, TD Bank, Wells Fargo & Company, Bank of America, Fox Chase Bank, Ocean First Bank, PNC Bank, Santander Bank, Crown Bank, NJ/ARM - New Jersey Asset & Rebate Program, Parke Bank, Fulton Bank, Hudson City Savings Bank, BB&T, Investors Bank, U.S. Bank, Republic Bank and Wilmington Trust in accordance with its various Bond Indentures.



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February, 2024.

**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
CHECK SIGNER AUTHORIZATION**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, the Authority is subject to N.J.A.C. 5:31-4.1 and 5:31-4.2 relating to "Approval and Payment of Claims" and "Signatures on Checks"; and

WHEREAS, these sections provide, inter alia, that payments of Authority moneys and claims "shall be by check drawn on the Authority, signed by the governing body chairperson or other chief executive officer and the secretary and countersigned by such other officer or official as designated by resolution"; and

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

- 1) Roy Foster, as Chairperson; and Edwin Blake, as Secretary, are empowered to sign checks for the Authority;
- 2) Timothy D. Edmunds, as Executive Director, may sign checks in Chairperson's absence and alternatively but not simultaneously, as Assistant Secretary, sign checks in Secretary's absence as Secretary;
- 3) Robert McGuigan, Director of Community Development Program; and Ellen Hiltner, Housing Program Manager may countersign such checks as an "official".

The signatures of Chairperson and Secretary may be signed by facsimile signature.



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.


**RESOLUTION OF THE
ATLANTIC COUNTY IMPROVEMENT AUTHORITY
ANNUAL SCHEDULE OF MEETINGS
MARCH 2024 – FEBRUARY 2025**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic established pursuant to N.J.S.A. 40:37A-44, et seq.; and

WHEREAS, N.J.S.A. 10:14-18 of the Open Public Meetings Act requires the adoption and publication of a schedule of regular meetings.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the attached schedule of regular meeting dates of the Atlantic County Improvement Authority is hereby adopted and the Secretary of the Board is directed to cause notice of said meetings, as approved in the Open Public Meetings Act of New Jersey, to be published in the Press of Atlantic City newspaper which is hereby designated by the Board of Commissioners to receive such notice because they have the greatest likelihood of informing the public, within the County of Atlantic, of such meetings and on the Authority's Website.

AND BE IT FURTHER RESOLVED that the Secretary of the Board is hereby directed to comply with all the terms and conditions of the aforesaid Open Public Meetings Act, P.L. c.1973.



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February, 2024.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH
COOPER LEVENSON ATTORNEYS AT LAW TO SERVE AS THE AUTHORITY'S
GENERAL COUNSEL FROM MARCH 1, 2024 TO FEBRUARY 29, 2025**

WHEREAS, the Atlantic County Improvement Authority, hereafter, the "Authority", is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic established pursuant to N.J.S.A. 40:37A-44, et seq.; and

WHEREAS, the Authority has the right, pursuant to said Act, to hire legal counsel for its essential purposes; and

WHEREAS, on February 14, 2015, the Authority advertised in accordance with the requirements of N.J.S.A. 19: 44A-20.4 through a fair and open process soliciting firms to submit qualifications and fee proposals for the provision of Legal Services for a one-year period with the option to renew for two successive years; and

WHEREAS, on February 27, 2015, the Authority received proposals from the following four firms: Eric M. Bernstein & Associates, LLC of Warren, NJ; Capehart – Scatchard Attorneys at Law of Trenton and Mt. Laurel, Cooper Levenson Attorneys at Law of Atlantic City and Decotis, Patrick and Cloe, LLP of Teaneck, NJ; and

WHEREAS, the Board of Commissioners of the Atlantic County Improvement Authority authorized and directed the Executive Director to execute a contract with Cooper Levenson Attorneys At Law to serve as Counsel to the Authority with Randolph C. Lafferty, Esq. as Lead Counsel to provide for the period from March 1, 2015 to February 28, 2016; and

WHEREAS; each year since, based on the performance of Mr. Lafferty, the working relationship established and the firm's competitive fee schedule, it was determined that Cooper Levenson offers the most advantageous mix of cost and experience, the Board of Commissioners of the Atlantic County Improvement Authority authorized and directed the Executive Director to execute a contract with Cooper Levenson Attorneys At Law to serve as Counsel to the Authority under the same terms and conditions; and

WHEREAS, Cooper Levenson continues to demonstrate the requisite expertise, knowledge and experience, has an extensive amount of institutional knowledge and recommends that the Board authorize the Executive Director to execute the necessary documents to renew the agreement for the period from March 1, 2024 to February 29, 2025; and

WHEREAS; the Authority is desirous of entering into a contract with the firm of Cooper Levenson Attorneys At Law for the purposes of serving as Counsel to the Authority for the period from March 1, 2024 to February 29, 2025 with the understanding that Randolph C. Lafferty will serve as Lead Counsel to provide such service at an hourly rate of \$235 for Partners and \$175 for Paralegals and certain reimbursables for an amount not to exceed \$85,000.00.; and

WHEREAS, such services are classified as Professional Services pursuant to N.J.S.A. 40A:11-1(a)(i) and as such are exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to execute a contract with Cooper Levenson Attorneys At Law to serve as Counsel to the Authority, for the period from March 1, 2024 to February 29, 2025, for a gross contract not to exceed \$85,000.00 with the provision that Randolph C. Lafferty will serve in the capacity of Lead Counsel.



Roy M. Foster, Chairman



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR TO
RENEW THE PROFESSIONAL SERVICES AGREEMENT WITH
NEW VISTAS CORPORATION FOR BUILDING MANAGEMENT
SERVICES AT 600 AVIATION RESEARCH BOULEVARD**

WHEREAS, the Atlantic County Improvement Authority (the “**Authority**”), is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic established pursuant to N.J.S.A. 40:37A-44 *et seq.*; and

WHEREAS, the Authority has determined to undertake the development of the first building of the National Aviation Research & Technology Park (the “**Aviation Park Project**”); and

WHEREAS, the Authority has completed construction of a three-story office building having an address of 600 Aviation Research Boulevard, Egg Harbor Township, New Jersey; and

WHEREAS, the Authority has executed leases with General Dynamics Information Technology (GDIT), Inc., Thunderbolt Software, the National Aviation Research and Technology Park Corporation, the Atlantic County Institute of Technology, and the Federal Aviation Administration and said tenants have occupied their space in the building; and

WHEREAS, in July of 2018 the Authority issued an RFP for Building Management Services for 600 Aviation Research Boulevard and four companies Somerset Realty, Colliers International, U.S. Facilities and New Vistas Corporation responded; and

WHEREAS, based on the information contained in the proposals staff determined that the issuance of the RFP was premature, that the majority of requested services would not be necessary at that time and that it would be more efficient to maintain a staff presence during the tenant fit-out period; and

WHEREAS, in September of 2019 the Authority reissued the Request for Proposals (RFP) advertised it and sent a copy of the ad to all four companies who responded to the previous RFP; and

WHEREAS, two of the four companies from the previous respondents requested the RFP, New Vistas and Colliers, along with Meridian Properties of Hamilton NJ and Daycare Cleaning Services of Cherry Hill; and

WHEREAS, on October 18th, 2019 only New Vistas submitted a proposal; and

WHEREAS, the proposed monthly management fee from New Vistas at 4.25% of Gross Receipts was less than their proposed Management Fee of 5% of Gross receipts submitted in 2018; and

WHEREAS, the other proposed fees include reimbursement of actual out of pocket costs for an On Site Manager not to exceed \$80,000 including benefits and employer expenses; plus a not to exceed amount of \$57.00/hour for Site Manager as needed above normal business hours, a Maintenance Technician not to exceed 24 hours for an amount not to exceed \$49.00/hour and a security guard if necessary to be determined by owner at an anticipated not to exceed amount of \$35.00/hour are consistent with last year’s proposal; and

WHEREAS, upon review of the response and relevant experience staff was comfortable that New Vistas would provide the requisite scope of services including all aspects of building management and operations as the on-site representative of the owner administering all rules, regulations and restrictions necessary for efficient operation of the property and for the comfort and security of the tenants including the areas of Tenant Management; Property Administration; Operations Engineering Support-Building Systems and Infrastructure; Deferred Maintenance Program; Security/Access Control; and Safety/Emergency Response; and

WHEREAS, on November 14th, 2019 staff recommended and the Board authorized awarding a Professional Services Agreement to New Vistas Corporation for a period of one year with automatic renewal options and in accordance with the above referenced fees and scope of services as proposed.

WHEREAS, staff is satisfied with the services provided by New Vista's and the capabilities and performance of the on-site building manager provided under the agreement and recommends that the agreement be renewed for year four.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director shall be and is hereby authorized to renew the Professional Services Agreement with New Vistas Corporation to provide Building Management Services in accordance with the above referenced fees and scope of services as proposed for a period of one year.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8th, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO RENEW AND AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH NEW VISTAS CORPORATION FOR BUILDING MANAGEMENT SERVICES RELATED TO CAPE MAY TECH VILLAGE

WHEREAS, the Authority, is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40A:37A-52 a purpose of the Authority is to plan, initiate and carry out redevelopment projects for the elimination, and for the prevention of the development or spread of blighted, deteriorated or deteriorating areas; and

WHEREAS, the Township of Lower (Township) has designated a portion of Block 410.01, Lot 36, referred to as Retained Property #1, as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-1, *et. seq.* ("Property"); and

WHEREAS, the County of Cape May has approached the Authority to act as Project Manager for the purposes of planning and constructing a commercial building on the Property; and

WHEREAS, as set forth within the County Improvement Authorities Law an Authority can provide services to a beneficiary county in which there is no existing county improvement authority and Cape May County does not currently have a county improvement authority; and

WHEREAS, on June 14th, 2018 the Board of Commissioners authorized a shared services agreement with Cape May County for the Authority to act as Project Manager for the Project and to lease the building and sub-lease it to tenants for a ten year period upon completion; and

WHEREAS, the building was completed in December of 2020 and tenants began occupying the space in the first quarter of 2021; and

WHEREAS, on May 14, 2021 upon completion of the building the Board of Commissioners authorized an agreement with New Vistas Corporation to assist on a limited basis in executing our responsibilities related to:

- Setting up and maintaining an accounting system for management of the building
- Collection of rent and CAM charges
- Payment and disbursement of authorized bills
- Coordination of common area vendors
- Assist with the preparation of annual operating and capital budgets
- Establish and management of CAM charges
- Generating monthly financial reports
- Monitor appropriate insurance coverage;

for a fee of \$500.00 per month plus reimbursables not to exceed \$500.00 for the year; and

WHEREAS, Cape May County assumed the responsibility to perform certain common area services and building maintenance activities; and

WHEREAS, Cape May County has determined that it would be more efficient and expedient to outsource those particular activities; and

WHEREAS, staff of the Authority requested a proposal from New Vistas Corporation to amend their agreement to include the following activities:

- Coordination of common area vendors to include but not be limited to snow removal, landscaping, general external maintenance by third party vendors.
- Coordination of all maintenance and repairs to exterior of building and major mechanical systems by third party vendors.
- Establish preventative maintenance plan.
- Respond to tenant concerns and requests.
- Establish a 24-hour response system to deal with emergencies; and

WHEREAS, after negotiation New Vistas proposed to provide those services for an additional fee of \$450.00 per month for a total monthly fee of \$950.00, plus a quarterly charge of \$500.00 for intensive preventative maintenance inspections and reports, and for any maintenance or repairs that are required and authorized by ACIA an hourly rate of \$56.00 per hour for maintenance technician labor and \$68.00 per hour for skilled craftsmen; and

WHEREAS, New Vistas Corporations has been providing complete property management services to the Authority at both Cape May Tech Village and 600 Aviation Park Boulevard and staff is satisfied with their scope, demonstrated capacity and level of service; and

WHEREAS; the cost of this contract will be reimbursed to the Authority by Cape May County; and

WHEREAS, said proposal has been forwarded to Cape May County for their review and upon approval staff recommends amending the agreement with New Vistas accordingly; and

WHEREAS, such services are classified as Professional Services pursuant to N.J.S.A. 40A:11-5 (1)(a)(i) and as such are exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED that the Executive Director is hereby authorized to amend the Professional Services agreement with New Vistas Corporation to provide the above Scope of Services for a total monthly fee of \$950.00, plus a quarterly charge of \$500.00 for intensive preventative maintenance inspections and reports, and for any maintenance or repairs that are required and authorized by ACIA an hourly rate of \$56.00 per hour for maintenance technician labor and \$68.00 per hour for skilled craftsmen and reimbursables not to exceed \$500.00 for the year through February 29, 2024 contingent upon the approval of Cape May County.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AMENDMENT TO THE SHARED SERVICES/PROJECT MANAGEMENT AGREEMENT WITH THE COUNTY OF ATLANTIC REGARDING OWNER'S REPRESENTATIVE AND PROJECT MANAGEMENT SERVICES FOR THE HAMMONTON LIBRARY ADA EXTERIOR DOOR PROJECT

WHEREAS, the Authority, is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54 a purpose of the Authority is to plan, initiate and carry out construction projects within the County for public facilities to be utilized for governmental purposes and use; and

WHEREAS, On October 17, 2023, the Board of Commissioners of the Atlantic County through Resolution #569 authorized a Shared Services Agreement with the Atlantic County Improvement Authority for the Authority to provide Owner's Representative and Project Management services for the Hammonton Library ADA Exterior Door Project ("Project") in the amount of \$24,686; and

WHEREAS, the Authority will provide full Project Management Services beginning with the Bid Phase through Construction Closeout and since the County has engaged professionals for the completion of the design development stage the scope of services to be provided by the Authority will include the Authority bidding and holding the construction contracts the cost of which will be reimbursed by the county; and

WHEREAS, the Authority executed a Bid processes in accordance with the Local Public Contracts Law for the Project; and

WHEREAS, on January 24th, the Authority received 2 bids from R. Maxwell Construction at \$65,615.00 and M.B. Markland Contracting Co. at \$56,683.00 for the Project; and

WHEREAS, Authority staff reviewed all required documentation from low bidder M.B. Markland Contracting Co. and finding all in order recommends by award to M.B. Markland in the amount of \$56,683.00.00 for the Project; and

WHEREAS; in order to certify the availability of funds to award the construction contract, it is necessary to amend the Shared Services Agreement specifying that the County will provide a total of \$56,683.00 in funds to cover the cost of the contract.

WHEREAS, this contract is classified as services provided between governmental agencies pursuant to N.J.S.A. 40A:11-5(2) and as such is exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED that the Board of Commissioners of the Atlantic County Improvement Authority hereby authorize the Executive Director to execute an amendment to the Shared Services Agreement with the County of Atlantic to provide Owner's Representative and Project Management Services for the aforementioned project to cover the construction costs of the Project at \$56,683.00 to cover the cost of the construction contract.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CAPE MAY COUNTY TECHNICAL SCHOOL DISTRICT FOR THE AUTHORITY TO PROVIDE OWNER'S REPRESENTATION AND CONSTRUCTION PROJECT MANAGEMENT SERVICES FOR THE TECHNICAL SCHOOL CTE EXPANSION PROJECT

WHEREAS, the Atlantic County Improvement Authority ("Authority") is a political subdivision of the State of New Jersey and an instrumentality of Atlantic County, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54 a purpose of the Authority is to plan, initiate and carry out construction projects within the County for public facilities to be utilized for governmental purposes and use; and

WHEREAS, the Cape May County Technical School District (CMCTSD) is advancing the construction of the second phase of construction of the Technical School CTE Expansion; and

WHEREAS, CMCTSD is aware of Authority's past project experiences at the Atlantic County Institute of Technology (ACIT); and

WHEREAS, based on those previous experiences, successful completion of projects and ACIT's satisfaction with the services provided, CMCTSD requested that the Authority submit a proposal to provide Owners Representative and Construction Project Management Services for the Technical School CTE Expansion project; and

WHEREAS, on January 18th 2024 the Authority submitted a proposal to provide the requested services outlining the scope of services to be provided and a fee proposal in an amount not to exceed \$525,000.00 based on the estimated construction period and post construction services; and

WHEREAS; the Board of Education of the Special Services School District and the Technical School District of the County of Cape May approved the proposal and authorized an agreement accordingly at it's January 23rd Board meeting; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., specifically authorizes governmental entities to enter into Shared Services Agreements.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is hereby authorized to execute a Shared Services Agreement with the Cape May County Technical School District for the Authority to provide to provide Owners Representative and Construction Project Management Services for the Technical School CTE Expansion Project for an amount not to exceed \$525,000.00 in accordance with the proposal.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8th. 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT
AUTHORITY AUTHORIZING THE EXECUTIVE DIRECTOR
EXECUTE A SHARED SERVICES AGREEMENT WITH THE
CITY OF BRIGANTINE FOR PROCUREMENT OF AN
IRRIGATION DESIGN CONSULTANT AT THE BRIGANTINE
LINKS GOLF COURSE AND TO AUTHORIZE AN AGREEMENT
WITH HYDRO DESIGNS**

WHEREAS, the Atlantic County Improvement Authority (hereafter the “Authority”), is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic, established pursuant to N.J.S.A. 40:37A-44 et seq.; and

WHEREAS, pursuant to N.J.S.A. 40:37A-54, the Authority is empowered to improve, further, and promote the tourist industries and recreational attractiveness of the County through the planning, acquisition, construction, improvement, management and operation of facilities for the recreation and entertainment of the public; and

WHEREAS, by Resolution adopted December 10th, 2020, the Board of Commissioners of the Authority authorized an agreement with City of Brigantine for the operation of the municipal golf course known as the Brigantine Golf Links for fee not to exceed \$60,000.00 for the one-year period commencing January 1st, 2021 and terminating December 31st, 2021, thereafter the agreement shall be renewable by the mutual consent of both parties for additional one year periods; and

WHEREAS, under the agreement, among other things, the Authority utilizes the equipment owned by Brigantine for the maintenance of the grounds; and

WHEREAS, on October 12th, 2023 the Board of Commissioners authorized the Executive Director to enter into a Shared Services Agreement with the City of Brigantine to issue a Request for Proposals (RFP) from Irrigation Design Consultants for design of a new irrigation system; and

WHEREAS, the Authority issued an RFP for Irrigation Design Consultants on November 28th 2023 and received two (2) responses from Hydo Designs, Inc, in the amount \$75,750.00 and Hort Solutions in the amount of \$59,900.00 on January 9th 2024; and

WHEREAS, Authority staff and representatives of the City of Brigantine interviewed both firms on January 24th and determined Hydro Designs, Inc. to be most qualified bidder; and

WHEREAS, Hydro Designs, Inc. provided a cost breakdown of services to include design phase through bidding at \$32,250.00 and construction and commissioning at \$40,500.00; and

WHEREAS, The City of Brigantine is desirous of just awarding the design through bidding at \$32,500.00 at this time; and

WHEREAS, it was anticipated the Share Services Agreement would be amended to include the cost of the Irrigation Design Consultant; and

WHEREAS, this contract is classified as services provided between governmental agencies pursuant to N.J.S.A. 40A:11-5(2) and as such is exempt from the public bidding requirements of the New Jersey Local Public Contracts Law.

NOW, THEREFORE BE IT RESOLVED, that the Executive Director is hereby authorized to amend the Shared Services Agreement with the City of Brigantine to include the cost of procuring an Irrigation Design Consultant for new contract amount of \$39,750 and to further authorize the Executive Director to enter into a contract with Hydro Design, Inc. for an amount not to exceed \$35,250, subject to approval from the City of Brigantine



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: February 8, 2024

ATLANTIC COUNTY IMPROVEMENT AUTHORITY

I, _____, Assistant Secretary of the Atlantic County Improvement Authority, State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Board at a meeting duly held on the 8th day of February 2024.
