



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 12-1812, Version: 1

Dept/ Agency: Administration/Office of the Business Administrator

Action: (x) Ratifying (X) Authorizing (x) Amending

Type of Service: Pass Through Agreement

Purpose: Amend Resolution 7R1-f 09-08-11 and authorize Third Amended Agreement with Trust for Public Lands to extend the expiration date of the Agreement from August 31, 2012 to August 31, 2013

Entity Name: The Trust for Public Land

Entity Address: 20 Community Place, Morristown, New Jersey 07960

Grant Amount: \$3,400,000.00

Funding Source: Capital Budget - 6S&Fa(S-2)102307 and 6PSF-n 090209

Contract Period: Extended from August 31, 2012 to August 31, 2013

Contract Basis: () Bid () State Vendor () Prof. Ser. () EUS

() Fair & Open () No Reportable Contributions () RFP () RFQ

() Private Sale () Grant (x) Agreement () n/a

List of Property: (if applicable)

(Address/Block/Lot/Ward)

Additional Information:

Previously adopted Resolution - 7R1-bh (AS) 080608, 7R1-a(S) 122209, and 7R1-F 090811

Invitation: Business Administrator, December 18, 2012

WHEREAS, pursuant to Resolution 7R1-bh(AS), adopted on August 6, 2008, the City of Newark (the "City") executed and entered into an Agreement with The Trust for Public Land ("TPL"), 20 Community Place, Morristown, New Jersey 07960, for funding in an amount not to exceed \$2,100,000.00 for equipment, materials, supplies, and services related to the rehabilitation, improvement, and renovation of Jesse Allen Park, for the period commencing on August 6, 2008 and terminating on December 31, 2009; and

WHEREAS, pursuant to said Agreement, TPL and the City agreed that the development of Jesse Allen Park was to be completed in 3 phases: Phase I (park entry, pedestrian corridors, basketball court, tennis courts, skate park, landscaping, lighting, and site furnishings), Phase II (park entry, pedestrian corridors, basketball courts, playground, lighting, sports lighting, landscaping, and site furnishings), and Phase III (multi-use synthetic turf athletic field); and

WHEREAS, TPL and the City have completed Phase I of Jesse Allen Park, which was opened to the public on September 1, 2009; and

WHEREAS, pursuant to Resolution 7R1-a(S), adopted on December 22, 2009, the City executed and entered into a First Amended Agreement with TPL for additional funding in the amount of \$1,300,000.00 for total funding in the amount of \$3,400,000.00 and extended the time for the redevelopment of Jesse Allen Park for a period commencing on August 6, 2008 and terminating on August 31, 2011; and

WHEREAS, pursuant to Resolution 7R1-f, adopted on September 8, 2011, the City executed and entered into a Second Amended Agreement with TPL to extend the term of the Agreement from August 6, 2008 to August 31, 2012; and

WHEREAS, additional time is needed in order to complete the Phase II and Phase III redevelopment of Jesse Allen Park due to construction delays arising from ongoing environmental site investigation and the associated review and approval of a remedial action plan by the New Jersey Department of Environmental Protection; and

WHEREAS, the City of Newark is committed to working with TPL to ensure the redevelopment of Jesse Allen Park is successful and completed pursuant to an approved remedial action plan; and

WHEREAS, the parties wish to amend the terms of Agreement between the City and TPL to extend the term of the agreement such that it terminates no later than August 31, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Mayor and/or his designee, the Business Administrator, are hereby authorized to enter into and execute a Third Amended Agreement with the Trust for Public Land, 20 Community Place, Morristown, New Jersey 07960, for the redevelopment of Jesse Allen Park, to amend the term of the agreement for a period commencing on August 6, 2008 and terminating no later than August 31, 2013.
2. This resolution is hereby ratified from August 31, 2012 to the date of adoption of the authorizing resolution.
3. All other terms and conditions of the Agreement, authorized by the Newark Municipal Council pursuant to Resolution 7R1-bh(AS), adopted on August 6, 2008, Resolution 7R1-a (S), adopted on December 22, 2009, and Resolution 7R1-f, adopted on September 8, 2011, as amended by the Second Amended Agreement shall remain the same.
4. A fully executed copy of the Third Amended Agreement herein authorized shall be filed in the Office of the City Clerk by the Business Administrator.

STATEMENT

This resolution authorizes the Mayor and/or his designee, the Business Administrator, to enter into and execute a Third Amended Agreement with the Trust for Public Land, 20 Community Place, Morristown, New Jersey 07960, for the redevelopment of Jesse Allen Park, extending the term of the agreement for a period commencing on August 6, 2008 and terminating no later than August 31, 2013