



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-0312, Version: 1

Dept/ Agency: Economic & Housing Development

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

Type of Service: Amending Resolution 7R3-B 121609 ,Pass Through Agreement

Purpose: Second Amended Pass Through Agreement with TPL to amend the term of the Pass Through Agreement to provide TPL additional time to complete Phase I of the project (#06-98).

Entity Name: Trust for Public Land ("TPL")

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

Grant Amount: \$1,525,000.00

Funding Source: New Jersey Urban Enterprise Zone Authority

Contract Period: Amended to September 1, 2009-February 28, 2013 to September 1, 2009-February 28, 2014

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

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

() Private Sale () Grant (X) Sub-recipient () n/a

List of Property: (N/A) Joseph G. Minish Passaic Riverfront Park

(Address/Block/Lot/Ward)

N/A

Additional Information:

Application for funding authorized by Resolution 7RL 011806

Funds accepted by Resolution 7RR 041906

Amend terms of agreement and authorize reallocation of funds Resolution 7R3-B(S) 051308

Amend scope of services and allocate funds of \$1,525,000.00 for construction of park facilities

Resolution 7R1-K(S) 090209

Pass Through Agreement with TPL authorized by Resolution 7R3-B 121609

First Amended Pass Through Agreement with TPL authorized by Resolution 7R3-a (S) 032211

No Additional City Funds Required

WHEREAS, pursuant to Resolution 7RR, adopted April 19, 2006, the City of Newark's Municipal Council ("City") authorized the Mayor and the Business Administrator to accept project funding in the amount of \$2,410,000.00 from the New Jersey Urban Enterprise Zone Authority ("UEZA") from its Urban Enterprise Zone Assistance Fund, pursuant to N.J.S.A. 52:27H-88, *et seq.*, and enter into and execute a Contract with the UEZA ("UEZA Contract") for the Joseph G. Minish Passaic Riverfront Park, Phase 1, also known as Newark Riverfront Park, Project #06-98 (the "Project"); and

WHEREAS, the Trust for Public Land ("TPL"), located at 20 Community Place, Morristown, New Jersey 07960, a national non-profit organization dedicated to conserving land for recreation and open space purposes, is working with the City to design a portion of Newark Riverfront Park, within the area just west of the Jackson Street Bridge to Oxford Street, on land owned by the City, The County of Essex, New Jersey, and the New Jersey Department of Transportation ("Project Area"),

through its Parks for People-Newark Program; and

WHEREAS, pursuant to Resolution 7R3-B, adopted December 16, 2009, the Municipal Council authorized the Mayor and/or the Business Administrator and the Director of the Newark Office of the Urban Enterprise Zone to enter into and execute a Pass Through Agreement with TPL for park construction at Joseph G. Minish Passaic Riverfront Park, as outlined in the UEZA Contract for the Project, for the period to commence on September 1, 2009, and terminating on February 28, 2011, for a total amount of \$1,525,000.00; and

WHEREAS, pursuant to Resolution 7R3-a (s) approved on March 22, 2011, the Mayor, the Business Administrator, and the Director of the Newark Office of the Urban Enterprise Zone were authorized to enter into and execute a First Amended Pass Through Agreement with TPL to amend the term of the Pass Through Agreement from September 1, 2009-February 28, 2013 to September 1, 2009-February 28, 2013, to provide additional time to complete the project ; and

WHEREAS, the City desires to enter into and execute a Second Amended Pass Through Agreement with TPL to amend the term of the Pass Through Agreement from September 1, 2009-February 28, 2013 to September 1, 2009-February 28, 2014, to provide TPL additional time to complete Phase I of the project.

**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, and/or the Director of the Newark Office of the Urban Enterprise Zone, are hereby authorized to enter into and execute a Second Amended Pass Through Agreement with TPL, 20 Community Place, Morristown, New Jersey 07960, to amend the term of the Pass Through Agreement from September 1, 2009-February 28, 2013 to September 1, 2009-February 28, 2014, to allow TPL to complete the Joseph G. Minish Passaic Riverfront Park, Phase 1, also known as Newark Riverfront Park, Project #06-98 (the "Project").
2. This resolution is ratified from March 1, 2013, until the date that this resolution is authorized by the Newark Municipal Council.
3. This resolution and a fully executed copy of the Second Amended Pass Through Agreement shall be filed with the Office of the City Clerk by the Director of the Newark Office of the Urban Enterprise Zone.
4. This project does not require the use of additional funds and all other terms and conditions contained in the Pass Through Agreement authorized pursuant to Resolution 7R3-B, adopted December 16, 2009, shall remain in full effect and in accordance with the law, except to the extent otherwise amended herein.

Statement

This Resolution ratifies and authorizes the Mayor and/or his designee, the Business Administrator, and/or the Director of the Newark Office of the Urban Enterprise Zone, to enter into and execute a Second Amended Pass Through Agreement with the Trust for Public Land,

20 Community Place, Morristown, New Jersey 07960, for the purpose of amending the term of the Pass Through Agreement from September 1, 2009-February 28, 2013 to September 1, 2009-February 28, 2014, to allow TPL to complete the Joseph G. Minish Passaic Riverfront Park, Phase 1, also known as Newark Riverfront Park, Project #06-98 (the "Project").