



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 14-0661, Version: 3

Dept/ Agency: Economic & Housing Development

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

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

Purpose: Third Amended Pass Through Agreement to extend the term of the Pass Through Agreement from September 1, 2009-February 28, 2014 to September 1, 2009-February 28, 2015, to provide Trust for Public Land with additional time to complete the project (#06-98).

Entity Name: Trust for Public Land

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

Grant Amount: \$1,525,000.00

Funding Source: New Jersey Urban Enterprise Zone Authority ("UEZA")

Total Project Cost: \$2,410,000.00

City Contribution: \$ N/A

Other Funding Source/Amount: N/A

Contract Period: Amended to September 1, 2009-February 28, 2015

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: (if applicable)

(Address/Block/Lot/Ward)

Newark Riverfront Park

Additional Information:

Application for funding authorized by Resolution 7RL 011806

Funds accepted by Resolution 7RR 041906 (2/8/06-2/28/07)

Amend terms of agreement and authorize reallocation of funds Resolution 7R3-B(S) 051308 (3/1/07-2/28/10)

Amend scope of services and allocate funds of \$1,525,000.00 for construction of park facilities Resolution 7R1-K(S) 090209 (3/1/10-2/28/11)

Pass through Agreement with TPL authorized by Resolution 7R3-B 121609 (9/1/09-2/29/11)

First Amended Pass through Agreement with TPL authorized by Resolution 7R3-a(S) 032211 (3/1/11-2/28/13)

Second Amended Pass through Agreement with TPL authorized by Resolution 7R3-g (as) 052213 (3/1/13-2/28/14)

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 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, NJ 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 Newark 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) adopted on March 22, 2011, the Mayor, the Business Administrator, and the Director of the Newark Office of the Urban Enterprise Zone were authorized to amend the contract by extending the contract expiration to February 28, 2013, and were authorized to enter into a First Amended Pass Through Agreement TPL; and

WHEREAS, pursuant to Resolution 7R3-g (as) adopted on May, 22, 2013, the Mayor, the Business Administrator, and the Director of the Newark Office of the Urban Enterprise Zone were authorized to amend the contract by extending the contract expiration to February 28, 2014, and were authorized to enter into a Second Amended Pass Through Agreement TPL; and

WHEREAS, the City desires to enter into and execute a Third Amended Pass Through Agreement with TPL to extend the term of the Pass Through Agreement from September 1, 2009-February 28, 2014 to September 1, 2009-February 28, 2015, to provide additional time to complete 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 Department of Economic and Housing Development, are hereby authorized to enter into and execute a Third Amended Pass Through Agreement with Trust for Public Land (“TPL”), 20 Community Place, Morristown, NJ 07960, to extend the term of the Pass Through Agreement from September 1, 2009-February 28, 2014 to September 1, 2009-February 28, 2015, to allow TPL to complete the Joseph G. Minish Passaic Riverfront Park, Phase 1, also known as Newark Riverfront Park, Project #06-98.
2. This resolution is ratified from February 28, 2014, until the date that this resolution is authorized by the Newark Municipal Council.
3. This resolution and a fully executed copy of the Third Amended Pass Through Agreement shall be filed with the Office of the City Clerk by the Director of the Department of Economic and Housing Development.

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.

Statement

This Resolution authorizes the Mayor and/or his designee, the Business Administrator, and/or the Director of the Department of Economic and Housing Development, to enter into and execute a Third Amended Pass Through Agreement with the Trust for Public Land("TPL"), 20 Community Place, Morristown, NJ 07960, for the purpose of amending the term of the Pass Through Agreement from September 1, 2009-February 28, 2014 to September 1, 2009-February 28, 2015, to allow TPL to complete the Joseph G. Minish Passaic Riverfront Park, Phase 1, also known as Newark Riverfront Park, Project #06-98