

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY APPOINTING RANDOLPH C. LAFFERTY, ESQUIRE, TO THE POSITION OF GENERAL COUNSEL OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY, ALL FOR THE PURPOSES SET FORTH HEREIN**

**WHEREAS**, the Atlantic County Improvement Authority (hereinafter referred to as the "Authority") is a political subdivision of the State of New Jersey and an instrumentality of the County of Atlantic (hereinafter referred to as "County"), 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 undertake the necessary measures necessary to implement and fulfill the purposes set forth therein and to promote the overall economic development and redevelopment of the area which it serves; and

**WHEREAS**, in order to enable the Authority to attain and maintain the fulfillment of the purposes set forth above and pursuant to the authority granted the Authority, pursuant to N.J.S.A. 40:37A-49, has created the position of General Counsel; and

**WHEREAS**, Randolph C. Lafferty, Esquire, has served the Authority as General Counsel to the Authority for more than a decade during his affiliations with the private law firms of Youngblood, Lafferty & Sampoli, PA and Cooper Levenson, PA; and

**WHEREAS**, Randolph C. Lafferty, Esquire, has indicated to the Authority that it is his current intention to retire from the private practice of law and is ending his affiliation with the Cooper Levenson, PA law firm; and

**WHEREAS**, the Board of the Authority believes that Randolph C. Lafferty, Esquire, possesses the knowledge, skills, education, training and expertise to perform the duties of General Counsel so that it is in the best interests of the Authority that Randolph C. Lafferty, Esquire, be appointed to the position of General Counsel once he retires from the private practice of law on May 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of the Atlantic County Improvement Authority that effective June 1, 2024 Randolph C. Lafferty, Esquire, shall be and is hereby appointed to the position of General Counsel of the Atlantic County Improvement Authority at a salary of SEVENTY-FIVE THOUSAND (\$75,000.00) DOLLARS per annum, or as otherwise provided for within the budget of the Authority, together with any other benefits applicable to said position; and

**BE IT FURTHER RESOLVED** that this appointment shall become effective as of the first day of June 2024 and continue thereafter at the discretion of the Board of the Authority.

  
\_\_\_\_\_  
Roy M. Foster, Chairperson

  
\_\_\_\_\_  
Edwin G. Blake, Secretary

**ADOPTED: May 9, 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 9th day of May 2024.

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AMENNDMENTS TO THE SHARED SERVICES/PROJECT MANAGEMENT AGREEMENT WITH THE COUNTY OF CAPE MAY AND THE PROFESSIONAL SERCVIVES AGREEMENT WITH STOKES ARCHITECTURE AND DESIGN REGARDING BUILDING 2 OF THE HANGARS AT TECH VILLAGE AT THE CAPE MAY COUNTY AIRPORT**

**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**, 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**, 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 Uniform Shared Services Consolidation Act, N.J.S.A. 40 A:65-1 *et. seq.* authorizes such legal entities to enter into a shared services agreement with each other to contract a service which the parties to an agreement are empowered to render within a certain jurisdiction; and

**WHEREAS**, under those provisions the Authority completed the construction of the 27,000(+) square foot Building 1 at the Hangars at Tech Village in late 2020 which is fully sub-leased to private technology-oriented tenants in accordance with the County’s Economic Development Strategy and Initiatives; and

**WHEREAS**, based on the experience with Building 1, the County of Cape May has approached the Authority to act as Project Manager for the purposes of planning and constructing building 2 on the Property; and

**WHEREAS**, under that shared services agreement the Authority engaged Stokes Architecture & Design to develop plans and specifications, and construction ready documents for the building; and

**WHEREAS**, on July 14, 2022, the Board of Commissioners approved an Additional Services Request (ASR) #1 to Stokes Architecture in the amount of \$22,690.00 for design of a shade structure for new contract amount of \$181,730.00; and

**WHEREAS**, after design of building 2 was completed Stokes Architecture’s Mechanical, Electrical and Plumbing (MEP) engineer determined their scope of services did not include adequate construction administration services; and

**WHEREAS**, Stokes Architecture submitted a proposal for additional MEP construction administration services for a not-to exceed amount of \$8,800.00.

**NOW, THEREFORE BE IT RESOLVED**, that the Executive Director shall be and is hereby authorized, to execute an amendment to the Shared Services/Project Management Agreement with Cape May County in the amount not to exceed \$8,800.00; and

**BE IT FURTHER RESOLVED**, that upon the agreement of Cape May County and the amendment to the Shared services Agreement, the Executive Director shall be and is hereby authorized, to execute an amendment to the Professional Services Agreement with Stokes Architecture & Design for an amount not to exceed \$8,800.00 in accordance with said proposal.

  
\_\_\_\_\_  
Roy M. Foster, Chairperson

  
\_\_\_\_\_  
Edwin G. Blake, Secretary

**ADOPTED: May 9, 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 9<sup>th</sup> day of May 2024.

\_\_\_\_\_  
Timothy D. Edmunds, P.E., Executive Director

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT  
AUTHORITY AUTHORIZING THE USE OF THE CONTINGENCY  
FUND ESTABLISHED BY CAPE MAY COUNTY TO  
ACCOMMODATE FUTURE CONTRACT MODIFICATIONS**

**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 entered into a Shared Services and related Agreements with the County of Cape May so as to undertake the development of a building within the Cape May County Tech Village (the “**Tech Hangers Building 2 Project**”) located at the Cape May County Airport; and

**WHEREAS**, the Authority lawfully advertised for bids regarding said Tech Village Hangers Building 2 Project and provided all interested parties with a copy of the plans and specifications and all amendments and/or addendums thereto; and

**WHEREAS**, as a result of that public bidding process, on May 11, 2023 the Board of Commissioners of the Atlantic County Improvement Authority adopted a resolution authorizing an agreement with Arthur J. Ogren Inc., for the construction of the building in the Cape May County Tech Village Project in the amount of \$6,345,700.00, and

**WHEREAS**, the Cape May County Freeholders authorized a contingency fund in an amount not-to-exceed \$634,750.00 to be made available for approved change orders to the construction agreement; and

**WHEREAS**, Cape May County has determined in order to not delay the construction progress of the project that modifications and change orders utilizing the contingency fund will not require additional Freeholder Action if approved by the County’s Director of Public Works and Engineering, USEDA and the Improvement Authority; and

**WHEREAS**, Authority staff recommends that the Board of Commissioners also allow that modifications and change orders utilizing the contingency fund if approved by the County’s Director of Public Works and Engineering, USEDA and the Improvement Authority’s Director of Projects not require further action of the Authority’s Board of Commissioners provided that there is a sufficient balance in the contingency fund to cover such modifications.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Atlantic County Improvement Authority that modifications and change orders to the contract with Arthur J. Ogren Inc., for the construction of the building in the Cape May County Tech Hanger Building 2 Project utilizing the contingency fund if approved by the County’s Director of Public Works and Engineering, USEDA and the Improvement Authority’s Director of Projects not require

further action of the Board of Commissioners provided that there is a sufficient balance in the contingency fund to cover such modifications.

  
\_\_\_\_\_  
**Roy M. Foster, Chairperson**

  
\_\_\_\_\_  
**Edwin G. Blake, Secretary**

**ADOPTED: May 9, 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 9<sup>th</sup> day of May 2024.

\_\_\_\_\_  
Timothy D. Edmunds, P.E., Executive Director

**RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A SHARED SERVICES PROJECT MANAGEMENT AGREEMENT WITH THE COUNTY OF ATLANTIC IN THE AMOUNT OF \$68,680.00 REGARDING HVAC UPGRADES AT THE COUNTY'S MAYS LANDING LIBRARY**

**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**, the County of Atlantic has requested a proposal from the Authority to provide Owner's Representative and Project Management services for the Atlantic County's Mays Landing Library HVAC upgrades project (**the "Project"**); and

**WHEREAS**, the services and scope proposed by the Authority are based on discussions regarding the Project and our anticipation that the time spent will consist of on-site presence, off site availability and reporting and administrative functions, and will be split primarily between our Director of Projects and Engineering, a Project Manager, and to a lesser extent some additional time will be required of our administrative staff; and

**WHEREAS**, the Authority submitted a proposal to oversee the professionals and contractor in accordance with the County's schedule, budget, and project priorities; and

**WHEREAS**, the Authority will further serve as the liaison, advise the County and act on their behalf to ensure the successful completion of the Project and that the County's interests are represented in every decision in each phase of development; and

**WHEREAS**, since the County has engaged professionals for the completion of the design development stage and it is contemplated that the Authority will bid and hold the construction contracts, the Authority proposed to provide full Project Management Services beginning with the Bid Phase through Construction Closeout; and

**WHEREAS**, the Authority proposed to provide such services for the project in an amount not to exceed \$68,680.00; and

**WHEREAS**, the Board of Commissioners of Atlantic County took formal action on the proposal on March 26, 2024 through Resolution 132; 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 upon approval by Atlantic County Board of Commissioners of the agreement, the Board of Commissioners of the Atlantic County Improvement Authority hereby authorizes the Executive Director to execute a Shared Services Agreement with the County of Atlantic to provide Owner's Representative and Project Management Services for HVAC upgrades at the Atlantic County's Mays Landing Library in the amount of \$68,680.00.



\_\_\_\_\_  
Roy M. Foster, Chairperson



\_\_\_\_\_  
Edwin G. Blake, Secretary

**ADOPTED: May 9, 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 9<sup>th</sup> day of May 2024.

\_\_\_\_\_  
Timothy D. Edmunds, P.E., Executive Director