

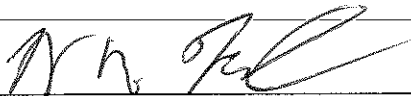
**RESOLUTION OF THE ATLANTIC
COUNTY IMPROVEMENT AUTHORITY
APPROVING THE REVISED EXPENDITURES CONTAINED IN THE
FINANCIAL REPORT FOR December 2014**

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

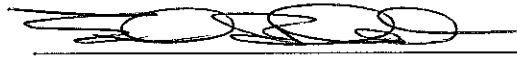
WHEREAS, the Authority is subject to rules and regulations promulgated by the State of New Jersey, Department of Community Affairs, Division of Local Government Services, including N.J.A.C. 5:31-4.1(c) regarding the approval and payment of claims which requires the "governing body (of the Authority) 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 2014, 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 2014, are approved pursuant to N.J.A.C. 5:31-4.1(c).



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: March 18, 2015

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 18th day of March, 2015

**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, 2015 TO FEBRUARY 28, 2016**

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 based on its current level of activities; and

WHEREAS, on February 27, 2014, 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, Cooper Levenson Attorneys At Law submitted a proposal designating Randolph C. Lafferty, Esq. as Lead Counsel to the Authority and proposed to provide such service at an hourly rate of \$175 for Partners, \$175 for Associates and \$75 for non-technical personnel and certain reimbursables; and

WHEREAS; based on the current level of activities being undertaken by the Authority staff evaluated the related experience, capabilities, fee proposal and level of service proposed by each and past authority experience with Cooper Levenson and Lead Counsel Randolph C. Lafferty, Esquire; and

WHEREAS; based on the recommendation of staff, the review of the proposals, and an evaluation of knowledge and experience, the Authority has determined that Randolph C. Lafferty, Esquire and Cooper Levenson Attorneys At Law offer the most advantageous mix of cost and experience consistent with the objectives of the Authority; 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, 2015 to February 28, 2016 with the understanding that Randolph C. Lafferty will serve as Lead Counsel for an amount not to exceed \$35,000.00; 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, 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, 2015 to February 28, 2016, for a gross contract not to exceed \$35,000.00 with the provision that Randolph C. Lafferty will serve in the capacity of Lead Counsel.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: March 18, 2015

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 18th day of March, 2015.

Share_AllResolutions\2015\3.18\Legal Services Cooper Levenson

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AMENDMENT # 2
TO THE CONTRACT WITH THE PLEASANTVILLE HOUSING AND
REDEVELOPMENT CORPORATION FOR THE MIDTOWN PRESERVATION AREA
NEIGHBORHOOD STABILIZATION PROJECT III IN PLEASANTVILLE**

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, hereafter, the “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 provide financial and/or technical assistance for the construction of low and moderate income housing in the County; and

WHEREAS, on September 14, 2011 the Authority entered into an agreement with the Pleasantville Housing and Redevelopment Corporation (hereafter “PHRC”) to provide HOME CHDO funds in an amount not to exceed \$120,000 in financial assistance to the Midtown Area Preservation Neighborhood Stabilization Project III consisting of the acquisition and renovation of undesignated single family homes for use as affordable rental and homebuyer units; and

WHEREAS, by resolution adopted September 17, 2014, the agreement was amended to identify specific properties and increase the total amount of funds available for the project by \$94,786.56 from \$120,000.00 to \$214,786.56; and


WHEREAS, the agreement expired December 31, 2014; and staff, along with its CDBG Consultant has reviewed the request and determined that it is reasonable recommends that the Board of Commissioners approve the request for additional funding; and

WHEREAS, an invoice in the amount of \$80,166.64 for eligible costs was submitted on February 5, 2015 and staff request the extension of the agreement to accommodate payment of that invoice.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to execute an amendment to the agreement extending the expiration date to July 31, 2015.



Roy M. Foster, Chair



Edwin G. Blake, Secretary

ADOPTED: March 18, 2015

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 18th day of March, 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE AND
EXECUTE SUCH DOCUMENTS AS MAY BE NECESSARY SO AS TO SECURE
FUNDING BY WAY OF GRANT AND/OR LOAN FROM THE CRDA, IN AN
AMOUNT NOT TO EXCEED \$12,808,350.00 SO AS TO PROVIDE PARTIAL
FUNDING FOR THE CAPITAL IMPROVEMENTS PROVIDED FOR WITHIN
APPLICATION HERETOFORE MADE TO THE CRDA FOR IMPROVEMENTS
TO THE ATLANTIC CITY BOARDWALK AS PROVIDED FOR WITHIN THE
JULY 2, 2014 LEASE WITH THE CITY OF ATLANTIC CITY AND ALL
SUBSEQUENT RELATED AGREEMENTS**

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, 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, the City of Atlantic City, by Resolution 304 dated March 26, 2014, adopted a Capital Improvement Project for the improvement of the Boardwalk so as to advance the public health, welfare and safety; and

WHEREAS, the City of Atlantic City and the Authority, on July 2, 2014, entered into a Lease and Project Management Agreement for the leasing and development of certain designated locations on the Atlantic City Boardwalk and for the Authority to participate in this Capital Improvement Project by serving as the representative of the City in the capacity as Project Manager; and

WHEREAS, the City of Atlantic City has expressed a desire to expand the scope of the project and construction agreement so as to include additional elements to the project, as set forth within a proposed First Addendum to Lease and Project Management Agreement, so as to better provide for the public health, safety and welfare and to enhance and complement the improvements contemplated, erected and/or installed pursuant to the original Lease and Project Management Agreement; and

WHEREAS, in order to fund the acquisition, installation and performance by the Authority related to these additional elements it would be necessary to procure funding for same, and all associated costs, from a third party or agency by grant, gift or by some other funding

mechanism whereby there is no obligation on the part of the Authority for repayment of said monies; and

WHEREAS, pursuant to prior Resolution, the Authority, as Project Manager on behalf of the City of Atlantic City, has made a funding request of as the Casino Reinvestment Development Authority ("CRDA") for this Capital Improvement Project; and

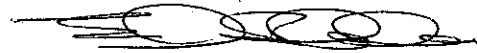
WHEREAS, said funding request is nearing the final stages of review by the CRDA and it is anticipated that funding will be forthcoming; and

WHEREAS, in order to secure said funds from the CRDA it will be necessary for the Executive Director to execute various documents which may include grant acceptance agreement, loan documents and similar such documents;

NOW, THEREFORE, BE IT RESOLVED that the Executive Director shall be and is hereby authorized to execute such documents in an aggregate amount not to exceed \$12,808,350.0 regarding the Capital Improvement Project of the City of Atlantic City, as administered by the Authority as Project Manager, as required by the CRDA so as to secure the funds that have previously been applied for and awarded provided, however, that in no event shall any such agreement(s) and/or document(s) impose upon the Authority any individual or independent liability or obligation for repayment of said funds by the Authority.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: March 18th, 2015

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 held on the ____ day of March, 2015.

**RESOLUTION OF THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT
WITH R. MAXWELL CONSTRUCTION, INC. FOR CERTAIN ADA IMPROVEMENTS
TO THE SHOREVIEW AND STILLWATER BUILDINGS**

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, on June 5TH, 2013 the Board of Commissioners of the Authority authorized a Shared Services Agreement with the County of Atlantic for the Authority to provide Project Management Services for ADA Improvements to certain County-owned/operated buildings including the Shoreview Building, the Stillwater Building and the Somers Point Library ; and

WHEREAS, on October 24th, 2014, the Authority issued a Request for Proposals for contractors to submit proposals to complete the specified work for each of the three buildings, and

WHEREAS, on January 15th, 2015 the Board of Commissioners adopted a resolution authorizing an agreement with MJJ Construction for a portion of the project ADA Renovations to the Somers Point Library in accordance with their proposal for an amount not to exceed \$62,040.00; and

WHEREAS, after evaluating pricing from the two remaining responsive proposers, MJJ and Levy, for the Shoreview and Stillwater Entrance projects, the County requested that the Shoreview and Stillwater buildings be re-bid; and

WHEREAS, on February 2nd, 2015, the Authority issued a Request for Proposals for contractors to submit proposals to complete the specified work for each of the two buildings, and

WHEREAS, on February 27, 2015 three (3) contractors, MJJ Construction, MB Markland Contracting Co. and R. Maxwell Construction Company, Inc. submitted responses to the RFP; and

WHEREAS, based on the responses the County is desirous of proceeding with both projects with no deducts; and

WHEREAS, the proposal received by R. Maxwell Construction was deemed "responsive" and the proposed fees at \$86,418.20 for Shoreview and \$49,296.50 for Stillwater are lower than any of the other proposals for each of the buildings;

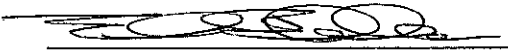
WHEREAS, the County has allocated sufficient funds from its allocation of Community Development Block Grant funds to cover the costs of the contract; and

WHEREAS, staff and the County recommend awarding one contract to by R. Maxwell Construction for the Shoreview and Stillwater projects in accordance with the proposal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Atlantic County Improvement Authority that the Executive Director is authorized to enter into an agreement with R. Maxwell Construction, Inc, in the amount of \$135,714.70 for ADA Renovations consisting of \$86,418.20 for Shoreview and \$49,296.50 for Stillwater in accordance with their proposal.



Roy M. Foster, Chairperson



Edwin G. Blake, Secretary

ADOPTED: March 18, 2015

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 18th day of March, 2015.
