



UNIVERSITY HOSPITAL

Newark, New Jersey

RESOLUTION OF UNIVERSITY HOSPITAL AUTHORIZING CERTAIN PROCUREMENT IN FURTHERANCE OF P.L. 2012, c. 45

WHEREAS, University Hospital (the "Hospital") was duly established and validly exists as an independent public healthcare institution and an instrumentality of the State of New Jersey (the "State"), pursuant to the New Jersey Medical and Health Sciences Education Restructuring Act, L 2012, c. 45 (the "Restructuring Act"); and

WHEREAS, pursuant to the Restructuring Act, the Hospital's board of directors (the "Board") has the power and duty to exercise general oversight over the affairs of the Hospital to ensure fulfillment of its mission and to: (1) direct and control expenditures of Hospital funds; (2) borrow money; (3) enter into contracts with the State or federal government, or any individual, firm or corporation; (4) solicit and accept grant moneys; (5) acquire, own, lease, dispose or, use, and operate property; (6) sue and be sued; (7) enter into a contract or other agreement with a nonprofit corporation operating one or more hospitals in New Jersey to operate and manage or assist in the operation and management of the Hospital; and (8) hire, fire, and fix salaries for all employees of the Hospital; and

WHEREAS, in accordance with the Hospital's amended bylaws adopted June 26, 2018 (the "Bylaws"), the Hospital approved a new *Procurement and Purchasing and Delegation of Authority to Contract Policy* pursuant to Resolution 2019-0917-83 adopted September 26, 2019 (hereinafter the "Procurement Policy"); and

WHEREAS, on January 1, 2019, the Hospital awarded a publicly bid contract, UH-P19-005, General Contracting Services for Pharmacy IV Room Renovations - USP 800 Standard, to Phoenix Medical Construction, Inc, as the lowest responsible bidder, in the amount of \$2,494,400, to effectuate renovations required to meet the new USP 800 Standard for compounding of hazardous drugs; and

WHEREAS, the New Jersey Board of Pharmacy requires USP 800 compliance in order to maintain the Hospital's pharmacy license; and

WHEREAS, on August 2, 2019, the contract was amended to increase the contract value by \$120,001 to provide for additional work, primarily out of scope electrical, plumbing and ductwork changes, subsequently, on September 19, 2019, the contract was amended to increase the contract value by \$244,319 to provide for additional work to upgrade the chilled water system, and most recently, on February 6, 2020, the contract was amended to increase the contract value by \$103,730 to provide for additional work to upgrade the HVAC and exhaust system; and

WHEREAS, in accordance with the Procurement Policy and subject to annual appropriation, the Hospital intends to approve and affirm an amendment to the Pharmacy IV Room Renovations construction contract with Phoenix Medical Construction, Inc increasing the project budget by \$320,000 for an aggregate contract value not to exceed \$3,283,000; and


WHEREAS, the Hospital's Finance, Investment and Administration Committee has reviewed the proposed action and recommends approval;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of University Hospital

1. The above recitals are incorporated herein by this reference.
2. The procurement is hereby approved in accordance with the Procurement Policy, subject to annual appropriations.
3. The President and Chief Executive Officer is hereby authorized to take the steps necessary and desirable to effectuate the purposes of this Resolution.
4. This Resolution shall take effect immediately upon the adoption hereof.

I hereby certify that this Resolution 2020-0527-101 is a true copy of actions duly adopted by University Hospital as of the date hereof.

RESOLUTION ADOPTED: May 27, 2020


Mary K. E. Maples, Esq., Corporate Secretary