

**COUNCIL OF THE BOROUGH OF PROSPECT PARK**  
**PASSAIC COUNTY, NEW JERSEY**

**RESOLUTION NO. 2021-104**

**TITLE: RESOLUTION AUTHORIZING THE SOLICITATION OF PROPOSALS FOR THE OPERATION AND MANAGEMENT OF THE HOFSTRA PARK CONCESSION STAND AS A CONCESSION THROUGH THE USE OF COMPETITIVE CONTRACTING PURSUANT TO N.J.S.A 40A:11-4.1(j)**

**WHEREAS**, the Mayor and Council of the Borough of Prospect Park have determined that its residents and visitors would benefit from the operation and management of the Concession Stand located in Hofstra Park owned by the Borough of Prospect Park (Hofstra Park Concession Stand); and

**WHEREAS**, the Borough is seeking to solicit proposals from interested vendors to provide for the operation and management of the Hofstra Park Concession Stand (“Services”); and

**WHEREAS**, the Borough has determined to procure the Services as a concession; and

**WHEREAS**, due to the lack of historical demand and data, the total annual value of the contract for the Services is unknown; and

**WHEREAS**, the Borough intends to prepare and issue a Request for Proposals and to utilize competitive contracting proposals and potentially award a concession contract to a Vendor who can successfully provide and operation and management services of the Hofstra Park Concession Stand for the Borough of Prospect Park; and

**WHEREAS**, the total amount of any revenue or services to be received by the Borough is unknown; and

**WHEREAS**, it is estimated that any costs to be incurred by the Borough as part of the concession will be nominal; and

**WHEREAS**, in accordance with *N.J.S.A. 40A:11-4.1, et. seq.*, the Borough is permitted to use the competitive contracting process in developing a Request for Proposals (“RFP”) for the Services containing the elements required by *N.J.A.C. 5:34-4.2*, and advertising the RFP for a minimum of twenty (20) days; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:11-1, et. seq.*, the contract shall be awarded based upon a determination of the most advantageous price and other factors to be set forth in the RFP.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Prospect Park that it hereby authorizes the procurement of the Operation and Management of the Hofstra Park Concession Stand Services Contract as a concession pursuant to *N.J.S.A. 40A:11-1, et seq.*, and *N.J.A.C. 5:34-9.4*; and

**BE IT FURTHER RESOLVED** that the Borough hereby authorizes the use of competitive contracting pursuant to *N.J.S.A. 40A:11-4.1(j)*, to solicit proposals for the provision operation and management of the Hofstra Park Concession Stand; and

**BE IT FURTHER RESOLVED**, that the Council of the Borough of Prospect Park hereby authorizes the Borough Administrator, and all other Borough Officials and employees, to prepare all documents and take all action pursuant to law necessary to engage in the competitive contracting process, including but not limited to the issuance of a Request for Proposals to identify and recommend an award of contract for the provision of operation and management of the Hofstra Park Concession Stand Services for the Borough of Prospect Park; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be filed with the Clerk of the Borough of Prospect Park.

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I hereby certify that this resolution, consisting of 2 page(s) was adopted at a meeting of the Borough Council of the Borough of Prospect Park, held this 24th day of June 2021.

	Moved	Second	Ayes	Nays	Abstain	Absent
Ortiz						
Artis	✓		✓			✓
Hussain		✓	✓			
Matari			✓			
Perez			✓			
Shah			✓			

  
 Mohamed T. Khairullah  
 Mayor

  
 Erin Dehney, MPA, RMC  
 Municipal Clerk