

**BOROUGH OF WOODLAND PARK  
PASSAIC COUNTY, NEW JERSEY  
RESOLUTION R14-70**

**REJECTION OF ALL BIDS - LEASE OF BOROUGH PROPERTY  
BILL BOARD**

**WHEREAS**, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desired to lease real property (Block 58, Lot 14.01) owned by the Borough of Woodland Park located at the north-east corner of the intersection of McBride Avenue and Brophy Lane for the placement of a billboard; and

**WHEREAS**, in compliance with N.J.S.A. 40A:12-14, the Borough released a bid (13-09) on January 8, 2014 to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

**WHEREAS**, on January 23, 2014, the Borough did receive three (3) responses to this bid solicitation with the results being:

<b>BIDDER</b>	<b>GUARANTEED RENT</b>	<b>AVERAGE ANNUAL GUARANTEED RENT</b>	<b>% OF ADV. REVENUE</b>
Allvision	\$1,950,000.00	\$97,500.00	20%
CBS	\$1,543,325.00	\$77,166.25	30%
Empire Outdoor, LLC	\$1,295,175.00	\$64,758.75	Yr 1-3, 20%; Yr 4-20, 25%

; and

**WHEREAS**, on page 7 of Allvision's bid submission, Allvision provides four (4) examples that illustrate how Allvision's experience and process have benefited their clients; and

**WHEREAS**, a review of these four (4) examples shows that Allvision has developed a total of forty (40) assets with a projected annual revenue of some \$8,700,000.00; and

**WHEREAS**, the average projected annual revenue for the listed forty (40) projects is \$217,500.00, which is significantly greater than what any of the three bidders are offering for the lease of this property and not in the best interest of the taxpayers or public good; and

**WHEREAS**, it has been established by the New Jersey State Superior Court Appellate Division (Miller vs. Passaic Valley Water Authority Commission) that the bidding statutes are for the benefit of the taxpayers and are construed as nearly as possible with sole reference to the public good;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, after careful review of the proposed rents offered by all three (3) bidders, hereby determines that an award of contract does not benefit the taxpayers or public good and hereby rejects the bids submitted by the three (3) respondents; and

**BE IT FURTHER RESOLVED**, that the Borough Administrator is hereby directed to re-advertise this bid with material modification (NJSA 40A:11-13.2 d.) of the specifications for the leasing of the property in order to achieve better economic value for the taxpayers of the Borough of Woodland Park from this proposed lease.

Record of Mayor and Council Vote on Passage

	AYE	NAY	Abstain	Absent		AYE	NAY	Abstain	Absent
Spinelli					Kallert				
DeCesare					Pascrell				
Gatti					Mayor Kazmark				
Holloway									

This resolution was approved by the Mayor and Council of the Borough of Woodland Park at a regular scheduled meeting held on the 19<sup>th</sup> day of February, 2014. Signed and sealed before me.

\_\_\_\_\_  
 Kevin Galland, Municipal Clerk

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 February 19, 2014  
 Dated