

**BOROUGH OF WOODLAND PARK
PASSAIC COUNTY, NEW JERSEY
RESOLUTION R14-323**

**AUTHORIZATION TO NEGOTIATE
BILLBOARD**

WHEREAS, the Mayor and Council of the Borough of Woodland Park, County of Passaic, State of New Jersey, desire 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 further determination that the proposed rents offered by all three (3) bidders, did not benefit the taxpayers or public good and said bids were rejected (R14-70) by the governing body; and

WHEREAS, on July 28, 2014, the Borough released another bid (14-04), with revised specifications, to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

WHEREAS, on August 21, 2014, the Borough did receive one (1) response to this bid solicitation with further determination that the bidder failed to meet the annual minimum bid amounts as specified in the bid document and for that reason the bid submitted cannot be deemed a responsive/responsible bid and was rejected (R14-239) by the governing body; and

WHEREAS, on November 25, 2014, the Borough released a third bid (14-04-01), with the same specifications as contained in bid 14-01, to secure a bidder who would offer the Borough the highest guaranteed rent for a twenty year period; and

WHEREAS, on December 19, 2014, the scheduled bid opening date, no bids were received in response to bid solicitation 14-04-01; and

WHEREAS, the NJ State Local Public Contracts Law (NJSA 40A: 11-5 (3)) provides the opportunity to negotiate a contract for the bidded service subject to the following:

“(3) Bids have been advertised pursuant to section 4 of P.L.1971, c198 (C40A:11-4) on two occasions and (a) no bids have been received on both occasions in response to the advertisement, or (b) the governing body has rejected such bids on two occasions because it has determined that they are not reasonable as to price, on the basis of cost estimates prepared for or by the contracting agent prior to advertising therefor, or have not been independently arrived at in open competition, or (c) on one occasion no bids were received pursuant to (a) and on one occasion all bids were rejected pursuant to (b), in whatever sequence; any such contract may then be negotiated and may be awarded upon adoption by a two-thirds affirmative vote of the authorized membership of the governing body authorizing such contract;”

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NOW THEREFORE BE IT RESOLVED, that the Mayor and Council, of the Borough of Woodland Park, County of Passaic, State of New Jersey, hereby authorize the Borough Administrator to enter into negotiations in order to secure a contract for the lease of 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, in compliance with NJSA 40A: 11-5 (3).

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 special meeting held on the 29th day of December, 2014. Signed and sealed before me.

Kevin Galland, Municipal Clerk

December 29, 2014

Dated