

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 18-96**

**A RESOLUTION REJECTING ALL BIDS RECEIVED FOR CONCESSION RIGHTS AT
RIVERSIDE GARDENS PARK AND FORFEITING JUBILEE ICE CREAM, LLC'S BID DEPOSIT
AND AUTHORIZING RE-ADVERTISEMENT AND RE-BIDDING OF
CONCESSION RIGHTS AT RIVERSIDE GARDENS PARK**

Councilwoman Horgan offered the following resolution and moved its approval:

WHEREAS, the Borough of Red Bank (the "Borough") duly advertised for the receipt of bids for a two-year lease, with an optional three-year extension, for Concession Rights at Riverside Gardens Park, which advertisement required bidders to submit a bid deposit; and

WHEREAS, two (2) bids were received on January 31, 2018 in response to the aforementioned invitation to bidders; and

WHEREAS, the bids were reviewed by the Borough Administrator, and it was determined that Jubilee Ice Cream, LLC submitted the highest responsible bid in accordance with the bid specifications, said bid being \$16,800.00 for 2018 and \$18,000.00 for 2019; and

WHEREAS, on March 14, 2018, the Borough introduced an Ordinance awarding the two-year contract, with an optional three-year extension, for Concession Rights at Riverside Gardens Park to Jubilee Ice Cream, LLC as the successful bidder; and

WHEREAS, prior to the adoption of said Ordinance, Jubilee Ice Cream, LLC informed the Borough that it no longer intended to honor its submitted bid or accept the awarded contract; and

WHEREAS, the second-lowest bidder, G&D Organic Ice Cream, LLC, submitted a bid for \$1.00 in rent for 2018 and \$1.00 in rent for 2019; and

WHEREAS, given the absence of an acceptable and responsible bid, it is the desire of the Borough's Governing Body to reject all bids received and re-advertise and re-bid the Concession Rights at Riverside Gardens Park;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor & Council of the Borough of Red Bank, County of Monmouth, State of New Jersey as follows:

1. All bids received on January 31, 2018 for Concession Rights at Riverside Gardens Park are hereby rejected.
2. The Borough Administrator is hereby authorized to re-advertise and re-bid the Concession Rights at Riverside Gardens Park.
3. Jubilee Ice Cream, LLC shall forfeit its bid deposit pursuant to the N.J. Local Public Contracts Law for failing to enter into the contract awarded by the Borough.
4. That a certified copy of this Resolution be forwarded to the Borough Administrator, Borough CFO, Jubilee Ice Cream, LLC, and G&D Organic Ice Cream, LLC.

Seconded by Councilman Whelan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	(X)	()	()	()
Councilman Whelan	(X)	()	()	()
Councilman Yngstrom	(X)	()	()	()
Councilman Ballard	(X)	()	()	()
Councilman Zipprich	(X)	()	()	()
Councilwoman Horgan	(X)	()	()	()

Dated: March 28, 2018

I hereby certify the above to be a true copy of a resolution adopted by the Council of the Borough of Red Bank, in the County of Monmouth, at a meeting held on March 28, 2018.

Pamela Borghi

Pamela Borghi, Municipal Clerk