

RESOLUTION 2024-126

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF CHATHAM, COUNTY OF MORRIS, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CORPORATE CAFÉ D/B/A VESPUCCI'S MARKET, PERMITTING THE OPERATION AND MANAGEMENT OF THE CONCESSION STAND AT COLONY POOL IN THE TOWNSHIP OF CHATHAM

WHEREAS, the Township of Chatham (the "Township") is the owner of property located at 555 School Avenue, Chatham, New Jersey 07928 and commonly known as Colony Pool (the "Property") and the Township desires to contract with a contractor to operate and manage a concession stand at the Property for the benefit of everyone using the Property for the 2024 pool season (the "Concession Agreement"); and

WHEREAS, pursuant to the Local Public Contracts Law, (the "LPCL"), specifically N.J.S.A. 40A:11-4a, the Township is authorized to enter into contracts that do not exceed the bid threshold without public advertising for bids and bidding therefor; and

WHEREAS, pursuant to N.J.A.C. 5:34-9.4, for determining whether a concession exceeds the bid threshold pursuant to the LPCL, the total estimated value of a concession shall include all revenue, if any, that may be expected to be received by the concessionaire; and

WHEREAS, based upon prior years, it is anticipated that the revenue that may be expected to be received by the concessionaire will not exceed the bid threshold and therefore the Township is able to authorize and execute the Concession Agreement without public advertising for bids and bidding therefor; and

WHEREAS, the Township desires to enter into a Concession Agreement with Corporate Café d/b/a Vespucci's Market, 90 Ridgedale Avenue, East Hanover, New Jersey (the "Contractor") based upon its previous experience operating at Colony Pool and its desire and interest to continue; and

WHEREAS, the Concession Agreement will require that the Contractor indemnify the Township from all risk of loss and/or damage to property or injury to or death of persons arising out of the Contractor's use of the Property; and

WHEREAS, the Concession Agreement will require that the Contractor provide the Township with a Certificate of Insurance that names the Township as an additional insured in accordance with the requirements of the Township's Risk Manager; and

WHEREAS, the concession will be operated by Corporate Café d/b/a Vespucci's Market at no cost to the Township and the Contractor shall pay the Township Two Hundred Fifty

Dollars (\$250.00) as compensation for the Concession Agreement and therefore a certification of funding pursuant to N.J.S.A. 40A:4-57 is not required for this Resolution; and

WHEREAS, the Township desires to authorize the execution of the Concession Agreement with the Contractor as set forth herein.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Chatham that authorization is given as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Township Committee hereby authorizes the execution of a Concession Agreement with the Contractor, subject to receipt of the Two Hundred Fifty Dollar (\$250.00) payment by the Contractor, and all other documents required by law. The form of the Concession Agreement shall be consistent with the terms herein and shall be subject to review and approval by the Mayor, Township Administrator and Township Attorney.
3. This Resolution shall take effect immediately.

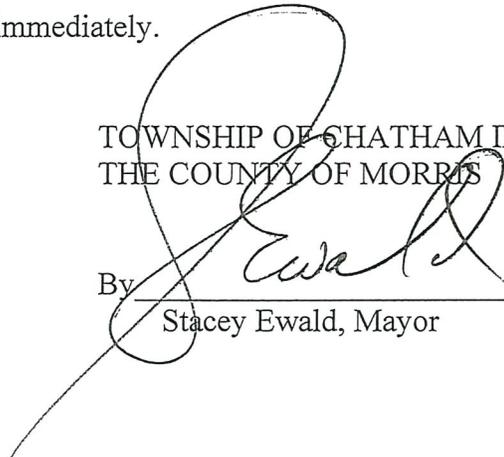
Adopted: May 21, 2024

Attest:



Gregory J. LaConte, Clerk

TOWNSHIP OF CHATHAM IN
THE COUNTY OF MORRIS


By _____
Stacey Ewald, Mayor