

RESOLUTION

WHEREAS, the Township of West Orange (the “Township”) owns and operates the Ginny Duenkel Pool located at 60½ Cherry Street (the “Pool”); and

WHEREAS, the Pool has a concession stand for patrons of the Pool; and

WHEREAS, the Township requires a vendor to operate the concession stand at the Pool for the summer 2023 season; and

WHEREAS, on March 27, 2018, the Township adopted Resolution 95-18 which authorized the Township to utilize Competitive Contract in lieu of public bidding for award of the contract for operation of the concession stand at the Pool thereby allowing the Township to award a contract utilizing Competitive Contract in lieu of public bidding; and

WHEREAS, on February 23, 2023, the Township issued a Request for Proposal soliciting vendors to submit proposals for the operation of the concession stand at the Pool for the 2023 season, but received no responses to the Request for Proposal; and

WHEREAS, on March 20, 2023, the Township re-issued the Request for Proposal (the “RFP”) as a second attempt to solicit vendors to submit proposals for the operation of the concession stand at the Pool for the 2023 season; and

WHEREAS, the proposals in response to the RFP were due on April 12, 2023; and

WHEREAS, on April 12, 2023, the Township received two (2) proposals in response to the RFP, including proposals submitted from the following respondents:

- (i) Nijah Kehinde
64 Park Terrace
West Orange, NJ 07052
- (ii) Fat Daddy’z
288 Main Street
West Orange, NJ 07052

and

WHEREAS, consistent with the RFP, the Township utilized an evaluation committee to review, evaluate and score the proposals submitted in response to the RFP; and

WHEREAS, the evaluation committee prepared a report summarizing its scoring and recommendations that the Contract for Pool Concession Services be awarded to Fat Daddy’z, annexed hereto as Exhibit “A;” and

WHEREAS, the Township has prepared and Fat Daddy’z has executed a proposed Contract for Pool Concession Services which incorporates the terms and conditions set forth in both the RFP and the proposal submitted in response to the RFP, annexed hereto as Exhibit “**B;**” and

WHEREAS, the Contract is for a term of one year with an option for the Township to extend the Contract for two (2) additional one-year terms and also provides that Fat Daddy’z will pay to the Township the following percentages of the total sales volume: (i) 20% for 2023; (ii) 22.5% for 2024; and (iii) 25% for 2025; and

WHEREAS, the Contract requires that Fat Daddy’z provide weekly reports to the Township of earnings from the concession stand at the Pool.

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute the Contract, in the form annexed hereto as Exhibit “**B,**” with Fat Daddy’z for operation of the concession stand at the Ginny Duenkel Pool for the summer 2023 season; and it is further

RESOLVED, that the Township Purchasing Agent is hereby authorized and instructed to return to Nijah Kehinde the deposit submitted with the proposal in response to the RFP based on the award of the Contract to Fat Daddy’z; and it is further

RESOLVED that notice of this award shall be published and available in the Clerk’s office in accordance with applicable law.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Tammy Williams,
Council President

Adopted: May 16, 2023