

**TOWNSHIP OF MONTCLAIR**

**RESOLUTION AWARDING A CONTRACT FOR MANAGEMENT AND  
OPERATION OF THE CLARY ANDERSON ARENA**

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September 9, 2008

**WHEREAS**, N.J.S.A. 40A:11-4.1 of the Local Public Contracts Law permits the use of “competitive contracting” in lieu of public bidding for the procurement of specialized goods and services, including the hiring of an entity for the purpose of the operation, management and administration of recreation facilities or programs; and

**WHEREAS**, on June 30, 2008, the Township Council adopted a Resolution authorizing the use of competitive contracting in order to solicit proposals for the operation and management of the Clary Anderson Arena; and

**WHEREAS**, pursuant to the aforesaid resolution, the Township issued a Request for Proposals (“RFP”) for a contract for the management and operation of the Clary Anderson Arena and published notice thereof same in accordance with the Local Public Contracts Law; and

**WHEREAS**, the Township received three competitive proposals in response to the RFP; and

**WHEREAS**, the proposals were reviewed and evaluated by a committee consisting of the Township Manager, the Director of the Department of Community Services and the Director of the Department of Parks and Recreation, in accordance with the criteria and methodology set forth in the RFP and applicable legal requirements; and

**WHEREAS**, the evaluation committee prepared a written report in accordance with N.J.S.A. 40A:11-4.5.d which recommended that the Township award a contract to United Skates of America for the operation and management of the Clary Anderson Arena; now therefore

**BE IT RESOLVED** by the Council of the Township of Montclair, in the County of Essex, that a contract for the management and operation of the Clary Anderson Arena is hereby awarded to United Skates of America/Montclair Skating LLC pursuant to the attached “Final Clarification of Proposal” dated August 26, 2008 and subject to the Township’s right to terminate the contract in its discretion by giving notice on or before June 30, 2009; and

**BE IT FURTHER RESOLVED** that this award is made pursuant to the attached evaluation from the Township Manager dated August 27, 2008; and

**BE IT FURTHER RESOLVED** that this award is subject to Certification of Availability of Funds by the Chief Financial Officer in accordance with state regulations.