

BOROUGH OF CLOSTER

Request for Proposal

Lease/Management/Operation of

The MacBain Farm

Borough of Closter, Bergen County

Release Date: _____

Due Date: June 1, 2023

1.0 General Information for Proposers

The Borough of Closter, in Bergen County, New Jersey (the "Borough"), is seeking proposals from an individual, group, or other entity for the management and use of its MacBain Farm Park (the "Farm"). The proposal that is adopted is expected to enter into effect in January 2024.

The Borough, which has a population of approximately 8,500 is located in New Jersey's scenic Northern Valley, just to the northwest of New York City. It has superb public schools, numerous parks, a nature center and trail system, and a vibrant downtown area. Residents enjoy easy access to midtown Manhattan.

The Farm covers an area of 6.79 acres. It contains a farmhouse with an adjacent garage/shed for equipment storage that is set on approximately 1 acre of grounds. Most of the remainder of the Farm, approximately 4 to 5 acres is currently under cultivation. The Borough allows the crops raised in the cultivated area to be harvested by Borough residents at no charge, subject to rules established by a Committee appointed by the Borough.

The Borough would welcome proposals by applicants who are prepared to continue, at their own expense, the raising of crops on the Farm for harvesting by Borough residents. The Borough will also consider proposals for other uses of the Farm, provided that the existing open space is maintained and the uses are broadly beneficial to the Borough. Particular consideration will be given to proposals that provide for support for educational activities available to Borough residents, including events or programs arranged in partnership with the Borough's elementary and middle schools or with service organizations. Proposals may provide that some portion of the Farm be devoted to raising crops for Borough residents while the remainder is devoted to another use. However, the Farm may not be used for the storage of any vehicles other than equipment used to cultivate the Farm or vehicles for the personal use of occupants of the farmhouse.

The successful applicant will be granted a lease on the farmhouse at no rent commencing January 1, 2024 or a later date to be negotiated. The Borough shall reach a decision as to which applicant shall be granted a new lease by September 1, 2023. The farmhouse, which was built in 1934 and has been designated a historic landmark, contains 6 bedrooms and 3 1/2 baths. The lease term will be negotiable, but the Borough anticipates granting a multi-year lease. Should the applicant not wish to make use of the farmhouse as a one-family residence, the Borough will consider other uses. Any use of the farmhouse will be subject to locally applicable zoning restrictions unless an appropriate variance is granted by the Borough.

The Borough will be responsible as landlord for maintaining the farmhouse in safe and tenantable condition, and will also assume responsibility for maintaining the exterior of the farmhouse in good repair. The successful applicant will otherwise be responsible for maintaining the farmhouse in good repair. Further, the successful applicant will be required to pay the cost of utilities and to submit proof of adequate workers' compensation, general liability, and automobile liability coverage. The Borough will be responsible for maintaining the fencing on and around the Farm as well as the small outbuildings and graveled paths on the Farm.

Only organic pesticides, herbicides, and fertilizers may be used on the Farm.

In the event that an applicant is selected to raise crops on the Farm for harvesting by Borough residents, the crops to be planted will be determined after consultation between the applicant and the Committee appointed by the Borough to oversee the Farm. To discuss this and other matters, the applicant will be required to meet with the Committee upon reasonable request. The Committee will have sole responsibility for managing and implementing access by the public to any portion of the Farm that is open to it.

Each proposal should be accompanied by three personal references and an estimate of the costs the applicant expects to incur in carrying out the proposal. Any applicant proposing to raise crops on the Farm that Borough residents may harvest should specifically state the minimum amount that will be spent annually for this purpose, identify the equipment that will be employed, and provide a plan for the initial year of Farm operations.

Proposals will be evaluated based on the applicant's ability to meet the overall objectives of this RFP. The successful applicant will be subject, at their own expense, to background and credit checks using Borough-approved services.

1.1 Questions and Inquiries

The Borough will accept questions and inquiries from all potential proposers receiving this RFP. Questions may be submitted in writing, via mail or fax, to the Borough Administrator at the following address:

James Winters, Borough Administrator
Borough of Closter
295 Closter Dock Road
Closter, NJ 07624
jwinters@closternj.us
201-784-0600 Ext 492

The Borough Administrator will coordinate with the Farm Committee in terms of responding to questions and inquiries.

1.2 Site Inspection

Any interested parties can schedule an appointment to inspect the site by contacting the Borough Administrator, who will work with the Borough's Farm Committee to arrange the inspection.

1.3 Revisions to the RFP

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be made by addendum. Any RFP addendum will be advertised and distributed in the same manner as the initial RFP.

1.4 Addendum as Part of the RFP

Any addendum to this RFP shall become part of this RFP and part of any agreement resulting from the RFP.

1.5 Issuing Office

This RFP is issued by the Borough of Closter, New Jersey. With the exception of scheduling onsite inspections, the Borough Administrator is the sole point of contact between the proposers and the Borough for the purposes of this RFP.

1.6 Proposer Responsibility

The proposer assumes sole responsibility for the complete effort required by this RFP. The proposer further represents that it has made its own calculations, based on the information provided and its own research and experience, of costs, expenses, and revenues, for which the Borough bears no liability.

1.7 Cost Liability

The Borough assumes no responsibility and bears no liability for costs incurred by proposer in the preparation and submission of proposals in response to this RFP. Furthermore, the Borough does not warrant or guarantee any current or future revenues that may be generated from operation of the MacBain Farm.

1.8 Joint Venture

If a joint venture is submitting a proposal, the agreement between the parties relating to said joint venture should be submitted with the joint venture's proposal. Authorized signatories from each party comprising the joint venture must sign the proposal. A separate Pay to Play Disclosure Statement, Ownership Disclosure Form, Affirmative Action Employee Information Report, and foreign (i.e. out of State) corporation registration, if applicable, must be supplied for each party to a joint venture.

1.9 Pay to Play

All proposal applications (other than those submitted by non-profit organizations) are subject to the provisions of N.J.S.A. 19:44A-20.13 et seq., N.J.S.A. 19:44A-20.26 et seq., and Executive Order 117 (P.L. 2005 c. 51 and P.L. 2005 c.271, E.O. 117, collectively "Pay to Play"). Compliance with these statutes shall constitute a material term and condition of the application, and these statutes shall be binding upon the parties thereto upon the entry of a Lease. All proposers must complete and submit with their proposals the following forms, attached: (1) Ownership Disclosure Form; (2) Contractor Certification and Disclosure of Political Contributions Form (P.L. 2005, c. 51); and (3) Vendor Certification and Political Contribution Disclosure Form (P.L. 2005, c. 271). 2.0 Background Information (Part 2).

2.0 Background Information

Each proposer shall submit written answers to the following inquiries:

- i. How many years has your organization been in business under its present business name?
- ii. Under what other or former names has your organization operated?
- iii. If your organization is a corporation, provide the following information: date of incorporation; State of incorporation; president's name; vice president's name; secretary's name; and treasurer's name.
- iv. If your organization is a partnership, provide the following information: date of organization; type of partnership; and names of general partners.
- v. If your organization is individually owned, provide the following information: date of organization; and name of owner.
- vi. Has your organization ever failed to complete any contract awarded to it?
- vii. Within the past five (5) years, has any officer or principal of your organization ever served as an officer or principal of another organization when it failed to complete a contract?
- viii. Are there any judgments, claims, arbitration proceedings, or lawsuits pending or outstanding against your organization or its officers?
- ix. Has your organization filed any lawsuits or requested arbitration with regard to any contracts within the last five (5) years?
- x. Has any owner made a claim against you that has resulted in arbitration or litigation within the past five (5) years?
- xi. Has your organization or any of its officers or owners ever been convicted of a crime, or are they presently the target of any criminal or administrative investigation?
- xii. Has your organization or any of its officers or owners ever been disqualified, suspended, or debarred from a contract with any federal, State, or local government entity?

If the answer to any questions “vi” through “xii” is yes, please provide details.

Each proposer also shall describe in detail its expertise in farm facilities of similar size and scope to MacBain Farm, including:

- i. a description of all such facilities that it has operated and/or managed, including size, types of services provided, and location of each facility; and
- ii. the length of time the proposer operated and/or managed the facilities set forth in (i) above, including beginning and ending dates.

3.0 Organizational Support and Experience

The proposer should include information relating to its organization, personnel, and experience, including but not limited to references, together with contact names and telephone numbers, evidencing the proposer’s qualifications and capabilities to run a farm and/or engage in agricultural production.

BOROUGH OF CLOSTER

REQUEST FOR PROPOSALS RELATING TO THE MACBAIN FARM

NOTICE IS HEREBY GIVEN that pursuant to N.J.S.A. 19:44A-20 et seq. commonly called the “Pay to Play Law”, the Borough of Closter shall pursue a “Fair and Open Process” in awarding a contract for services relating to the management and use of the MacBain Farm Park, which is owned by the Borough of Closter. The nature and scope of the services are generally set forth in the Request for Proposals, which is available at the Borough’s Clerk’s Office, 295 Closter Dock Road, Closter, New Jersey.

All proposals must be submitted in a sealed envelope addressed to James Winters, Borough Administrator at 295 Closter Dock Road, Closter, New Jersey 07624 bearing the name and address of the Respondent submitting the proposal. All proposals must be submitted to the Borough Administrator no later than **12:00 p.m. on June 1, 2023**, and include all documentation showing qualifications and compliance.

Borough Administrator

James Winters