

**SPECIFICATIONS FOR ONE (1) PLENARY RETAIL
CONSUMPTION LICENSE TO BE ISSUED BY AND USED WITHIN
THE TOWNSHIP OF MANALAPAN**

1. GENERAL STATEMENT.

The Township Committee of the Township of Manalapan has authorized the issuance of one (1) new plenary retail consumption license. Said plenary retail consumption license can only be used for the service and consumption of alcoholic beverages by the glass or other open container for consumption on the licensed premises.

2. MINIMUM BID.

The minimum bid for the aforesaid plenary retail consumption license shall be seven hundred fifty thousand (\$750,000.00) dollars. No bid of less than that amount shall be accepted.

3. BASIS OF AWARD.

The aforesaid license shall be issued to the highest qualified bidder pursuant to the Specifications and N.J.S.A. 33:1-1 *et seq.* and N.J.A.C. 13:2-2 *et seq.* The Township of Manalapan specifically reserves the right to reject all bids if the highest bid is not accepted, to reject all bids if deemed in the best interests of the Township so to do, and to hold the bids and guarantees of the two (2) highest bidders for a period of ninety (90) days before making an award to the highest qualified bidder, subject to the results of investigation by the Manalapan Township Police Department.

4. PAYMENT OF PURCHASE PRICE.

The successful bidder shall pay the total purchase price as follows:

- A. A deposit of ten (10%) percent of the total bid price must be submitted with the bid proposal by each bidder. The Township will return the ten (10%) deposit to any bidder who fails to qualify to hold an alcoholic beverage license.

- B. An additional fifteen (15%) percent of the total purchase price shall be paid within seven (7) days of the determination that the bidder is the apparent highest bidder.
- C. The remaining seventy-five (75%) of the total purchase price shall be paid within fifteen (15) days of completion of the Police Department investigation finding that the bidder is qualified to hold an alcoholic beverage license.

5. SUBMISSION OF PRE-BID QUALIFICATION PACKAGE.

Each prospective bidder shall submit a pre-bid qualification package in a sealed envelope marked "Consumption License Pre-qualification Package" to the Township Clerk of the Township of Manalapan, 120 Route 522, Manalapan, New Jersey, no later than 10:00 A.M., prevailing time, on April 8, 2024. All pre-qualification packages shall be opened and read in public at that time in the Meeting Room, Manalapan Municipal Building.

The pre-qualification package shall contain:

- 1. A completed Pre-Qualification Form which includes a certification that the bidder and all parties in interest named in the application satisfy the requirements of the Alcoholic Beverage Law and Regulations and are qualified to hold an alcoholic beverage license.
- 2. A completed application for a person to person transfer of an alcoholic beverage license.
- 3. A bank check, cashier's check or a money order, payable to "The Township of Manalapan" in the amount of two-thousand five hundred (\$2,500.00) dollars representing the annual license fee for the first license term or portion thereof of the new plenary retail distribution license.

Only those prospective bidders who satisfy the pre-qualification requirements will be eligible to submit a bid proposal for the purchase of the license on May 17, 2024.

6. **SUBMISSION OF BID.**

Each pre-qualified bidder shall submit a bid package in a sealed envelope marked "Consumption License Bid" to the Township Administrator of the Township of Manalapan, Manalapan Municipal Building, 120 Route 522, Manalapan, New Jersey, no later than 10:00 A.M., prevailing time, on May 17, 2024. All bids shall be opened and read in public at that time in the Meeting Room, Manalapan Municipal Building.

Each bid package shall contain:

1. The completed Bid Proposal Form.
2. A bank check, cashier's check or money order in the amount of 10% of the bid, made payable to "The Township of Manalapan".
3. A Commercial Domestic Letter of Credit issued to the Township of Manalapan by a commercial bank for the balance of the total bid amount.
7. **POLICE INVESTIGATION PRIOR TO AWARD OF LICENSE TO HIGHEST QUALIFIED BIDDER.**

The two (2) apparent highest qualified bidders will be investigated by the Manalapan Township Police Department and, if found not to be qualified to hold an alcoholic beverage license, shall forfeit the two-thousand five hundred (\$2,500.00) dollar license fee to cover the cost of the police investigation. The Township will return the 10% down payment of the purchase price submitted with the bid of any bidder who fails to qualify to hold an alcoholic beverage license. In the event that a bidder is found to be qualified and is awarded the license, the \$2,500.00 will serve as the first annual license term fee or portion thereof.

8. PLACE TO PLACE TRANSFER APPROVAL AND COMPLIANCE WITH ZONING AND OTHER REQUIREMENTS.

The successful bidder shall obtain the approval of the Township Committee of the Township of Manalapan for a place to place transfer of the plenary retail consumption license prior to the use of the license, and shall comply with all applicable Township zoning regulations and ordinances and/or other applicable laws. The Township Committee has considered the substantial population growth occurring in Manalapan along the State Highway 33 corridor and would prefer to locate the additional consumption license in that area.

9. AMENDMENTS TO SPECIFICATIONS.

Should any amendments, modifications or clarifications to the specifications be required, all such changes to the specifications will be issued in the form of an Addendum to the bidding documents. A copy of any Addendum to the bidding documents will be mailed, telefaxed or emailed to any prospective bidder who has obtained a copy of the Bid Proposal and Specifications. Notice of the issuance of any Addendum will also be published at least five (5) days prior to the date scheduled for receipt of bids.

All prospective bidders are hereby notified that no verbal representations may be relied upon with respect to the Specifications and that only a formal Addendum will be sufficient to alter or modify the terms and conditions of the Specifications. Any deviation which the bidder proposes to the terms and conditions of the Specifications should be noted in writing and submitted with the Bid Proposal form. A determination will be made by the Township Committee of the Township of Manalapan as to whether any such deviation is material. Any material deviation from the terms and conditions of the Specifications will result in the rejection of the bid.

10. **BINDING NATURE.**

These Specifications shall be binding upon the parties hereto their heirs, executors, administrators, successors and assigns.

PAGE ONE OF PRE-QUALIFICATION FORM

**PRE QUALIFICATION FOR A PLENARY RETAIL CONSUMPTION
LICENSE WITHIN THE TOWNSHIP OF MANALAPAN,
MONMOUTH COUNTY, NEW JERSEY.**

1. The undersigned hereby declares that they have carefully examined the specifications for which pre-qualification packages were advertised to be received on April 8, 2024, at 10:00 A.M. at the Manalapan Municipal Building, 120 Route 522, Manalapan, New Jersey 07726.

2. The undersigned hereby states an intention to submit a bid on May 17, 2024 to purchase one (1) plenary retail consumption license from the Township of Manalapan and submits the following prequalification documents:

- a. A fully completed application for person to person transfer with all required information.
- b. A Two Thousand Five hundred Dollar (\$2,500.00) bank check, cashier's check or money order made payable to the "Township of Manalapan", representing the annual fee for the first annual license term or portion thereof of the plenary retail consumption license.
- c. The undersigned further certifies the following is a complete list of the names and residence address of all parties in interest, including all persons who will own one percent (1%) or more interest in any entity proposed as the holder of the license:

PAGE TWO OF PRE-QUALIFICATION FORM

| NAME | ADDRESS |
|-------|---------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(If additional space is needed for the inclusion of other stockholders, members or partners, type or print names and addresses of same on a separate sheet of paper and attach them to this Bid Proposal.)

- d. The undersigned hereby certifies that all of the foregoing persons satisfy the requirements of the New Jersey Alcoholic Beverage Law and Regulations and are qualified to hold an alcoholic beverage license in the State of New Jersey.

A notice of the filing of this application must be published by the Bidder in the Asbury Park Press on two occasions, at least one week apart, in the form attached hereto as Schedule A. The second publication shall be no later than April 25, 2024.

BIDDER: _____

BY: _____

ADDRESS: _____

EMAIL ADDRESS: _____

TELEPHONE NO.: _____

TELEFAX NO.: _____

SIGNATURE: _____

DATED: _____

Pre-Qualification Form – Schedule A

-NOTICE- ALCOHOLIC BEVERAGE LICENSE

Take notice that _____
(Name of Applicant)

trading as _____
(Trade Name, if any)

has applied to _____
(Name of Issuing Authority)

of _____
(Municipality)

for a _____ license for premises situated
(Type of License)

at _____
(No.) (Street) (Municipality)

The person(s) who will hold an interest in this license is/are:

See*

(See ** to insert other information if applicable)

Objections, if any, should be made immediately in writing to:

_____ of _____
(Municipal Clerk) (Municipality and Mailing Address)

(Name of Applicant)

(Address of Applicant)

*If the applicant is an individual, insert the name and residence address of that individual.

If the applicant is a corporation, partnership, limited liability company, or other legal entity, insert the names and residence addresses of all persons identified in N.J.A.C. 13:2-1.2(a).

If the applicant is a club, insert the name and residence address of all officers and the offices they fill respectively, and the names and residences of the directors, trustees or other governing officials.

**If the application is for a building not yet constructed, insert in the Notice the following:

"Plans of building to be constructed may be examined at the office of the Municipal Clerk." Amended by R.1990 d.412, effective August 20, 1990.

See: 22 N.J.R. 1811(a), 22 N.J.R. 2508(c).

Amended Notice.

Amended by R.1995 d.450, effective August 21, 1995.

See: 27 N.J.R. 2051(a), 27 N.J.R. 3177(a).

Deleting enumeration of (a).

Amended by R.2000 d.342, effective August 21, 2000.

See: 32 N.J.R. 1717(a), 32 N.J.R. 3162(a).

Rewrote the notice.

Amended by R.2006 d.67, effective February 21, 2006.

See: 37 N.J.R. 3221(a), 38 N.J.R. 1193(a).

Added "limited liability company," to form.

PAGE ONE OF BID PROPOSAL

**BID PROPOSAL FOR A PLENARY RETAIL CONSUMPTION
LICENSE WITHIN THE TOWNSHIP OF MANALAPAN,
MONMOUTH COUNTY, NEW JERSEY.**

1. The undersigned hereby declares that they have carefully examined the specifications for which bids were advertised to be received on May 17, 2024, at 10:00 A.M. at the Township of Manalapan, Manalapan Municipal Building, 120 Route 522, Manalapan, New Jersey 07726.

2. The undersigned hereby agrees to purchase one (1) retail consumption license from the Township of Manalapan in accordance with the specifications attached hereto and made a part hereof; and submits the following bid offer:

For one (1) Plenary Retail Consumption License the undersigned agrees to pay to the Township of Manalapan the sum of: \$_____

3. The undersigned hereby states that the consumption license will be located at the following location / address: _____

Annexed hereto are:

1. Bank Check, Cashier's Check or Money Order in the amount of \$_____, made payable to "The Township of Manalapan" representing ten percent (10%) of the total amount of the bid, which the undersigned agrees is to be forfeited as liquidated damages, and not as a penalty, if the license is awarded to the bidder; the bidder is found to qualify for the award of the alcoholic beverage license; and the bidder fails to pay the balance of the purchase price in the manner set forth in the specifications.

2. A Domestic Commercial Letter of Credit issued by a commercial bank licensed to conduct business in New Jersey to the Township of Manalapan for the balance of the total bid amount.

The undersigned further certifies the following is a complete list of the names and residence address of all proposed purchasers of the license and all persons who hold more than one percent (1%) interest in any entity proposed as the purchaser of the license:

| NAME | ADDRESS |
|-------|---------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

(If additional space is needed for the inclusion of other stockholders, members or partners, type or print names and addresses of same on a separate sheet of paper and attach them to this Bid Proposal.)

BIDDER: _____

BY: _____

ADDRESS: _____

EMAIL ADDRESS: _____

TELEPHONE NO.: _____

TELEFAX NO.: _____

SIGNATURE: _____

DATED: _____