

**TOWNSHIP OF MONTGOMERY
PUBLIC NOTICE**

PLEASE TAKE NOTICE that by Resolution #17-8-187 adopted on August 3, 2017, the Township Committee of the Township of Montgomery (“**Township**”) in the County of Somerset, State of New Jersey, authorized the sale by public bid of a **PLENARY RETAIL DISTRIBUTION LICENSE** pursuant to the New Jersey Alcoholic Beverage Control Act, *N.J.S.A. 33:1-1.1 et seq.*

Conditions shall apply to the award and issuance of the license. The premises on which the licensee operates may be (1) an existing building in which such use is a permitted use, or (2) a site which has or may receive preliminary and final site plan approval (within the time period required for license issuance set forth below) from the Township Planning Board. The premises on which the licensee operates must comply with all Township zoning regulations and New Jersey Municipal Land Use Law, *N.J.S.A. 40:55D-1 et seq.*

Prospective bidders must be pre-qualified. Only the bids of qualified bidders will be opened. Applications and **sealed** bids for the sale of the Plenary Retail Distribution License will be accepted by the Township Clerk at the Township Municipal Building, 2261 Van Horne Road, Belle Mead, New Jersey 08502. Bid documents are available from the Township Clerk's Office during regular business hours. All prospective bidders must complete the bid documents in their entirety and attach all required documentation associated therewith, and submit it to the Township Clerk at the Township Municipal Building at 2261 Van Horne Road, Belle Mead, New Jersey 08502 **on or before 10:00 a.m. on September 26, 2017.**

Completed applications must include: a fully completed twelve page Application for Retail Alcoholic Beverage License; a **certified check** in the amount of \$35,000.00 as the bid deposit; proposed building plans for sites that have received or may receive site plan approval but are not yet constructed; an Affidavit of Proof of Compliance with bid conditions; any other documents required by the bid documents and a separately **sealed** opaque envelope with the Bid Proposal Form. Bids shall be submitted on the form(s) provided and shall be in accordance with the specifications contained in the bid documents. Bidders shall not alter the Bid Proposal Form and shall not submit bids with qualifying conditions or provisions.

All prospective bidders shall be qualified to hold an Alcoholic Beverage Control license under New Jersey Law as of **September 26, 2017**. No license will be issued to any person under the age of 21 years or to any person who has been convicted of a crime involving moral turpitude. **No bids or bid documents will be accepted after 10:00 a.m. on September 26, 2017.**

The minimum acceptable bid shall be **\$350,000.00**.

At 10:00 a.m. on October 10, 2017, the Township Clerk shall publicly announce those prospective bidders who have pre-qualified for bidding in compliance with the Alcoholic Beverage Control Act, and the rules and regulations promulgated thereunder, Township ordinances, the conditions set forth in the published notices and bid documents and other

applicable law. A list of such pre-qualified bidders shall be posted on the public announcement bulletin board in the Township Municipal Building, 2261 Van Horne Road, Belle Mead, New Jersey 08502.

At 10:00 a.m. on October 17, 2017, at the Township Municipal Building, 2261 Van Horne Road, Belle Mead, New Jersey 08502, the Township Clerk shall open the **sealed** bids of the pre-qualified bidders. Immediately after opening the sealed bids of the pre-qualified bidders, the Township Clerk shall publicly announce the amount of each bid and the name of each bidder. No bid shall be opened from or submitted on behalf of any prospective bidder who failed to pre-qualify. **The Township reserves the right to postpone or cancel the sale at any time prior to the bid opening.**

The Township reserves the right to reject all bids in the event the highest bid is not accepted.

The Township Committee, by written resolution, adopted at the public meeting on **October 19, 2017**, or shortly thereafter, shall award the license to the highest qualified bidder, if the Township does not reject all bids. If the award is made to the highest bidder the ultimate issuance of the license shall be subject to the following: (1) payment of the balance of the bid amount by certified check for the license made payable to the “Township of Montgomery” within five days of the date of the resolution of the Township Committee awarding the license; (2) payment of the Annual Municipal Retail License Fee for the license; (3) payment of the New Jersey State License Application fee; (4) satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license; (5) satisfactory outcome of state and/or federal criminal background checks; and (6) compliance with the publication, hearing and resolution requirements set forth in *N.J.A.C. 13:2-2.1 et seq.*

Failure to make timely payment of the balance of the bid amount within five days of the date of the resolution of the Township Committee awarding the license, shall, at the option of the Township, result in voiding of the license award and forfeiture of the successful bidder’s deposit whereupon the Township may award the license to the next highest qualified bidder or take no further action.

The deposit(s) of all unsuccessful bidders shall be returned within ten days of the date of the award of the license.

If the new license has not been issued pursuant to the resolution of August 3, 2017 by **March 26, 2018**, no new license shall thereafter issue without further resolution by the Township Committee determining to issue a new license.

Donna Kukla, Township Clerk