

**BOROUGH OF NORTH CALDWELL  
ESSEX COUNTY, NEW JERSEY**

**NOTICE TO BIDDERS  
FOR PLENARY RETAIL DISTRIBUTION LICENSE**

**NOTICE IS HEREBY GIVEN** that by Resolution R-115-2021, the Borough of North Caldwell has authorized the issuance of one (1) Plenary Retail Distribution License for the sale of alcoholic beverages. The Borough of North Caldwell will conduct a Public Sale by accepting sealed bids for the sale of one (1) Plenary Retail Distribution License. Prospective bidders must prequalify and only the bids of qualified bidders will be opened. To prequalify, a prospective bidder must, on or before 10:00am on July 7, 2021 submit the following to the Borough Clerk at 141 Gould Avenue, North Caldwell, New Jersey:

1. A full and completed twelve (12) page Division of Alcoholic Beverage Control Retail Liquor License Application form; and
2. A separate Certification of Proof of Compliance by the applicant that it meets all conditions or requirements contained in this Resolution and knows of no reason why he/she would be disqualified from having an interest in a Retail Liquor License in New Jersey under the standards set forth in the Alcoholic Beverage Control Act and the rules and regulations promulgated thereunder; and
3. Proof of financial ability to undertake the purchase of the license and contemplated project/premises.
4. A remittance of a deposit by certified check in the amount of \$35,000.00 made payable to "Borough of North Caldwell".
5. A **SEPARATE SEALED** envelope containing the bid, the bid deposit fee, and the Certification of Proof of Compliance, the outside of the envelope which shall state "2021 Plenary Retail Distribution Liquor License Bid" and the name of the bidder.

Interested bidders may obtain copies of the forms necessary to qualify to be a bidder from the Borough Clerk of the Borough of North Caldwell.

All bidders must be qualified to hold an interest in a retail license under the standards set forth in the Alcoholic Beverage Control Act and regulations thereunder, N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1.1 et seq., and any applicable municipal ordinances.

Borough Hall is closed to the public due to the COVID-19 pandemic and therefore, sealed bids shall be submitted before 10:00am on July 7, 2021 to the Borough Clerk via certified mail or overnight delivery, placed in the Municipal Payments/Deliveries repository in front of Borough Hall, or, alternatively, Bidders are directed to deliver bids to Borough Hall by appointment. Bidders should call Borough Hall, (973) 228-6410, during regular business hours (8:30am – 4:30pm) to schedule a delivery of their bid package.

On July 14, 2021, at 10:00 a.m. the Borough 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, N.J.S.A. 33:1-1 et seq. and N.J.A.C. 13:2-1.1 et seq., Borough ordinances, the conditions set forth in the published notices, and

other applicable law. A list of such pre-qualified bidders shall be announced via tele/video conference as follows:

- Join from PC, Mac, Linux, iOS or Android: <https://meetings.ringcentral.com/j/1486916103>
- Or iPhone one-tap: +1(773)2319226,,1486916103#
- Or Telephone: +1(773)2319226 Meeting ID: 148 691 6103

A list of such prequalified bidders shall also be posted on the public announcements bulletin board in the Municipal Building and on the Borough website (<https://www.northcaldwell.org/purchasing>) under the “Purchasing” tab in order to ensure that bidders, interested parties and members of the general public are afforded an opportunity to review said bids.

Sealed bids of the prequalified bidders will be opened on July 21, 2021 at 10:00am. Immediately after opening the sealed bids of the prequalified bidders, the Borough Clerk shall publicly announce the amount of each bid received and the name of each bidder. In light of the ongoing Coronavirus Public Health Emergency and the social distancing restrictions enacted by the state of New Jersey in relation to public gatherings, bidders, interested parties and members of the general public will not be permitted to physically attend the unsealing of bids in-person. In order to ensure that bidders, interested parties, and members of the general public who wish to view/attend the live opening of bids on July 21, 2021 at 10:00 a.m., prevailing time, are able to do so, the Borough of North Caldwell will broadcast the unsealing of said bids, in real time, via online livestreaming technology as follows:

- Join from PC, Mac, Linux, iOS or Android: <https://meetings.ringcentral.com/j/1474903621>
- Or iPhone one-tap: +1(773)2319226,,1474903621#
- Or Telephone: +1(773)2319226 Meeting ID: 147 490 3621

The ultimate issuance of the license shall be subject to each of the following:

1. Payment of the balance of the bid by certified check made payable to “Borough of North Caldwell” within five (5) days of the date that the Resolution of the Borough Council making the award is adopted. Failure to make timely payment of the balance shall, at the option of the Borough, result in voiding the license award and forfeiture of the successful bidder’s deposit whereupon the Borough may award the license to the remaining highest qualified bidder or determine to take no action;
2. Payment of the State License Application Fee;
3. Payment of the Annual Municipal Retail License Fee;
4. Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license;
5. Receipt of favorable State and/or Federal criminal background checks; and
6. Compliance with the publication, hearing, and Resolution requirements under N.J.A.C. 13:2-2.1, et. seq.

The deposit(s) of all unsuccessful bidder(s) shall be returned within ten (10) days of the date of the award. The Borough reserves the right to reject all bids where the highest qualified bid is not accepted. The sale may be postponed or canceled at any time prior to the opening of the bids.

Applicants shall also comply with all other provisions of N.J.A.C. 13:2-2.1, *et seq.*, including, but not limited to, publication of notice of application. If no new license shall have been issued pursuant to this Resolution by October 13, 2021, no new license shall thereafter be issued without further Resolution of the Mayor and Borough Council, determining to issue a new license.

Failure of the bidder, within five (5) days after acceptance of his bid, to deliver to the Borough in cash or certified check the balance of the amount bid, will result in the bid being null and void and the Borough retaining the ten percent (10%) deposit.

**Tami Michelotti, RMC  
Borough Clerk**