

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

**Bid Package for sale of
Plenary Retail Distribution License**

Issued: April 4, 2024

Submissions due: May 14, 2024 by 10:00am

Announcement of Qualified Bidders: May 29, 2024 at 10:00am

Bid Opening: June 5, 2024 at 10:00am

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

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

NOTICE IS HEREBY GIVEN that by Resolution R-74-2024, 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 May 14, 2024 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 "2024 Plenary Retail Distribution Liquor License Bid" and the name of the bidder.

Interested bidders must obtain copies of the bid package 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.

Sealed bids shall be submitted before 10:00am on May 14, 2024 to the Borough Clerk via certified mail or overnight delivery or hand-delivered to Borough Hall. Bidders may call Borough Hall, (973) 228-6410, during regular business hours (8:30am – 4:30pm) to schedule a delivery of their bid package.

On May 29, 2024, 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 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/procurement/pages/2024-rfpsrfgsbids> 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 June 5, 2024 at 10:00am at Borough Hall, 141 Gould Avenue. 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.

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 November 26, 2024, 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

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

PLENARY RETAIL DISTRIBUTION LICENSE

Anticipated Timeline

1. **March 26, 2024** – Borough Council adopted Resolution R-74-2024 Authorizing the Issuance of One New Plenary Retail Distribution License Pursuant to the Public Bid Option
2. **April 4, 2024 and April 11, 2024** – Newspaper legal notices
3. **May 14, 2024 at 10:00 a.m.** – Submissions due to Borough Clerk's office
4. **May 29, 2024 at 10:00a.m.** – Announcement of qualified bidders
5. **June 5, 2024 at 10:00a.m.** – Bids of qualified bidders to be opened
6. **As early as June 25, 2024 or until November 26, 2024** - Resolution awarding the bid subject to background check (or rejecting all bids)
7. **As early as June 26, 2024** - Background check process begins
8. **TBD** – License issuance

RESOLUTION

R-74-2024

BOROUGH OF NORTH CALDWELL, ESSEX COUNTY, NEW JERSEY

TITLE: A RESOLUTION AUTHORIZING THE ISSUANCE OF ONE NEW PLENARY RETAIL DISTRIBUTION LICENSE WITHIN THE BOROUGH OF NORTH CALDWELL PURSUANT TO THE PUBLIC BID OPTION PURSUANT TO N.J.S.A. 33:1-19.3

WHEREAS, Chapter 23 (Alcoholic Beverage Control), Article 1 (Licensing, Fees & Maximum Number), of the Borough of North Caldwell Code permits the issuance of liquor licenses in the Borough of North Caldwell (hereinafter "the Borough"); and

WHEREAS, there may be issued at least one (1) Plenary Retail Distribution License in the Borough of North Caldwell pursuant to N.J.S.A. 33:1-12.14; and

WHEREAS, the Mayor and Borough Council have determined to permit the issuance of one (1) Plenary Retail Distribution License under the "Public Bid Option," pursuant to N.J.S.A. 33:1-19.3, to the highest qualified bidder; and

WHEREAS, N.J.S.A. 33:1-19 et seq. permits the Governing Body, by resolution, to prescribe qualifications for prospective bidders, to fix a minimum bid and to set conditions of the sale with the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, it is in the interests of the Borough to permit the issuance of a Plenary Retail Distribution liquor license at this time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Caldwell, County of Essex, State of New Jersey as follows:

1. The Mayor and Council of the Borough of North Caldwell, pursuant to and in accordance with the authority conferred by N.J.S.A. 33:1-19.1 et. seq., have determined to issue one (1) Plenary Retail Distribution License in accordance with the terms of the statute.
2. The following conditions shall apply to the award and issuance of the License:
 - a. The liquor license shall be used in conjunction with:
 - i. Sale of spirits, wines, package goods and snacks.
 - ii. Hours of operation: Monday-Saturday, 9:00am-10:00pm
Sunday, 10:00am-6:00pm.
 - b. The minimum bid which shall be considered is \$125,000.00.
 - c. Prospective bidders must prequalify and only the bids of qualified bidders will be opened.
 - d. To prequalify, a prospective bidder must, on or before 10:00am on May 14, 2024 submit the following to the Borough Administrator 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
 - ii. A separate Certification of Proof of Compliance by the applicant that it meets all conditions or requirements contained in this Resolution, including that the license will be used in conjunction with as indicated in 2(a), 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

- iii. Proof of financial ability to undertake the purchase of the license and contemplated project/premises.
 - iv. A remittance of a deposit by certified check in the amount of \$35,000.00 made payable to "Borough of North Caldwell".
 - v. A separate sealed envelope containing the bid amount, the outside of which shall state "2024 Plenary Retail Distribution Liquor License Bid" and the name of the bidder.
- e. On May 29, 2024, at 10:00 a.m., the Borough Administrator 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, Borough ordinances, the conditions set forth in the published notices, and other applicable law. A list of such pre-qualified bidders shall be announced on and posted on the Borough website at <https://www.northcaldwell.org/procurement>.
- f. Sealed bids shall be submitted before 10:00am on May 14, 2024 to the Borough Administrator 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.
- g. The Borough Council shall, by written Resolution adopted at a public meeting, as soon as may be awarded, either award the license to the highest qualified bidder or reject all bids. If the award is made to the highest qualified bidder, the ultimate issuance of the license shall be subject to each of the following:
- i. 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;
 - ii. Payment of the State License Application Fee;
 - iii. Payment of the Annual Municipal Retail License Fee;
 - iv. Satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license;
 - v. Receipt of favorable State and/or Federal criminal background checks; and
 - vi. 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.

- h. The Borough reserves the right to reject all bids where the highest qualified bid is not accepted.
- i. The sale may be postponed or canceled at any time prior to the opening of the bids.
3. 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.
4. If no new license shall have been issued pursuant to this Resolution by November 26, 2024, no new license shall thereafter be issued without further Resolution of the Mayor and Borough Council, determining to issue a new license.
5. The Borough authorizes and directs the Mayor, Borough Clerk, and Borough Administrator to execute any and all necessary documents in order to implement the intent of this Resolution.
6. A certified copy of this Resolution shall be available in the office of the Borough Clerk for public inspection during business hours.
7. This Resolution shall take effect immediately upon passage and publication in accordance with law, if required.

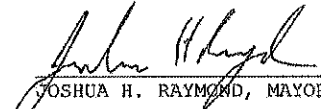
Moved By: Councilman Kessler

Seconded By: Councilman Atlas

COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT	COUNCIL MEMBER	YES	NO	ABSTAIN	ABSENT
ATLAS	X				REES	X			
FLORIA-CALLORI	X				TILTON	X			
KESSLER	X				WEINSTEIN	X			

IT IS HEREBY CERTIFIED THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH CALDWELL AT A MEETING OF SAID COUNCIL HELD ON MARCH 26, 2024.


TAMI MICHELOTTI, BOROUGH CLERK


JOSHUA H. RAYMOND, MAYOR

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

PLENARY RETAIL DISTRIBUTION LICENSE

Questions and Clarifications – All questions concerning this notice or the bid specifications should be in writing and addressed to the Borough Clerk, Tami Michelotti, at (973) 228-6411. Questions must be submitted no later than three (3) business days, weekends and holidays excepted, prior to the scheduled submission date.

Bid Proposal Form – All information provided, including but not limited to the ABC Application and the bid submission page, must be written in ink or preferably machine-printed on the provided forms. Bids containing any conditions, omissions, unexplained erasures or alterations, items not called for in the Bid Package, attachment of additive information not required by the specifications, or irregularities of any kind, may be cause for rejection by the Borough in accordance with applicable law. Any changes, whiteouts, strikeouts, etc. in the bid must be initialed in ink by the person signing the bid. Failure to include the provided forms shall result in rejection of the bid.

Each submission must give the full business address, business phone, fax, e-mail, the contact person of the bidder, and be signed by an authorized representative as follows:

- Bids by partnerships must be signed in the partnership name by one of the members of the partnership or by an authorized representative, followed by the signature and designation of the person signing.
- Bids by corporations must be signed in the legal name of the corporation, followed by the name of the State in which incorporated and must contain the signature and designation of the president, secretary or other person authorized to bind the corporation in the matter.
- Bids by sole-proprietorship shall be signed by the proprietor.
- When requested, satisfactory evidence of the authority of the officer signing shall be furnished.

Discrepancies in Bids – If the amount shown in words and its equivalent in figures do not agree, the written words shall be binding. Ditto marks are not considered writing or printing and shall not be used.

Bidder Certification – Bidders must complete the Bidder Certification declaring and certifying that they have no conflicts of interest, that they have not offered or paid any gift, fee, commission, or compensation to any Municipal official or employee, and that the bidder understands and is in compliance with vendor contribution laws. Failure to include the Bidder Certification may result in rejection of the bid.

Specification Challenges and Addenda – The bidder understands and agrees that its bid is submitted on the basis of the specifications prepared by the Borough. The bidder accepts the obligation to become familiar with these specifications. Bidders are expected to examine the specifications and related bid documents with care and observe all their requirements. Ambiguities, errors or omissions noted by bidders should be promptly reported in writing to the appropriate official. Any prospective bidder who wishes to challenge a bid specification shall file such challenges in writing with the Municipal Clerk no less than three business days prior to the opening of the bids. Challenges filed after that time shall be considered void and have no impact on the Borough or the award of a license. In the event the bidder fails to notify the Owner of such ambiguities, errors or omissions, the bidder shall be bound by the requirements of the specifications and the bidder's submitted bid. No oral interpretation and or clarification of the meaning of the specifications will be made to any bidder. Such request shall be in writing, addressed to the Owner's representative stipulated in the specification. In order to be given consideration, a written request must be received at least three (3) business days prior to the date fixed for the submission of the bid. All interpretations, clarifications and any supplemental instructions will be in the form of written addenda to the specifications and will be distributed to all prospective bidders. All addenda so issued shall become part of the specification and bid documents and shall be acknowledged by the bidder in the bid by completing the Acknowledgement of Addenda form. The Borough's interpretations or corrections thereof shall be final. The Borough shall provide required notice prior to the official receipt of bids to any person who has submitted a bid or who has received a bid package. Bidders must include the Acknowledgment of Addenda form with their bids. Failure to submit the Acknowledgment of Addenda form shall result in rejection of the bid.

Statutory and Other Requirements – The following are additional requirements of this bid:

- 1. STATEMENT OF OWNERSHIP DISCLOSURE:** The included Statement of Ownership shall be completed and attached to the bid proposal. This requirement applies to all forms of business organizations, including, but not limited to, corporations and partnerships, publicly- owned corporations, limited partnerships, limited liability corporations, limited liability partnerships, sole proprietorship, and Subchapter S corporations. Failure to submit a Statement of Ownership Disclosure shall result in rejection of the bid as it cannot be remedied after bids have been opened.
- 2. NON-COLLUSION AFFIDAVIT:** The enclosed Non-Collusion Affidavit shall be properly executed and submitted with the bid proposal.
- 3. AFFIDAVIT AND CERTIFICATION OF APPLICANT**
- 4. RELEASE OF INFORMATION FORM**
- 5. SUPPLEMENTAL QUESTIONNAIRE FOR A STATE ISSUED LICENSE OR CONCESSIONAIRE'S PERMIT**

Withdrawal of Bids – Sealed bids forwarded to the Borough before the time of opening of bids may be withdrawn upon written application of the bidder who shall be required to produce evidence showing that the individual is or represents the principal or principals involved in the bid.

It is the bidder's responsibility to present bids to the Borough prior to or at the time and at the place designated. Bids may be hand delivered or mailed; however, the Borough disclaims any responsibility for bids forwarded by regular or overnight mail. Bids sent by mail or delivery service must be in a separate envelope inside the delivery envelope and the envelope marked as required above. Bids received after the designated time and date will be returned unopened.

All bids must be received by the North Caldwell Borough Clerk at the North Caldwell Municipal Building at 141 Gould Avenue, North Caldwell, NJ 07006 no later than the time and date listed above. The sealed envelope shall include the information noted above.

All responses shall be opened and announced publicly as indicated in the within timeline.

The Borough Council shall take action by Resolution to award the License to the highest qualified bidder or reject all bids. If award is made, the balance of the bid shall be paid within five (5) days by certified check, together with compliance with all prerequisites of the Resolution; otherwise, at the option of the Borough Council, the award may be voided and the successful bidder's deposit forfeited. The sale may be postponed or canceled at any time before opening the bids.

BOROUGH OF NORTH CALDWELL

BID PROPOSAL FORM

This page and the accompany check of \$35,000.00 to be submitted in a separately sealed envelope contained within the bid package. The envelope shall be marked with the Bidder's name and "Bid Proposal Form and Deposit Check for one Plenary Retail Distribution License."

**One Plenary Retail Distribution License
(Minimum Bid \$125,000.00)**

The undersigned proposes to purchase North Caldwell's available Plenary Retail Distribution License pursuant to the bid specification and made part hereof for the amount of:

Amount (in words)

\$ _____
Amount (in numbers)

Company Name

Federal I.D. # or Social Security #

Address

Signature of Authorized Agent

Type or Print Name

Title

Telephone Number

Fax Number

E-mail address

Date

BOROUGH OF NORTH CALDWELL
BIDDER CERTIFICATION

Direct/Indirect Interests

I declare and certify that no member of the Borough of North Caldwell Governing Body, nor any officer or employee or person whose salary is payable in whole or in part by the Borough of North Caldwell or their immediate family members are directly or indirectly interested in this bid or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Governing Body member, employee, officer of the Borough has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the President of the firm or company.

I certify that I am not an official or employee of the Borough of North Caldwell.

President or Authorized Agent (Print)

Signature

Gifts, Gratuities, Compensation

I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift, gratuity or other thing of value to any Borough official, Governing Body member or employee of the Borough.

I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

President or Authorized Agent (Print)

Signature

BOROUGH OF NORTH CALDWELL

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

_____ **No addenda were received**

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I

Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III

Disclosure of 10% or greater ownership in the greater ownership in the stockholders, partners or LLC members listed in Part II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV

Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the Borough of North Caldwell is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Borough of North Caldwell to notify the Borough of North Caldwell in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the Borough of North Caldwell to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

Subscribed and sworn before me this ____ day of _____, 2024.

(Notary Public)

My Commission expires:

(Affiant)

(Print name of affiant and title if applicable)

(Corporate Seal if a Corporation)

NON-COLLUSION AFFIDAVIT

State of New Jersey

County of _____

SS:

I, _____ residing in _____
(name of affiant) (name of municipality)

in the County of _____ and State of _____ of full
age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____, the bidder making this Proposal for the bid
entitled _____, and that I executed the said proposal with
(title of bid proposal)

full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that Lumberton Borough relies upon the truth of the statements contained in said submission and in the statements contained in this affidavit in issuing a plenary retail distribution license.

I further warrant that no person or selling agency has been employed or retained to solicit or secure such license upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by _____

Signature

(Type or print name of affiant)

Subscribed and sworn to
before me this day

_____, 2024

Notary public

My Commission expires _____

(Seal)

BID DOCUMENT CHECKLIST

Required	Submission Requirement
	Bid Proposal Form (<i>in separate sealed envelope</i>)
	Bid Deposit (<i>in envelope with Bid Proposal Form</i>)
	Bidder Certification
	Acknowledgement of Addenda
	Statement of Ownership Disclosure
	Non-Collusion Affidavit
	ABC Application (hard copy of online submission to NJ Division of Alcoholic Beverage Control POSSE Online Licensing System)
	Affidavit and Certification of Applicant
	Release of Information Form
	Supplemental Questionnaire for a State Issued License or Concessionaire's Permit – State of New Jersey, Office of the Attorney General, Department of Law & Public Safety, Division of Alcoholic Beverage Control

NOTE: This form does not need to be submitted.
It is provided for the bidder's use in assuring compliance with all required documentation.

AFFIDAVIT AND CERTIFICATION OF APPLICANT

I will assist in any way that I am able to obtain any and all documents and information requested by the North Caldwell Police Department.

I certify that all of the statements made in this application are true, complete and correct to the best of my knowledge and belief and are made in good faith. I am aware that any misrepresentation of information supplied by me will result in my disqualification from the selection process. Further, I authorize the North Caldwell Police Department to verify any and all information contained herein and review my employment, education, financial and criminal history, military, disciplinary and other records and information from any source as noted in this duly executed Authorization and Release Form.

I have read this Certification and I understand and agree to the conditions imposed herein.

Date: _____ Signature: _____
(sign in ink)

(print name)

State of: _____

County of: _____

Sworn to and subscribed before me this

_____ day of _____ 20 _____

(Print Name and Title)

Signature (sign in ink)

Notary Public, my Commission expires: _____

DO NOT WRITE BELOW THIS LINE

Signature of Applicant made in presence of investigator

Date: _____

Signature of Investigating Officer

RELEASE OF INFORMATION FORM

To all courts, probation departments, police departments, officers and Judges in charge of expungement records, schools, colleges, physicians, credit reporting bureaus or agencies, selective service boards, military services, military records bureaus and centers, unemployment & disability insurance officers, insurance companies, workmen compensation companies and courts, and any and all other institutions, agencies, persons, businesses without exception:

I _____, Social Security No. _____

Date of Birth _____, am making application to _____

_____ for an alcoholic beverage license, and, as a result, an

investigation is being conducted to determine my eligibility. _____

Therefore, you are hereby authorized to release, without liability onto you, or your company, agency, bureau or institution, any and all information, records, documents, reports, evaluations, examinations, or any and all other information pertaining to me that they may request.

A photostatic copy of this authorization will be deemed as effective and valid as the original.

DATE: _____

SIGNATURE: _____

WITNESS: _____



**STATE OF NEW JERSEY
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

SUPPLEMENTAL QUESTIONNAIRE FOR A STATE ISSUED LICENSE OR CONCESSIONAIRE'S PERMIT (Part 1)

Instructions: Part One of this questionnaire should be completed by the individual who will be the primary licensee. If the licensed entity is a corporation, that individual would, in most circumstances, be the corporation president. If the licensed entity is a Limited Liability Company, the individual responsible to complete the questionnaire would be the managing member.

The information provided to the NJABC in this questionnaire will be used in the license qualification background investigation. All answers should be complete and truthful. Material omissions or false statements can be a basis for denial of the license sought, in addition to possible criminal penalties.

Should you have any questions regarding the completion of this questionnaire, you should contact the NJABC Enforcement Bureau (609) 292-5296.

Individual Completing Questionnaire														
		(Last)			(First)			(Middle)						
Present Address						City				State		Zip Code		
Place of Birth										Date of Birth				
Work Phone #														
Home Phone #														
Cell Phone #														
Name of Applicant														
Business Type		<input type="checkbox"/> Sole Proprietorship		<input type="checkbox"/> Partnership		<input type="checkbox"/> Corporation		<input type="checkbox"/> Limited Liability Company		<input type="checkbox"/> Other (Explain)				
Applicant Address						City				State		Zip Code		
Trade Name of Applicant														
State License Number (NJABC USE ONLY)										Type of License Applied For (Indicate Below)				
		08		Restricted Brewery		16		Plenary Distillery		26		Limited Wholesale		
		09		Wine Blending		17		Limited Distillery		29		Wine Wholesale		
		10		Plenary Brewery		18		Supplementary Ltd Distillery		27		Warehouse Receipts		
		11		Limited Brewery		19		State Beverage Distributor		28		Public Warehouse		
		12		Broker		20		Transportation		29		Bonded Warehouse Bottling		
		13		Retail Transit		21		Plenary Winery		40		Special Permit for a Golf Facility		
		14		Annual State Permit		22		Farm Winery				(Other)		
		15		Rectifier and Blender		23		Plenary Wholesale				(Other)		
		16		Plenary Distillery		24		Additional Warehouse or Salesroom				(Other)		

If Applicant is a Partnership <small>(Attach Additional Sheets As Needed)</small>	<ol style="list-style-type: none"> 1. State Names and Addresses of ALL Partners. 2. Attach a Copy of the Signed Partnership Agreement. 								
If Applicant is a Limited Partnership <small>(Attach Additional Sheets As Needed)</small>	<ol style="list-style-type: none"> 1. State Names and Addresses of ALL General Partners (Including Officers, Directors and Shareholders of ALL Corporate General Partners) 2. State Names and Addresses of ALL Limited Partners 3. Attach a Copy of the Limited Partnership Filing. 4. Attach a Copy of the Signed Limited Partnership Agreement. 								
If Applicant is a Corporation <small>(Attach Additional Sheets As Needed)</small>	<ol style="list-style-type: none"> 1. State Names and Addresses of ALL Officers. 2. If Privately Held, Names and Addresses of ALL Stockholders and # of Shares Held by Each. (Should Total 100% of Shares Issued) 3. Attach a Signed Copy of All Shareholder Agreements. 								
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 2px;">Date Incorporated</td> <td style="width: 20%;"></td> <td style="width: 20%; padding: 2px;">State of Incorporation</td> <td style="width: 20%;"></td> <td style="width: 20%; padding: 2px;">Federal Tax ID #</td> <td style="width: 20%;"></td> <td style="width: 20%; padding: 2px;">NJ Tax ID #</td> <td style="width: 20%;"></td> </tr> </table>	Date Incorporated		State of Incorporation		Federal Tax ID #		NJ Tax ID #		
Date Incorporated		State of Incorporation		Federal Tax ID #		NJ Tax ID #			
If Applicant is a Limited Liability Company <small>(Attach Additional Sheets As Needed)</small>	<ol style="list-style-type: none"> 1. State Names and Addresses of ALL Members, Including the Officers, Directors, and Shareholders of All Corporate Members. 2. Attach a Copy of the Articles of Organization and/or the Certificate of Formation Filed with the State. 3. Attach a Signed Copy of the Fully Executed Operating Agreement. 								

Purchase Information										1. Attach a Signed Copy of the Fully Executed Contract of Sale														
Date Alcohol Beverage License Was Purchased										Purchase Price														
Seller's Name																								
Present Address					City					State					Zip Code									
Primary Phone #										Secondary Phone #														
Amount Deposit					How Paid										Attach Signed Copy of the Financial Instrument									
Is Seller Holding a Note		No		Yes		If Yes: Amount of Note										Attach Signed Copy of Fully Executed Note								
Term Length		Interest Rate		Simple Interest		Compound Interest		Compound Period/Terms																
Borrowing from a Financial Institution		No		Yes		If Yes: Name and Address of Financial Institution										Attach Signed Copy of Fully Executed Loan Agreement								
Term Length		Interest Rate		Simple Interest		Compound Interest		Compound Period/Terms		Amount of Loan														
Will There be a Balance at Closing That is Coming From a Different Source Other Than Detailed Above				No		Yes		If Yes: Total Additional Amount Provided																
Provide Details Including Sources of Funds																								
Is Applicant Represented by an Attorney															No		Yes							
Name of Attorney																								
Name of Law Firm																								
Address																								
Phone #																								
Will Applicant be Using an Outside Accountant/Bookkeeper for the Business															No		Yes							
Name of Accountant																								
Name of Company																								
Address																								
Phone #																								
Will Applicant's Books and Records be Maintained on the Licensed Premise															(If No Applicant Must File With NJABC for Off-Premise Storage Permit and Disclose Storage Location Below)					No		Yes		
Address																								
Phone #																								

Will the Business Employ a General Manager to Oversee Day-to-Day Operations		No	Yes
If Yes, Is There a Management Contract		Attach Signed Copy of Fully Executed Management Contract	
If Yes, Name of Manager			
Present Address		City	State Zip Code
Place of Birth		Date of Birth	
Work Phone #			
Home Phone #			
Cell Phone #			
Will Profits be Shared Between Manager & Partners/Members/Stockholders		If Yes, Provide Details Below	No Yes
Will Partners/Members/Stockholders Receive a Salary		If Yes, Provide Details Below, Including Name, Amount of Yearly Salary	No Yes
Will Any Person Associated With the Operation of the Business Receive a Bonus, Percentage of the Profits or Consultant Fee		If Yes, Provide Details Below, Listing Each Person, The Amount or Percentage Received, and Reason It Will Be Received	No Yes
Have Any Partners/Members/Stockholders Loaned Any Money to the Applicant		If Yes, Provide Details Below, Including Amount, Date(s) of Loans, and Amount, If Any, Returned to Them by the Applicant	No Yes
Does Applicant Have a Formalized Business Plan		If Yes, Attach Copy	No Yes
What Are the Projected Gross Receipts		Attach Copy of Projected Total Monthly Revenues and Projected Total Monthly Expenses For First Year of Operation	Monthly Yearly
Who Will Hire/Fire the Employees and/or Contractors			
Who Will Order Supplies Including Alcoholic Beverages			

Will You Have Internal Security/Bouncers/Spotters	If Yes, Provide Details Below Including Name of Security Company Attach Copy of Contracts	NO	Yes

CERTIFICATION

I DO HEREBY AUTHORIZE THE NEW JERSEY DIVISION OF ALCOHOLIC BEVERAGE CONTROL, AND THEIR AGENTS, TO RECEIVE AND USE INFORMATION CONCERNING THE APPLICANT AS PART OF THE DIVISION'S BACKGROUND INVESTIGATION OF THE APPLICANT'S APPLICATION FOR AN ALCOHOLIC BEVERAGE LICENSE AND/OR PERMIT.

I FURTHER ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS SUPPLEMENTAL QUESTIONNAIRE IS TRUTHFUL TO THE BEST OF MY KNOWLEDGE. I REALIZE THAT INCOMPLETE, MISLEADING OR FALSE INFORMATION MAY BE A BASIS FOR DENIAL OF AN ALCOHOLIC BEVERAGE LICENSE BY THE DIVISION, AND FURTHER, MAY SUBJECT ME TO BOTH CIVIL AND CRIMINAL PENALTIES, AS PROVIDED BY LAW.

Signed: _____

Print Name _____

Witness _____

Print Name _____

Sworn and Subscribed Before Me This

_____ Day of _____ 20____

Date: _____

Notary Seal