

PUBLIC NOTICE OF THE TOWNSHIP OF MANTUA BY ORDINANCE AUTHORIZING THE ADVERTISEMENT FOR SALE BY SEALED BID OF A PLENARY RETAIL DISTRIBUTION LICENSE and A PLENARY CONSUMPTION LICENSE to the highest qualified bidder(s) and invites bids thereon. Such bids shall be accepted until November 19, 2009 at 10:00 a.m. at the Municipal Building, 401 Main Street, Mantua. The public bids shall be subject to the following conditions:

a.) The Township Clerk is hereby authorized and directed to cause a notice to be published in the Gloucester County Times and the Courier Post by two (2) insertions, one week apart, the second of which shall be made not less than thirty (30) days prior to the time and date set forth as the time and date after which no further applications will be accepted. Said notice shall advise of the proposed issuance of a Plenary Retail Distribution Liquor License and a Plenary Consumption License that sealed bids therefore will be accepted by the governing body. Said notice shall provide that no bids shall be accepted after 10:00 a.m. on Thursday, November 19, 2009.

b.) Nothing herein shall be construed to require the issuance of any license with respect to which a notice has been published as set forth herein. The sealed bid procedure will be subject to the following conditions:

1.) Bidders shall file a complete application as required by the Division of Alcoholic Beverage Control with the requisite filing fee of Two Hundred (\$200.00) Dollars by certified check or money order payable to Division of A.B.C. for each license bid, no later than 10:00 a.m. on November 19, 2009.

2.) A separate standard letter-sized envelope containing only the applicant's bid and the bid deposit fee shall be submitted for each bid. Such sealed envelope(s) containing the bid deposit fees) must have on its face the words "Bids for Plenary Retail Distribution License by (name of bidder)" or "Bid for Plenary Consumption License by (name of bidder)". The bid deposit fee(s) shall be in the form of certified check or money order payable to Township of Mantua in the amount of 20% of the bid. A bid deposit fee in any other form shall disqualify the bid.

3.) A separate Certification of proof of compliance by the prospective bidder(s) that it meets any and all special conditions or requirements contained in this notice and knows of no reason why they should be disqualified from having an interest in a Plenary Retail Distribution License or Plenary Consumption License in the State of New Jersey. The special conditions or requirements which must be met are as follow:

i) Proof of financial ability to undertake the purchase of the license, including a recital of the method by which the prospective bidder is obtaining the funds to satisfy 100% of the requirement.

ii) Information regarding the type, size, location and special features of the contemplated premises. A qualified applicant must be the legal or beneficial owner of a lot or parcel of land including the holder of an option, contract to purchase or other enforceable proprietary interest in the premises to be licensed. The proposed licensed premises shall be zoned to permit the use of said premises as a retail liquor store or establishment of liquor consumption.

iii) Records of past ABC violations involving the prospective bidder or bidders' principals, including owner of more than 10% equity or holders of more than 10% of the debt.

c.) The minimum acceptable bid shall be Six Hundred Fifty Thousand (\$650,000) Dollars for either license.

d.) All bids must be fully sealed. All items set forth in paragraphs 2 and 3 shall be placed in a sealed manila envelope of the approximate size of nine by twelve inches. This envelope shall be marked with the words "Bid for Plenary Retail Distribution License" only or "Bid for Plenary Consumption License" only and no other marking whatsoever.

e.) Those mailing bids shall place all items identified in "d" above in a sealed manila envelope of the approximate size of 12 x 15 ½ inches addressed as follows: Bid for Plenary Distribution License or Plenary Consumption License, Township of Mantua Municipal Clerk, Municipal Building, 401 Main Street, Mantua 08051. The Township of Mantua shall bear no responsibility for mailed bids not received by the date due.

f.) The Township Clerk shall announce the qualified bidders at 10:00 a.m. on November 23, 2009.

g.) Qualified bids shall be opened by the Township Clerk at 10:00 a.m. on November 30, 2009.

h.) No bids will be opened from or on behalf of any prospective bidder who does not qualify.

i.) No prospective bid will be eligible in the event that the envelope containing the bid and the bid security deposit is submitted without being sealed.

j.) No bid will be opened from or on behalf of any prospective bidder where the envelope containing the bid is not marked in the manner set forth above.

k.) The Township reserves the right to reject all bids where the highest bidder is not accepted.

l.) The sale may be postponed or canceled at any time prior to the opening of the bids.

m.) The highest qualified bidder shall submit payment of the bid price within 20 days of the award of the license by resolution of the Township. In the event that the highest bidder bids an amount equal or exceeding the minimum bid and subsequently fails to complete the transaction by paying the balance of the bid, all amounts given as bid deposit shall be forfeited to the Township of Mantua.

n.) In the event of a default of the highest bidder, the Township Committee reserves the right to award the license to the next highest qualified bidder or reject all bids.

o.) The successful bidder shall open and operate a retail distribution liquor store or liquor consumption establishment within two (2) years from the issuance of the license. In the event that the successful bidder does not open and operate a retail liquor store or consumption establishment within 2 years, or as reasonably extended

by resolution of the Township Committee, then and in that event the license shall be rescinded and shall be null and void.

Shawn Menzies, Municipal Clerk
Township of Mantua