

**NOTICE AND INVITATION TO BIDDERS**  
**BOROUGH OF OCEANPORT**  
**MONMOUTH COUNTY, NEW JERSEY**  
**SPECIAL PLENARY RETAIL CONSUMPTION LICENSE ON THE FORMER FORT MONMOUTH**  
**PROPERTY IN THE BOROUGH OF OCEANPORT FOR THE PROPERTY DESIGNATED BY THE FORT**  
**MONMOUTH ECONOMIC REVITALIZATION AUTHORITY AS THE COMMISSARY PARCEL**

**PLEASE TAKE NOTICE** that the Borough of Oceanport is accepting sealed bids on **WEDNESDAY, November 10, 2021 at 11:00 a.m.** in the Borough Clerk's Office, 910 Oceanport Way, Oceanport, New Jersey 07757 for the issuance of a Special Plenary Retail Consumption License on the former Fort Monmouth Property in the Borough of Oceanport designated by the Fort Monmouth Economic Revitalization Authority as the Commissary Parcel. The bid package may be obtained from the office of the Borough Clerk or upon request via e-mail to the Borough Clerk at [jsmith@oceanportboro.com](mailto:jsmith@oceanportboro.com) .

**INTRODUCTION AND INSTRUCTIONS**

The New Jersey Legislature adopted N.J.S.A. 33:1-12.52, et. seq. on August 17, 2018 with an effective date of March 1, 2019 (the "Statute"). The Statute authorizes the issuance of additional alcoholic beverage licenses, known as a Special Plenary Retail Consumption License (the "Special License"), by the Borough of Oceanport for a Project Area located within the former military base known as Fort Monmouth for the operation of a hotel, restaurant or bar on any premises located within the Project Area. **The Fort Monmouth Economic Revitalization Authority ("FMERA") issued Plan Amendment #15 to the Fort Monmouth Reuse and Redevelopment Plan to provide for alternative development of the parcel known as The Commissary. Amendment #15 permits the adaptive reuse of the Commissary building into a +/- 53,700 sq. ft. of commercial and retail uses related to food service establishments, research & development, and craft production. Pursuant to N.J.S.A. 33:1-12.52 (g)(2), a bidder for a Special License must have completed the mandatory conceptual review process with FMERA for the Commissary Parcel in accordance with N.J.S.A. 52:271-34 and FMERA's implementing regulations to be eligible to submit a bid.** Consistent with the mandates of N.J.S.A. 33:1-12:52, inasmuch as there have been less than three plenary retail consumption licenses sold within the Borough of Oceanport over the past five years, an appraisal has been obtained by the Borough of Oceanport to establish the appropriate fair market value of the license to be issued. Based upon that appraisal, the minimum bid price for this license shall be Two Hundred Fifty Thousand Dollars (\$250,000.00). This appraisal and minimum bid price have taken into account any reduction in fair market value of this Special License arising out of the limitation on transferability of same as set forth in N.J.S.A. 33:1-12.52

**DEFINITIONS**

1. "Project Area" has the meaning set forth at N.J.S.A. 33:1-12.52 (a) including the area which used to be known as Fort Monmouth, including the Commissary Parcel within the borders of Oceanport.

2. "Special License" means a plenary retail consumption license to sell alcoholic beverages for consumption on the premises issued by the Borough of Oceanport pursuant to N.J.S.A. 33:1-12.52, et. seq.

#### **CONDITIONS OF THE SALE**

1. Bidders shall file a completed NJ ABC Retail Liquor License Application form with the Borough Clerk with the requisite filing fees for the Division of Alcoholic Beverage Control by certified check or money order, in the amount of \$200.00 made payable to the Alcoholic Beverage Control Commission, no later than 11:00 a.m. on **Wednesday, Nov. 10, 2021**.
2. All bidders must be qualified to hold an interest in a retail alcoholic license pursuant to the standards set forth in the Alcoholic Beverage Control Act, the Rules and Regulations promulgated thereunder, and any applicable Oceanport Borough municipal ordinances.
3. All bidders must meet the conditions and obligations of N.J.S.A. 33:1-12.52 and N.J.S.A. 33:1-12.53 and regulations issued by the N.J.A.B.C under these statutes.
4. Bidders must submit, with the application, proof of qualification as follows:
  - a. A separate sealed self-addressed envelope with the prospective bidder's bid and bid deposit fee. Such sealed envelope containing the bid and bid deposit fee must have on its face the words and only the words: "Bid for Special Plenary Retail Consumption License by (name of bidder)."
  - b. Proof of compliance by the applicant that it meets any and all special conditions or requirements contained in this notice.
  - c. Proof of financial ability to undertake the purchase of the Special Plenary Retail Consumption License including the recital of the method by which the balance of the bid shall be obtained and provided to the Borough of Oceanport within thirty (30) days after the award.
  - d. Information regarding type, size, location and special features of the contemplated project/premises at the **Commissary Parcel** and past ABC violations, if any, involving the prospective bidder or bidders' principles (i.e. owner of more than a 10% equity or debt interest).
5. All bids must be submitted with a certified check in the amount of ten percent (10%) of the bid in a separately sealed envelope with bidder's name clearly noted thereon and shall be included with the application package.
6. The premises to be utilized by the successful bidder must conform to the Fort Monmouth Reuse and Redevelopment Plan and applicable Oceanport Borough zoning ordinances and receive any applicable approvals pursuant to the New Jersey Municipal Land Use Law, NJSA 40:55D-1 et seq.
7. On **Wednesday, Nov. 10, 2021** at 11:00 a.m. the Borough Clerk will open bids.
8. Prospective conditional award is slated for **Thursday, December 16, 2021** at the regular meeting of the Borough Council.
9. The actual award of the Special Plenary Retail Consumption License may be postponed or cancelled at any time prior to the opening of the bids.
10. The Borough reserves the right to reject all bids.

**Jeanne Smith, RMC**  
**Borough Clerk**