

**PUBLIC NOTICE
BOROUGH OF RUTHERFORD**

NOTICE TO ACCEPT BIDS FOR TWO PLENARY RETAIL CONSUMPTION LIQUOR LICENSES

PLEASE TAKE NOTICE that the Borough Council of the Borough of Rutherford, as authorized by Resolution No. 54-2026 is conducting a sale by public bid of one (1) new Plenary Retail Consumption Licenses. The Plenary Retail Consumption Liquor License shall only be utilized in conformance with § 7-13A(3) of the provisions of Rutherford Ordinance and in conformance with all of the Ordinances of the Borough of Rutherford.

The minimum acceptable bid for a license is three hundred thousand dollars (\$300,000.00). The Borough reserves the right to reject any and all bids.

Bids shall be accepted only from those bidders who are pre-qualified pursuant to the prequalification requirements set forth in Resolution 54-2026.

Two separate submittals must be delivered to the Borough Clerk, Rutherford Borough Hall, 176 Park Avenue, Rutherford, NJ 07070, N.J. no later than March 31, 2026, on or before 11:00 a.m. as follows, with the completed checklist:

1. One sealed envelope containing (i) A completed State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control Retail Liquor License Application Form; (ii) a separate Certification of proof of compliance by the applicant that it meets all conditions or requirements contained in Resolution 54-2026, including that he/she knows of no reason why he or she would be disqualified from having an interest in a Retail License in the State of New Jersey under the standards set forth in the Alcoholic Beverage Control Act and the rules and regulations promulgated thereunder; and (iii) proof of a lease or an ownership interest in a location of the Borough described in Section 3(e)(1)b. of Resolution 54-2026.

2. One sealed envelope containing the Bid Proposal Form, indicating the proposed bid amount and the remittance of a deposit in the amount of thirty thousand dollars (\$30,000.00) (10% of the required minimum acceptable bid) by certified check made payable to the "Borough of Rutherford". The outside of the envelope shall state "2026 Plenary Retail Consumption Liquor License Bid" and the name of the bidder.

No Bid documents will be accepted after 11:00 a.m. on March 24, 2026.

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, Rutherford Borough Ordinances, all conditions set forth in Resolution 54-2026 and all other applicable laws on March 31, 2026, at 11:00 a.m. in the Rutherford Municipal Building, Second Floor, 176 Park Avenue, Rutherford, NJ 07070. The names of pre-qualified bidders will be posted on the bulletin board in the Municipal Building.

On April 7, 2026, at 11:00 a.m. in the Rutherford Municipal Building, 2nd Floor, 176 Park Avenue, Rutherford, N.J., the Borough Clerk shall open the bids of the pre-qualified bidders and publicly announce the name of each bidder and the amount of each bid. No bid shall be opened from/or on behalf of any prospective bidder who fails to pre-qualify. The Borough reserves the right to

postpone or cancel the sale at any time prior to the bid opening. The Borough reserves the right to reject all bids in the event the highest bid is not accepted.

The Borough Council, by written Resolution, to be considered at the Public Meeting on April 13, 2026, beginning at 6:30 p.m., or shortly thereafter (provided the Borough Council does not reject all bids) may accept the bid of the highest qualified 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 "Borough of Rutherford" within five (5) business days after the date of adoption of the Resolution of the Borough Council accepting the bid; 2) payment of the annual Municipal Retail Liquor License fee; 3) within thirty (30) days of the Resolution of the Borough Council accepting the highest bid, the prevailing bidder shall submit a full and complete twelve (12) page State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverage Control Retail Liquor License Application Form seeking the issuance of the license and the simultaneous siting of the license at the location identified as part of the bid pre-qualification process, and payment of the New Jersey State license fee; 4) Receipt of favorable state and/or federal criminal background checks for the prospective licensee and all individuals named in the application; 5) satisfactory outcome of further municipal background checks to investigate the source of funds used to purchase the license; 6) satisfactory outcome of State and/or Federal criminal background checks; 7) compliance with publication, hearing and resolution requirements set forth in N.J.A.C. 13:2-2.1 et seq; and 8) approval by the Borough Council of the issuance of the license as a person to person transfer and the simultaneous approval of the siting of the license as a place to place transfer.

Failure to make the timely payment of the balance of the bid amount within five business days after the date of the adoption of the aforesaid Resolution accepting the bid, shall, at the option of the Borough Council, result in voiding the acceptance of the bid and forfeiture of the successful bidder's deposit whereupon the Borough may accept the bid of the next highest qualified bidder or take no further action.

The deposit of all unqualified bidders shall be returned within five (5) business days of the date of announcing the qualified bidders. The unsuccessful qualified bidders' deposits will be returned within ten (10) business days of the Borough Council accepting the bid by resolution on April 13, 2026.

If the new Consumption Liquor License has not been issued pursuant to all the procedures and conditions contained in Resolution No. 54-2026 within six (6) months after the closing date established for acceptance of applications as set forth in in this Public Notice, no Consumption Liquor License shall be issued without again complying with all of the Resolution and Notice provisions of the law.

Any questions pertaining to the bid application or conduct of sale shall be submitted in writing to the Borough Clerk, at 176 Park Avenue, Rutherford, NJ 07070 no less than seven (7) business days before the date that the bid packages are due.

BY ORDER OF THE BOROUGH COUNCIL

MARGARET SCANLON
BOROUGH CLERK
February 13, 2026



PLENARY RETAIL CONSUMPTION LICENSE SUBMISSION CHECKLIST – 2026

ENVELOPE #1

- _____ 1. Completed State of New Jersey ABC Retail Liquor License Application Form
- _____ 2. Letter Certifying Compliance with Resolution Requirements including language he/she knows no reason why they would be disqualified from having an interest in a retail license in NJ.
- _____ 3. Proof of a lease or ownership in a Rutherford location

ENVELOPE #2

Labeled “2025 Plenary Retail Consumption Liquor License Bid” with Bidder’s Name

- _____ 1. Propose Bid on Bid Form
- _____ 2. \$30,000 Certified Check payable to “Borough of Rutherford”

Bidder’s Name _____

Date _____



CERTIFICATE OF COMPLIANCE

I certify that I meet all conditions of or requirements contained in Resolution 54-2026, including that I know of no reason why I would be disqualified from having an interest in a Retail License in the State of New Jersey under the standards set forth in the Alcoholic Beverage Control Act and the rules and regulations promulgated thereunder.

Applicant's Name (Print) _____

Applicant's Signature _____

Date _____



ENVELOPE #2

**PLENARY RETAIL CONSUMPTION
LICENSE BID FORM - 2026**

BID AMOUNT: \$ _____

Bid Amount (In Words) _____

Note: Minimum Requirement is \$300,000.00

Bidder's Name _____

Date _____

NOTE: This form should be included in "Envelope #2".