

BOROUGH OF BRADLEY BEACH
NOTICE TO BIDDERS

**CONCESSION LICENSE AT OCEANFRONT LOCATION
WITHIN THE BOROUGH OF BRADLEY BEACH**

The Mayor and Council have determined that certain areas on the oceanfront are not needed for public use and are not otherwise dedicated or restricted pursuant to law.

The Mayor and Council of the Borough of Bradley Beach have authorized and directed the Borough Clerk to advertise for bids to award a Concession License upon certain Borough property, as described hereinbelow, pursuant to N.J.S.A. 40A:11-4.1, upon the following terms and conditions:

Use of the property located at the Oceanfront and Brinley Avenue, together with additional optional locations on Newark Avenue and Evergreen Avenue, for the rental of Beach Umbrellas and Chairs, as approved by the Borough. The Concession Premises may be viewed by appointment with Borough Administrator whose phone number is 732-776-2999 Ext 1012.

Each proposal is subject to the following requirements, together with all terms and conditions of the Borough's Concession License Agreement for the above-described concession area:

1. The Concession License shall be awarded to the highest bidder by open public bidding at auction to be held on Tuesday, April 26, 2022 at the regularly scheduled Council Meeting at the Municipal Building located at 701 Main Street in Bradley Beach at 6:30 p.m., or as soon thereafter as may be heard.
2. The initial term of said lease is from May 1, 2022 to October 31, 2022.
3. By October 1, 2022, the Borough may award to the Concessionaire, at its sole discretion, a two-year extension of the Concession License upon review and approval of the performance of the Concessionaire.
4. The minimum bid that may be accepted by the Borough of Bradley Beach for the Concession License is \$3,000 per year. A Security Deposit of one-third or 33.3% of the first year's Annual Fee shall also be tendered by Concessionaire.
5. There will be a 5% yearly increase, including the extension period, if any.
6. All bidders must submit to the Municipal Clerk, prior to bidding, a deposit in the amount of Five-Hundred Dollars (\$500.00) by certified check, bank check or cash. The deposit will be a credit toward the Concession Annual Fees and/or Security Deposit in favor of the successful bidder and returned to any non-successful bidder within thirty (30) days of the bid award.

7. The balance of the first year's Annual Fee and the Security Deposit shall be paid by cash or certified check within fourteen (14) days of the execution of Concession License Agreement by Concessionaire and the Borough, and thereafter, all subsequent years' Annual Fees shall be due from Concessionaire on or before January 30th of each applicable year.
8. Within (7) days after adoption of a Resolution by the Borough awarding the Concession License, the Concessionaire must execute the Concession License Agreement on file in the Municipal Clerk's Office located at 701 Main Street, Bradley Beach, NJ and available for review Monday through Friday between the hours of 9:00 a.m. and 4:00 p.m. All bidders should inspect the Concession License Agreement and the Concession Premises prior to bidding insofar as the terms of the Concession License Agreement are incorporated herein. All successful bidders must execute the Other Contract Documents appended to the Concession License Agreement as Exhibit C.
9. The successful bidder must provide proof of insurance to the Borough for liability in the amounts of: (a) \$3,000,000.00 for injuries to one person; (b) \$1,000,000.00 for any one accident; (c) \$100,000.00 for property damage; and (d) Workers' Compensation/Disability Insurance with the limits of liability as required by New Jersey law, in order to provide adequate protection for the Borough, its representative employees and others lawfully on the Concession Premises, against all liabilities, damages and accidents. The Concessionaire shall maintain such insurance in force until vacating the Concession Premises. The Concessionaire shall name the Borough as an additional insured under the said policy, and said policy shall provide for at least ten (10) days advance notice to the Borough before cancellation or non-renewal thereof.
10. The Borough reserves the right to reject the highest bid, and to reject any and all bids and waive any minor non-material defects as be in the best interests of the Borough.

March 28, 2022
BOROUGH OF BRADLEY BEACH
Erica Kostyz, RMC, CMR
Municipal Clerk