

## Legal Notice

Notice is hereby given by the Borough of Bradley Beach that a concession Bid request in accord with N.J.S.A. 40A:11-1 et. Seq. will be received by the Borough on **April 15, 2026, at 10:30A.M.** prevailing time publicly broadcast and recorded on zoom and conducted on electronic platform, in accord with N.J.A.C. 5:34-1 et. Seq., on BIDNET at [www.bidnetdirect.com//boroughofbradleybeach](http://www.bidnetdirect.com//boroughofbradleybeach)

### **BID 26-12 BEACH PROMENADE CONCESSION**

#### **WITHIN THE BOROUGH OF BRADLEY BEACH**

#### **NOTE:**

it is the bidder's responsibility to ensure that the bid package is uploaded to the e-procurement site by the bid opening date and time. Any bid document received after the deadline established by the Department of Purchasing will not be accepted, regardless of the method of delivery.

#### **NO PHYSICAL OR EMAILED BIDS WILL BE ACCEPTED**

For information on attending the publicly broadcast opening contact the Qualified Purchasing Agent at [scanning@TheCanningGroup.org](mailto:scanning@TheCanningGroup.org).

Bidders must comply with the requirements of N.J.S.A. 10:5-31 et seq., and N.J.A.C. 17:27 et. Seq.,

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 conditions:

Use of certain property located at the Oceanfront between Ocean Park Ave and Park Place Ave as a beachfront concession, including the promenade area immediately adjacent thereto, and the adjoining grass area for the placement of tables and chairs as approved by the Borough (the "Concession Premises). This Concession License includes only use of the Concession Premises and available utilities, and does not include the Borough's provision of any trailer, structure,

mobile concession unit, tables, sinks, cabinets, food prep areas, refrigerators, microwaves, or cooking areas. Concessionaire shall provide its own fit-out of the concession area for the intended use. The Concession Premises and the proposed Concession License Agreement may be inspected by appointment with the 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:

1. The Concession License shall be awarded to the highest bidder by open public bidding at [www.bidnetdirect.com//boroughofbradleybeach](http://www.bidnetdirect.com//boroughofbradleybeach) on April 8, 2026. For technical support on uploading bid response please contact bidnetdirect technical support at 1-800-835-4603 option # 2.
2. The term of said lease is from on or about May 31- July 1, 2026 through October 31, 2030
3. The minimum bid that may be accepted by the Borough of Bradley Beach for the first year of the Concession License is \$15,000 per year. No Security Deposit is required. There shall be a 10% increase in the Annual Fee for the second and third years of the Concession License.
4. Prior to the bid on April 8, 2026, all bidders must submit to the Municipal Clerk, prior to bidding, a deposit in the amount of One Thousand Dollars (\$1,000.00) by certified check, bank check or cash. The deposit will be a credit toward the Concession Annual Fees in favor of the successful bidder and returned to any non-successful bidder within thirty (30) days of the award.
5. The balance of the first year's Annual Fee 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 April 30th of each applicable year.
6. 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 and Documents appended to the Concession License Agreement.
7. 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.

8. 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.

BOROUGH OF BRADLEY BEACH

Erica Kostyz, RMC, CMR

Municipal Clerk