

CITY OF SEA ISLE CITY
NEW JERSEY

**2019 & 2020 FRANCHISE FOR SELLING ICE CREAM, ICE CREAM
PRODUCTS AND BOTTLED WATER ON PUBLIC BEACHES**

NOTICE is hereby given that sealed bids will be received by the City of Sea Isle City, New Jersey for the awarding of an exclusive two (2) year license to sell ice cream, ice cream products and bottled water on the public beaches in the City of Sea Isle City, New Jersey for the years 2019 and 2020. The contract will be awarded as soon as possible after the receipt of these bids. The minimum bid shall be \$150,000.00/per year. The bids are to be received sealed and must be addressed to the Purchasing Board, c/o City Clerk of the City of Sea Isle City, New Jersey and will be opened and read in public at City Hall, 233 JFK Blvd., Sea Isle City, on

WEDNESDAY, APRIL 10, 2019 AT 2:00 P.M. PREVAILING TIME

Bids may be sent or hand delivered by the bidder or his agent to the City Clerk's Office, City Hall, 233 JFK Blvd., 2nd Floor, Sea Isle City, New Jersey 08243 up to 3:30 pm on Tuesday, April 9, 2019 or hand delivered at 2:00 pm to the City Clerk's Office on Wednesday, April 10, 2019 and will be opened immediately thereafter and read publicly. Bids will not be received or accepted later than the time designated aforesaid for their receipt.

Bids must be enclosed in a sealed envelope bearing the name and address of the bidder, and must be marked, "**2019/2020 FRANCHISE FOR SELLING ICE CREAM, ICE CREAM PRODUCTS AND BOTTLED WATER ON PUBLIC BEACHES BID**", and must be addressed to the Purchasing Board, c/o City Clerk, City Hall, 233 JFK Blvd., 2nd Floor, Sea Isle City, New Jersey 08243.

Bidder is responsible for compliance with "The Prevailing Wage Act", Chapter 150 of the Laws of 1973 (N.J.S.A. 34:11-56.25) and Chapter 127, P.L. 1975 – Supplement to Law Against Discrimination (Affirmative Action) and for compliance with the provisions of C.33, P.L. 1977, which requires that no corporation or partnership shall be awarded any municipal contract for the performance of any work or the furnishing of any materials and supplies, unless prior to the receipt of the bid or accompanying the bid of said corporation or partnership there is submitted a statement setting forth the names and addresses of all stockholders in the corporation or partnership who own a ten percent or greater interest therein.

Contract award shall be determined by the **grand total** of the two (2) year bid price. It is the intent of the City of Sea Isle City to award to **only one (1) vendor** for the duration of the two year contract.

All bids shall be accompanied by **certified check** made payable to the City of Sea Isle City in the amount of **10% of the total two (2) year bid**. The City reserves the right to reject any or all bids and to waive minor irregularities in the bid form.

The successful bidder will be obligated to enter into a contract as soon as same can be prepared by the Municipal Solicitor of the City of Sea Isle City after the awarding of the bid and the entire bid price for the one (1) year period shall be due in the form of a certified check either on or before May 1, 2019 for the contract year 2019 and then payable on or before January 15, 2020 for the contract year 2020.

The successful bidder will also be **required to obtain a Mercantile License** from the City of Sea Isle City Clerk's office. This will need to be purchased on or before May 1st of each contract year. Without this license the bidder is prohibited from selling any product in this bid during that contract period.

As a minimum requirement, the successful bidder shall be responsible and required to provide for the selling of ice cream and ice cream products on all of the protected beaches, in the City of Sea Isle City, including the Townsend's Inlet section of the beach, (Beginning at 29th Street to 93rd Street, inclusive). The sales shall be limited to the hours from ten o'clock in the morning until six o'clock in the evening, prevailing time, and the sales shall be limited to the sale of packaged ice cream and ice cream products, including Popsicles, fudgsicles, icesicles, ice cream cones, Dixie cups and related containers containing ice cream, ice cream sandwiches, related products and bottled water.

The sale will be subject to all reasonable regulations as shall be imposed by the Sea Isle City Police Department, the County and City Health Departments, which shall cover the registration of any apparel to be worn by the peddlers and the health inspections to be carried out on the actual peddlers and handlers of the ice cream, ice cream products and bottled water they sell.

The successful bidder shall not store or distribute the ice cream or ice cream products or bottled water from any building or garage in a residential zoned area. The location of the storage site shall be revealed to the City Clerk in writing and approved by the Zoning Officer prior to the execution of the Contract by the Mayor and City Clerk.

The successful bidder shall be required to carry general liability insurance including products liability in the minimum amount of \$1,000,000.00 covering and insuring the interest of the City as the result of the sale or use of items sold on the beach. A copy of said insurance policy shall be delivered to the City Clerk prior to May 1st of each contract year.

The Director of the Department of Public Safety shall have the right to revoke the license in the case of disorderly conduct on the part of the licensee or his employees, and in the case of conduct which demonstrates a state of moral turpitude or making any false statements in the application for the license and/or violation of the regulations relating thereto and provided herein, or knowingly selling products at a disapproved place or spreading debris or boxes around the public beach or charging more than the listed price for any article or for selling a quality less than represented. There shall be required to be prominently posted on the box or container used for the sale or products, the price of all products for sale.

The successful bidder shall abide by Chapter IV Section 4-2.6 of the Code of Sea Isle City that states it shall be unlawful for any person or vend, hawk or peddle any goods within one hundred (100') feet of any fixed business establishment or any other vending, peddling or hawking goods (Ordinance No. 1023&2B).

The successful bidder shall not sublet or transfer any phase of his beach concession area without written permission from the Council of the City of Sea Isle City.

Each bidder shall comply with the "Law Against Discrimination", P.L. 1975 Chapter 127, as amended. All bidders are put on notice that a New Jersey Business Registration Certificate is required.

The Council of the City of Sea Isle City reserves the right to reject any or all bids that are not responsive to the specification and reserve the right to waive any informalities in a bid and any accompany documents, in accordance with State Statues 40A:11-13.2.

Bidders are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

Carmela V. Desiderio, RPPO, QPA
Purchasing Agent

1 time

March 27, 2019