

**BOROUGH OF RAMSEY
SALE OF BOROUGH OWNED PUBLIC WATER AND SEWER SYSTEMS
INVITATION TO BID**

PLEASE TAKE NOTICE, that bids are invited by the Borough of Ramsey, Bergen County, New Jersey (hereinafter "Borough") for the sale of the Borough's publicly owned water and sewer systems necessary to own, operate and provide public water and sewer utility service to the approximate 5,600 water and 5,600 sewer customers of the Borough. The Bidding Documents detail the utility property, both real property and other utility assets, that are included in the property being offered for sale.

PLEASE TAKE FURTHER NOTICE, that copies of the Bidding Documents are available for examination or for copies, upon request, Monday through Friday except legal holidays, from 9:00 a.m. to 4:00 p.m., prevailing time, for the non-refundable fee of \$50.00 (checks made payable to "Borough of Ramsey") at the following address:

Ramsey Borough Hall
33 N. Central Avenue
Ramsey, NJ 07446

Requests for mailed copies shall be sent to the above address: Attention: Edward Sandve, P.E., Borough Administrator Phone 201-825-3400 x 228.

PLEASE TAKE FURTHER NOTICE, that Bids will be received under the terms and conditions set forth in the Bidding Documents, including the following terms and conditions:

1. Pre-Bid Meetings: A pre-bid meeting will be held on June 8, 2011 at the above address from 10:00 am to 12:00 Noon for potential bidders to ask informal questions and examine records. Individual arrangements and appointments for tours and inspections of facilities may be arranged at that meeting or by contacting Edward Sandve, P.E., Borough Administrator Phone 201-825-3400 x 228.
2. Bid Security
 - a. Bid Security is required in the amount of \$20,000, by a certified check or bid bond issued by a surety/bonding company licensed in the State of New Jersey and acceptable to the Borough.
 - b. Bidder should understand that the Bid Security will be forfeited if Bidder fails to execute an Agreement of Sale with the Borough substantially in the form attached and included in the Bidding Documents after receiving a Notice of Award and fails to comply with the terms thereof after receiving from the Borough a notice that the voter's approved the referendum on the sale of the water and sewer systems.
 - c. If a bond is submitted, the surety shall acknowledge, in the bond document, that the total amount of the bond shall be subject to forfeiture if Bidder fails to enter into the Agreement of Sale with the Borough after receiving a Notice of

Award and fails to comply with the terms thereof after receiving a Notice that the voter's approved the referendum on the sale of the water and sewer systems.

- d. The Bidder shall provide a Non-Collusion Affidavit and Ownership Disclosure Statement pursuant to Chapter 33, P.L. 1977.

3. Submission of Bids: All bids shall be submitted to:

Edward Sandve, P.E., Borough Administrator
Ramsey Borough Hall
33 N. Central Avenue
Ramsey, NJ 07446

4. Bid Opening:

Bids shall be opened and read in public at the following date, time and location:

DATE: July 7, 2011
TIME: 10:00 a.m. Prevailing Time
LOCATION: Ramsey Borough Hall
33 N. Central Avenue
Ramsey, NJ 07446

Any bids not received by the date/time set forth for the bid openings shall be deemed untimely and rejected. Bidders submitting bids by mail, courier or other means of delivery service are advised that it shall be the receipt date/time, NOT the mailing date/time which shall control if the bid is submitted timely, thus bidders using regular mail or courier/delivery service do so at their own risk.

5. The Borough reserves the right to accept and/or reject any or all Bids or to waive any immaterial defect or informality in any bid. Ramsey expects to conditionally award the bid, subject to conditions set forth herein, within 60 days of receipt of bids. Prior to the closing on the sale of the water and sewer assets, the Borough must hold a public referendum, scheduled for the next general election on November 8, 2011 pursuant to N.J.S.A. 40:62-5. Only if the Voters approve the sale of the water and sewer assets will the closing take place. The Borough will notify the successful Bidder as soon as practical after the election as to the results of the referendum.
6. Agreement of Sale: Potential Bidders should understand and accept that the successful Bidder will enter into an Agreement of Sale with the Borough substantially in the form attached and included in the Electronic Documents. This Agreement of Sale will be subject to the results of the Voter Referendum.

PLEASE TAKE FURTHER NOTICE that the Sale of the Water and Sanitary Sewer Systems shall not take place unless: (1) authorized by the legal voters of the Borough by referendum at the next general election to be held on November 8, 2011 pursuant to N.J.S.A. 40:62-5 and (2)

the parties have entered into the Agreement of Sale substantially in the form attached and included in the Electronic Documents.

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