

**TOWN OF KEARNY**  
STATE OF NEW JERSEY

**Sale of 1980 Mack Fire Engine**  
No Longer Required for Public Use

BID PACKAGE

### **Description**

The property to be sold by sealed bid is a 1980 Mack Fire Engine (1250) GPM Pumper, VIN # CF685F2139, which has an odometer reading of approximately 87,350 miles.

This vehicle is available for inspection by appointment. Prospective bidders should call May 9, 2012 at (201) 991-1402 to schedule an appointment if they wish to view the vehicle before submitting a bid.

### **Basis for Sale**

On March 27, 2012, at an open public meeting, the Mayor and Council declared and resolved that the property was no longer needed for public use, and directed that it be disposed of by sealed bid to be sold to the highest bidder.

### **Terms and Conditions of the Sale**

Detailed terms and conditions of the sale are set forth in the attached Exhibit A. The major conditions of sale are summarized as follows:

- Deposit of 10% of bid required with bid form. The successful bidder must pay the remainder of the bid price by June 18, 2012.
- The Mayor and Council has reserved the right to review the bid of the highest bidder and to either accept the bid or reject all bids if the bid of the highest bidder is not accepted.
- The successful bidder's deposit shall be non-refundable, except in the sole event that the Mayor and Council reject all bids.

Please read the full terms and conditions and rules of the sale in Exhibit A.

## **Instructions**

- 1) All prospective bidders must complete in its entirety and sign both pages of the 2 page bid form, which is attached as Exhibit B.
- 2) An initial deposit of 10% of the bid must be submitted with the completed Bid Form. The deposit must be in the form of certified check or cashier's check. No exceptions will be made. **The initial deposit check shall be made payable to "Town of Kearny".** The check will be held until conclusion of the sale. **All unsuccessful bidders' checks will be returned to them, following the bid opening.**
- 3) The fully completed bid form and deposit check must be returned to the following address by 11:00 AM on May 31, 2012:

Town Clerk  
Kearny Town Hall  
402 Kearny Avenue, First Floor  
Kearny, New Jersey 07032

- 4) The successful bidder will be required to deliver the balance of the bid price to the Town, by Certified or Cashier's check, no later than June 18, 2012, at which time the Town will deliver to the successful bidder the title to the vehicle.

## EXHIBIT A

### TERMS AND CONDITIONS OF SALE

- 1) All terms, conditions and instructions set forth in the bid package to which this schedule is attached are incorporated herein and shall be deemed additional terms and conditions of sale, as if set forth at length in this Exhibit A.
- 2) All prospective bidders must complete in its entirety and sign both pages of the enclosed Bid Form, Exhibit B.
- 3) The initial deposit of 10% of the bid must be submitted with the Bid Form.
- 4) The deposit must be in the form of a certified check or a cashier's check. No exceptions will be made. **The initial deposit check shall be made payable to "Town of Kearny"**. The check will be held until conclusion of the sale.
- 5) The successful bidder's deposit shall be non refundable except in the sole event that the Mayor and Council reject all bids.
- 6) Deposit checks submitted by unsuccessful bidders will be returned.
- 7) Any potential bidders who submit an incorrect or incomplete Bid Form, or who fail to enclose a properly drafted and signed deposit check, shall be disqualified from consideration.
- 8) The fully completed Bid Form and deposit check must be submitted to the Town as per the previous instructions.
- 9) The Town reserves the right to accept the highest bid or reject all bids if the highest bid is not accepted. The Mayor and Council will act on the bid no later than its regularly scheduled meeting following the bid receipt date. The successful bidder will be notified. The successful bidder's deposit will be deposited by the Town and will be applied toward the purchase price.
- 10) The Sale is not contingent on the purchaser obtaining any financing. In the event the purchaser fails to deliver the balance of the bid price by June 18, 2012, the purchaser shall forfeit his/her deposit.
- 11) The successful bidder will not be permitted to assign his bid or any right, title or interest in the property on which the bid was made.

- 12) No representations of any kind are made by the Town as to the condition of the vehicle, or suitability to a bidder's particular purpose.
- 13) The said vehicle is being sold in the present condition "AS IS".
- 14) The successful bidder shall be responsible for all taxes, title costs and registration fees.

**EXHIBIT B**

**Bid form**

To: Town Clerk  
Kearny Town Hall  
402 Kearny Avenue  
Kearny NJ 07032

Re: 1980 Mack Fire Engine, VIN #CF685F2139

Bid Form and Initial Deposit must be received in the above office by 11:00 AM on  
May 31, 2012

Applicant Name(s): \_\_\_\_\_  
[Full name(s) of individuals, corporation, partnership, LLC or other entity as it will  
appear on the deed]

Address: \_\_\_\_\_  
[Street Address, Apt, Unit, Suite, Floor or Mail Stop]

\_\_\_\_\_  
City State Zip Code

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Contact Name [business entities only]: \_\_\_\_\_

Amount of Bid (in Numbers): \$ \_\_\_\_\_

Amount of Bid (in Words): \_\_\_\_\_

\_\_\_\_\_  
Applicant Signature

**PLEASE PRINT OR TYPE**

The above applicant hereby applies to the Town of Kearny to purchase the 1980 Mack Fire Engine.

Applicant hereby encloses a certified check or cashier's check payable to the Town of Kearny in the amount of 10% of its bid, representing the initial deposit. Applicant is aware that should applicant be the highest bidder, the balance of the bid amount shall be due no later than June 18, 2012 and if the Applicant is not the successful bidder, or chooses not to participate at the sale, the deposit will be promptly returned following the public sale, without interest.

By executing this Application, the applicant acknowledges that he/she:

- (a) has read and understands the bid package, including all instructions and terms and conditions of sale,
- (b) is aware that the Town reserves the right to reject all bids in the event the highest bid is not accepted,
- (c) understands that the balance of the purchase price is due by June 18, 2012 and if the balance of the purchase price is not timely paid, the deposit will be forfeited,
- (d) if applicable, is authorized to submit a bid to purchase said property in the name of the above mentioned entity.

I certify and acknowledge that if the above statements are not true, I understand that I may be prosecuted for fraud and may be held personally liable in a court of law for any and all damages resulting from any intentional misrepresentations made herein.

\_\_\_\_\_  
Applicant's signature

\_\_\_\_\_  
Applicant's Name (printed)

\_\_\_\_\_  
Applicant's Title (if a business entity)

Date: \_\_\_\_\_

**DO NOT FORGET TO ATTACH YOUR  
INITIAL DEPOSIT CHECK IN THE  
AMOUNT OF 10% OF YOUR BID**

**PLEASE PRINT OR TYPE**