



ADDENDUM

Date: **August 21, 2019**
Subject: **Questions & Answers for PLCB Invitation for Bid for Expired Restaurant License Auction**
IFB Number: **260348**
Due Date/Time: **September 16, 2019 12:00 PM**
Addendum Number: **1**

To All Bidders:

A solicitation "Addendum" is defined by the Commonwealth of Pennsylvania as an addition to or amendment of the original terms, conditions, specifications, or instructions of a procurement solicitation (e.g., Invitation to Bid, Request for Proposals or Request for Quotations).

List any and all changes:

- Attached are questions received as of August 16, 2019, along with the PLCB's responses.

Except as clarified and amended by this Addendum, the terms, conditions, specifications, and instructions of the solicitation and any previous solicitation addenda, remain as originally written.

Respectfully,

Name: **Melinda John**
Title: Issuing Officer
Email: RA-LBLICENSEAUCTION@PA.GOV

PENNSYLVANIA LIQUOR CONTROL BOARD
IFB# 260348
Expired Restaurant Liquor License Auction

Questions Submitted by 12:00 PM on August 16, 2019
*All references in responses below are to provisions of IFB #260348

To view IFB #260348, click on the “IFB 260348 NINTH LICENSE AUCTION – FINAL” Document under Original Files, and then select either Open or Save and Open in the following link:
<http://www.emarketplace.state.pa.us/Solicitations.aspx?SID=260348>

Q1. I’m trying to determine if liquor licenses will be auctioned off in Erie County.

A1. Yes. *Please see the listing of licenses to be auctioned on page 2 of the IFB for details.*

**Q2. a) How can I bid on the restaurant license for Allegheny County?
b) I couldn’t find a bid packet or bid sheet on the website. I am interested in the license for Forest County.**

A2. *The specific requirements for bidding on a liquor license, including the deadline for when to submit a bid, the directions on how to submit a bid and the Bid Sheets for each license, can be found in IFB #260348 at the website included in the link below.*

To view IFB #260348, visit <http://www.emarketplace.state.pa.us/Solicitations.aspx?SID=260348>, then click on the document link titled “IFB 260348 NINTH LICENSE AUCTION – FINAL” under “Original Files,” and select either “Open” or “Save and Open” at the prompt.

Q3. Is the bid surety of 5% refundable and does it require cashier’s check?

A3. *Please see the Bid Surety requirements on Page 5 of the IFB as well as Attachment A Frequently Asked Questions on pages 13-22 of the IFB.*

Q4. We are interested in submitting a bid in your latest Auction #9. In doing so, we respectfully request whether it is acceptable to enter a variable bid that provides, for example, that: "Our bid is \$2,500 more than your next highest qualified bid but only up to a maximum bid of \$100,000"? Would this type of variable bid be accepted? Stated another way, would this type of variable bid be rejected?

A4. *Variable bids are not acceptable and will be rejected. As set forth in the IFB, bids must be in whole dollar figures, must be no less than \$25,000.00, and bids must be submitted on the official Bid Sheets that are part of the IFB.*

**Q5. a) How does the auction work?
b) Is there a time and place to be?
c) And who does the check go to?**

A5. *Please see Q/A # 2 above for a link to the IFB, which provides all information needed to participate in the license auction.*

Q6. I would like to know if I win the bid for a license and for any reason, I don't get the license approved at the premises, would I get the money refunded or what's the process?

A6. *Please carefully review the IFB in its entirety, paying particular attention to Attachment A Frequently Asked Questions # 29-35. Also, as noted throughout the IFB, potential bidders are encouraged to seek private counsel experienced in Pennsylvania liquor law.*

Bid Payment - There is no legal mechanism for the PLCB to retain bid payments since Act 39 requires the funds to be escrowed pending approval of a license transfer application. In the event there is no such approval, the full bid amount will be refunded, less any outstanding bid surety amounts.

Bid Surety - The bid surety of a Selected Bidder will be forfeited as liquidated damages if the Selected Bidder fails to comply with the terms of the IFB. The IFB sets forth various sample scenarios in which bid surety will be forfeited as liquidated damages; however, the PLCB retains sole discretion to determine whether any bid surety is forfeited.