



**PUBLIC OFFERING 19-191 BY SEALED BID
RE: HARMON'S CLAM CAKES**

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SEALED BID ANNOUNCEMENT

Dear Prospective Bidder:

The Keenan Auction Company is pleased to announce the offering by Sealed Bid, of the General Intangible & Tangible Assets of Harmon's Clam Cakes, located at 165 Read St., Portland, ME. Below is a brief history of this well-known Maine brand.



The History of Harmon's:

In 1923, Ora Higgins, wife to Ed Higgins, proprietor of the seaside Higgins Beach Inn in Scarborough, Maine, chopped up meaty, fresh-caught quahog clams, mixed them in their own juice, added bread crumbs, egg and special spices, and then fried them up in pure shortening, an ocean delicacy was born. Ora's clam cakes quickly became famous among summer visitors from Boston, Philadelphia, and beyond.

Ed and Ora brought their special recipe up the road to the Conora Restaurant in the 1940s. Clam cakes remained a menu standby when their daughter, Constance, and son-in-law, Lawrence Harmon, took over the restaurant. Their daughter, Jean, grew up eating, cooking, and serving up Grandma Higgins' clam cakes at her parent's restaurant. In 1978, it was Jean Harmon who captured the fresh, hand-harvested flavor for everyone to enjoy in the first frozen Harmon's Clam Cakes. When asked what makes Harmon's Clam Cakes so tasty, Jean's reply is always the same: "It's the fresh clams!"

Today, Harmon's Clam Cakes, one of Maine's oldest brands, is owned and operated by Steve Liautaud, a restaurateur from the Midwest, who discovered Harmon's Clam Cakes on his own day at the beach. On a cup of coffee and a handshake, Steve took over this prized family business and proudly carries on the Harmon's tradition. In fact, Steve is so proud of Harmon's Clam Cakes, he entered them into the renowned Newport Chowder Contest to determine once and for all whose clam cakes are best on the East Coast. And two years in a row, Harmon's took the honor as Best Clam Cakes!

What began as a day at the beach nearly 80 years ago has become a New England tradition called Harmon's Clam Cakes. Try them today and discover for yourself why Harmon's is the original, authentic, best clam cake in New England!



SEALED BID PROCEDURES:

If you would like to submit a sealed bid, the following procedures will apply:

1. Please complete the enclosed sealed bid form, which must be sealed in an envelope and labeled as follows:

Sealed Bid - (your name)

2. A deposit of **10% (ten percent)** of your bid amount, Non-refundable as to the winning bidder, in **CASH** or **CERTIFIED U.S. FUNDS** made payable to the Keenan Auction Company must accompany your sealed bid. Place the deposit in a separate envelope labeled as follows:

Sealed Bid Deposit - (your name)

3. Mail or hand deliver both envelopes to: Keenan Auction Company, 1 Runway Road, South Portland, Maine 04106.

4. **SEALED BID DEADLINE:** Tuesday, October 29, 2019 at 1PM.

SEALED BID OFFERING:

HARMON'S CLAM CAKES (Asset Description):

- Harmon's Clam Cakes is a Maine Corporation with a business address of 165 Read Street, Portland, ME 04103.
- The company is an operating food manufacturer producing one frozen food product line, The Original Harmon's Clam Cake from the Coast of Maine.
- Developed in 1923, Harmon's Clam Cakes is one of Maine's oldest brands.
- Average Annual Sales \$380k+/-.
- Below market lease of 3,000+/-SF industrial space w/ approx. 1-year remaining, 5-year renewal option.
- Food service customer relationships which include: Sysco, US Foods, PFG, and others.
- Grocery customer relationships which include: Hannaford, Shaws, Market Basket, and others.
- Professionally Designed Company Website
- Commercial Food Service Equipment

GENERAL INTANGIBLES:

- Company Name: Harmon's Clam Cakes
- Federally Registered Trademark: Harmon's Clam Cakes
- Website & Domain Name: harmonscclamcakes.com & harmonscclamcakes.net
- Customer List
- Goodwill
- Lease Option
- Telephone Number
- Clam Cake Recipe

TANGIBLE ASSETS:

REFRIGERATION

- Kolpak walk-in freezer, capsule pack, floor, 93"w x 114"h x 94"d, silicone joints
- Kolpak walk-in cooler, capsule pack, floor, 70"w x 90"h x 70"d, silicone joints
- 2016 Kenmore Chest freezer Model 253.12822510 w/ portable cart

FORMING/PORTIONING - BREADING – KITCHEN EQUIPMENT

- Hollymatic Super Model 54 Food Portioning Systems, rolling stand, 1ph, s/n: 60514
- Hollymatic Super Model 54 Food Portioning Systems, rolling stand, 1ph, s/n: 51938
- Hollymatic Super Model 54 Food Portioning Systems, 1ph, s/n: 59568
- Hollymatic Super Model 54 Food Portioning Systems, 1ph, s/n: 44222
- Hollymatic Slim-Line 48"l x 6"w conveyor belt, electric, 1ph
- Stein Breeding Machine, Model E-8, Batter, Breeding & Blower, s/n: 155
- Bettcher Automatic Batter Breeding Machine Model ABB, w/ stainless steel bread crumb funnel, & Model SBB Endless Breader Belt 1ph, s/n: 312110567
- Leland Southwest Double Action Mixer, Model 1000A70, ½ hp, 3ph, s/n: 9522021
- Pitco Model SFSG6H Rack Fryer w/ SoloFilter System, stainless steel, Nat gas s/n: G16CA017438
- Dean Model SR42GN Super Runner Gas Fryers, 43lb., Nat gas, s/n: 1403MA1098
- Dean Model SR42GN Super Runner Gas Fryers, 43lb., Nat gas, s/n: 1311MA0460
- Hobart Model HGC5-10 stainless steel convection oven, Nat gas, s/n: 48-1583514
- Hobart Model HGC5-10 stainless steel convection oven, Nat gas, s/n: 48-1582695
- Vent Master Stainless steel exhaust hood, 12'w x 53"d x 24"h
- Range Guard Model 6G Wet Chemical Fire Suppression System

PACKAGING & SHIPPING EQUIPMENT

- 2004 ProMarks Vac Co., LTD. TC-280 Vacuum Sealer, 220v, 1ph, s/n: 4011508
- Paragon PLS 110 Labeling System & stand, Vision 120 Control, s/n: 10-00055
- Clamco Model 120PTA shrink wrapper, s/n: 15434 w/ Model 120CD shrink tunnel, 1ph, s/n: 5307
- Little David Model LD19SB Semi-Automatic Case Sealer, 1ph, s/n: 159187500
- TEW Electric Heating Co. Type TISF-452, Seal Length: 450mm, Seal Width: 2mm, Foot Type Impulse Sealer, 600W, s/n: SSS8439
- Fairbanks Scales Model PLB-HR5000-FQS 50lb bench scale w/ FB2200-2 Series indicator, s/n: 070860010093
- CAS Model SW-5 5lb. food scale

SMALLWARES – COOKWARE – SMALL APPLIANCES

- 80-quart aluminum stock pot w/ cover
- Ingredient bin & dolly
- (160+/-) Aluminum full-size sheet pans
- (120+/-) WRH Industries, LTD. stackable Poly/Teflon Trays, Model BB-1826/2.5 Size: 18"w x 26"l x 3"h w/ (8) Tray Dollies
- Sodir PSE400 electric griddle, 15" x 15", countertop, 1750W, 1ph, s/n: NA703066
- Uniworld Model UEF-062, 2-bay, 26lb. electric countertop fryer, stainless steel, 15.16" x 18.11" x 12.4", 12L capacity, s/n: 4131
- Equipex, LTD. Model RF5S 10lb. electric countertop fryer, s/n: 1A703698
- (2) Winco Professional 2-lamp heat lamps, Model EHL-2C
- (2) Oster Model TSSTTVDFL2-d Toaster Ovens
- Intertek manual food dicer
- Assorted Plastic Food Storage Containers
- Assorted Stainless steel inserts
- (15+) Black plastic totes
- Assorted Kitchen utensils
- Nitrile latex gloves inventory

EVENT TRAILER & SUPPORT EQUIPMENT – CATERING EQUIPMENT – COOLERS

- 2017 Alcom Stealth 6' x 12' enclosed trailer, Model C6X12S, V-Nose, rear ramp door, side man-door, fuel tank for generator, single axle, s/n: 5WFBE1215HW077017
- Honda eu2000i gas powered generator
- Master Tent 10' x 10' canopy tent, packable, aluminum frame, (4) 50lb. weights
- 10' x 10' aluminum pole tent
- 2-wheel convertible hand cart
- Amerex B260 Wet Chemical Fire Extinguisher
- (4) Dean stainless steel deep fryers, LP gas
- (4) 2009 28.7lb. LP propane tanks
- Merco Model HFC-24 24" Hot Food Display, stainless steel, s/n: 0810210000651
- (2) Winco 2-lamp heat lamps w/ bulb storage covers
- InterMetro wire rack w/ wooden top, 6'w x 18"d, 3-shelf w/ casters
- Metro rack w/ s/s shelf, 42"w x 21"d x 67"h, w/ casters
- Metro wire cart, 36" x 18" wire shelf & (2) wire basket/shelves, w/casters
- Carlisle Insulated beverage dispenser
- (3) Polar Bonar 11 cu.ft. insulated containers, 82-gallon, 42"l x 28"w x 36"h
- (6) Igloo MaxCold 150-quart coolers
- (1) Igloo MaxCold 70-quart cooler
- (4) Igloo Transformer 60-quart coolers
- 4-bay self-container portable sink station, w/ hot water heater

STAINLESS STEEL TABLES & SINKS

- Stainless steel work table, 8' x 30", lower galvanized shelf, casters
- Stainless steel work table, 6' x 30", lower galvanized shelf
- Stainless steel work table, 4' x 30" w/ 16" backsplash, lower stainless steel shelf, casters
- Jimex stainless steel work table, 3' x 2', lower galvanized shelf, casters
- Stainless steel work table, 2' x 30", lower galvanized shelf
- Stainless steel work table, 2' x 2' w/ lower galvanized shelf
- Duke 30" x 30" stainless steel table w/ 17" s/s drawer, lower galvanized shelf, casters
- Advance Tabco galvanized steel work table, 5.5'w x 24"d x 39"h, 2-shelf, casters
- Eagle Group stainless steel 3-compartment sink, 102"w x 26"d, 9" backsplash, t&S Pre-rinse, faucet
- John Boos Model E1S8-18-12 stainless steel 1-compartment sink, 23" x 23.5"
- RF Fabricators stainless steel 1-compartment sink w/ RH drain board, Krowne Metal Pre-rinse, faucet
- Griffin stainless steel hand sink & faucet

WIRE RACKS – SHEET PAN CARTS – KITCHEN CARTS

- Metro wire rack, 6'w x 18"d x 74"h, 3-shelf, green
- Olympic wire rack, 5'w x 18"d x 72"h, 5-shelf, green
- Olympic wire rack, 5'w x 18"d x 72"h, 5-shelf, green
- Shelf Tech wire rack, 4'w x 18"d x 77"h, 5-shelf, casters
- Shelf Tech wire rack, 4'w x 18"d x 48"h, 2-shelf, casters
- Shelf Tech wire rack, 3'w x 24"d x 88"h, 5-shelf, casters
- Serv-Ware wire rack, 5'w x 18"d x 72"h, 3-shelf, casters
- Shelving Systems wire rack, 3'w x 14"d x 34"h, 2-shelf
- Wire rack, 5'w x 21"d x 72"h, 5-shelf
- Wire rack, 4'w x 24"d x 88"h, 5-shelf, casters
- Wire rack, 3'w x 24"d x 84"h, 5-shelf
- Wire rack, 3'w x 24"d x 72"h, 5-shelf
- Wire rack, 3'w x 24"d x 72"h, 5-shelf
- Wire rack, 3'w x 12"d x 43"h, 3-shelf, casters (demonstration rack)
- Wire rack, 3'w x 12"d x 43"h, 3-shelf, casters (demonstration rack)
- (8) Channel aluminum full size sheet pan carts
- Stainless steel full size sheet pan cart
- Stainless steel full size sheet pan cart, 26" x 21" x 39"h
- Wire kitchen cart, 4'l x 18"w x 39"h
- Lakeside stainless steel 3-shelf bus cart
- Rubbermaid 3-shelf bus cart

WAREHOUSE EQUIPMENT – MISCELANEOUS SUPPORT

- Teardrop Pallet Racking: (6) uprights, 112"h x 42"d, (10) 96" cross beams, (10) 48" x 42" wire mesh decking
- Crown Model PTH50 Hydraulic pallet jack, 5,000lb. capacity, s/n: 7-937339
- Zenith Hydraulic pallet jack, 5,500lb. capacity
- Jet 1-ton electric chain hoist
- Roughneck hydraulic lift cart, 500lb. capacity
- Wire warehouse cart
- (2) 2-wheeled hand carts
- Werner 6' fiberglass step ladder
- Roto-Phase phase converter
- (7) Anti Fatigue Mats
- Aluminum platform/stand, 64" x 40" x 17"h
- Steel 24"h step stand w/ handle
- Grease Interceptor Model GB-35 poly grease trap, 3" outlet, 35GPM
- Rinnai Model RL75i tankless water heater, Nat gas, s/n: CA-140564
- Diversey A25 Airless Foamer w/ Hose, medium volume foam applicator
- Hot water hose & nozzle
- Assorted long handled tools: Squeegees, Scrub brush, Brooms, Dust pans, Mop Bucket
- Pedestal sign stand

BREAKROOM

- Keurig 2.0 coffee maker
- Sharp Carousel microwave oven
- Tork Xpressnap napkin dispenser
- 4-piece table set, table & (3) Windsor style chairs
- Danby Model DCR031B1BSLDD 3.1 cu.ft. Compact Refrigerator/ Freezer, stainless steel finish

SEALED BID FORM

Public Sale by Sealed Bid #19-191 ~ General Intangibles & Tangible Assets of Harmon's Clam Cakes

Name of Submitter: _____

Firm: _____

Street Address: _____

P.O. Box #: _____

City/State/Zip: _____

Business Phone: _____

Cell Phone: _____

Total Amount of Bid: \$ _____

**Please include a deposit equal to 10% (ten percent) of your bid amount by personal or company check.
Deposit is non-refundable if bid is accepted.**

TERMS & CONDITIONS:

SEALED BID DEADLINE: Tuesday, October 29, 2019 at 1PM. Bids may be mailed or hand delivered to: Keenan Auction Company, 1 Runway Rd., So. Portland, ME 04106 on or before the bid deadline. All bids subject to confirmation of seller.

DEPOSIT: Each sealed bid must be accompanied with a deposit of 10% of the bid amount (non-refundable if bid is accepted) and made payable to Keenan Auction Company. Unaccepted bid deposits will be returned via U.S. Mail on Wednesday, October 30, 2019.

CLOSING: The balance of the accepted bid price will be due 30-days from Sealed Bid Deadline in Cash or Certified US Funds, made payable to the Keenan Auction Company.

WARRANTY: Bidder acknowledges that the assets are being sold on an "as-is, where-is" basis and that no guarantees are being made as to the genuineness, authenticity of, or defects in the general intangibles, and tangible assets, and that the auctioneer and seller are not responsible for discrepancies or inaccuracies. Bidder acknowledges that bidder has had the opportunity to review the sealed bid offering and that it is being offered on and "as-is, where-is" basis.

DEFAULT: In the event the Purchaser fails to pay the whole of the purchase price within the time set forth by the Seller, and/or fails to comply with any of these Terms and Conditions of Sale, the Seller may retain the deposit specified, and in addition thereto, the item can be resold at public or private sale without further notice. Any deficiency resulting from such resale shall be paid to the Seller by such defaulting purchaser. Purchaser agrees to pay any and all charges and expenses incurred by reason of any breach of the Terms and Conditions of Sale, including without limitation reasonable attorney's fees.

PLEASE NOTE: By your signature below, you have entered into a written, binding contract agreeing to the Terms and Conditions of Sale, and understand that any bid you submit falls under the Maine Auction Law, Title 11, Section 2-328 of the Uniform Commercial Code, and the Statute of Frauds. Maine auctions are under the jurisdiction of the State of Maine Department of Professional and Financial Regulations, Board of Licensure of Auctioneers, 35 State House Station, Augusta, Maine 04330. If you do not agree with the Terms and Conditions of the Sale, please do not bid.

PREVIEW: Monday, October 14, 2019 from 10-11AM at 165 Read St., Portland, ME. If you should have any questions, please contact our office at (207) 885-5100 and request Sealed Bid # 19-191.

Signature of Submitter: _____ Date: _____

Printed Name: _____

HARMON'S CLAM CAKES COMPANY DOCUMENTS & FINANCIALS

The following company documents and financial statements are available upon request after auctioneers' receipt of an executed Non-Disclosure Agreement:

- Corporate Balance Sheet
- 3 Year Profit & Loss Statement
- Customer List
- Federal Tax Returns for 2016, 2017 & 2018
- Domain Report
- Federal Trademark
- Real Estate Lease Agreement

Harmon's Clam Cakes Sales, COGS & Profit Margin (in thousands)

	2016	2017	2018
Sales	\$ 337	\$ 377	\$ 408
Other Sales (Festivals)	6	26	16
Total Sales	343	403	424
Cost of Goods Sold	219	217	270
Gross Profit	\$ 124	\$ 186	\$ 154
Profit Margin	36%	46%	36%

PRODUCT SPECIFICATIONS

Harmon's

MPC 110 2oz Bulk Pack



President Steve Liautaud
Voice 207.967.4100
Fax 207.967.1008
Mobile 207.604.0655

Address: PO Box 1113
Kennebunkport ME
04046

Email: Steve@harmonscalmcakes.com

Harmon's has been a New England tradition since 1923. We are one of the oldest seafood cake makers in the country and pride ourselves on fresh, high quality seafood products. All of our products are:

- *All Natural*
- *Locally Produced*
- *Sustainable Fisheries*

For the operator that is expanding their local offerings and looking for high quality value orientated products made locally Harmon's is a perfect choice.

"The Original" Clam Cake

Our award-winning recipe hand breaded using fresh hand shucked surf clams. Packed with sweet clam flavor.

2 oz Clam Bulk Information

MPC	110
Case UPC	20042332311105
Case Size	72 Each
Gross Weight	9.25 lbs
Net Weight	9 lbs
Dimensions	14x11.75x4.5
Cubic Inches	740
Pallet Size	81 cases
Pallet Pattern Tie	9
Pallet Pattern High	9

Harmon's

3 oz Clam Cake

"The Big Boy"

Retail Pack

President Steve Liautaud
Voice 207.967.4100
Fax 207.967.1008
Mobile 207.604.0655

PO Box 1113
Kennebunkport ME 04046



Email: Steve@harmonclamcakes.com

Product Description

Harmon's original recipe. The only difference is twice as the amount of hand-shucked clams packed into a three ounce cake. These cakes are par cooked and oven ready.

Ingredients:

Clams, Clam Juice, Cracker Crumbs (unbleached wheat flour, dextrose, yeast, salt), Egg, Salt, Baking Powder, (sodium acid pyrophosphate, baking soda, NON GMO cornstarch, monocalcium phosphate), Spices. **Contains Clam, Eggs, Wheat, Soy.**

Cooking Instructions:

Bake at 400 for 20 minutes.

Lather with homemade tartar and top with a hamburger dill.

Shelf Life:

12 months stored at 0 degrees F.

Product Information

MPC	130
Pack UPC	0 4233231130 0
Case Size	12 4x3oz Packs
Gross Weight	9.25 lbs
Net Weight	9 lbs
Dimensions	5x12x15
Cubic Inches	740
Pallet Size	81 cases
Pallet Pattern Tie	9
Pallet Pattern High	9

Harmon's

Clam Cake

"The Big Boy"

Bulk Pack Oven Ready

MPC 125PC

Product Description

Harmon's original recipe with twice the amount of clams, par cooked and oven ready.

Ingredients:

Clams, Clam Juice, Cracker Crumbs (bleached heat flour, dextrose, yeast, salt), Egg, Salt, Baking Powder, (sodium acid pyrophosphate, baking soda, cornstarch, monocalcium phosphate), Spices. **Contains Clam, Eggs, Wheat.**

Cooking Instructions:

Bake at 400 for 20 minutes. For a perfect cook until the exterior is dark brown. An under cooked cake will be pasty.

Product Information

MPC	125PC
Case UPC	1004233231125 3
Pack UPC	NA
Case Size	60 each
Gross Weight	11.50 lbs
Net Weight	11.25 lbs
Dimensions	14x11.75x4.5
Cubic Inches	.48
Pallet Size	81 cases
Pallet Pattern Tie	9
Pallet Pattern High	9

TRADEMARK REGISTRATION CERTIFICATE

United States of America

United States Patent and Trademark Office

HARMON'S CLAM CAKES

Reg. No. 5,838,091

Registered Aug. 20, 2019

Int. Cl.: 29

Trademark

Principal Register

HARMON'S CLAM CAKES (MAINE CORPORATION)

P.o. Box 1113

Kennebunkport, MAINE 04046

CLASS 29: Clam cakes

FIRST USE 1-2-1982; IN COMMERCE 10-12-2006

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

No claim is made to the exclusive right to use the following apart from the mark as shown:
"CLAM CAKES"

SEC.2(F)

The name(s), portrait(s), and/or signature(s) shown in the mark does not identify a particular living individual.

SER. NO. 88-167,410, FILED 10-24-2018



Andrew L. Han

Director of the United States
Patent and Trademark Office