



CITY OF ELIZABETH, COUNTY OF UNION, NEW JERSEY

REQUEST FOR PROPOSALS

REDEVELOPMENT OF PARCEL 200-238 SOUTH 2ND STREET (2-943) WITHIN THE SOUTH SECOND STREET REDEVELOPMENT AREA

SUBMISSION DEADLINE

4:00 P.M.

FRIDAY, FEBRUARY 24, 2017

**ADDRESS ALL PROPOSALS IN THE FORM REQUIRED IN THE
SPECIFICATIONS AND FIVE (5) PAPER COPIES AND ONE (1) ELECTRONIC
COPY MUST BE DELIVERED TO:**

EDUARDO J. RODRIGUEZ

City of Elizabeth

Department of Planning & Community Development

50 Winfield Scott Pl Room 114

Elizabeth, New Jersey 07201

PUBLIC NOTICE
REQUEST FOR PROPOSALS

Please Take Notice that the City of Elizabeth is soliciting and will accept proposals no later than Friday, February 24, 2017, during the regular business hours of 9 am to 4 pm, in the Department of Planning and Community Development, City Hall, 50 Winfield Scott Plaza – Room 114, Elizabeth, New Jersey 07201 (908)820- 4160, for:

REDEVELOPMENT OF PARCEL 200-238 SOUTH 2ND STREET (2-943) WITHIN THE SOUTH 2ND STREET REDEVELOPMENT AREA

Requests for Proposals may be obtained by accessing the internet and following the link at www.elizabethnj.org, by calling the telephone number above or in person during regular business hours;

1.0 Introduction and Background

1.1 Purpose and Objectives

Pursuant to the provisions of the Local Redevelopment and Housing Law, as amended and supplemented, N.J.S.A. 40A:12A -1 et §§g. (the "Local Redevelopment and Housing Law"), the City Council of the City of Elizabeth will be responsible for implementing redevelopment plans and carrying out redevelopment projects in the City.

In accordance with the criteria set forth in the Local Redevelopment and Housing Law, the City designated as "an area in need of redevelopment" (adopted in March 2, 1998) a series of parcels of property that comprise 200-238 South 2nd Street, Elizabeth, collectively identified as the "Redevelopment Area" and subsequently amended by a redevelopment plan entitled the "South Street Redevelopment Study" Area

All proposals are prepared at the sole cost and expense of the respondents ("Respondent" or "Redeveloper"). The City of Elizabeth will not be responsible for paying any of the costs or expenses associated with the preparation or submission of proposals. The Redeveloper is required to comply with requirements of the Law Against Discrimination, P.L. 1975, Ch. 127, N.J.A.C. 10:5-31, et seq., the Affirmative Action Rules, N.J.A.C. 17:27-1.1, et seq., and the Americans with Disabilities Act of 1990, 42 USC §2101, et seq. and any other applicable local, state or federal law, regulation and/or rule.

This RFP constitutes an invitation to submit proposals to the City of Elizabeth, and does not represent an offer, obligation or agreement on the part of the City. The City of Elizabeth reserves the right to protect the best interests of the City, to waive any technical errors, to reject any proposal (or any part thereof) for any reason whatsoever, or to reject all proposals for any reason whatsoever. The City reserves the right at any time to withdraw this RFP.

In addition, City retains the right to make modifications or additions to the

RFP. 1.1.2. Project Concept and the City's Approach to Redevelopment

Within the Redevelopment Area, the City of Elizabeth's goal is to see development proceed as a mixed use project that will optimize the Area's geographical diversity and proximity to progressive transportation features.

2.0 Proposal and Primary Submission

2.1 Scope of Proposal

At this time the City is accepting responses to RFP's for development of Parcels commonly known as 200-238 South 2nd Street within the South 2nd Street Redevelopment Study Area.

The City desires to identify potential qualified developers and innovative development plans. Potential redevelopers may propose to develop a single use, such as residential or commercial; or a mixed-use concept. Developers may also join together in a joint venture in order to present a more comprehensive approach to the redevelopment of this parcel.

The selected Redeveloper will be responsible for completing the necessary engineering studies and design of the development for each Redevelopment Parcel. All designs for work to be performed at the facilities shall be prepared by licensed architects and engineers. The Redeveloper is responsible for obtaining all necessary permits and approvals and assumes all responsibility for compliance with all Town, County, State and Federal codes and regulations. The Redeveloper will be responsible for all capital improvements and infrastructure improvements required for the Project.

It is requested that prospective developers provide any necessary plans, pictures, drawings, schematics, models and/or videos or any other demonstrable tool to demonstrate the novel approach to development proposed herein.

3.0 Developer Submission Requirements

3.1 Contracting Organization

The contracting organization for this RFP is the City of Elizabeth.

3.2 Point of Contact

The point of contact for all matters pertaining to this RFP is:

Eduardo J. Rodriguez
City of Elizabeth
Department of Planning & Community Development
50 Winfield Scott Plaza – Room 114
Elizabeth, New Jersey 07201
908-820-4160
erodriguez@elizabethnj.org

4.0 Instructions to Proposers

4.1 Proposal Detail.

Proposers desiring to respond to this Request for Proposal (RFP) shall submit their proposal in sufficient detail to allow for a thorough evaluation and comparative analysis. Proposals containing irrelevant material or an abundance of excessively vague language may be penalized in the screening process.

4.1.1 Pre-proposal Procedure

There will be an informational meeting on **Friday February 10, 2017 at 10:00 AM** in the Elizabeth City Hall, Room 307, 50 Winfield Scott Plaza, Elizabeth, New Jersey 07201. Attendance at the information meeting is not mandatory. Upon request, a site visit may follow the meeting. Respondents may also inspect the site on their own at any time.

During the RFP application preparation period, no oral interpretation of any requirements of the RFP will be given to any prospective Redeveloper. Only written requests submitted by regular mail/fax/e-mail for interpretation or modifications to the RFP will be honored. However, such requests will only be accepted until **Friday February 10, 2017**. Requests should be directed by email to: erodriguez@elizabethnj.org. A written response through e-mail to the requestor will be made in about three business days and both the inquiry and response will be posted on the City's website www.elizabethnj.org.

If a Respondent is selected and designated by the City Council of the City of Elizabeth, as the Redeveloper of one or more of the Redevelopment Parcels described herein, an escrow deposit will be required to cover the City's professional costs leading to the execution of a Redeveloper agreement ("RDA") and subsequent meetings and reviews of submissions.

Respondents must supply five (5) paper copies and one (1) electronic copy (on CD, PDF format preferred) of their RFP response.

All RFP responses must be delivered no later than 4:00 p.m. on **Friday, February 24, 2017**, to Eduardo J. Rodriguez, City of Elizabeth, Department of Planning & Community Development, 50 Winfield Scott Plaza Room 114, Elizabeth, New Jersey 07201, 908-820-4160, erodriguez@elizabethnj.org.

Any proposals received after the deadline will be rejected. Postmarked proposals dated on the reception date received after the reception date will be deemed late and rejected.

The City of Elizabeth shall not be responsible for the loss, non-delivery, or physical condition of proposals sent by mail or courier service. E-mailed or faxed submissions will not be accepted.

All Requests for Proposals submission materials become the property of the City of Elizabeth and will not be returned to the Respondents. Additionally, the City of Elizabeth shall have rights in all plans and intellectual property related to this project including but not limited to: conceptual, engineering, architectural, permit, as-built plans, etc.

For further information, contact Eduardo J. Rodriguez via email at erodriguez@elizabethnj.org.

4.2 Right to Reject.

Subject to the requirements of the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1, et. seq., the City reserves the right to not award a contract upon receipt of any RFP. The City also reserves the right to, at its sole discretion to reject any or all proposals, or to waive any informalities; to reject all non-conforming, non-responsive, unbalanced or conditional proposals; and to award a contract that best suits, in its own designation, the interest of the City. In the event that the City rejects any or all proposals, no costs will be reimbursed for the preparation of the proposals.

4.3 Proposal Sections.

Respondents must supply five (5) paper copies and one (1) electronic copy (on CD, PDF format preferred) of their RFP response. Each RFP response submitted must contain, in sequence and with the appropriate heading, each of the following sections:

4.3(a) Title Page

The title page should include the title of the RFP and number, the name and address of the Proposer, and the date/time the proposal is due.

4.3(b) Table of Contents

4.3(c) Cover Letter

A cover letter shall include the following:

- (i) The names, titles, addresses, and telephone numbers of the individuals who are authorized to make representations on behalf of the Proposer.
- (ii) A statement that the person signing the letter of transmittal is authorized to legally bind the Proposer, and that the Proposer will comply with the requirements, terms and conditions outlined in the RFP.

4.3(d) Executive Summary

Present a summary of your proposal including the Proposer's understanding of the project, solution highlights, key benefits and cost considerations to the City.

4.3(e) Qualifications and Experience

The City is particularly interested in selecting a provider that has extensive experience in developing properties on a large scale in a diverse urban municipality such as the City of Elizabeth. Proposers shall:

- (i) Include a brief history of the Respondent and how its experience qualifies it to meet the requirements of the RFP. The citation of specific comparable projects that are currently being worked on or have been completed in the past ten (10) years is strongly encouraged and Respondents supplying the same shall be given more weight.
- (ii) Respondents must indicate what type of business organization it is, e.g., corporation, partnership, sole proprietorship, Limited Liability Company or non-profit organization. If the Respondent is a subsidiary or direct or indirect affiliate of any other organization, it must indicate in its proposal the name of the related organization and the relationship. If the Respondent is a partnership, it shall list the names of all partners. If the Respondent is a limited liability company, it shall list the names of all members. If the Respondent is a corporation, it shall list the names of those stockholders holding 10% or more of the outstanding stock.

(iii) Describe *your* firm, including the size (number of employees), areas of specialization, and a discussion of your firm's qualifications.

(iv) Identify *any* subcontractors that may be assigned to this project including their respective qualifications and experience.

4.3(f) References

Submit at least five (5) references for whom comparable services have been performed within the past five years. Include the contact name, email, phone and mailing address for each reference. Provide appropriate references for *any* subcontractors that may be assigned to these services.

4.3 (g) Financial Statements

Submit financial statements for the past five (5) years. The statements must be audited.

A. Provide certified audited financial statements for the past three years for all business entities to be involved in the project. Said certified financial statements shall show the assets and liabilities, including contingent liabilities, fully itemized in accordance with accepted standard accounting practices and based on prior audit. If the date of the certified audited financial statements precedes the date of this submission by more than six (6) months, attach an interim balance sheet not more than sixty (60) days old. Also provide the name and address of the auditor and/or certified public accountant who prepared the certified audited financial statements and the audit upon which said certified financial statements are based.

B. Although the City is not requesting bonding as a requirement for submissions in response to the RFP, please provide evidence of the business entities bonding capacity.

C. Provide evidence of sufficient insurance coverage, including Workers Compensation, General Liability, and Excess Liability.

D. Provide a list of banking references, along with the name of a contact person, mailing address and phone number. Include financial institutions that have provided funding/financing for previous projects. Indicate the particular project that the financial institution was involved with, and the level of financing provided.

E. Provide information relative to the proposed development entities experience in using alternative funding mechanisms, such as government programs, if relevant to the development entities approach to the redevelopment of the South 2nd Street Redevelopment Area.

4.3(h) Objectives

State what the Respondent believes to be primary objectives for redevelopment of the Project Site. Respondents may choose to offer suggestions for alternative or additional objectives. A description on how to measure the achievement of objectives throughout the life of the project should be included.

4.3(i) Proposal for the Project

Include a detailed description of the Respondent's proposal for the Project, including capital improvements, and how it satisfies the goals and objectives of the City of Elizabeth and the South 2nd Street Redevelopment Area. Additionally, Respondents should highlight any risks they deem to be significant enough in nature which could delay or stop the Project. Finally, this section should include a complete summary of the feasibility studies conducted to justify the proposed proposal for the Project. Studies conducted should be included as attachments to the RFP response.

Respondents shall submit a detailed conceptual plan of the proposed layout and appearance of each of the Parcels being submitted for consideration.

4.3(j) Project Work Plan

Provide a high-level project work plan, describing each of the proposed phases, activities and tasks of the Redeveloper. The work plan should present a picture of key activities, milestones, key dates, etc. necessary to redevelop each of the Parcels submitted for consideration. All assumptions that were made to complete the project plan should be documented in this section. Respondents should submit a detailed capital/design timetable that clearly outlines proposed improvements and the anticipated commencement and completion dates for these improvements (i.e., the expected duration of construction of each improvement). Respondents are urged to be realistic in the improvement cost estimate and completion time frame. However, preference in the selection of a redeveloper to respondents who propose a shorter time frame for commencement and completion of a Redevelopment Parcel, provided other requirements for project experience and financial wherewithal to carry out the project are satisfactory to the City of Elizabeth.

4.3(k) Project Financing

Provide a detailed breakdown of the total of all projected development costs and the sources of all anticipated funds to meet those costs. This should include sufficient financial information to establish the approximate net worth and/or liquid assets available to the Respondent for the proposed Project. This information should be in the form of certified financial statements showing assets and liabilities, including contingent liabilities. If equity financing is to be obtained from sources other than the Respondent, a statement should be submitted from such other sources indicating their willingness and ability to provide the necessary funds.

In addition to the above, the Respondent must include a pro-forma sheet for the Project, clearly indicating the projected income and expenses of the completed Project, throughout the term of the Redevelopment Agreement. This pro-forma projection must include explanations for all the assumptions used in its formulation.

4.3(l) Litigation History

Submit a list outlining all lawsuits filed against the proposer and all of its principals for the past ten (10) years. This list shall include, but not be limited to, any counterclaims or third party complaint.

4.3(m) Penalty History

Submit a list of all penalties and fines assessed against the proposer for the past ten (10) years including any penalties and fines assessed by any and all federal agencies, any and all state agencies and any and all regulatory agencies.

4.3(n) Proposed Solution and Approach

Each proposer must address the following detailed information:

- A. Identify similar projects relevant to this Project.
- B. Include any information that might demonstrate experience in, and/or a knowledge of the local area and marketplace. You may include completed projects and projects currently underway. For each project, please include: Project name and Location, Type of Project (Commercial, Residential, Mixed-Use, etc.), Size and Dollar Value of Project, All Services Performed, Duration of Project, Reference Contact for Project
- C. provide information on how the project will be marketed, who will be assigned, where they will be stationed, and their experience in marketing urban redevelopment projects
- D. List percentage of ownership of project and the role played (i.e. Developer, Builder, Investor)
- E. Describe your marketing strategy

4.3(o) Organization and Team

Each proposer shall identify the personnel and positions which shall perform services pursuant to this contract. Proposers must include a detailed summary of each employee's background relative to similar contract. Each proposer shall also designate a Project Manager who shall directly work with the City on any and all issues that may arise with the services. The City expects that the project manager shall be available by telephone on all occasions for discussion with the City's staff and shall be available for meetings either locally or by teleconference.

Each proposer shall submit the names and qualifications for all key personnel to be assigned to this contract.

Each proposer shall identify, if applicable, any and all subcontractors and each subcontractor's personnel, their roles and what tasks are to be assigned.

4.3(p) Additional forms

Provide information as to the structure of the business entity (individual, partnership, corporation, joint venture, etc.); including evidence of any business or operating licenses or certificates, if any, necessary for each business entity to conduct business in the State of New Jersey. If a joint venture, describe the nature of the agreements between the various parties involved. If a partnership, identify all partners. If a corporation, identify all parties having a 10% interest or more in the corporation. **Please complete Developer's Statement of Ownership or Stockholders Disclosure Certification attached hereto and made a part hereof as Exhibit B.**

5.0 Evaluation of Proposals

5.1 Evaluation Committee

The City may establish an evaluation committee to evaluate and score the proposals submitted by the proposers.

5.2 Evaluation Criteria

The proposals will be evaluated on the basis of satisfactory completion of Section 4.3 set forth herein. Specific consideration will be given to those submissions that are complete, well organized and contain unique approaches to the Project. The City will also evaluate proposals based upon the structure of the business entity, management and approach to marketing. The City will also strongly consider relevant past experience and performance and the financial capability of the development entity.

6.0 Other Requirements and Terms

Respondents are responsible for inspecting the Properties firsthand and for ascertaining measurements, field conditions, code requirements, any required federal, state, county or local approvals needed for the Project and any design requirements in connection with their contemplated financing.

The Redeveloper must have sufficient monetary resources to provide for all pre-development costs associated with the Project. The City of Elizabeth will not provide any funding to pay for pre-development costs including, but not limited to, architectural, planning and engineering fees, legal fees, environmental reports or testing, financing and syndication costs, and surveys.

The City of Elizabeth shall not pay any costs or losses of any kind whatsoever incurred or suffered by any Redeveloper at any time, including the cost of responding to this RFP.

Selection of an applicant's proposal will not create any rights on the applicant's part whatsoever until the execution by the City of Elizabeth of a redevelopment agreement.

The City of Elizabeth in its sole discretion will have the option to terminate negotiations at any time if not satisfied with the progress of negotiations.

Business Registration Certification

Effective September 1, 2004, the State has expanded its Contractor Registration Program to local Government contracts, P.L. 2004, c57. All business organizations that do business with a local government agency are required to be registered with the State. The business must provide proof of that registration to the local government agency before that local government agency can enter into a contract with the business. A copy of the Business Registration Certificate shall be provided at the time any bid or RFP is submitted; failure to do so is a fatal defect that cannot be cured. A copy of the Business Registration Certificate must also be on file before any purchase order/voucher or other contracting document can be issued.

Contractors are responsible for notifying subcontractors.

Further information and registration can be obtained online from the NJ Treasury, Division of Revenue or by calling (609) 292-1730.

P.L. 1999 Chapter 238. The Public Works Contractor Registration Act specifies that no contractor or subcontractor shall bid on or engage in any contract (or part thereof) for public work which is subject to the provisions of the "New Jersey Prevailing Wage Act", P.L. 1963 C. 150 (c. 34:11-56.25 et seq.) for the construction, reconstruction, demolition, alteration, repair, or maintenance of a public building regularly open to and used by the general public or public institution, and includes any subcontractor or lower tier subcontractor of a contractor unless they are registered with the Commissioner of Labor.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF UNION
CITY OF ELIZABETH

SS:

I AM _____

OF THE FIRM OF _____

UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;
2. THAT THIS PROPOSER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FAIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT, AND MADE WITH FULL KNOWLEDGE THAT THE CITY OF ELIZABETH RELIES UPON THE TRUTH OF THE STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THE STATEMENTS CONTAINED IN THIS AFFIDAVIT IN AWARDING THE CONTRACT FOR THE SAID ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE PROPOSER. (N.J.S.A.52: 34-25)

SUBSCRIBED AND SWORN TO

BEFORE ME THIS _____ DAY

OF _____ 20____.

(TYPE OR PRINT NAME OF
AFFIANT UNDER SIGNATURE)

NOTARY PUBLIC OF

MY COMMISSION EXPIRES: _____, 20____.

OWNER DISCLOSURE INFORMATION

Set forth below are the names and addresses of all owners of the proposing business entity.

Name: _____
Name: _____

Address: _____
Address: _____

Name: _____
Name: _____

Address: _____
Address: _____

Name: _____
Name: _____

Address: _____
Address: _____

Name: _____
Name: _____

Address: _____
Address: _____

NAME OF BUSINESS ENTITY

SIGNATURE

TITLE

Notary Public of

My Commission Expires: _____, 20_____.

PARTNERSHIP DISCLOSURE STATEMENT

(To be submitted with proposal)

- (a) Is or was anyone in your firm or company a member of the City Council within the last calendar year or a member of his/her immediate family? If yes, then provide the name of the individual below and his/her relationship.

Yes _____ No _____

Name Position
Relationship

- (b) Has any principal/partner of your firm been convicted of a indictable offense? If yes, then please provide further explanation and copies of any relative documents.

Yes _____ No _____

Name Date

- (c) Has any individual who would provide service under this contract ever been sanctioned by the appropriate licensing board?

Yes _____ No _____

Name Position Term
Reason for censure:

- (d) Has the firm been found liable for professional malpractice in the last 5 years?

Yes _____ No _____

Reason for Action:

- (e) Has any member of your firm ever been barred from doing business with any state, City or municipal government? If yes, then please provide further written explanation including date and copies of relevant documentation.

Yes _____ No _____

Name State, County or Municipality
Date

Government

(f) Has your firm sued the City of Elizabeth in the past five (5) years? If yes, then please identify the matter/case and provide further written explanation including date and copies of relevant documents.

Yes _____ No _____

Name Date