

**JERSEY CITY REDEVELOPMENT AGENCY
REQUEST FOR PROPOSALS**

**ACQUISITION AND REDEVELOPMENT OF
174 NEWARK AVENUE WITHIN THE 174 NEWARK
REHABILITATION AREA**

**ISSUE DATE: October 7, 2022
DUE DATE: December 10, 2022**

List of Attachments Constituting Part of the RFP

- 1. 174 Newark Redevelopment Plan (Appendix A)**
- 2. Tax Map of 174 Newark Avenue (Appendix B)**
- 3. Redeveloper Questionnaire (Appendix C)**

I. JCRA MISSION STATEMENT

The staff and Board of Commissioners of the Jersey City Redevelopment Agency (the “**Agency**”) are committed to stimulating responsible reinvestment in the City of Jersey City (the “**City**”) that enhances the quality of life in all neighborhoods and communities of the City. We believe that the strength and health of a great city is the economic, housing, and quality of life opportunities that the City provides to its residents. The Agency is committed to providing the residents of the City with the widest range of jobs, housing, and economic opportunities available to any city in the country today. We are committed to enhancing the quality of life for all the residents of the City by guiding responsible development and reinvestment in all neighborhoods and communities in the City.

II. BACKGROUND

The 174 Newark Avenue Rehabilitation Area (the “**Rehabilitation Area**”) has frontage on Newark Avenue. It is located approximately mid-block between Jersey Avenue to the west and Erie Street to the east. The Rehabilitation Area consists of Lot 13.02 on Block 11041.

By Ordinance 22-068, the Municipal Council adopted the 174 Newark Avenue Redevelopment Plan (“**Redevelopment Plan**”), which aims to 1) promote the redevelopment of the existing surface parking area with an economically viable mixed-use commercial building, including the retention of publicly accessible off-street parking within the structure, 2) activate the streetscape and pedestrian realm and create a more pleasant, safe and economically vibrant area, 3) improve sidewalk areas with new pavement, street trees and decorative features to improve pedestrian safety and the aesthetics of the pedestrian environment in this area, and 4) promote the inclusion of multiple commercial uses within the building in order to diversify the types commercial uses in the area and promote additional economic vitality.

III. SCOPE OF WORK

The Agency seeks a qualified developer or redevelopment team (“**Respondents**”) to respond to this Request for Proposals (“**RFP**”) with submissions of redevelopment proposals and statements of their qualifications to redevelop the following property:

Block	Lot	Street Address
11041	13.02	174 Newark Avenue

(the “**Redevelopment Site**”). The Redevelopment Site is the entirety of the Rehabilitation Area. The Redevelopment Site is owned by the Agency.

The Agency is seeking redevelopment proposals that are consistent with the Redevelopment Plan.

Proposals must include a proposed purchase price for the Redevelopment Site. Respondent should not rely on the information contained in this RFP, but instead should conduct their own investigation and inquiry regarding the Redevelopment Site and independently assure themselves of the conditions

and regulations affecting the Redevelopment Site, including but not limited to environmental conditions.

The following documents referenced in this section are attached to this RFP for informational purposes only:

- 174 Newark Avenue Redevelopment Plan (Appendix A)
- Tax Map of 174 Newark Avenue (Appendix B)

IV. ABOUT THIS RFP

The Agency issues this RFP pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “**Redevelopment Law**”). Any successful Respondent is required to develop the Redevelopment Site in accordance with the Redevelopment Law and as set forth in a Redevelopment Agreement with the Agency.

All submissions are prepared at the cost and expense of the prospective purchaser/developer who proposes a project in response to the RFP. The Agency is not responsible for paying any costs or expenses associated with the preparation of responsive submissions.

Respondent and its contractors and subcontractors must at all times comply with all applicable obligations pursuant to The New Jersey Campaign Contributions and Expenditure Reporting Act, *N.J.S.A. 19:44A-1, et seq.*, and any local or municipal restrictions adopted in accordance with said Act, including but not necessarily limited to Ordinance No. 08-128 of the City of Jersey City, “Contractor Pay-To-Play Reform Ordinance,” adopted September 3, 2008 and Ordinance No. 09-096 of the City of Jersey City, “Redevelopment Pay-To-Play Reform Ordinance,” adopted September 9, 2009.

This RFP constitutes an invitation for responsive submissions to the Agency and does not represent an offer, obligation or agreement on the part of the Agency. The Agency reserves the right to protect the best interests of the Agency and the City, to waive any technical errors, to request clarification of any submission, to reject any submission (or any part thereof) for any reason whatsoever, or to reject all submissions for any reason whatsoever. The Agency reserves the right at any time to withdraw this RFP or modify the schedule or requirements set forth herein.

The Agency reserves the right, if it is deemed to be in the public interest, to enter directly into negotiations with one or more Respondents, or to reissue a request for proposals in order to advance the planning and disposition process. This RFP does not commit the Agency and/or the City to any disposition process or to enter into negotiations with any Respondent. While every effort has been made to provide accurate factual information within this RFP regarding the Rehabilitation Area, including the Redevelopment Site, the Agency is not bound by any of the statements or assumptions set forth herein.

Questions regarding this RFP or the Redevelopment Site should be submitted via email to: Jeffrey Jimenez, Agency Project Manager, at jjimenez@jcnj.org, and J. Nicholas Strasser, Esq., at

jstrasser@msbnj.com, no later than 3:00 pm on November 3, 2022. Responses to questions will be posted on the Agency website by November 10, 2022. **Prospective Respondents should check the Agency’s website periodically for updates to this RFP as well as any responses to questions (<https://thejcra.org>).** The Agency is not responsible for notifying Respondents of any updates to the RFP.

V. DEVELOPMENT PROGRAM GOALS

The Agency seeks development submissions which achieve the goals of the Redevelopment Plan, maximize the Redevelopment Site’s potential and benefit and complement the surrounding area. Specifically, the Agency seeks proposals for the Redevelopment Site which address one or more of the following:

- Redevelopment of the existing surface parking area with an economically viable mixed-use commercial building, including the retention of publicly accessible off-street parking within the structure;
- Construction of a mixed-use commercial building that will activate the streetscape and pedestrian realm and create a more pleasant, safe and economically vibrant area;
- Improvement of sidewalk areas with new pavement, street trees and decorative features to improve pedestrian safety and the aesthetics of the pedestrian environment in this area; and
- Inclusion of multiple commercial uses within the building in order to diversify the types commercial uses in the area and promote additional economic vitality.

VI. REDEVELOPMENT AGREEMENT

The successful Respondent (the “**Redeveloper**”) will be required to enter into a Redevelopment Agreement with the Agency. Upon conditional designation as the Redeveloper, the successful Respondent shall enter into a Funding Agreement with the Agency to defray the Agency’s expenses pending execution of the Redevelopment Agreement. The Redeveloper or its designee will be expected to execute a memorandum of understanding with the Hudson County Buildings and Trades (“**HCBTC**”) prior to or concurrent with the execution of the Redevelopment Agreement. The Redeveloper and its agents and/or contractors may be required to enter into other agreements if required by ordinance of the City or as may be deemed necessary or desirable by the Agency to implement the project, including but not limited to a purchase and sale agreement.

Neither the Agency’s acceptance of a proposal nor the Agency’s conditional designation of successful Respondent as a Redeveloper will create any rights or obligations regarding such Respondent until the full execution of the Redevelopment Agreement. The Agency will have the option to terminate negotiation of a Redevelopment Agreement at any time without cause, including on the basis that the Agency is not satisfied with the progress of negotiations. The successful Respondent shall have no cause of action or right to damages arising from the termination of negotiations with the Respondent prior to the Agency’s execution of a Redevelopment Agreement with the Respondent.

The Redevelopment Agreement is expected to follow the Agency's form agreement, including but not limited to the following terms, among others, subject to negotiation in consultation with counsel and approval by the Agency's Board of Commissioners:

(A) The Redeveloper shall adhere to a commencement date and completion date for the project, which the parties will establish in the Redevelopment Agreement.

(B) The Redeveloper will be responsible for any costs incurred by the Agency in negotiating or administering the Redevelopment Agreement, as well as any other costs associated with the project, including, but not limited to, legal fees, engineering fees, architectural fees, fees of professional consultants, etc. This requirement will be included in both a Funding Agreement prior to approval and execution of the Redevelopment Agreement and the Redevelopment Agreement itself. In addition, the Redeveloper will be responsible for paying annual administrative fees to the Agency in accordance with the Agency's fee schedule established by resolution of the Board of Commissioners.

(C) As conditions precedent to transfer of the Redevelopment Site (or portion thereof), the Redevelopment Agreement will require that the Redeveloper has submitted to the Agency, and the Agency shall have approved, the following: a) engineering surveys; b) final development plans, including Redeveloper specifications and bids (if applicable); and c) the Redeveloper's commitments for debt and equity capital in an amount sufficient to finance acquisition of the Redevelopment Site and redevelopment of the Redevelopment Site in accordance with the approved plans.

(D) The Redeveloper, upon transfer of the Redevelopment Site (or portion thereof), will pay all taxes and municipal charges (e.g., water and sewer) as and where applicable.

(E) The Redeveloper, upon transfer of the Redevelopment Site, will be responsible for securing the Redevelopment Site and maintaining reasonable and necessary security within the Redevelopment Site and the immediate surrounding area.

(F) The Redeveloper will be responsible for obtaining any and all necessary approvals, permits and licenses for the construction and lawful operation of the project. This also includes any government approvals of the City of Jersey City and the State of New Jersey.

(G) The Redeveloper will affirm that it has sufficient financial resources to undertake the project.

(H) During the construction of the project, the Redeveloper will be required to carry at least \$5,000,000.00 in general liability insurance coverage and \$2,000,000.00 in property damage liability insurance coverage, and replacement value in fire and casualty coverage, or such other insurances at such levels and from providers of such financial strength as are customary for similar projects in the surrounding area. The City and the Agency shall be named as Additional Insureds on such policies.

(I) The Redeveloper must comply with all City, State and Federal laws relating to access for persons with disabilities.

(J) The Redeveloper shall be responsible for obtaining all required land use approvals, including preliminary and final site plan approvals.

(K) Inspectors from the Agency may visit the Redevelopment Site unannounced on business days between the hours of 9:00 a.m. and 5:00 p.m. to inspect operations and determine whether Redeveloper is in compliance with the terms of the Redevelopment Agreement.

(L) The Redeveloper shall acknowledge and represent to the Agency that, except as may be expressly provided in the Redevelopment Agreement to the contrary, the Redeveloper has not and will not rely upon any representations or warranties of the Agency, its agents, servants or employees, either written or oral, express or implied, as to the Redevelopment Site's value, use, conditions, quality, environmental condition, fitness for any particular use or any other representation whatsoever, it being agreed and understood that the Redeveloper would acquire the Site in its "AS IS" and "WHERE IS" condition, with all faults, including but not limited to any environmental concerns which may or may not be present within the Rehabilitation Area. The Agency does not make any representations or warranties regarding the legal ability of the Redevelopment Site to be used for any particular use.

(M) The Redeveloper shall comply, and to the extent applicable, require the tenants to comply, with the requirements of the Living Wage Ordinance, Section 3-76 of the Jersey City Municipal Code concerning required wage, benefit and leave standards for building service workers. All leases executed by the Redeveloper, as landlords, shall set forth a requirement that such tenant is required to comply with Section 3-76 of the Jersey City Municipal Code.

(N) The Redeveloper shall comply with the affordable housing requirements in the Redevelopment Plan and shall comply with the income requirements of Chapter 188 of the Jersey City Code.

(O) Redeveloper shall be subject to certain transfer restrictions and shall agree to execute and record a Declaration of Covenants and Restrictions upon execution of the Redevelopment Agreement and acquisition of the Redevelopment Site (or portion thereof).

The Agency reserves the right to add, omit and/or amend the above terms prior to entry into the Redevelopment Agreement with the Redeveloper. Respondents, however, should assume that all of the above terms will be requirements of the Redevelopment Agreement for purposes of responding to this RFP.

VII. RFP SUBMISSION REQUIREMENTS

GENERAL REQUIREMENTS AND DEADLINES

Submissions may be submitted via email, hand delivered to the Agency’s offices, sent by U.S. certified mail return receipt requested, or sent by private courier service. Email submissions must be sent in PDF format to Christopher Fiore, Assistant Executive Director, at FioreC@jcnj.org and J. Nicholas Strasser, Esq., at jstrasser@msbnj.com. Proposals submitted via certified mail, private courier service or hand delivery must include three (3) paper copies and one (1) electronic copy (USB drive format preferred) of the proposal. All submissions must be delivered no later than **3:00pm on December 10, 2022** to Jersey City Redevelopment Agency, 4 Jackson Square (a/k/a 39 Kearney Avenue), Jersey City, New Jersey 07305. The Agency shall not be responsible for the loss, non-delivery, or physical condition of submissions sent by mail or courier service.

All proposals must include a **non-refundable** submission fee of One Thousand Five Hundred Dollars (\$1,500), which must be paid at the time of submission, except if a Respondent’s proposal is submitted via email, then such Respondent shall mail the submission fee to the Agency, and the Agency shall receive the submission fee, no later than December 10, 2022. Proposals that include payment of the submission fee by check, which check is dishonored for insufficient funds, shall be considered to have not included the submission fee and will be rejected. Any proposals received after the deadline or without a submission fee will be rejected.

All submissions will become the property of the Agency and will not be returned to the Respondent. For further information, contact Christopher Fiore, Assistant Executive Director, at FioreC@jcnj.org, and J. Nicholas Strasser, Esq., at jstrasser@msbnj.com.

The following dates shall apply to the RFP response process.

Issuance of RFP	October 7, 2022
RFP Questions Due	November 3, 2022
Agency Responses to RFP Questions Posted on Agency Website	November 10, 2022
RFP Submission Due to the Agency	December 10, 2022

FORMAT OF PROPOSALS

The Agency requires a standard format for all proposals submitted to ensure that clear, concise and complete statements are available from each Respondent in response to the RFP requirements. It is recommended that Respondents utilize headings, section numbers and/or page numbers to organize their proposals. The Agency is not under any obligation to search for clarification through additional or unformatted information submitted as a supplement to the formatted proposal. Where a proposal contains conflicting information, the Agency at its option may either request clarification or may consider the information submitted unresponsive.

Each Proposal submitted must contain, in sequence and with the appropriate heading, each of the following sections:

1. Title Page

2. Table of Contents
3. Executive Summary
4. Background
5. Objectives
6. Project Proposal
7. Project Work Plan
8. Project Financing
9. Government Responsibilities
10. Key Personnel
11. Assumptions
12. Redeveloper Questionnaire/Other

These required sections are further described and defined as follows:

1. Title Page

The Proposal must include a title page, which identifies the proposed project, the Respondent's firm, name of the Respondent's primary contact, Respondent's address, telephone number, fax number and e-mail address.

2. Table of Contents

List the titles and page numbers for each major topic and sub-topic contained in the proposal, including the 12 required sections.

3. Executive Summary

A summary of the key points and highlights of the proposal which should illustrate why the Respondent is best suited for the project.

4. Background

Include a brief history of the Respondent and how its experience is analogous to and qualifies it to meet the requirements of the RFP. The citation of specific projects that are currently being developed or have been completed in the past is strongly encouraged.

Respondent 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 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 its outstanding stock.

5. Objectives

State what the Respondent believes to be the primary objectives for redevelopment of the Redevelopment 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 shall be included.

6. Project Proposal

Include a detailed description of the Respondent's proposed project, including capital improvements, plans, elevations, renderings, CAD files, illustrative materials, etc., and how the proposed project satisfies the goals and objectives of the City, the Agency, and the Redevelopment Plan, as same may be amended. Respondents should highlight any risks they deem to be significant enough in nature which could delay or stop the proposed project. All proposals shall comply with the zoning and planning requirements of the Redevelopment Plan. All proposals shall include a letter from the HCBTC confirming that the Respondent and HCBTC shall, at a minimum, enter into a memorandum of understanding as a condition to the execution of a redevelopment agreement with the JCRA.

Respondents should submit an estimated number of full-time and part-time employees their proposed project will employ, respectively, the positions these employees will fill, and the percentage of these employees that they expect to hire from the local community. The Agency may view more favorably proposals that will employ members of the community and that contract with local businesses and suppliers to fulfill various project demands.

7. Project Work Plan

Provide a high-level project work plan, describing all proposed phases, activities and tasks of the successful Respondent. Tasks that the successful Respondent would require of the Agency and/or the City to complete the project should also be identified. The work plan should present key activities, milestones, dates, etc. necessary to deliver the proposed project. All assumptions that were made to complete the project work 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 date for these improvements (i.e., the expected duration of construction of each improvement).

8. 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. Respondent must clearly identify whether financial incentives are necessary to make Respondent's proposal feasible.

The Respondent must state their detailed financial offer for the purchase of the Redevelopment Site (or portion thereof). The acquisition of the Redevelopment Site at the stated amount will be included as a material obligation of the successful Respondent in any Redevelopment Agreement. Financial offers must include: total proposed acquisition price, proposed deposit amount, any conditions or contingencies to acquisition, and whether any portion of a deposit is proposed to be refundable. Failure to include an offer to purchase the Redevelopment Site (or portion thereof) may result in rejection of the Respondent's proposal.

The Agency makes no representation as to the state of remediation of the Rehabilitation Area or delivery of environmentally remediated property.

9. Government Responsibilities

The Respondent should specifically describe the expectations relating to the responsibilities and/or commitments the Respondent is expecting of the Agency and/or the City throughout the life of the proposed project.

10. Key Personnel

Identify the proposed project team, stating exactly the role that each proposed team member will assume and detailing the qualifications for the role that the team member possesses. This should include the Respondent as well as attorneys, architects, engineers, contractors, builders, and financiers.

11. Assumptions

State any assumptions being made relating to any part of the proposal or project strategy.

12. Redeveloper Questionnaire/Other

This section must include at minimum a completed Redeveloper Questionnaire (the form of which is attached as Appendix C). All person(s) having an ownership interest equal to or greater than 10% of the Respondent and/or proposed development entity shall complete the Redeveloper Questionnaire, including all forms attached thereto. Only the successful Respondent(s) will be required to pay the \$5,000 fee noted in the cover letter of the Redeveloper Questionnaire.

Respondents may include in this section any additional information they deem necessary which has not been supplied in any other portion of the Respondent's proposal.

VIII. EVALUATION PROCESS

The Agency will evaluate Respondent proposals based on their completeness, feasibility, responsiveness to the RFP requirements and redevelopment goals described herein, strength of the development approach, innovation of the proposal, and Respondent's comparable past experience and capacity to successfully complete the proposed project.

The Agency will evaluate proposals based consideration of key criteria, which includes but is not limited to:

- Conformance to RFP format requirements,
- Appropriateness of proposed project to RFP requirements and the Redevelopment Plan,
- Timeframe for completion of the proposed project,
- Development team qualifications, comparable prior experience and capacity,
- Vision and quality of development approach,
- Public benefits from the proposed project, including construction of the proposed number of affordable housing units,
- Commitment to diversity regarding utilization of minority and women-owned business enterprises,
- Aesthetic aspects and functionality (including “green” components) of proposed project,
- Financial feasibility and capacity,
- Financial compensation to the City, including proposed purchase price for the Redevelopment Site, and
- Implementation strategy

The Agency shall not be obligated to explain the results of the evaluation process to any Respondent. The Agency may elect to ask some or all Respondents to give presentations on their proposals. The proposal determined by the Agency and its professionals to best satisfy the criteria and goals of the Redevelopment Plan and RFP requirements will be recommended to the Agency’s Board of Commissioners for consideration. The Board of Commissioners will consider the recommendation and, at its discretion, vote on whether to recommend the proposal(s) and to conditionally designate the successful Respondent(s) as redeveloper of the Redevelopment Site (or portion thereof) to commence negotiation of a redevelopment agreement. Respondents shall refrain from discussing their Proposals with any members of the JCRA Board of Commissioners and Jersey City elected officials until such time as JCRA staff makes a recommendation on the Proposals received. Any Respondent found violating the above will be disqualified from consideration.

The Agency reserves the right to:

- Select a short list of Respondents;
- Enter into exclusive negotiations with selected Respondent with the intent of entering into a redevelopment agreement;
- Request additional information from any Respondent;
- Take no action; or
- Reject all submissions.

IX. DISCLAIMERS

- A. Respondents are responsible for ensuring that responses to this RFP are compliant with all applicable Federal, State, and local laws, regulations and ordinances.

- B. Respondents acknowledge that the preparation and submission of responses is at their own risk and expense, and in no event may they seek reimbursement or contribution from the Agency.
- C. In an effort to foster the timely redevelopment of the Redevelopment Site, each Respondent acknowledges that by submitting a response to this RFP, such Respondent waives its right to file or maintain, through itself or any other party with which it is affiliated, any action or proceeding challenging determinations made by the Agency pursuant to this RFP.
- D. The successful Respondent must have sufficient monetary resources to provide for all predevelopment costs associated with the proposed project. The Agency will not provide any funding to pay for predevelopment costs including, but not limited to, architectural and engineering fees, legal fees, environmental reports or testing, financing and syndication costs, and surveys.
- E. Designation of a successful Respondent as redeveloper for the proposed project will not create any rights whatsoever in the successful Respondent until the execution by the Agency of a redevelopment agreement.
- F. The Agency in its sole discretion will have the option to terminate negotiations at any time if not satisfied with the progress of negotiations.
- G. The Agency reserves the right to reject all submissions.
- H. Any successful Respondent 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.*, the Americans with Disabilities Act of 1990, 42 U.S.C. § 2101, *et seq*

APPENDIX A
174 NEWARK AVENUE REDEVELOPMENT PLAN

APPENDIX B
TAX MAP OF 174 NEWARK AVENUE

APPENDIX C
REDEVELOPMENT QUESTIONNAIRE