

Borough of Carteret, New Jersey
A Portion of the Washington Avenue Redevelopment Area
Request for Qualifications (RFQ)

A. Introduction

The Carteret Borough Council has determined portions of Washington Avenue are “areas in need of redevelopment” creating the Washington Avenue Redevelopment Area in accordance with New Jersey’s Local Redevelopment and Housing Law. A Redevelopment Plan was adopted in October 2006. The Borough seeks a qualified redeveloper for a portion of this property identified on Borough tax maps as Block 206, Lot 2, at the corner of Washington Avenue and High Street. The Plan’s intent is to develop a strategy to redevelop and revitalize this area that advances the Master Plan’s land use designation for the subject area. Copies of the Washington Avenue Redevelopment Plan are available for purchase from the Office of Zoning and Planning located at the Memorial Municipal Building, 61 Cooke Avenue, Carteret, New Jersey 07008.

As a result of interest from the development community, the Borough has approved this phase of developer solicitations. Carteret is pleased to begin this process of seeking a qualified developer or developers through issuance of this RFQ.

B. Development Area

The property is comprised of land located at 22-24 Washington Avenue N.E. portion of the Borough of Carteret. The redevelopment opportunity consists of the following site:

Table 1
Properties That May Be Developed

Block	Lot
206	2

The redevelopment area encompasses approximately 50’ x 109’ (irregular lot) of property. The Borough is currently in negotiations with the property owner as to direct acquisition of said property by the Carteret Redevelopment Agency.

C. Project Participants

Mayor: Daniel J. Reiman (723) 541-3801

Director
CARA Eric F.M. Chubenko, 732-541-6800

Special Project Planner: Andrew W. Janiw, PP, AICP
Beacon Planning & Consulting Services, LLC
(732) 845-8103

Zoning Officer
Construction Official: Anthony Neibert (732) 541-3936

Borough Attorney: Robert J. Bergen, Esq. (732) 324-7600

Borough Address: Memorial Municipal Building
61 Cooke Avenue
Carteret, NJ 07008

D. Development Objective

The Plan seeks to create land use and building requirements specific to the Redevelopment Area that will promote the development and revitalization of the site. The most appropriate approach for the municipality is to create a design that will transform the site into a positive asset for the general community with fully productive uses. The intent is to create economic development opportunities while remedying the substandard site, which contributes to the underutilization of the property. The plan is intended to stimulate an appropriate level of development that will advance the revitalization of the Redevelopment area, while adding taxable improvements to the Borough's ratable base.

E. Information Required

This RFQ process has been selected to expedite review and analysis of developer submissions. Experienced developers are asked to submit their qualifications and statements of financial capability for review. **THE REDEVELOPMENT AGENCY (Ex The Borough)** will evaluate the submissions and preferred development teams will be identified. However, the **REDEVELOPMENT AGENCY** shall not be obligated to enter into a developer agreement with any of these teams. Upon identification, preferred development teams will be required to submit a redevelopment proposal consistent with objectives of the Redevelopment Plan. Developers are requested to provide the following information in response to this RFQ:

Request for Qualifications

The response shall contain the following information set forth in the following order:

Identification:

- A. The name, address and telephone number of the Respondent's primary business office. If the Respondent's primary business office is located outside of the State, give the address and telephone number of the New Jersey location, if any that will be responsible for participating in this selection process and the project.
- B. Identify the parent company and any subsidiary or affiliated companies of the Respondent, giving the names, addresses and telephone numbers of each company.
- C. Key Personnel – Provide resumes of all key personnel, and any other information that would describe the strength and depth of your organization.
- D. Optional (if known at this time) – Whether the Respondent intends to joint venture, partner or subcontract with any other company or firm or other entity in the submission of a response. If so, identify such joint venturer, partner or subcontractor and provide for each the same information as required of the Respondent in paragraphs A and B above. Describe in narrative form the proposed contractual relationship and responsibilities, written or otherwise, of each of the firms or companies that will be participating.
- E. In connection with the above, provide:
 - (1) a complete identification of all principals or officers of any entities, firms, arrangements, associates, joint ventures, partnerships, or involvements described above;
 - (2) a complete identification of all principals holding ten (10) percent or more of net equity and all officers of all firms or entities so named; and
 - (3) a complete list of all criminal charges and civil environmental complaints, brought against any of those entities, firms or persons that have been involved in any way with Respondent as identified in the foregoing answers and the disposition of all such criminal charges and/or civil environmental complaints, if any.

Administrative Information:

A. Project Organization

(1) The Respondent shall submit a Project Organization Plan for this project. The plan should describe, in narrative form and as a chart, the Respondent's proposed organization structure for this project. The chart shall display:

- the firms involved, their interrelationships and responsibilities (if known); and
- key management personnel identified by name and firm.

Resumes of key personnel to be assigned to the redevelopment project are to be provided in the Response. This includes the resumes and experience of the people or firm that the Respondent will utilize in implementing the project.

- B.** Describe briefly any significant pending legal and administrative proceedings (other than ordinary routine litigation incidental to Respondent's business) in which the Respondent, its officers, directors, employees or principals or any of its subsidiaries or parent(s), their officers, directors, employees or principals is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, and the principal parties thereto, a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities. Administrative or judicial proceedings arising under any federal, state, or local laws or ordinances that have been enacted or adopted for purposes of environmental protection shall not be deemed "ordinary routine litigation incidental to the business" and shall be described.
- C.** Describe briefly any occasion in which Respondent, any officer or principal Respondent with a proprietary interest therein, has ever been disqualified, removed or otherwise prevented from bidding on, participating in, or completing a federal, state, or local governmental project because of a violation of law or a safety regulation.
- D.** Describe briefly any occasion in which Respondent has been in a position of default in a federal, state or local government project, such that payment proceedings and/or execution on a payment, performance or bid bond have been undertaken.
- E.** Has the Respondent or any of its officers refused to testify or refused to waive immunity before any state or federal grand jury relating to

any public construction project within the last ten years? If so, provide details.

- F. If multiple organizations are participating (e.g., subsidiaries, parent companies, joint ventures and/or subcontractors), information should be provided regarding each of the respective organizations.

Financial Information:

Respondents shall provide the following information:

- A. A summary of the amount and source of investment capital (debt and equity) anticipated to be available for the successful development of the Project Area.
- B. A list of three (3) financial references, including a banking reference, noting the name, address and telephone number.
- C. Evidence of its ability to secure builder's risk insurance and performance bonding capacity.
- D. Provide information that will support the financial stability of Respondent's firm.
- E. Disclose any negative information that would be deemed material under generally accepted accounting practices and, in addition thereto, any history of bankruptcy, insolvency, receivership, or similar declaration or status determination with respect to individuals or entities associated with the Respondent or any entity or affiliate therefore or individuals, or entities that are principals of said Respondent.
- F. Provide specific information on how Respondent's firm has financed major projects. Indicate the source and amount of debt and equity funds Respondent's firm has arranged in the past.
- G. Specifically indicate if Respondent's firm has provided its own equity in its projects and, if so, to what extent.

Technical and Project-Related Experience:

The response shall contain Respondent's technical and related experience. Respondents to the RFQ shall demonstrate their ability to undertake the project by providing the technical qualifications of the Respondent, principal subcontractors, and individual team members. The **REDEVELOPMENT AGENCY** reserves the right to conduct an independent investigation of the Respondent's and its subcontractors' technical qualifications by contacting project references, accessing public information, or contacting independent

parties. Additional information may be requested during the evaluation of technical qualifications. At a minimum, the Respondent and its subcontractors shall provide the following information to demonstrate its technical qualifications:

A. Summary of Related Projects

Respondent(s) shall include a description of its prior projects, with particular emphasis on projects that are similar to the proposal for redevelopment of the Project Area. The portfolio may include visual and descriptive information sufficient to judge the quality and use of the project. For each project, Respondent(s) shall provide the following information:

- Description of each project in terms of use, size, cost, location, and other pertinent factors. Specify the scope, cost, time to completion, completion date and sources of funding for all projects.
- Description of Respondent's role and responsibilities during development.
- List of development partners, if any.
- Method of financing, including names of institutions that provided debt and equity. Financial performance of the project, including return on investment, return on equity, and return on gross revenue.
- Project team, including architects, engineers, attorneys and others.
- Respondent's role in managing the facility after completion.
- Demonstrate the project's post-construction success in terms of design, use, construction, management, income, employment, tax assessment, and associated expansions or spin-off development.
- Discuss any unanticipated problems with any of the above issues, as well as discussion of how the Respondent has addressed them.

B. Project Operations

- Identify the current ownership and/or property management for each project.
- Provide contact names, addresses and telephone numbers for each of these.
- List any project defaults in which any of the principals have been a general partner or had a controlling ownership interest during the last 10 years.

C. Current or Pending Projects

Briefly describe any current or pending projects being undertaken by all members of the Respondent's team. Identify the current and future workload of staff members being assigned to this project. Identify the location of any current project, and include a contact name, address, and telephone number for each current client.

D. Project References

Include three (3) references for clients for whom the Respondent has provided similar projects, indicating whether the work was that of the Respondent and/or specific staff who will be assigned to the Project. Identify the client contact name, organization, type of work provided, and the contact's address, telephone number and e-mail (if applicable). Respondent shall indicate whether any of these clients were public entities.

Additionally, the **REDEVELOPMENT AGENCY** is interested in how outside lenders, investors and business-prospects may view each development opportunity. **REDEVELOPMENT AGENCY** is not requiring or expecting firm, binding financing and/or leasing commitments from outside financial entities (debt & equity) and others at this time. However, the **REDEVELOPMENT AGENCY** requires letters of interest from outside financial entities from which funding is anticipated which detail the following:

- a. Why is the outside financial entity or business prospect interested in this project?
- b. Why is the financial entity interested in providing funds to this development entity?
- c. If the outside financial entity is a lender, provide typical or current debt service terms for loans, which could be made for similar projects (i.e. debt coverage, ratio, interest rate, length of loan, etc.)

F. Next Steps

Upon identification of preferred development teams, **REDEVELOPMENT AGENCY** will request a conceptual depiction of each team's interpretation of the Redevelopment Plan. Responses will be evaluated and ranked in order of preference. The **REDEVELOPMENT AGENCY** intends, but is not obligated, to select a developer(s) to whom it will award negotiating rights. This award decision will be followed by a period during which a developer agreement will be negotiated and further information exchanged. Once completed, the **REDEVELOPMENT AGENCY** will award *Designated Developer Rights*.

G. Condition Precedent

The successful Respondent must, as a condition precedent to the execution of an Agreement between itself and the **REDEVELOPMENT AGENCY**, deposit pursuant to the Agreement, a **fifty thousand dollar (\$50,000)** escrow fee, to be replenished if and when needed (see Ownership Enclosure Statement). It is made a specific condition of this RFQ that this amount shall be utilized to pay the reasonable professional fees, expenses and costs of this project incurred by the **REDEVELOPMENT AGENCY**, and/or other reasonable expenses the **REDEVELOPMENT AGENCY**, in its sole discretion deems appropriate in connection with this project.

H. Submission of Responses: Time and Place

Responses shall be submitted to the Borough on or before **1:00** p.m. prevailing time on March 1, 2009 and shall include a **\$1,500.00 (fifteen hundred dollar)** non-refundable application fee (**Cashier's or Certified Check made payable to the REDEVELOPMENT AGENCY**). This fee is intended to cover the **REDEVELOPMENT AGENCY's** costs for review of the Response Package; however, the **REDEVELOPMENT AGENCY** is not required to specifically account for such costs. Responses shall be enclosed in an opaque, sealed envelope, marked with the name and address of the Respondent, directed to:

Kathleen M. Barney, Municipal Clerk
Memorial Municipal Building
61Cooke Avenue/ 1st floor
Carteret, NJ 07008-3046

One (1) original and nine (9) copies of the Response shall be submitted and received **BY HAND DELIVERY, CERTIFIED MAIL/RETURN RECEIPT REQUESTED OR OVERNIGHT COURIER** on or prior to the above-referenced time. One of the copies shall be unbound.

I. Conclusion

The **REDEVELOPMENT AGENCY** looks forward to reviewing qualifications and discussing this project further with each team. The **REDEVELOPMENT AGENCY** and its consultants are available to answer questions or provide further information.

All communications concerning this RFQ including any questions or requests for additional information shall be directed in writing and received no later than February 1, 2009, to Borough of Carteret Municipal Clerk with simultaneous copies provided to Borough Attorney Robert J. Bergen, Esq., and Andrew W. Janiw, P.P., A.I.C.P., at the locations set forth below.

Robert J. Bergen, Esq.
Carteret Law Department
61 Cooke Avenue
Carteret, NJ 07008
(732) 541-3800 tel. (732) 541-4989 – fax

email: BergenR@carteret.net

**Andrew W. Janiw, P.P., A.I.C.P.
Special Project Planner
Beacon Planning and Consulting Services, LLC
41 State Highway 34 S., Suite 207
Colts Neck, NJ 07722
(732) 845-8103 tel. (732) 845-8104 fax
email: ajaniw@beaconplanning.net**

ATTACHMENT A

DEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE

A. DEVELOPER AND LAND

1. a. Name of Developer:
b. Address of Developer:
2. The land on which the Developer proposes to redevelop is described as follows:

The Washington Avenue Redevelopment Plan is comprised of land located in the N.E. portion of the Borough of Carteret. The redevelopment opportunity consists of the following sites:

Block 206, Lot 2

3. If the Developer is not an individual doing business under his own name, the Developer has the status indicated below and is organized or operating under the laws of _____

_____.
- A corporation
- A non-profit or charitable institution or corporation
- A partnership known as _____.
- A business association or joint venture known as _____.
- A federal, state or local government or instrumentality thereof.
- Other (explain)
4. If the Developer is not an individual or a government agency or instrumentality, give date of organization.
5. Names, addresses, title or position (if any), and nature and extent of the interest of the officers and principal members, shareholders and investors of the Developer, other than a government agency or instrumentality, are set forth as follows:
 - a. If the Developer is a corporation, the officer, directors or trustees, and each stockholder owning more than 10 percent or any class of stock.
 - b. If the Developer is a non-profit or charitable institution or corporation, the members who constitute the board of trustees or board of directors or similar governing body.

- c. If the Developer is a partnership, each partner, whether a general or limited partner, and either the percent of interest or a description of the character and extent of interest.
- d. If the Developer is a business association or a joint venture, each participant and either the percent of interest or a description of the character and extent of interest.
- e. If the Developer is some other entity, the officers, the members of the governing body, and each person having an interest of more than 10 percent.

Name, Address and Zip Code

Position Title (if any) an
Percent of Interest or
Description of Character and
Extent of Interest

CERTIFICATION

I, (We)¹ _____
Certify that this Developer's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.

Dated: _____

Dated: _____

Signature

Signature

Title: _____

Title: _____

Address and Zip Code

Address and Zip Code

Notary:

¹ If the Developer is an individual, this statement should be signed by such individual; if a partnership, by one of the partners; if a corporation or other such entity, by one of its chief officers having knowledge of the facts required by this statement.

ATTACHMENT B

DEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(For Confidential Use Only)

1.
 - a. Name of Developer:
 - b. Address and Zip Code of Developer:

2. The land on which the Developer proposes to redevelop in response to this Request for Qualifications is described as follows:

3. Is the Developer a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms? Yes No

If yes, list each such corporation or firm by name and address, specifically its relationship to the Developer, and identify the officers and directors or trustees common to the Developer and such other corporation or firm.

4.
 - a. The financial condition of the Developer, as of _____, 20____, is reflected in the attached financial statement. (Note: Attach to this statement a certified financial statement showing the assets and liabilities, including contingent liabilities, fully itemized in accordance with acceptable accounting standards and based on a proper audit. If the date of the certified financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old).
 - b. Name and address of auditor or public accountant who performed the audit on which said financial statement is based.

5. If funds for the development of the land are to be obtained from sources other than the Developer's own funds, provide a statement of the Developer's plan for financing the acquisition and development of the land:

6. Sources and amount of cash available to Developer to meet equity requirements of the proposed undertaking:

a. In Banks:

<u>Name, Address and Zip Code of Bank</u>	<u>Amount</u>
	\$

b. By loans affiliated or associated with corporations or firms:

<u>Name, Address and Zip Code of Bank</u>	<u>Amount</u>
	\$

c. By sale of readily saleable assets:

<u>Description</u>	<u>Market Value</u>	<u>Mortgages or Liens</u>
	\$	

7. Names and addresses of bank references:

8. a. Has the Developer of (if any) the parent corporation, or any affiliated corporation of the Developer or said parent corporation, or any of the Developer's officers or principal members, shareholders or investors, or other interested parties (as limited in the responses to items 5, 6 and 7 of the Developer's Statement for Public Disclosure and referred to herein as "principals of the Developer") been adjudged bankrupt, either voluntary or involuntary, within the past 10 years? Yes No

If yes, give date, place and under what name.

b. Has the Developer or anyone referred to above as "principals of the Developer" been indicted for or convicted of any felony within the past 10 years? Yes No

9. a. Undertakings comparable to the proposed development completed by the Developer or any of the principals of the Developer, including identification and a brief description of each project and date of completion:

b. If the Developer or any of the principals of the Developer has ever been an employee, in a supervisory capacity, for a construction contractor or builder on undertakings comparable to the proposed development work, name such employee, name and address of employer, title of position, and brief description of work:

10. If the Developer or a parent corporation, a subsidiary, an affiliate or a principal of the Developer is to participate in the development of the land as a construction contractor builder:

- a. Name and address of such contractor or builder:
- b. Has such contractor or builder within the last 10 years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract. Yes No If yes, explain:
- c. Total amount of construction or development work performed by such contractor or builder during the last five years:
\$ _____.

- d. Construction contracts or developments now being performed by such contractor or builder:

<u>Identification of Contract of Development</u>	<u>Location</u>	<u>Amount</u> \$	<u>Date to be Completed</u>
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- e. Outstanding construction-contract bids of such contractor or builder:

<u>Awarding Body</u>	<u>Amount</u> \$	<u>Date Opened</u>
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- 11. Does any member of the governing body of the locality in which the project site is situated or any other public official of the locality, who exercises any functions or responsibilities in the review of approval of the carrying out of the project under which the land covered by the Developer's qualifications is being made available, have any direct or indirect personal interest in the Developer or in the development or rehabilitation of the property upon the basis of such qualifications?

Yes No If yes, explain:

- 12. Statement and other evidence of the Developer's qualifications and financial responsibility (other than the financial statement) are attached hereto and hereby made a part hereof as follows:

GENERAL QUALIFICATION FORMS

Ownership Disclosure Statement.....	Form A-1
Non-Collusion Affidavit.....	Form A-2
Consent to Investigation.....	Form A-3

FORM A-1

OWNERSHIP DISCLOSURE STATEMENT

In accordance with State Law, corporate and partnership Respondents to the RFQ must submit a statement of names and addresses of all stockholders in the corporation or partnership owning 10% or more of its stock of any class, or of all individual partners in the partnership who own a 10% or greater interest, as the case may be. If one or more such stockholder or partner is itself a corporation or partnership, the names and addresses of stockholders holding 10% or more of that corporation's stock or of individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The Disclosure shall continue until names and addresses of every known corporate stockholder and individual partner, exceeding the 10% ownership criteria is listed. If the Respondent is neither a corporation nor a partnership, he shall so attest in the space provided below:

NAME

ADDRESS

(Signature of President or duly authorized Officer)

(Date)

(Name of Partnership or Corporation)

(Print Name and Title)

(Address)

(Seal)

ATTEST:

(Signature of Secretary or Assistant Secretary)

(Print Name and Title)

**NOTE: SUBMIT SIMILAR STATEMENT FOR EACH
MEMBER OR JOINT VENTURE**

If the Respondent on this Contractor is neither a Corporation nor a Partnership, please sign below.

(Signature of Owner)

(Date)

FORM A-2

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY)

:ss

COUNTY OF)

I, _____, of the City of _____, in the County of _____, and the State of _____, of full age, being duly sworn according to law on my oath, depose and say that I am _____ of the firm _____, the Respondent making the qualification for the redevelopment of the Project Area in accordance with the Qualification and that I executed the Qualification with full authority to do so; that the Respondent has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the Qualification; and that all statements contained in the Qualification and in this Affidavit are true and correct, and made with full knowledge that the **REDEVELOPMENT AGENCY** relies upon the trust of the statements contained in the Qualification and in the statements contained in this Affidavit.

I further warrant that no person or selling agency has been employed or retained to solicit or secure Respondent's selection as Successful Respondent, upon an agreement or understanding, for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by the Respondent for the purpose of securing business (N.J.S.A. 52:34-15).

(Name of Respondent)

By: _____
(Signature of Duly Authority Representative)

(Print Name)

(Title)

Subscribed and sworn to
Before me this _____
Day of _____, 200__

(Notary Public of New Jersey)

My commission expires, _____ 200__.

QUALIFICATION FORM A-3

CONSENT TO INVESTIGATION

The Respondent hereby gives its consent to the Redevelopment Entity, the **REDEVELOPMENT AGENCY**, Middlesex County, New Jersey, or its authorized representatives to investigate and verify all information contained in the Qualification submitted herewith in response to the Request for Qualifications, dated **November 4, 2008** including financial and law enforcement information with respect to the Respondent. The Respondent agrees that all financial institutions, law enforcement agencies, and regulatory agencies are authorized to release information verifying those representations and/or submissions made by the Respondent. The Respondent further agrees that Redevelopment Entity, the **REDEVELOPMENT AGENCY** and/or its authorized representatives are authorized to inspect all premises and relevant records of said business entity in order to verify information contained herein.

The Respondent agrees that a photocopy of this Consent to Investigation may be accepted by any agency or institution in lieu of the original.

Name of Respondent: _____

Respondent's Address _____

By: _____

(Signature)

Name: _____

Title: _____

Date: _____

