

# **The Peninsula at Bayonne Harbor Harbor Station South District**



## **Request for Expressions of Interest in Redevelopment**

**City of Bayonne  
Mark A. Smith, Mayor  
December 2013**

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District



The City of Bayonne, Hudson County, New Jersey (the “City”) is pleased to present an exciting new development opportunity to developers or teams of developers (“Respondents”) interested in taking part in the transformation of over fifty acres at the Peninsula at Bayonne Harbor (the “Peninsula”). Respondents are being asked to present their most creative and innovative designs and concept plans for the development of one or more parcels in the Harbor Station South District (the “District”). The District is located along Route 440 across from the Hudson-Bergen Light Rail Station on the southwestern portion of the Peninsula.

The redevelopment of the District will be undertaken pursuant to the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “Redevelopment Law”) which affords the City broad powers to direct and incentivize the development efforts in the District. The City is seeking motivated and creative partners in redevelopment who share the City’s vision to develop a dynamic destination location just minutes from New York City.

The following pages contain the City’s goals for the redevelopment of the District, background information as well as submission requirements, selection criteria and other information necessary for Respondents to successfully respond to this “Request for Expressions of Interest” (this “RFEI”).

The City is looking forward to reviewing the responses to this RFEI and developing a partnership that will untap the potential of the District for the residents of the City, the State and the region.

Mark A. Smith  
Mayor

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

## I. THE DISTRICT

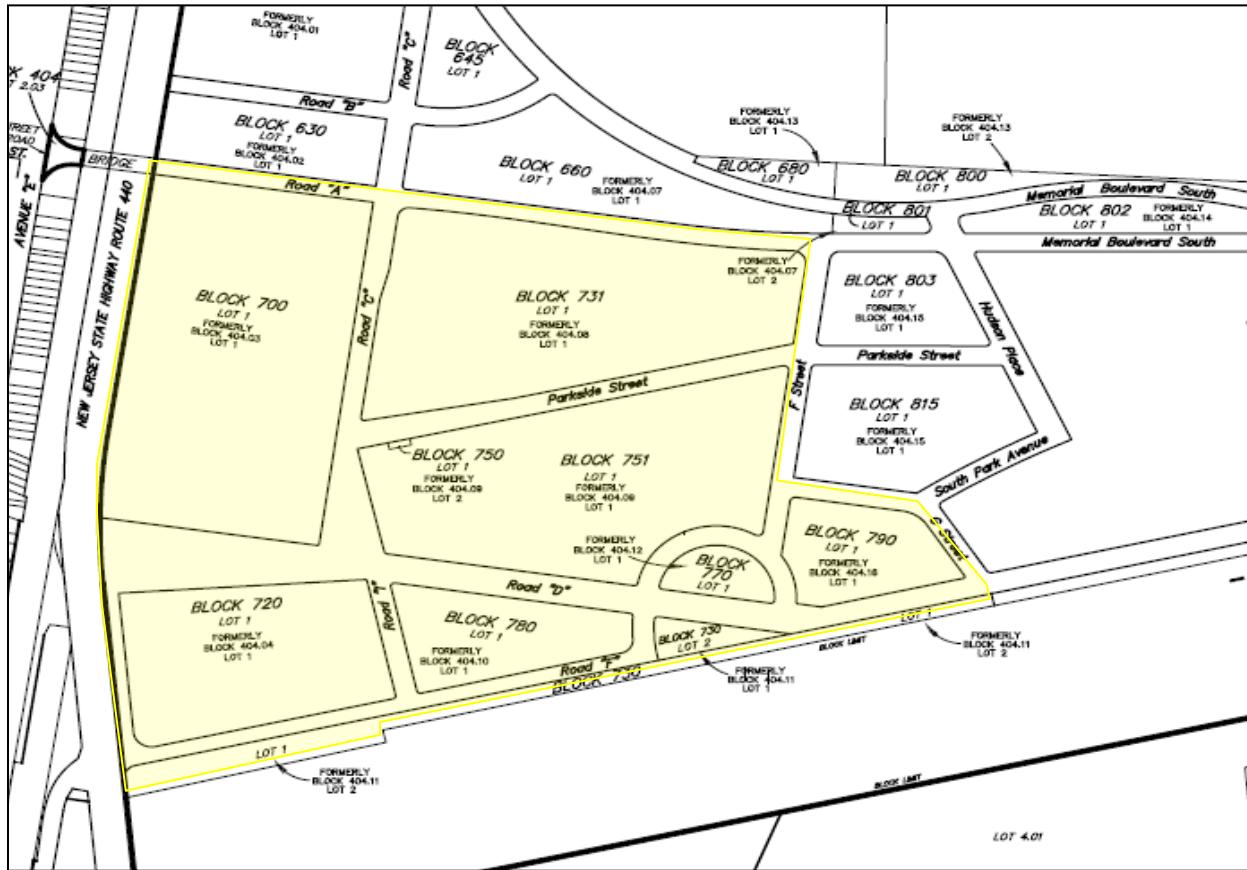
### *General Description*

The Peninsula is the site of a former military facility that was used by the United States Army and extends approximately two miles into New York Harbor. The Peninsula is well suited for development due to its waterfront location, excellent transportation access, proximity to Manhattan, secured entitlements, and broad range of allowable uses.



City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

The District is located at the southwestern portion of the Peninsula with direct access to and views from Route 440 to the west.



The District comprises approximately 57 acres currently divided into nine separate parcels (commonly known on the City tax maps as Block 700, Lot 1; Block 720, Lot 1; Block 730, Lot 1; Block 730, Lot 2; Block 731, Lot 1; Block 751, Lot 1; Block 770, Lot 1; Block 780, Lot 1; and Block 790, Lot 1) with the following area:

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

<b>District</b> (Harbor Station South)	<b>Block, Lot</b>	<b>Area (sf)</b>
	700, 1	667,775
	720, 1	306,660
	730, 1	134,165
	730, 2	26,135
	731, 1	549,290
	751, 1	524,025
	770, 1	39,640
	780, 1	146,360
	790, 1	119,790
	<b>TOTAL</b>	2,513,840

In its present state, the District is unimproved except for some basic infrastructure installed in connection with the development of the neighboring Bayonne Bay District to the east. The City is the present owner of all the parcels constituting the District. Subject to the negotiation of a redevelopment agreement, the City is in a position to immediately transfer these lands to one or more Respondents in order to facilitate projects which will achieve the goals and objectives of the City.

### ***Redevelopment Plan***

The Redevelopment Law grants municipalities broad powers to package underutilized and unproductive properties under a redevelopment plan and to negotiate with private developers in order to effectuate the goals and objectives of such a plan. A redevelopment plan establishes specialized land use and building controls effectively serving as the zoning for the applicable property. Although there is currently a redevelopment plan in place for the District, all Respondents are encouraged to consider the development of the District as a blank slate and provide creative and innovative designs and concepts for the District. As an example, a Respondent may choose to alter development blocks and roadways to suit the configuration of that Respondent's concept plan or suggest different maximum height in buildings and structures and different levels of density. The cohesion and vision of a proposal will guide the City's review of that proposal rather than conformity to the existing redevelopment plan. The City will amend the existing redevelopment plan upon the selection of the successful proposal.

### ***Surrounding Land Uses and Community***

Harbor Station North, immediately north of the District, shall be developed as a vibrant residential community to include housing and neighborhood retail. A redeveloper has been designated for this district, and plans for the construction of approximately 850 residential units and up to 10,000 square feet of neighborhood retail. Harbor Station North's proximity to the 45<sup>th</sup> Street Light Rail Station is expected to enhance the attractiveness of the planned redevelopment.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

Plans for the construction of Harbor Station North are expected to be submitted for approval in spring of 2014.

The Bayonne Bay District has been partially developed. The Alexan CityView, a 544 unit residential development located in the north-west corner of the Bayonne Bay District, has been occupied since 2010 and offers luxury residential housing with state-of-the-art amenities.

The Maritime District is situated to take advantage of the deep water Port Jersey channel and existing berth improvements on the north side of the Peninsula. Currently, the Maritime District is operated as a 92-acre auto marine terminal.



The remainder of the Peninsula to the south and east of the Maritime District is owned by the PANYNJ. A portion of this area is used for the Cape Liberty Cruise Terminal operated by Royal Caribbean, which serves as the terminal for many vessels including Royal Caribbean's Explorer of the Seas cruise ship. Cruises embark from the Cape Liberty Cruise Terminal for destinations such as Bermuda, the Bahamas, Canada, St. Maarten and Puerto Rico. Ridership for the cruise line has been increasing over the years from approximately 393,000 in 2010 to 476,000 in 2012. In July 2013, Royal Caribbean announced plans to expand the Cape Liberty Cruise Terminal by adding a new \$70,000,000 cruise terminal building that includes a new check-in terminal, luggage area, parking deck and berth improvements for Royal Caribbean's largest vessel, Quantum of the Seas. Construction is slated to commence in 2014 and the new terminal is expected to increase passenger volume to approximately 600,000 annually.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District



Bayonne Golf Club, an 18-hole links style golf course, is located south of the Peninsula, directly across the South Channel from the Landing District. It features fescue-covered dunes, some reaching more than 100 feet high, and a clubhouse. Also to the south is South Cove Commons a shopping center anchored by a Super Stop and Shop, a department store and a movie theater. Bayonne Crossing, a new 35 acre retail center anchored by Lowes, is also in close proximity to the Peninsula.

The Bayonne neighborhoods to the west of Route 440 are predominantly residential in character, with some commercial use activity. The Broadway commercial corridor, located two blocks to the west of Route 440, is one of the most successful and diverse central business districts in New Jersey with a length of almost 3 miles spanning more than 50 city blocks. Bayonne has a stable population of 63,024 (2010 Census) and is a diverse community where neighbors know each other by name and participate in community events. Residents enjoy an exceptional quality of life with access to public services, numerous community facilities, and about 250 acres of local parkland.

### ***Transportation Access***

Transportation access to the Peninsula is excellent. The Peninsula fronts on Route 440 providing north–south access to the region. The New Jersey Turnpike Interchange 14A is located approximately one mile to the north of the Peninsula. This interchange will soon be reconstructed to enhance the access to the New Jersey Turnpike. The Bayonne Bridge is situated approximately 2 miles to the south. The Port Authority of New York and New Jersey ("PANYNJ") is undertaking a dynamic project to raise the Bayonne Bridge an additional 64 feet to permit more clearance for larger, more efficient container ships to reach the New Jersey and New York ports. A detailed description and video of this project can be found on the City's website at [www.bayonnenj.org](http://www.bayonnenj.org). The planned reconstruction of the roadways will enhance the vehicular and pedestrian traffic and even may permit future mass transit options. Newark Liberty International Airport is in close proximity as it lies approximately 5 miles to the west, while the Holland Tunnel to Manhattan is approximately 5 miles to the northeast.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

The Peninsula's western boundary is located within 200 feet of two Hudson Bergen Light Rail stations – the East 34<sup>th</sup> Street and East 45<sup>th</sup> Street stations. The Hudson Bergen Light Rail provides convenient mass transit connections to the PANYNJ, PATH and NJ Transit bus and rail systems. Bus service to Staten Island, New York is also available at the East 34<sup>th</sup> Street Light Rail Station. In addition to access along roadways and rail lines, the City anticipates the development of ferry service between the Peninsula and Manhattan.

## **II. GOALS FOR THE REDEVELOPMENT OF THE DISTRICT**

The City has identified the redevelopment of the District as a top priority. The District is the gateway to the Peninsula with excellent transportation alternatives that will lend to the accessibility, culture and vibrancy of a redevelopment project. As such, the City envisions the District as a transit-oriented mixed-use development with a preference for retail and commercial development that includes amenities that complement the adjacent Royal Caribbean cruiseport operations, such as a luxury hotel and supporting retail services.

The City is seeking proposals that accommodate a range of future stakeholder needs and shifting market forces, while at the same time taking into consideration development challenges in the areas of infrastructure improvements, parking and vehicular and pedestrian circulation. The City shares the following goals for the District:

- Realizing the market value of the land at its highest and best use;
- Generating tax ratables that benefit the community as a whole;
- Contributing to temporary and permanent job creation for City residents;
- Creating a “destination” location for residents, visitors and tourists in the region;
- Developing complementary uses and services for existing development and operations on the Peninsula; and
- Creating a vibrant, exciting community experience that will attract high-end commercial and retail interest that will enhance services on the Peninsula and in the City.

The foregoing goals for the District reflect the City's general aspirations for redevelopment, with an emphasis on and preference for proposals that address the first three goals. Respondents may choose to prepare proposals on all or just a portion for the entire District; however, Respondents must keep in mind and address the goals of the City.

## **III. CITY VISION FOR THE DISTRICT**

The City seeks to fulfill the above-stated goals through a shared development vision. Respondents are encouraged to propose any or all of the following: mid-rise residential,

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

commercial office, neighborhood and destination retail, hospitality services and related parking consistent with the goals.

The District is well-situated to serve as a commercial and retail hub with quick access to major highways, public transportation with the potential for ferry service to and from Manhattan. The District is also well-suited to the development of a premium outlet shopping center as a complement to the Cape Liberty Cruise Terminal and surrounding area, which is currently underserved by such uses. The City seeks development that can realize the full potential of the District as a destination location for commercial and retail uses that will also complement the Royal Caribbean operations.

The City encourages the submission of creative concept plans for the District to spur economic growth, enhance tax ratables and maximize the unique location. The City strongly encourages the inclusion of significant retail, commercial and hospitality components to enhance the attractiveness of the Peninsula as a destination for residents, workers and visitors. The retail and commercial components should have positive synergies within the District neighborhood and transit accessibility. Proposals that provide for expedited land acquisition and development will be favored.

The City is the present owner of all the parcels constituting the District. Subject to the negotiation of a redevelopment agreement, the City is in a position to immediately transfer these lands to one or more qualified redevelopers in order to facilitate projects which will achieve the goals and objectives of the City.

### **III. DEVELOPMENT OPPORTUNITY**

The City seeks to identify qualified developers with the ability and capacity to commence development immediately. Respondents should demonstrate a broad portfolio of real estate, development and financing experience, including successful past experience with complex public/private development ventures in urban settings. Respondents are also strongly encouraged to create development teams that include local partners with responsibilities in all aspects of the development process.

Respondents and their proposals will be evaluated based on the following criteria:

- Estimated purchase price and schedule for take down of parcels;
- Preference for retail, hospitality and commercial uses;
- Quality and feasibility of the proposal;
- Experience with and success in the development of projects similar to the proposed project;
- Proven success in meeting expectations, milestones and schedules;

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

- Public benefits of the proposed project;
- Strength of the team's qualifications;
- Demonstration of financial capacity;
- Consideration for local and MBE/WBE business and first-source hiring; and
- Ability to commence the project expeditiously.

The City reserves the right, if it is deemed to be in the public interest, to enter directly into negotiations with one or more Respondents based on responses to this RFEI, to request additional information from some or all Respondents, and/or to issue a formal Request for Proposals to a limited or wider audience in order to advance the planning and disposition process. This RFEI does not commit the City to select or enter into negotiations with any Respondent that may submit a proposal pursuant to the herein. While every effort has been made to provide accurate factual information within this RFEI regarding the developable land within the District, the information provided herein is not intended to and shall not bind the City to any of the statements or assumptions set forth herein.

#### **IV. EXISTING DISTRICT AND PENINSULA INFRASTRUCTURE**

##### ***Infrastructure***

The City has undertaken an extensive infrastructure construction program to serve new and planned development on the Peninsula. Construction of new roadways, public and private utilities (including gas, electric, and telecommunications as well as potable water, sanitary sewer, and storm water management), bulkhead structures, and parks is completed. In addition, the City has performed or overseen demolition, completion of the Bayonne Municipal Utilities Authority's (the "BMUA") sewer integration project and completion of environmental remediation.

Within the District and the Bayonne Bay District, Trammel Crow Residential has already constructed roadways, utilities, bulkhead improvements, parks and open space in connection with the Alexan CityView development.

It is anticipated that the selected redeveloper will construct all utility extensions and service laterals necessary to connect proposed redevelopment to a backbone utility system. The redevelopers will, in addition construct certain "stand alone" systems, distribute utilities to individual development blocks, perform shoreline stabilization, if required, make open space improvements (if proposed), construct rights-of-way, demolish existing structures, and fill and surcharge as necessary. New roadways and appurtenances (signage, lighting, striping, etc.)

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

within the rights-of-way will have to be constructed in accordance with any adopted redevelopment plan, and water, storm sewer, gas, electric, and telecommunications distribution lines installed. To the extent that a proposal changes any of the existing infrastructure improvements in the rights-of-ways, removal and relocation shall be the obligation of the selected redeveloper. Collectively, these improvements are referred to in this RFEI as the “Infrastructure”. A summary of the Infrastructure requirements follows below.

***Roadways***

All public roadways to be constructed as part of the Infrastructure shall be offered for dedication to the City of Bayonne. All water, sewer and storm water management utilities within public rights-of-way, parks and open space will be dedicated to the City or the BMUA upon completion. Other constructed improvements in parks, open spaces, and walkways will be similarly become the property of the City.

The City will work with the selected redeveloper on the design of the Infrastructure. In addition to the City, the Infrastructure design will be subject to the review and approval of the New Jersey Department of Environmental Protection (“NJDEP”) and various governmental agencies.

***Utilities***

The City has constructed a “backbone” utility loop to support a phased redevelopment within the District. Should a single redeveloper be selected for the District, that redeveloper will be responsible for constructing any enhancements to the utility backbone loop.

Utilities included in the backbone loop include the following:

- Sanitary Sewerage Collection;
- Electric Manhole and Conduit System;
- CATV Manhole and Conduit System;
- Natural Gas Distribution; and
- Potable Water Distribution.

Within the loop area, the referenced utilities have been constructed to accommodate the maximum reasonable redevelopment scenario. A bituminous roadway and curbing has been constructed along the loop following the placement of fill necessary to raise the road above the floodplain elevation. As built specifications for the utility loop is available on the FTP site for this RFEI.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

In addition to any enhancements to the backbone utility loop, the redeveloper will be responsible for utility distribution within each portion of the District for which it is designated.

***Potable Water***

The backbone utility loop includes a potable water distribution system. The water system is owned by the BMUA and operated by a joint venture with United Water and will be subject to hookup fees as required. Developers will be expected to provide both the primary and service laterals necessary to connect redevelopment to the backbone system. The backbone loop has been fitted with service stubs that anticipate future hookups.

***Sanitary Sewerage Collection***

The BMUA completed construction of a sanitary sewerage collection system for the Peninsula in 2005. The system operates under gravity flow, with the support of one lift station within the District. The capacity of the system is sized to accommodate the Peninsula's full anticipated redevelopment. The Passaic Valley Sewerage Commission treats all sanitary sewage flow for the City.

The sewerage collection system generally follows the route of the backbone utility system. Developers will assume responsibility for constructing primary and service laterals from proposed redevelopment blocks to the sanitary sewerage collection system. It is anticipated that most, if not all, of these connections can be made by gravity connections. Developer hookups to the system will be subject to BMUA fees.

***Electric Power Distribution***

Electrical service to the District is provided by Public Service Electric & Gas ("PSE&G") via an underground manhole and conduit system. Service originates from Route 440. The backbone loop will be fitted with stubs in anticipation of future connections by developers. Developers will be responsible for service extensions and all house connections.

***Natural Gas Distribution***

Gas service to the District is provided by PSEG via an underground pipe system originating at the Peninsula's border with Route 440. The backbone loop has been fitted with stubs in anticipation of future connections by developers. Developers will be responsible for service extensions and all house connections.

***Telephone and CATV Distribution***

CATV and telephone service to the District is provided by Verizon and Cablevision via underground manhole and conduit systems originating at the Peninsula's border with Route 440.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

The backbone loop has been fitted with stubs in anticipation of future connections by redevelopers.

***Rights-of-Way***

With the exception of the curb and pavement along the backbone utility loop, the redeveloper(s) will be responsible for constructing all right-of-way improvements, including the following:

- Curbs;
- Pavement;
- Lighting (conduit, transformer pads, and light pole foundations only);
- Striping;
- Signage;
- Traffic Control;
- Street Trees / Landscaping;
- Sidewalks; and
- Street Furniture.

***Open Space and Parks***

The Redevelopment Plan prescribes certain open space within the District. Respondents shall not be bound by the current plan for open space under the Redevelopment Plan and proposals are not required to include the provision of same.

***Surcharge***

Settlement of underground utilities due to placement of fill is a design concern. The redeveloper will be responsible for implementation of a surcharging program, as necessary.

***Site Remediation***

NJDEP has issued a No Further Action and Covenant Not to Sue (“NFA”) determination for the Peninsula’s soil contamination. Installation of all infrastructure shall comply with the requirements of the Soil Contamination Deed Notice dated June 18, 2007.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

***New Jersey Environmental Infrastructure Trust (NJEIT)***

Infrastructure built on the Peninsula to date has been principally financed through the State's NJEIT Program. The City will consider participating in the redeveloper's financing of eligible projects associated with the District infrastructure through the NJEIT's "conduit loan" program.

**V. EXISTING ENTITLEMENTS AND APPROVALS**

***The Redevelopment Plan***

The existing redevelopment plan will be amended and/or superseded with input from the selected Respondents. As noted above, the City will entertain proposals that do not comply with the existing redevelopment plan. The City's goal is to adopt a redevelopment plan that meets its goals and vision and permits the successful Respondent(s) to prepare and submit an "as of right" site plan application that is consistent with such redevelopment plan.

***Highway Access Permit***

The redevelopment of the Peninsula includes a series of transportation infrastructure improvements on and off site to serve the accessibility and mobility needs of the future residents, employees and visitors.

Construction of the transportation improvements will be accomplished in stages. Improvements to state highways will require a highway access permit (a "Highway Access Permit") issued by the New Jersey Department of Transportation ("NJDOT"). The City has already received a Highway Access Permit for providing highway capacity for approximately 2,329 housing units on the Peninsula. Construction of those highway improvements necessary to support the initial Highway Access Permit were completed in 2009.

To ensure the timely redevelopment of the Peninsula, the City will allocate vehicle trips to prospective redevelopment projects based on the trip generating potential of each phase of a redeveloper's plan, and the design year of each respective phase. The redeveloper of the District will be allocated a portion of the roadway capacity granted by the NJDOT Highway Access Permit. The City will also work with the redeveloper(s) to secure the additional trips through an amended or second Highway Access Permit.

***Waterfront Development Permit***

The City obtained a Waterfront Development Permit for Upland and In-Water development (Permit No. 0901-02-0013.12 – WFD 050002 (Upland) and WFD 050003 (In-Water)) effective December 14, 2005 (the "Waterfront Development Permit"). The current expiration date is December 14, 2010 as extended to April 2014 under the Permit Extension Act. A copy of the Waterfront Development Permit is included on the FTP site for this RFEI. The

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

Waterfront Development Permit is required to implement improvements within the District. Therefore, as noted previously herein, all Respondent proposals should consider the terms and conditions of the Waterfront Development Permit. Prior to initiating development activities, the selected redeveloper will be required to file an application with NJDEP to either (a) modify the permit to reflect the particular development proposal, or (b) receive an official determination that the project is consistent with the existing Waterfront Development Permit based on the final redevelopment plan for the District.

***Environmental Approvals***

The City has implemented remediation activities at the Peninsula in accordance with a NJDEP approved Remedial Action Work Plan (the “RAWP”) to address historic soil and groundwater impacts associated with prior military operations at the property. Total costs expended to remediate the Peninsula were approximately \$11,600,000. On January 30, 2006, the City received an NFA letter from the NJDEP. The NFA letter represents confirmation by the NJDEP that the Peninsula is in full compliance with the Technical Requirements for Site Remediation, *N.J.A.C. 7:26E et seq.* In addition, in March 2007, the United States Army issued a Comprehensive Environmental Response, Compensation and Liability Act (“CERCLA”) Covenant, clearing the way for redevelopment to move forward on the Peninsula. In pertinent part, the CERCLA Covenant acknowledges all response action necessary to protect human health and the environment with respect to any hazardous substances remaining on the Peninsula has been taken. Copies of the January 2006 NFA Letter and March 2007 CERCLA Covenant are included on the FTP site for this RFEI. In addition, copies of documents related to remediation activities conducted at the Peninsula are maintained at the Bayonne Public Library and available for public review.

However, as more fully described below, both Engineering and Institutional Controls have been implemented as NJDEP-approved remedial actions at specific locations of the Peninsula (which may be referred to hereinafter as the “Affected Areas”). The Engineering Controls generally exist in the form of asphalt and/or soil caps where compounds of concern remain above the most stringent soil cleanup criteria, while Institutional Controls consist of Deed Notices, as well as Classification Exception Areas (“CEAs”) for areas where the shallow groundwater at the Peninsula exceeds the applicable Ground Water Quality Standards (“GWQSSs”). A CEA associated with naturally occurring inorganic compounds has been established for the Peninsula. In addition, CEAs for specific organic compounds encompassing discrete areas have been established at various locations on the Peninsula.

***Affordable Housing***

The New Jersey Council on Affordable Housing (“COAH”) growth share rules link the production of affordable housing with future residential and non-residential development in a municipality. While the COAH rules for the Third Round, including growth share, were invalidated by the New Jersey Supreme Court, the City will work with the selected Respondent to address any affordable housing obligation arising from the development of the District, including through the provision of housing off-site or payments in lieu of construction.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

***Other Approvals***

The selected redeveloper will be solely responsible for all other approvals concerning the project. These approves include, but are not limited to: (a) redevelopment plan consistency determination by the City; (b) preliminary and final site plan approval; (c) NJDEP waterfront development permit modification and/or consistency determination (as described above); (d) NJDOT Highway Access Permit (as described above); (e) preliminary and final subdivision approval, (e) COAH compliance determination, if required; (f) “will serve” letter from PSE&G; (g) Passaic Valley Sewer Commission endorsement; (h) NJDEP Treatment Works Approval; (i) NJDEP Water Extension Permit; (j) Bayonne Building Permit; (k) Hudson County Soil Erosion and Sediment Control Certification, and, as applicable, (l) NJDEP and US Army Deed Notice Alteration. The City agrees to reasonably cooperate with the selected redeveloper in submitting and securing all approvals.

**VI. SUBMISSION REQUIREMENTS**

***General Requirements***

Respondents should submit five (5) hard copies of their proposal. Proposals should be submitted on 8 ½ x 11 sized paper, printed single-sided, and should not exceed 35 pages (excluding appendices). Planning diagrams may be submitted on 11 x 17 sized papers.

All proposals should be sent to:

McManimon, Scotland & Baumann, LLC  
Special Redevelopment Counsel to the City of Bayonne  
75 Livingston Avenue, Suite 200  
Roseland, New Jersey 07068

**Submissions must be received by 4:00 pm, EST on Friday, January 31, 2014 and shall be accompanied by a non-refundable \$3,000.00 certified check or money order made payable to the ‘City of Bayonne’. This fee shall be used to reimburse the City for third party costs related to this RFEI.**

Issuance of RFEI	<b>December 4, 2013</b>
RFEI Due to City	<b>January 31, 2014</b>
Interviews	<b>February 17, 2014 – February 28, 2014</b>
Notification of Response	<b>March 12, 2014</b>
Conditional Designation	<b>March 19, 2014</b>

Any questions must be submitted in writing via e-mail to Jong Sook Nee at [jnee@msbnj.com](mailto:jnee@msbnj.com) no later than 4:00 pm., EST on January 20, 2014. All updates regarding the RFEI will be provided to all parties requesting copies of this RFEI.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

In addition to the information in this RFEI, technical information relating to the District and the Peninsula at large are available at the following FTP site:

<http://msbni.com>

Click on “Client Login” on the bottom right-hand side. Sign into the FTP with the following information (**case sensitive**):

Username: BayonneHSN  
Password: JSN08419

***Submission Requirements***

A. **Respondent Team**

For this RFEI Respondents should identify a primary point of contact for all submission, inquiries, acknowledgements, amendments and any other correspondence under this RFEI and key members of the professional team.

**Respondents are to additionally provide the following:**

- (i) Respondents should provide a company overview describing its general experience, with concise details on years of operation, number of projects, range of urban and architectural project sizes and budgets, awards, prizes, citations, *etc.*;
- (ii) Name, address, telephone number, fax number, and e-mail address of primary Respondent point of contact and managing principal(s), and such persons' resume, roles and titles;
- (iii) Identification of any affiliation or other relationship between any members of the Respondent and any development company, parent company or subsidiary; and
- (iv) Confirm no adverse findings.

B. **Qualifications & Experience**

Respondents must clearly demonstrate qualifications in commercial, retail and residential redevelopment and prior experience and success with projects similar to that contemplated in the RFEI. Respondents should present a minimum of three (3) and up to five (5) relevant projects that exemplify the Respondent's accomplishments in large scale, urban, mixed-use development experience, with particular focus on mixed-income residential, urban format retail and public-private partnerships. Local and/or regional experience should also be highlighted, particularly in

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

and around the City. Respondents may include the following for each project qualification, if available:

- (i) Project summary, including project name, address, size, client, total development cost, project team members, roles, financing structure, architect and date of completion;
- (ii) Brief physical description (may include photograph, site plan, or rendering in Appendices); and
- (iii) 3-5 references, including names, addresses, telephone numbers, and email addresses for individuals directly involved with projects presented in qualifications section.

C. Development Approach

Respondents are required to submit a District concept plan and site-specific redevelopment proposal for the redevelopment site. Respondents should provide planning concept diagrams and a narrative that describes the Respondent's overall vision of the District.

Respondents' District concept plan must clearly outline how the Respondents' proposed project(s) will meet the City's goals and conformity with the RFEI-stated vision and the overall approach to achieving a bold and innovative project.

Respondents must provide site-specific redevelopment diagrams, including the mix of uses and size of program components for the District. Proposals should include the following:

- (i) Conceptual site layouts and massing diagrams;
- (ii) The target market for the plan components;
- (iii) Conceptual plans for retail strategy, citing examples of tenants if possible;
- (iv) Explanation of market feasibility; and
- (v) Any additional diagrams and illustrations as necessary to communicate the vision and redevelopment strategy

Respondents should outline their implementation strategy, including a description of the phasing plan for the overall project. If available, Respondents should create a phasing diagram that illustrates the construction schedule and timeline for redevelopment achievable in, for example, 12, 24, 36, and 48 month increments.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

D. Commitment and Project Readiness

Respondents should describe their commitment to project implementation and should demonstrate their financial capacity. Respondents should detail their financial resources and preparedness to commence work promptly.

E. Purchase Price

Respondents should provide an estimated offer for the purchase of all or a portion of the District to be acquired and developed as part of the proposal and the time frame to acquire each parcel, if applicable. While Respondents are not making formal financial offers for the District's redevelopment sites, Respondents should include their preliminary methodology for determining land valuations.

The City will accept creative financial offers that meet the City's stated goals in this RFEI. The City will also consider the use of financial tools available to it under the Redevelopment Law and other applicable laws, such as tax exemptions and payments in lieu of taxes, to the extent warranted by the proposed project.

F. Financial Capacity

Respondents are to submit financial statements indicating that the development entity or its principals' have sufficient equity to complete the proposed redevelopment project.

***Selection Process***

Upon receipt of all submissions, the City will review and evaluate the submissions based on their completeness, feasibility, responsiveness to the RFEI requirements and the City's goals and visions for the District. Respondents will also be evaluated based on comparable past experience, financial strength and capacity to successfully complete their proposed project.

Upon completion of the evaluation, the City reserves the right to undertake the following:

- Select a short list of Respondents;
- Interview some or all of the short-listed Respondents;
- Request additional information from some or all of the short-listed Respondents;
- Designate one or more of such Respondents as a redeveloper of the District, conditioned upon the successful negotiation of a redevelopment agreement with the City;
- Request more detailed offers from such conditional redevelopers;
- Enter into exclusive negotiations with such conditional redevelopers;
- Enter into a redevelopment agreement with one or more redevelopers; and/or
- Take no action.

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

## **LEGAL DISCLAIMERS**

1. The award of any contracts from the City under this RFEI is subject to approval by the City Council.
2. Respondents should take notice that their selection under this RFEI is subject to the requirements and restrictions of the New Jersey Local Unit Pay to Play Law *N.J.S.A.*, 19:44A-20.4 *et seq.*

Respondents to this RFEI are also advised of the responsibility to comply with the requirements of New Jersey's "pay-to-play" laws. Specifically, business entities (contractors) receiving contacts from a public agency that are not awarded pursuant to a "fair and open" process (as defined at *N.J.S.A.* 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (*N.J.S.A.* 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose certain political contributions as defined by *N.J.S.A.* 19:44A-1 *et seq.* For additional guidance on this filing requirement, Respondents are encouraged to review the disclosure form and corresponding instructions promulgated by the New Jersey Department of Community Affairs. That form can be obtained online ([http://www.nj.gov/dca/lgs/p2p/forms/polit\\_contrib\\_disc\\_form.doc](http://www.nj.gov/dca/lgs/p2p/forms/polit_contrib_disc_form.doc)).

Additionally, respondents may be required to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to *N.J.S.A.* 19:44A-20.13 if Respondent receives contracts in excess of \$50,000.00 from public entities in a calendar year. It is the Respondent's responsibility to determine if filing a disclosure statement is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at [www.elec.state.nj.us](http://www.elec.state.nj.us).

3. Prior to entering into a contract with the City, Respondents may be required to provide the City and its agents with an executed Hold Harmless Agreement in a form suitable to the City, an executed Disclosure Statement in a form suitable to the City and the Respondent's Articles of Incorporation.
4. Respondents are responsible for ensuring that the responses to this RFEI are compliant with all applicable Federal, State and Local Laws, regulations and ordinances.
5. Respondents agree and acknowledge that the preparation and submission of their proposals shall be at their own risk and expense, and in no event may they seek reimbursement or contributions from the City.
6. The City shall consider each Respondent to be a potential redeveloper candidate and shall therefore consider all proposal materials as integral components of the negotiations

City of Bayonne  
Request for Expressions of Interest  
Harbor Station South District

process. As such, the City shall be under no obligation to release any component of any proposal until the conclusion of all negotiations, at which time the City will be bound by the New Jersey Open Public Records Act, *N.J.S.A. 47:1A-1 et seq.* (“OPRA”), as it may be constituted at such time.

Within this context, Respondents may request that certain components of their proposals be redacted or withheld from public dissemination. Such requests will be reviewed within the context of the City’s legal obligations under OPRA.