

PHILIP D. MURPHY
GOVERNOR

State of New Jersey
CAPITAL CITY REDEVELOPMENT CORPORATION

SHEILA OLIVER
LT. GOVERNOR

**REQUEST FOR OFFERS TO PURCHASE AND
REDEVELOP REAL PROPERTY**

**50 Barrack Street
Former Taxation Building
(also known as 43-51 West State Street)
Trenton, New Jersey
Block 1902, Lot 1**

Issued by the

CAPITAL CITY REDEVELOPMENT CORPORATION

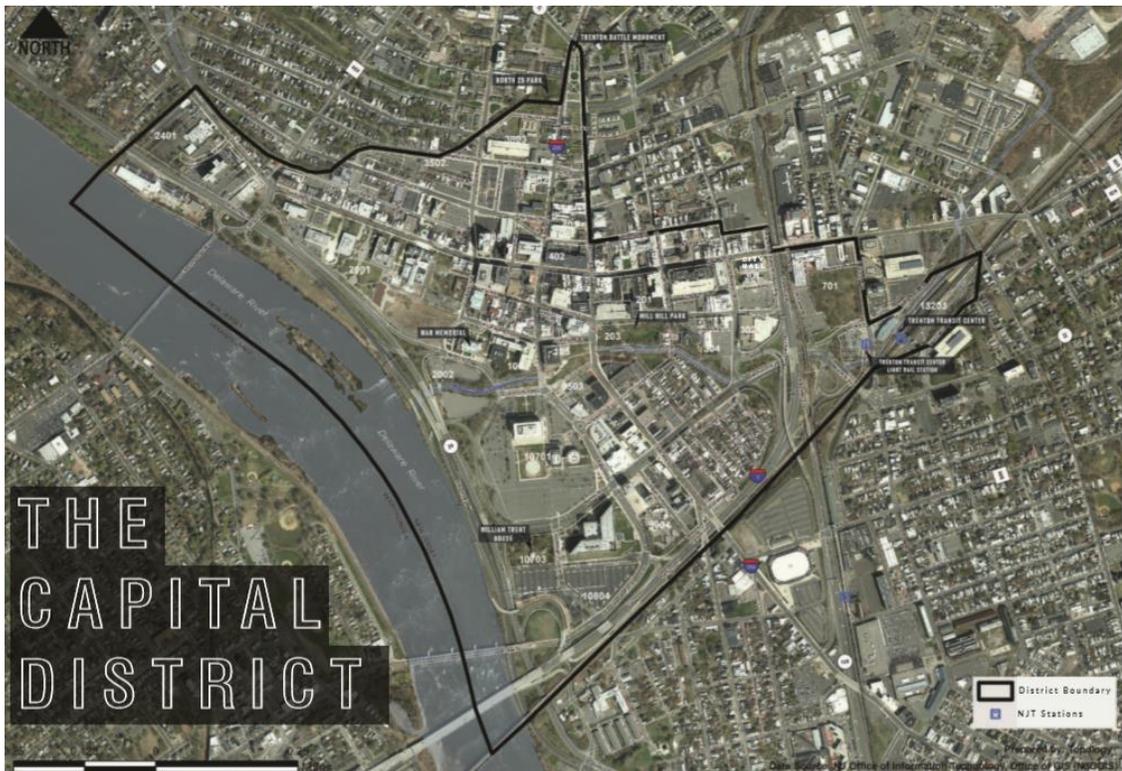
On behalf of the NJ Department of the Treasury

Date Issued: November 15, 2021

Responses due by 12:00 P.M. EST on February 15, 2022

SUMMARY AND BACKGROUND

The Capital City Redevelopment Corporation (“CCRC”) is a State independent authority, in but not of, the Department of the Treasury, created pursuant to N.J.S.A 52:9Q-9 et seq. to plan, coordinate, and promote the public and private development within the Capital District, consisting of those portions of the City of Trenton that serve as the commercial center of the community and in which public buildings and historic sites are located. CCRC is responsible for the planning and promotion of development within the Capital District of downtown Trenton. The boundaries of the Capital District are generally, and shown specifically in the image below, the Delaware River to the west, the Amtrak train line to the south, the Trenton Transit center to the east, and the Battle Monument to the north. Within the Capital District are cultural, civic, governmental, recreational, and historic assets of significance including the State Capitol Complex, the Trenton Transit Center, Trenton’s central business district, Mill Hill Park, and the Battle Monument.



CCRC’s mission is to plan for and ensure that the Capital District is a great place to live, visit, work and conduct business. CCRC acts as a catalyst to coordinate, initiate, expedite, finance and package redevelopment in the Capital District, resulting in increased integration of planning efforts and increased private investment.

In furtherance of its mission, CCRC is facilitating the sale of 50 Barrack Street (the “Property”), known as the former Taxation Building, which lies within the Capital District in downtown Trenton, and is hereby seeking offers to acquire and redevelop the Property. This request for offers to purchase (“RFOTP”) is being issued by CCRC on behalf of the New Jersey Department of the Treasury (“NJ Treasury”). The successful respondent shall be subject to the terms and provisions of any public law or regulation governing the disposition and redevelopment of the Property, including but not limited to the CCRC Renaissance Plan, available at <https://web.njeda.com/ccrc/> , and City of Trenton zoning and land use regulations. The disposition of the Property has been approved by the State Legislature as codified in P.L. 2021, c159.

CCRC’s revitalization efforts in the Capital District , are guided by two core principles:

- Economic Development - CCRC will act as a catalyst to coordinate, initiate, expedite, finance and implement targeted economic development projects in the Capital District.
- Planning & Land Use - CCRC will create more efficiency and ensure integration of efforts in the planning of redevelopment in the Capital District.

1.0 PURPOSE

CCRC is soliciting offers to purchase and redevelop (the “Offer”) from qualified individuals, entities or joint ventures (“Respondents”) interested in the Property. The Property is a 10-story office building of approximately 233,370 square feet on an approximate 0.55 acre parcel, located at 50 Barrack Street (corner of West State Street) in the City of Trenton. The parcel map can be found in **ATTACHMENT 1** of this RFOTP. The Property will be sold “**As Is – Where Is.**”

CCRC’s goals for this RFOTP are:

- To sell the Property, for a **minimum** price not less than its appraised value, in support of both the CCRC Renaissance Plan and the City of Trenton’s goals for a vibrant, active, urban Capital District by facilitating the continued use and occupancy of this downtown, centrally located office building, and to encourage rehabilitation and needed building upgrades
- To maximize the number of private jobs in downtown Trenton and to support a vibrant Capital District

The minimum purchase price Offer that CCRC will accept for the Property is One Million Seven Hundred Ninety Thousand Dollars (\$1,790,000.00).

1.1 THE PROPERTY

The Property commonly known as the former Taxation Building is located in downtown Trenton at the corner of Barrack and West State Streets on an approximate 0.55 acre parcel.



Property Description:

Location	50 Barrack Street, Trenton NJ (aka 43-51 West State Street)
Property Ownership	Currently Private, transfers to State of New Jersey on or about June 30, 2022
Parcel	Block 1902 Lot 1
Parcel Size	0.55 acres
Building Height	10 stories
Building Size	approx. 233,370 sf of office space, plus approx. 23,600 sf of garage parking
Building Age	built in 1968
Public Utilities	Yes
Zoning	BA Business A district
Assessed Value	\$400,300 (land) & \$23,776,700 (improvements)
Appraised Value	\$1,790,000

The NJ Treasury occupies the Property through a long-term lease (“Lease”) with the private owner that expires on June 30, 2022. In accordance with the lease, the Property will be conveyed to the State on or about June 30, 2022. NJ Treasury will convey title to the Property to the successful Respondent via Bargain and Sale deed.

There are 40 existing parking spaces located on the Property in the garage. While the CCRC Renaissance Plan does not impose any parking obligations, the Potential Purchaser will be responsible for meeting any City of Trenton requirements.

ATTACHMENT 1 of this RFOTP provides an additional description of the building location.

CCRC seeks to award to a Respondent who will continue to use the Property primarily as an office building providing private sector jobs to Trenton's downtown. Given the Property's location at the corner of West State Street and Barrack Street and one block from the State Capitol, the building is ideally situated for continued office operations, bringing jobs and contributing to Trenton's downtown activity. Offers that include ancillary, complementary uses and/or set aside or utilize space for cultural or community uses are encouraged and will be scored favorably. Additionally, as noted below, the Property is in need of significant rehabilitation and Offers that provide for renovation and reinvestment will be scored higher than Offers that do not. See **ATTACHMENT 2**, Evaluation Scoring Criteria.

In 2013 the NJ Treasury procured a consultant to assess the existing physical and environmental conditions of the Property to make a conceptual determination of the extent of replacement, upgrade, or repair that will be needed to the building. That assessment found the Property to be in need of significant improvements to the exterior building envelope, tenant space finishes and common areas, as well as to the building's plumbing, fire protection, heating, ventilation and air-conditioning, electrical, emergency and alarm systems. The assessment approximated a renovation base construction cost estimate of \$45.80 million and a total construction working estimate, including fees, permits and other soft costs, of approximately \$60.30 million. See Section 2 regarding documents pertaining to the Property.

1.2 TRENTON OVERVIEW

The City of Trenton is located along the banks of the Delaware River in central New Jersey and is home to the State Capital and the Mercer County seat of government. Located in Mercer County, Trenton is in close proximity to New York City, NY (52 miles); Philadelphia, PA (30 miles); and Newark, NJ (47 miles). Each of these cities is easily accessible via a one-seat ride from the Trenton Transit Center which is serviced by Amtrak, NJ Transit commuter rail, SEPTA, and the River Line. Trenton's convenient location to major roadways, including I-295, NJ Turnpike, and U.S. Route 1, make these inter-city destinations an easy drive as well. A short six miles from the Property is the Trenton-Mercer Airport, serviced by Frontier Airlines, with destinations throughout the country.

Trenton is known for its pivotal role in the formation of the United States, when in 1776 General George Washington and the Continental Army defeated Hessian forces in the Battle of Trenton, turning the tide of the Revolutionary War. The historical significance of Trenton is honored throughout the year and especially during the weeklong festivities in downtown known as "Patriot's Week," during which thousands of visitors arrive in Trenton to partake in the celebration, including battle reenactments.

With a growing population of approximately 90,871 residents in 7.5 square miles, Trenton is rooted in its historical significance, cultural diversity, and flourishing arts scene. As the Capital City, Trenton is the headquarters for approximately 20,000 State employees. Colleges and universities located in Trenton or nearby include Mercer County Community College, The College of New Jersey, Thomas Edison State University, Rider University, and Princeton University.

In 2018, Governor Murphy through the issuance of Executive Order No. 40, established the State Capital Partnership (“Partnership”) which establishes a framework for State agencies, the City of Trenton, and the County of Mercer to coordinate and align resources in support of achieving Trenton’s vision for revitalization. Through the Partnership, led by the State Treasurer’s Office, more than a dozen State agencies, County departments, and City divisions work hand in hand to advance recreation, transportation, housing, community and economic development projects.

Relevant Planning Information

- The Property is located in the Downtown District of the Trenton 250 Master Plan.
- 50 Barrack Street is within the BA Business A zoning district.
- Trenton is in the process of updating its land use development ordinance to complement the adopted Trenton 250 Master Plan. The Property is located in the Mixed-Use High Density (MU-1) Land Use District of the Trenton 250 Master Plan, for which the associated zoning ordinance has not yet been adopted.
- The Property is within the Capitol District of the CCRC’s Renaissance Plan. The Renaissance Plan was recently updated in coordination with the State and City of Trenton and is currently undergoing the adoption process. Links to the plan and the draft update are provided in Section 2.0.
- In 2016 community-based organizations published the “Trenton Arts in Focus” plan which seeks to celebrate and elevate the local arts scene and integrate arts and culture into the revitalization of Downtown Trenton. The Trenton Arts in Focus Plan calls for the establishment of a downtown “Arts District,” the boundaries of which include 50 Barrack Street.

1.3 GRANT FUNDS

Grant funds in an amount up to \$4.5 million may be available from CCRC (Grant Funds), in its sole discretion and with the approval of the Treasurer, to the selected Respondent in connection with their proposed redevelopment of the Property. Grant Funds are subject to appropriation, and subject to the availability of funds.

It is CCRC’s preference that Grant Funds be utilized in a manner that is beneficial to both the Property and the Capital District, as defined in N.J.S.A. 52:9Q-14. CCRC welcomes innovative and creative Requests for Grant Funds (“Grant Request”) that ideally meet both the objectives of furthering the redevelopment of the Property and the vibrancy of downtown or other objectives identified in the CCRC Renaissance Plan or the Trenton 250 Master Plan. Below are a list of potential uses of Grant Funds that Respondents are encouraged to consider in preparing their Grant Request. Grant Requests that are not associated with a use described below will also be considered.

- Improvements to the Property for cultural, civic or community activities to be held in the building, which may include or be related to activation of the ground or 1st floor space(s)
- Parking related arrangements or agreements or to implement activities that reduce building occupants parking needs
- Transportation arrangements or agreements to connect the Property with offsite parking, public transportation, and/or downtown destinations
- Exterior façade improvements concentrated on the ground level that improve the streetscape or the experience of pedestrians

If a Respondent is interested in Grant Funds, Respondent must submit a Grant Request (see **ATTACHMENT 3**) as part of their Offer as described and required in Section 5.0(e). Respondents can submit a Grant Request but are not required to do so.

Separate from the Offer review and scoring, CCRC will review the successful Respondent's Grant Request, if a Grant Request has been submitted, and determine if acceptable. Any Grant Funds provided and requirements for use of such funds would be included in a separate grant agreement.

While CCRC encourages Respondents to submit a Grant Request, CCRC will reject any Offer that seeks to make the closing of title contingent on the Respondent's receipt of Grant Funds or other public financing or subsidies, including Long-Term Property Tax Abatement as nonresponsive and therefore will not be evaluated.

1.4 FURNITURE

The Property contains a substantial amount of furniture. Connected with this RFOTP, but separate from the Offer review and scoring, Respondents will be allowed to submit an offer to purchase furniture (the "Furniture Bid Form") in the building. **ATTACHMENT 4** generally describes the furniture that is available and how a Respondent should submit a Furniture Bid. Respondents are allowed to, but not required to, submit a Furniture Bid Form.

The Furniture Bid Form may be accepted only for the successful Respondent. If you are not the successful Respondent, then you will not be allowed to separately purchase any furniture as part of this process. Treasury reserves the right to reject the successful Respondent's Furniture Bid.

1.5 UTILITIES

The Property is directly served by Vicinity's district energy network which provides centrally produced hot water and chilled water to customers in Trenton's central business district. Service is provided from one co-generation facility and multiple chilled water facilities. The successful

Respondent will have the opportunity to negotiate a service agreement with Vicinity concurrently with the PSARA. If the successful Respondent does not enter into a new agreement with Vicinity, the successful Respondent will need to reimburse the State the cost to remove Vicinity's equipment from the Property, which is estimated to cost approximately \$50,000. Electric and gas services are provided by PSEG. Sewer and water services are provided by Trenton's municipal authorities. The successful Respondent will be responsible to make any needed improvements or upgrades to utility infrastructure within the footprint of the Property or as otherwise necessary to access utility services.

1.6 HIRING LOCALLY & SMALL BUSINESS ENTERPRISES

CCRC encourages that Respondents undertake best efforts to incorporate local hires and small businesses in both the temporary and permanent jobs created through the redevelopment of the Property. The PSARA will include provisions related to best efforts to be undertaken, which may be based on the plan proposed by the Respondent and/or be based on best practices that have been undertaken for similar projects. Examples of best practices may include but are not limited to working with the County One-Stop Career Center, hosting a hiring event, partnering with associations or local organizations to hold and promote job opportunities and hiring event, and circulating job openings in venues and publications frequented by target audiences.

1.7 ADDITIONAL TERMS OF SALE

The successful Respondent must enter into the PSARA with CCRC and Treasury. The PSARA shall define the project as proposed by the Respondent in its Offer and approved by CCRC and Treasury (the "Project"). The PSARA shall require the Respondent to undertake and complete the Project subsequent to the transfer of title. The PSARA will contain, among other provisions, the following provisions, which will be covenants running with the land until the successful Respondent completes the Project

- i. A provision limiting the use of the Property to the uses specified in the PSARA and permitted by Purchaser's land use approvals and provisions related to the CCRC financial assistance, if applicable;
- ii. A provision requiring the Purchaser to commence and complete the Project within a period of time that CCRC deems reasonable; and
- iii. A provision restricting the transfer of the Property or the Purchaser's rights under the PSARA prior to completion of the Project.

The PSARA will require the Purchaser to guaranty its Project commencement and completion and job creation obligations by posting bonds or providing other assurances or penalties. See Section 5.0 (h) below for additional information regarding job creation requirements.

2.0 PUBLIC INSPECTION OF DOCUMENTS

Due diligence material and documents pertaining to the Property are listed below and are available for the review by Respondent(s) at <https://web.njeda.com/ccrc/>

Please note: Materials made available by CCRC for public inspection are offered “as is” and “where is” and they may include pertinent information regarding building plans, the environmental conditions, utility access, and other information related to these facilities. However, CCRC shall not be held responsible or liable for the accuracy or inaccuracy of such information or materials reviewed or obtained. All Respondents shall be wholly responsible for their own due diligence efforts.

- Disposition Procedures as approved by the State House Commission
- Currently effective CCRC Renaissance Plan (adopted in 1989)
- Draft update of the CCRC Renaissance Plan (released for public comment in June 2021)
- Trenton 250 Master Plan
- Trenton Arts in Focus Plan
- Trenton zoning and land use information
- 2013 Building Assessment Report
- Building Floor Plans
- Title Search
- Appraisal – Summary page and Letter of Transmittal

3.0 TOURS

Two walk-through tours will be offered on the dates listed below. Interested attendees must RSVP to Robert.Tighue@treas.nj.gov twenty-four (24) hours in advance of the start of the tour. No more than four attendees per prospective Respondent team may attend the same walk-through tour; prospective Respondents may attend more than one walk-through tour.

December 9, 2021 at 10:00am

January 6, 2022 at 10:00am

4.0 OFFER SUBMISSION AND REVIEW PROCESS

4.1 SUBMISSION OF OFFERS AND DUE DATE

Offers must be received by **February 15, 2022 at 12:00 P.M. Eastern Standard Time (EST).**

ELECTRONIC OFFER SUBMISSION

Respondent should submit a complete, ELECTRONIC Offer, in “read only” PDF file format using Adobe Acrobat Reader software that must be viewable by CCRC . The subject line of the RFOTP submission and any attachments are all to be clearly labeled.

EACH electronically uploaded file (Offer, Attachment Submittals, etc.) submission should follow the following format:

“(Respondent’s Company Name) – 2021 – CCRC RFOTP, and the (file/document title)”

All RFOTP electronic Offer documents must be uploaded to the ShareFile system via:
<https://njeda.sharefile.com/r-r5bb567ae178046c6cdb07bcd162ee>

It is highly recommended that you initiate the upload of your bid Offer/submission a minimum of four (4) hours prior to the Offer Submission due date/time to allow some time to identify and troubleshoot any issues that may arise when using the Sharefile application. Technical inquiries may be directed to CCRCprocurement@njeda.com.

HARD COPY OFFER SUBMISSION

If submitting a hard copy Offer, three **(3) copies** of the Offer (one (1) unbound, original; one (1) bound copy and one (1) copy in PDF format on a CD or flash drive) must be submitted marked “CCRC – RFOTP AND REDEVELOP PROPERTY” in a sealed package and addressed to:

NJEDA
Ref #: 2021 - CCRC RFOTP

Offers may be delivered via an overnight service (FedEx or UPS) or may be hand delivered to: NJEDA, 36 West State Street, Trenton, NJ 08625.

For USPS mail delivery, please mail to NJEDA, PO Box 990, Trenton, NJ 08625-0990. All USPS mail deliveries must be received by February 15, 2022 at 12:00 P.M. EST.

No faxed or email Offers will be accepted. Offers received after the time and date listed above will not be accepted.

Offers will be publicly opened on February 15, 2022 at 12:30 P.M. at the NJEDA offices located at 36 West State Street, Trenton, NJ.

NOTE: Any Offers received after the date and time specified shall not be considered, whether submitted electronically or in hard copy. All Offers once opened, become the property of CCRC and cannot be returned to the Respondent.

CCRC will not be responsible for any expenses in the preparation and/or presentation of the Offers or for the disclosure of any information or material received in connection with this solicitation.

4.2 REVIEW PROCESS

CCRC reserves the right to reject any and all Offers with or without cause, and, in its sole discretion, waive any irregularities or informalities, such as minor elements of non-compliance with regard to the requirements of this RFOTP, in the Offers submitted.

After evaluating Offers, CCRC may enter into negotiations with one Respondent or multiple Respondents. The primary purpose of negotiations is to maximize the State's ability to obtain the best Offer based on the mandatory requirements and evaluation criteria.

CCRC may invite one Respondent or multiple Respondents to submit a best and final offer (BAFO). Said invitation will establish the time and place for submission of the BAFO.

If required, after review of the BAFO(s), clarification(s) may be sought from the Respondent(s). CCRC reserves the right to conduct more than one round of BAFO in order to attain the best offer for the State.

Respondents may withdraw their Offer at any time prior to the final submission date and time, as indicated on the cover page to this RFOTP, by written notification signed by an authorized agent of the Respondent. Offers may thereafter be resubmitted, but only up to the final submission date and time.

Respondent assumes sole responsibility for the complete effort required in this RFOTP. No special consideration shall be given after the Offers are opened because of a Respondent's failure to be knowledgeable about all requirements of this RFOTP. By submitting an Offer in response to this RFOTP, the Respondent represents that it has satisfied itself, from its own investigation, of all of the requirements of this RFOTP.

By submitting an Offer in response to this RFOTP, each Respondent agrees to hold its Offer firm for at least one hundred twenty (120) days after the submission date. Any provision in a submitted Offer that attempts to limit or condition the time that an Offer is open for consideration by CCRC will not be binding on CCRC. CCRC reserves the right, in its sole discretion, to allow a Respondent to withdraw its Offer after Offers have been opened.

Documents and information submitted in response to this RFOTP shall become property of the CCRC and generally shall be available to the general public as required by applicable law, including the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. and New Jersey right-to-know laws.

Communications with representatives of CCRC, the NJEDA, and/or the NJ Treasury by a Respondent or the Respondent's representatives concerning this RFOTP are **NOT** permitted during the term of the submission and evaluation process. Communications regarding this RFOTP in any manner (except as set forth in Section 3 and 4 above and Section 6 below or negotiations initiated by CCRC) **will result in the immediate rejection** of the Offer.

5.0 OFFER REQUIREMENTS

CCRC is requesting Offers that are consistent with this RFOTP's goals as more fully described in Section 1.0 above. CCRC seeks to select an Offer that will continue to use the Property primarily as an office building providing private sector jobs to Trenton's downtown and that will provide for renovation and reinvestment. Additionally, CCRC is looking to accelerate closing and redevelopment of the Property to the extent possible. See **ATTACHMENT 2**, Evaluation Scoring Criteria.

In order to be considered, all Offers must include the following:

- a. **Offer Form & Certification**. This document is provided as **ATTACHMENT 5** to be completed by the Respondent and signed by an authorized representative of the Respondent stating the proposed purchase price for the Property. Respondent contact information shall be provided and should indicate the state of formation of the Respondent. The Respondent should also indicate whether the firm is operating as an individual proprietorship, partnership, corporation, a joint venture or a governmental entity. The Respondent agrees to hold prices firm for a period of one hundred twenty (120) days to accommodate the CCRC's evaluation and award process and any resulting contract (signed by an authorized Respondent representative).

The minimum purchase price offer that CCRC will accept for the Property is One Million Seven Hundred Ninety Thousand (\$1,790,000.00) Dollars.

- b. **Offer Deposit**. A payment of five (5%) percent of the purchase price offered by the Respondent which shall be held in an interest-bearing account as an initial deposit and applied to the purchase for the accepted Offer, and returned to all others.

The deposit shall be in the form of a certified, cashier's or bank check made payable to the CCRC issued by a FDIC accredited financial institution.

The deposit may also be a wire transfer of immediately available funds. Please contact **CCRCprocurement@njeda.com** for wiring instructions.

Note: An additional deposit of ten percent (10%) of the offer price shall be payable to CCRC upon the execution of the PSARA. The initial deposit and the additional deposit (totaling 15% of the purchase price) shall be applied to the purchase price at closing.

- c. **Project Description.** A narrative describing the proposed project and intended use of the Property including a description of planned improvements, as well as estimated development costs. The narrative should also describe ways in which the project, as that term will be defined in the Purchase Sale and Redevelopment Agreement, will support the CCRC Renaissance Plan and enhance a vibrant Capital District, and provide an overview of the proposed project's consistency with local zoning and/or variances/zoning changes proposed. Describe any proposed green building design and environmentally sustainable features and practices that will be incorporated into the design and the Property's ongoing operation and maintenance.
- d. **Organization and Development Team Experience and Capacity.** Respondents shall submit a narrative which demonstrates real estate development qualifications, experience, and financing capacity sufficient to develop their proposed project. Respondents shall provide a detailed overview of the Respondent's organizational history and experience and shall indicate their team (the "Development Team"), including key team members and staff and their experience.

Indicate any Development Team members such as legal counsel, architect, engineer(s), contractor or construction manager, or consultant(s) and provide overviews of the development team members' experience.

Provide a listing and descriptions of other projects of similar size and scope to the proposed project completed by the Respondent and/or Development Team members within the last seven (7) years including project size, location, type of building(s), total project costs and financing utilized.

Provide evidence that the Respondent will have the financial ability to purchase the Property by the PSARA execution date proposed in the Project Schedule. **This submittal item DOES NOT require a FINAL financial commitment to purchase the Property. This submittal item requires the Respondent to provide evidence that the Respondent will have the ability to pay for the purchase and the proposed development of the Property.** Such evidence may include, but is not limited to the following

- Statement from a certified public accountant for the Respondent evidencing sufficient liquid assets to purchase the Property as stated in the Offer
- Evidence of a line of credit or similar facility from a financial institution evidencing sufficient funds available to purchase the Property as stated in the Offer

- Publicly filed financial statement, no more than 60 days old, evidencing that Respondent has sufficient liquid assets to purchase the Property as stated in the Offer
 - Initial commitment letters, with the Respondent, from an equity investor and/or lender, no more than 60 days old from the submission date, providing sufficient funds to purchase the Property as stated in the Offer.
- e. **Grant Request.** Respondents interested in requesting Grant Funds must submit a Grant Request as shown on **ATTACHMENT 3**. The Grant Request must include a narrative stating their interest in receiving Grant Funds and outlining their intended use of the Grant Funds along with a budget detailing the proposed use of the Grant Funds requested. Any Respondent(s) can submit a Grant Request but are not required to do so.
- f. **Financing Plan – Sources & Uses.** Indicate proposed project development budget and capital investment including anticipated funding sources.

Please note that for information on State tax incentives offered through the NJEDA, please visit www.njeda.com/financing-and-incentives/

CCRC will reject any Offer that seeks to make the closing of title contingent on the Respondent's receipt of Grant Funds or other public financing or subsidies, including Long-Term Property Tax Abatement.

- g. **Closing and Development Schedule.** A gantt chart detailing critical path items from execution of PSARA through planning/due diligence investigations, financing, permitting, purchase of building, construction/renovation, completion, occupancy and full job generation.
- h. **Jobs Generation.** Provide an estimated number of permanent FTE/Full-Time Equivalent jobs (specifying those new to New Jersey vs. those retained within the State) to be created at the Property. FTE/Full-Time Equivalent Job means a permanent job/employment of at least 35 or more hours per week created at the Property upon the completion of construction of the proposed use, excluding full time job/employment created during the construction of the proposed use.

Separately please also provide an estimated number of temporary construction jobs related to the construction or renovation of the Property for the proposed use.

Purchaser will be held to a minimum permanent jobs creation number based on this estimate which will be a condition of the PSARA with the successful Purchaser. The PSARA will provide for monetary penalties should Purchaser fail to meet its permanent job creation goals.

- i. **Ownership Disclosure Form.** A completed and signed Ownership Disclosure form, as discussed in Section 7.1 and provided in **ATTACHMENT 6**.

6.0 QUESTIONS AND ANSWERS

CCRC will also accept questions from firms regarding any aspect of this RFOTP via e-mail only until **5:00 p.m. Eastern Daylight/Standard Time on January 15, 2022**. Questions should be directed via e-mail to: **CCRCprocurement@njeda.com**

All answers to questions posed will be posted on the CCRC website at <https://web.njeda.com/ccrc/> and/or through an addendum (if any) to this RFOTP made available to all potential Respondents at the CCRC website.

Any exceptions or modifications to the mandatory requirements of this RFOTP must be requested during the Question and Answer Period and should contain the suggested changes and the reason(s) for the suggested changes. The CCRC shall be under no obligation to grant or accept any requested changes (i.e. exceptions taken) and will post all answers in the addendum. **Exceptions and/or modifications to the terms of the RFOTP submitted with the Offer, subsequent to the expiration of the Question and Answer Period, will result in the rejection of the Respondent's Offer.**

7.0 COMPLIANCE WITH STATE LAW REQUIREMENTS

The successful Respondent agrees that it shall comply with all requirements of these provisions.

If you believe a particular compliance document is not applicable to your firm, you are encouraged to submit a question during the Question and Answer period, specified in Section 6 of this RFOTP. If the document does not apply to your company, you must complete all information, mark those areas that are not applicable with the abbreviation "N/A", sign and return the document with your Offer. Failure to do so may result in rejection of the Offer.

7.1 Mandatory Compliance to Be Submitted with the Offer -- Ownership Disclosure Form

Ownership Disclosure form is a mandatory item that is required to be completed and included as part of the Offer as noted in Section 5.0(i). **Failure to include this completed form in the Offer will make the Offer nonresponsive and the Offer will not be evaluated.**

In the event the Respondent is a corporation, partnership or sole proprietorship, the Respondent must complete and sign an Ownership Disclosure Form. **If the Respondent is a limited partnership, each Ownership Disclosure form must be signed by a general partner. Failure to comply will result in rejection of the Offer.**

7.2 Compliance Documents that will be required of the successful Respondent

The successful Respondents will be required to submit all compliance documentation noted below prior to executing the PSARA.

a) Business Registration

A Respondent must have a valid Business Registration Certificate (“BRC”) issued by the Department of the Treasury, Division of Revenue and Enterprise Services, prior to the award of a contract.

See the following link for information regarding New Jersey’s Business Registration Certificate:

<http://www.state.nj.us/treasury/revenue/busregcert.shtml>

The successful Respondent will be required to maintain a valid business registration with the Division of Revenue and Enterprise Services for the duration of the PSARA, inclusive of any extensions.

b) Disclosure of Investment Activity in Iran Form

Pursuant to N.J.S.A. 52:32-58, the Respondent must utilize this Disclosure of Investment Activities in Iran form to certify that neither the Respondent, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3)), is listed on the Department of the Treasury’s List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither the Respondent, nor one of its parents, subsidiaries, and/or affiliates, is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the Respondent is unable to so certify, the Respondent shall provide a detailed and precise description of such activities as directed on the form.

NOTE: If the Respondent is a limited partnership, each Disclosure of Investment Activities in Iran form must be signed by a general partner. If the Respondent is a joint venture, the Investment Activities in Iran form must be signed by a principal of each party to the joint venture.

c) Requirements of Public Law 2005, Chapter 51, N.J.S.A. 19:44A-20.13 - N.J.S.A. 19:44A-20.25 (Formerly Executive Order No. 134) and Executive Orders No. 117 (2008) (Exhibit I, Item 5)

- 1) CCRC shall not enter into a contract to procure from any Business Entity, services or any material, supplies or equipment, or to acquire, sell or lease any land or building, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions, to a candidate committee and/or election fund of any candidate for or

holder of the public office of Governor or Lieutenant Governor, to any State, county, municipal political party committee, or to any legislative leadership committee during certain specified time periods.

- 2) Prior to awarding any contract or agreement to any Business Entity, the Business Entity proposed as the intended awardee of the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by either Chapter 51 or Executive Order No. 117 have been made by the Business Entity and reporting all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C.527 of the Internal Revenue Code that also meets the definition of a “continuing political committee” within the means of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7.
- 3) Further, the successful Respondent is required, on a continuing basis, to report any contributions it makes during the term of the PSARA, and any extension(s) thereof, at the time any such contribution is made.

d) Disclosure of Investigation

The Disclosure of Investigations and Other Actions Involving Bidder Form provides a detailed description of any investigation, litigation, including administrative complaints or other administrative proceedings, involving any public sector clients during the past five (5) years, including the nature and status of the investigation, and, for any litigation, the caption of the action, a brief description of the action, the date of inception, current status, and, if applicable, disposition.

7.3 Prevailing Wage Requirement

Prevailing wage will apply only to the extent that a project includes “public work” as that term is defined in State Prevailing Wage Act, N.J.S.A. 34: 11-56.25 et seq. or if the Respondent receives financial assistance, which would implicate the Prevailing Wage Act, from CCRC, the State or any other State entity.

7.4 Standards Prohibiting Conflicts of Interest

The following prohibitions shall apply to all contracts made with CCRC:

- a) No Respondent shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity or other thing of value of any kind to any Board member, officer or employee of the State or CCRC, or special State officer or employee as defined in N.J.S.A. 52:13D-13b and e, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13f of any such Board member, officer or employee, or partnership, firm or corporation with which they are employed or associated or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.

- b) The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by a Board member, officer or employee of CCRC from any Respondent shall be reported in writing forthwith by the Respondent to the State Attorney General.
- c) No Respondent may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement express or implied, or sell any interest in such Respondent to any Board member, officer or employee of CCRC or special State officer or employee, or having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to CCRC or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g.
- d) No Respondent shall influence or attempt to influence or cause to be influenced any Board member, officer or employee of CCRC in his official capacity in any manner which might tend to impair the objectivity or independence or judgment of said Board member, officer or employee.
- e) No Respondent shall cause or influence, or attempt to cause or influence, any Board member, officer or employee of CCRC to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the Respondent or any other person.
- f) It is agreed and understood that CCRC reserves the right to determine whether a conflict of interest or the appearance of a conflict of interest exists which would under State law adversely affect or would be contrary to the best interest of CCRC.

7.5 Record Retention

The selected Respondent shall maintain all documentation related to the purchase and development of the Property for a period of five (5) years from the date of completing the Project as defined in the PSARA. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

8.0 EVALUATION CRITERIA

CCRC will evaluate Offers received and make a recommendation to the CCRC Board for an award to the Respondent whose Offer, conforming to this RFOTP, is most advantageous to the State, price and other factors considered. CCRC will consider the following criteria during the evaluation process: Project Offer and proposed use; proposed project capital investment; Respondent/Development Team's experience and capacity; jobs creation; purchase price; and project timeline and purchase term until occupancy, including due diligence period and time needed to obtain approvals. **ATTACHMENT 2** contains the evaluation scoring criteria.

The PSARA shall contain a job creation estimate. CCRC shall be under no obligation whatsoever, legal or otherwise, to sell or convey the Property, or any interest in the Property, unless and until the PSARA is fully negotiated with a Respondent and approved for execution by the CCRC in its sole and absolute discretion. No Respondent shall have any legal right or interest in the Property unless and until a PSARA is properly executed and delivered by CCRC and Treasury.

LIST OF ATTACHMENTS

- Attachment 1: Description of Property
- Attachment 2: Evaluation Scoring Criteria Information
- Attachment 3: Grant Request Form
- Attachment 4: Furniture Bid Form
- Attachment 5: Offer Form and Certification
- Attachment 6: Required Forms and Compliance including Ownership Disclosure Form