



TOWN OF KEARNY
HUDSON COUNTY, NEW JERSEY
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TOWN OF KEARNY

NOTICE

**REQUEST FOR PROPOSALS
FROM EXPERIENCED REDEVELOPERS**

TO

**REDEVELOP APPROXIMATELY 17 ACRES OF
WATERFRONT PROPERTY**

The Town of Kearny is soliciting Proposals for the redevelopment of approximately 17 acres of waterfront property located between Passaic Avenue and the Passaic River at the southern boundary of the Town and known on the tax maps of the Town as Block 1, Lots 1 through 12.01.

Sealed responses to the Request for Proposals will be received by the Town Clerk on or before September 7, 2012 at 10:00 a.m., at Town Hall, 402 Kearny Avenue, Kearny, New Jersey 07032.

The Site is located in the Passaic Avenue Redevelopment Area. A copy of the Passaic Avenue Redevelopment Plan may be obtained at the Town Clerk's office or on the Town Website at www.kearnynj.org.

RFP Addenda, if any, will be issued on the Town Website and mailed to those interested Respondents who have obtained the RFP. Therefore, all interested Respondents should check the Town's website from now through RFP opening. It is the sole responsibility of the Respondent to be knowledgeable of all Addenda related to this RFP.

Respondents shall comply with the affirmative actions requirements of N.J.A.C. 17:24 *et seq.*

Patricia Carpenter
Town Clerk

**TOWN OF KEARNY
HUDSON COUNTY, NEW JERSEY**

**REQUEST FOR PROPOSALS
For Redevelopment of
a Portion of the
Passaic Avenue Redevelopment Area**

Issued by:

**Town of Kearny
402 Kearny Avenue
Kearny, New Jersey 07032**

Deadline for Response: September 7, 2012 at 10:00 a.m.

INTRODUCTION

This Request is for Proposals for the redevelopment of approximately 17 acres of waterfront property (the "Site") located between Passaic Avenue and the Passaic River at the southern boundary of the Town of Kearny.

SCOPE OF PROJECT

2.1 The Town of Kearny

The 9.3 square mile Town of Kearny is located in the northwestern corner of Hudson County in northeastern New Jersey. The Town is generally divided into three distinct geographical areas: the Uplands which contain the Town's residential neighborhoods and commercial areas; South Kearny, an isolated peninsula containing transportation and industrial activities, and the Meadows. The Site is in the Uplands.

The Town's pattern of development has been shaped by this unique geographical division which insulates residential areas from industrial areas and promotes access to the regional transportation network. This has enabled the Town to develop as both an industrial center while maintaining its small town residential character.

Kearny is a fully developed community. According to the 2010 census, the Town has a population of 40,684 persons. It is a safe community with a low crime rate.

2.2 Passaic Avenue Redevelopment Plan

The Site is located within the Passaic Avenue Redevelopment area. Pursuant to statute the Town designated the Site "in need of redevelopment" in January of 2000. The Redevelopment Plan for the Site was approved in October of 2001 and updated in 2007. The Redevelopment Plan is available on the Town's website (www.kearnynj.org).

The Passaic Avenue Redevelopment Plan aims to reintegrate the site into the residential area of the Town by establishing a mixed-use land pattern featuring pedestrian-scaled commercial activity, new housing and recreational spaces. The Plan seeks to connect the Town's residential core to the Passaic Avenue riverfront and transform the existing commercial/industrial pattern into an extension of the Town center.

The Passaic Avenue Redevelopment Plan builds upon the ongoing transformation of the lower Passaic River in Harrison and Newark from industrial uses into 21st century mixed-use urban waterfront communities. The Passaic Avenue Plan seeks to establish Kearny's niche in this regional redevelopment by building upon the Site's assets of waterfront location, commercial identity and neighborhood proximity to create a vibrant, dynamic urban entertainment destination that is active throughout the day and evening. The Site's size, location and character make it an ideal location for large-scale urban entertainment activities, including shopping, movies, clubs, themed restaurants and family-oriented entertainment centers.

The major features of the Plan are the conversion of existing industrial uses into mixed-use housing/retail/entertainment uses, construction of new mixed-use commercial, housing and entertainment uses, and construction of public walkways and open spaces (including construction of a riverfront walkway linking the Town to the river and the Site to the neighboring redevelopment in Harrison and East Newark). The Redevelopment Plan directs this through creative use, bulk and design standards that promote pedestrian activity and encourage a vibrant appearance.

2.3 The Site

The Site is listed on the Tax Map of the Town as Lots 1 through 12.01 in Block 1. It consists of various privately owned parcels which would have to be acquired by the successful Redeveloper. The Town is willing to use eminent domain, if necessary and requested. The site also includes parcels owned by the Town and Conrail.

The site is a Brownfields Development area.

The Site is in an Urban Enterprise Zone which gives it sales tax benefits.

The Town will consider granting tax abatements under the Long Term Tax Exemption law, if needed to make the project economically viable.

REQUIRED INFORMATION

3.1 The Proposal

The proposal must demonstrate clearly that the Respondent has extensive experience in urban redevelopment of mixed-use commercial, retail and residential housing and extensive financial resources to carry out the redevelopment. Joint ventures that have experience sought by the Town will be considered.

3.2 Who You Are

The response must include a detailed description of the responding entity and members of its development team and their credentials. It should include the names of all principals, officers or directors having a 10 percent or greater interest in the entity. Include also curriculum vitae of your principals.

3.3 Projects

The response must include a list of redevelopment projects Respondent has undertaken and completed with detailed information as to the nature, size, scope, cost, date of the project and the amount of debt issued and equity raised. Please include photographs of each project, if available.

3.4 Financial Statements

The response must include financial statements of the responding entity for the previous five years and any documents which demonstrate financial capability to complete the proposed Kearny project.

3.5 Plan for the Site

The response must include Respondent's redevelopment vision for the Site to which Respondent in a Redeveloper Agreement would be willing to obligate itself to produce. The response must also include a phasing plan and a timetable that would become part of the Redevelopment Agreement. **This is a major evaluation criterion.**

3.6 Pro Forma

The response must include a project *pro forma* providing detail as to how Respondent prepares to fund acquisition of property rights. Proposed funding, as now known, should also be described.

3.7 References

The response must include five references including addresses and current telephone numbers. At least one should be a financial institution.

3.8 Redeveloper Agreement

Among other things, there will be included in the eventual Redeveloper Agreement provisions relating to Americans with Disability Act, non-collusion affidavit, stockholder/partnership disclosure certification, Certificate of Insurance, New Jersey Business Registration Certificate, Affirmative Action Information, Public Works Registration, Mandatory Equal Employment Opportunity Statement, New Jersey Election Law disclosure and certification that it will comply with New Jersey Local Unit Pay to Play Law.

3.9 PILOT

The response must include a statement as to whether Respondent will be making an application for approval of a long term tax exemption pursuant to N.J.S.A. 40A:20-1 *et seq.*

THE PROCESS

4.1 Proposal Format

Respondent shall submit one original and 11 copies of the proposal. No fax or email submission will be accepted. Proposal envelope must be clearly marked "Redevelopment of Passaic Avenue Waterfront Property, Proposal of" with name of Respondent.

It is the Respondent's responsibility to ensure that its proposal is in the possession of the Town at the required location and by the Date and Time specified. Late proposals will not be considered and will be returned unopened.

Proposals must be signed by an authorized officer of the Respondent. Unsigned proposals may be rejected by the Town at its sole discretion. Respondent shall designate one contact person and include contact information of that person.

4.2 Confidentiality

All information obtained by the Town from a Respondent in connection with this solicitation may be subject to disclosure under the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq. All information will remain with the Town and be retained for public record purposes.

4.3 Additional Information

Any requests for additional information must be in writing. The Town has no obligation to provide additional materials or clarifications, although it may do so in its sole discretion.

4.4 Town Representative for this RFP

Please direct all questions in writing to:

Michael Martello, Administrator
Voice: 201-955-7400
Fax: 201-991-0608

Email: mmartello@kearnynj.org

4.5 Right to Accept or Reject

The Town reserves the right to:

- (i) Reject all proposals in its sole discretion.

- (ii) Request written clarification or the submission of supplementary information from any Respondent after the proposals have been opened.
- (iii) Waive formalities and accept proposals which substantially comply with the requirements of this solicitation.
- (iv) Verify with any Respondents or with a third party any information set out in a proposal.
- (v) Check references other than those provided by any Respondent.
- (vi) Disqualify any Respondents whose proposal contains misrepresentations or any other inaccurate or misleading information.
- (vii) Disqualify any Respondent or the proposal of any Respondent who has engaged in conduct prohibited by this RFP.
- (viii) Accept or reject a proposal if only one proposal is submitted.
- (ix) Cancel this RFP process at any stage.
- (x) Cancel this RFP process at any stage and issue a new RFP for the same of similar services.
- (xi) Not to proceed with all or some of the services.

4.6 Evaluation Criteria

The Town reserves the right to interview or seek additional information from any Respondent after the opening of the Proposals but before entering into a contract. The methodology for the designation of a redeveloper, if one is designated, will be based on evaluation of the following criteria:

- (i) Developer's Capacity: Ability of the developer to complete the construction in a timely manner in accordance with the proposed construction schedule.
- (ii) Timetable: An early target date.
- (iii) Developer's Financial Capacity: Demonstration by the proposed developer of the adequacy of proposed budgets (development and operating), demonstration by the Respondent that the organization is fiscally sound, and review of financial statements.
- (iv) Management Track Record: Evidence of organization's ability to effectively market and manage a redevelopment project.

4.7 Presentation

The Town may, at its option, request that the Respondents make a presentation to the Town Council.

4.8 Date and Time for Submission of Proposals

All proposals shall be submitted in a sealed envelope addressed as follows:

Ms. Patricia Carpenter, Town clerk
Town of Kearny - Town Hall
402 Kearny Avenue
Kearny NJ 07032

Proposals must be received by the Town Clerk, by mail or in person on or before 11:00 a.m. prevailing time on September 7, 2012. The Town takes no responsibility for the loss, non-delivery or physical condition of a proposal. Proposals will not be accepted by facsimile transmission or e-mail.