



City of Trenton

Request for Proposals

Industrial Opportunity

310-354 Enterprise Ave

Portions of Block 23102 Lots 1 and 2 and Block 23203 Lot 1

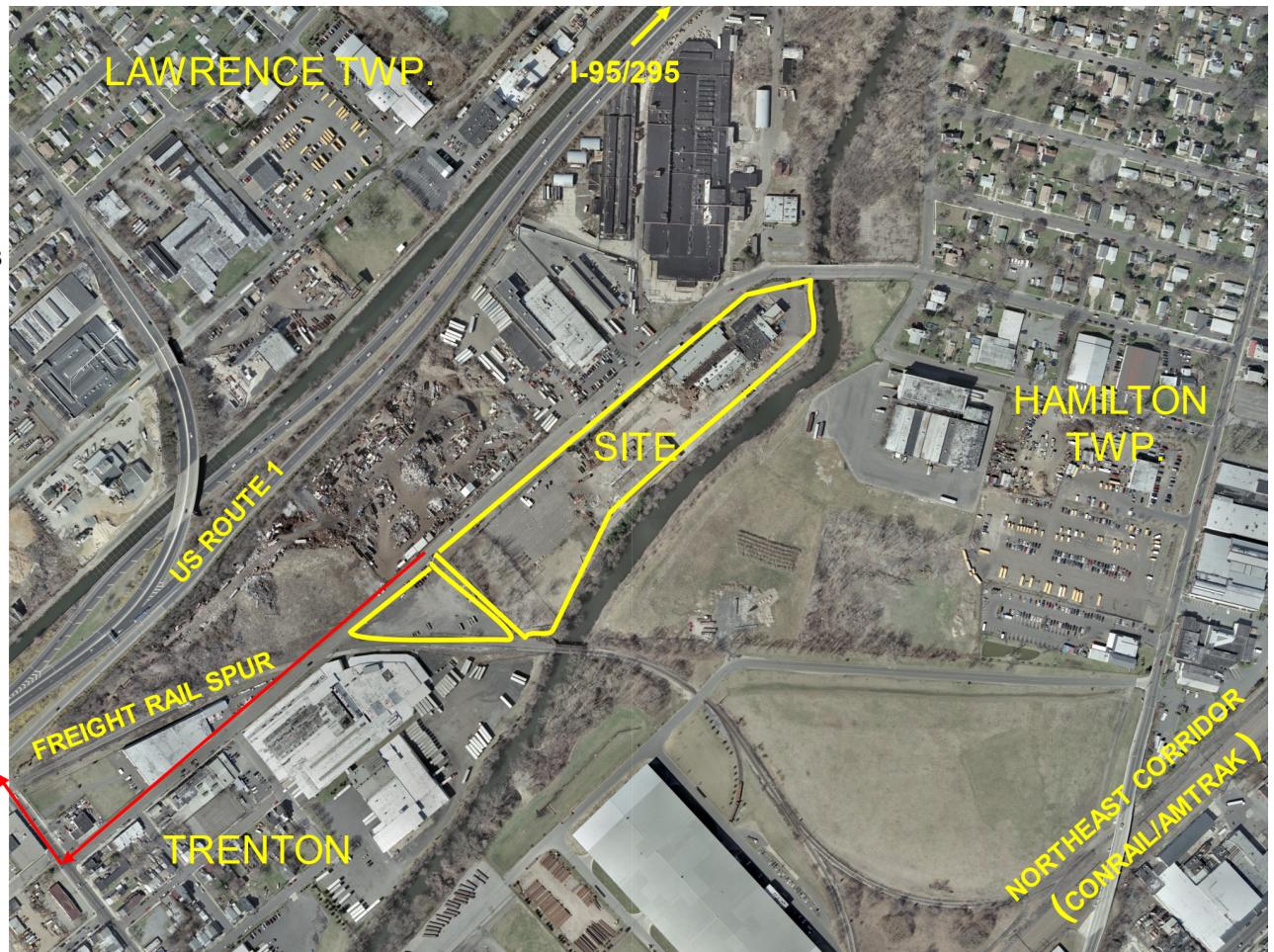
Mayor Reed Gusciora

ISSUED BY

THE DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT

MASSIEL FERRARA, DIRECTOR

~9 ACRES
CITY-OWNED
REDEVELOPMENT AREA
ZONING: INDUSTRIAL -B
VACANT, LEVEL SITE
BUILDINGS DEMOLISHED
SLABS REMOVED
DESIGN STANDARDS AVAILABLE
ENVIRONMENTAL -RAO/NFA ISSUED
-ENGINEERING & INSTITUTIONAL CONTROLS FOR SOIL
UTILITIES AT PROPERTY LINE
RAIL SIDING NEARBY
TAX INCENTIVES
CONTACT:
Division of Economic Development
609-989-3512



ENTERPRISE AVENUE, TRENTON, NEW JERSEY

FOR SALE, REDEVELOPMENT AND JOB CREATION
INDUSTRIAL ZONE – HIGHWAY ACCESS (US ROUTE 1)
POTENTIAL FOR ADDITIONAL LAND ACQUISITION AND FREIGHT RAIL ACCESS
CAN BE SUBDIVIDED IN ACCORDANCE WITH DESIGN STANDARDS

The property available at this time is approximately 7 acres of the larger parcel outlined in yellow. The triangular parcel is approximately 1 acre and not included in this RFP due to ongoing site remediation.

Contents

INTRODUCTION	4
What We Are Looking For	4
Site Description	6
Site Description: Environmental Conditions	7
City of Trenton Commitments	7
Redeveloper Commitments	8
Additional Resources	9
RFP SUBMISSION REQUIREMENTS	10
Cover Letter	10
Executive Summary	10
Background	11
Project Proposal: Site	11
Project Proposal: Employment Objectives	12
Project Work Plan	12
Project Financing	12
Key Personnel	13
Other Factors	13
SELECTION PROCESS OVERVIEW	14
Process Overview	14
Tentative City Schedule	14
RFP Selection Criteria	15
General Conditions	16
Site Acquisition Process	16
Redevelopment Agreement	17
City of Trenton /Affirmative Action/Equal Opportunity Requirements	19
Additional	19

INTRODUCTION

What We Are Looking For

Qualified Developers are invited to submit proposals for the development of the site as light industrial / manufacturing facilities on Enterprise Avenue in Trenton / Lawrence Township along the Assumpink Creek. The site is in the City of Trenton Enterprise Avenue Redevelopment Area.

The overall goal of the Enterprise Avenue redevelopment area plan is to attract industrial business jobs and related economic benefits to this area. Proposals will be evaluated on the number of jobs created, the quality of jobs created (barriers to employment, salary levels, opportunities for advancement) and ratables generated. To that effect, the City welcomes proposals for less than the full acreage which would allow multiple projects to be considered.

The structures to be built in the Redevelopment Area should be attractive and appropriate to light industry standards, meet the design standards of the plan and should conform to the underline requirements of the City of Trenton Land Use Development Ordinance (the “LDO”). The Redevelopment Area Plan and the LDO call for green and sustainable design elements. Respondents must discuss these requirements in their proposals.

The City of Trenton is particularly interested in encouraging light industrial uses, including cannabis vertical grow and manufacturing operations, to meet these goals.

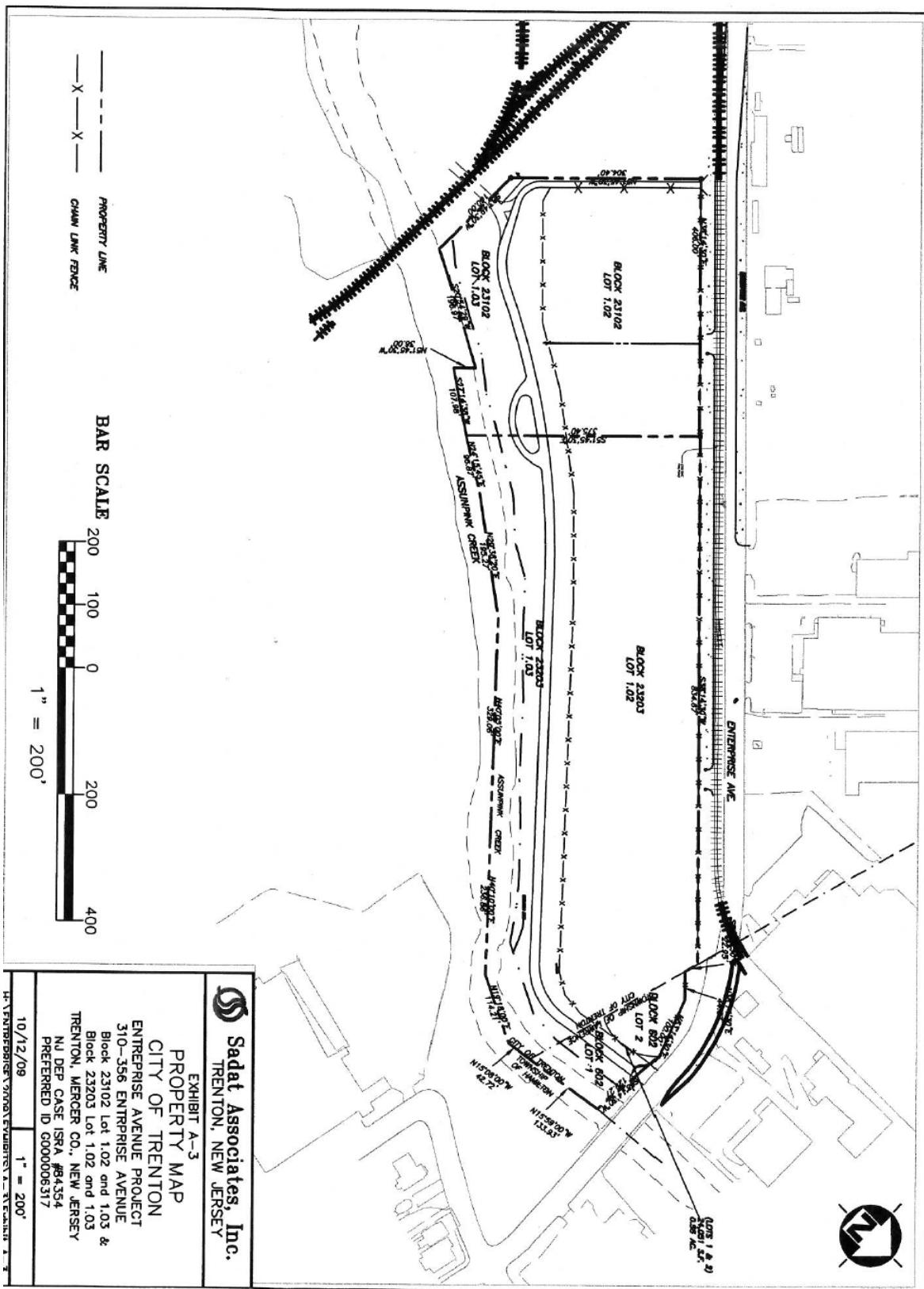
The Redevelopment Area Plan can be found at

<https://www.trentonnj.org/DocumentCenter/View/391/Enterprise-Avenue-PDF> and the Land Development Ordinance can be found at

<https://www.trentonnj.org/DocumentCenter/View/8586/Trenton-LDO-Adopted-122123>. Both are intended to guide thoughtful and sustainable redevelopment in the Enterprise Avenue Area. Zoning controls and design requirements are governed by the Redevelopment Plan and the underline zoning ordinance and alignment with the Plan and the LDO will be a criterion in Developer selection.

The City issues this Request for Proposal (RFP) pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A: 12A-1, et seq. (the “Redevelopment Law”).

This RFP constitutes an invitation for responsive submissions to the City and does not represent an offer, obligation or agreement on the part of the City. The City reserves the right to protect the best interests of the City, to waive any technical errors, to request clarification of any submission, to reject any submission for any reason or to reject all submissions for any reason.



Subdivision as shown to be completed by redeveloper.

Site Description

The site is approximately 11 acres in total. However, of this, a public greenway of approximately 4 acres was constructed along the creek and will remain as property of the City of Trenton. The Developer will complete this subdivision (with property descriptions and maps to be provided by the City), retaining ownership of approximately 7 acres. The site has easy access to Route 1 and is adjacent to the Assunpink Creek in the City of Trenton, on the East side of Enterprise Avenue.

The subject property consists of the former Carter Wallace site, located on the East side of Enterprise Avenue, predominantly in the City of Trenton, Mercer County, at 310-354 Enterprise Avenue. A portion of the site is located within Lawrence Township, Mercer County. It is identified on the Township of Lawrence tax maps as Block 602, Lots 1 and 2 and on the City of Trenton tax maps as Block 23102 Lots 1 and 2, and Block 23203 Lot 1.

Enterprise Avenue Site Location



Site Description: Environmental Conditions

The City of Trenton completed remediation of the site resulting in a Restricted Use Response Action Outcome with permit Requirements in 2014 (former ECRA Case #E84354). The site has an active Remedial Action Permit for soil contamination resulting from historic fill. A Classification Exception Area was established for groundwater due to historic fill impacts in 2014 under SRP Program Interest Number G000006317. The Developer will be responsible for amending and maintaining the RAP-soil permit (RAP Permit #RAP140001) as appropriate upon closing.

The site has been well characterized by the previous owner. The City has no knowledge of any other environmental issues associated with this site. All documents including: Case Closure documents, Remedial Investigation Reports and the Remedial Action Reports are on file with the City of Trenton and are available for review.

City of Trenton Commitments

The City of Trenton is committed to the success of this project and contributed significant resources to provide a developable, attractive property. This commitment includes the following:

- 1) **Prior work:** The City acquired the site in 2003 for redevelopment purposes. The former structures at Carter Wallace have been demolished.
- 2) **Greenway:** The City of Trenton constructed a greenway along the Assunpink Creek, which borders a portion of the Redevelopment Area. New curbs, sidewalks and tree pits were constructed. A landscape buffer between the recreational space and the light industrial activities will ensure a successful co-existence of the two types of uses. This greenway will be developed, owned, and maintained by the City of Trenton. Decorative walls and fencing have been constructed to prevent public access to the back of the industrial facility and provide an attractive amenity for employees at the new site.
- 3) **Environmental Work:** Environmental remediation work was completed in 2014. An RAO has been issued with a Remedial Action Permit for soil.



Delivery of this RFP and/or submission of responses to this RFP do not create any legal relationship between the City of Trenton and any of the development teams, Respondents, or any of their individual principals or entities. Nothing contained in this

RFP or in the process outlined herein is or shall be construed as creating any legal or binding agreement on the part of the City to do anything or follow any procedure, even if specified in this RFP, unless it is specified in the Redevelopment Agreement. The City has no obligation to select any of the Respondents or to proceed with any development unless and until the City and a selected Redeveloper execute a formal Redevelopment Agreement, and at that time the City's obligations shall be limited to those obligations specified in such Redevelopment Agreement without reference to any aspect of this RFP process, unless otherwise specified, in such Redevelopment Agreement.

Redeveloper Commitments

- 1) **Subdivide Property:** The Redeveloper will complete the subdivision in accordance with the property descriptions and site plans provided with this RFP (...link C...) Prior to closing on the property. The City will retain ownership of approximately 4 acres of greenway and asphalt-paved trails located between the existing decorative fence and wall and the Assunpink Creek.
- 2) **Purchase Property:** The selected Redeveloper will be expected to purchase the property from the city. Upon purchase of the property, the Redeveloper assumes responsibility for all relevant taxes on the property. In addition, it will be the responsibility of the Redeveloper to subdivide the property through the City of Trenton Planning Board
- 3) **Obtain Financing:** The Redeveloper must obtain construction and permanent financing, including all pre-development costs including appropriate permits, without assistance from the City.
- 4) **Design Project:** The Redeveloper will be expected to comply with all components of the applicable Redevelopment Plan (<https://www.trentonnj.org/DocumentCenter/View/391/Enterprise-Avenue-PDF>) and the underline LDO (<https://www.trentonnj.org/DocumentCenter/View/8586/Trenton-LDO-Adopted-122123>), and design a sustainable, attractive industrial park.
- 5) **Site Plan Approval:** The Redeveloper will be required to present plans for the development to the Planning Board and obtain the necessary approvals. The Redeveloper is required to develop the Site in accordance with the Redevelopment Law, the Enterprise Redevelopment Area Plan and as set forth in a Redevelopment Agreement with the City.
- 6) **Construct Project:** The Redeveloper will be expected to obtain all appropriate permits and contractors to successfully construct the project within agreed-upon timeframes.

7) **Environmental:** The Redeveloper will be required to transfer existing institutional controls and permits as well as revise engineering controls based on the Redeveloper's Plan for development.

[**Additional Resources**](#)

The New Jersey Economic Development Authority (“NJEDA” and the New Jersey Redevelopment Authority (“NJRA”) have assistance programs that may be applicable to the redevelopment of this site: Emerge Funds, the Aspire Program, direct loans, New Jersey Redevelopment Investment Funds, and the New Jersey Urban Site Acquisition Fund.

The City will consider proposals that include financial incentives but will factor into their decision that these incentives may not be awarded.



RFP SUBMISSION REQUIREMENTS

Each proposal in response to this RFP must be formatted as a single bound volume and must be submitted at or before the time and date set forth in Selection Process Overview / Tentative City Schedule. The City of Trenton, in its sole discretion, may reject any submission made after this time. An original and nine (9) copies of each proposal must be provided in addition to an electronic copy provided on a USB. Responses shall remain valid, active and firm for a period of one hundred and eighty (180) days from the due date.

Each Respondent must submit the information requested in standard letter size format for their proposal to be complete. The outside of the package containing a proposal should be clearly marked with "Enterprise Avenue RFP."

All submittals must include a minimum of the elements as described in this RFP. Although the City is not obligated to evaluate incomplete submittals or to accept additional and supplemental materials, it may choose to do so. All submittals should be concise and address the City's goals and objectives as listed in this RFP.

While every effort was made for accuracy describing the site and other elements of this RFP, Respondents should conduct their own due diligence regarding the Site and independently assure themselves of the conditions and regulations affecting the Site.

The City shall not be responsible for the loss, non-delivery or physical condition of submissions. All submissions will become the property of the City and will not be returned to the Respondent.

Any and all questions must be submitted in writing, via email to emaywar@trentonnj.org. The City will collect questions received and then post the questions and answers on the City website.

[Cover Letter](#)

The submittal must include a cover letter with the name, address, email and telephone number of the firm submitting the proposal, and a statement that the individual signing the letter is authorized to obligate the entity to proceed with negotiation of a Redeveloper Agreement should the entity be tentatively designated as Redeveloper for the project.

[Executive Summary](#)

The executive summary must include the principal elements of the submittal, including a project description and timetable overviews, as well as the team's approach to the development, potential users, intent to sell or to lease, intent to build to suit or build on spec, financing, schedule, permits, and community relations, as well as offering price for property as is and terms.

Background

Include a brief history of the Respondent and how its experience is analogous to and qualifies it to meet the requirements of the RFP. The citation of specific projects that are being currently developed or have been completed (with the year completed) is strongly encouraged. The Respondent must indicate what type of business organization it is (corporation, partnership, sole proprietorship, LLC, non-profit). If the Respondent is a subsidiary or direct or indirect affiliate of any other organization, it must indicate the name of the related organization and the relationship. If the Respondent is a partnership, it shall list the names of all partners. If the Respondent is a corporation, it shall list the names of those stockholders holding 10% or more of its outstanding stock.

Project Proposal: Site

Provide a detailed description of the proposed project. Detailed site plans are not required for this RFP response.

A concept plan for the site should be presented, specifying the number and size of buildings as well as parking, loading and other areas. Manufacturing, office, parking, outdoor storage (note restriction in outdoor storage areas in Redevelopment Plan) or other uses shall be identified by the approximate size by approximate square footage of each use. A conceptual design scheme, showing elevations, site plan and floor plan in sketch form would be helpful to get a detailed idea of the proposal, but is not required at this stage. The development proposal should also set forth any proposed improvements, such as internal sidewalks, ornamental fencing, etc. that will be provided in addition to the construction of the buildings. Please note that these must be in conformance with

the design guidelines.

The project description should include, at a minimum, the following items:

- Estimate building number, size, stories.
- Proposed exterior building materials.
- Building orientation.
- Estimate gross square footage for each use.
- Estimate of number of on-site parking.
- Estimate of number of curb cuts required.



Detail any risks deemed significant enough in nature that they could delay or stop the proposed project.

Explain how the elements of the proposed project align with the Enterprise Avenue Redevelopment Plan (available online at

<https://www.trentonnj.org/DocumentCenter/View/391/Enterprise-Avenue-PDF>).

Project Proposal: Employment Objectives

Each proposal should provide an estimate of how many Full Time Equivalent (FTE) jobs will be created once the business is operational, as well as the titles and the salary range for those positions. Per position, indicate an estimate of what education and experience levels will be required as well as what the opportunities for advancement would be. Indicate the efforts that the project would make to hire employees residing in the City of Trenton.

Project Work Plan

Provide a project work plan, describing all proposed phases, activities and tasks of the successful Respondent. Tasks that the successful Respondent would require of the City to complete the project should also be identified. The work plan should present key activities, milestones, dates and so on necessary to deliver the proposed project. All assumptions that were made to complete the project work plan should be documented in this section. Respondents should submit a detailed timetable that outlines proposed improvements and the anticipated commencement and completion date for these improvements. The timetable should include key steps like permitting, financing, design, and construction (including start and completion).

Including workplans from previous completed projects will help reviewers get a sense of your ability on previous projects.

Project Financing

Each proposal shall include a presentation of the estimated total project (soft and hard costs) for the development in reasonable detail and the sources of all anticipated funds to meet those costs. The cost estimate shall list as a separate item each category of cost for both hard and soft costs, including allowances for environmental permits and monitoring and assumed on and off-site infrastructure improvements. Included in this section should be the proposed purchase price, terms of payment, conditions thereof, including deposits and other periodic payments to be made during the approval process.

Based on the total project costs projected, the Respondent shall provide the proposed financial structure for the project. The financing plan shall include an indication of committed sources of funding including breakdown between debt, equity and other sources and uses of funds for the development and construction period and schedule of funding availability.

The Respondent shall provide evidence of financial capability to undertake the proposed development project. Recent experience in capital formation and/or other financings for similar development projects of comparable scale may be included. Inclusion of financial and development references, including documentation of the Redeveloper's ability to assume necessary pre-development costs prior to construction loan closing, bank references and documentation of the Redeveloper's ability to obtain construction financing for the project on reasonable terms is desirable.

If the Respondent is a public company, please furnish five (5) years of 10-Ks and your most recent 10-Q. A private company Respondent shall furnish five (5) years of audited financial statements which at a minimum include an income statement, balance sheet, and cash flow statement. This information will be kept strictly confidential and will be used solely for the purpose of proposal review. Financial information may be sent under separate cover if the Respondent wishes.

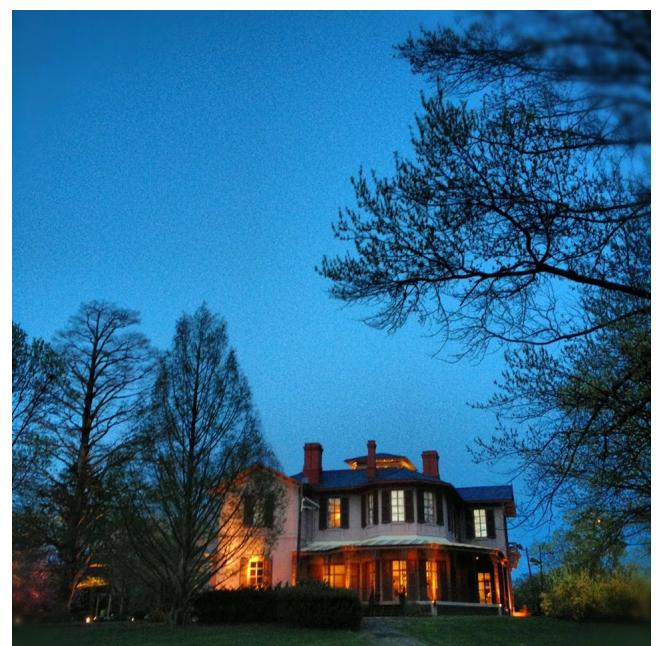
Key Personnel

Identify the proposed project team, stating exactly the role that each proposed team member will assume and detailing the qualifications for the role that each team member possesses. This should include the Respondent as well as attorneys, architects, engineers, contractors, builders and financiers. The team reporting structure should be depicted in an organizational chart.

Provide three (3) references that can specifically address the capability of the Respondent to undertake similar redevelopment projects. References should include name, title, addresses, telephone numbers, fax numbers, and email addresses and a brief description of the relationship to the development entity regarding previous experience.

Other Factors

The Respondent should feel free to provide a description of other factors not accounted for in the RFP that the Respondent believes underscore the Respondent's qualifications to undertake the project, what is unique about their development concept and any other community benefits this project would bring to Trenton.



SELECTION PROCESS OVERVIEW

[Process Overview](#)

On or before the time specified in [Selection Process Overview / Tentative City Schedule](#), the Respondents will submit a proposal in response to this RFP. The City will form a steering committee to evaluate the merits of each proposal. The City may form a short list from the RFP's reviewed. If so, the City will conduct interviews with Respondents. Respondents selected to appear for an interview will be notified in writing, by mail, email or otherwise, of the time and place of the interview.

Respondents may be asked to answer written questions based on their proposal until the City has made a final selection. In addition, further information and detail about proposals may be requested. The City may visit the offices of each Respondent, upon reasonable prior notice, to observe the office facilities and conduct further interviews, or conduct site visits to observe one or more of the developments identified by a Respondent.

Based on Respondents' best and final responses, the City may tentatively select one Respondent as Designated Redeveloper, or the City may withdraw the RFP.

Once a proposal is selected, the city will begin negotiations that will ultimately result in a Redeveloper's designation by the Trenton City Council and the execution of a Redeveloper's Agreement. The City Council Resolution will authorize a designation for a specific period (up to six months). Within this period it is expected that the City and the Redeveloper will have in place a signed Redeveloper's Agreement. At the City's sole discretion, the City Council may grant an extension to Redeveloper's designation.

If the City believes that an agreement cannot be reached with the selected team, the City at its sole option may terminate negotiations. The City may, at this time, choose to entertain proposals from other teams that may be on a short list.

[Tentative City Schedule](#)

The City intends to undertake this selection in the most expeditious manner possible. At this time, the City anticipates the process of selecting and designating a qualified Designated Redeveloper to be used as follows:

Issuance of RFP	June 1, 2024
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Site Access and Ongoing Questions	June 1-July 1, 2024
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RFP Responses Due	August 1, 2024
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Submit RFPs to Eric Maywar at emaywar@trentonnj.org.

Following the Due Date will be a proposal review, interviews (if necessary), possible presentations to City council and the notification of selected qualified respondent.

RFP Selection Criteria

The following criteria will be used to evaluate submitted proposals:

- Compatibility of proposed project with the City's redevelopment objectives.
- The extent to which the criteria outlined in this RFP are addressed.
- Purchase price.
- Employment aspects including
 - number of jobs,
 - salary range for those jobs,
 - opportunities for advancement,
 - planned efforts to hire employees currently residing in the City of Trenton and
 - previously demonstrated practice of hiring a local diverse workforce.



- Estimated municipal property taxes to be generated.
- Other public benefits.
- The degree to which the Respondent demonstrates financial feasibility and capability as well as its ability to complete the project quickly.
- Proposed project size and efficient use of project site, including plans for traffic, parking and infrastructure upgrades.

- Quality of the project plan and design, and the extent to which the design conforms to the design guidelines of the Redevelopment Area.
- Demonstrated understanding of, and experience with, New Jersey and local regulatory requirements and potential strategies for achieving necessary approvals.
- Qualifications of the development team members, including demonstrated experience, development skills and financial resources necessary to obtain all approvals and complete a high-quality facility within a reasonable time frame.
- Completeness of development proposal and submission.

General Conditions

A Respondent may submit only one proposal. The primary members of the Respondent team, including the Redeveloper, design architect, land use/environmental planner and site engineer, may not change after the submission of a proposal without the prior consent of the City (to be granted, withheld or conditioned in the City's sole discretion). If the Respondent changes the composition of secondary or technical associates to the development team at any time in the selection process or after selection, it must notify the City in writing.

The City reserves the right to re-evaluate the proposed change of the development team and accept or eliminate the development team from further consideration. The City will require similar notification and approval rights following the selection of the Respondent and approval of the project.

The City may make clarification to, or amend, or re-issue, this RFP during the RFP process. A copy of such changes will be forwarded to each party that submits a written acknowledgement of receipt of the RFP. If changes are issued, such amendments, together with this document, make up the entire RFP.

The City reserves the right, but shall not be obligated, to ask RFP Respondents (or short-listed subset of such Respondents) to respond to a list of questions and provide additional information.

Site Acquisition Process

First, the Developer will work with the City to subdivide the property as noted previously.

The City, by issuance of this RFP, agrees to sell and the Designated Redeveloper shall agree to acquire the City-owned property that is the subject of this RFP. The acquisition cost will be proposed by the Redeveloper in their proposal and perhaps negotiated between the City and one or more qualified Respondents.

The City recognizes that a period of time will be required for the Designated Redeveloper to design and obtain approvals for the proposed redevelopment project. Therefore, upon signature of a Redevelopment Agreement and payment of a mutually agreed upon non-refundable land purchase deposit, the City and the Redeveloper will determine a mutually agreed upon timeframe for closing on the property. It is generally expected that closing will take place shortly before construction, after all approvals are in place. This timing may change based on negotiations with the Redeveloper.

The City will take full responsibility for delivering a clear and marketable title prior to conveyance to the Redeveloper. This transaction is expected to be completed prior to the sale of any property to the Designated Developer.

The awarded Respondent will agree to own and operate the Site for at least five (5) years from completion of the Project, except as set forth in the terms and conditions of the Redevelopment Agreement regarding permitted transfers of the project.

The Respondents offer price and the terms and conditions in the response must remain fixed for at least one hundred twenty (120) days after the close of the submission period.

Redevelopment Agreement

Based on its evaluation of the proposals as described in this RFP, the City will determine which proposal is most acceptable to the City or, alternatively, that none of the proposals are acceptable.

If the City selects a Designated Redeveloper pursuant to this RFP process, the City anticipates that the Designated Redeveloper will enter into a Redevelopment Agreement relating to a purchase, which sale will be between the City and the Designated Redeveloper under the same or similar terms and conditions as summarized hereafter. The City and the Designated Redeveloper will proceed to finalize and execute the Redevelopment Agreement with such modifications as may be permitted by the City, in its sole discretion. If, for any reason, the City and the Designated Redeveloper have not agreed upon and executed the Redevelopment Agreement within (180) days from the designation from the Trenton City the City at its sole discretion may elects to extend the time, or the City may, in its sole discretion and without incurring any liability to the tentatively Designated Redeveloper, terminate or suspend negotiations with the tentatively Designated Redeveloper.

In such event, the City may, but shall not be obligated to, proceed to finalize and execute the Redevelopment Agreement with another Respondent.

Below is a summary of certain minimum key terms and conditions that the City currently anticipates would be included in a Redevelopment Agreement. The City shall determine the final terms and conditions of such agreements.

- 1) Redevelopment Agreement:** The Designated Redeveloper will be required to enter into a Redevelopment Agreement which the City presently expects shall include, but not be limited to, the following terms: financial (including purchase payments), the approval process, development schedule and deadlines, events of default, environmental remediation (construction of cap) and monitoring. Additionally, the City shall retain the right to review and approve any and all applications for zoning modifications, permits, licenses, and approvals sought by the Designated Redeveloper.
- 2) Permits and approvals:** The Designated Redeveloper shall be solely responsible, at its sole cost, for compliance with all applicable zoning, site plan approval and similar land use requirements. The City will work with the Designated Redeveloper

to ensure that the planning and development of the site take into consideration the City's overall land use planning and design objectives.

- 3) **Design Review:** The City will conduct formal design and site plan reviews at the conceptual, schematic, design development and construction document phases. All drawings and as-built plans will have to be furnished to the City in paper and electronic format. A professional engineer or architect licensed in the State of New Jersey must perform by or on behalf of the Designated Redeveloper all design work. Construction reviews will occur to ensure conformance with agreements, including approved designs. The design reviews will help ensure the long-term value of the site and its improvements, conformance with certain regulatory standards and agreements, and application of the design guidelines prepared by the City for this site. The Redeveloper will need to seek all formal approvals for City of Trenton Planning Board in accordance with the timeframe stipulated in the Developers Agreement
- 4) The Redeveloper will subdivide the property as noted previously.
- 5) The Redeveloper, upon transfer of the Site (or portion thereof), will pay all taxes and municipal charges (water and sewer) as and where applicable.
- 6) The Redeveloper, upon transfer of the Site, will be responsible for securing the Site and maintaining reasonable and necessary security.
- 7) The Redeveloper will affirm that it has sufficient financial resources to undertake the project.
- 8) During construction, the Redeveloper will be required to carry at least \$5,000,000 in general liability insurance coverage and \$2,000,000 in property damage liability insurance coverage and replacement value in fire and casualty coverage. The City shall be named as an additional insured on such policies.
- 9) Inspectors from the City may visit the Site unannounced to inspect operations and determine whether the Redeveloper is in compliance with the terms of the Redevelopment Agreement.

The City reserves the right to add, omit and/or amend the above terms in the creation of the Redevelopment Agreement. Respondents, however, should assume that all of the above terms will be requirements of the Redevelopment Agreement for purposes of responding to this RFP. The City notes that if there is a conflict between the terms herein and the Redevelopment Agreement, the Redevelopment Agreement shall govern.

City of Trenton /Affirmative Action/Equal Opportunity Requirements

If selected as the Designated Redeveloper, all procurement and service contractors will be required to comply with the requirements of P.L.1975, C.I27, (N.J.A.C. 17:27). This includes the provision of a photocopy of a valid letter from the U.S. Department of Labor that the contractors used by the Redeveloper have an existing federally approved or sanctioned Affirmative Action Plan (good for one year from the date of the letter) or, a photocopy of approved certificate of Employee Information Report, or an Affirmative Action Employee Information Report (Form AA302), or an Initial Project Manning Report (AA2 01) for any contract award that meets or exceeds the Public Agency bidding threshold.



Additional

- E. Respondents are responsible for ensuring that responses to this RFP are compliant with all applicable Federal, State and local laws, regulations and ordinances. Further, Respondents are required to submit the following documents:

 - Affidavit of Non-Collusion
 - Stockholder/Ownership Disclosure Certification
 - Affirmative Action Compliance Certification
 - Disclosure of Investment Activities—Iran, Russia and Belarus
- B. Respondents are responsible for providing an affidavit that Respondent is not on the State of New Jersey list of Debarred, Suspended or Disqualified Bidders. Respondents acknowledge that the preparation and submission of responses are at their own risk and expense and in no event may they seek reimbursement or contribution from the City.
- C. In an effort to foster the timely redevelopment of the Site, each Respondent acknowledges that by submitting a response to this RFP, such Respondent waives its right to file or maintain, through itself or any other party, any action or proceeding challenging determinations made by the City pursuant to this RFP.
- D. Designation of a successful Respondent as Redeveloper for the proposed project will not create any rights whatsoever in the successful Respondent until execution

by the City of a redevelopment agreement.

- E. The City in its sole discretion will have the option to terminate negotiations at any time if not satisfied, for any reason whatsoever or no reason at all, with the progress of negotiations.
- F. Any successful Respondent is required to comply with the requirements of the Law Against Discrimination, P.L. 1975, Ch. 127, N.J.A.C 10:5-31, et seq., the Affirmative Action Rules, N.J.A.C. 17:27-1.1, et seq., the Americans with Disabilities Act of 1990, 42 U.S.C. 2101, et seq.
- G. The City reserves the right to negotiate with more than one Respondent at a time or in succession.
- H. The City reserves the right to reject, for any reason, including non-compliance or partial compliance with the RFP, any and all responses and components thereof and to eliminate any and all Respondents to the RFP from further consideration for this selection.
- I. The City reserves the right to supplement, amend, or otherwise modify the RFP.
- J. To waive any technical, or other non-conformance of the responses, whether material or otherwise.
- K. The City reserves the right to change or alter the schedule for any events called for in the anticipated selection schedule set forth herein.
- L. The City reserves the right to conduct investigations of any or all of the Respondents and their responses as the City deems necessary or convenient; to clarify the information provided as part of the response, including discussions with contact persons or prior clients, regulatory agencies and visits to any facility or projects referenced in its response; and to request additional information to support the information included in any response.
- M. The City reserves the right to decline to select any Respondent for any purpose.
- N. The City reserves the right to decline to enter into a Redevelopment Agreement for any purpose.
- O. The City reserves the right to abandon this selection process at the City's convenience at any time, for any reason.
- P. The City reserves the right to select a qualified Respondent, to negotiate a Redevelopment Agreement with it based on a response that, in the City's sole judgment, best serves the interests of the residents of the City, or the region in general.

- Q. The City reserves the right to designate or consult with another agency, group, consultant, individual, or public body to act at any time during the term of this selection process in its place or on its behalf, consistent with applicable law.
- R. The City reserves the right to enter into a Redevelopment Agreement with a Respondent, subject to final adoption of all necessary authorizations.
- S. All expenses associated with preparing and submitting a response to this RFP shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the City, its staff, or its consultants for reimbursement for payment of costs or expenses incurred in the preparation of the response or other information related in any way to this RFP.

