

City of Union City, County of Hudson

**Request for Proposals for
Redevelopment of 8th Street Parking Lot Site**

NOTICE IS HEREBY GIVEN that proposals will be received by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey on Thursday, March 16th, 2017 at 11:00 A.M. prevailing time in the City Clerk's Office, second floor, 3715 Palisade Avenue, Union City, New Jersey, 07087 at which time and place the proposals will be opened and read in public for:

Redevelopment Proposals of 8th Street Parking Lot Site

Pursuant to the Fair and Open Process described under N.J.S.A. 19:44A-1, et. seq. the City seeks Requests for Proposals (RFP) for providing redevelopment proposals for the 8th Street Parking Lot Site located in the City of Union City. All candidates are required to comply with N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27 as amended (Affirmative Action), and all other applicable State and Federal law outlined in the RFP.

One (1) original and (3) copies clearly marked "A Proposal for Redevelopment of 8th Street Parking Lot Site" must be received no later than **11:00 A.M.**, local time prevailing, on **Thursday, March 16, 2017** to the following office:

**City of Union City
Erin Knoedler, Deputy City Clerk
3715 Palisade Avenue
Union City, NJ 07087**

Any questions relative to interpretation of the specifications for this RFP should be submitted in writing no later than **4:00 p.m.** on **February 22, 2017** to the City Planner:

**David Spatz, P.P., AICP
Union City Planner
City of Union City
3715 Palisade Avenue
Union City, NJ 07087**

I. INTRODUCTION

The City is seeking qualified developers to propose a senior, affordable housing development on one irregularly-shaped lot located between Summit and Central Avenues between 8th and 10th Streets in the southern area of the City.

All information furnished in this Request for Proposals was gathered from sources deemed to be reliable. No representation or warranty is made as to the accuracy or completeness of the information contained in this document. All information included in the Request for Proposals should be independently verified by prospective respondents.

This Request for Proposals does not commit the City of Union City to enter into any contract or development agreement, nor to approve any proposal, nor pay any costs incurred in the preparation of a proposal in response to this request or in subsequent negotiations. All projects are subject to all applicable land use approvals and permits required under the City's Master Plan and code regulations, as well as any state regulations that may apply. See Exhibit 2 for a preliminary schedule of the RFP process.

The City of Union City reserves the right to reject any and all proposals submitted and to abandon the process at any time, for any reason.

BACKGROUND

Located in Hudson County, Union City has a total population of 66,455 according to the 2010 Census; the US Census Bureau estimates that the population as of July 1, 2015 is 69,156. As of the 2010 Census, Union City is the densest city in the country with a density of 51,810 people per square mile. The City is 1.28 square miles and is part of the New York metropolitan area. Union City is the second most populous city in Hudson County after Jersey City.

The City is bisected by Interstate Route 495 running in an easterly/westerly orientation, providing easy access to the Lincoln Tunnel. Union City is generally bordered by West New York to the north, North Bergen to the west, Weehawken to the east and Hoboken and Jersey City to the south. Paterson Plank Road bisects the City in a northwesterly/southeasterly orientation and is less than two blocks from the subject site.

Union City is a working class community. Hispanic is the dominant ethnic group in the City at 84.7% (the largest Hispanic population percentage in New Jersey) and Nonhispanic whites make up 15.3% of the population. The City's population is 58% white and 5.2% black; the rest of the racial makeup is Native American, Asian, Pacific Islander or some other race. A total of 23.7% of the City's population is under the age of 18 and 12.7% are 62 years of age or older. The median age is 33years.

As of 2014, 15% of the City's population is employed in education and health care; 11% is employed in manufacturing; 12% professional; 12% retail; 10% transportation; 6% finance/insurance/real estate;; 4% wholesale trade; 7% construction; 2% public administration; 13% entertainment/recreation.

Union City had a vacancy rate of 11% in 2014.

The median income for a household in the city is \$40,939, and the median income for a family is \$41,121. The per capita income in 2014 in the city was \$19,834. About 24.5% of the population and 22.5% of families were below the poverty line, including 36.1% of those under age 18 and 23.5% of those 65 or over.

II. PROJECT DESCRIPTION

The goal of this RFP is to solicit proposals and to select a developer with the experience and financial capacity to produce an attractive and economically viable project for senior rental apartments for the community of Union City.

The project site consists of one irregularly shaped lot (block 42; lot 9) with frontage on both 8th (73.5 feet) and 10th (75 feet) Streets between Summit and Central Avenues and is approximately 382 feet in length. Total gross square footage of the lot is 29,500. The site is currently owned by the City. A corner portion of the site is leased to a post office on 8th Street, extending approximately 65 feet back from setback. The project site is situated among single family homes and storefront businesses and is in a well maintained, working class neighborhood. The site is walking distance from the main commercial district that includes banks, pharmacies, restaurants and local businesses. Summit Avenue is designated as part of the City's Urban Enterprise Zone. See Exhibit I.

Zoning for the site is currently in the City's P (Public Zone) which requires municipal purpose use. Municipal purpose includes the development of age-restricted housing and affordable housing as principal uses. Current bulk standards for mid-rise apartment buildings are applicable to this site and include up to 5 stories (60 feet) for lot area of 15,000 square feet or greater and lot coverage of 75% or 90% when parking is provided in building.

The City is anticipating approximately 100 affordable units, primarily one bedroom, in a mid to high rise building. In addition, passive recreation facilities and some senior services are expected. A community room, a small retail, convenience or grocery store and a health and wellness center are examples of some potential amenities that would be highly desirable. The City's preference is to relocate the post office to within the project's commercial space.

The City will consider donation of the parcel for purposes of the project development to the designated developer upon satisfaction of the goals stated in this Request for Proposals.

Utilities are available on site, but Union City has combined sewer outflows and as such a detention facility would most probably be required. A water/wastewater capacity analysis should be undertaken and addressed as part of the submission.

The City is prepared to entertain applications for bulk variances in order to achieve the goal of this Request for Proposals. In addition, the City is willing to consider financial incentives such as PILOTs, where applicable. It is the responsibility of the Responder to develop recommendations regarding a parking configuration that maintains parking for the community while allowing parking for the residents. It is anticipated that parking

requirements for the target population will be minimal and as a result, variances to bulk parking regulations will be considered.

III. ENVIRONMENTAL STATUS

The Designated Developer will accept full responsibility for any environmental cleanup necessary and will indemnify the City of Union City against all claims related to environmental liability. The Designated Developer is not precluded from reaching any agreement with any responsible party for environmental liability or cleanup, subject the approval of the New Jersey Department of Environmental Protection.

It is the responsibility of the Designated Developer to conduct all environmental reviews and cleanups, and secure NJDEP approvals and/or Remedial Action Outcomes (RAOs) as necessary.

IV. CLARIFICATION OF RFP

Questions regarding this RFQ must be submitted in writing, via e-mail, to the Union City Planner at the address listed on the front cover by the deadline specified in Exhibit II in order to ensure that they will be considered. All respondents will be provided with copies of all questions received and written responses by Union City.

V. Terms and Conditions of this Request for Proposals

Respondents acknowledge that the terms of this Request for Proposals will become the contractual obligation on the part of the Parties. As part of the response to this RFP, a respondent can propose changes that may be accepted by the City in its sole discretion. The City reserves the right to accept, deny or negotiate changes that have been proposed and is under no obligation to consider any proposed changes.

The contract awarded as a result of this RFP shall include all of the requirements of the form of contract that is attached hereto as Exhibit III, shall include all of the requirements of this RFP and may also include such terms and conditions as may result from negotiation between the parties after receipt of Proposals. The selected Respondent shall have twenty (20) days from the date of receipt of the form of contract to execute the contract and to provide all necessary supporting documents, such as insurance certificates.

The schedule for this process may be subject to change. Union City reserves the right to modify this process at any time. Union City also reserves the right to limit those firms from whom Proposals are solicited; to solicit from other firms at any time; and to add or drop any firm from the list of those solicited; and to re-issue a new RFQ or RFP at any time.

Participation by any firm in this process does not constitute the basis for any contract between Union City and that firm. Contracts for the services that are the subject of this RFP shall only be in force and effect upon the execution of a legally valid agreement that has been properly authorized by the Union City Board of Commissioners.

The preparation of the Proposal shall be done solely at the expense of the respondent. Union City will not reimburse any respondent for any costs associated with the preparation and submission of any statement or for any other activity associated with this RFP.

Upon receipt by Union City, all proposals become the property of Union City. As such, the information contained therein may be subject to public disclosure.

VI. Items to be Included

To be considered, the proposal must be responsive to the issues listed below. Other information is welcome.

1. Project Vision - Provide drawings and images that give a sense of your firm's vision for the site. These drawings may include site plans, conceptual drawings, programmatic floor plans, elevations and/or sustainable design illustrations. Images may include photographs of similar projects already built. Drawings and images should give a clear sense of the project, its amenities and proposed parking facilities

2. Description of Firm and Its Capabilities - Provide a brief description of your firm and its capabilities to provide the services required. Include a notarized statement disclosing the ownership and capital structure of the firm. The disclosure should set forth the names and addresses of all general partners, if a partnership or all shareholders who own 10% or more of its stock of any class using the form attached hereto as Exhibit V. If any stockholder or partner is itself a partnership or corporation, the disclosure should include the names and address of partners or shareholders who own 10% or more of the stock of any class thereof. This process should continue along the chain of ownership until all names and addresses of every non-incorporated and non-partnership individual having the specified level of involvement, are disclosed. The disclosure should also identify the percentage of ownership by minorities and women. A copy of the firm's most recent annual financial statement should be included as an appendix.

3. Staffing Levels - Provide the existing staffing level of the firm and any plans for increase or decrease thereof within the next six-month period.

4. Personnel - Please provide a brief resume of the individuals in your firm who would be responsible for the implementation of the Project from a supervisory or management perspective, indicating the senior officer (Team Manager). Provide a brief resume for each person that would be assigned to the Project in a supervisory or management capacity and describe his/her experience in rendering services of the nature required by the Project. Indicate the role of each such individual in implementing the Project and include an organization chart depicting the relationship between all personnel on the project team.

5. Specialized Skills – Provide an indication of those skills or expertise that set your firm or your sub-contractors apart from others in this field (i.e. affordable housing development, historic architecture preservation, brownfield redevelopment certification).

6. Summary of Related Experience - Provide evidence of the firm's ability to perform on projects of a similar scope and nature. Of particular importance is evidence of the ability to produce quality work, to meet deadlines and to work within budgets. At a minimum, the statement should provide a list of at least five projects of similar scope done since January 1, 2010, of which at least two should primarily involve development/redevelopment in an urban setting in Northern New Jersey. Respondent should have a minimum of ten (10) years' experience doing development/redevelopment work and include a list of senior housing properties under management.

Union City prefers that experience with municipalities or municipal redevelopment entities in New Jersey be included in the proposal. The City prefers local sourcing for Union City residents, where possible with a target goal of 20%.

7. Current Projects - Provide a list of all current projects under development or under construction.

8. Sub-Contracting Requirements - The statement should indicate what portions of work, if any, would be performed by other firms operating on a sub-contract basis. Provide information about each subcontractor at the same level of detail and specificity as is requested for your firm. Indicate which sub-contractors, if any, are sourced locally. Union City reserves the right to approve or reject any or all firms proposed as subcontractors. If any proposed subcontractor is rejected, Union City at its sole discretion may permit the Respondent to propose alternate subcontractors for those tasks.

9. Affirmative Action - Affirmative Action/Equal Employment Opportunity (AA/EEO) is one of the most important factors considered by Union City in reviewing all responses. It is the policy of Union City that Minority Business Enterprise ("MBE") and Women Business Enterprise ("WBE") shall have the maximum practicable opportunity to participate in providing services to Union City and Union City strongly encourages MBE and WBE participation. Provide a summary of your firm's accomplishments in the area of AA/EEO and indicate how your firm intends to meet Union City's goal for MBE/WBE participation in this contract.

10. New Jersey Presence - Describe your firm's presence in New Jersey, specifically including the number and type of staff and the location of offices.

11. Sustainable Experience – Describe your firm's experience with green buildings and sustainable design. If applicable, list previous green projects completed by your firm. Indicate who on your staff has environmentally-conscious certification such as LEED or Green Globes.

12. References - Provide the names, addresses and phone numbers of three professionals within the development industry, other than clients or former principal employees, who are qualified to comment on the quality of your firm's operation. Indicate the basis of each reference's knowledge of your firm.

13. Insurance - Please indicate the extent of insurance coverage which your firm carries to protect against liability related to the performance of services. Include the name of all

carriers, policy numbers and amounts of coverage. At a minimum, Union City expects the Developer and/or its consultants and subcontractors to be adequately insured in the areas of Workers' Compensation, general liability, property damage, automobile liability and professional liability. Such insurance, at a minimum, includes \$5 million general liability, \$1 million property insurance, \$1 million professional liability and Worker's Compensation, per City requirements.

14. Financial Condition – Please provide an audited financial statement for the firm for the most recently completed fiscal year. Documents and information submitted in response to this RFOTF shall become property of the City and generally shall be available to the general public as required by applicable law, including the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-1 et seq., the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. and State right-to-know laws.

15. Bank Reference – Please provide the name, address and contact person for the principal bank utilized by the firm.

16. Defaults – Please provide a complete list of any and all projects for which the firm, for any reason, failed to complete any work that had been awarded to the firm. Provide explanations in each case as to reasons why the work was not completed.

17. Conflicts - Describe any existing or potential legal or other policy conflicts of interest or appearance of conflict of interest your firm may have, or which reasonably might arise, because of your involvement in this engagement. In preparing your response, please be aware that Union City frequently engages in transactions involving other entities, including other local governments, school districts and not for profit corporations. Please identify any family and/or business relationship that a principal has with any city employee and/or city public official.

18. Investigations - State whether your firm or any of the principals in your firm has been (in the past three years) or are currently the subject of any Federal or state investigation, and indicate the nature of that investigation.

19. Litigation - Indicate any pending litigation in which your firm or any of the principals in your firm is involved which may directly or indirectly affect the firm's ability to assist Union City in any manner.

20. Non-Collusion Affidavit - The Respondent must include with the response a non-collusion affidavit, in the form as provided in Exhibit VI as is appropriate to the type of company.

21. Affidavit of Truthfulness - The Respondent must include with the response an affidavit attesting to the truth and accuracy of all information submitted in the form as provided in Exhibit VII as is appropriate to the type of company. Exhibit VII

22. Authorization for Release of Information – Please provide written authorization to all persons, firms or corporations to furnish such information as may be necessary to verify the representations made in response to this RFP.

23. Other Information - Please discuss any other factors not mentioned above which you believe are relevant to Union City's selection of your firm.

24. Completeness of Response - In order to be assured that your response has addressed all the areas of concern, you must also complete the "Checklist of Required Information" which is included as Exhibit VIII.

25. Required Licenses and Certifications – The responder, its principals and/or associates should represent that they have never had any state required licenses or certifications that may be relevant to the type of work to be performed, suspended or revoked. If such has as sometime been subject to such status, please explain under a separate cover letter. Any investigations, adverse finding or pending criminal or civil matters should be explained in detail under separate cover letter.

VII. Selection of Designated Developer

Upon the completion of the review of the proposals submitted to this RFP and such interviews as may be conducted, Union City may select, in its sole discretion, that firm or firms whose proposal is in the best interests of the City.

VIII. Reservation of Rights and Options

Union City, in its sole discretion, reserves the following rights and options with regard to any Proposal:

1. To abandon the RFP process, including the right to decline to designate any Developer related to this RFP, for any reason or no reason.
2. To accept the Proposal that, in the City's sole judgment, best serves the interests of the City.
3. To waive any condition, requirement or formality that would otherwise have constituted non-conformance with the provisions of this RFP.
4. To reject any or all Proposals.
5. To reject incomplete or non-responsive Proposals.
6. To change or alter the terms of this RFP.
7. To undertake all actions necessary to clarify or verify information provided by any Respondent.
8. To interview or require presentation from any or all Respondents.

EXHIBITS

- Exhibit I.....Site Location Map
- Exhibit II.....Preliminary Schedule
- Exhibit III.....Form of Contract
- Exhibit IVForm of Corporate Resolution
- Exhibit VDisclosure of Ownership Forms
- Exhibit VIAffidavit of Non-Collusion Forms
- Exhibit VIIAffidavit of Truthfulness Forms
- Exhibit VIIIChecklist of Required Information

Exhibit I: Site Location Map
 8th Street Parcel, Union City, New Jersey

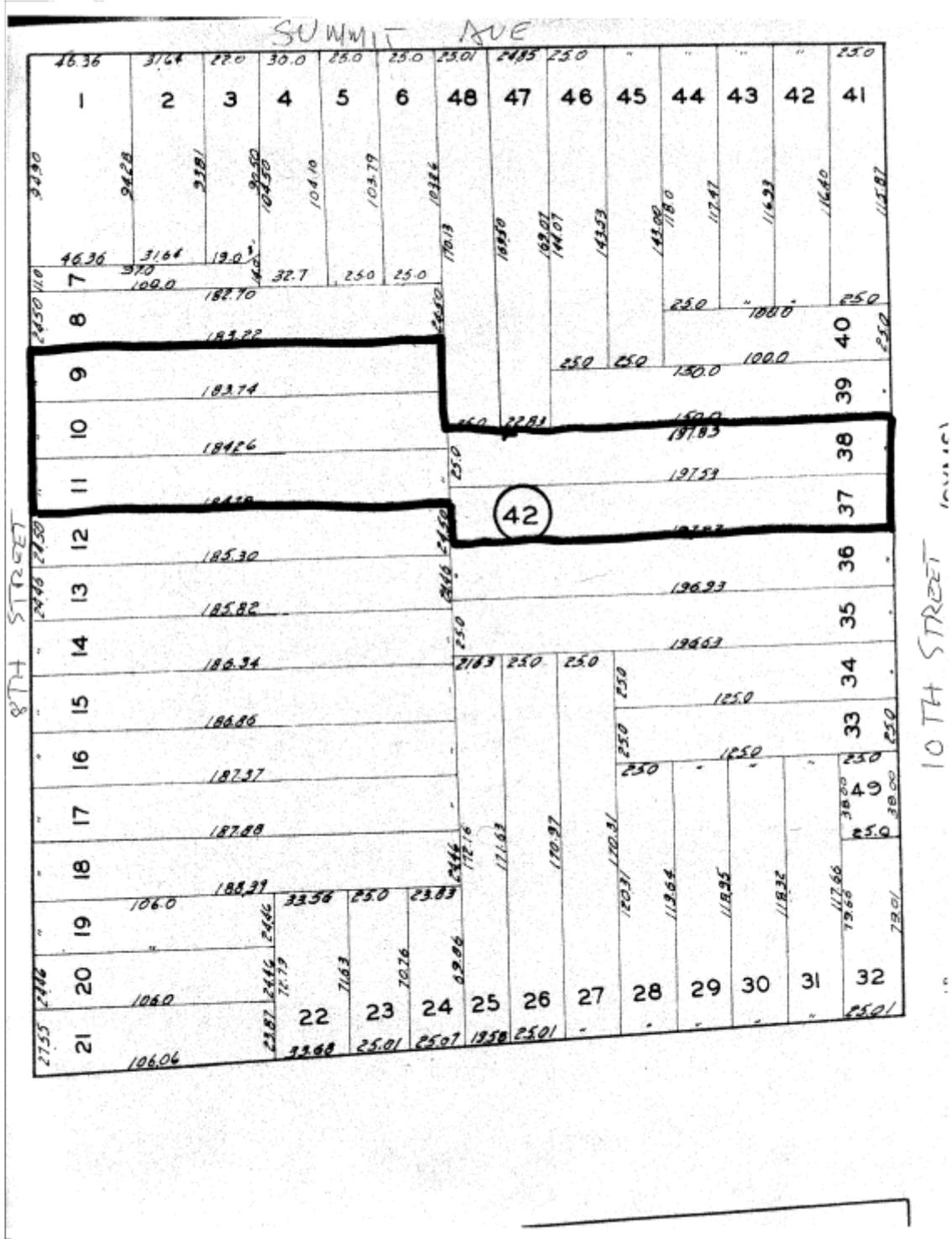


Exhibit II: City of Union City Preliminary RFP Schedule

Request for Proposals Issued	February 1, 2017
Question must be received by	February 22, 2017
Proposal Submission Date	March 16, 2017
City Review Period	April 24, 2017
Proposal Presentations (if necessary)	May, 2017
City Recommendation to Board of Commissioners	June, 2017
City Approval	July, 2017
Contract Execution	August, 2017
Pre-Construction Meeting	September, 2017
Construction Begins	October, 2017
Construction Completion	October, 2018

This schedule assumes City Commissioner approval of the contract is necessary and that approval will be received in July, 2017. If no approval is necessary, the schedule can be shortened by 3-4 weeks.

Exhibit III: Form of Contract

DEVELOPER'S NAME: _____

DEVELOPER'S ADDRESS: _____

TELEPHONE NUMBER: _____

On behalf of the Developer, I certify that this Proposal is submitted with full knowledge of this Request for Proposals, its attachments and exhibits and that the Developer agrees to comply with the terms and conditions of this Request for Proposals.

Seal of Developer (If a Corporation)

Signature Date

Name

Title

Exhibit IV: Form of Certified Corporate Resolution

PLEASE TAKE NOTICE that a meeting of the Board of Directors of the

_____ was held at _____ AM/PM on
(Name of Corporation)

_____ at _____
(date) (address)

(Address)

at which time the following RESOLUTIONS were unanimously adopted as follows:

RESOLVED that this Corporation is authorized to submit a Proposal to the City of Union City for designation as Developer for the 8th Street Parcel, Union City, New Jersey.

BE IT FURTHER RESOLVED that if this Corporation's Proposal is accepted by Union City, the _____ of this Corporation is authorized to execute and deliver on its behalf, a contract with Union City substantially in the form of Exhibit III of the Request For Proposals with such changes thereto as may be negotiated by the parties.

The undersigned Secretary of this Corporation hereby certifies that the foregoing Resolutions were lawfully adopted by the Board of Directors of this Corporation on the date set forth above, that the foregoing Resolutions are a true, accurate and complete copy of the Resolutions so adopted and placed in the Corporation's records, and that they are in full force and effect as of the date hereof.

Secretary

Date

(Affix Corporate Seal)

Exhibit V-1: Disclosure of Ownership

Instructions:

New Jersey law (NJS 52:25-24.2) requires that all Corporation and partnerships receiving public contracts submit a list of the names and addresses of all principals who own more than 10% of any class of stock, or 10% or more of the total stock (if a corporation), or 10% or more of the partnership. In addition, if the Respondent has as one or more of its owners a corporation or partnership, the ownership of those entities must be similarly disclosed, and that process shall continue down the entire chain of ownership until the names and addresses of every non-incorporated stockholder and/or individual partner is disclosed.

This information must be provided on the forms following these instructions entitled "Disclosure of Ownership". Separate forms should be used for each corporation or partnership included in the chain of ownership. Each form must be signed by an officer of the corporation and be attested to by the secretary (if a corporation) or by all partners (if a partnership). Partnership forms must be notarized as well.

Failure to properly complete this disclosure statement or to submit it as part of the proposal will be grounds for the proposal to be rejected.

Exhibit V-2: DISCLOSURE OF OWNERSHIP
(for use by Partnerships)

I. Partners

Name

Home Address

Signature

Name of Partnership _____

Signature of Notary

Date

Exhibit VI-1:

AFFIDAVIT OF NON-COLLUSION
(for use by Sole Proprietors)

State of _____)

SS

County of _____)

_____, being duly sworn deposes and says:

That he/she is the person whose signature is affixed to the foregoing Proposal, that such Proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named, and that the Proposer has not, directly or indirectly, induced or solicited any other Proposer to put in a sham Proposal, or any other person, firm or corporation to refrain from proposing, and that the Proposer has not in any manner sought by collusion to secure to the above named Proposer an advantage over any other Proposer.

By: _____
Signature of Proprietor

Sworn to before me

This ___ day of _____, 20__

Notary Public

Exhibit VI-2:

AFFIDAVIT OF NON-COLLUSION
(for use by Partnerships)

State of _____)

ss

County of _____)

_____, _____, _____,

_____, _____, _____,

Each being duly sworn, each deposes and says for himself or herself:

That he/she is a member of and that they collectively comprise the partnership firm designated as _____, which is the party making the foregoing Proposal, that such Proposal is genuine and not sham or collusive or made in the interest or on behalf of any person not therein named, and that the Proposer has not, directly or indirectly, induced or solicited any other Proposer to put in a sham Proposal, or any other person, firm or corporation to refrain from proposing, and that the Proposer has not in any manner sought by collusion to secure to the above named Proposer an advantage over any other Proposer.

Signature of Partner

Date

Sworn to before me

This ___ day of _____, 20__

Notary Public

Exhibit VII-1:

AFFIDAVIT OF TRUTHFULNESS
(for use by Sole Proprietors)

State of _____)

ss

County of _____)

_____, being duly sworn deposes and says:

that he/she is the person whose signature is affixed to the foregoing Proposal, that the information that is included in the Proposal for the development of _____
_____ for the City of Union City is true and accurate in all respects to the best of his/her knowledge and belief.

By: _____
Signature of Proprietor

Sworn to before me

This ___ day of _____, 20__

Notary Public

Exhibit VII-2:

AFFIDAVIT OF TRUTHFULNESS

(for use by Partnerships)

State of _____)

ss

County of _____)

_____, _____, _____,

_____, _____, _____,

each being duly sworn, each deposes and says for himself or herself:

That he/she is a member of and that they collectively comprise the partnership firm designated as

_____, which is the party making the foregoing Proposal, that the information that is included in the Proposal for the development of _____

_____ to the City of Union City is true and accurate in all respects to the best of his/her knowledge and belief.

Signature of Partner

Date

Signature of Partner

Date

Signature of Partner

Date

Sworn to before me

This ___ day of _____, 20__

Notary Public

Exhibit VII-3

AFFIDAVIT OF TRUTHFULNESS

(for use by Corporations)

State of _____)

ss

County of _____)

_____, being duly sworn deposes and says:

That he/she is the _____, of the Corporation making the
(Title of Officer Signing Proposal)

Proposal, and that the information that is included in the Proposal for the development of
_____ for the City of Union City is
true and accurate in all respects to the best of his/her knowledge and belief.

Name of Corporation

By: _____
Signature of Officer Date

Attested by: _____
Secretary of Corporation Date

Affix Corporate Seal

Exhibit VIII: CHECKLIST OF REQUIRED INFORMATION

The following are the elements required by the “Request for Proposals”. Please indicate the page numbers of your response which address each area.

<u>Required Element</u>	<u>Page(s) Addressing this item</u>
Plan for the Provision of Services	_____
Description of the Firm (including Disclosure of Ownership (Exhibit VI)	_____
Staffing Levels	_____
Personnel	_____
Specialized Skills	_____
Summary of Experience	_____
Current Projects	_____
Sub-Contracting Requirements	_____
Affirmative Action	_____
Sustainability Experience	_____
New Jersey Presence	_____
References	_____
Insurance	_____
Financial Condition	_____
Bank Reference	_____
Defaults	_____
Conflicts	_____
Investigations	_____
Litigation	_____
Non Collusion Affidavit (Exhibit VI)	_____
Affidavit of Truthfulness (Exhibit VII)	_____
Authorizations to Release Information	_____
Corporate Resolution (if applicable)	_____
Financial Plan	_____