

I. INTRODUCTION AND GENERAL INFORMATION

A. Richland Village Area Description

Richland Village is located in the eastern portion of Buena Vista Township, Atlantic County and is predominantly oriented along the Harding Highway, U.S. Route 40 corridor, in an east to west axis, with a combination of commercial and residential uses extending on either side of the corridor and the majority of the residential development within the remainder of the village area. Richland Village is a small, rural community which takes great pride in their community and maintains a strong interest in preserving the rural character that symbolizes the area's historical significance.

From a regional location and transportation perspective, Richland Village is well situated with easy access along U.S. Route 40, which is a main corridor used to reach Atlantic City and the various shore points of southern New Jersey from Delaware, Maryland, Washington, D.C. and other points to the west of the Village. Furthermore, its location in southern New Jersey is unique in that although, it is within the Jersey Shore region, it is also within reach of the major metropolitan areas of Washington, D.C., Philadelphia and New York within a three hour drive or less. The Village is not over-developed as are some of the nearby shore communities and the area still retains the abundant natural and wildlife resources that have allowed it to develop into a unique community that serves as the gateway to the shore, the casinos and the Pinelands, all dependent upon one's perspective. Additionally, it shall be noted that the Richland Village Redevelopment Area is located within 35 miles of Atlantic City, the City of Millville with its upcoming Motor Speedway, and to the Delaware River/Memorial Bridge which provide ease of access to the states of Delaware, Maryland and Pennsylvania.

Beyond Richland Village being in an advantageous proximity to the shore region is the fact that it is a Pinelands Village within the Pinelands National Reserve and is identified by the Pinelands Comprehensive Management Plan as a traditional community which is appropriate for infill development including commercial uses which will be compatible with the existing character of Richland Village.

The very form and layout of the Richland Village area lends itself to the rehabilitation of an authentic village environment that could include specialty retail activities, antiques, restaurants and related manufacturing associated with specified crafts. The presence of the existing railroad line, which bisects the U.S. Route 40 corridor at an approximate mid-point along the corridor, provides the opportunity to extend excursion rail service to points beyond the Richland Village area. The railroad has been activated, with limited passenger rail service, from the City of Cape May to the Cape May County Zoo located in Cape May Court House. On October 8, 2005, the inaugural train ride took place from Richland Village, Buena Vista Township, Atlantic County, to Tuckahoe, within the Upper Township area of Cape May County. The excursion rail service continued during Saturdays from October 15th through December 17th of 2005 and 2006, with future anticipated expansion of this schedule to continue in 2007 and beyond. The ultimate goal with the renewed excursion rail

service is to one day feature travel opportunities from Richland Village south to Cape May and north to the Winslow Junction, Camden County.

The heart of the Richland Village plan revolves around proposed new development along U.S. Route 40, between Main Avenue and Cedar Avenue, consisting of new retail, services and specialty shops. The intent is to incorporate new development within the village area that is consistent with and complimentary to the existing businesses along the U.S. Route 40 corridor and throughout Richland Village. The anticipated redevelopment of Richland Village Redevelopment Area is targeted for commercial development only, residential redevelopment is **NOT** a component of this project at this time and any submitted RFP documents which include a residential component will be eliminated from the review and consideration process by Buena Vista Township.

Buena Vista Township has identified a priority area for the initial phase of anticipated redevelopment activity within the Richland Village Redevelopment Area. This priority area includes Township owned lands which are located predominantly on the south side of Route 40 and between Cedar Avenue and Main Avenue, around the rail line. The desired type of redevelopment will blend in with the already established railroad themed buildings and character of the area which has been initiated by Buena Vista Township. The Township is looking for redevelopment within this priority which will continue the established theme with additional railroad style designed buildings and structures. Additionally, the Township is looking for redevelopment which will not only incorporate "smart growth" planning principles but also incorporates village design characteristics, pedestrian walkways and connections, and improvements to Route 40 which will further traffic calming concepts as promoted by the NJ Department of Transportation. The Richland Village Redevelopment Area will also require infrastructure improvements to the area which shall be consistent with the needs of the anticipated development within the whole of the Richland Village Redevelopment Area.

The anticipated new development will be subject to the Richland Village Design Guidelines report and design recommendations included in a Traffic Calming Study of Route 40 which was recently prepared for Buena Vista Township by Urban Engineers of Philadelphia. Additionally, any development within the Richland Village Redevelopment Area is subject to the requirements of the Pinelands Commission, Comprehensive Management Plan and design recommendations of the Land Use & Technology Programs staff of the Pinelands Commission as well as any other Local, County, State and Federal agencies as deemed necessary.

B. Richland Village Redevelopment Plan Information

1. Redevelopment Plan Process

Buena Vista Township Committee and the Buena Vista Township Planning Board initiated the redevelopment process for the Richland Village Redevelopment Area in October of 2004. Over the course of 2005 and 2006 the Planning Board and Governing Body pursued the redevelopment process as outlined in the State of New Jersey, Local Redevelopment and Housing Law (N.J.S.A. 40A:12a-1 et. seq.) which resulted in Richland Village Redevelopment

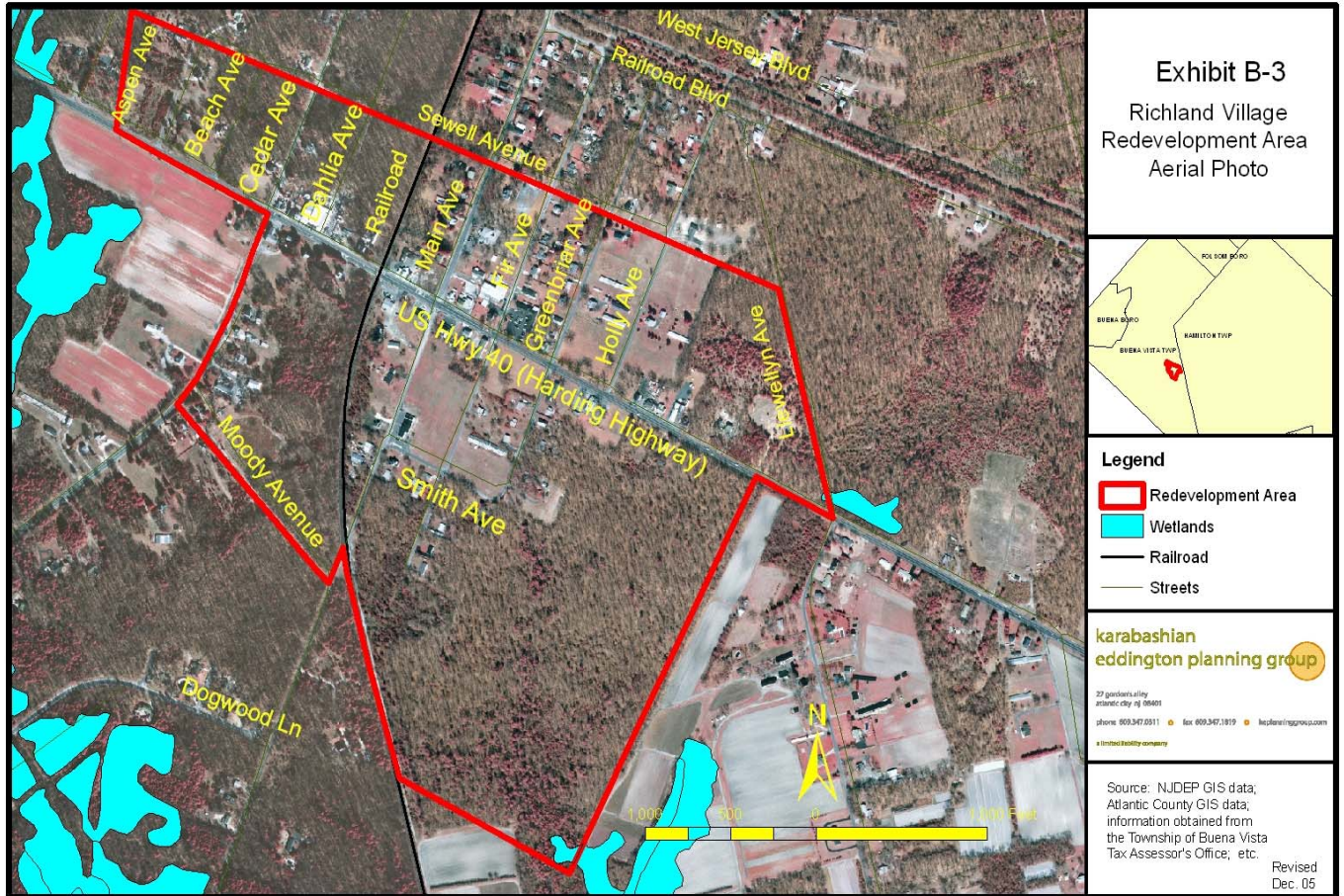
Plan being adopted through Ordinance 4-2006 on March 13, 2006 and amended through Ordinance 9-2006 on July 10, 2006 by the Buena Vista Township Governing Body. The State of New Jersey Pinelands Commission certified Ordinance 4-2006 and Ordinance 9-2006, which adopted the Richland Village Redevelopment Plan and amended the Zoning Map of Buena Vista Township, on September 8, 2006 as being in conformance with the Pinelands Commission, Comprehensive Management Plan.

2. Richland Village Redevelopment Area, Existing Conditions and Project Area

The Richland Village Redevelopment Area consists of approximately ±162.581 acres, exclusive of public rights-of-way and ±192.47 acres inclusive of public rights-of-way. The majority of the land within the Richland Village Redevelopment Area is located in the developed portion of the village area consisting of permitted uses as found within the Pinelands Village Residence / Commerce (PVRC) Zoning District regulations of the Pinelands Commission.

The Redevelopment Area is bisected by U.S. Route 40, Harding Highway, corridor which is the main source of vehicular access to the area and is oriented in an east / west direction. The project area is generally positioned along an east to west axis on U.S. Route 40 and is bounded by Sewell Avenue to the north, Llewellyn Avenue to the northeast, Edmund Avenue to the south, Moody Avenue to the southwest, Cedar Avenue to the west and Park Place to the northwest. Attached herein is Exhibit B-3, Richland Village Redevelopment Area, Aerial Photo, taken from the Richland Village Redevelopment Plan.

Exhibit B-3 – Richland Village Redevelopment Area, Aerial Photo



The Richland Village Redevelopment Area is located within the Pinelands Natural Reserve area and encompasses the Pinelands Village Residence / Commerce Zoning District (PVRC), which contains both residential and commercial uses and the Pinelands Village Residential Zoning District (PVR2), which contains residential uses and vacant lands. Land uses along the Harding Highway/U.S. Route 40 corridor consist of commercial buildings, vacant land, and residential properties. The orientation of the uses are typically commercial along the U.S. Route 40 edge with residential uses predominantly being located along the side streets of the village area. The Township is in ownership of a majority of the lands located along the north/south bisecting rail line as well as parcels which front along U.S. Route 40 and are located in the area between Greenbriar Avenue and Cedar Avenue within the PVRC Zoning District and between Main Avenue and the eastern boundary of the Richland Village Redevelopment Area within the PVR2 Zoning District. The Richland Village Redevelopment Area contains parcels of land which are located wholly or partially within the following Tax Blocks, as per the Township of Buena Vista Tax

Maps, 4504, 4511, 4513, 4515, 4517, 4519, 4521, 4523, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4601, 4804, and 4805.

3. Richland Village Redevelopment Plan Goals and Objectives

The Richland Village Redevelopment Plan sets forth particular goals and objectives. The Respondent to this RFP should ensure that the development plan set forth in a formal Response is consistent with and promotes the following, as found within the Richland Village Redevelopment Plan:

- a. To put into place plan initiatives that would reverse the underutilization of the commercially zoned area and strategically located parcels within the redevelopment area.
- b. To develop financial and regulatory incentives to encourage public / private partnerships to redevelop the subject tracts.
- c. To provide for the protection of the environmental amenities that exist within this Redevelopment Area, including but not limited to the wetlands, the soils, protected species of flora and fauna, etc. Any development that occurs within the Redevelopment Area should utilize and respect the environmental attributes that exist within this area.
- d. To establish public / private partnerships by encouraging “...*coordination of various public and private procedures and activates shaping land development with a view of lessening the cost of such development and to the more efficient use of land.*” (M.L.U.L. C.40:55D-2m).
- e. “*To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.*” (M.L.U.L. C40.55D-2f).
- f. “*To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight.*” (M.L.U.L. C.40:55D-2h).
- g. “*To promote a desirable visual environment through creative development techniques and good civic design and arrangements.*” (M.L.U.L. C.40:55-2i).
- h. To provide incentives to promote the growth of new private sector development in the form of commercial / retail, service and specialty shop development, where feasible, which will enhance, strengthen and diversify the Township’s and region’s economic base. Such development should fully incorporate the principles of Smart Growth and Neo-traditional Planning.
- i. To reverse the underutilization of the lands within the Redevelopment Area caused by a combination of inadequate access, obsolete layout,

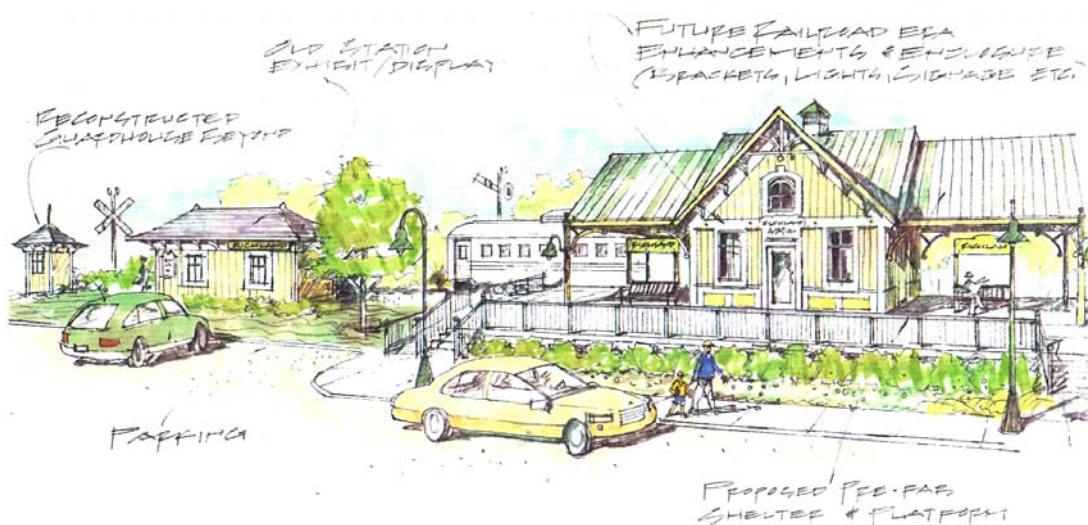
fragmented ownership patterns, and other conditions which have resulted in the suppression of viable comprehensive plan for the area.

- j. Create value for the municipality via an asset-driven redevelopment process within Buena Vista Township.
- k. By way of the creation of this Redevelopment Plan, this document could be used to initiate a marketing program for the area.
- l. Establish critical mass within the Redevelopment Area thus furthering the viability of alternative transportation modes – specifically the continued use of and expansion of the Rail Line.
- m. Encourage the highest quality development that utilizes the principles of Smart Growth and good urban design.
- n. Foster intelligent use and allocation of land

4. Additional Goals and Objectives

Additional goals and objectives identified herein have become evident at the Township pursued the review and approval phases through the Pinelands Commission review phase as well as through a Traffic Calming study which was prepared by Urban Engineers.

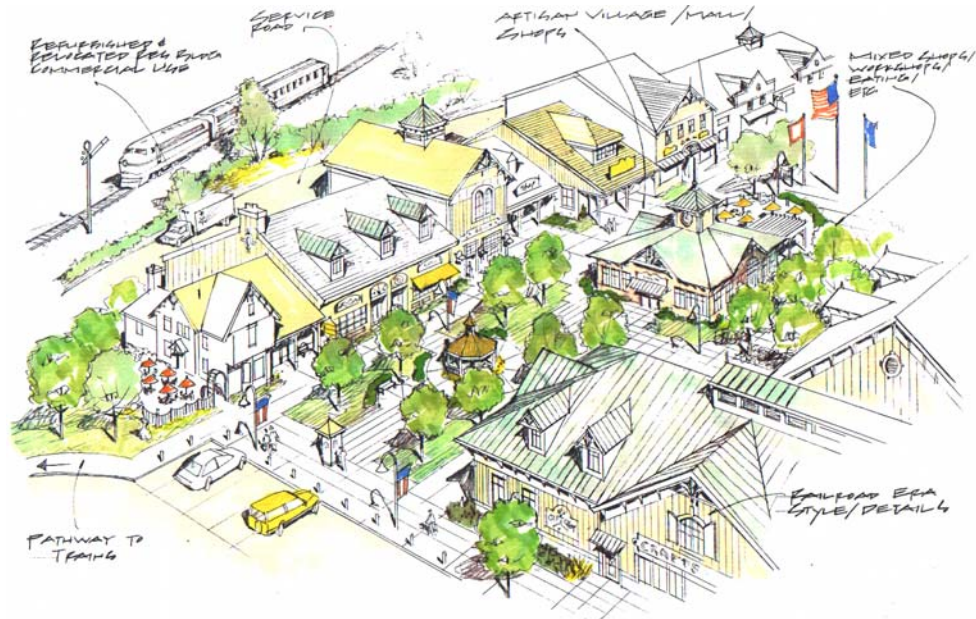
- a. Encourage new developments that utilize architectural and other site design elements that will establish a distinctive neo-traditional developed character to maintain consistency with the established railroad themed character of Richland Village.



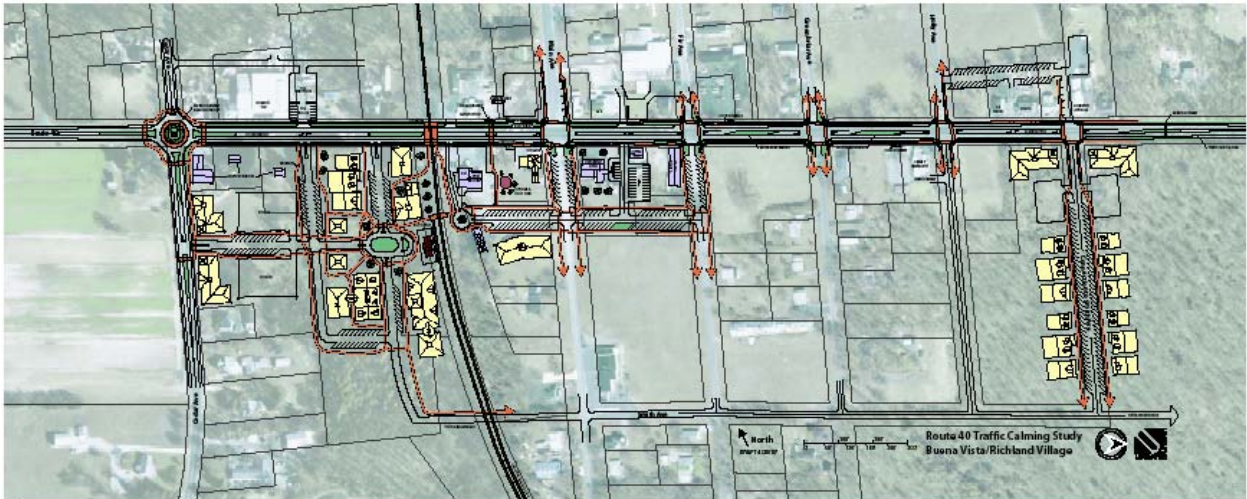
- b. Encourage commercial use developments and reduced setback lines to foster a continuous frontage of buildings and unify the streetscape both along U.S. Route 40 as well as existing side streets and any future additional streets which are created through the redevelopment of Richland Village.



- c. Support developments that are pedestrian-scaled and reinforce the traditional character of the area.

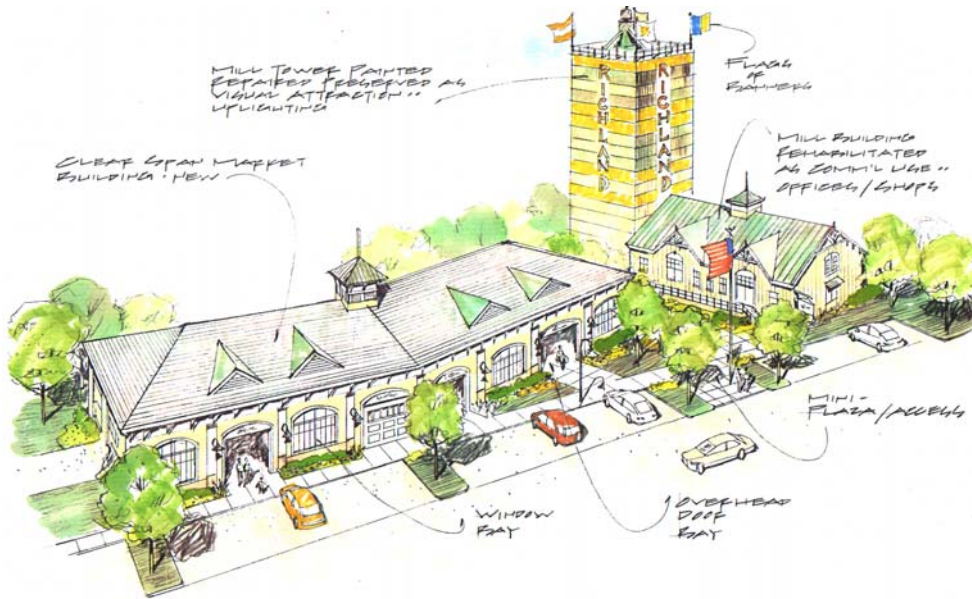


- d. Support development which advances the goals and objectives of the U.S. Route 40 / Harding Highway Traffic Calming Study as prepared by Urban Engineers.



- e. Enhance the physical appearance of the business district through comprehensive and integrated streetscape improvements, building renovations, and related physical improvements.
- f. Implementation of the anticipated Redevelopment Project shall be completed in a manner consistent with and adhering to the Design Guidelines for Richland Village which were prepared as part of the Richland Village Redevelopment Plan and which will be part of the official packet of information for Interested Developers.

- g. Some specific uses Buena Vista Township is looking for would include but not be limited to the following: a “civic center” style, large pole barn type building consisting of around 10,000 SF for special events, a train/railroad museum, restoration the feed mill tower, and specialty commercial shops and uses which will be consistent and complimentary to existing uses within Richland Village.



C. Financing and Other Public Incentives

1. General

The Township reserves the right to determine whether certain financial incentives, including tax and/or financing incentives, should be offered to the successful Respondent(s). If invited to enter into future discussions, the Respondent(s) will be required to detail the structure of their financing proposal identifying private and/or public financing sources, if any.

2. Local Property Tax Incentives

The Township may determine that it is in the best interest of the project to provide a 5-year tax exemption or abatement to the successful Respondent. Such an exemption or abatement would be negotiated between the successful Respondent and the Township simultaneous to and as part of the negotiation of the redevelopment agreement(s) and would reflect the specific terms and restrictions as outlined in the New Jersey Five Year Tax Exemption and Abatement Law, as applicable. The Township reserves the right to determine whether the provision of an exemption or abatement would be in the best interest of the community and whether such an exemption should be offered. If the

Respondent determines that an abatement or exemption is required for their project, they must indicate the reasons during the negotiation phase.

D. Project Participants

Buena Vista Township

Mayor:	Chuck Chiarello (856) 697-2100
Special Project Planner:	Karabashian Eddington Planning Group, LLC (609) 347-0311
Township Administrator:	Ronald P. Trebing (856) 697-2100
Township Solicitor:	Mark H. Stein, Esq. (609) 645-8866
Township Address:	P.O. Box 605 890 Harding Highway Buena, NJ 08310

E. RFP Documents/RFP Information Packet

Each Respondent shall request a complete copy of the RFP Information Packet, including Appendix A through Appendix E, by submitting a non-refundable fee in the amount of **\$50.00 payable to the Township of Buena Vista and forwarded to the Buena Vista Township Clerk at the address of Buena Vista Township, P.O. Box 605, 890 Harding Highway, Buena, NJ 08310. Any questions pertaining to the RFP or the RFP Information Packet may be submitted in writing directly to Ms. Melissa Baker at Karabashian Eddington Planning Group, LLC at 1425 Cantillon Boulevard, Mays Landing, NJ 08330.** Any potential Respondent to the RFP must request the RFP Information Packet and must submit and respond to ALL required items set forth in Section II and III of this RFP. A Respondent must prepare its Response using a complete RFP, including any addenda issued by the Township prior to the date established for submission of the RFP. Neither the Township, nor its agent and employees shall be responsible for errors, omissions, incomplete submissions or misinterpretations resulting from the Respondent's use of an incomplete RFP in preparing or submitting its Response.

The RFP has been made available only for the purpose of soliciting Responses related to the development of the Richland Village Redevelopment Project as generally described in this RFP. No license or grant is conferred or implied to the Respondent or to any other person for any purpose.

F. Project Area Conditions and Arrangements

The Respondent to this RFP should become thoroughly familiar with property conditions throughout the Richland Village area of Buena Vista Township, and should be prepared to provide a formal Response that sets forth a comprehensive strategy for redevelopment, with the Richland Village Redevelopment Plan functioning as the project's touchstone. The redevelopment area that is the subject of a Response shall be referred to as the "Project Area".

II. INSTRUCTIONS FOR PREPARATION AND SUBMISSION OF RESPONSES

A. Submission of Responses: Time and Place

Responses shall be submitted to the Township Clerk's Office located at 890 Harding Highway, Buena, NJ 08310, **before 3:00 PM on Wednesday, December 30, 2009** and shall include a non-refundable application fee. An Applicant submitting a proposal shall submit a flat fee of \$5,000. This fee is intended to cover the Township's costs for professionals and others to review the Proposals; however, the Township is not required to specifically account for such costs and no part of the fee shall be refunded to any of the applicants. Responses shall be enclosed in an opaque, sealed envelope, marked with the name of the project, "**Richland Village Redevelopment Project**", name and address of the Respondent and shall be directed to:

**Township Clerk's Office
Buena Vista Township
P. O. Box 605
890 Harding Highway
Buena, NJ 08310**

One (1) original and eleven (11) copies of the Response shall be submitted and received **BY HAND DELIVERY, CERTIFIED MAIL / RETURN RECEIPT REQUESTED, OR BY OVERNIGHT COURIER** on or prior to the above-referenced date and time. One of the copies (original) shall be unbound.

All Responses submitted will remain unopened until the time and date established for the Response opening. Any Response or portions thereof that are submitted and received after the specified deadline will be marked "received late" and will be returned unopened to the firm submitting same.

The delivery of the Response to the Township on the above date and prior to the time specified herein is solely and strictly the responsibility of the Respondent. The Township shall not, under any circumstances, be responsible for the loss of, delay or non-delivery of any Response sent or delivered, by mail or otherwise, prior to the Response opening.

B. Questions / Clarification Requests

Questions pertaining to the RFP should be directed, in writing and received no later than **November 2, 2009** to:

**Ms. Melissa Baker, Senior Project Manager
Karabashian Eddington Planning Group, LLC
1425 Cantillon Boulevard
Mays Landing, NJ 08330**

All firms submitting written questions pertaining to the RFP by the deadline of **November 2, 2009** will receive written responses which will be forwarded directly to the individual or entity.

During the period provided for the preparation of Responses, the Township may issue addenda or amendments to the RFP. These addenda will be numbered consecutively and will be distributed to each of the firms that have requested, in writing, to receive a copy of the RFP. Each Respondent is required to acknowledge receipt of all addenda at the time of submission of the Response by submitting an executed acknowledgement. All Responses to the RFP shall be prepared with full consideration of the addenda issued prior to the Response submittal date.

C. Cost of Preparation

Each Response and all required information pursuant to the RFP shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Township, its staff, or its consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Response or other information related in any way to the RFP.

D. Project Familiarity

It is the responsibility of each Respondent before submitting a Response to (a) examine the RFP thoroughly, (b) become familiar with and consider all federal, state, and local laws, regulations, ordinances, permits, approvals and orders that may affect the cost, laws, regulations, ordinances, permits, approvals and orders that may affect the cost, performance or furnishing of the proposed Project, and (c) inspect the Project Area and any surrounding premises, as it deems necessary and fully inform itself to any material or relevant factors, including ecological, environmental, topographic, subsurface, geological, ground water or other legal, economic, sociological, or regulatory facts or circumstances relative to the Project Area and its proposal; and (d) notify the Township of all conflicts, errors or discrepancies in the RFP, or any other factors it deems material to its proposal or to the development of the Project Area.

Before submitting a Response, each Respondent, at its own expense, shall make or request or obtain any additional inspections, examinations, or studies and obtain any additional data and information that may affect its cost, progress, performance or

furnishing of the services that the Respondent deems necessary to compile its Response. The failure or omission of the Respondent to receive and examine any form, instrument or document, or to make required inquiries, shall not relieve the Respondent from any obligations and responsibilities relating to the development of the Project Area.

The submission of a Response will constitute a conclusive and binding representation by a Respondent that such Respondent has agreed to, and complied with, every requirement of the RFP. As part of a Respondent's response to the RFP, a Letter of Intent, fully executed by the Respondent's principals, must be included in the Respondents' Response packet to the RFP.

E. Disclosure of Information

If the Respondent chooses to include material of a proprietary nature in the Response, the Township will use reasonable efforts to keep such material confidential to the extent permitted by applicable law. The Respondent must specifically identify each page of its Response that contains such information by properly marking the applicable pages. Preferably, any sections that contain material of a proprietary nature shall be severable or removable from the Response to assist the Township in protecting this information. The Respondent also shall include the following notice in the introduction of the relevant Response:

“The data on pages ___ identified by _____ and labeled “Proprietary Information”, contain information that is a trade secret and/or which, if disclosed, would cause substantial injury to (Respondents) competitive position. (Respondent) requests that such data be used only for the evaluation of the Response and understands that disclosure will be limited only to the extent that the Township determines it proper or to the extent that the Township deems disclosure necessary according to law.”

The Township assumes no liability for any loss, damage, or injury that may result from any disclosure or use of marked data or any disclosure of this or other information.

The Township reserves the right to place any Responses on public display and/or make Responses available for public review.

F. Withdrawal

A Respondent may request withdrawal of its Response prior to the date and time set for the opening of the Responses provided that a written request to withdraw the Response is hand delivered to the Township by or on behalf of an accredited representative of the Respondent, or the request is delivered by certified U.S. Mail. The request to withdraw the Response must be received by the Township prior to commencement of Response opening. While the Township will seek to honor such withdrawal request, the Township shall incur no liability for failure to do so.

G. Response Acceptance or Rejection

The Township reserves all rights set forth in Section III. D. hereof.

H. Disposal of Responses

All responses are the property of the Township and will not be returned. At the conclusion of the selection process, the Township may dispose of any and all copies of responses received in whatever manner it deems appropriate. However, prior to such disposal, the Township will use reasonable efforts to **prevent the unauthorized disclosure of proprietary information**, provided it is properly identified in accordance herein. In no event will the Township assume liability of any loss, damage or injury that may result from any disclosure or use of marked data.

I. Submission Requirements

All Responses must be submitted complete with all requested information and are to be in conformance with the instructions set forth herein and as required by subsequent addenda, if and as applicable. **The Response and all related information must be bound and must be signed and acknowledged by the Respondent in accordance with the directions herein.**

The Respondent(s) are referred to the following sections hereof, which summarize the documents and required information pursuant to this RFP.

1. Completeness

Each of the instructions set forth in Section III must be followed in order for a Response to be deemed responsive to the RFP. In all cases, the Township reserves the right to determine, in its sole discretion, whether any aspect of the Response meets the submission requirements of the RFP. The Township reserves the right to reject any Response that, in its sole judgment, does not comply with the submission guidelines set forth in this RFP.

2. Number of Copies

One (1) copy of the Response must be clearly marked as the original and must contain the original documents and shall be unbound. The remaining eleven (11) copies may be reproductions and shall be bound. Respondents shall number each set of documents sequentially (numbers 1-12, with number 1 being the original) on the upper right hand corner of each cover.

3. Form

The Respondent shall provide the appropriate information required for each Section in accordance with the following content and format requirements.

- Each volume and all related information shall be bound as a single document. One of the copies shall be unbound. If this is impractical, an exhibit document accompanying the volume may be submitted.
- The responses shall be concise, clear, factual, and complete with a minimum of extraneous material.
- The response shall be indexed and sectioned and shall be prefaced with a table of contents.
- The response documents shall be typed or printed on 8½” by 11” paper.
- Maps and drawings should be included.

4. Organization

Responses submitted in response to the RFP shall consist of the following:

Section I: *Executive Summary, Letter of Intent, Acknowledgement of Addenda (pursuant to Section II, I, 5.)*

Section II: *General Information/Administrative (pursuant to Section II, I, 6-7.)*

Section III: *Financial Qualifications (pursuant to Section II, I, 8.)*

Section IV: *Technical Qualifications (pursuant to Section II, I, 9.)*

Section V: *Proposed Development Plan (pursuant to Section II, I, 10.)*

Section VI: *Supplemental Information (pursuant to Section II, I, 11.)*

5. Executive Summary; Letter of Intent; Acknowledgement of Addenda

Section I of the response shall contain the Respondent's Executive Summary, Letter of Intent and Acknowledgement of Addenda (on the Respondent's official letterhead). The Executive Summary shall include a summary of all key points of the Response including Respondent's Proposed Development Plan.

6. General Information

Section II of the response shall contain the following information set forth in the following order:

- a. The name, address and telephone number of the Respondent's primary business office. If the Respondent's primary business office is located outside of the State of New Jersey, give the address and telephone number of the designated contact location, if any, which will be responsible for participating in this selection process and the project.

- b. Identify the parent company and any subsidiary or affiliated companies of the Respondent, giving the names, addresses and telephone numbers of each company.
- c. Key Personnel – Provide resumes of all key personnel, and any other information that would describe the strength and depth of your organization.
- d. Optional (if known at this time) – Whether the Respondent intends to joint venture, partner or subcontract with any other company or firm or other entity in the submission of a Response. If so, identify such joint venture entity, partner or subcontractor and provide for each the same information as required of the Respondent in paragraphs a and b above. Describe in narrative form the proposed contractual relationship and responsibilities, written or otherwise, of each of the firms or companies that will be participating.
- e. In connection with the above, provide
 - (1) A complete identification of all principals or officers of any entities, firms, arrangements associates, joint ventures, partnerships, or involvements described above;
 - (2) Complete identification of all principals holding ten percent (10%) or more of net equity and all officers of all firms or entities so named; and
 - (3) A complete list of all criminal charges and civil environmental complaints brought against any of those entities, firms or persons that have been involved in any way with Respondent as identified in the foregoing answers and the disposition of all such criminal charges and/or civil environmental complaints, if any.

7. Administrative Information

a. Project Organization

- (1) The Respondent shall submit a Project Organization Plan for this project. The plan should describe, in narrative form and as a chart, the Respondent's proposed organization structure for this project. The chart shall display:
 - The firm's name, mailing address, phone number, fax number, and website.
 - The names, mailing addresses, phone numbers, fax numbers and e-mail addresses of all principals to be assigned to the project. The person who will serve as the project manager shall be identified.
 - The firm's involvement, their inter-relationships and responsibilities, if known; and

- A description of the qualifications, including education and professional experience specifically related to this scope of work, of the firm and all individuals to be assigned to the project including their relationship to the firm.
 - The names, addresses and phone numbers of clients for whom the firm may have performed a similar development.
- b. Describe briefly any significant pending legal and administrative proceedings (other than ordinary routine litigation incidental to Respondent's business) in which the Respondent, its officers, directors, employees or principals or any of its subsidiaries or parent(s), their officers, directors, employees or principals is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, and the principal parties thereto, a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities. Administrative or judicial proceedings arising under any federal, state, or local laws or ordinances that have been enacted or adopted for purposes of environmental protection shall not be deemed "ordinary routine litigation incidental to the business" and shall be described.
- c. Describe briefly any occasion in which Respondent, any officer or principal Respondent with a proprietary interest therein, has ever been disqualified, removed or otherwise prevented from bidding on, participating in, or completing a federal, state, or local governmental project because of a violation of law or a safety regulation.
- d. Describe briefly any occasion in which Respondent has been in a position of default in a federal, state or local government project, such that payment proceedings and/or execution on a payment, performance or bid bond have been undertaken.
- e. Has the Respondent or any of its officers refused to testify or waiver immunity before any state or federal grand jury relating to any public construction project within the last ten years? If so, provide details.
- f. If multiple organizations are participating (e.g., subsidiaries, parent companies, joint ventures and/or subcontractors), the information requested in this Section III, I, 7 should be provided regarding each of the respective organizations.

8. Financial Information

Respondents shall provide the following information in Section III of the Response:

- a. A summary of the amount and source of investment capital (debt and equity) anticipated to be available for the successful development of the Project Area.
- b. A list of three (3) financial references, including a banking reference, noting the names, addresses and telephone numbers.
- c. Financial statements (audited preferred) for the general partner or controlling entity of the development team for the last three (3) years.
- d. Evidence of its ability to secure builder's risk insurance and performance bonding capacity.
- e. Provide information that will support the financial stability of Respondent's firm.
- f. Disclose any negative information that would be deemed material under generally accepted accounting practices and, in addition thereto, any history of bankruptcy, insolvency, receivership, or similar declaration or status determination with respect to individuals or entities associated with the Respondent or any entity or affiliate thereof or individuals, or entities that are principals of said Respondent.
- g. Provide specific information on how Respondent's firm has financed major projects. Indicate the source and amount of debt and equity funds Respondent's firm has arranged in the past.
- h. Specifically indicate if Respondent's firm has provided its own equity in its projects and, if so, to what extent.

9. Technical and Project-Related Information

Section IV of the Response shall contain Respondent's technical and related experience. Respondents to the RFP shall demonstrate their ability to undertake the project by providing the technical qualifications of the Respondent, principal subcontractors, and individual team members. The Township reserves the right to conduct an independent investigation of the Respondent and its subcontractors' technical qualifications by contacting project references, accessing public information, or contacting independent parties. Additional information may be requested during the evaluation of technical qualifications. At a minimum, the Respondent and its subcontractors shall provide the following information to demonstrate its technical qualifications:

a. Summary of Related Projects

Respondent shall include a description of its prior projects with particular emphasis on projects that are similar to the proposal for redevelopment of the Project Area. The portfolio may include visual and descriptive information sufficient to judge the quality and use of the project. For each project, Respondent shall provide the following information:

- Description of each project in terms of use, size, cost, location, and other pertinent factors. Specify the scope, cost, time to completion, completion date and sources of funding for all projects.
- Description of Respondent's role and responsibilities during development.
- List of development partners, if any.
- Method of financing, including names of institutions that provided debt and equity. Financial performance of the project, including return on the investment, returns on equity, and return on gross revenue.
- Project team, including planners, architects, engineers, attorneys and others.
- Respondent's role in managing the facility after completion.
- Demonstrate the project's post-construction success in terms of design, use, construction, management, income, employment, tax assessment, and associated expansions or spin-off development.
- Discuss any unanticipated problems with any of the above issues, as well as how the Respondent has addressed them.

b. Project Operations

- Identify the current ownership and/or property management for each project.
- Provide contact names, addresses and telephone numbers for each of these.
- List any project default in which any of the principals have been a general partner or had a controlling ownership interest during the last ten (10) years.

c. Current or Pending Projects

Briefly describe any current or pending projects being undertaken by all members of the Respondent's team. Identify the current and future workload of staff members being assigned to this project. Identify the location of any current project and include a contact name, address and telephone number for each current client.

d. Project References

Include three (3) references for clients for whom the Respondent has provided similar projects, indicating whether the work was that of the Respondent and/or specific staff who will be assigned to the Project. Identify the client contact name, organization, type of work provided, and the contact's address, telephone number and e-mail (if applicable). Respondent shall indicate whether any of these clients were public entities.

10. Proposed Development Plan

Section V of the Response shall contain the Respondent's proposed Development Plan for the Project Area. The proposed Development Plan shall include the following:

- Proposed development uses;
- Roadway and sidewalks;
- Public transportation;
- Parking;
- Building designs, locations and footprints;
- Public spaces;
- Points of access;
- Buffers, landscaping and general streetscape;
- Signage;
- Lighting; and
- Other infrastructure.

Proposed Development Plans may include multiple or alternate conceptual scenarios for the proposed development. Where appropriate, the proposed Development Plan may also include schematic architectural drawings.

In conjunction with the preparation of the proposed Development Plan, Respondent shall prepare a written summary of the proposed development program including proposed uses and an estimated cost to develop, including a description of Respondent's proposed financing plan.

11. Supplemental Information to be Provided

The Respondent shall include any other information that will be relevant or useful for the Township to consider in evaluating Respondent's response. The Respondent must include commentary regarding the submitted Response addressing the content and compliance with the following documents and issues:

- Desired adherence to the regulations and standards contained in Richland Village Redevelopment Plan relating to the redevelopment area in order to effectuate the proposed Development Plan, prepared by Karabashian Eddington Planning Group, LLC;
- Desired adherence to the recommendations and guidelines of the Route 40 Richland Village (Buena Vista) Traffic Calming Study, prepared by Urban Engineers, Inc.;
- Public facilities/improvements/benefits to be provided in connection with the project;
- Property ownership issues; and
- Environmental concerns.

III. RESPONSE EVALUATION AND SELECTION

A. Evaluation Criteria

Generally, the Township will identify Qualified Respondents giving due regard to past experience, the proposed Development Plan, as well as financial strength and other qualifications and experience which are deemed, at the sole discretion of the Township, to be relevant. Only those Respondents that are deemed qualified by the Township will be considered. Notwithstanding anything else stated herein, the Township reserves the right to select or reject a Respondent on any basis it deems appropriate or to waive any item or requirement set forth in this RFP.

Subject to Section II, I, 9 hereof, all responses will first be evaluated to assure that they meet the requirements of the RFP. Responses meeting the requirements set forth herein will be evaluated based upon the following criteria (not ranked in order of importance):

- Understanding of the project's goals, nature and scope;
- Level of creativity, innovativeness and resourcefulness of past projects;
- Firm and staff experience and qualifications with similar projects (redevelopment properties; joint venture or other partnerships; public entities);
- Project references;
- Firm financial strength and available capital;
- Innovativeness of development concept(s) and plan(s);
- Competency and thoroughness evidenced in the proposed Development Plan;
- Demonstrated experience in a leadership role;
- Demonstrated experience in building development projects;
- Demonstrated ability to arrange debt and equity financing for projects;
- Ability to provide superior qualified staff;
- Ability to assemble a team of recognized firms as part of the development team; and
- Viability of proposed development uses.

Overall, a Qualified Respondent to this RFP must evidence, either directly or as part of an existing or proposed joint venture, partnership or other organization of firms or through the use of subcontractors, the technical ability, financial strength and the willingness to provide the required performance-related guarantees for the services contemplated in this RFP.

B. Selection Process

The Township intends to select one of the Qualified Respondents to undertake negotiations of a redevelopment agreement that will set forth the obligations and responsibilities relating to the development of the Project Area and/or to assist the Township in its development of the Project Area. Such negotiations will proceed for a reasonable time acceptable to the Township and shall culminate in the execution of a redevelopment agreement, termination of such negotiations and Township's selection of another Qualified Respondent for the commencement of negotiations, or Township's abandonment or revision of the selection process contemplated by this RFP.

Selection of a Qualified Respondent for negotiation of a redevelopment agreement will be based on the totality of the information contained in the Response, including information regarding the reputation and experience of the Respondent and their subcontractors, if any, and any other information independently obtained by or on behalf of the Township.

C. Conditions

By responding to the RFP, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Response:

- The issuance of the RFP is not intended to, and shall not be construed to, commit the Township or any other individual, consultant or entity to any obligation related hereto, including but not limited to the execution of any redevelopment agreement.
- The Township reserves to itself the exclusive rights set forth in Section D. hereof.
- The issuance of this RFP and the means by which it is conducted is entirely at the discretion of the Township and is not mandated by any public bidding or other statute or regulation. By submitting a Response to the RFP, the Respondent accept and consents to the selection process selected and implemented by the Township and the Respondent waives any and all claims to same.
- Neither the Township, its staff nor any of its consultants will be liable for any claims or damages resulting from the solicitation or collection of Responses, nor will there be any reimbursement to Respondents for the cost of preparing the Responses or for participating in the RFP process.

- All Responses will become the property of the Township and will not be returned. Respondent also agrees that by “Response,” it means all information and materials submitted or to be submitted by Respondent with respect to the RFP, regardless of whether such information is tangible or intangible and including, without limitation, all (a) documentation, pictures, drawings, notes, and revisions, and (b) intellectual property rights related thereto.

By submitting the Response to the Township, Respondent permits Township to use the Proposal as it sees fit, including alteration, combination with other materials (including materials not submitted by Respondent), and public display and distribution. Respondent hereby grants, and represents and covenants that it will, in the future, grant to the Township an unlimited, perpetual, royalty-free, transferable, sublicenseable, fully-paid up right to publicly display, distribute, use, build, design, reproduce, and make derivative works from the Proposal.

- All activities related to preparing a Response and the execution of a Development Plan shall be subject to compliance with all applicable federal, state and local laws, environmental regulations and/or other applicable requirements.
- Failure of any Respondent to submit a Response that completely addresses the requirements of this RFP (including submittal of part of such Response of all documents required to be submitted under the terms of this RFP), at the times and in the manner specified in this RFP, may result in the rejection of the Response at the sole discretion of the Township.
- Respondents shall meet with Township representatives and the general public to discuss a Response upon request of the Township.
- All documentation and information provided by the Township in conjunction with this RFP, the attachments and Exhibits hereto, are believed to be accurate and correct, however, the Township makes no guarantees as to the accuracy of the information provided. By participating in this process every Respondent hereto agrees to and acknowledges its obligation and ability to perform whatever due diligence is necessary to inform itself fully as to any relevant or material information or lack thereof is available in making a response thereto. Respondents are instructed to notify the Township (in writing directed to Ronald P. Trebing, Township Administrator) of any material information and/or lack of material information provided or omitted with respect to this solicitation and the Development Plan that it believes is not accurate and/or correct.
- The successful Respondent must, as a condition precedent to the execution of an Agreement between itself and the Township deposit pursuant to the Agreement, submit a twenty-five thousand (\$25,000.00) dollar escrow fee, to be replenished if and when needed. It is made a specific condition of this RFP that this amount shall be utilized to pay the reasonable professional fees, expenses and costs of this project incurred by the Township and/or any

other reasonable expenses the Township, in its sole discretion, deems appropriate in connection with this project.

D. Rights of the Township

The Township reserves, holds, and may exercise, at its sole discretion, the following rights and options with regard to the RFP and the redevelopment process:

- 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 responding to the RFP from further consideration for this selection.
- To supplement, amend, or otherwise modify the RFP.
- To waive any technical or other non-conformance of the Responses, whether material or otherwise.
- To change or alter the schedule for any events called for in the Anticipated Selection Schedule set forth in Section E.
- To conduct investigations of any or all of the Respondents and their Responses as the Township 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 facilities or projects referenced in its Response, and to request additional information to support the information included in any Response.
- To decline to select any Respondent for any purpose.
- To decline to enter into a redevelopment agreement for any purpose.
- To abandon this selection process at the Township's convenience at any time, for any reason.
- To select a Qualified Respondent to negotiate a redevelopment agreement with the Township Committee based on a Response that, in the Township's sole judgment, best serves the interests of the Township, the residents of the Township of Buena Vista, or the region in general.
- 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.
- To enter into a redevelopment agreement with a Respondent, subject to final adoption of all necessary authorizations.

E. Pre-Proposal Conference

A PRE-PROPOSAL CONFERENCE IS NOT INCLUDED AS PART OF THIS R.F.P.

F. Anticipated Selection Schedule

Issuance of RFP..... May 14, 2007
Deadline for Receipt of Written Questions November 2, 2009
Receipt of RFP Responses due by 3:00 p.m. December 30, 2009
Notification and Interviews Mid to late February 2010
Buena Vista Township Action..... March 2010

RFP Information Packet

Must be requested by Respondent prior to submitting a Response to the Richland Village Redevelopment Project RFP

Appendix A: Richland Village Smart Future Planning Grant Report prepared by Karabashian Eddington Planning Group, LLC.

Appendix B: Richland Village Redevelopment Plan prepared by Karabashian Eddington Planning Group, LLC.

Appendix C: Richland Village Design Guidelines prepared by Karabashian Eddington Planning Group, LLC.

Appendix D: U.S. Route 40 Traffic Calming Study, Richland Village, Buena Vista Township, prepared by Urban Engineers, Inc.

Appendix E: Buena Vista Township Ordinance #4-2006 and Ordinance #9-2006.