

ADDENDUM #1

January 17, 2014

TO

REQUEST FOR OFFERS TO PURCHASE

FOR

THE SALE OF REAL PROPERTY

Fort Monmouth Marina

Issued by the

FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

Date Issued: October 25, 2014

Responses due by 12:00 P.M. EST on January 27, 2014

This Addendum is issued to:

A. Answer questions received via email; and

B. To add Sections 6.5 and 6.6 to Section 6.0 “Compliance with State Law Requirements” of the RFOTP.

A. Questions and Answers

1. **Question:** If the boat ramp is public, and on the marina's property, are you allowed to charge for a drop in fee like other marinas I have been to?

Answer: The plan and the land use rules do contemplate public access to the marina water front and a public boat ramp. The charging of fees for use of the ramp is permitted. (Per the document at the following link, many public ramps do charge fees http://www.state.nj.us/dep/fgw/pdf/boat_ramp_guide.pdf).
2. **Question:** I did not see any mention but if we built some retail space along road are apartments allowed above them?

Answer: Residential use, while allowed in the land use rules for the Horseneck Center Development District, was not contemplated for the marina property by the Reuse and Redevelopment Plan and would require a plan amendment.
3. **Question:** I know that the only property sold is the parcel e how much were the taxes on that property? Is there a tax abatement that goes with property?

Answer: Any taxes assessed on Parcel E would be irrelevant as Parcel E is in Tinton Falls and the marina will be in Oceanport. There are no abatements that "go with the marina property" The potential for any tax abatement would need to be discussed and negotiated directly with Oceanport Borough.
4. **Question:** ELECTRIC: There seems to be a real concern on the part of JCPL to provide electrical service to the site if we were to come off the Fort Monmouth Grid. Please see our engineer's statement under "Electric". Have you encountered this before with JCPL and can you give us any guidance as how to proceed with determining the availability to stay on the Fort's grid and or your knowledge of the relationship of JCPL to new proposed projects? Clearly this is important for all to know as the cost of a substation is substantial... exceeding \$200,000 (see report)

Answer: We have had discussions with JCP&L and can offer the following: Depending on anticipated load it is most likely that the pole line from the southwest corner of Main Street and Oceanport Avenue north on Oceanport Avenue across to Riverside Avenue will have to be upgraded to handle additional phases. JCP&L estimates the cost to the purchaser coming in at less than \$100,000 which would be split 50/50 with the First Atlantic Federal Credit Union, which also requires this service just across the street from the Marina property. This initial expense can be recouped by the purchaser under an existing state Board of Public Utilities program as a rebate based on actual power usage.
5. **Question:** SANITARY SEWER: Will the Marina stay on the existing Fort Monmouth Sewer System or will the successful bidder need to leave that system and deal with additional potential upgrades to the Two Rivers System.

Answer: It is contemplated that the purchaser will become a customer of TRWRA and will be billed based on water usage. The actual sewerage flow will continue to physically flow via Army/FMERA pipes to a TRWRA collection point for a transitional period pending a reconfiguration/upgrade of the system which will take into account the other redevelopment on Fort Monmouth as well as existing TRWRA customers located on

Riverside Avenue and Horseneck Point. At that time the purchaser will be required to connect to the new system at or near the property border.

B. Add under Section 6.0 Compliance with State Law Requirements

6.5

Certification of Non-Involvement in Prohibited Activities in Iran. Pursuant to N.J.S.A. 52:32-58, all Proposals submitted in response to this RFOTP must include the Potential Purchaser's certification that neither the Potential Purchaser, nor one of its parents, subsidiaries, and/or affiliates (as defined in N.J.S.A. 52:32-56(e)(3)), is listed on the State of New Jersey Department of the Treasury's List of Persons or Entities Engaging in Prohibited Investment Activities in Iran and that neither is involved in any of the investment activities set forth in N.J.S.A. 52:32-56(f). If the Potential Purchaser is unable to so certify, the Potential Purchaser shall provide a detailed and precise description of such activities. The attached Disclosure of Investment Activities in Iran form (ATTACHMENT #3) must be completed and submitted by each Potential Purchaser with its Proposal.

6.6

Standards Prohibiting Conflicts of Interest. The following prohibitions shall apply to all contracts made with the Authority.

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

(b) The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by a Board member, officer or employee of the Authority from any Potential Purchaser shall be reported in writing forthwith by the Potential Purchaser to the State Attorney General.

(c) No Potential Purchaser may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement express or implied, or sell any interest in such Potential Purchaser to any Board member, officer or employee of the Authority or special State officer or employee, or having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to the Authority or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g.

(d) No Potential Purchaser shall influence, or attempt to influence or cause to be influenced any Board member, officer or employee of the Authority in his official capacity in any manner which might tend to impair the objectivity or independence or judgment of said Board member, officer or employee.

(e) No Potential Purchaser shall cause or influence, or attempt to cause or influence, any Board member, officer or employee of the Authority to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the Potential Purchaser or any other person.

(f) It is agreed and understood that the Authority reserves the right to determine whether a conflict of interest or the appearance of a conflict of interest exists which would under State law adversely affect or would be contrary to the best interest of the Authority.

Include as part of
ATTACHMENT #3
REQUIRED FORMS

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Bidder/ Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf. Bidders must review this list prior to completing the below certification. Failure to complete the certification will render a bidder's proposal non-responsive. If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____	

Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the Authority is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with FMERA to notify FMERA in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Authority and that FMERA at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____
Title: _____ Date: _____