



REQUEST FOR PROPOSALS

FOR

THE SUBLEASE OF REAL PROPERTY

Fort Monmouth
Building 603 Research & Development Facility
Oceanport, New Jersey

Issued by the

FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

Date Issued: December 9, 2015

Responses due by 12:00 P.M. EST on January 8, 2016

REQUEST FOR PROPOSALS FOR THE SUBLEASE OF REAL PROPERTY

SUMMARY

The Fort Monmouth Economic Revitalization Authority (“FMERA,” or the “Authority”), a state authority created pursuant to P.L. 2010, c.10 (N.J.S.A. 52:27I-18 et seq.), is responsible for the orderly and comprehensive redevelopment of Fort Monmouth. In furtherance of its mission, FMERA is hereby seeking proposals from individuals or entities to sublease property from the Authority. This request for proposals (“RFP”) is being issued under FMERA’s rules for real and personal property leasing (N.J.A.C. 19:31C-1.1, the “Leasing Rules”). The sublease agreement between the Authority and the successful Potential Sublessee shall be subject to the U.S. Army and FMERA entering into a lease for the subject property or the Authority acquiring title to the subject property under a Phase 2 Economic Development Conveyance Agreement (“EDC Agreement”) covering the Oceanport section of the Main Post. Use of the property will be subject to FMERA’s land use regulations and design and development guidelines (N.J.A.C. 19:31C-3, the “Land Use Rules”), which serve as the zoning ordinance for the Fort. The Land Use Rules supersede the zoning and land use ordinance and regulations, and the zoning map of the Borough of Oceanport and Monmouth County development regulations, except for procedures for site plan and subdivision approval.

1.0 PURPOSE

The Authority is requesting proposals to sublease (the “Offer”) from qualified individuals or entities (“Potential Sublessee(s)”) interested in subleasing an approximately 1.75 acre parcel of land containing Building 603, totaling approximately 11,009 gsf, that served as a research and development facility, located between Telegraph and Sherrill Avenues in the Oceanport Reuse Area of the Fort (“the Property”). Constructed approximately 1997, the one-story pre-engineered steel building contains approximately 3,638 gsf of office space and approximately 7,371 gsf of high bay garage/warehouse space. In addition to a sublease proposal, the Offers must include a plan to use the Property for scientific, engineering and/or information technology related research and development use consistent with the Land Use Rules.

A map of the Property can be found in ATTACHMENT #1 of this RFP.

The Property will be subleased by the Authority in bare rentable condition, i.e. as a warm shell with a minimally finished interior, a functioning heating and cooling (HVAC) system, drop ceilings, plumbing and restrooms, interior lighting, interior walls and a mix of carpeted, tiled and concrete flooring. The Authority will not provide a tenant improvement or fit-out allowance. Lessee will be responsible for the cost of any and all tenant fit-out and improvements, including but not limited to telecommunications, internet and IT wiring and installations. Any furniture, fixtures or equipment included along with the Property will be provided by the Authority in “as-is, where-is” condition.

The Reuse Plan contemplates the ultimate demolition of Building 603 and its replacement with permanent research and development facilities complementing the adjacent McAfee Center. This area of the Fort is intended as the location of a high tech and green industry campus where cutting edge research and development activities can take place, while serving as an educational showpiece. The Property is included in the Green Tech Campus development district in the Fort's Land Use Rules. This district is intended as a multi-use area, including office/research, institutional/civic, and open space/recreational uses.

FMERA staff believes that the Property's age and condition warrant consideration of its reuse for research and development on an interim basis. Accordingly, FMERA will entertain Offers to sublease Building 603 for research and development use for an initial term of up to three (3) years, with up to two (2) one-year extensions to be exercised upon mutual agreement of the parties. In addition, Offers may express interest in the use of additional FMERA property (land and/or buildings located east of Oceanport Avenue) for uses directly related to the research and development activity proposed for Building 603 (the "Additional Property"). Any such use would be provided via license on a non-exclusive basis and would require the Potential Sublessee to bear any costs required to prepare the Additional Property for the intended use as well as a proportionate share of the Additional Property's operating expenses.

1.1 THE PROPERTY

The Property consists of approximately 1.75 acres of land and the approximately 11,009 gsf Building 603, along with paved parking to the north and south of Building 603. The Property is located in the Borough of Oceanport. Title to the Property is currently held by the Army. FMERA will lease the Property from the Army and sublease it to the selected Potential Sublessee generally upon the same terms. In accordance with federal law, the Army issued a Finding of Suitability to Lease ("FOSL") in August 2015 confirming the Property's environmental suitability for occupancy as office and garage space. A draft of the FOSL can be viewed at

http://www.pica.army.mil/FtMonmouth/C4ISR/brac/fost/Documents/FOSL%20BLDG%20601_070115_R.pdf.

FMERA intends to ultimately purchase the Property from the Army through a yet to be finalized EDC Agreement. Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), the Army will retain responsibility for any environmental contamination (other than asbestos, lead-based paint, mold and commercially-applied pesticides and termiticides) that may be present on the Property as of the date of the Army's lease to FMERA.

Bidders are hereby notified that registered pesticides may have been applied to the Property and may continue to be present. The Army has advised FMERA that where a pesticide was applied it was applied in accordance with its intended purpose and consistently with the Federal Insecticide, Fungicide, and Rodenticide Act ("FIRA"), 7 U.S.C. § 136, et seq., and other applicable laws and regulations. If the successful bidder takes any action with regard to the Property, including any disturbance or removal of soil that may expose, or cause a release of, a threatened release of, or an exposure to, any such pesticide, it would assume all responsibility and liability therefore.

1.2 PERSONAL PROPERTY

Consistent with the Army's lease to FMERA, FMERA intends to sublease the remaining furniture, fixtures and equipment located within Building 603 to the selected Potential Sublessee together with the real estate. Any such furniture, fixtures and equipment will be subleased in as-is where-is condition.

1.3 SUBLEASE OF THE PROPERTY

Following is an outline of the general terms upon which the Authority is willing to sublease the Property:

SUBLESSOR: Fort Monmouth Economic Revitalization Authority ("FMERA," or "Authority")

SUBLESSEE: TBD

PROPERTY: Building 603 and adjacent land, Fort Monmouth, Oceanport, NJ. The Building is situated on a 1.75 acre parcel and was constructed in 1997. The Property is bordered by Sherrill Avenue to the north. It is approximately 11,009 gsf which consists of 3,638 gsf of office space, and 7,371 gsf of garage/warehouse space.

TERM: The sublease term shall be for up to three (3) years, with up to two (2) one-year renewal extensions to be mutually agreed on by FMERA and Sublessee; **provided, however**, the sublease term will terminate early in the event that FMERA does not obtain an extension of the Army's lease or acquire ownership of the Property before the sublease term expires. Notice of sublease expiration or renewal shall be due at thirty (30) months and forty-two months (42) respectively with both parties agreeing in writing to any sublease extension.

RENT: Sublessee may propose to pay a nominal triple-net (NNN) rent for the first six (6) months of sublease term. For months seven (7) through twelve (12), Sublessee's triple-net rent shall not be less than 50% of market rate. For months thirteen (13) through thirty-six (36), Sublessee's proposed triple-net rent shall be at full market rate. If FMERA and Sublessee agree to up to two (2) additional one-year renewal periods, Sublessee's rent for the renewal periods shall be at full market rate.

DEPOSIT: Sublessee shall provide FMERA a bid deposit of ten (10) percent of the first year's rent or \$5,000.00, whichever is greater, along with its Offer. The deposit shall be in the form of a certified, cashier or bank check payable to the Authority. The deposit shall be held by the Authority and

applied to the rental payments for the accepted Offer, and returned to all others.

EXPENSES: All operating expenses shall be paid by Sublessee. Any property maintenance performed by FMERA on Sublessee's behalf and all utility expenses shall be at a 100% pass through and the responsibility of Sublessee. Upon FMERA acquiring title to the Property from the Army, Sublessee shall make payments in lieu of real estate taxes. FMERA shall not be responsible for any operating expenses for the sublease.

USE OF PREMISES: Sublessee may only use the Property for scientific, engineering and/or information technology related research and development uses in accordance with the Land Use Rules.

RENOVATIONS: FMERA agrees to expend not more than \$15,000 to complete the following renovations/repairs/cleaning prior to tenant occupation:

- 1) Complete identified and agreed upon in-house repairs.
- 2) Complete general cleaning of the building and custodial services.
- 3) Shampoo all existing carpeting which will remain with the building.
- 4) Replace and remove carpeting which is identified by FMERA as unsalvageable.
- 5) Patch and repair damage to walls of Building 603 and paint and/or wash down walls of associated rooms.
- 6) Provide IDP cabling to the building's demarc room to enable Sublessee to distribute cabling throughout the building.
- 7) Provide an operational safety shower.

Sublessee shall be responsible for the following:

- 1) All incidental wiring, security and computer cabling, etc. at its own cost and labor and at Prevailing Wage rates.

JOB CREATION: Sublessee will relocate or create a minimum of [TBD] research and development personnel upon completion of renovation and obtaining the initial certificate of occupancy.

LICENSE AGREEMENT: FMERA to grant Sublessee a license to enter the Property prior to sublease execution for the purposes of allowing Sublessee to commence renovations, so that Sublessee may occupy the Property immediately upon sublease execution.

UTILITIES: 1) FMERA to provide interim water, sewer and electric service directly or through Army over existing systems as necessary and at cost. New Jersey Natural Gas Company currently provides service to Building 603.

- 2) Sublessee is responsible for establishing accounts with JCP&L, New Jersey American Water Company (NJAW) and New Jersey Natural Gas Company (NJNG).

CERTIFICATE OF OCCUPANCY: FMERA will cause the Borough of Oceanport to issue a Certificate of Occupancy to Sublessee for general use. Also, FMERA shall cause the building's HVAC, power and fire alarm systems to be code compliant at time of occupancy.

MISCELLANEOUS:

FMERA:

- 1) Will allow Sublessee to utilize all furniture left in the building during sublease term.

Sublessee:

- 2) Sublessee's Offer may include a request to use up to eighty (80+/-) acres of the Fort's 400 Area located east of Oceanport Avenue (the "Additional Property") for the initial sublease term of up to three (3) years. Any such use shall be non-exclusive and restricted as follows:
 - a. Access shall be limited from 8:00am to 5:00pm from Monday through Friday and for the sole purpose of outdoor testing.
 - b. Sublessee's access and use to this area shall be subject to insurance coverage, hold harmless and indemnification to the satisfaction of FMERA.
 - c. Sublessee shall pay all costs required to prepare the Additional Property for its intended use and a proportional share of all operating and property management expenses associated with the Additional Property.
 - d. Sublessee shall pay FMERA an additional monthly \$500.00 fee for the right to use the 400 Area.
 - e. Use is restricted to paved areas – streets and parking lots.
 - f. Access to the 400 Area shall be limited to one (1) gate selected by FMERA.
 - g. Sublessee cannot store or stage any equipment in this area without express written authorization from FMERA.
- 3) If the winning Offer includes a request to use some or all of the Fort's 400 Area, FMERA will seek to obtain from the Army a transferrable right of entry agreement that corresponds to the requested use, and upon obtaining such a right of entry agreement, FMERA will transfer it to the Sublessee.

1.4 FORT MONMOUTH'S REDEVELOPMENT STATUS

Fort Monmouth consists of 1,127 acres located in the Boroughs of Tinton Falls, Eatontown and Oceanport, New Jersey. Established in 1917 as Camp Little Silver, the Fort served as the home of the Signal Corps, and later CECOM, the Communications and Electronics Command. The Fort was designated for closure in the 2005 BRAC round, and formally closed in September 2011. FMERA entered into a Phase 1 EDC Agreement with the Army in June 2012 covering the western half of the Fort, and took title to an initial property, a 55-acre tract in Tinton Falls known as Parcel E, in January 2013. FMERA subsequently sold Parcel E to CommVault, one of the nation's leading data and information management software companies, for construction of a new headquarters complex. CommVault occupied the first building in the complex, a 275,000 sf facility for 900 employees, in late 2014. The company has approvals in hand to develop up to 650,000 sf for an estimated 2,500 employees.



CommVault's new headquarters located in the Tinton Falls Reuse Area

FNERA acquired the former Patterson Hospital from the Army and sold it to AcuteCare Health System in March 2014. AcuteCare renovated the 100,000 sf building for use as an outpatient health clinic. The facility opened in early 2015.



Rendering of AcuteCare's renovated facility, which is located near the Property in the Oceanport Reuse Area

FNERA is currently in negotiations with developers for the sale of fifteen other parcels, two of which are located in the Eatontown section of the Fort. Another four parcels, ranging from individual buildings or large land tracts, will be released for proposals in early 2016.

At full buildout in approximately twelve years, the Fort is projected to include:

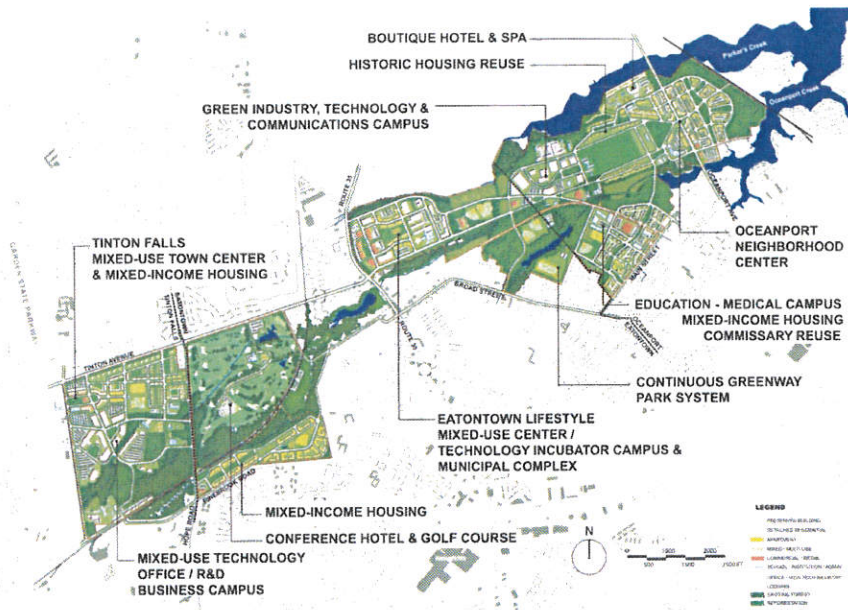
- 1,585 housing units, with over 4,000 new residents
- 300,000 sf of non-profit, civic, government and educational uses
- 500,000 sf of retail space
- 2,000,000 sf of office, research & development and other commercial uses

Total development costs are estimated at \$1.5 billion, generating 10,000 permanent jobs.

Fort amenities will include:

- preservation of over 40% of the Fort's land area as recreational and passive open space
- creation of a system of bicycle lanes, pedestrian paths and multi-purpose trails
- dedication of an interconnected blue/green belt spanning the Fort
- a shuttle system linking the Fort with mass transit, including the Little Silver train station
- improved access to the Garden State Parkway via a new interchange (Exit 105A)

In addition to the above amenities, the Fort plans to be home to a renovated fitness center, bowling alley, performing arts center/theater, golf course and marina.



Fort Monmouth's 20-Year Concept Plan

1.5 UTILITIES

The Property is currently served by New Jersey Natural Gas directly. Electric power, water and sanitary sewer service are provided over Army owned systems. For a transitional period the Army or FMERA will continue to service the buildings over the existing systems which will have to be metered by the selected Potential Sublessee, at no cost or expense to FMERA.

2.0 PREVAILING WAGE REQUIREMENT

Each worker employed by the Potential Sublessee in connection with the renovation or maintenance of the Property shall be paid not less than the prevailing wage rate for the worker's craft or trade, as determined by the Commissioner of Labor & Workforce Development pursuant to the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq.

3.0 PUBLIC INSPECTION OF DOCUMENTS

Due diligence material and documents held by FMERA pertaining to the Property and/or the building will be made available for the review and inspection by Potential Sublessee(s) during normal business hours at the FMERA office located at Fort Monmouth, New Jersey. Interested Potential Sublessees may make copies of the paper documents. Please note: FMERA does not warrant the accuracy or completeness of any documents originated by the Army or other sources. Copies of any documents requested that are larger than legal size shall be made at the expense of the Potential Sublessee. A copy of digital files will also be available upon request without charge. Limited materials and documents will be available for review and inspection during the tour referred to in Section 4.0 below.

Materials made available by FMERA for public inspection are offered “as is” and “where is” and they may include pertinent information regarding building plans, the environmental conditions, utility access, and other information related to these facilities. However, FMERA shall not be held responsible or liable for the accuracy or inaccuracy of such information or materials reviewed or obtained. All Potential Sublessees shall be wholly responsible for their own due diligence efforts. Any information obtained by the Potential Sublessee(s) shall become the property of the Authority immediately upon the Potential Sublessee’s submission of its Offer and the release of such information by the Potential Sublessee to a third party shall only be made with the written approval of the Authority.

4.0 TOURS

Walk-through tours will commence on December 14, 2015 at 10:00 A.M. The last day to request a walk through tour of the Property is December 28, 2015. Please schedule a walk-through tour by contacting Regina McGrade at rmcgrade@njeda.com or 732-720-6350.

5.0 OFFER SUBMISSION

Five (5) copies of the Offer (one (1) unbound, original; three (3) bound copies and one (1) copy in PDF format on a CD) must be submitted marked “REQUEST FOR PROPOSALS FOR THE SUBLEASE OF REAL PROPERTY” in a sealed package and addressed to:

Bruce Steadman
Executive Director
Fort Monmouth Economic Revitalization Authority

Offers must be received by January 8, 2016 at 12:00 P.M. Eastern Standard Time.

Proposals must be received by January 8, 2016 at 12:00 P.M., Eastern Standard Time (EST). Proposals may be delivered via an overnight service (FedEx or UPS) to 100 Barton Avenue, Oceanport, NJ 07757.

Hand delivered proposals must be received at the FMERA Offices located at 502 Brewer Avenue within the former Fort Monmouth Army Post by January 8, 2016 at 12:00 P.M. EST. Access to the FMERA Staff Office is via the Fort Monmouth Main Gate located on the west side of Oceanport Avenue, Oceanport, NJ.

For USPS mail delivery, please mail to FMERA, P.O. Box 267, Oceanport, NJ 07757. All USPS mail deliveries must be received by January 8, 2016 at 12:00 P.M. EST.

No faxed or email offers will be accepted. Offers received after the time and date listed above will not be accepted.

Proposals will be publically opened on January 8, 2016 at 12:30 P.M. at the Authority Offices located at 502 Brewer Avenue, Oceanport, New Jersey on the former Fort Monmouth Army Post.

The Authority will not be responsible for any expenses in the preparation and/or presentation of the Offers or for the disclosure of any information or material received in connection with this solicitation, whether by negligence or otherwise.

The Authority reserves the right to request additional information if necessary, or to reject any and all Offers with or without cause, and, in its sole discretion, waive any irregularities or informalities, such as minor elements of non-compliance with regard to the requirements of this RFP, in the Offers submitted. The Authority further reserves the right to make such investigations as it deems necessary as to the qualifications of any and all firms submitting Offers. In the event that all Offers are rejected, the Authority reserves the right to re-solicit Offers.

The Authority also may seek to obtain business terms that better suit the interests of the Authority and the redevelopment plans for Fort Monmouth by negotiating with the Potential Sublessees(s) that submit the best Offer(s) in accordance with the evaluation criteria set forth in this RFP. The Authority reserves the right to exclude from negotiations any and/or all Offers received based on the initial submissions. Negotiations with a Potential Sublessee will not preclude the Authority from negotiating with other Potential Sublessees in the Authority's sole discretion.

Responding Potential Sublessees may withdraw their Offers at any time prior to the final filing date and time, as indicated on the cover page to this RFP, by written notification signed by an authorized agent of the firm(s). Offers may thereafter be resubmitted, but only up to the final filing date and time.

The responding Potential Sublessee assumes sole responsibility for the complete effort required in this RFP. No special consideration shall be given after the Offers are opened because of a Potential Sublessee's failure to be knowledgeable about all requirements of this RFP. By submitting an Offer in response to this RFP, the Potential Sublessee represents that it has satisfied itself, from its own investigation, of all of the requirements of this RFP.

By submitting an Offer in response to this RFP, each Potential Sublessee agrees to hold its Offer open for at least ninety (90) days after the response due date. Any provision in a submitted Offer that attempts to limit or condition the time that an Offer is open for consideration by FMERA will not be binding on FMERA. FMERA reserves the right, upon good cause shown to the satisfaction of FMERA's staff, to allow a Potential Sublessee to withdraw its Offer after Offers have been opened.

Documents and information submitted in response to this RFP shall become property of the Authority 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 New Jersey right-to-know laws.

6.0 OFFER REQUIREMENTS

In order to be considered, all offers to sublease from the Authority must include the following:

- a. **Cover Letter.** A letter identifying the Offer and listing the documentation included. The Potential Sublessee must indicate the name and contact information for the individual who will be its senior contract person for its Offer. The Potential Sublessee must also indicate whether the firm is operating as an individual proprietorship, partnership, corporation, a joint venture or a governmental entity. The cover letter should also indicate the state of incorporation of the Potential Sublessee.
- b. **Proposed Rent Submittal.** A signed document stating the triple-net rent per square foot proposed to be paid by the Potential Sublessee for months one through six; months seven through 12, and months thirteen through thirty-six (or expiration of the sublease term). Indicate whether the Potential Sublessee is requesting the Authority to provide any services at Sublessee's cost and expense. Identify any contingencies and specify the time period required to complete due diligence and satisfy any leasing contingencies.
- c. **Sublease Term.** Specify the requested initial sublease term, not to exceed three (3) years, and whether any sublease extensions (not to exceed two (2) one-year periods) are requested.
- d. **Offer Deposit.** A payment of the greater of \$5,000.00 or ten (10%) percent of the first year's rent offered by the Potential Sublessee which shall be held in an interest bearing account as a deposit and applied to the rent for the accepted Offer, and returned to all others.

The deposit shall be in the form of a certified, cashier's or bank check made payable to the Authority issued by a FDIC accredited financial institution.

The deposit may also be a wire transfer of immediately available funds. Please contact Regina McGrade at rmcgrade@njeda.com or 732-720-6350 for wiring instructions.

- e. **Plan of Use.** A detailed narrative description of the Potential Sublessee's intended use of the Property, and, if appropriate, the Additional Property, specifying the activities that will satisfy FMERA's requirement that the Property be devoted to scientific, engineering and/or information technology related research and development use in accordance with the Land Use Rules. The description must include a summary of the improvements that the Potential Sublessee proposes to make to the Property, if any, as well as their estimated costs and the time to complete the improvements.

- f. **Financing Plan.** State your proposed capital investment and list your financial(s) and committed resources evidencing the Potential Sublessee's financial ability to meet the financial requirements of the Potential Sublessee's Plan of Use as well as its rent obligations.
- g. **Jobs Generation.** Provide an estimated number of research and development jobs (specifying those new to New Jersey vs. those retained within the state) to be created at or relocated to the Property. Sublessee will be held to a minimum jobs creation number based on this estimate which will be a condition of the sublease.
- h. **Disclosure of Investment Activities in Iran.** A completed and signed Disclosure of Investment Activities in Iran form.

7.0 QUESTIONS AND ANSWERS

The Authority will also accept questions from firms regarding any aspect of this RFP via e-mail only until 5:00 p.m. Eastern Daylight/Standard Time on December 28, 2015. Questions should be directed via e-mail to:

rharrison@njeda.com

All answers to questions posed will be posted on the Authority website at www.fortmonmouthnj.com and/or through an addendum (if any) to this RFP made available to all potential bidders at the Authority website.

8.0 COMPLIANCE WITH STATE LAW REQUIREMENTS

8.1 Chapter 51, Executive Order No. 117 And Executive Order No. 7

In order to safeguard the integrity of State government, including the Authority, procurement by imposing restrictions to insulate the negotiation and award of State and Authority contracts from political contributions that pose the risk of improper influence, purchase of access, or the appearance thereof, the Legislature enacted P.L. 2005, c. 51 (codified at N.J.S.A. 19:44A-20.13 – 25)("Chapter 51"), on March 22, 2005, effective retroactive October 15, 2004, superseding the terms of Executive Order No. 134. In addition, on September 24, 2008, Governor Corzine issued Executive Order No. 117, effective on November 15, 2008 ("EO 117") setting forth additional limitations on the ability of Executive Branch agencies to contract with consultants who have made or solicited certain contributions. Governor Christie issued Executive Order No. 7 on January 20, 2010 ("EO 7"), and effective the same day, setting forth additional limitations on the ability of Executive Branch agencies to contract with consultants who have made or solicited certain contributions. Pursuant to the requirements of Chapter 51, EO 117, and EO 7 the terms and conditions set forth in this section are material terms of this engagement. The Chapter 51 form can be found online by going to the following web link and scrolling to "VENDOR FORMS REQUIRED FOR CONTRACT AWARD" under:

<http://www.state.nj.us/treasury/purchase/forms.shtml>

I. Definitions:

For the purpose of this section, the following shall be defined as follows:

(a) Contribution means a contribution reportable as a recipient under The New Jersey Campaign Contributions and Expenditures Reporting Act. @ P.L. 1973, c. 83 (C.19:44A-1 et seq.), and implementing regulations set forth at N.J.A.C. 19:25-7 and N.J.A.C. 19:25-10.1 et seq. Contributions in excess of \$300 during a reporting period are deemed "reportable" under these laws.

(b) Business Entity means any natural or legal person, business corporation, professional services corporation, Limited Liability Company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition of a business entity includes:

(i) all principals who own or control more than 10 percent of the profits or assets of a business entity or 10 percent of the stock in the case of a business entity that is a corporation for profit, as Appropriate and for a for profit entity, the following:

(1) in the case of a corporation: the corporation, any officer of the corporation, and any Person or business entity that owns or controls 10% or more of the stock of the corporation;

(2) In the case of a general partnership: the partnership and any partner;

(3) In the case of a limited partnership: the limited partnership and any partner;

(4) In the case of a professional corporation: the professional corporation and any shareholder or officer;

(5) In the case of a limited liability company: the limited liability company and any member;

(6) In the case of a limited liability partnership: the limited liability partnership and any partner;

(7) In the case of a sole proprietorship: the proprietor; and

(8) In the case of any other form of entity organized under the laws of this State or any other state or foreign jurisdiction: the entity and any principal, officer, or partner thereof;

(ii) Any subsidiaries directly or indirectly controlled by the business entity;

(iii) any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee;

(iv) if a business entity is a natural person, that person's spouse or civil union partner, or child residing in the same household provided, however, that, unless a contribution made by such spouse, civil union partner, or child is to a candidate for whom the contributor is entitled to vote or to a political party committee within whose jurisdiction the contributor resides unless such contribution is in violation of section 9 of Chapter 51; and

(v) Any labor union, labor organization, and any political committee formed by a labor union or labor organization if one of the purposes of the political committee is to make political contributions.

II. Breach of Terms of Chapter 51, EO 117 and EO 7 is a breach of this engagement:

It shall be a breach of the terms of this engagement for the Business Entity to do any of the following:

(a) Make or solicit a contribution in violation of the Chapter 51, EO 117 and EO 7;

(b) Knowingly conceal or misrepresent a contribution given or received;

(c) Make or solicit contributions through intermediaries for the purpose of concealing or misrepresenting the source of the contribution;

(d) make or solicit any contribution on the condition or with the agreement that it will be contributed to a campaign committee or any candidate of holder of the public office of Governor, or of Lieutenant Governor, or to any State, county or municipal party committee, or any legislative leadership committee;

(e) engage or employ a lobbyist or consultant with the intent or understanding that such lobbyist or consultant would make or solicit any contribution, which if made or solicited by the business entity itself, would subject that entity to the restrictions of Chapter 51, EO 117 and EO 7;

(f) Fund contributions made by third parties, including consultants, attorneys, family members, and employees;

(g) Engage in any exchange of contributions to circumvent the intent of the Chapter 51, EO 117 or EO 7; or

(h) directly or indirectly through or by any other person or means, do any act which would subject that entity to the restrictions of the Chapter 51, EO 117 and EO 7.

III. Certification and disclosure requirements:

(a) The State or the Authority shall not enter into a contract to procure from any Business Entity services or any material, supplies or equipment, or to acquire, sell or lease any land or building, where the value of the transaction exceeds \$17,500, if that Business Entity has solicited or made any contribution of money, or pledge of contribution, including in-kind contributions to a candidate committee and/or election fund of any candidate for or holder of the public office of Governor or Lieutenant Governor, or to any State, county political party, or to a legislative leadership or municipal political party, committee during certain specified time periods.

(b) Prior to entering any contract with any Business Entity, the Business Entity proposed as the Potential Sublessee under the contract shall submit the Certification and Disclosure form, certifying that no contributions prohibited by Chapter 51 have been solicited or made by the Business Entity and reporting all contributions the Business Entity made during the preceding four years to any political organization organized under 26 U.S.C. 527 of the Internal Revenue Code that also meets the definition of a continuing political committee within the mean of N.J.S.A. 19:44A-3(n) and N.J.A.C. 19:25-1.7. The required form and instructions for completion and submission to the Authority at the time of submission of an offer in response to the RFP are available for review on the Purchase Bureau website at: <http://www.state.nj.us/treasury/purchase/forms.shtml> .

(c) Further, the Potential Sublessee is required, on a continuing basis, to report any contributions and solicitations Potential Sublessee makes during the term of the contract, and any extension(s) thereof, at the time any such contribution or solicitation is made.

(d) Potential Sublessee's failure to submit the required forms will prevent FMERA from entering into a Sublease Agreement with the Potential Sublessee. The State Treasurer or his designee shall review the Disclosures submitted by the Potential Sublessee pursuant to this section, as well as any other pertinent information concerning the contributions or reports thereof by the intended Potential Sublessee, prior to award, or during the term of the retention agreement. If the State Treasurer determines that any contribution or action by the Potential Sublessee violated Chapter 51 or EO 117 the State Treasurer shall disqualify the Potential Sublessee from award of such contract. If the State Treasurer or his designees determines that any contribution or action constitutes a breach of contract that poses a conflict of interest, pursuant to Chapter 51 and EO 117, the State Treasurer shall disqualify the Potential Sublessee from award of such contract.

Please refer to ATTACHMENT #2 for copies of the Information and Instruction and Two-Year Chapter 51 Executive Order 117 Vendor Certification and Disclosure of Political Contributions. Failure to submit the attached Information and Instruction and Two-Year Chapter 51 Executive Order 117 Vendor Certification and Disclosure of Political Contributions form shall be cause for rejection of your firm's offer. The Potential Sublessee selected to provide services to the Authority shall maintain compliance with Chapter 51, EO 117 and EO 7 during the term of their engagement.

8.2 Prevailing Wage Requirement

Each worker employed by the Potential Sublessee in connection with the renovation or maintenance of the Property shall be paid not less than the prevailing wage rate for the worker's craft or trade, as determined by the Commissioner of Labor & Workforce Development pursuant to the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq.

8.3 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 RFP must include the Potential Sublessee's certification that neither the Potential Sublessee, 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 Sublessee is unable to so certify, the Potential Sublessee shall provide a detailed and precise description of such activities. A copy of the Disclosure of Investment Activities in Iran form included in ATTACHMENT #2 must be completed and submitted by each Potential Sublessee with its Proposal.

8.4 Standards Prohibiting Conflicts of Interest

The following prohibitions shall apply to all contracts made with the Authority:

- (a) No Potential Sublessee 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 Sublessee shall be reported in writing forthwith by the Potential Sublessee to the State Attorney General.
- (c) No Potential Sublessee 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 Sublessee 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 Sublessee 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 Sublessee 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 Sublessee 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.

8.5 Record Retention

The selected Potential Sublessee shall maintain all documentation related to the lease and development of the Property for a period of five (5) years from the date of completing the development of the Property. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

9.0 EVALUATION CRITERIA

FMERA will evaluate each Offer received in accordance with this RFP and shall identify the Offer(s) determined to be responsive to all material elements set forth in this RFP, including, but not limited to: the rent rate per square foot; the sublease term; the total tenant investment during the sublease term; estimated research and development jobs to be created at or relocated to the Property; the Potential Sublessee's financial capacity to meet the proposed terms of the sublease; the proposed use of the subleased space; the impact on the Borough of Oceanport; and confirmation that the proposed use is consistent with the Property's intended use in the Reuse Plan and Land Use Rules. Attachment #3 contains the proposed evaluation score sheet and weightings.

Potential Sublessees should be prepared to commit to their job creation estimate in the sublease. FMERA is looking to accelerate redevelopment to the extent possible and Offers with accelerated sublease terms and proposing expedited occupancy of the Property will be scored accordingly.

FMERA shall be under no obligation whatsoever, legal or otherwise, to sublease the Property or convey any interest in the Property unless and until a sublease with a Potential Sublessee is approved for execution by the FMERA Board of Members in its sole and absolute discretion. No Potential Sublessee or other party shall have any legal right or interest in the Property unless and until a sublease is properly executed and delivered by FMERA.

**ATTACHMENT #1
DESCRIPTION OF PROPERTY**

Building 603 totaling 11,009± gsf, located on an approximately 1.75 acre parcel of land on the south side of Sherrill Avenue in the Oceanport section of the former Fort Monmouth.



**ATTACHMENT #2
REQUIRED FORMS**

**STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Quote Number: _____ 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.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____ _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature: _____

Do Not Enter PIN as a Signature

Title: _____ Date: _____

INFORMATION AND INSTRUCTIONS

For Completing the “Two-Year Vendor Certification and Disclosure of Political Contributions” Form

Background Information

On September 22, 2004, then-Governor James E. McGreevey issued E.O. 134, the purpose of which was to insulate the negotiation and award of State contracts from political contributions that posed a risk of improper influence, purchase of access or the appearance thereof. To this end, E.O. 134 prohibited State departments, agencies and authorities from entering into contracts exceeding \$17,500 with individuals or entities that made certain political contributions. E.O. 134 was superseded by Public Law 2005, c. 51, signed into law on March 22, 2005 (“Chapter 51”).

On September 24, 2008, Governor Jon S. Corzine issued E.O. 117 which is designed to enhance New Jersey’s efforts to protect the integrity of procurement decisions and increase the public’s confidence in government. The Executive Order builds upon the provisions of Chapter 51.

Two-Year Certification Process

Upon approval by the State Chapter 51 Review Unit, the Certification and Disclosure of Political Contributions form is valid for a two (2) year period. Thus, if a vendor receives approval on January 1, 2014, the certification expiration date would be December 31, 2015. Any change in the vendor’s ownership status and/or political contributions during the two-year period will require the submission of new Chapter 51/Executive Order 117 forms to the State Review Unit. **Please note that it is the vendor’s responsibility to file new forms with the State should these changes occur.**

State Agency Instructions: Prior to the awarding of a contract, the State Agency should first send an e-mail to CD134@treas.nj.gov to verify the certification status of the vendor. If the response is that the vendor is NOT within an approved two-year period, then forms must be obtained from the vendor and forwarded for review. If the response is that the vendor is within an approved two-year period, then the response so stating should be placed with the bid/contract documentation for the subject project.

Instructions for Completing the Form

NOTE: Please refer to pages 3 and 4 “USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117” for guidance when completing the form.

Part 1: BUSINESS ENTITY INFORMATION

Business Name – Enter the full legal name of the vendor, including trade name if applicable.

Address, City, State, Zip and Phone Number -- Enter the vendor's street address, city, state, zip code and telephone number.

Vendor Email – Enter the vendor’s primary email address.

Vendor FEIN – Please enter the vendor’s Federal Employment Identification Number.

Business Type - Check the appropriate box that represents the vendor's type of business formation.

Listing of officers, shareholders, partners or members - Based on the box checked for the business type, provide the corresponding information. (A complete list must be provided.)

Part 2: DISCLOSURE OF CONTRIBUTIONS

Read the three types of political contributions that require disclosure and, if applicable, provide the recipient's information. The definition of "Business Entity/Vendor" and "Contribution" can be found on pages 3 and 4 of this form.

Name of Recipient - Enter the full legal name of the recipient.

Address of Recipient - Enter the recipient's street address.

Date of Contribution - Indicate the date the contribution was given.

Amount of Contribution - Enter the dollar amount of the contribution.

Type of Contribution - Select the type of contribution from the examples given.

Contributor's Name - Enter the full name of the contributor.

Relationship of the Contributor to the Vendor - Indicate the relationship of the contributor to the vendor. (e.g. officer or shareholder of the company, partner, member, parent company of the vendor, subsidiary of the vendor, etc.)

NOTE: If form is being completed electronically, click "Add a Contribution" to enter additional contributions. Otherwise, please attach additional pages as necessary.

Check the box under the recipient information if no reportable contributions have been solicited or made by the business entity. **This box must be checked if there are no contributions to report.**

Part 3: CERTIFICATION

Check Box A if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity. **(No additional Certification and Disclosure forms are required if BOX A is checked.)**

Check Box B if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity with the exception of those individuals and/or entities that submit their own separate form. For example, the representative is not signing on behalf of the vice president of a corporation, but all others. The vice president completes a separate Certification and Disclosure form. **(Additional Certification and Disclosure forms are required from those individuals and/or entities that the representative is not signing on behalf of and are included with the business entity's submittal.)**

Check Box C if the representative completing the Certification and Disclosure form is doing so on behalf of the business entity only. **(Additional Certification and Disclosure forms are required from all individuals and/or entities whose contributions are attributable to the business entity and must be included with the business entity submittal.)**

Check Box D when a sole proprietor is completing the Certification and Disclosure form or when an individual or entity whose contributions are attributable to the business entity is completing a separate Certification and Disclosure form.

Read the five statements of certification prior to signing.

The representative authorized to complete the Certification and Disclosure form must sign and print her/his name, title or position and enter the date.

Public Law 2005, Chapter 51 and Executive Order 117 (2008)

State Agency Procedure for Submitting Form(s)

The State Agency should submit the completed and signed Two-Year Vendor Certification and Disclosure forms either electronically to: cd134@treas.nj.gov or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625-0230. Original forms should remain with the State Agency and copies should be sent to the Chapter 51 Review Unit.

Business Entity Procedure for Submitting Form(s)

The business entity should return this form to the contracting State Agency.

The business entity can submit the Certification and Disclosure form directly to the Chapter 51 Review Unit only when:

- The business entity is approaching its two-year certification expiration date and is seeking certification renewal;
- The business entity had a change in its ownership structure; OR
- The business entity made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Questions & Information

Questions regarding the interpretation or application of Public Law 2005, Chapter 51 (N.J.S.A. 19:44A-20.13) or E.O. 117 (2008) may be submitted electronically through the Division of Purchase and Property website at: <https://www.state.nj.us/treas/purchase/eo134questions.shtml>

Reference materials and forms are posted on the Political Contributions Compliance website at: <http://www.state.nj.us/treasury/purchase/execorder134.shtml>

USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

- **“Business Entity/Vendor”** means any natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of New Jersey or any other state or foreign jurisdiction. The definition also includes (i) if a business entity is a for-profit corporation, any officer of the corporation and any other person or business entity that owns or controls 10% or more of the stock of the corporation; (ii) if a business entity is a professional corporation, any shareholder or officer; (iii) if a business entity is a general partnership, limited partnership or limited liability partnership, any partner; (iv) if a business entity is a sole proprietorship, the proprietor; (v) if the business entity is any other form of entity organized under the laws of New Jersey or any other state or foreign jurisdiction, any principal, officer or partner thereof; (vi) any subsidiaries directly or indirectly controlled by the business entity; (vii) any political organization organized under 26 U.S.C.A. § 527 that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee; and (viii) with respect to an individual who is included within the definition of “business entity,” that individual’s civil union partner and any child residing with that person. ¹
- **“Officer”** means a president, vice president with senior management responsibility, secretary, treasurer, chief executive officer or chief financial officer of a corporation or any person routinely performing such functions for a corporation. Please note that officers of non-profit entities are excluded from this definition.
- **“Partner”** means one of two or more natural persons or other entities, including a corporation, who or which are joint owners of and carry on a business for profit, and which business is organized under the laws of this State or any other state or foreign jurisdiction, as a general partnership, limited partnership, limited liability partnership, limited liability company, limited partnership association, or other such form of business organization.

¹Contributions made by a spouse, civil union partner or resident child to a candidate for whom the contributor is eligible to vote or to a political party committee within whose jurisdiction the contributor resides are permitted.

USEFUL DEFINITIONS for the purposes of Chapter 51 and Executive Order 117

- **“Contribution”** is a contribution, including an in-kind contribution, in excess of \$300.00 in the aggregate per election made to or received by a candidate committee, joint candidates committee, or political committee; or per calendar year made to or received by a political party committee, legislative leadership committee, or continuing political committee or a currency contribution in any amount.
- **“In-kind Contribution”** means a contribution of goods or services received by a candidate committee, joint candidates committee, political committee, continuing political committee, political party committee, or legislative leadership committee, which contribution is paid for by a person or entity other than the recipient committee, but does not include services provided without compensation by an individual volunteering a part of or all of his or her time on behalf of a candidate or committee.
- **“Continuing Political Committee”** includes any group of two or more persons acting jointly, or any corporation, partnership, or any other incorporated or unincorporated association, including a political club, political action committee, civic association or other organization, which in any calendar year contributes or expects to contribute at least \$4,300 to aid or promote the candidacy of an individual, or the candidacies of individuals, for elective public office, or the passage or defeat of a public questions, and which may be expected to make contributions toward such aid or promotion or passage or defeat during a subsequent election, provided that the group, corporation, partnership, association or other organization has been determined by the Commission to be a continuing political committee in accordance with N.J.S.A. 19:44A-8(b).
- **“Candidate Committee”** means a committee established by a candidate pursuant to N.J.S.A. 19:44A-9(a), for the purpose of receiving contributions and making expenditures.
- **“State Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-4.
- **“County Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-3.
- **“Municipal Political Party Committee”** means a committee organized pursuant to N.J.S.A. 19:5-2.
- **“Legislative Leadership Committee”** means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly, or the Minority Leader of the General Assembly pursuant to N.J.S.A. 19:44A-10.1 for the purpose of receiving contributions and making expenditures.
- **“Political Party Committee”** means:
 1. The State committee of a political party, as organized pursuant to N.J.S.A. 19:5-4;
 2. Any county committee of a political party, as organized pursuant to N.J.S.A. 19:5-3; or
 3. Any municipal committee of a political party, as organized pursuant to N.J.S.A. 19:5-2



Division of Purchase and Property
Two-Year Chapter 51/Executive Order 117 Vendor Certification and
Disclosure of Political Contributions

FOR STATE AGENCY USE ONLY

Solicitation, RFP, or Contract No. _____ Award Amount _____

Description of Services _____

State Agency Name _____ Contact Person _____

Phone Number _____ Contact Email _____

Check if the Contract / Agreement is Being Funded Using FHWA Funds

**Please check if requesting
recertification**

Part 1: Business Entity Information

Full Legal Business Name _____
(Including trade name if applicable)

Address _____

City _____ State _____ Zip _____ Phone _____

Vendor Email _____ Vendor FEIN (SS# if sole proprietor/natural person) _____

**Check off the business type and list below the required information for the type of business selected.
MUST BE COMPLETED IN FULL**

- Corporation: LIST ALL OFFICERS and any 10% and greater shareholder
- Professional Corporation: LIST ALL OFFICERS and ALL SHAREHOLDERS
- Partnership: LIST ALL PARTNERS with any equity interest
- Limited Liability Company: LIST ALL MEMBERS with any equity interest
- Sole Proprietor

Note: "Officers" means President, Vice President with senior management responsibility, Secretary, Treasurer, Chief Executive Officer or Chief Financial Officer of a corporation, or any person routinely performing such functions for a corporation.

All Officers of a Corporation or PC

**10% and greater shareholders of a corporation
or all shareholder of a PC**

All Equity partners of a Partnership

All Equity members of a LLC

If you need additional space for listing of Officers, Shareholders, Partners or Members, please attach separate page.

IMPORTANT NOTE: You must review the definition of "contribution" and "business entity" on the Information and Instructions form prior to completing Part 2 and Part 3. The Information and Instructions form is available at: <http://www.state.nj.us/treasury/purchase/forms.shtml#eo134>

Part 2: Disclosure of Contributions by the business entity or any person or entity whose contributions are attributable to the business entity.

1. Report below all contributions solicited or made during the 4 years immediately preceding the commencement of negotiations or submission of a proposal to any:

Political organization organized under Section 527 of the Internal Revenue Code and which also meets the definition of a continuing political committee as defined in N.J.S.A. (See Information and Instructions form.)

2. Report below all contributions solicited or made during the 5 ½ years immediately preceding the commencement of negotiations or submission of a proposal to any:

Candidate Committee for or Election Fund of any Gubernatorial or Lieutenant Gubernatorial candidate
State Political Party Committee
County Political Party Committee

3. Report below all contributions solicited or made during the 18 months immediately preceding the commencement of negotiations or submission of a proposal to any:

Municipal Political Party Committee
Legislative Leadership Committee

Full Legal Name of Recipient _____
Address of Recipient _____
Date of Contribution _____ Amount of Contribution _____
Type of Contribution (i.e. currency, check, loan, in-kind) _____
Contributor Name _____
Relationship of Contributor to the Vendor _____
If this form is not being completed electronically, please attach additional contributions on separate page. Click the "Add a Contribution" tab to enter additional contributions.

Remove Contribution
Add a Contribution

Check this box only if no political contributions have been solicited or made by the business entity or any person or entity whose contributions are attributable to the business entity.

Part 3: Certification

- (A) I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**.
- (B) I am certifying on behalf of the business entity and all individuals and/or entities whose contributions are attributable to the business entity as listed on Page 1 under **Part 1: Vendor Information**, except for the individuals and/or entities who are submitting separate Certification and Disclosure forms which are included with this submittal.
- (C) I am certifying on behalf of the business entity only; any remaining persons or entities whose contributions are attributable to the business entity (as listed on Page 1) have completed separate Certification and Disclosure forms which are included with this submittal.
- (D) I am certifying as an individual or entity whose contributions are attributable to the business entity.

I hereby certify as follows:

1. I have read the Information and Instructions accompanying this form prior to completing the certification on behalf of the business entity.
2. All reportable contributions made by or attributable to the business entity have been listed above.

3. The business entity has not knowingly solicited or made any contribution of money, pledge of contribution, including in-kind contributions, that would bar the award of a contract to the business entity unless otherwise disclosed above:

- a) Within the 18 months immediately preceding the commencement of negotiations or submission of a proposal for the contract or agreement to:
 - (i) A candidate committee or election fund of any candidate for the public office of Governor or Lieutenant Governor or to a campaign committee or election fund of holder of public office of Governor or Lieutenant Governor; OR
 - (ii) Any State, County or Municipal political party committee; OR
 - (iii) Any Legislative Leadership committee.
- b) During the term of office of the current Governor or Lieutenant Governor to:
 - (i) A candidate committee or election fund of a holder of the public office of Governor or Lieutenant Governor; OR
 - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.
- c) Within the 18 months immediately preceding the last day of the sitting Governor or Lieutenant Governor's first term of office to:
 - (i) A candidate committee or election fund of the incumbent Governor or Lieutenant Governor; OR
 - (ii) Any State or County political party committee of the political party that nominated the sitting Governor or Lieutenant Governor in the last gubernatorial election.

4. During the term of the contract/agreement the business entity has a continuing responsibility to report, by submitting a new Certification and Disclosure form, any contribution it solicits or makes to:

- (a) Any candidate committee or election fund of any candidate or holder of the public office of Governor or Lieutenant Governor; OR
- (b) Any State, County or Municipal political party committee; OR
- (c) Any Legislative Leadership committee.

The business entity further acknowledges that contributions solicited or made during the term of the contract/agreement may be determined to be a material breach of the contract/agreement.

5. During the two-year certification period the business entity will report any changes in its ownership structure (including the appointment of an officer within a corporation) by submitting a new Certification and Disclosure form indicating the new owner(s) and reporting said owner(s) contributions.

I certify that the foregoing statements in Parts 1, 2 and 3 are true. I am aware that if any of the statements are willfully false, I may be subject to punishment.

Signed Name _____ Print Name _____

Title/Position _____ Date _____

Procedure for Submitting Form(s)

The contracting State Agency should submit this form to the Chapter 51 Review Unit when it has been required as part of a contracting process. The contracting State Agency should submit a copy of the completed and signed form(s), to the Chapter 51 Unit and retain the original for their records.

The business entity should return this form to the contracting State Agency. The business entity can submit this form directly to the Chapter 51 Review Unit only when it -

- Is approaching its two-year certification expiration date and wishes to renew certification;
- Had a change in its ownership structure; OR
- Made any contributions during the period in which its last two-year certification was in effect, or during the term of a contract with a State Agency.

Forms should be submitted either electronically to: cd134@treas.nj.gov , or regular mail at: Chapter 51 Review Unit, P.O. Box 230, 33 West State Street, Trenton, NJ 08625.

**ATTACHMENT #3
EVALUATION SCORE SHEET**

**Fort Monmouth Economic Revitalization Authority (FMERA)
Request for Proposals to Sublease
Fort Monmouth Building 603**

Bidder: _____

Evaluator #: _____

<u>Sample Score Sheet</u>	<u>Score 0-10</u> x	<u>Weight</u> =	<u>Criterion</u> <u>Score</u>
1. Rental rate [weight = 20]		20	
2. Estimated jobs to be created at or relocated to the parcel – the focus is on research and development personnel [weight = 20]		20	
3. Sublease term [weight = 10]		10	
4. Total tenant capital investment [weight = 10]		10	
5. Potential Sublessee(s) financial capability to meet the proposed sublease terms [weight = 10]		10	
6. Use of the subleased space [weight = 20]		20	
7. Impact to host municipality [weight = 10]		10	
Total Score		100	