

MARCH 25, 2013

ADDENDUM #3 TO

**REQUEST FOR OFFERS TO PURCHASE
FOR**

THE SALE OF REAL PROPERTY

Issued by the

FORT MONMOUTH ECONOMIC REVITALIZATION AUTHORITY

Date Issued: January 16, 2013

**Responses Are NOW due by 12:00 P.M. EDT on
APRIL 1, 2013**

At the FMERA Offices

**Proposals will be publically opened April 1, 2013 at 4PM at Gibbs Hall
2000 Lowther Drive Fort Monmouth**

Also:

This **ADDENDUM** includes Request for Offers to Purchase (the “RFOTP”) additional questions and answers related to Addendums #1 and #2. **The Addendum will be made available only at the Authority’s website:**

www.fortmonmouthredevelopment.com

NOTICE

FMERA reserves the right to negotiate business terms that better suit the interests of the Authority and the redevelopment plans for Fort Monmouth, price and other factors considered, by negotiating with potential purchasers(s) that submit offer(s). FMERA reserves the right to exclude from negotiations any and/or all offers received. Negotiations with a potential purchaser will not preclude the Authority from negotiating with other potential purchasers that submitted an offer unless the Authority has entered into an exclusive negotiating period with a potential purchaser in accordance with proposed rule N.J.A.C. 19:31C-2.16.

A. Questions and Answers

1. **Question:** The RFP requires a Conceptual Redevelopment Plan submittal. Since this RFP is for existing homes on existing roadways, we are unclear if or why a Conceptual Redevelopment Plan would be required. Therefore, our question is – Is a Conceptual Redevelopment Plan required? And if yes, what type of details are required in the Conceptual Redevelopment Plan

Answer: Yes, a conceptual redevelopment plan is required and should include whether the properties will be fee simple or condominiums and show what is planned for the vacant property north of the existing housing.

2. **Question:** We understand the Officer Quarters is located within a historical district. Are there any restrictions regarding interior or exterior renovations?

Answer: There will be restrictions on the exterior, but not the interiors; the interiors have already been renovated. Attachment D of the Programmatic Agreement provides more guidance.

3. **Question:** Can the building footprints of the existing dwellings be expanded? If yes, what governmental agency would have jurisdiction over the changes?

Answer: No – NJSHPO would be the government agency.

4. **Question:** We are concerned about the vehicular and pedestrian movements within the gates of the Fort. What are FMERA's short term and long terms plans for ingress and egress from Oceanport Road to the housing units?

Answer: Long term we expect the Oceanport Avenue gate to be open for free flow access. Short term access (next 12 to 18 months?) may need to be controlled.

5. **Question:** We are concerned with some of the vacant buildings within the Fort especially those adjacent to the Officer Quarters housing units. Does FMERA have any plans to create use restrictions for any of the existing structures?

Answer: Only to the extent that usage will be consistent with the Reuse and Redevelopment Plan and our land-use regulations. We do expect FEMA to vacate the lodging area to the north within the next 12 months.

6. **Question:** Regarding environmental conditions, when will the Finding and Suitability to Transfer (FOST) be completed?

Answer: We have no firm schedule for this but would expect it well before any negotiations start and certainly within the next 6 months.

7. **Question:** Has the soil or groundwater been tested for pesticides?

Answer: No as there is no evidence of a pesticide spill.

8. **Question:** Who is ultimately responsible to pay for any environmental clean-up if needed?

Answer: The Army with the following exception – “Pursuant to The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Army will retain responsibility for any environmental contamination (other than non-friable asbestos, lead-based paint and commercially-applied pesticides and termiticides) that may be present on the

Property as of the date of closing with FMERA. The selected Potential Purchaser will be afforded the opportunity to perform due diligence investigations prior to closing at its sole cost and expense. Bidders are hereby notified that registered pesticides 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 demolition of structures or 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, they would assume all responsibility and liability therefore.”

8. **Question:** ECP Parcel 51 seems to intersect the property and has a recommendation for further evaluation for groundwater. Has the evaluation been completed? If so, please provide details.

Answer: ECP Parcel 51 is not contiguous to the property and is west of the property. The groundwater from the area of Parcel 51 flows north. Please provide the source of your information. Regardless, any issues will be included as part of the FOST and must be addressed prior to transfer.

9. **Question:** Is it \$1mm each for sewer and water? i.e. \$2mm in total?

Answer: It is \$1m total for both.

10. **Question:** Is the Purchaser is now responsible for connecting its sewer and water from the boundary of the Property to the facilities of the Two Rivers and NJ Water ?

Answer: The property will initially have to be either segregated or isolated from a usage/metering perspective. This could be accomplished via providing sub-meters or actually changing the physical piping. Yet to be determined, is the final configuration and location of the interconnection points to TRWRA and NJ American. That is what the \$1M for future off-site improvements is intended for.

11. **Question:** Where are these connections?

Answer: See answer to question #10 above – this is TBD.

9. **Question:** What if the cost exceeds \$1mm?

Answer: The Authority will fund it.

10. **Question:** Will roads need to be excavated?

Answer: If this question is referring to the ultimate placement of utility pipes, yes, most likely.

11. **Question:** Will blanket easements be given as needed?

Answer: Yes, if required for utility service

12. **Question:** How was the \$1 million estimate calculated?

Answer: Estimate is based on approximately \$10,000 per residential unit.

13. **Question:** Are their (there) existing JCP&L owned transformers on the Property or on the Fort to which we can connect? If not, where are they?

Answer: Yes, however, this will need to be determined and will depend on further discussions with JCP&L. JCP&L does have transmission lines in close proximity to both housing areas.

14. **Question:** Will blanket easements be given as needed?

Answer: Yes if required for utility service.

15. **Question:** Will the Army responsibility for environmental remediation in any way extend to the remediation of lead paint and asbestos in the interior of the units?

Answer: No, these items are not covered by CERCLA.

16. **Question:** Re: the scoring category for "proposed project capital investment" - does such a figure refer to the entire capital investment in the project (eg including interior renovations) or does this solely refer to work outside the envelopes of the buildings?

Answer: It refers to all capital investment including renovations and interior improvements.

17. **Question:** Re: the scoring category "Potential purchaser's financial capacity" - please advise of the preferable means of demonstrating financial capacity eg financial statements, reference letters, proof of past performance and capacity?

Answer: As this is one of the evaluation criteria we will not stipulate a preference other than to say that each of the above means would be appropriate and considered.

18. **Question:** Will the historic restrictions apply solely to the exterior of the buildings?

Answer: See Answer to Question #2 above.

19. **Question:** At the Utilities Meeting on 3/6/13, FMERA advised to provide a reserve in the amount of \$1M to cover the estimated expense of off-site utility improvements. It was also our understanding that FMERA would be responsible in covering any additional costs associated with utility improvement in excess of the \$1M maintenance reserve. However, no reference was made to this in the 3/15/13 Addendum #2 to the RFOTP – please advise as to whether FMERA will assume responsibility of utility improvement costs in excess of \$1M.

Answer: See Answer to Question #9 above