

**Fort Monmouth Economic Revitalization Authority
In-Person & Telephonic Board Meeting
502 Brewer Avenue, Oceanport, N.J. 07757
Dial In: 888-431-3598 / Access Code: 1123026
Agenda – June 19, 2024**

1. **Call to Order**
2. **Notice of Public Meeting**
3. **Pledge of Allegiance**
4. **Roll Call**
5. **Welcome**
6. **Approval of Previous Month’s Board Meeting Minutes**
7. **Executive Director/Secretary Report & Update**
8. **Public Comment Regarding Board Action Items**
9. **Committee Reports**
 - Audit Committee – Anthony Talerico, Jr., Chairman
 - Real Estate Committee – McKenzie Wilson, Chairwoman
 - Environmental Staff Advisory Committee – Elizabeth Dragon, Chairwoman
 - Historical Preservation Staff Advisory Committee – Tom Tvrdik, Chairman
 - Housing Staff Advisory Committee – Vacant, Chairperson
 - Veterans Staff Advisory Committee – Vacant, Chairperson
10. **Board Actions**
 1. Consideration of Approval of the Selection of Surveying Services.
 2. Consideration of Approval of an Agreement with New Jersey American Water Company to install a new water main serving Parcels 7 & 8 on the Main Post.
11. **Other Items**
12. **Public Comment Regarding any FMERA Business**
13. **Adjournment**



MEMORANDUM

To: Members of the Board

From: Kara Kopach
Executive Director

Date: June 19, 2024

Subject: Monthly Status Report

Summary

The following are brief descriptions of the Fort Monmouth Economic Revitalization Authority (FMERA) staff's monthly activities which include the Treasurer's Report, and Update on Utilities and Infrastructure, Update on Development & Marketing and Update on the Fort Monmouth Redevelopment

Treasurer's Report

The 2023 Comprehensive Annual Report of the Authority, approved by the Board at the May 15, 2024 meeting, has been issued, distributed and posted to the Authority's website in accordance with Executive Order No. 37.

With the close of the second quarter on June 30th, FMERA staff will begin preparing the financial and operational summary for the first half of 2024. Staff will assess the first six months of 2024 and the performance against the 2024 organization goals. FMERA controls spending to the extent possible, until land sales occur, and proceeds are received, at which point we determine which projects in our budget can be completed. It is projected that FMERA will be on or under budget in all categories through year-end.

Executive Director's Report

• **Update on Utilities and Infrastructure**

- The six remaining former Army sanitary pump stations on the Main Post have now been abandoned. Asbestos surveys have been obtained in preparation for abatement and demolition of the six structures. In 2017 there were eleven pump stations on the Main Post, and two on the Suneagles Golf Course. The closure of all thirteen pump stations takes FMERA completely out of the sanitary transportation business.
- The installation of a new water service line to the McAfee Center and Building 602 is complete. FMERA is waiting for New Jersey American Water to finish their final inspection and complete the wet tap connecting the new service to the 24" NJAW water main along Avenue of Memories. The McAfee Center and Building 602 are the last two facilities on the old Army operated water system. Once the tie-in is complete the buildings will be fed by New Jersey American Water, and FMERA can proceed with abandoning the remainder old Army water system.
- FMERA continues to work with Jersey Central Power & Light staff toward the construction of a new 22-megawatt electrical substation and 15KVA distribution system on the Main Post. JCP&L recently received the CAFRA permit for the substation portion of the buildout from the New Jersey Department of Environmental Protection. This new infrastructure will systematically replace the existing 4160V electrical grid and make JCP&L the primary power provider. FMERA continues to repair, replace, and maintain aged electrical infrastructure on the Fort pending the commissioning of the new substation and distribution system.
- The abatement and demolition project, which will ultimately clear Buildings 550 and 551 from the parcel of the same name, continues. Project completion is expected by the end of June 2024.
- Through a Board approved MOU with Oceanport, FMERA is utilizing Colliers Engineering to investigate/evaluate the current condition of stormwater infrastructure located on the Main Post of Fort Monmouth. The project also involves identifying and recording necessary repairs and/or replacements to pipes, manholes, catch basins and outfall structures. The goal of the project is to convey ownership of stormwater infrastructure to the Boroughs of Eatontown and Oceanport once the stormwater infrastructure study is completed and all necessary repairs are made.

- Two new infrastructure projects will commence this summer and fall. Working with the Two Rivers Water Reclamation Authority, the 7/8 Sanitary Main Extension Project will connect to the upstream end of the South Interceptor and continue the sanitary main westerly along Oceanport Way to the western end of the Eatontown Housing parcel. Thereafter, working with New Jersey American Water, the Phase 4 Water Main Extension Project will extend water service easterly along Todd Avenue and Oceanport Way supplying water to the Eatontown Housing Parcel
- The Facilities and On-site Maintenance Teams continues to maintain fire suppressions systems of buildings to be reused by the Mega Parcel purchaser.

2. Update on the Fort's Redevelopment

The following is a town-by-town summary of the status of our redevelopment projects.

In **Oceanport**, FMERA has closed on the following eighteen properties:

- Former Patterson Army Hospital on December 13, 2013, with AcuteCare Systems.
- Monmouth County Adult Shelter on November 17, 2016, with Monmouth County.
- Officer Housing Parcels on January 13, 2017, with RPM Development, LLC. RPM Development renovated the 116 historic housing units, creating 68 market-rate for sale units, and 48 rental units; twenty percent of the total units are available to low- and moderate-income households.
- Main Post Chapel on February 27, 2017, with Triumphant Life Assembly of God Church who purchased the approximately 16,372 sq. ft. building for use as a house of worship.
- Russel Hall on June 23, 2017, with TetherView Property Management, LLC, a private cloud computing services company who occupies the 40,000 sq. ft. building. Russel Hall currently houses a variety of businesses including tech companies and medical offices.
- Oceanport Municipal Complex on August 16, 2017, where the Borough of Oceanport purchased the property for their new Oceanport Borough Hall, Police Department, Department of Public Works and Office of Emergency Management.
- Fitness Center on September 26, 2017, enabling Fort Partners Group, LLC, to renovate and expand the facility to emphasize basketball and medically based fitness and wellness programs, and individualized group training and classes.
- Dance Hall Parcel on April 4, 2018, to The Loft Partnership, LLC. The developer renovated the Dance Hall as a banquet facility. They have booked over 200 weddings and events since opening.
- Building 501, on April 24, 2019, with Family Promise of Monmouth County, an approximately 1.7-acre site, via a Legally Binding Agreement (LBA). Lunch Break has now merged with Family Promise and will expand the services offered on the site.
- Telecommunications Tower and Land on October 25, 2019, with Global Signal Acquisitions, LLC for an approximately 0.58 parcel of land containing the Telecommunications Tower and adjacent land.
- Squier Hall Complex, on December 19, 2019, with KKF University Enterprises, LLC, an approximately 31-acre site. The developer has secured a commitment from New Jersey City University for use of the site as a satellite campus. NJCU is currently partnering with RWJ to utilize the university's state-of-the art training facilities.
- Commissary, Post Exchange (PX) complex, Warehouse District and a 1000 Area Parking parcel, on October 16, 2020, with OPort Partners, LLC. The Commissary/PX parcel shall permit, Food Service, Flex space, Office, R&D and Instructional Schools and Studios. The Warehouse District will permit Flex Space, Medical Office, Office, and Research & Development. Birdsmouth, a brewery opened in 2022, Baseline Social, a full-service state of the art bar and restaurant opened last summer and Mr. Green Tea, the specialty mochi and ice cream distributor is also open.
- Marina, on March 25, 2021, with AP Development Partners, LLC, which will continue to operate as a marina/public boat ramp and restaurant.
- Barker Circle, with Barker Circle Partnership, LLC, an approximately 19.5-acre parcel in the historic district which includes the repurposing of Buildings 205-208, and 287, as well as the Main Post Firehouse and Kaplan Hall, for residential, office and other commercial uses.
- Lodging Area, on November 24, 2021, with Somerset Development, LLC, a 15-acre site located on Parkers Creek, being developed with up to 185 new and renovated historic housing units. Townhouses are for sale, many of which have already been sold and are occupied. The riverwalk for this site is also fully constructed and connects to the walking trail on the RPM property.
- Allison Hall, on May 20, 2022, with Fort Monmouth Business Center, LLC, a 13-acre parcel which includes the reuse of the historic building, as well as retail, office, business lofts, and open space/recreation uses. Construction is underway on this site as both the business lofts and retail are being built while other site prep like the retention basins are ongoing.

Also in **Oceanport**, FMERA has executed or approved contracts on the following property:

- Nurses Quarters, with RPM Development, LLC for the renovation of the 24-unit residential complex along with 10 new townhomes on Main Street adjacent to the former Patterson Army Hospital. A closing is planned in the next several weeks.

In **Eatontown**, FMERA has closed on the following four properties:

- Motor Pool, on November 17, 2016 with Monmouth County for a public works facility.
- Suneagles Golf Course, on December 18, 2020, with Martelli Development, LLC, who has upgraded the existing Golf Course and renovated the historic Gibbs Hall. Martelli Signature Homes has constructed and sold numerous townhouses in the middle of the course and continues to construct housing units.
- New Jersey American Water Tank Parcel, on April 23, 2021, a parcel located on a 3.945-acre tract on the Howard Commons parcel to install a water tank to serve NJAW's needs by providing approximately four acres of land surrounded on two sides by undeveloped preserved forest, a municipal road on another and a fourth side that encompasses soon to be built residential units which will be buffered by trees. NJAW has demolished the existing structures on the site.
- Eatontown Parks Parcel, on March 7, 2022, with the Borough of Eatontown, a 3.82-acre tract known as the Nicodemus Avenue Park Parcel located on Nicodemus Avenue for active recreation uses. The Borough has demolished all of the existing structures and is designing the park for a splash pad, additional recreational amenities, and accompanying bathrooms.

Also in **Eatontown**, FMERA has executed or approved contracts on the following property:

- Howard Commons, with Lennar Corporation for the construction of 275 Housing Units along Pinebrook Road, together with a retail component consisting of a maximum building square footage of 40,000 fronting on Hope Road and the paved and parking areas located within the property. Lennar has an obligation to provide twenty units of supportive housing on the property. Lennar will demolish over 480 vacant soldier housing units as part of the redevelopment and construct a 5-acre parcel for the Borough of Eatontown to use as open space.

In **Tinton Falls**, FMERA has closed on the following nine properties:

- Parcel E, on January 13, 2013, with Commvault for the headquarters. Commvault announced in March 2023 that they will be selling this building, with the intention of retaining some space for its operations via lease.
- Building 2525, on February 5, 2016, with Aaski Technologies for technology and office uses. Aaski sold a portion of the property to the Kiely Company following project completion.
- Child Development Center, on March 18, 2016, with Trinity Hall, for the all-girls high school. Trinity Hall completed their second-generation project on the site and is currently pursuing its third-generation expansion.
- Fort Monmouth Recreation Center and Swimming Pool, on January 6, 2017, with the Monmouth County Park System and being used for programs which include arts & crafts, sports, exercise classes and a variety of amenities including classrooms, gymnasium and a game room.
- Parcel F-3 on February 23, 2017, with the Monmouth County Park System in conjunction with the adjacent Recreation Center and Swimming Pool. Located along Hope Road, the County has expanded its services and public open space amenities currently offered at the Recreation Center.
- Charles Wood Fire Station, on May 22, 2018, was originally transferred to Commvault Systems, Inc. for use as corporate office and training space. The Charles Wood Fire Station is now targeted for use as a regional emergency services center.
- Parcel C with Lennar Corporation, on August 2, 2018, approved for 243 residential units and up to 58,000 sq. ft. of retail development. Lennar has completed the residential portion of this site but the commercial deliverables remain and have been adversely impacted due to the changing market conditions for retail.
- Parcel C1 with Lennar Corporation, on August 2, 2018. Lennar has constructed and sold all 45 single family homes.
- Parcel F-1 – Myer Center and Building 2705, on December 16, 2022, an approximately 36-acre parcel in Tinton Falls where RWJ Barnabas Health (RWJBH) plans to create a health campus to include a cancer center, medical offices, and a future hospital. RWJBH has broken ground and is constructing its cancer center.

Also in **Tinton Falls**, FMERA has executed contracts on three properties:

- Fabrications Shops (Pinebrook Road Commerce Center), 45,000 sq. ft. of light industrial and flex office space buildings along Pinebrook Road for sale to Pinebrook Commerce Center, LLC. A closing is planned this summer.

- Tinton Falls Commercial Parcel (Pulse Power, Building 2719, and the Pistol Range) with RWJBH for 1) construction of a three-story Medical Office Building; 2) installation of a grid-supply solar energy system; 3) construction of active recreational facilities, including two (2) multi-purpose grass or turf athletic fields, one (1) baseball/softball field, up to five (5) tennis courts, and a field house; 4) passive recreation, including a community walking/nature trail that enhances walkability and interconnectedness of the Tinton Falls section of Fort Monmouth; and 5) open space to benefit the surrounding area.
- County Woodlands Parcel, with Monmouth County for a 23.78-acre property for county open space preservation.

3. **Development & Marketing Update**

FMERA continues to make good progress on the Fort's redevelopment, with about 86 percent of the Fort's 1,126 acres sold, under contract, in negotiations, or entering the request for proposals process. To date, FMERA has sold 34 parcels, and another 7 parcels are under contract or have Board-approved contracts for a first-generation project. FMERA anticipates closing on another two properties within the next few weeks.

FMERA's redevelopment continues to move forward, with new homes, business, and amenities coming online on a rolling basis. In the Oceanport section of the Fort, Allison Hall is rehabilitating three structures on the site and has begun construction of its new facilities, new homes continue to populate the Parkers Creek development by Pulte, and Baseline Social is now open, offering dining and interactive experiences, like golf caves and live music, at the former Commissary. Mr. Green Tea, the specialty mochi and ice cream distributor is also open, alongside Baseline and Birdsmouth Brewery. In Eatontown, the historic rehabilitation and renovation of Gibbs Hall is now complete and construction of new housing on the course is on-going. Lennar's professionals have started work on-site at the Howard Commons property. Martelli Development continues to make excellent progress on the residential component of Suneagles Golf Course, The Ridge, and is also nearing completion on its affordable housing units. In Tinton Falls, most of the Charles Wood area is already developed. However, construction of RWJBarnabas Health's medical campus has begun with the 100,000 sf Cancer Center. Trinity Hall's is also well positioned to begin its third-generation project, with the majority of approvals in hand.

The remainder of FMERA's projects are in various stages of development, many of which are still in the due diligence, design, and approvals phases. Continuous demolition and construction can otherwise be seen Fort-wide. FMERA is currently in the process of abating and demolishing two buildings across from the Fort Athletic Club that will ultimately provide space for additional community parking for the Fort-wide walking trail and other amenities. As for the Mega Parcel, Netflix's plans for Phase 1A have been submitted to FMERA for Mandatory Conceptual Review and will ultimately be reviewed by the municipalities and the County for Planning Board approvals. Plan Amendment #20 set forth the overlay zoning that will be utilized for review and compliance. While the developer continues to move forward ahead of schedule, the approval period is 36 months and substantial administrative work needs to be completed before the public can expect to see any visible changes to the site. FMERA staff will begin the process of drafting its next Request for Offers to Purchase for an affordable housing development on the Eatontown Housing Parcel, which is also subject to Plan Amendment #20. FMERA anticipates issuing an RFOTP for this parcel over the summer.

FMERA is actively working to promote the services and opportunities now available at the Fort through media, meetings, and additional speaking engagements.

Thank you to everyone who participated in the Fort's blood drive in partnership with the Fort Athletic Club. Because of you, 123 patients can receive lifesaving blood transfusions. We would also like to thank all who participated in and attended FMERA's annual Flag Day Celebration, in honor of the Army's 249th birthday. As always, we express our gratitude to the military, its veterans, and those who gave the ultimate sacrifice. Our team will continue to provide updates to the public regarding on-going activities at the Fort that our stakeholders may participate in.

As businesses and amenities come online, FMERA continues to create visibility for these new assets through our social media as well as through our on-site wayfinding signage initiative.

Please visit our website, www.fortmonmouthnj.com and follow us on Instagram at @fortmonmouthnj for our latest updates.

Kara Kopach

**Resolution Regarding the
Approval of Award of Surveying Services**

WHEREAS, the Legislature enacted the Fort Monmouth Economic Revitalization Authority Act (“Act”), P.L. 2010, c. 51, to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or “Authority”); and

WHEREAS, FMERA issued a Request for Proposals (“RFP”) for Surveying Services on March 15, 2024 to solicit Technical Proposals and Fee Proposals from qualified firms interested in performing Surveying Services to procure and manage subcontractors or utilize in-house staff to perform routine tasks to facilitate the conveyance of Fort Monmouth property to interested purchasers; and

WHEREAS, proposals were due on April 23, 2024 and ten compliant proposals were received from T&M Associates, Colliers Engineering & Design, Matrix New World Engineering Progress, French & Parrello Associates, Greenman-Pedersen, Inc., Bowman Consulting Group, Ltd, Newlines Engineering & Survey, PS&S, CME Associates, and Roberts Engineering Group; and

WHEREAS, the ten technical proposals were distributed to the Evaluation Committee, which consisted of three New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office. The technical proposals were scored independently by each of the evaluators and were evaluated based upon relevant experience and management approach and other criteria established in the RFP; and

WHEREAS, the Evaluation Committee met to review the scoring of the technical proposals and the fee proposals were reviewed by FMERA’s Accounting Manager and the RFP Coordinator; and

WHEREAS, the final scores, inclusive of the technical evaluation and the fee schedule, ranged from a high of 320 points to a low of 237 points with T&M Associates scoring 320, Colliers Engineering & Design scoring 297, Matrix New World Engineering Progress scoring 281, French & Parrello Associates scoring 272, Greenman-Pedersen, Inc. scoring 254, Bowman Consulting Group, Ltd scoring 249, Newlines Engineering & Survey scoring 248, PS&S scoring 243, CME Associates scoring 240, and Roberts Engineering Group scoring 237; and

WHEREAS, FMERA staff determined that T&M Associates’ proposal to be the most favorable to the Authority, based on experience in surveying services, the general overview and understanding of the Scope of Services, the experience in successfully completing projects of a similar scope and size, and other factors as described in the RFP; and

WHEREAS, FMERA staff recommends that the FMERA staff recommends that the Board approve the selection of T&M Associates as FMERA’s Surveying Services Firm for an initial term of twelve (12) months, commencing with the date of appointment, with the Authority having the ability to extend the term of the contract, at the Authority’s sole discretion, for an additional four (4) twelve (12) month periods in accordance with the term provided in the RFP; and

WHEREAS, the Real Estate Committee reviewed the request and recommends it to the Board for approval.

THEREFORE, BE IT RESOLVED THAT:

1. The Board approves the selection of T&M Associates for Surveying Services for an initial term of twelve (12) months commencing upon execution of the contract with an additional four (4) twelve (12) month extension periods at the Authority’s sole discretion..
2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority

meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Attachment
Dated: June 19, 2024

EXHIBIT 1

Draft

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Selection of Surveying Services

DATE: June 19, 2024

Summary

I am requesting that the Board approve the selection of a Surveying Services Firm pursuant to a Request for Proposals (“RFP”) for Surveying Services.

Background

Governor Christie signed P.L. 2010 c. 51 on August 17, 2010 to create the Fort Monmouth Economic Revitalization Authority (“FMERA” or the “Authority”). The economies, environment, and quality of life of the host municipalities, Monmouth County, and the State will benefit from the efficient, coordinated, and comprehensive redevelopment and revitalization of Fort Monmouth.

FMERA issued a Request for Proposals (“RFP”) on March 15, 2024, for Surveying Services to solicit Technical Proposals and Fee Proposals from qualified Firms interested in providing Surveying Services. FMERA issued RFP Addendum #1 on April 17, 2024. The services will be performed to facilitate transfer of the former Fort Monmouth property from the Authority to interested purchasers. The consultant will be utilized on an as-needed basis pursuant to the engagement process detailed in the RFP’s Scope of Work and will be engaged through Task Order Requests (TOR). The proposals were due on April 23, 2024, and ten (10) proposals were received.

The ten technical proposals were distributed to the Evaluation Committee, which consisted of three (3) New Jersey Economic Development Authority employees, all of which are assigned to the FMERA Office. The technical proposals were scored independently by each of the evaluators and were evaluated based upon relevant experience and management approach and other criteria established in the RFP. The fee proposals were reviewed by FMERA’s Accounting Manager and the RFP Coordinator. The final scores, inclusive of the technical evaluation and the fee schedule, ranged from a high of 320 points to a low of 237 points with T&M Associates scoring 320, Colliers Engineering & Design scoring 297, Matrix New World Engineering Progress scoring 281, French & Parrello Associates scoring 272, Greenman-Pedersen, Inc. scoring 254, Bowman Consulting Group, Ltd scoring 249, Newlines Engineering & Survey scoring 248, PS&S scoring 243, CME Associates scoring 240, and Roberts Engineering Group scoring 237. As such, FMERA staff determined that T&M Associates’ proposal to be the most favorable to the Authority, based on T&M Associates’ experience in surveying services, the general overview and understanding of the Scope of Services, the experience in successfully completing projects of a similar scope and size, and other factors as described in the RFP.

FMERA staff recommends that the Board approve the selection of T&M Associates as FMERA’s Surveying Services Firm for an initial term of twelve (12) months, commencing with the date of appointment, with the Authority having the ability to extend the term of the contract, at the Authority’s sole discretion, for an additional four (4) twelve (12) month periods in accordance with the term provided in the RFP.

The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve the selection of T&M Associates for Surveying Services for an initial term of twelve (12) months commencing upon execution of the contract with an additional four (4) twelve (12) month extension periods at the Authority's sole discretion.

Kara Kopach

Prepared by: Regina McGrade

Draft

**ADOPTED
June 19, 2024**

**Resolution Regarding
Approval of an Agreement with New Jersey American Water Company to install new water main serving
Parcels 7 & 8 on the Main Post.**

WHEREAS, the water mains which service the Main Post of Fort Monmouth are outdated and not suitable for future water usage requirements. Therefore, new mains must be installed to provide potable water service for current and future property owners; and

WHEREAS, in March 2023, the Board approved an interagency agreement with the Borough to Eatontown to initiate and complete the design of Water Extension Phase 4 on the Main Post of Fort Monmouth which enabled FMERA to move forward with the design of water main Phase 4, which will serve both sold properties and prospective purchasers on the Main Post, including Parcels 7 & 8, and eliminate the Army water system; and

WHEREAS, the Borough selected T&M Associates via a formal RFP process for the calendar year 2024. T&M Associates prepared plans and a scope of work (the "Plans") for Phase 4. These Plans included surveying services, field reconnaissance, test pits, certification applications for Soil and Erosion Control, typical NJDOT Lane Closure Plans, and NJDOT Permit Application for Utility Opening (MT17A); and

WHEREAS, upon receipt of the plans for Phase IV, FMERA prepared the application for the proposed new water main construction. However, in order to submit the plan to NJAW along with an Extension Deposit Agreement ("EDA") and an Amendment to the EDA, FMERA must receive Board approval to also transmit the required \$10,000 deposit and ultimately make an estimated payment of Three Hundred and Eleven Thousand Three Hundred and Eight-Eights Dollars and Seventy-Three Cents (\$311,388.73) ("Initial Estimate") for the full balance of the estimate cost for the project; and

WHEREAS, Upon Board approval and after the ten-day Governor's veto period, FMERA will provide the \$10,000 deposit, EDA and EDA Amendment to NJAW and NJAW will put the proposed new water main construction out to bid in order to facilitate the construction and installation of the water main to serve Parcels 7&8; and

WHEREAS, once bids are received, NJAW will amend its Initial Estimate to a Revised Estimated, reflecting the price of the winning submission; and

WHEREAS, staff requests that the Board authorize the payment of the \$10,000 deposit and the anticipated full balance of the Initial Estimate for the project, and staff further recommends that the Board approve the use of delegated authority to make additional payments up to 10% of the total Initial Estimate should the Revised Estimate or later cost over-runs exceed the Initial estimate; and

WHEREAS, Pursuant to Fiscal Year 2023 Appropriations Act, L. 2022, c. 49, FMERA received a line-item appropriation of \$10,000,000 of State funds for "Infrastructure" ("State Funds"); and

WHEREAS, NJAW's standard form of agreement is attached. The agreement will be amended by the attached amendment to clarify the following terms: (1) The only physical work required as a condition of the agreement is the markout locations and cut and cap existing pipes. All other physical work will be done at a later time at FMERA's discretion; (2) Any additional over-run costs beyond the 10% approved by the Board will require FMERA Board approval. The final terms of the agreement are subject to the approval of FMERA's Executive Director and the Attorney General's Office; and

WHEREAS, the attached NJAW EDA Amendment for Water Extension Phase IV is in substantially final form. The final terms of the amendment will be subject to the approval of FMERA’s Executive Director and as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval; and

THEREFORE, BE IT RESOLVED THAT:

1 For the reasons expressed in the attached agreement, an Agreement and Amendment to the agreement with New Jersey American Water Company, Inc. and the Fort Monmouth Economic Revitalization Agreement to install new water service on the Main Post to service Parcels 7 & 8 (“Water Extension Phase IV”) and future development at a total cost estimated to be \$311,388.73.

2. This resolution shall take effect immediately, but no action authorized herein shall have force and effect until 10 days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the Authority meeting at which this resolution was adopted has been delivered to the Governor of the State of New Jersey for his approval, unless during such 10-day period the Governor of the State of New Jersey shall approve the same, in which case such action shall become effective upon such approval, as provided by the Act.

Dated: June 19, 2024

EXHIBIT 2

Draft

MEMORANDUM

TO: Members of the Board

FROM: Kara Kopach
Executive Director

RE: Agreement with New Jersey American Water Company to install new water main serving Parcels 7 & 8 on the Main Post.

DATE: June 19, 2024

Request

I am requesting that the Board approve an Extension Deposit Agreement (“EDA”) and an Amendment to the Extension Deposit Agreement (“Amendment”) between New Jersey American Water Company, Inc. (“NJAW”) and the Fort Monmouth Economic Revitalization Agreement (“FMERA”), collectively the “Parties,” to install new water service on the Main Post to service Parcels 7 & 8 (“Water Extension Phase IV”) and future development at a total cost estimated to be \$311,388.73.

Background

The water mains which service the Main Post of Fort Monmouth are outdated and not suitable for future water usage requirements. Therefore, new mains must be installed to provide potable water service for current and future property owners.

In March 2023, the Board approved an interagency agreement with the Borough to Eatontown to initiate and complete the design of Water Extension Phase IV on the Main Post of Fort Monmouth. This enabled FMERA to move forward with the design of water main Phase IV, which will serve both sold properties and prospective purchasers on the Main Post, including Parcels 7 & 8, and eliminate the Army water system.

The Borough selected T&M Associates via a formal RFP process for the calendar year 2024. T&M Associates prepared plans and a scope of work (the “Plans”) for Phase IV. These Plans included surveying services, field reconnaissance, test pits, certification applications for Soil and Erosion Control, typical NJDOT Lane Closure Plans, and NJDOT Permit Application for Utility Opening (MT17A). Upon receipt of the plans for Phase IV, FMERA prepared the application for the proposed new water main construction. However, in order to submit the plan to NJAW along with the EDA and Amendment, FMERA must receive Board approval to also transmit the required \$10,000 deposit and ultimately make an estimated payment of Three Hundred and Eleven Thousand Three Hundred and Eight-Eighths Dollars and Seventy-Three Cents (\$311,388.73) (“Initial Estimate”) for the full balance of the estimate cost for the project.

Upon Board approval and after the ten-day Governor’s veto period, FMERA will provide the \$10,000 deposit, EDA and EDA Amendment to NJAW and NJAW will put the proposed new water main construction out to bid in order to facilitate the construction and installation of the water main to serve Parcels 7&8. Once bids are received, NJAW will amend its Initial Estimate to a Revised Estimate, reflecting the price of the winning submission. Staff also requests that the Board authorize the payment of the \$10,000 deposit and the anticipated full balance of the Initial Estimate for the project. Staff further recommends that the Board approve the use of

delegated authority to make additional payments up to 20% of the total Initial Estimate should the Revised Estimate or later cost over-runs exceed the Initial Estimate.

Pursuant to Fiscal Year 2023 Appropriations Act, L. 2022, c. 49, FMERA received a line-item appropriation of \$10,000,000 of State funds for “Infrastructure” (“State Funds”).

The EDA, which is NJAW’s standard form of agreement, is attached. The Amendment, also attached, clarifies the following terms: (1) The only physical work required as a condition of the EDA is the markout locations and cut and cap existing pipes. All other physical work will be done at a later time at FMERA’s discretion; (2) Any additional over-run costs beyond the 10% approved by the Board will require FMERA Board approval. The final terms of the EDA and Amendment are subject to the approval of FMERA’s Executive Director and as to form by the Attorney General’s Office.

The attached NJAW EDA and Amendment for Water Extension Phase IV are in substantially final form. The final terms of the Amendment will be subject to the approval of FMERA’s Executive Director and as to form by the Attorney General's Office. The Real Estate Committee has reviewed the request and recommends it to the Board for approval.

Recommendation

In summary, I am requesting that the Board approve an Agreement and Amendment to the agreement with New Jersey American Water Company, Inc. and the Fort Monmouth Economic Revitalization Agreement to install new water service on the Main Post to service Parcels 7 & 8 (“Water Extension Phase IV”) and future development at a total cost estimated to be \$311,388.73.

Kara Kopach

Prepared by: Regina McGrade