



REQUEST FOR EXPRESSIONS OF INTEREST AND INFORMATION FOR MAXIMIZING ECONOMIC BENEFITS CAPABLE OF BEING DERIVED FROM REAL PROPERTY OWNED BY THE BOROUGH OF NORTH CALDWELL AND COMMONLY KNOWN AS WALKERS POND

1. INTRODUCTION AND GENERAL INFORMATION

1.1 INTRODUCTION

The Borough of North Caldwell (the “Borough”) owns real property located at 400 Mountain Avenue, North Caldwell, New Jersey, as more fully described below in Section 1.4 (the “Property” or “Walkers Park”).

1.2 PURPOSE AND INTENT

The purpose of this Request for Expressions of Interest and Information (RFEII) is to obtain ideas and information for maximizing the economic benefits capable of being derived from Walker’s Park. The Property constitutes a vital asset and a jewel in the Borough’s real property holdings. The Borough’s ultimate goal is to maximize community use and possible revenue from this asset and to ensure its long-term community involvement and prosperity for the Borough.

The Borough of North Caldwell welcomes the community, businesses, developers and anyone else to submit ideas for the use of Walker’s Park even if they are not financially capable of carrying it out but wish to see the property used for a particular purpose that benefits the community. The borough is willing to work as a partner for purposes of assisting with renovation of the building in any manner that suits those diverse ideas of the responsive party.

The purpose of this RFEII is to solicit information from individuals or organizations outlining the possible uses of Walker’s Park. The Walker’s Park site is shown on the map attached hereto as Exhibit A (below). The Borough welcomes the use of Walker’s Park site for diverse uses. Such uses must not cause detrimental environmental impacts to the Deed of Conservation as set forth in 1.4.4 below. The Borough needs additional information about the types of activities that would be successful and how those activities could generate community involvement before proceeding with a Request for Proposal. Ideas that have already been expressed and which the Borough likes include, but are not limited to, a farmer’s market, gifts and goods sold by local artists, exercise studio that includes yoga, cycling and possible aerobic classes, use of the kitchen space to serve baked goods, drinks, coffee, tea and lunches, the use of the back patio for tables and seating and maybe some fire pits with chairs around them to relax, eat and drink, meeting space, recreation programs, events at the pond, etc. The ultimate goal is a facility that has events and activities that bring residents of all ages in the Borough and neighboring towns together for fun and enjoyment. Individuals are encouraged to submit an idea for the use of the entire property and/or ideas for multiple uses of the property if such uses are in keeping with the property’s long-standing history.

The Borough is not committed to any particular transaction to accomplish this goal but encourages Respondents to be creative in offering ideas, while remaining cognizant that, as a public entity, the Borough must comply with all applicable laws regarding procurement of long-term management agreements, property redevelopment, and other transactions involving monetization of assets. By way of example, the lease of the property by the Borough would implicate New Jersey’s Local Lands and Buildings Law, N.J.S.A. 40:12-1 et seq. (LLBL), and the procurement of a management contract would implicate the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (LPCL). Except in limited circumstances not applicable here, the LLBL

does not permit negotiation for the sale of property to a private entity. The LPCL would likewise restrict the Borough's ability to negotiate a management contract.

1.3 BACKGROUND OF NORTH CALDWELL

In 1701, North Caldwell was part of a large tract of land which was purchased by a group of colonists from the Sagamore Indians. The tract was known as "Horseneck" and remained so until 1798 when it was officially named Caldwell Township. North Caldwell continued as part of the Township for 100 years.

Since the beginning in the early part of the eighteenth century, North Caldwell has served as a fine example of the charm and simple pleasures of suburban life. The Borough of North Caldwell enjoyed a reputation for a healthy climate and was called the "Denver of the East" and attracted many people during the summer. The Borough of North Caldwell was incorporated in 1898.

North Caldwell is a haven that is the "green jewel" of Essex County with beautiful homes on its hilly, wooded roads. Other than modest commercial activity on the northern and southern ends of town and two townhouse locations, the Borough's land use is dominated by single family homes. Our residents demonstrate their commitment and love of the community through involvement with organizations like the North Caldwell Historical Society, Senior Citizens Organization, coaching sports teams through our Recreation Department, or the North Caldwell Volunteer Fire Department as well as membership on various boards and committees.

1.4 WALKER'S PARK

1.4.1 DESCRIPTION, USE AND HISTORY

The Walker's Park is an approximately 17.7-acre government owned facility, identified as Block 606, Lot 1, located at 400 Mountain Avenue, North Caldwell, New Jersey, Essex County. It was acquired in 2016 from Elwood "Woody" Walker's estate. Walker's Park served as the home of Elwood "Woody" Walker, who many consider the Borough's "First Citizen", and his wife Carlee for more than 60 years.

1.4.2 ZONING

The Property is currently zoned in the R-1 Residential District zone, which permits Municipal buildings and facilities of the Borough of North Caldwell.

The Borough is encouraging everyone who submits a response to the request for expression of interest to be as open minded as possible to developing ideas on the use of the property that could benefit the community irrespective of the current zoning. The borough is willing to work as a partner for purposes of renovation that suits those ideas of the responsive party.

We welcome the community to submit ideas of the use even if they are not financially capable of carrying it out but wish to see the property used for a particular purpose that benefits the community.

Respondents are encouraged to submit expression of interests that may be outside the permitted zoning of the property as the Borough would consider submitting a zoning permit to change the zoning of the property to permit different uses especially if the proposed uses warrant the change.

In addition, responders should note that the sale or consumption of alcoholic beverages on Borough land is prohibited. However, this should not discourage anyone submitting an expression of interest that includes consumption of alcohol as the Borough may explore options for relaxing this rule if a bidder can show how

the consumption of alcohol can make the use of the property more desirable for the community as well as the potential for economic growth and stability.

1.4.3 REAL PROPERTY TAXES

The Property is currently tax exempt because of its governmental ownership and public use. If the Borough determined to sell the Property, any potential purchaser should anticipate that the property will become subject to ad valorem municipal, county and school taxes under the jurisdiction of the Tax Assessor of the Borough of North Caldwell and the Tax Administrator for the County of Essex. The Borough does not have any intention or interest in selling the Property.

2 PRE-SUBMISSION

2.1 OPTIONAL SITE VISIT

Interested parties are invited to attend a site visit on January 31, 2023. The site visit will begin at 10:00am at the Walker's Park located at 400 Mountain Avenue, North Caldwell, New Jersey New. The visit will include a tour of the site and interior inspection of all the buildings, structures, and areas utilized and maintained by the Borough. Reservations are required. Please RSVP Thursday, January 26, 2023 at 10:00a.m. to the following email of the Borough Administrator kosullivan@northcaldwell.org.

3 RESPONDENT SUBMISSION REQUIREMENTS

3.1 IDENTIFICATION

Provide the full corporate name, contact person's name, telephone number, mailing address, e-mail address, and state and/or nation of incorporation. If Respondent is a partnership or joint venture, provide all information for each individual company making up the partnership or joint venture. The form and structure of any proposed partnership or joint venture must be clearly defined. Only responses from principals will be considered. Individuals in representative, agency, or consultant status may respond on behalf of principals if principals are identified.

3.2 EXPERIENCE AND CAPABILITY

Provide information regarding Respondent's history, capability, and experience in its area of business. This should include experience in real property development, redevelopment and/or rehabilitation (for any purpose), construction (in Respondent's area of business), real property management, and experience in operation of government facilities, if any, in New Jersey and elsewhere.

Respondents should submit detailed information regarding its business in order to provide the Borough with the ability to assess the viability of Respondent's ideas. By way of example only, information should be provided in detail, such as:

- Location of real properties owned or managed by Respondent, a description of the type of properties (use) and a statement as to whether such properties were developed by Respondent as new facilities or acquired as existing facilities.
- Indication of whether Respondent's properties are leased or owned (if leased, indicate name of landlord entity).
- Physical description of each of Respondent's properties (owned, leased, managed), including acreage, improvements, use, etc.

- Operational characteristics for each of Respondent's properties (owned, leased, managed). For example, if Respondent's properties are for residential, commercial or mixed use, please provide operational information for those properties.
- Capital investment (\$US) undertaken by Respondent for acquisition, new construction or renovation for each of Respondent's properties or projects.
- Experience with contract/lease compliance monitoring.
- Provide a narrative and preliminary proposal regarding Respondent's initial concepts and approach for the use, development and operation of the Borough's Property
- Respondent's narrative should include a discussion on how compatibility between the Borough's Property and adjacent property uses can be best achieved.

Respondents are encouraged to provide any additional information that may further demonstrate their experience.

3.3 REQUIRED INFORMATION

All informational requests must detail specific idea and provide enough detail about the activity or activities that the Borough can make a decision about what use or uses the Borough will include when issuing a Request for Proposal. Such information should include the type of activity or activities anticipated to take place at the Operation Area, the hours and days of operation, what an operator would need to conduct such activity (buildings, equipment, etc.) including the use or remodeling of existing buildings, approximately how much revenue such activity would generate for the operator, information related to how the business would operate, and other ideas related to the activity the Borough should consider. In addition to providing any initial ideas regarding the future operation of Walker's Park, please provide the following information:

1. Please provide a brief description of your mission.
2. Please list and provide additional information, including marketing materials, regarding other types of amenities or services your company manages or provides.
3. Has your company ever held a government contract to manage a government facility/asset? If yes, please provide the name of the state(s).
4. Does your company provide services at a single facility or at multiple venues? Does your company contract with a single client or multiple clients?
5. Please describe your company's experience with the activity idea(s) presented by your company as set forth in Section 3.2 above.

4 SUBMISSION OF RESPONSES, TIME AND PLACE

Respondents shall submit one original and two (2) duplicate responses to the RFEII in a sealed envelope to the Borough on or before 10:00 a.m. EST on February 9, 2023.

Submissions must be received by the above date and time. Submissions will be accepted in person, by hand delivery, by overnight courier, or by United States mail. No submissions will be accepted by oral communication, telephone, electronic mail, telegraphic transmission, or facsimile transmission.

Responses to the RFEII should be marked on the outside with the name and address of the Respondent, and with the words "Expressions of Interest and Information – Walker's Park," and be directed to Kevin O'Sullivan, Borough Administrator, Borough of North Caldwell, 141 Gould Avenue, North Caldwell, NJ 07006.

All submissions will be dated and time-recorded by the Borough. The Borough shall not, under any circumstances, be responsible for the loss of, delay or non-delivery of any response to the RFEII sent or delivered by mail or otherwise.

5 RFEII REGISTRATION, QUESTIONS, ADDENDA OR AMENDMENTS

All recipients of this RFEII must be registered as potential respondents by the Borough in order to receive updates regarding the RFEII. Respondents shall be solely responsible for confirming that they are registered. Numbered confirmations shall be available by return e-mail at kosullivan@northcaldwell.org or upon request by US mail. Potential respondents must be registered by the Borough in order to receive timely information regarding the site tour, information meeting, questions and answers and RFEII and addenda or amendments, if any.

Questions pertaining to this RFEII should be directed in writing to Kevin O'Sullivan, Borough of North Caldwell Administrator, and received no later than Thursday, January 31, 2023 at 4:30p.m., at the E-mail or street address listed below.

Kevin O'Sullivan
Borough Administrator
Borough of North Caldwell
141 Gould Avenue
North Caldwell, NJ 07006
Phone: (973) 228-6410
Direct: (973) 228-6412
Fax: (973) 228-6412
Email: kosullivan@northcaldwell.org

All questions and responses to questions will be mailed to the street address and e-mailed to each registered RFEII recipient.

Prior to the submission deadline, the Borough may issue addenda or amendments to this RFEII. These addenda will be issued by the Borough to each registered recipient of the RFEII by US mail and e-mail, and will constitute part of this RFEII. All responses to this RFEII must be prepared with full consideration of the addenda issued prior to the response submittal deadline; and Respondents shall be solely responsible for making certain that they have responded accordingly.

Information gathered in response to this RFEII may be taken into consideration for the establishment of the content, requirements and time frame for the Proposal stage of the procurement process.

6. OTHER TERMS

6.1 COST OF PREPARATION

Each response to the RFEII and all information required to be submitted pursuant to this RFEII shall be prepared at the sole cost and expense of the Respondent. There shall be no claims whatsoever against the Borough, its staff, or its professional consultants, including, but not limited to, engineers, attorneys, planners, architects, and surveyors, for reimbursement for the payment of costs or expenses incurred in the preparation of a response to the RFEII or other information related in any way to this RFEII.

6.2 DISCLOSURE OF INFORMATION IN EXPRESSIONS OF INTEREST

Documents submitted in response to this RFEII are subject to public disclosure. A responder may designate specific information as not subject to disclosure pursuant to the exceptions to the Open Public Records Act found at N.J.S.A. 47:1A-1.1 or the common law Right to Know, when the responder has a good faith legal and or factual basis for such assertion. The Borough reserves the right to make the determination as to what

is proprietary or confidential and will advise the responder accordingly. The Borough will not honor any attempt by a responder to designate its entire proposal as proprietary or confidential and/or to claim copyright protection for its entire response. In the event of any challenge to the responder's assertion of confidentiality with which the Borough does not concur, the responder shall be notified and shall be solely responsible for defending its designation. The submittals shall become the property of the Borough upon submission

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

"The data on pages ___, identified by ___ (symbol) are labeled 'Proprietary Information', contain information that, if disclosed, would cause substantial injury to [Respondent's] competitive position. [Respondent] requests that such data be used only for the evaluation of the response, and understands that disclosure will be limited only to the extent that the Borough determines it proper or to the extent that the Borough deems disclosure necessary according to law."

The Borough will use its best efforts to prevent the unauthorized disclosure of this information and apply the above proprietary standard to marked data. However, the Borough, its staff, agents, and professional consultants assume no liability for any loss, damage, or injury that may result from any disclosure or use of marked data or any disclosure of this or other information. Further, the Respondent acknowledges that all such information shall be disclosed to and shared with those consultants and professionals whom the Borough has engaged to assist it with this project."

6.3 DISPOSAL OF EXPRESSIONS OF INTEREST

Once opened, all responses to the RFEII are the property of the Borough and will not be returned. At conclusion of the RFEII process, the Borough may dispose of any and all copies of each response to the RFEII received in whatever manner it deems appropriate. However, prior to such disposal, the Borough will make every effort to prevent the unauthorized disclosure of proprietary information, provided same is properly identified in accordance with section 6.2. In no event will the Borough assume liability for any loss, damage or injury that may result from any disclosure of any information contained in the Expression of Interest.

6.4 SOLE DISCRETION, NO LIABILITY

The Borough reserves the right: to amend, modify or withdraw this RFEII; to waive any requirements of this RFEII; to require supplemental statements and information from any Respondent to this RFEII; to accept or reject any or all responses or to abandon or cancel this RFEII for any reason, or no reason, in the sole discretion of the Borough; to issue a subsequent procurement document or documents, according to law, to achieve the Borough's desired objectives in the manner deemed in the Borough's best interests in the sole discretion of the Borough; and to waive any condition or modify any provision of this RFEII with respect to one or more Respondents. The Borough may exercise any such rights at any time, without notice or liability to any Respondent or other parties for their costs, expenses or other obligations incurred in the preparation of a response or otherwise.

To the extent stated, the information set forth in this RFEII concerning the Walker's Park, including its condition, financial and legal status, and other matters, is believed to be accurate, but is not so warranted, and there should be no meaning attributed to any of the terms hereunder that are not explicitly set forth. The

Borough assumes no responsibility for errors or omissions. Respondents are advised to verify independently the accuracy of all information and to make their own judgments of the risks involved in a development, redevelopment, rehabilitation, and/or management of the Property and/or the Primary Lease, as contemplated in this RFEII.

This RFEII is provided by the Borough, and its content, use and representations are solely the responsibility of the Borough.

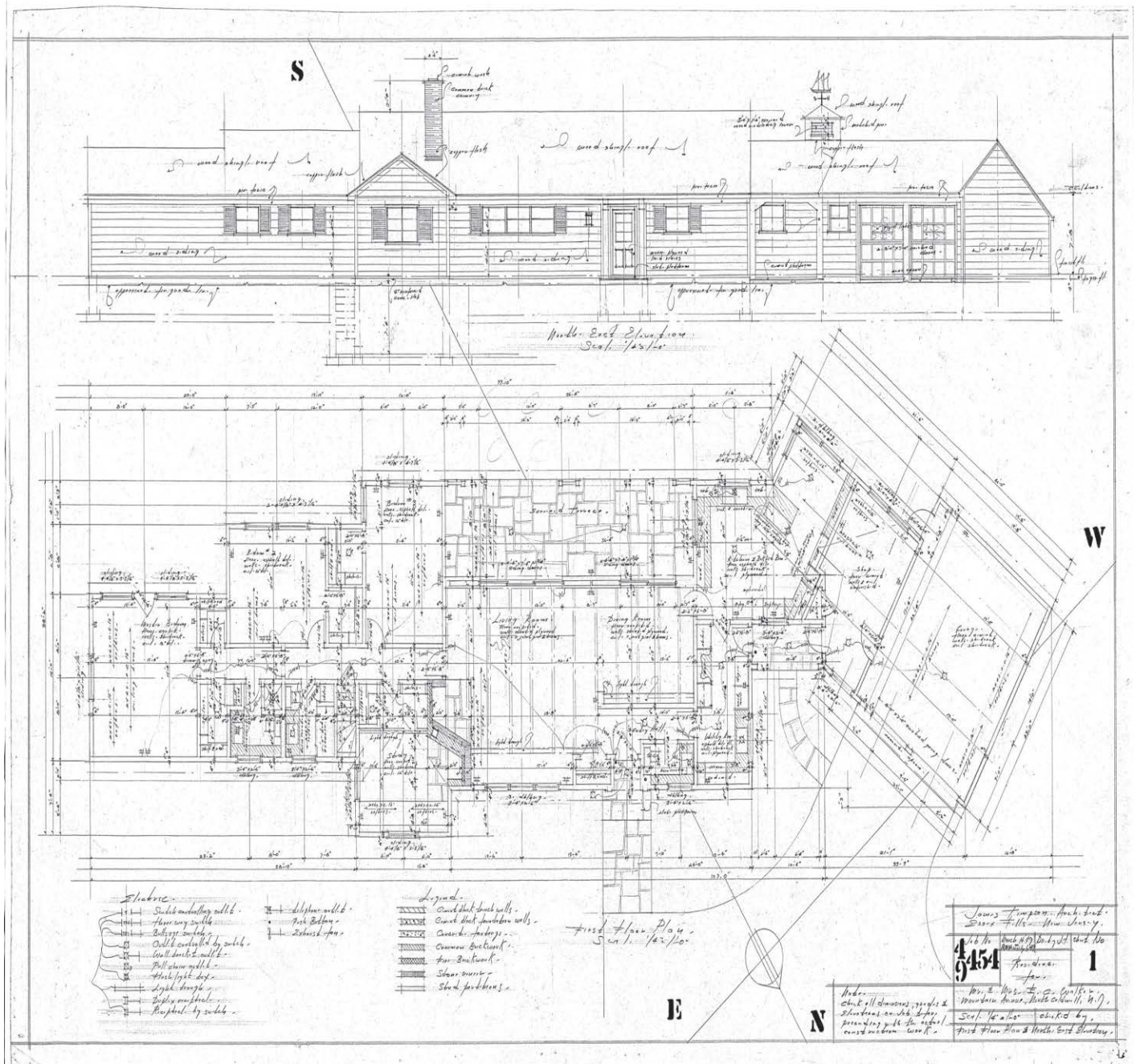
6.5 RFEII NOT A REQUEST FOR BID, QUALIFICATIONS OR PROPSALS

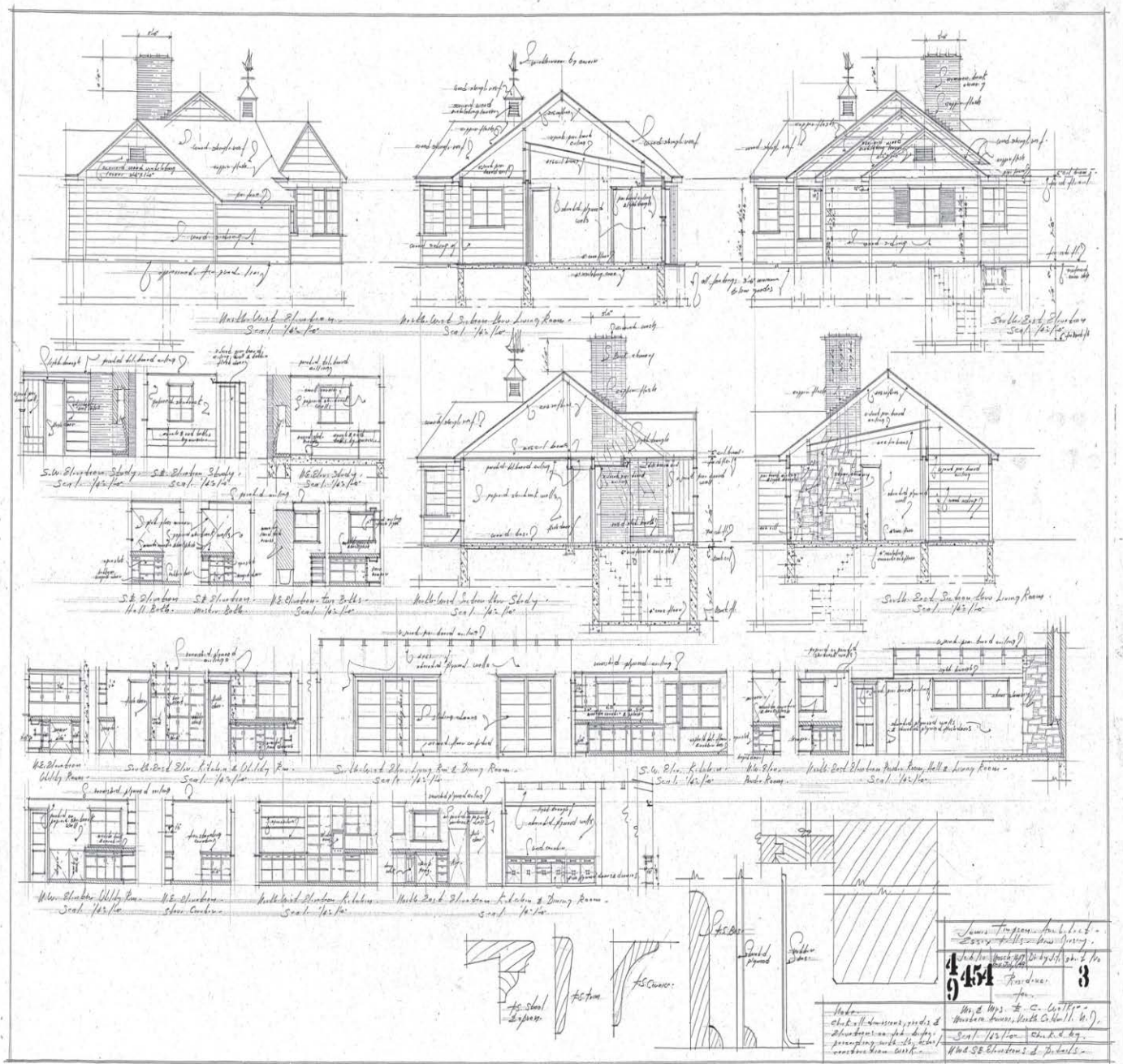
This RFEII is not a request for qualifications (RFQ), a request for proposals (RFP), nor an offer, invitation or advertisement for bids. Responses to this RFEII will not lead directly to a contractual relationship between any Respondent and the Borough. The information contained in this RFEII is preliminary and is subject to modification, and is in no way binding on the Borough. The Borough reserves the right to use, adopt or incorporate any recommendations presented in the responses to this RFEII in the development of a strategy to achieve its stated objectives – to maximize the use of Walker’s Park. The Borough, in its sole discretion, shall subsequently determine what are the best uses for Walker’s Park. The Borough’s decision in that regard, shall under all circumstances, be in compliance with applicable law, including procurement compliance pursuant to the LPCL.

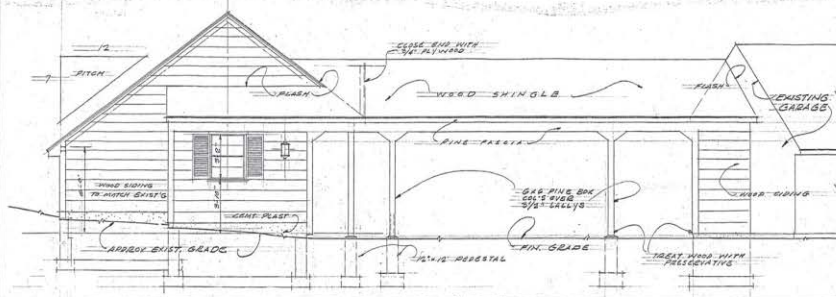
EXHIBIT A
ORIGINAL FULL-SIZE PHOTOS OF ATTACHED PICTURS AND
DRAWINGS AND A VIDEO OF WALKER’S PARK ARE AVAILABLE
UPON REQUEST TO BOROUGH’S BUSINESS ADMINISTRATOR



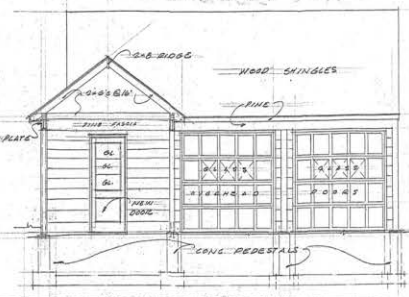




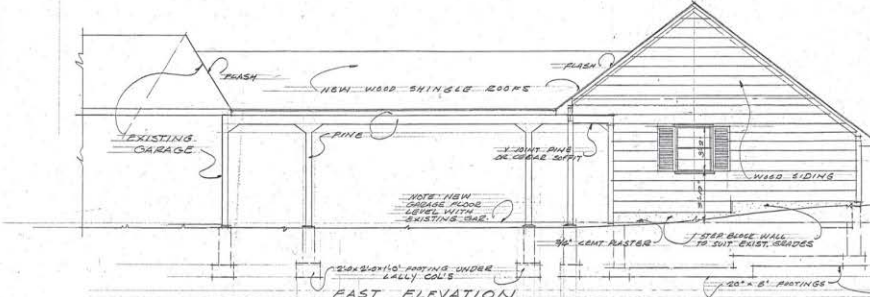




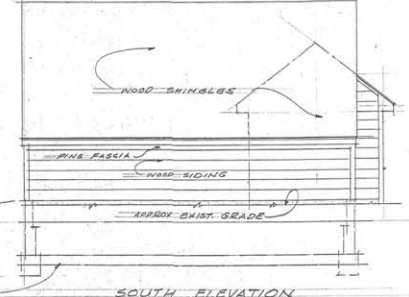
WEST ELEVATION



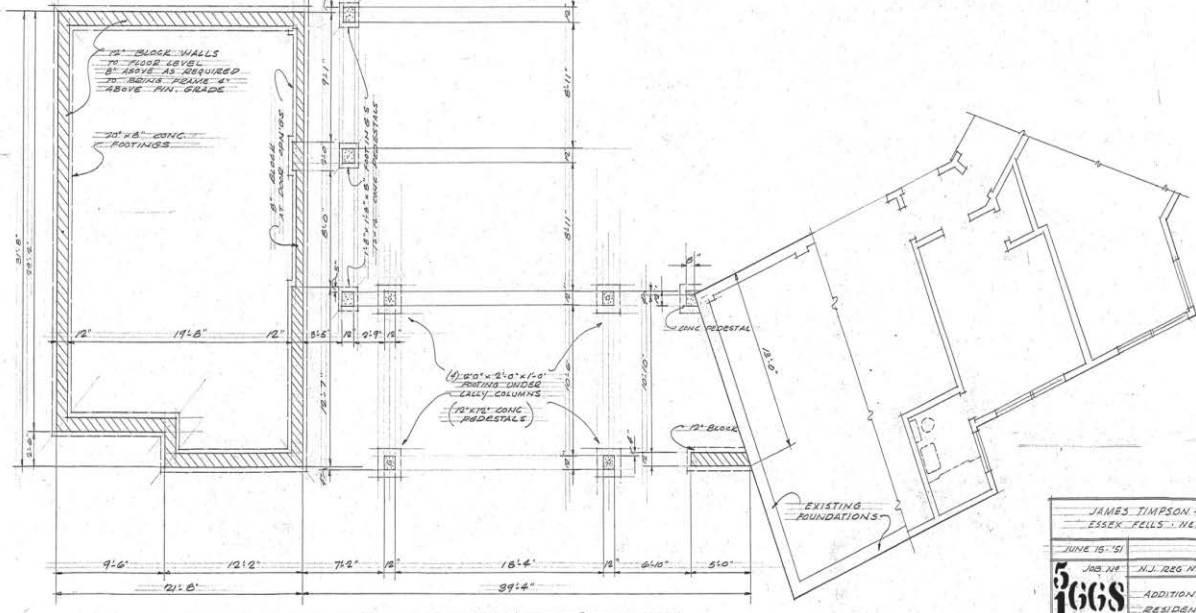
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



FOUNDATION AND FOOTING PLAN

BOTTOM OF FOOTINGS TO UNFILLED EARTH
MINIMUM 8\"/>

NOTE:
CHECK ALL GRADES, ELEVATIONS
AND DIMENSIONS BEFORE
PROCEEDING WITH THE
CONSTRUCTION WORK.

JAMES TIMPSON - ARCHITECT ESSEX FELLS - NEW JERSEY		
JUNE 15, '51		DR. BY: G.
5 1668	JOB NO. N.J. REG. NO. 1288	SHEET NO.
	ADDITION TO RESIDENCE -for-	2
	MR. & MRS. E. C. WALKER MOUNTAIN AVE., N. CALDWELL N.J.	
SCALE 1/8" = 1'-0"	REVISED	CHKD:
FOUNDATION PLAN, ELEVATIONS,		