



Legislation Details (With Text)

**File #:** 12-1860      **Version:** 1      **Name:** Bergen Street Redevelopment  
**Type:** Resolution      **Status:** Filed  
**File created:** 9/5/2012      **In control:** Economic and Housing Development  
**On agenda:** 11/20/2012      **Final action:** 12/5/2012

**Title:** Dept/ Agency: Economic & Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Private Sale/Redevelopment  
Purpose: Development of (45) units of affordable housing with ground floor commercial space  
Entity Name: Bergen Street Redevelopment, LLC  
Entity Address: 450 Washington Street, Newark, New Jersey 07102  
Sale Amount: \$70,988.20  
Cost Basis: (X) \$4.00 PSF ( ) Negotiated ( ) N/A ( ) Other:  
Assessed Amount: \$463,900.00  
Appraised Amount: N/A  
Contract Period: commenced within (3) months and be completed within (18) months from the transfer of ownership by the City  
Contract Basis: ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
(X) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a  
List of Property:  
(Address/Block/Lot/Ward)  
1037-1047 Bergen St., Newark, NJ 07112, Block 3661, Lots 3/South Ward  
1057-1059 Bergen St., Newark, NJ 07112, Block 3660 Lot 11/South Ward  
Additional Information:  
Block 3661, Lots 5 and 8 were merged into Lot 3  
No Action Taken, November 20, 2012

**Sponsors:**

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
12/5/2012	1	Municipal Council	Adopt	Pass
11/20/2012	1	Municipal Council	no action taken	

**Dept/ Agency:** Economic & Housing Development  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Type of Service:** Private Sale/Redevelopment  
**Purpose:** Development of (45) units of affordable housing with ground floor commercial space  
**Entity Name:** Bergen Street Redevelopment, LLC  
**Entity Address:** 450 Washington Street, Newark, New Jersey 07102  
**Sale Amount:** \$70,988.20  
**Cost Basis:** (X) \$4.00 PSF ( ) Negotiated ( ) N/A ( ) Other:  
**Assessed Amount:** \$463,900.00  
**Appraised Amount:** N/A  
**Contract Period:** commenced within (3) months and be completed within (18) months from the transfer of ownership by the City

**Contract Basis:** ( ) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS  
( ) Fair & Open ( ) No Reportable Contributions (X) RFP ( ) RFQ  
(X) Private Sale ( ) Grant ( ) Sub-recipient ( ) n/a

**List of Property:**

**(Address/Block/Lot/Ward)**

1037-1047 Bergen St., Newark, NJ 07112, Block 3661, Lots 3/South Ward

1057-1059 Bergen St., Newark, NJ 07112, Block 3660 Lot 11/South Ward

**Additional Information:**

Block 3661, Lots 5 and 8 were merged into Lot 3

**No Action Taken, November 20, 2012**

**WHEREAS**, the purpose of this Resolution is to approve the private sale and redevelopment of the following City-owned properties located in the South Ward of the City of Newark:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
1037-1047 Bergen St. Newark, NJ 07112	South	3661	3, 5, 8	151.2 X 90.5	13,683.60
1057-1059 Bergen St. Newark, NJ 07112	South	3660	11	44.9 X 90.5	4,063.45

**; and**

**WHEREAS**, the City of Newark has determined that the above referenced properties are City-owned and not needed for municipal purposes; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-8(g), the City of Newark is proceeding with the redevelopment of these areas and is conveying properties at such prices and upon such terms as it deems reasonable and said conveyance is made in conjunction with a Redevelopment Plan; and

**WHEREAS**, the Municipal Council previously adopted Resolution 7RDO (A.S.) on June 15, 2005 designating the entire City as an “area in need of rehabilitation” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”); and

**WHEREAS**, the Municipal Council thereafter adopted Ordinance 6PhS&Fd(S) on August 17, 2005 adopting the South Ward Redevelopment Plan governing the redevelopment of City-owned properties located within the South Ward, which includes the above-referenced City-owned properties; and

**WHEREAS**, on or about November 14, 2011, the City issued a Request for Proposals (the “RFP”) soliciting proposals for the sale and redevelopment of the property located at 1057-1059 Bergen Street, Block 3660, Lot 11, which was to be accepted beginning on November 14, 2011 and concluding on December 9, 2011; and

**WHEREAS**, in response to the RFP, Bergen Street Redevelopment, LLC, having its address at 450 Washington Street, Newark, New Jersey 07102 submitted a development proposal package to the City’s Department of Economic and Housing Development offering to purchase and redevelop 1057-1059 Bergen Street into nine (9) units of affordable housing with ground floor commercial space, in accordance to the South Ward Redevelopment Plan; and

**WHEREAS**, Bergen Street Redevelopment, LLC also offered to purchase the property located at 1037-1047 Bergen Street, Block 3661, Lots 3, 5 and 8, for the nominal consideration of \$4.00 per square foot to develop thirty-six (36) units of affordable housing with ground floor commercial space; and

**WHEREAS**, from its investigation, and review of the redevelopment proposal submitted by Bergen Street Redevelopment, LLC, the City has determined that Bergen Street Redevelopment, LLC possesses the proper qualifications, financial resources and the necessary capacity to acquire said properties and to redevelop them in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the contract for the private sale and redevelopment of land and the South Ward Redevelopment Plan; and

**WHEREAS**, pursuant to the abovementioned statutory authority, the Department of Economic and Housing Development has recommended that the City of Newark sell and Bergen Street Redevelopment, LLC is willing to purchase from the City the above-referenced properties for the nominal consideration of \$4.00 per square foot for the purpose of redeveloping said properties in accordance with the requirements of N.J.S.A. 40A:12A-8(g), the attached contract for private sale and redevelopment of land and the South Ward Redevelopment Plan.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The Mayor and/or his designee and the Deputy Mayor/Director of the Department of Economic and Housing Development are hereby authorized to enter into and execute a redevelopment agreement, for the private sale and redevelopment of the City-owned properties listed below, in the form attached hereto, for the following amount, in accordance with the requirements of N.J.S.A. 40A:12A-8(g) and the South Ward Redevelopment Plan, with Bergen Street Redevelopment, LLC, 450 Washington Street, Newark, New Jersey 07102, the designated Redeveloper:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
1037-1047 Bergen St. Newark, NJ 07112	South	3661	3, 5, 8	151.2 X 90.5	13,683.60
1057-1059 Bergen St. Newark, NJ 07112	South	3660	11	44.9 X 90.5	4,063.45

Total Purchase Price: \$70,988.20 (\$4.00/Sq. Ft.)

2. Said properties shall be sold to the Bergen Street Redevelopment, LLC by private sale for the purpose of redeveloping the abovementioned properties into 45 units of affordable housing with ground floor commercial spaces, and all deeds shall contain resale and/or use restrictions for a period of not less than 10 years.
3. The Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to effectuate certain business terms and conditions related to the Redevelopment Agreement annexed hereto and may enter into subordination agreements,

access and right-of-entry agreements, and any required documents which may be necessary in order to effectuate the sale of the properties listed in Paragraph 1 herein and the terms of the Redevelopment Agreement associated with the sale and construction of said property, in a form subject to the approval of the Corporation Counsel. In addition, the Deputy Mayor/Director of the Department of Economic and Housing Development is hereby authorized to enter into a maximum of two six month extensions of the term of the contract and any contract timelines and milestones, provided that any contract timelines and milestones are not extended beyond the two permitted six month extensions, subject to full written disclosure (in the form of a signed memorandum to be submitted prior to adoption) to the Newark Municipal Council by the Deputy Mayor/Director of the Department of Economic and Housing Development and the approval of the Corporation Counsel.

4. Any other prior legislation authorizing or intended to authorize the sale of the properties listed in Paragraph 1 herein is hereby rescinded.
5. The Redeveloper shall have 60 days from the date this Resolution is certified by the Office of the City Clerk to execute the attached redevelopment agreement and return same to the Department of Economic and Housing Development. Should Redeveloper fail to execute and return the attached redevelopment agreement within this 60-day time period, the authorization provided by this Resolution shall be null and void unless the Deputy Mayor/Director of the Department of Economic and Housing Development agrees in writing to extend this 60-day time period.
6. The Director of Finance is hereby authorized to receive proceeds of sale and to deposit same as follows: ninety (90) percent of the sale proceeds shall be deposited into the Community and Economic Development Dedicated Trust Fund established under City Resolution No 7RG110685; and ten (10) percent of the sale proceeds shall be placed in the City's Affordable Housing Trust Fund established under City Ordinance 6PhS&FF062106 for the purpose of preserving low and moderate income affordable housing.
7. The Deputy Mayor/Director of the Department of Economic and Housing Development shall place a copy of the executed redevelopment agreement, the deed, and all executed agreements authorized in Paragraph 3 herein on file in the Office of the City Clerk.
8. The Redeveloper shall be required to comply with the City of Newark's Minority Set-Aside Ordinance (6S&FI) 040595 and its Affirmative Action Plan (7RBP030195) and Federal Executive Order 11246, (as amended by Executive Orders 11375 and 12086) regarding the award of goods and services contracts. In addition, the redeveloper has agreed to ensure that a minimum of 40% of workers employed during the construction shall be local Newark residents and that 30% of all contractors, subcontractors and suppliers shall be Newark companies.
9. The redevelopment of the abovementioned properties must be commenced within 3 months and be completed within 18 months from the transfer of ownership by the City.
10. The properties must conform to the City of Newark Design Guidelines, including standards for environmental sustainability and energy efficiency, as established by the Department of Economic and Housing Development. Should the Redeveloper fail to timely redevelop the properties then the City, in its sole discretion, may direct the redeveloper to transfer title to

these properties back to the City.

11. The Deputy Mayor/ Director of the Department of Economic and Housing Development is hereby authorized to execute a Quit Claim deed to the Redeveloper for the properties listed above. Said deed conveying title to the Redeveloper shall be approved as to form and legality by the City's Corporation Counsel and attested to and acknowledged by the City Clerk.

**STATEMENT**

Passage of this resolution shall permit the Mayor and/or his designee and the Deputy Mayor/Director of Economic and Housing Development to enter into and execute a redevelopment agreement with Bergen Street Redevelopment, LLC, 450 Washington Street, Newark, New Jersey 07102, for the private sale and redevelopment of the City owned properties listed as follows, for the following amount, in accordance with the requirements of N.J.S.A. 40A:12A-8(g) and the South Ward Redevelopment Plan:

<u>ADDRESS</u>	<u>WARD</u>	<u>BLOCK</u>	<u>LOT(S)</u>	<u>SIZE</u>	<u>SQ. FEET</u>
1037-1047 Bergen St. Newark, NJ 07112	South	3661	3, 5, 8	151.2 X 90.5	13,683.60
1057-1059 Bergen St. Newark, NJ 07112	South	3660	11	44.9 X 90.5	4,063.45

Total Purchase Price: \$70,988.20 (\$4.00/Sq. Ft.)

to redevelop into 45 units of affordable housing with ground floor commercial spaces.