



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF PARKS AND FORESTRY**

Request for Proposal

Lease/Management/Operation of Cedar Lake Horse Farm

Blairstown Township, Warren County

Release Date: April 12, 2010

Due Date: June 4, 2010

1.0 GENERAL INFORMATION FOR BIDDERS

1.1 Purpose and Intent

This Request for Proposal (RFP) is issued by the New Jersey Department of Environmental Protection (“Department”), Division of Parks and Forestry (“Division”), on behalf of the State of New Jersey (the “State”). The purpose of this RFP is to solicit proposals from qualified bidders to operate, maintain, and manage a public equine facility at the Cedar Lake Horse Farm (the “Horse Farm” or “Property”) located in Blairstown Township, Warren County, New Jersey.

The Department is seeking a tenant who has experience and knowledge in operating a multi-disciplinary equine facility, is financially stable, and is willing to invest capital funds in the facility and infrastructure at Cedar Lake Horse Farm.

Potential activities on the Horse Farm include: hay production, pasturing, equine boarding, training, breeding, riding lessons, rehabilitation, riding, trail riding, shows and competitions, clinics, carriage/sleigh rides, and handicapped riding/therapy programs. Agricultural production of the farm fields is limited to hay production and pasturing.

The winning bidder will enter into a twenty-year Lease with the Department. The successful bidder will pay the State a fixed rent with a three (3%) percent annual increase beginning on the fifth anniversary of the effective date of the lease. The successful bidder shall pay an additional variable rental payment based on a percentage of its annual gross revenue (above a threshold amount) earned from the equine facility operation.

It is the goal of the State to lease Cedar Lake Horse Farm for the safe and efficient operation of an equine facility. The Department intends to enter into a lease with a capable Tenant who will operate and develop the property in accordance with federal, State, and local laws and the terms set forth in the Lease.

All bidders shall submit as part of their bid proposals a Management Plan, which shall include a Farm Use Plan. The Management Plan shall describe how the bidder proposes to operate, manage, repair, maintain, and develop the property as a public equine facility. The Farm Use Plan component of the Management Plan shall set forth Tenant's projected uses of the farm fields. Based on this Operational Management Plan, bidders also must propose a fixed annual fee payable to the State, plus a threshold amount of annual gross revenue, above which the Operator will be required to remit fifteen (15%) percent to the Department. The winning bidder will be the qualified, experienced bidder whose proposal is most responsive to the State's goals.

The intent of this RFP is to award a contract in the form of a twenty-year Lease to a responsive bidder whose bid conforms to the requirements of this RFP and is most advantageous to the State.

1.2 Background

Cedar Lake Horse Farm, located in Blirstown Township, was purchased by the Department in November 2001. The Property is bounded by the Paulinskill River to the north, by Warren County Route 616 to the south, and by private and municipally-owned property to the east and west. The Property is bisected by the State-owned Paulinskill Valley Trail, a multi-use trail built on the former New York, Susquehanna, and Western Railroad property.

The Property includes infrastructure for a full-service equine facility, including three (3) barns, two (2) outdoor riding arenas, an indoor riding arena, fenced pasture, six (6) run-in sheds, a hydrotherapy pool, stud facilities, and a manager's residence. It also includes 42 acres of potential cropland and 58 acres of potential pasture land. Its proximity to the Paulinskill Valley Trail and the existing amenities make Cedar Lake Horse Farm an appropriate location for a multi-disciplinary public equine facility. (Exhibit A).

Many of the buildings and pastures on the Property have deteriorated from non-use over the past few years and will require significant capital investment.

1.2.1 Excluded Parcel: Paulinskill Valley Trail

The Paulinskill Valley Trail bisects the Property. It is not included as part of the RFP but may be used by the successful bidder as part of the overall equine operation under separate agreement with the State of New Jersey.

1.2.2 Structures, Facilities, and Fields

A. The Horse Farm includes the following structures and facilities:

- Manager's residence (see 1.2.2 B, below)
- Main barn, containing 72 stalls, a small indoor arena, restroom, kitchen/lounge area, hay storage area, grain storage area, tack rooms, and wash stall
- Lower barn, which contains 27 stalls, wash stall, restroom, and tack room
- Walker barn, which contains 24 stalls, electric-powered hot walker track, and storage room
- Six (6) run-in sheds
- Stud barn, including six (6) stalls and a breeding room
- Hydrotherapy pool barn
- Viewing stand
- Two (2) outdoor riding arenas
- Round pen
- Well house

The following is a description of the condition of the aforementioned structures and facilities:

i. The roof on the main barn was replaced in 2001, and the roof on the lower barn was repaired immediately prior to the State's purchase in 2001. The roof on the manager's residence was replaced in its entirety in 2008.

ii. The shingled roofs on all of the run-in sheds need to be replaced. The condition of the roof sheathing, roof rafters, and roof trusses also may also need to be assessed for each of these structures.

iii. The condition of the hydrotherapy pool, including underground drainage, water piping, pumps, filters and other components is unknown.

iv. There is an informal gravel parking area that may or may not be adequate for the intended future use. In addition, there is a deteriorated roadway that runs from Cedar Lake Road, through the Horse Farm, to the Paulinskill Valley Trail.

v. The roofing system of a series of buildings that connects the main barn with the walker barn is in poor condition and will need to be repaired.

vi. All of the buildings have suffered damage from water infiltration and vandalism. Damage includes, but is not limited to, mold, broken glass, broken asbestos board, broken fluorescent light bulbs, broken bathroom fixtures, graffiti, damaged doors, and damaged windows.

vii. The condition and location of any and all underground utilities (water, septic, electric, gas) are unknown.

viii. Additional repairs may be required to gutters and downspouts, stall doors and door hardware, interior doors, exterior doors, electrical wiring, lighting fixtures, water heaters, frost-free hydrants, and heating systems.

A report assessing the condition of each structure and its attendant building code issues, entitled "Report of Preliminary Condition Assessment, Dwelling, Barns, Outbuildings, Cedar Lake Horse Farm, Blairstown Township, Warren County, New Jersey," is attached hereto as Exhibit B. While the report may not include the current condition of every single building on the Property, it provides an overview of the necessary repairs.

Note: The Department of Environmental Protection (DEP) originally commissioned the report (Exhibit B) in 2002 to assist in the review of a business plan proposed by the Skylands Trails Association and Foundation, Inc., (Skylands Trails). At the time, Skylands Trails had expressed interest in managing Cedar Lake Horse Farm.

The DEP never entered into an agreement with Skylands Trails and is currently seeking bids and proposals from all interested parties.

The Report (Exhibit B) is being provided solely because it contains a comprehensive assessment of the condition of the buildings and structures at Cedar Lake Horse Farm.

Potential bidders should be aware that all references in the report to Skylands Trails and its business plan are no longer relevant or applicable.

B. The DEP is willing to perform the following repairs to the existing “manager’s residence”:

Repair chimney
Waterproof foundation
Replace damaged ceiling in room and hallway
Replace wooden deck
Install gutters and leaders
Remove basement finished walls including baseboard heating units, plumbing and electrical wiring.

The successful bidder will have the option of:

(1) repairing and/or replacing the house himself/herself

OR

(2) having DEP’s contractor perform the repairs listed above, with any remaining finishing work to be the responsibility of the successful bidder.

Bidders should indicate which option they are choosing and set forth details regarding the work they propose to do under the chosen option. Please note that if Option 1 is chosen, any new house constructed on the leased premises will become the property of the State of New Jersey when the lease expires.

When evaluating proposals, the DEP will evaluate all options equally and will not assign more weight to Option 1 or 2. Instead, the evaluation with regard to the house will be based on whether the proposal provides sufficient details with respect to the option chosen.

C. The fields of the Horse Farm are comprised of the following:

- Fenced pasture (approximately 40 acres)
- Farm fields consisting of approximately 40 acres of cropland or approximately 40 acres of non-fenced pasture land

The fenced pasture contains plants that are known to be toxic to horses and will therefore need to be rehabilitated. Repair and replacement of fencing is also necessary.

Rutgers Cooperative Extension prepared a report in 2002 analyzing the pasture fields and providing recommendations for management of the pasture. This report, entitled “Rutgers Cooperative Extension, Pasture Management Recommendations, Cedar Lake Farm, Blairstown, New Jersey, November 1, 2002” is attached hereto as Exhibit C. While the report may not include the current condition of the pasture, it provides a comprehensive overview of pasture management recommendations.

1.2.5 Septic System and Water System

The location and capacity of the existing septic system that serves two (2) of the barns and the manager’s residence are unknown at this time. The septic system may need to be upgraded, depending upon the uses proposed by the successful bidder.

The Property is serviced by two (2) wells. The first well is located in a well house between the main barn and the manager’s residence. It is believed to serve the residence and the main barn. The second well is located underground (confined space) at the west end of the main barn. It is believed to serve the lower barn, the walker barn, and the main barn. The condition of the underground water distribution piping is unknown.

A third well is located in a pasture on the west side of the Property but is not connected to a power source.

The successful bidder may need to have the wells designated as a public, non-community transient water system, which may deem them subject to testing for water quality standards.

1.2.6 Taxes, Revenue, and Operating Expenses

The successful bidder will be required to pay all operating expenses (including utilities) and taxes, if applicable.

1.3 Key Events

1.3.1 Questions and Inquiries

The Department will accept questions and inquiries from all potential bidders receiving this RFP. Questions may be submitted in writing only, via mail or fax, to the Department at the following address:

Department of Environmental Protection
Division of Parks and Forestry
Office of Leases
Attention: Marci Green, Administrator
501 E. State Street, P.O. Box 404
Trenton, NJ 08625-0404
Fax No. (609) 984-0836

1.3.1.1 Submission Cut-Off Date

The cut-off date for the submission of questions will be the date of the Mandatory Bidders Meeting (“Meeting”), details of which are set forth in Subsection 1.3.2 below. While all questions will be entertained at the Meeting, it is strongly urged that questions be submitted in writing prior to the Meeting. Written questions must be delivered to the Administrator of the Office of Leases. It is requested that bidders with long, complex, or multiple-part questions submit them in writing as far in advance as possible, in order for the Department to prepare answers by the time of the Meeting.

1.3.1.2 Question Protocol

Questions should be submitted in writing to the attention of the Administrator of the Office of Leases. Written questions should be directly tied to the RFP. Questions should be asked in consecutive order, from beginning to end, following the organization of this RFP. Each question should begin by referencing the RFP page number and section number to which it relates.

Brief procedural inquiries may be accepted over the telephone by the Office of Leases. However, oral explanations or instructions given over the phone shall not be binding upon the State. Bidders shall not contact the Division of Parks and Forestry or any other branch of the Department directly, in person, or by telephone concerning this RFP.

1.3.2 Mandatory Bidders Meeting

A Mandatory Bidders Meeting (“Meeting”) has been scheduled for this procurement. The Meeting will be held at Cedar Lake Horse Farm, 16 Cedar Lake Rd., Blairstown, NJ on **May 11, 2010** at 10:30 a.m.

NOTE: Bids automatically will be rejected from any bidder who does not attend or who fails to properly register at the Meeting.

The purpose of the Meeting is to provide a structured and formal opportunity for the Department to accept questions from bidders regarding this RFP. The Meeting also will provide bidders with an opportunity to view Cedar Lake Horse Farm.

Any revisions to the RFP resulting from the Meeting will be formalized and distributed to attendees as a written addendum to the RFP. Answers to deferred questions also will be distributed to attendees as a written addendum to this RFP.

1.4 Additional Information

1.4.1 Revisions to the RFP

In the event that it becomes necessary to clarify or revise this RFP, such clarification or revision will be made by addendum. Any RFP addendum will be distributed as follows:

- i. Any addendum issued before the Mandatory Bidders Meeting (see Subsection 1.3.2) will be distributed to all bidders who were sent the initial RFP; and
- ii. Any addendum issued at the time of or after the Meeting will be distributed only to those bidders who attended and properly registered at the Meeting.

1.4.2 Addendum as Part of the RFP

Any addendum to this RFP shall become part of this RFP and part of any agreement resulting from the RFP.

1.4.3. Issuing Office

This RFP is issued by the New Jersey Department of Environmental Protection, Division of Parks and Forestry. The Administrator is the sole point of contact between the bidder and the Department for the purposes of this RFP.

1.4.4 Bidder Responsibility

The bidder assumes sole responsibility for the complete effort required by this RFP. No special consideration shall be given after bids are opened because of a bidder's failure to be knowledgeable of all the requirements of the RFP. By submitting a proposal in response to this RFP, each bidder represents that it has satisfied itself, from its own investigation, of all the requirements of this RFP. The bidder further represents that it has made its own calculations, based on the information provided and its own research and experience, of costs, expenses, and revenues, for which the Department bears no liability.

1.4.5 Cost Liability

The State assumes no responsibility and bears no liability for costs incurred by bidders in the preparation and submission of bid proposals in response to this RFP. Furthermore, the Department does not warrant or guarantee any current or future revenues that may be generated from operation of the Horse Farm.

1.4.6 Contents of Bid Proposal

The entire content of every bid proposal will be opened publicly and becomes a public record. This is the case, notwithstanding any statement to the contrary made by a bidder in its bid proposal.

As public records, all bid proposals are available for public inspection. Interested parties may make an appointment with the Administrator to inspect bid proposals received in response to this RFP.

1.4.7 Price Alteration

Bid prices must be typed or written in ink. Any price change, including “white-outs,” must be initialed. Failure to initial price changes may preclude an award from being made to a bidder.

1.4.8 Joint Venture

If a joint venture is submitting a bid, the agreement between the parties relating to said joint venture should be submitted with the joint venture’s proposal. Authorized signatories from each party comprising the joint venture must sign the bid proposal. A separate Pay to Play Disclosure Statement, Ownership Disclosure Form, Affirmative Action Employee Information Report, and foreign (i.e. out of State) corporation registration, if applicable, must be supplied for each party to a joint venture.

2.0. DEFINITIONS

The following definitions shall be part of any agreement executed as a result of this RFP:

- a. “Department” or “the State” shall mean the State of New Jersey, Department of Environmental Protection.
- b. “Cedar Lake Horse Farm” or the “Horse Farm” shall mean the Cedar Lake Horse Farm , as shown on the survey map attached hereto as Exhibit A.
- c. “Lease” shall mean the written agreement(s) resulting from this Request for Proposal executed by the New Jersey Department of Environmental Protection and the winning bidder.
- d. “Tenant” shall mean the winning bidder to this Request for Proposal who enters into a Lease with the New Jersey Department of Environmental Protection.
- e. “Bidder” shall mean an individual or entity that submits a bid proposal in response to this Request for Proposal.
- f. “Meeting” shall mean the Mandatory Bidders Meeting.
- g. “Division” shall mean the Division of Parks and Forestry.
- h. “Office” shall mean the Office of Leases.
- i. “Administrator” shall mean the Administrator of the Office of Leases.
- j. “Commissioner” shall mean the Commissioner of the New Jersey Department of Environmental Protection.

- k. “Evaluation Committee” shall mean a committee established by the Department to review and evaluate bid proposals submitted in response to this RFP and to recommend a proposal award.
- l. “Management Plan” shall mean a detailed business plan submitted by each bidder in response to this RFP that details its proposal for operating, managing, renovating and developing the Cedar Lake Horse Farm in accordance with the State’s goal. The Management Plan shall also include a Farm Use Plan setting forth projected cropping and land uses for Cedar Lake Horse Farm by field.
- m. “Fiscal year” shall mean the period beginning July 1 and ending June 30 in any given calendar year.
- n. “Request for Proposal (RFP)” shall refer to this document, which establishes the bidding requirements and solicits proposals to meet the needs of the Department as identified herein.

3.0 SCOPE OF WORK

The Department seeks to enter into a twenty-year Lease with a private individual or entity that will perform the services set forth in the Lease, which has been attached to this RFP as Exhibit D. Bidders should refer to the Lease in preparation of submitting a bid proposal to gain a full understanding of the services required to be performed thereunder.

In exchange for entering into and performing under the Lease, the Tenant shall pay the Department a fixed annual fee, with a three (3%) percent annual increase beginning on the fifth anniversary of the effective date of the lease, plus a fixed percentage of annual gross revenue, above a threshold amount.

4.0 PROPOSAL PREPARATION & SUBMISSION

4.1 General Information

The bidder must follow the instructions contained in this RFP in preparing and submitting its bid proposal. The bidder is advised to thoroughly read and follow all instructions.

The information required to be submitted in response to this RFP has been determined to be essential in the bid evaluation and proposal award process. Any qualifying statements made by the bidder as to the RFP’s requirements could result in a determination that the bidder’s proposal is materially non-responsive. Each bidder is given wide latitude in the degree of detail it elects to offer or the extent to which plans, processes, and procedures are revealed. However, each bidder is cautioned that insufficient detail may result in a determination that a bid proposal

is materially non-responsive or, alternatively, may result in a low technical score being awarded to a bid proposal.

4.2 Proposal Delivery and Identification

In order to be considered, a bid proposal must arrive at the Office no later than 5:00 p.m. on June 4, 2010. All bidders submitting proposals are advised to allow for adequate delivery time to ensure the punctual delivery of proposals. Late proposals are ineligible for consideration. The exterior of all bid proposal packages must be labeled with "Cedar Lake Horse Farm" and the bidder's name.

4.3 Number of Bid Proposal Copies

Each bidder must submit one (1) complete original bid proposal that clearly has been marked as the "ORIGINAL" bid proposal. Each bidder also must submit four (4) full, complete, and exact copies of the original. The copies are necessary in the evaluation of your bid. Bidders failing to provide the required number of copies shall be charged the cost incurred by the Department in producing the required number of copies. It is suggested that each bidder make and retain a copy of his bid proposal for his own records.

4.4 Proposal Content

The bid proposal should be submitted in one (1) volume that is divided in five (5) parts as follows:

4.4.1 Forms (Part 1)

4.4.1.1 Affirmative Action Employee Information Report

The bidder must complete the attached Affirmative Action Employee Information Report (attached hereto as Exhibit E), or alternatively, must supply either (1) a New Jersey Affirmative Action Certificate or (2) evidence that the bidder is operating under a federally approved or sanctioned affirmative action program. This requirement is a prerequisite to entering into a valid and binding contract with the State.

4.4.1.2 Non-Profit Registration Reporting (if applicable)

The bidder shall supply proof of its registration with the Directory of Registered Charities maintained by the New Jersey Department of Community Affairs, as well as a letter of determination issued by the Internal Revenue Service establishing that it is exempt from Federal taxation pursuant to Section 501(c)(3) of the Federal Internal Revenue Code, if applicable.

4.4.1.3 Business Registration Reporting (if bidder is a for-profit business)

Proof of valid business registration with the Division of Revenue, Department of Treasury, State of New Jersey, should be submitted by the bidder with the bid proposal. No

Lease shall be executed without proof of business registration with the Division of Revenue. Any questions in this regard can be directed to the Division of Revenue at (609) 292-1730.

All foreign (i.e. out of State) corporations receiving a notice of proposal award shall be afforded seven (7) days thereafter to register with the Division of Revenue.

4.4.1.4 Pay to Play

All bid applications (other than those submitted by non-profit organizations) are subject to the provisions of N.J.S.A. 19:44A-20.13 et seq., N.J.S.A. 19:44A-20.26 et seq., and Executive Order 117 (P.L. 2005 c. 51 and P.L. 2005 c.271, E.O. 117, collectively "Pay to Play"). Compliance with these statutes shall constitute a material term and condition of the bid application, and these statutes shall be binding upon the parties thereto upon the entry of a Lease. All bidders must complete and submit with their bid proposals the following forms, attached hereto as Exhibit F, in accordance with their instructions: (1) Ownership Disclosure Form; (2) Contractor Certification and Disclosure of Political Contributions Form (P.L. 2005, c. 51); and (3) Vendor Certification and Political Contribution Disclosure Form (P.L. 2005, c. 271) (Exhibit F).

Bidders further are advised of their responsibility to file an annual disclosure statement of political contributions with the New Jersey Election Law Enforcement Commission (ELEC), pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005, c.271, section 3) if the bidder receives contracts in excess of Fifty Thousand (\$50,000.00) Dollars from a public entity in a calendar year. It is the bidder's responsibility to determine if filing is necessary. Failure to so file will preclude a proposal award and can result in the imposition of financial penalties by ELEC. Additional information about this requirement is available from ELEC at (888) 313-3532 or at www.elec.state.nj.us.

4.4.2 Background Information (Part 2)

Each bidder shall submit written answers to the following inquiries:

- i. How many years has your organization been in business under its present business name?
- ii. Under what other or former names has your organization operated?
- iii. If your organization is a corporation, provide the following information: date of incorporation; State of incorporation; president's name; vice president's name; secretary's name; and treasurer's name.
- iv. If your organization is a partnership, provide the following information: date of organization; type of partnership; and names of general partners.
- v. If your organization is individually owned, provide the following information: date of organization; and name of owner.

- vi. Has your organization ever failed to complete any contract awarded to it?
- vii. Within the past five (5) years, has any officer or principal of your organization ever served as an officer or principal of another organization when it failed to complete a contract?
- viii. Are there any judgments, claims, arbitration proceedings, or lawsuits pending or outstanding against your organization or its officers?
- ix. Has your organization filed any lawsuits or requested arbitration with regard to any contracts within the last five (5) years?
- x. Has any owner made a claim against you that has resulted in arbitration or litigation within the past five (5) years?
- xi. Has your organization or any of its officers or owners ever been convicted of a crime, or are they presently the target of any criminal or administrative investigation?
- xii. Has your organization or any of its officers or owners ever been disqualified, suspended, or debarred from a contract with any federal, State, or local government entity?

If the answer to any questions “vi” through “xii” is yes, please provide details.

Each bidder also shall describe in detail its expertise in operating equine facilities of similar size and scope to Cedar Lake Horse Farm, including:

- i. a description of all equine facilities the bidder has operated and/or managed, including size, types of equine services provided, and location of each facility; and
- ii. the length of time the bidder operated and/or managed the equine facilities set forth in (i) above, including beginning and ending dates.

4.4.3 Technical Proposal (Part 3)

In this Section, the bidder shall describe in detail its plans and approach for fulfilling the requirements as reflected in the Lease. The Lease describes the purpose of the lease, which is to operate a multi-disciplinary public equine facility, and sets forth the range of possible uses and services that Tenant may provide to fulfill the purpose. The bidder must present its understanding of the requirements of the Lease and its ability to fulfill said requirements successfully. This section of the bidder’s proposal should contain at least the following information:

4.4.3.1 Management Plan

The bidder shall set forth its overall technical approach and plans to meet the requirements of the Lease in a narrative format. This narrative should be presented as a Management Plan. The Management Plan shall contain a complete description of how the bidder intends to manage and operate Cedar Lake Horse Farm in accordance with the Lease, including (1) a description of each equine service Tenant will provide, (2) anticipated special events, as defined in this RFP, (3) anticipated renovations to the buildings and structures, and (4) a Farm Use Plan, which describes anticipated improvements to fields and Tenant's projected cropping and land uses for each field. The narrative should convince the State that the bidder understands the objectives of the Lease, the nature of the services required, and the level of effort necessary to successfully carry out the Lease. The bidder's narrative further should be designed to convince the Department that the bidder's Management Plan is viable and that the bidder's general approach to undertaking the Lease and fulfilling the State's goals is in accordance with the tasks and subtasks involved.

Mere reiteration of the requirements set forth in the Lease is strongly discouraged, in that such a narrative will not provide insight into the bidder's ability to successfully perform under the Lease. In sum, the bidder's response to this Section of the RFP should be designed to convince the Department that the bidder's detailed plans and proposed approach to operating an equine facility under the Lease are realistic, attainable, and appropriate and that the bidder's proposal will lead to successful performance.

4.4.3.2 Agreement Management

The bidder should describe its specific plans to manage, control, and supervise the equine operations at Cedar Lake Horse Farm to ensure satisfactory performance according to the bidder's proposal. The Management Plan should include the bidder's approach to communication with the Department, including but not limited to status meetings and status reports.

4.4.3.3 Specific Plan Content

The bidder's Management Plan should set forth its plans to operate an equine facility and plans for agricultural production the farm fields.

A. The "Equine Facility" component of the bidder's Management Plan should identify and fully detail the following: the type of equine services to be provided; the potential number of employees and job titles; required qualifications for all specific positions; proposed hours of operation; a suggested fee schedule for all services; and proposed plans for improvements, demolitions, repairs, renovations, and new construction. With respect to a fee schedule, the bidder's Management Plan shall establish all applicable fees, which will be subject to the Department's review and approval. Fees should be comparable to those charged by other equine facilities in the area.

(i) The bidder should state whether it intends to have a farm manager live on the premises and what that manager's job responsibilities will be.

(ii) With respect to plans for any improvements, the bidder should include a proposed timeframe, which should include projected initiation and completion dates.

B. The "Farm Management" component of the Management Plan should include a proposed manure management plan that: (1) discusses how the bidder will collect and dispose of horse manure; (2) contains a description of anticipated improvements to the fields; (3) sets forth whether each field will be used for hay production, pasturing, or other use permitted under the lease attached hereto as Exhibit D; and (4) sets forth a maintenance plan for any fields that will not be actively used.

(i) With respect to plans for any improvements to the farm fields, the bidder should include a proposed timeframe, which should include projected initiation and completion dates.

4.4.3.4 Mobilization and Implementation Plan

The bidder shall include as part of the bid proposal a mobilization and implementation plan, beginning with the date of notification of the proposal award. The mobilization and implementation plan should include the following elements:

- i. A detailed timetable for the mobilization and implementation period. This timetable should be designed to demonstrate how and when the bidder will have the equine facility operational and the fields restored and in use.
- ii. The bidder's plan for the development and use of management, supervisory, or other key personnel during the mobilization and implementation period. The plan should show all management, supervisory, and key personnel that will be assigned to manage, supervise, and monitor the bidder's mobilization and implementation of the Lease.

4.4.3.5 Potential Problems

The bidder should set forth a summary of any and all problems anticipated during the term of the Lease. For each problem identified, the bidder should provide a proposed solution.

4.4.4 Organizational Support and Experience (Part 4)

The bidder should include information relating to its organization, personnel, and experience, including but not limited to references, together with contact names and telephone numbers, evidencing the bidder's qualifications and capabilities to run an equine facility and/or engage in agricultural production.

4.4.4.1 Location

The bidder should include the name, location, and telephone number of the individual or organization that is submitting the proposal.

4.4.4.2 Organization Chart [Specific]

The bidder should include an organization chart with names showing the management, supervisory, and other key personnel who will be employed by bidder. The chart should include the labor category and title of each such individual. If the positions have not yet been filled, the bidder should so indicate but include the titles of all personnel whom the bidder intends to hire.

4.4.4.3 Resumes

Detailed resumes should be submitted for all management, supervisory, and key personnel who will be employed by the bidder in fulfilling the purpose of the Lease. Resumes should be structured to emphasize the relevant qualifications and experience of these individuals in successfully completing projects of similar size and scope to those set forth in the Lease. Resumes should clearly identify previous experience in similar ventures. Beginning and ending dates should be given for each similar venture. A description of the venture should be given and should demonstrate how the individual's work on the venture relates to the individual's ability to contribute to the successful fulfillment of the purposes of the Lease. With respect to each similar venture, the bidder should include the name and address of each reference, together with a person and telephone number to contact for a reference check.

In the event the bidder must hire or otherwise engage management, supervisory, and/or key personnel if awarded the proposal, the bidder should include a recruitment plan for such personnel. Said recruitment plan should demonstrate that the bidder will be able to initiate and complete the project within the time frame required by this RFP.

4.4.4.4 Backup Staff

The bidder should include a list of backup staff that may be called upon to assist or to replace primary individuals performing under the Lease. Backup staff must be clearly identified as such.

In the event that the bidder must hire management, supervisory, and/or key personnel if awarded the proposal, the bidder should include, as part of the recruitment plan, a plan to secure backup staff in the event that primary individuals initially assigned need assistance or must be replaced during the term of the Lease.

4.4.4.5 Organization Chart [Complete]

The bidder should include an organization chart depicting the bidder's entire organizational structure. This chart should show the relationship of the individuals performing under the Lease to the bidder's overall organizational structure.

4.4.4.6 Experience of Bidder on Projects of Similar Size and Scope

As evidence of the bidder's ability to complete the services set forth in the Lease, the bidder should provide a comprehensive listing of equine facilities similar in size and scope to Cedar Lake Horse Farm that he has managed or operated. A description of all such projects should be included and should demonstrate how such projects relate to the bidder's ability to complete the services required under the Lease. For each such project, the bidder should provide the name and telephone number of a contact person.

Specifically, the bidder should describe its expertise in managing or operating equine facilities, including the following:

- i. a description of all equine facilities it has managed, including the size of the facility, types of services provided, types of agricultural production, and location for each facility; and
- ii. the beginning and ending date of each management agreement or lease associated with each equine facility listed in "i" above.

4.4.4.7 Financial Viability of the Bidder

The bidder shall provide proof of its financial capacity and ability to undertake and successfully carry out the responsibilities under the Lease. To satisfy this requirement, the bidder shall submit the following with the bid proposal:

- i. The name and address of the bidder's bank, chief banking representative handling the bidder's account, and the bidder's federal employer information number (FEIN number);
- ii. Certified financial statements, including applicable notes, reflecting the bidder's assets, liabilities, net worth, revenues, expenses, profit or loss, and cash flow for the most recent calendar year or the bidder's most recent fiscal year; or
- iii. If a certified financial statement is not available, then either a reviewed or compiled statement from an independent accountant setting forth the same information shall be provided.

4.4.5 Monetary Proposal (Part 5)

Each bidder must submit all requested monetary proposals. Failure to submit all requested monetary proposals may result in a bidder's proposal being considered materially non-responsive. Each bidder must hold his price(s) firm through completion of the proposal award process.

Each bidder submitting a proposal for the lease and operation of an equine facility AND for agricultural production on the farm fields shall submit two (2) figures as part of the monetary bid:

- i. Annual fee to be paid to the Department; and
- ii. A threshold amount of annual gross revenue, above which the Operator will be required to remit fifteen (15%) percent to the Department. (*e.g.* If the successful bidder submits a threshold gross revenue amount of \$100,000.00, it shall be required to remit 15% of all gross revenues above \$100,000.00 to the Department on an annual basis).

For purposes of this RFP and the Lease, gross revenue is defined to include all gross charges for all services to customers or patrons performed by the Tenant or any other person, firm, or corporation in, upon, or through any part of Cedar Lake Horse Farm, including but not limited to fees for training, riding, lessons, and boarding and sales at the gross selling price of merchandise and items of every character sold in, upon, or through Cedar Lake Horse Farm, by the Tenant, or any other person, firm, or corporation, including but not limited to all revenues and sales related to the operation of Cedar Lake Horse Farm and shall include sales and charges for cash and credit, regardless of whether or not the same is collected or uncollected, less all proper credits for returned merchandise, merchandise exchanges and merchandise cancellations, allowances, or discounts, as well as any sales taxes collected by the Tenant and remitted to taxing authorities.

5.0 LEASE TERMS & CONDITIONS

5.1 Precedence of Lease Terms and Conditions

The Lease ultimately shall consist of this RFP, any addendum to this RFP, the winning bidder's proposal, the Department's Notice of Acceptance, and the executed Lease. The bidder shall agree to all of the material terms and conditions of the Lease.

In the event of a conflict between the provisions of this RFP and any addendum to the RFP, the addendum shall govern. In the event of a conflict between the provisions of this RFP (including any addendum to same) and the winning bidder's proposal, the RFP and/or addendum shall govern.

5.2 Lease Term and Extension Option

The term of the Lease shall be for a period of twenty (20) years, unless earlier terminated pursuant to the terms of the Lease. The anticipated Effective Date will be provided in the Lease.

If Department permits the Tenant to continue leasing the Horse Farm after expiration of the Lease without having executed a new written lease with the Department, then the Tenant shall lease Cedar Lake Horse Farm subject to all terms, covenants, and conditions contained in

the expired Lease. Such continuation of operations by the Tenant shall not constitute a renewal or extension of the expired Lease.

6.0 PROPOSAL EVALUATION & SELECTION PROCESS

6.1 Proposal Evaluation Committee

Bid proposals will be evaluated by an Evaluation Committee comprised of representatives from the Department of Environmental Protection and the New Jersey Department of Agriculture.

6.2 Oral Presentation and/or Clarification of Proposal

A bidder may be required to give an oral presentation to the Evaluation Committee concerning its bid proposal. The Evaluation Committee also may require a bidder to submit written responses to questions regarding his bid proposal. The purpose of such communication with a bidder, either through an oral presentation or written letter of clarification, is to provide an opportunity for the bidder to clarify or elaborate on his bid proposal. However, original bid proposals may not be supplemented, changed, or corrected in any way. No comments regarding other bid proposals are permitted. Further, bidders may not attend presentations made by other bidders.

It is within the discretion of the Evaluation Committee to require a bidder to make an oral presentation or to submit written responses to questions regarding its bid proposal. Action by the Evaluation Committee in this regard should not be construed to imply acceptance or rejection of a bid proposal. The Administrator will be the sole point of contact regarding any request for an oral presentation or written clarification.

6.3 Evaluation Criteria

The following evaluation criteria, not necessarily listed in order of significance, shall be used to evaluate bid proposals received in response to this RFP. The evaluation criteria categories may be used to develop more detailed evaluation criteria to be used in the review process:

- i. The bidder's general approach and plans in meeting the requirements of this RFP;
- ii. The bidder's detailed approach and plans to perform the services under the Lease;
- iii. The bidder's documented experience in managing or operating equine facilities of a similar size and scope to Cedar Lake Horse Farm, including hay and pasture production;
- iv. The qualifications and experience of the bidder's management, supervisory, and other key personnel, with emphasis on documented experience that is consistent with the proposed uses for Cedar Lake Horse Farm;

- v. The bidder's overall ability to mobilize, undertake, and successfully perform in accordance with the Lease. This judgment will include but not be limited to the number and qualifications of management, supervisory, and other staff proposed, the availability and commitment to the Lease of the bidder's management, supervisory, and other staff proposed, and the bidder's Management Plan;
- vi. The bidder's financial viability and organizational history; and
- vii. The bidder's monetary proposal.

6.4 Selection Process

The proposal shall be awarded with reasonable promptness and by written notice to the responsible bidder whose bid proposal, conforming to the invitation for bids, will be most advantageous to the State, price and other factors considered. Any or all bids may be rejected if the Department determines that it is in the public interest to do so.

7.0 EXHIBITS

- A. Survey Map of Cedar Lake Horse Farm
- B. Report of Preliminary Condition Assessment, Dwelling, Barns, Outbuildings, Cedar Lake Horse Farm, Blairstown Township, Warren County, New Jersey
- C. Report of Pasture Management Recommendations, prepared by Rutgers Cooperative Extension, November 1, 2002
- D. Lease (proposed)
- E. Affirmative Action Employee Information Report
- F. (1) Ownership Disclosure Form; (2) Contractor Certification and Disclosure of Political Contributions Form (P.L. 2005, c. 51/ E.O. 117); and (3) Instructions -- Contractor Certification and Disclosure of Political Contributions (P.L. 2005, c. 51/E.O. 117)