

Request for Proposals
Passenger Ferry Redeveloper/Operator
For the
PENINSULA AT BAYONNE HARBOR
BAYONNE, NEW JERSEY

December 18, 2024

1) INTRODUCTION AND GENERAL INFORMATION

In the 1930's, private commercial interests constructed a peninsula into New York Harbor that created additional maritime in the City of Bayonne (the "**City**"). The property was subsequently taken over, expanded, developed, and operated as the *Military Ocean Terminal – Bayonne* ("MOTBY") by the U.S. Navy during World War II and the U.S. Army in 1967. Ships carried goods from the terminal for every major U.S. military operation from World War II to the Persian Gulf and Haiti missions in the 1990s. But with the subsequent decreasing need for the deployment of U.S. forces, the federal government decided to close MOTBY down in 1995 and transferred the property to the City in the early 2000's.

In 2002, MOTBY was officially renamed the Peninsula at Bayonne Harbor (the "**Peninsula**") and plans were unveiled to redevelop 430 acres of the former ocean terminal into a mixed-use complex. The project began in 2002, environmental cleanup was completed, buildings were demolished, and construction began.

Since 2002, more than 2,000 residential units have been built with over 7,000 to be built. In addition, 350,000 square feet of retail space and more than 1.2M square feet of commercial warehouses have been constructed. Further, the Cape Liberty Cruise Port has been in operation for over a decade and its success has warranted consideration of an expansion that would double its capacity.

The project's location and mass transit links augur well for its success. Squarely sitting in New Jersey's "Gold Coast," only three miles from Newark and seven miles from Manhattan, the site offers unparalleled views of New York City and gives City's 70,000+ residents their first access to the Hudson River waterfront in nearly a century. The Hudson-Bergen light rail system stops at two locations on the project's west side, giving City residents easy access to Jersey City, Hoboken, and Manhattan.

2) REDEVELOPMENT PROCESS

The New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*, as amended and supplemented (the "**Redevelopment Law**") provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment. In accordance with the criteria set forth in the Redevelopment Law, the City identified and designated the Peninsula as an "area in need of redevelopment" and adopted a redevelopment plan for the Peninsula entitled the "Peninsula at Bayonne Harbor Redevelopment Plan" dated December 15, 2004, as amended, and supplemented, and as the same may be further amended and supplemented from time to time (the "**Redevelopment Plan**"). The Redevelopment Law authorizes municipalities to enter into agreements with "redevelopers" to implement the Redevelopment Plan. The Redevelopment Plan provides, in part, for the development of mixed-use improvements that include recreational, residential, commercial, industrial and passenger ship terminal developments. In furtherance thereof the City is issuing this request for proposals (the "**RFP**") seeking a "redeveloper" to develop and operate a passenger ferry terminal and provide certain passenger

ferry services as described herein. The successful Redeveloper/Operator shall execute a redevelopment agreement and associated agreements as negotiated by the parties (the “**Redevelopment Agreement**”)

3) **PURPOSE**

The City is seeking a qualified service provider (a “**Redeveloper/Operator**”) to develop a premier passenger, ferry terminal (the “**Terminal**”) and associated commuter passenger service (the “**Ferry Services**”) between Bayonne and Manhattan as an alternative and supplement to existing transportation options. The Ferry Services shall be reliable, tickets shall be competitively priced, and plans for maintaining the Ferry Services long term shall be present.

The City will consider Ferry Services proposals that include third-party package delivery services (the “**Package Services**”), which may include delivery of small packages to other urban destinations in New York and New Jersey.

In addition to the above Ferry Services and Package Services, the City seeks to have the Terminal, City Improvements and Redeveloper/Operator Improvements made available to operators (the “**Tour Services Operator**”) of passenger tour services (the “**Tour Services**”), which may include waterborne tours, dinner cruises, and long-haul routes from Bayonne to destinations (e.g., Sandy Hook, Block Island, Yankee Stadium, etc.). The successful Redeveloper/Operator will be required to enter into a separate agreement to coordinate access to the Terminal for such Tour Services Operator at no charge to such Tour Service Operators and may submit a partner to provide such Tour Services.

4) **BERTH & PARKING**

The City will soon be the owner of approximately 1.6 acres of open area shown as Parcel A (the “**Upland Area**”) located within the Peninsula (see **Exhibit A**). Additionally, the City will be the Owner of approximately 2 acres of waterside area (the “**Berth Area**”) comprised of approximately 300 linear feet of berth by approximately 300 feet of associated riparian area (see **Exhibit A**). The City is also owner of a one acre parcel located approximately 1,200 feet west of the Terminal, where development of structured parking (the “**Parking Facility**”) is envisioned in the future (see **Exhibit A**).

The City is permitted to operate a ferry landing and to operate a parking facility and sell concessions at the Premises directly related to the ferry operations. Additionally, the City may store ferry vessels directly associated with the ferry operation midday and overnight, so long as it adheres to approved facility operational and security plans. Ferry vessels directly connected to the ferry landing operation may be stored overnight.

The City has secured approvals from the New Jersey Department of Environmental Protection and US Army Corps of Engineers for a Terminal and Berth Area (see **Exhibit B**). proposers may elect to utilize these approvals, modify them, or disregard them entirely.

5) **REQUEST FOR PROPOSALS: OBJECTIVES**

A) Development and Construction of Ferry Terminal by City and Redeveloper/Operator

1. The development of the Upland Area and Berth Area and will be undertaken by the City and the Redeveloper/Operator.
2. The City will construct basic upland improvements (the “**City Improvements**”), including a 102-space parking lot, drop-off facilities, utility service (water & sewer), lighting, landscaping, and a waterfront walkway that connects the Terminal with adjoining residential development to the west. **Exhibit C** illustrates the City Improvements. The Redeveloper/Operator shall be responsible for operating and maintaining the City Improvements once completed.
3. The Redeveloper/Operator shall design, permit, construct, operate and maintain all other improvements (the “**Redeveloper/Operator Improvements**”) necessary to operate the Terminal, including but not limited to passenger shelter, ticketing facilities, electrical service, parking revenue controls, gangway, ferry loading barge/vessel, and mooring pilings. The ferry loading barge/vessel shall be configured to accept both passenger and excursion vessels. The Terminal and associated services shall ensure ADA compliant facilities and vessels with handicap access, bathroom(s), seating, and stroller/baggage accommodations. Optional goals shall include off peak commuter service, high speed vessels, Wi-Fi, climate control, and on-board and/or upland concession for coffee, beverages, snacks, and newspapers. The Redeveloper/Operator will be expected to maintain plans for the construction/maintenance of the ferry’s landing and Terminal and for maintenance, fueling and berthing of vessels on-site or off-site.

B) Ferry Services

1. The Redeveloper/Operator shall provide weekday Ferry Services between the Peninsula, and Manhattan.
2. The Redeveloper/Operator and/or third parties operating from the Terminal will operate vessels certified by the U.S. Coast Guard and operated by licensed crew to meet existing State and Federal regulations.
3. The Ferry Services shall be reliable; tickets shall be competitively priced and plans for maintaining the service for a minimum of five years and as otherwise set forth in the Redevelopment Agreement.
4. The Redeveloper/Operator shall have a terminal management system including ticketing, parking (including parking revenue control), embarking/disembarking, and wayfinding.
5. The Redeveloper/Operator shall develop and manage supporting activities to ensure the Ferry Services include amenities and are convenient and reliable. This may include concessions or other perks, either in the terminal, on board the ferry, or both.

C) Package Services and Ancillary Services

The Redeveloper/Operator shall have the option of providing Package Services and developing and/or operating Ancillary Services such as the Parking Facility or a concession facility.

D) Tourism Services

The City seeks to provide its residents and visitors with Tourism Services and will work with the Redeveloper/Operator to incorporate entities that provide such services into the operations of the Terminal, City Improvements and Redeveloper/Operator Improvements at no charge to such Tourism Services Operator.

6) PROCUREMENT PROCESS & SCHEDULE

A) General Information/Submission Process

The City has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a proposal in response to the RFP (the “**Proposal**”). Based upon the totality of the information contained in the Proposal, including information about the reputation and experience of each proposer, the City will (in its sole judgment) determine which proposer best meets the City’s goals and commence negotiations of a Redevelopment Agreement and related agreements. The steps involved in the process and the anticipated completion dates are set forth in Section 6B hereof titled “**Procurement Schedule.**” The City reserves the right, among other things, to amend, modify, or alter the Procurement Schedule upon notice to all potential proposers who have provided contact information to the City upon receipt of this RFP. All communications concerning this RFP, or the RFP process shall be directed to the City’s Designated Contact Person, Joseph P. Baumann Jr., by email.

Joseph P. Baumann Jr.
McManimon, Scotland & Baumann, LLC
75 Livingston Avenue
Roseland, New Jersey 07068
Email: jbaumann@msbnj.com

Proposals (digital copy) shall be submitted to the City’s Law Director, Jay Coffey at jcoffey@baynj.org and to the Designated Contact Person, via email. In addition, five (5) hard copies of the proposals shall be hand delivered to

Jay Coffey

Law Director
630 Avenue C
Bayonne, New Jersey 07002

Responses and their envelopes should be clearly marked with the name and address of the proposer and the project title: **“PENINSULA AT BAYONNE HARBOR FERRY SERVICE”**

After issuance of this RFP, the City (through the issuance of addenda to all firms that have received a copy of the RFP) may modify, supplement, or amend the provisions of this RFP and respond to inquiries received from prospective proposers or as otherwise deemed necessary or appropriate by (and in the sole judgement of) the City.

B) Procurement Schedule

ACTIVITY DATE

1. Issuance of Request for Proposals.....December 18, 2024
2. Deadline for proposers to submit questions..... January 17, 2025
3. Response to proposer questions.....January 24, 2025
4. **Due Date** for Receipt of Proposals.....February 24, 2025
5. Selection of Redeveloper/Operator..... March 14, 2025
6. Execution of Redevelopment Agreement.....April 18, 2025

C) Conditions Applicable to RFP

Upon submission of a Proposal in response to this RFP, the proposer acknowledges and consents to the following conditions relative to the submission and review and consideration of its Proposal:

1. Redeveloper/Operator to obtain all necessary permits for docking and use of pier and terminal facilities in Manhattan and any other destinations specified in their proposal.
2. The City reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof and to eliminate any and all proposers responding to this RFP from further consideration for this procurement.
3. The City reserves the right (in its sole judgement) to reject any proposer that submits incomplete responses to this RFP, or Proposals that are not responsive to the requirements of this RFP.
4. The City reserves the right to supplement, amend, or otherwise modify the RFP through issuance of addenda.
5. The City may request additional information from proposers, including requiring proposers to send representatives to the City for interviews.
6. Any Proposals not received by the City by the Due Date may be rejected.

7. Neither the City, nor its respective staff, consultants, nor advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal, nor shall there be any reimbursement to proposers for the cost of preparing and submitting a Proposal or for participating in this procurement process.

D) Rights of City

The City reserves, holds, and may exercise, at its sole discretion, the following rights, and options about this RFP and the procurement process in accordance with the provisions of applicable law:

1. To determine that any Proposal received complies or fails to comply with the terms of this RFP.
2. To waive any technical non-conformance with the terms of this RFP.
3. To change or alter the schedule for any events called for in this RFP upon the issuance of notice to all prospective proposers who have received a copy of this RFP.
4. To conduct investigations of any or all of the proposers, as the City deems necessary or convenient, to clarify the information provided as part of the Proposal and to request additional information to support the information included in any Proposal.
5. To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion). If terminated, the City may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the proposers.

The City shall be under no obligation to complete all or any portion of the procurement process described in this RFP.

E) Addenda or Amendments to RFP

During the period provided for the preparation of responses to the RFP, the City may issue addenda, amendments, or answers to written inquiries (each an “**Addendum**” or collectively, “**Addenda**”). Addenda will be posted to the City’s website and interested parties are expected to monitor the City’s website with respect to same. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the submission Due Date.

F) Cost of Preparing Proposals

Each Proposal and all information required to be submitted pursuant to the RFP shall be prepared at the sole cost and expense of the proposer. There shall be no claims whatsoever against the City, its staff, or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Proposal or other

information required by the RFP, including the costs of obtaining any necessary permits.

7) SUBMISSION REQUIREMENTS

A) Proposal Format

Responses shall cover all information requested in the RFP. Responses which in the City's judgement fail to meet requirements of the RFP or which are in any way conditional, incomplete, obscure, contain deletions from requested information, or contain errors may be rejected.

B) Redeveloper/Operator Improvements

The Proposal shall include a detailed description of the Redeveloper/Operator Improvements including an estimated time frame for the development and construction of same as well as an estimated cost and source of funding therefor. Such detail shall include information concerning the ability to accommodate vessels for all services.

C) Ferry Operation Itinerary

The Proposal shall include a detailed itinerary for a Ferry Services that includes, at a minimum:

1. Three (3) departures from the City in the morning;
2. One direct trip to Manhattan, preferably Downtown (Battery and/or Pier 11), with a preference for more than one stop; and
3. Three (3) departures from Manhattan in the evening.

D) Operational Plan

The Proposal shall include an operations plan to implement the itinerary developed to satisfy Section 7B hereof. This shall include the following:

1. The proposed route of the ferries;
2. Specifications on the ferries to be used in the Ferry Services, Packages Services and Tourism Services, including PAX count, LOA, beam, draft, cruising speed, and onboard amenities;
3. Embarking/disembarking passenger's plan;
4. Ticket prices and infrastructure for ticketing;
5. A staffing plan that includes: a master mariner and sufficient crew properly licensed by the U.S. Coast Guard to carry fare paying passengers in open waters, and back end staff to manage ticketing and administration;
6. Monitoring service levels and meaningfully handling customer feedback;

7. Regulatory compliance demonstrating compliance with:
 - a. Terminal/vessel security plan as required by Federal Regulations; and
 - b. A plan for complying with relevant regulations relating to scheduled safety and security inspections of the vessel; and
 - c. Regulatory compliance with Clean Water Act; and
 - d. Proof of vessel certification and/or classification as may be required by Federal or State regulations; and
 - e. Handling of service disruptions;
 - f. Utility services, including shore power, sanitary sewer service, and potable water service; and
 - g. Plans for handling emergency situations; and
 - h. Plans for integrating Ferry Services, Package Services, if any and Tourism Services.
8. A provision to submit monthly reports to the City detailing ridership and route miles.

E) Operations Timeline

The City will favorably consider a Proposal that anticipates an expedient ramp-up timing of Ferry Services. The Proposal shall include a detailed timeline for implementation of the service. This timeline shall clearly display when the Ferry Services would launch, and the timing of any changes to operations (for example, the addition of charter or excursion services, or adding stops to itinerary). This timeline shall clearly identify when the Ferry Services would commence. Proposals shall indicate a Ferry Services start date following execution of Redevelopment Agreement and related agreements. The Proposal shall also outline Ancillary Services, Package Services, as applicable, and Tourism Services.

F) Operating Budget

The Proposal shall include an operating budget, covering the first one year period that contemplates the projected costs and revenues associated with the Ferry Services. A narrative financial plan that describes the budget shall be included. Submission of a minimum of two (2) years audited financial statements (3) years preferred). proposer should define how much of their annual budget is contingent upon subsidy and, if so, define the anticipated source of the subsidy. The amount of subsidy, if any, required to maintain Ferry Services (including source of same), based on an annual basis for three (3) years should be enumerated.

G) Organizational Details

The Proposal shall include the following details regarding the proposer's organization:

1. A formal letter, on company letterhead, expressing interest in operating the service outlined in the proposer's Proposal; and
2. The name and contact information – including mailing address, telephone number, and email address – for the proposer's authorized point of contact for this RFP; and
3. An overview of the proposer's organization, including key persons, partners, and a general description of the organization. Resumes and credentials of the organization's principals shall be appended to the Proposal; and
4. A description of relevant corporate partnerships and any corporate relationships applicable to this Proposal; and
5. Disclosure of any conflict(s) of interest; and
6. A description of the organization's ferry operating experience, including three (3) client references; and
7. Financial statements for the proposer organization and any partner entities germane to the Proposal (two (2) years audited financial statements (3 years preferred); and
8. A demonstration of the ability to meet all State, Federal, and local regulatory requirements including safety and security plans; and
9. A demonstration of the ability to meet all insurance provisions and requirements consisting of Comprehensive General Liability Insurance including Premises and Operations Liability, Contractor's Protective Liability and Completed Operations and Product Liability, as well as such marine insurance for the vessels as Hull and Machinery Protection and Indemnity, pollution liability, and statutory coverage for any and all Longshoremen or Harbor Workers. This list is not intended to be exhaustive. Insurance shall name the City as additional insured. Liability insurance should be Personal Injury at Ten Million (\$10,000,000.00); Property Damage at Twenty Million (\$20,000,000.00). In accordance with the Laws of the State of New Jersey, Workers' Compensation Insurance shall cover all contractors and employees of ferry operation; and
10. Safety procedure/plans including copies of the Fleet/Vessel Operating Manuals; and
11. Site and building maintenance or bond for damages if they occur; and
12. ADA compliance.

H) Marketing Plan

A Proposal shall include a detailed plan to market the Ferry Services. This plan shall include messaging that the proposer would use to market the Ferry Services to the public. Marketing materials for similar offerings by the proposer shall be appended to the Proposal. If such proposal includes Tourism Services marketing materials for same shall also be included.

I) Signed Responses

All responses shall be signed by an authorized representative of the proposer company. This representative shall be authorized to make decisions regarding the proposer's participation as the Ferry Redeveloper/Operator for the City.

J) Incomplete Submissions

Any submission that does not expressly address each of the items in this RFP may, in the City's sole discretion, be rejected.

K) Questions

All questions related to this RFP are to be addressed by email as described in Section 6A.

8) SELECTION PROCESS

Proposals will be evaluated for their completeness, competitiveness, and innovative approach to the development of the Redeveloper/Operator Improvements and the Ferry Services. Preference will be given to responses that offer a reasonably-priced, sustainable service, and make the best use of City facilities.

Following selection of the winning Proposal, the City and the proposer shall negotiate the Redevelopment Agreement and required agreements.