

**UNIVERSITY HOSPITAL**

**REQUEST FOR INFORMATION**

**FOR**

**UH-P25-010**

**A Portion of**

**UNIVERSITY HOSPITAL – PHASE I – MOB**

**NEWARK, NEW JERSEY**

**MAY 23, 2025**



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## **Section 1: Project Overview & Process Overview**

### **1.1 Introduction**

University Hospital, (“UH” or “the Hospital”), a body politic and corporate and an instrumentality of the State of New Jersey, is issuing this Request for Information (“RFI”) to obtain information from potentially interested parties regarding their capacity to design, build, finance, operate, and maintain a second new building that meets programmatic needs (referred to herein as the “Medical Office Building” or “MOB” see defined term below) associated with Phase I of University Hospital’s master plan, on its academic health center campus in Newark, New Jersey (collectively, the “MOB Project” or the “Project”). This opportunity for development includes several parcels located at the northeast corner of the intersection of Twelfth Avenue and Bergen Streets in Newark, New Jersey.

As used herein, “Respondent” means a single firm or company, or a partnership entity that submits a response to this RFI, and “Developer” means the Respondent that is ultimately awarded a contract to design, build, finance, operate, and maintain the MOB. UH is interested in learning more about the capacity of Respondents to undertake activities required to provide a complete, operating, and occupiable building including:

- Integrating the delivery of all components of the MOB Project with planning efforts completed to date.
- Assessing funding and financing opportunities.
- Reimbursement of the Hospital’s costs associated with the negotiation and implementation of all agreements related to the MOB Project.
- Preparing and managing all aspects of the schedule and budget associated with the MOB Project, including multiple related efforts on and off site.
- Accepting the MOB site in its “as is,” “where is” condition, “with all faults,” including, without limitation, environmental conditions, without warranty of any kind. Condition reports reflecting such conditions will be provided to Respondents as part of the RFP process.
- Obtaining all approvals, permits, inspections, any waivers determined necessary to facilitate the Developer’s due diligence or construction activities at the MOB, from the applicable authorities at the municipal, county, and State level having jurisdiction and any applicable utility companies.
- Designing, financing, constructing, and furnishing the MOB so it is fully operational and open to the public.
- Closing out the Project and turning over all Project records and deliverables required by the various contracts and subcontracts to the Hospital.
- Such other provisions as are customary in Hospital development services agreements and/or are deemed necessary or advisable by the Hospital, further details of which will be provided to those Respondents selected to receive the RFP.

The development site is located on the western portion of the University Hospital/Newark Rutgers Health campus, which is shared by UH and Rutgers, The State University of New Jersey (“Rutgers”) on land owned by the State of New Jersey. The Hospital, in collaboration with Rutgers, has worked on development plans

and formulated a nine-year-long multi-building phased development that allows UH to upgrade its delivery of care in new and existing buildings while supporting campus development.

The first component of University Hospital's Master Plan Phase I, which is not included in this RFI, includes demolition of existing buildings, site remediation, site preparation including utilities, and design, construction, fit-out, and start-up and turnover of a building identified as the new Administrative Building ("ADMB"). The ADMB is expected to house approximately 875 parking spaces, approximately 10,000 square feet of outpatient space on grade, and four floors of office space atop the structured parking. A request for proposals ("Rutgers RFP Phase 1") was issued by Rutgers for this work in December 2024, and a development team selected by Rutgers is expected to be in place by March 2025. The scope of the Rutgers RFP Phase 1 project also includes site remediation and site preparation and utilities improvements for the MOB site. This site remediation and preparation, and utilities improvements work is not included as part of this RFI.

The scope of this RFI includes design, construction, fit-out, start-up and turnover of the MOB as well as close coordination with the development team selected by Rutgers to design and construct the ADMB. (details regarding the nature of such coordination will be set forth more fully in the RFP). All of the aforementioned work shall be completed by the Developer, through engagement of contractors, consultants, and suppliers experienced with similar project types and conditions. Preliminary site remediation and preparation of utilities for the MOB will be conducted by the developer selected by Rutgers to construct the adjacent ADMB. The MOB will house various clinical specialties across 10 floors. The ADMB will connect functionally and physically to the MOB with a pedestrian bridge, currently envisaged to connect the two buildings at the seventh-floor level of the MOB. The design and construction of the pedestrian bridge is part of this MOB Project, and the Developer will be expected to coordinate with Rutgers and its development/design/construction team. The third floor of the MOB is projected to be an Ambulatory Surgery Center ("ASC") that will connect to a future Critical Care tower via a pedestrian bridge across 12<sup>th</sup> Ave. It is currently anticipated that the design and construction of the pedestrian bridge connecting the MOB to the Critical Care tower will be part of a future procurement, but Respondents should anticipate such plans in their responses. See Exhibit A (Concept Images) for more information on the existing site and the vision for the ADMB and future MOB.

The proposed development plan for the work described in this RFI must be completely stand-alone from a campus infrastructure perspective, so as to not rely upon or burden existing campus parking, central plant infrastructure, utilities, or other UH or Rutgers activities or programs. It is UH's objective to have a high-quality, cost-effective development project delivered within the time constraints attached to the Project.

The Hospital seeks a Developer that is interested in the development of an underutilized urban site, that is able to create a high-quality, cost-effective Project that is compatible with, and complimentary to, the rest of the academic health center campus and consistent with, and supportive of, the UH and Rutgers' master plans, and that is deeply committed to the success of the campus through engaging with the surrounding community and establishing a robust MBE, WBE, VOB, DVOB and LBE (as defined in Section 2.2.6) program for subcontractors and vendors. Information regarding the respective master plans may be found by visiting <https://www.uhnj.org/for-community/brickbybrick/> and <https://masterplan.rutgers.edu/>.

Through this solicitation process, UH is seeking to increase its understanding of the capacity of developers, other interested parties, and their construction managers, architects, and consultants with appropriate

qualifications, experience, financial capacity and resources, and a proven track record of successfully executing similar projects as discussed further in Section 3 of this RFI.

Should UH move forward with issuing an RFP for the Project, it is anticipated that an award will be made to a single entity which could be a single firm or company, a corporate entity established solely to develop this Project, or a partnership between two or more firms or companies if any single firm or company believes partnering with another firm or company would be advantageous.

This RFI does not purport to contain all the information that a Respondent may need or desire to make an investment and/or submission decision. Respondents to the RFI should conduct their own investigations and analyses of relevant information.

## 1.2 Key Dates

This RFI is being issued with the intention of increasing UH's knowledge of the capacities and interested parties available to fulfill the Project. In the future, UH may elect to move forward with a subsequent Request for Proposals ("RFP").

Following the RFI process, UH may issue an RFP to a short-list of no more than five (5) respondents selected by UH as being the most qualified to potentially offer terms and conditions most favorable to UH price and other factors considered for the MOB Project. The selection process and criteria are described in Section 4 below. The Hospital will evaluate the proposals submitted in response to any future RFP in accordance with the criteria set forth in the RFP and will select the successful Proposer to be the Developer that will act as the counter-party to execute any future agreement(s) with the Hospital.

Under no circumstances should this RFI be construed as creating or establishing a partnership, joint venture, agency or employment relationship between the Hospital and any recipient of, or Respondent to, this RFI. Any relationship between the Hospital and any entity which considers or participates in the procurement process described herein will be governed exclusively by future agreements entered into between the Hospital and the Respondent.

The following schedule represents the intended process and milestones of the Developer selection process. The Hospital will make every effort to adhere to this schedule but dates are subject to change. Any change in the Key Dates will be announced via an addendum to this RFI or as part of the RFP.

KEY DATES	EVENT
May 23, 2025	RFI Released
June 4, 2025	Deadline for Questions
June 11, 2025	Question Responses Issued
June 27, 2025	Deadline for submissions
July 3, 2025	RFP Released to Shortlist
July 11, 2025	Deadline for Questions

July 18, 2025	Question Responses Issued
August 15, 2025	Deadline for Proposals
August 25 & 26, 2025	Interviews
September 25, 2025	Final Selection and Notice of Intent to Award

### 1.3 Information for Respondents

- 1.3.1 Parties interested in responding to this RFI are advised to review all sections of this RFI carefully and to follow instructions completely, as failure to make a complete submission reflecting the specifications as described elsewhere herein may result in rejection of the proposal.
- 1.3.2 All costs associated with developing or submitting a proposal in response to this RFI, providing written clarification of its content, or with preparing materials for use at an interview, if requested by UH, shall be borne by the Respondent. UH assumes no responsibility for these costs.
- 1.3.3 Submission of a response to this RFI constitutes a representation that there is no action, suit, proceeding, inquiry or governmental agency, public board or body, pending or, to the best of the Respondent's knowledge, threatened, which would in any way prohibit, restrain or enjoin the execution or delivery of the Respondent's obligations, or diminish the Respondent's obligations or financial ability to perform under the terms of any proposed contract. Further, submission of a response to this RFI constitutes a representation that the Respondent and none of its identified subcontractors are listed on the roster of debarred and or suspended companies excluded from Federal procurement and non-procurement programs throughout the U.S. Government and from receiving Federal contracts or certain subcontracts and from certain types of Federal financial and nonfinancial assistance and benefits.
- 1.3.4 The Hospital reserves the right to seek clarification and additional information on any point in connection with the Respondent's information regarding this RFI.
- 1.3.5 As an instrumentality of the State of New Jersey, the Hospital is subject to the Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1 et seq. All information submitted by Respondents in response to this RFI is considered public information, except as may be exempted from disclosure by OPRA and the common law. As such, all responses are generally available for public inspection after contract award. If a Respondent believes that information contained in a submission should be exempt from public disclosure, the Respondent should designate the information as such for the Hospital's consideration. UH reserves the right to make the final determination and will advise the Respondent accordingly. In the event of a challenge to the Respondent's designation of confidential/proprietary materials, the Respondent shall have sole responsibility for defending its designation and UH shall have no responsibility.
- 1.3.6 This RFI is being administered by University Hospital's Department of Purchasing Services, on behalf of the Hospital's Department of Construction, Real Estate and Facilities. It is the policy of UH to accept questions and inquiries from all potential Respondents receiving this RFI and to respond by written addendum. Written questions must be delivered to the Department of Purchasing Services via e-mail at: [uhpurchasing@uhnj.org](mailto:uhpurchasing@uhnj.org). The Subject Line of the email must include the solicitation number, RFI UH-P25-010.

It is requested that Respondents having long, complex, or multiple part questions submit them in writing as far in advance as possible so answers can be prepared timely for any addenda. Questions should be in consecutive order, following the organization of the RFI. Each question should begin by referencing the related RFI page and section number.

Questions should be submitted in a chart in the following format:

Page #	Section	Question
5	1.1	Enter question here

Respondents shall not contact any person within University Hospital concerning this RFI except for written questions to the email addresses set forth above, and the Hospital will not consider or reply to oral or telephone questions. Emailed inquiries must include the solicitation number, requester's name, address, telephone number and email address, and which Respondent the requester is representing.

Cut-off date for questions and inquiries relating to this RFI is: June 4, 2025, at 5:00 PM ] Eastern Time. The Hospital will not consider any questions received after the deadline.

- 1.3.7 Respondents should rely solely upon the Hospital's written responses to questions submitted to the e-mail addresses listed above. The Hospital will answer all written questions via an addendum or addenda that it will post to: <https://www.uhnj.org/contact-us/doing-business-with-uh/bidding-opportunities/>.

#### **1.4 Special Information for this RFI**

- 1.4.1 Financing for the work described in this RFI is anticipated to be arranged by the Developer. The working assumption is that Hospital is not expected to participate in funding the MOB.
- 1.4.2 There is no form of agreement issued as part of this RFI. UH will draft the agreement based on the business terms outlined in the subsequent RFP and the winning proposal. The agreement will include the mandatory terms and conditions set forth in Exhibit E.
- 1.4.3 The Hospital is considering the utilization of Project Labor Agreements ("PLA") for this procurement. The selected Developer may be required to negotiate and enter into a PLA for the construction of the Project. The details of any PLA requirements will be provided as part of the RFP.
- 1.4.4 Submission instructions: Responses must be delivered to:  
UH, DEPARTMENT OF PURCHASING SERVICES  
65 BERGEN STREET, GB130  
NEWARK, NEW JERSEY 07101-6750  
ATTN: JENNIFER ELIOPOULUS
- 1.4.5 In order to be considered, a proposal must arrive at the Department of Purchasing Services by 2:00 PM Eastern Time, June 27, 2025. Respondents are cautioned to allow adequate delivery time to ensure timely delivery of responses. Late responses will be deemed nonresponsive and receive no further consideration. The exterior of all proposal packages must be labeled with the Request for Information identification number (UH-P25-010). Each Respondent must submit one (1) complete original proposal clearly marked as the "ORIGINAL"

proposal in hard copy format and one (1) in electronic format, such as USB/Flash Drive. Each bidder should also submit four (4), complete and exact hard copies of the original.

## **1.5 No Liability**

- 1.5.1 Neither the Hospital, nor any of its respective representatives, advisors or consultants make, or shall be deemed to have made any representation or warranty, express or implied, as to the accuracy, reliability or completeness of the information contained herein or in any information otherwise provided, whether orally or in writing, other than such representations or warranties expressly stated as such in a definitive contractual agreement executed between the Hospital and the Developer. Neither the receipt of this RFI, nor any information contained herein or supplied herewith or subsequently communicated to any person and/or entity whether orally or in writing, in connection with this RFI or the Project involving the Hospital or its representatives, advisors or consultants shall constitute, or be interpreted as constituting, the giving of financial, legal, technical or other advice.
- 1.5.2 The issuance of this RFI does not constitute, and none of the information set forth herein constitutes, a formal offer to enter into an agreement, nor does this RFI obligate the Hospital or any other entity to proceed with any procurement described herein.
- 1.5.3 Neither the Hospital, nor any of its representatives, advisors or consultants shall be held liable or responsible, fiscally or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to or responding to this RFI, and all such costs shall be borne solely by each Respondent.

## **Section 2: Background and Project Information**

### **2.1 Background**

#### **2.1.1 University Hospital**

The Hospital was separated from University of Medicine and Dentistry of New Jersey (“UMDNJ”), its parent organization for 31 years, by legislation that took effect in July 2013. UH is now an independent medical center and an instrumentality of the State of New Jersey. It is the principal teaching hospital of the Rutgers New Jersey Medical School and Rutgers School of Dental Medicine.

UH is a critical statewide resource for clinical care, medical education and research; a key component of New Jersey's healthcare landscape; and important to federal, state and local legislators and other policymakers interested in advancing scientific discoveries and healthcare delivery. It is New Jersey's leading public hospital and provides training to more future physicians than any other hospital in the state.

UH is a 519 licensed bed acute-care hospital, home to regional and statewide resources for advanced care in many medical specialties. Additional information about UH is available on our website at: <https://www.uhnj.org/about-us/>.

### **2.2 Project Summary**

#### **2.2.1 Introduction**



In February 2023, after a year of community outreach and planning, the Hospital released its vision for a nine-year-long, \$1.8 billion master plan—a series of sequential major capital projects that would both meet existing needs and establish a path for the next several decades (for details visit: <https://www.uhnj.org/for-community/brickbybrick/>). To accomplish the long-term development plan, the master plan proposed an enabling phase (demolition of buildings), replacement buildings, a new hospital tower addition to the existing UH building, and, as the final phase, renovations and infrastructure upgrades to the current hospital building.

The UH master plan contemplates the use of Rutgers-owned buildings and land currently controlled and occupied by Rutgers, so close coordination is required. Additionally, the commitment of UH to the health of the City of Newark is a priority.

### 2.2.2 Master Plan Background

Over the course of the past four state budget cycles, approximately \$245 million in federal and state funding has been earmarked for the UH's master plan projects, with UH receiving \$195 million and the New Jersey Economic Development Authority ("NJEDA") receiving \$50 million to use on UH's behalf. To help create a thoughtful and thorough plan and to ensure that the expenditure would meet the deadline and be encumbered and spent in a manner that comports with federal American Rescue Plan ("ARP") funding program timeline, the Hospital and NJEDA jointly invited Rutgers to participate in the planning of certain components of the master plan project. Rutgers has decades of experience as a partner in public-private partnership developments, developer-led projects, and inter-agency agreements, as well as smaller capital projects with UH. This experience, along with Rutgers' deep familiarity with the Newark campus, makes them a prime collaborator for the master plan.

Rutgers developed a project execution plan for the first two new buildings contemplated by the master plan, including estimates of cost and schedule, which would encumber and spend the remaining balance of ARP funds in a manner consistent with applicable regulations and by the federally mandated December 2026 expenditure deadline. UH, NJEDA, and Rutgers held regular planning meetings with offices and agencies across state government.

### 2.2.3 Master Plan Development Strategy

A two-building scheme was developed as the logical first phase of the revitalization and modernization of the University Hospital campus. Construction of these two buildings—a new administration building ("ADMB") and a MOB would happen in anticipation of the UH master plan's signature improvement: a new hospital tower, connected to University Hospital, as well as a subsequent major renovation of the original hospital building. Because of capacity constraints on the campus, a new hospital tower cannot be constructed until land on the campus is cleared, requiring the demolition of two other structures—the aging Doctors Office Center and its connected parking deck. In turn, these structures cannot be demolished until replacement facilities are in place and functioning. The construction of these new facilities cannot proceed until the temporary administrative buildings (historically referred to as "the trailers") are vacated and demolished.

Thus, Phase I of the UH Master Plan is an essential enabling phase. Phase I, comprising two structurally independent buildings (ADMB and MOB) that are connected through a bridge system to move patients, will, when completed, be viewed by Rutgers as a single, interconnected and interdependent building.

#### 2.2.4 Facilities and Site planning

While Phase I of the UH master plan includes the completion and operation of the ADMB and the MOB, this RFI only includes the design, construction, financing, and operation and maintenance of the MOB. The site utilities for the MOB will be provided by the developer that is selected by Rutgers to develop the adjacent ADMB. Those utilities are at a minimum a subsurface stormwater retention system and underground connection points for electric service, domestic water service, fire water service, natural gas service, and sanitary sewer service. Stormwater retention system will be designed and constructed in accordance with applicable state laws and codes and the aforementioned utility connections shall be designed and constructed in accordance with applicable state codes and utility company requirements.

The MOB will require detailed medical planning, closely coordinated with the Hospital and Rutgers. Rutgers has retained Gensler as an adviser to develop preliminary programming documents, but the selected Developer will be expected to build upon these in greater detail. The Gensler programming documents will be included with the subsequent RFP.

The size of the MOB is expected to be approximately 250,000 gross square feet ("GSF") of conditioned/occupiable space.

#### 2.2.5 Financing & Ownership

Current conversations among the Hospital, Rutgers, and EDA propose that the MOB would ultimately be owned and maintained by the Developer under a ground lease structure with UH and master leased back to UH. However, UH is open to other solutions that meet the Hospital's goals and have been successful in delivering other comparable facilities. The Project is to be entirely funded by third-party financing arranged by the Developer.

The Hospital is interested in Developer feedback on the tradeoffs related to all available financing / ownership structures relevant for medical office buildings.

#### 2.2.6 Community Engagement

The Hospital has a long-standing practice of making its business opportunities available to SBE, MBE, WBE, LGBTE or VBE (as defined in Exhibit D) and has taken affirmative steps to encourage such firms to seek business opportunities with it, either directly or as sub firms, sub consultants, and subcontractors. The Developer selected pursuant to the RFP will be required to use good faith efforts to provide meaningful participation opportunities for certified SBE, MBE, WBE, LGBTE or VBE in the purchasing and subcontracting opportunities associated with the Project and any resultant work, including purchase of equipment, supplies and labor services.

The Developer will be required to make a good faith effort to maximize the use of LBE (as defined in Exhibit D) either directly or as sub firms, sub consultants, and subcontractors for services in connection with the Project. Developers will also be required to give, wherever possible and practicable, priority to local workers/laborers and to commit to using good faith efforts to implement a program to utilize LBE in Essex County and other New Jersey counties that the Hospital serves.

### **Section 3: Submission Requirements**

Responses must adhere to the format and numbering requirements described in this Section 3 of the RFI. Respondents shall submit their responses as specified in Section 1.4.4 of this RFI.

Responses must be organized in sections that correlate to each of the subsections described in this Section 3. Respondents must respond to each of the sections listed in this Section 3. Sections shall be separated by virtual dividers that are clearly labeled to correspond with the individual sub-section numbers of this Section 3 (e.g. Virtual tabs will be labeled 3.1, 3.2, 3.3, etc.).

#### **3.1 Executive Summary**

- 3.1.1 The Executive Summary shall highlight the contents of the proposal and provide evaluators with a broad understanding of the Respondent's technical approach and ability to complete the services outlined. Respondents shall attach a completed Acknowledgement Sheet to this Summary (see Exhibit B).

#### **3.2 Technical Approach**

- 3.2.1 Describe capabilities to develop medical office buildings of comparable scope and scale. Developers should include a brief narrative identifying the key considerations and trends related to developing medical office facilities in today's environment and, in particular, the City of Newark.
- 3.2.2 Highlight previous experience working with public institutions and stakeholders to deliver medical office facilities. Developers should include a brief narrative on the current construction market for medical office facilities and key cost considerations for this type of facility.
- 3.2.3 Describe approach to navigating the state and local approval process including NJ Department of Health and the NJ Department of Community Affairs Health Care Plan Review.
- 3.2.4 Describe what project financing strategies the Respondent would consider to support this Project. Discuss pros and cons with various options available in the marketplace.
- 3.2.5 Discuss success in utilizing tax credits for comparable projects and relevant tax credits that should be considered for this Project.
- 3.2.6 Provide initial feedback on the construction cost environment given experience within the greater New Jersey market / on similar projects.
- 3.2.7 Describe overall approach to achieving Project objectives including minimizing one-time and life cycle costs to UH.
- 3.2.8 Provide a preliminary schedule including major milestones. Please note that the current target for delivery is early 2028 and teams can assume Developer selection will occur in Fall 2025. As stated in section 2, completion of the MOB is an essential enabling step to constructing a new hospital tower, which is critical to UH's ability to serve the community well. As such, a timely delivery is of utmost importance.

#### **3.3 Team Information**

- 3.3.1 Provide a description of the Respondent's anticipated team, including a description of all team members and the anticipated legal relationship (governance and capital structure) among the team members (e.g., partners, shareholders, client- consultants, subcontractors, etc.) as appropriate. Teams are not required to designate contractors & architects however they will be at the RFP stage.
- 3.3.2 Outline the roles of the team members, as described above, who are assigned to the Project, as well as other key personnel within those organizations.
- 3.3.3 Provide a single contact person for all future communication between the Hospital and the Respondent. Identify the contact person's name, title, organization, address, telephone number, and e-mail address.
- 3.3.4 Identify the individuals or companies who hold a major or controlling interest in each team member. The Respondent must complete the Ownership Disclosure Form attached as Exhibit C. Each party to a joint venture submitting a proposal must complete a separate Ownership Disclosure Form. A complete Ownership Disclosure Form or forms must accompany the proposal. Failure to submit the required form will result in the proposal being considered nonresponsive.
- 3.3.5 Identify the companies and individuals who are expected to act as legal, financial, or other advisors for the Respondent.
- 3.3.6 Provide evidence of certification for SBE, MBE, WBE, LGBTE or VBE if applicable. Provide evidence of any significant business operations of a member of Respondent's team that are located in Newark or in UH's Primary Service Area, if applicable. (See Exhibit D for definitions and "Diverse Supplier": certification criteria.) Provide a statement regarding Respondent's intent to engage diverse and local team members and subcontractors.
- 3.3.7 *Pursuant to the New Jersey Public Works Contractor Registration Act (N.J.S.A. 34:11-56.48 et seq.), any Developer bidding on or engaging in a public works project must be registered with the New Jersey Department of Labor and Workforce Development prior to the award of a contract. As a condition of award, all Respondents must submit a valid and current Public Works Contractor Registration Certificate (PWCR) prior to contract award. Failure to provide proof of valid registration may result in the Respondent's disqualification.*
- 3.3.8 While not required to be submitted as part of the response to this RFI, Respondents that are invited to respond to the RFP must be prepared to present certain additional documents demonstrating compliance with applicable laws in order to qualify as a vendor by the RFP submission period, including but not limited to certification of non-debarment for federal government contractors (N.J.S.A. 52:32-44.1); certification with respect to Engagement in Prohibited Activities in Russia or Belarus (N.J.S.A. 52:32-60.1); and certification of Non-Involvement in Prohibited Activities in Iran (N.J.S.A 52:32-58).

### **3.4 Financial Capability**

- 3.4.1 Respondents must demonstrate their financial capacity to deliver this facility. To demonstrate sufficient financial capacity, team members should provide enough financial information to demonstrate that they have the financial resources to successfully execute a project of this nature and scope. Such financial information can include but is not limited to providing copies of audited financial statements for the past three years and any other relevant financial information.

- 3.4.2 Provide information on anticipated financial partners including (as applicable) equity investors, lenders, and non-profit borrowers/owners.

### **3.5 Relevant Experience**

- 3.5.1 Provide three project examples that exemplify the Respondent's value added to similar projects in which team members have participated. Include information on roles, the size/budget of the project and which team members from your proposed team worked on the project. Respondents should specify how these comparable projects relate to the proposed Project outlined in this RFI and team member involvement. Evidence should include brief project descriptions, a statement regarding the duration of your financial and operational involvement with each such project following completion; and the name, address, and telephone number of a primary contact with knowledge of the project.

### **3.6 Other Considerations**

- 3.6.1 Provide a list of references for clients for whom similar projects were developed (Respondents do not need to include those projects described in Section 3.5.1);
- 3.6.2 Provide a list of references for municipal, state, and/or public agency clients;
- 3.6.3 Provide any other relevant information regarding your knowledge of the market or other unique qualifications for completing this Project.

### **3.7 Appendix – Resumes**

- 3.7.1 Provide resumes, curricula vitae, or statements of prior experience and qualifications of key personnel and/or key contractors proposed as members of the Project team.

## **Section 4: Selection Process and Criteria**

### **4.1 Selection Process**

- 4.1.1 Respondents will be reviewed and evaluated by a Hospital technical evaluation and selection committee according to the requirements and evaluation criteria outlined in Section 4.2 of this RFI. Each Respondent will be reviewed to determine whether it is responsive to the submission requirements of this RFI. The selection committee will make a qualifications-based recommendation for a short list of no more than five (5) selected Respondents who are considered by the committee, based on the criteria described below, to be the most qualified to potentially offer terms and conditions most favorable to UH price and other factors considered for the MOB Project. The selected Respondents will be invited to respond to the RFP. Failure to comply with the requirements of this RFI may result in rejection of the Respondent as non-responsive.
- 4.1.2 Higher rankings will be merited where there is demonstrated prior experience of the major participants working together as part of an integrated team in relation to successfully delivering comparable major capital projects. Specific attention will be given to meaningful participation by MBE, WBE, VOB, and DVOB firms and local workforce participants in the Respondent's team.

### **4.2 Selection Criteria**

- 4.2.1 The following evaluation criteria categories, not necessarily listed in order of significance, will be used to evaluate the responses to the RFI.
- 4.2.1.1 Overall responsiveness to the RFI and completeness of the proposal.
  - 4.2.1.2 Qualifications of and technical expertise of proposed key personnel in delivering a project of this type.
  - 4.2.1.3 Respondent's organization and management, including the ability of the proposed organization and management structure of the Respondent to successfully coordinate and deliver all components of the Project.
  - 4.2.1.4 Respondent's provided examples involving successful outcomes of similar projects that it has undertaken successfully, taking into account project size, complexity and nature by comparison to the Project.
  - 4.2.1.5 Financial resources and capacity available to deliver the Project.
  - 4.2.1.6 Schedule for the Project, including target date for use and occupancy.
  - 4.2.1.7 The Respondent's status as a certified SBE, MBE, WBE, VOB, LGBT-owned, or LBE (as defined in Exhibit D), and its declared intent to engage diverse and local team members and subcontractors.
  - 4.2.1.8 Value added considerations offered by the Respondent.

**4.3 Restricted Parties.** The following entities and individuals are considered "Restricted Parties" who are precluded from submitting a response to this RFI and from participating as a member of any Respondent's team:

- 4.3.1 Brailsford & Dunlavey, Inc.
- 4.3.2 Gibbons P.C.
- 4.3.3 Gensler

#### **4.4 General RFI Conditions**

##### **4.4.1 Changes to RFI.**

- 4.4.1.1 The Hospital reserves the right to revise this RFI by issuing addenda at any time before the due date and will post all addenda to <https://www.uhnj.org/contact-us/doing-business-with-uh/bidding-opportunities/>. If issuing an addendum shortly before the RFI deadline, the Hospital will consider whether an extension of the RFI due date is warranted as a result of the information set forth in such addendum.
- 4.4.1.2 Respondents shall be responsible for reviewing the RFI and any addenda issued by the Hospital prior to the RFI deadline, and for requesting, by the cut-off date specified in Section 1.3.6, written clarification or interpretation of any perceived discrepancy, deficiency, ambiguity, error or omission contained therein, or of any provision which the Respondent fails to understand. Respondents shall submit and the Hospital will respond to such requests in accordance with the RFI.
- 4.4.1.3 The Hospital reserves the right to waive any minor irregularities in the completion of the forms and papers enclosed in the responses, to accept or reject any responses, and to re-advertise for responses.

- 4.4.1.4 The Hospital reserves the right, in its sole discretion, to amend or cancel this RFI at any time, and to not award any contract. The Hospital reserves the right to reject any or all responses.
- 4.4.1.5 Hospital shall not be liable for any costs or expenses incurred by the Respondent in the preparation, submittal, presentation or revision of its submitted information, or in any other aspect of the Respondent's pre-information submittal activity. No Respondent is entitled to any compensation pursuant to this RFI.

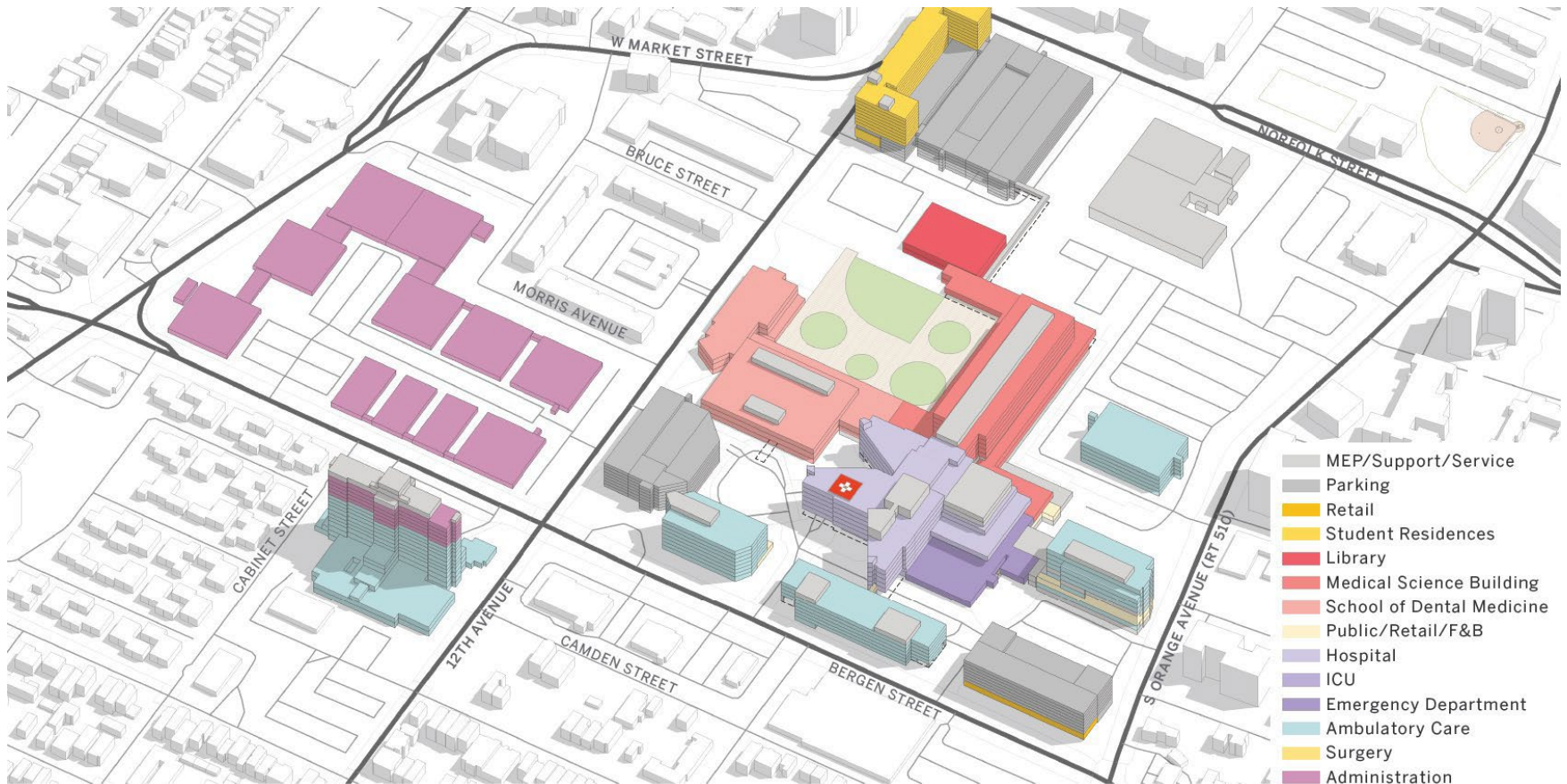
**Exhibit A**

**CONCEPT IMAGES**

The following provides concept images that may assist in understanding the Project.

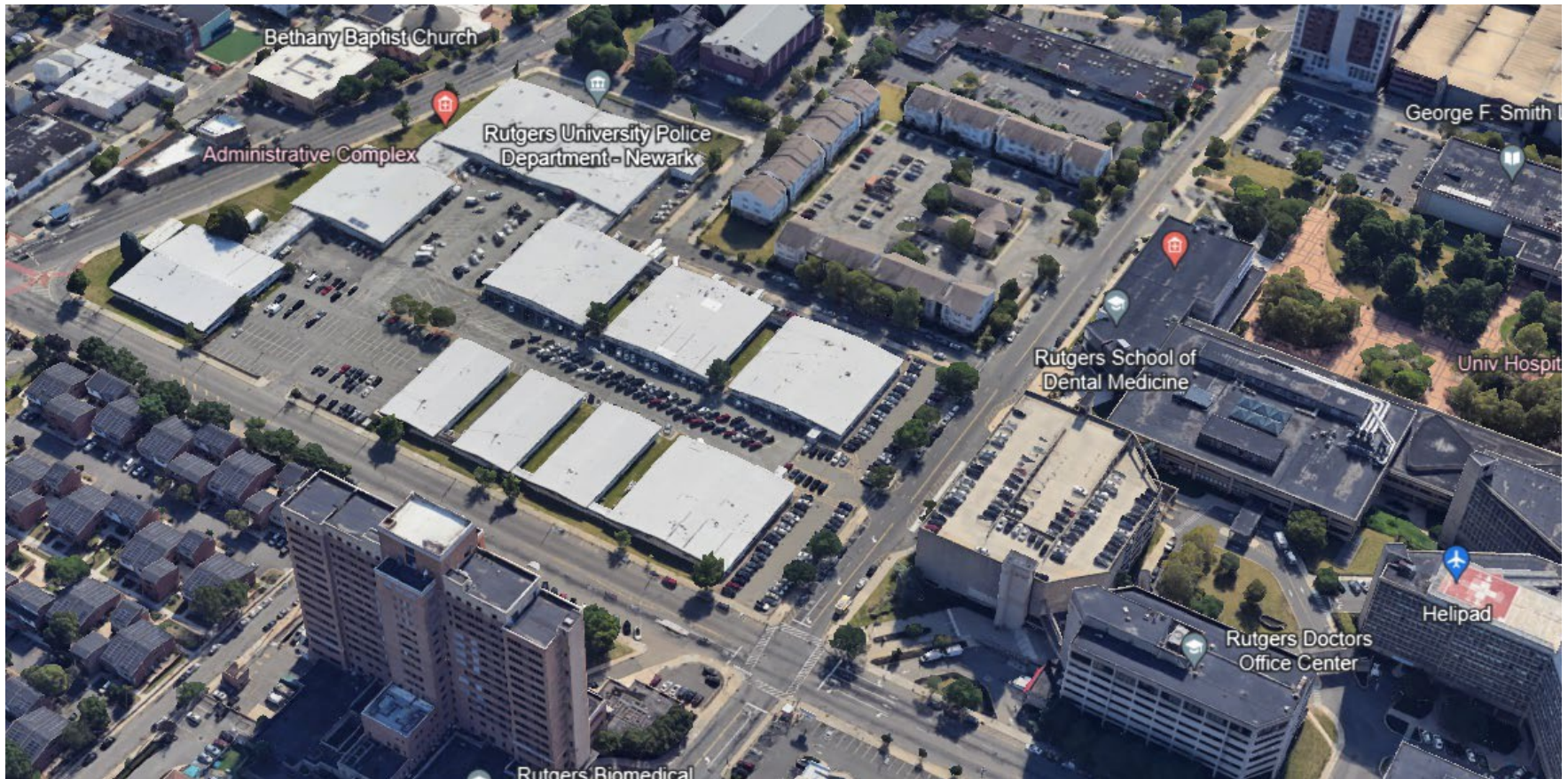


# Existing Conditions



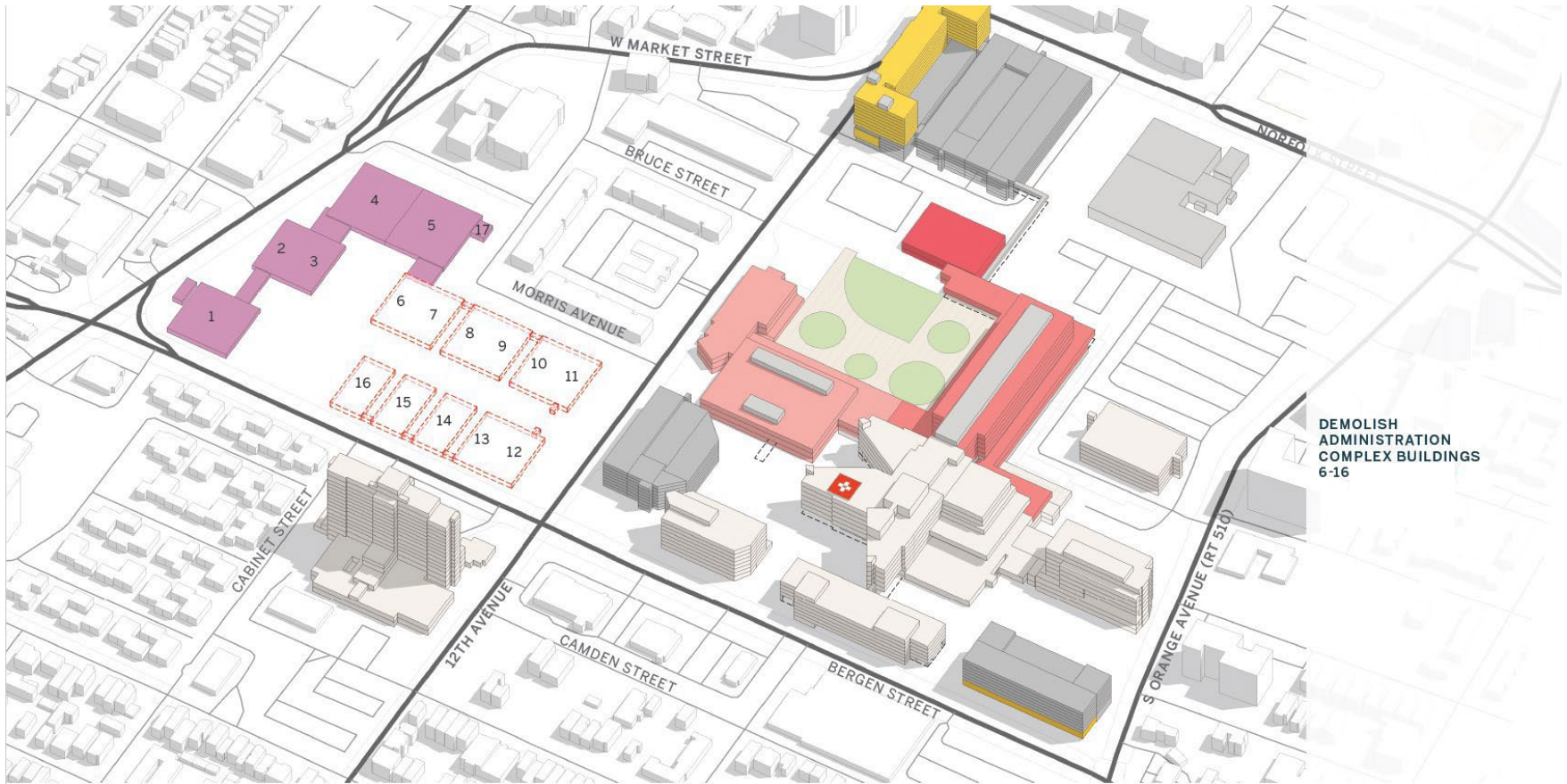


# Existing Conditions

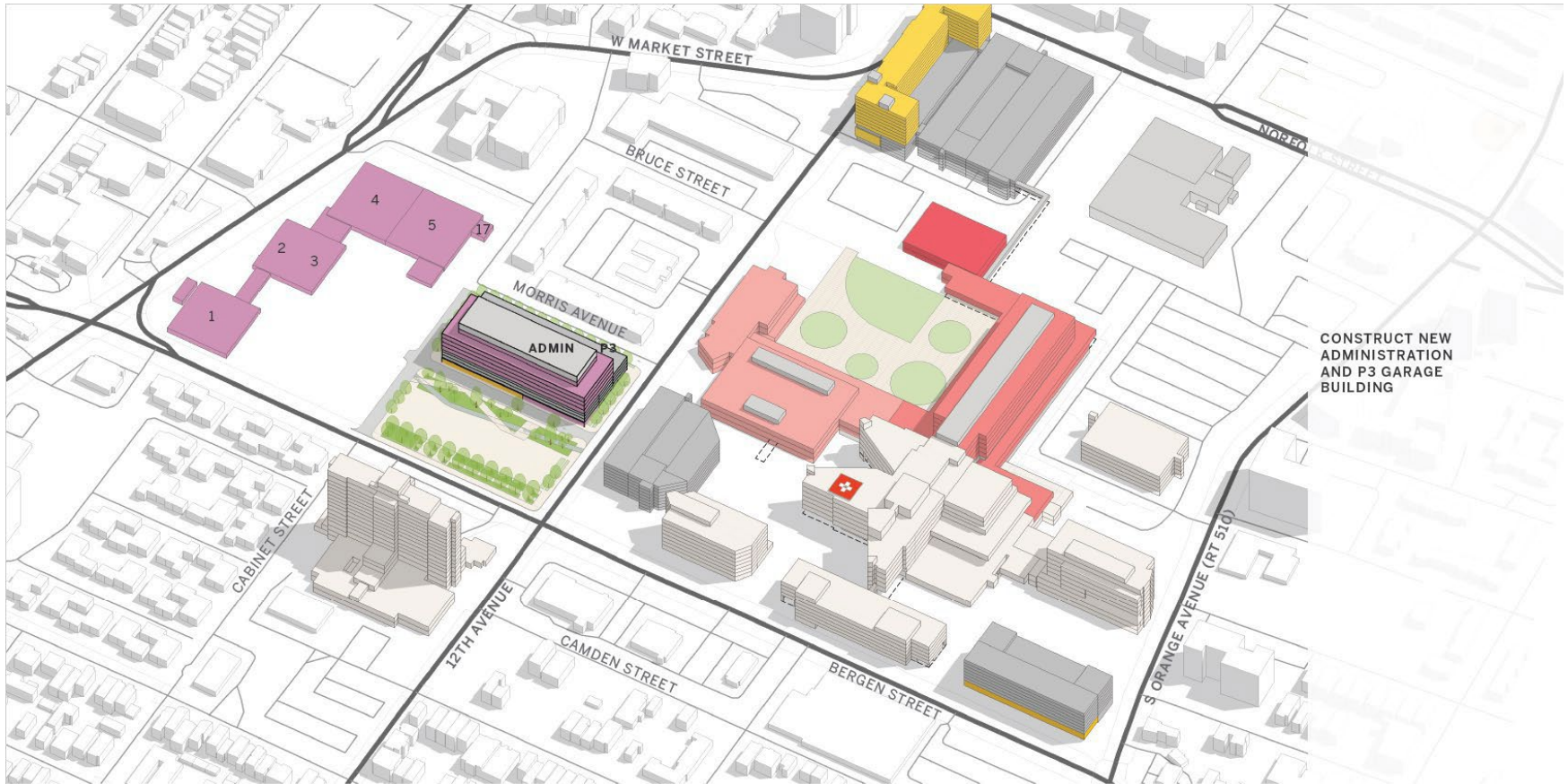




# Proposed Development- Demolition

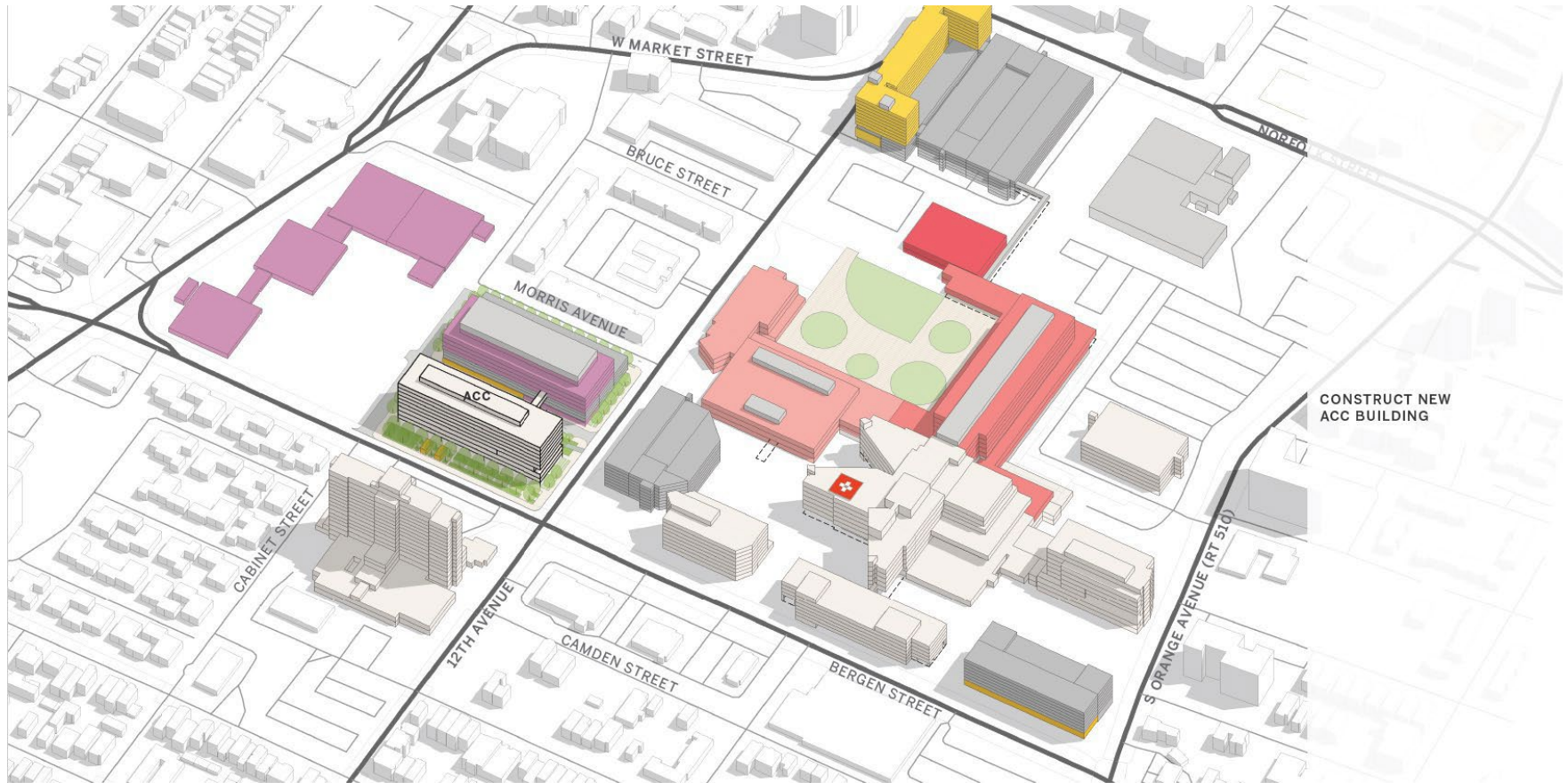


# Proposed Development- ADMB and Sitework

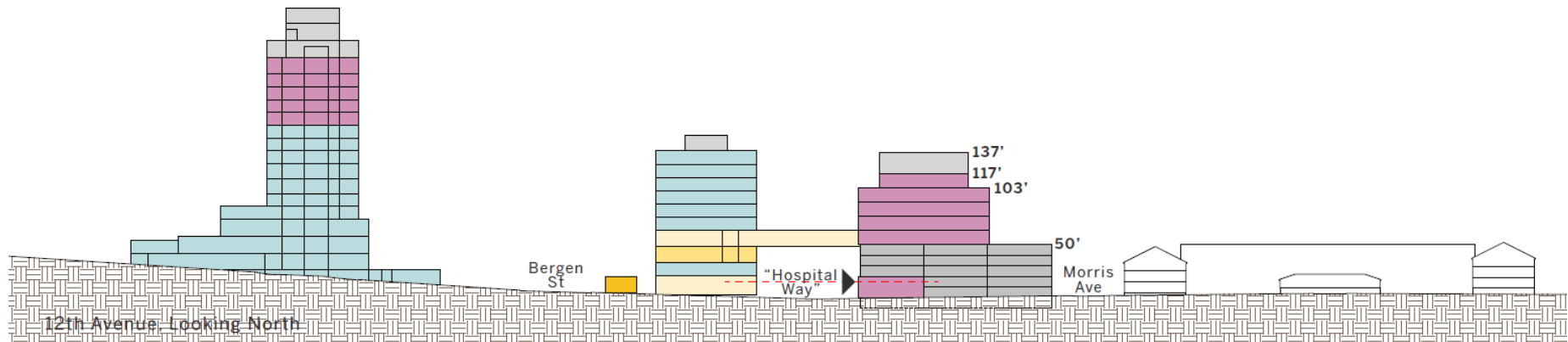




# Proposed Development- MOB



# Proposed Development (Section)



Rutgers Bergen Building (Existing)

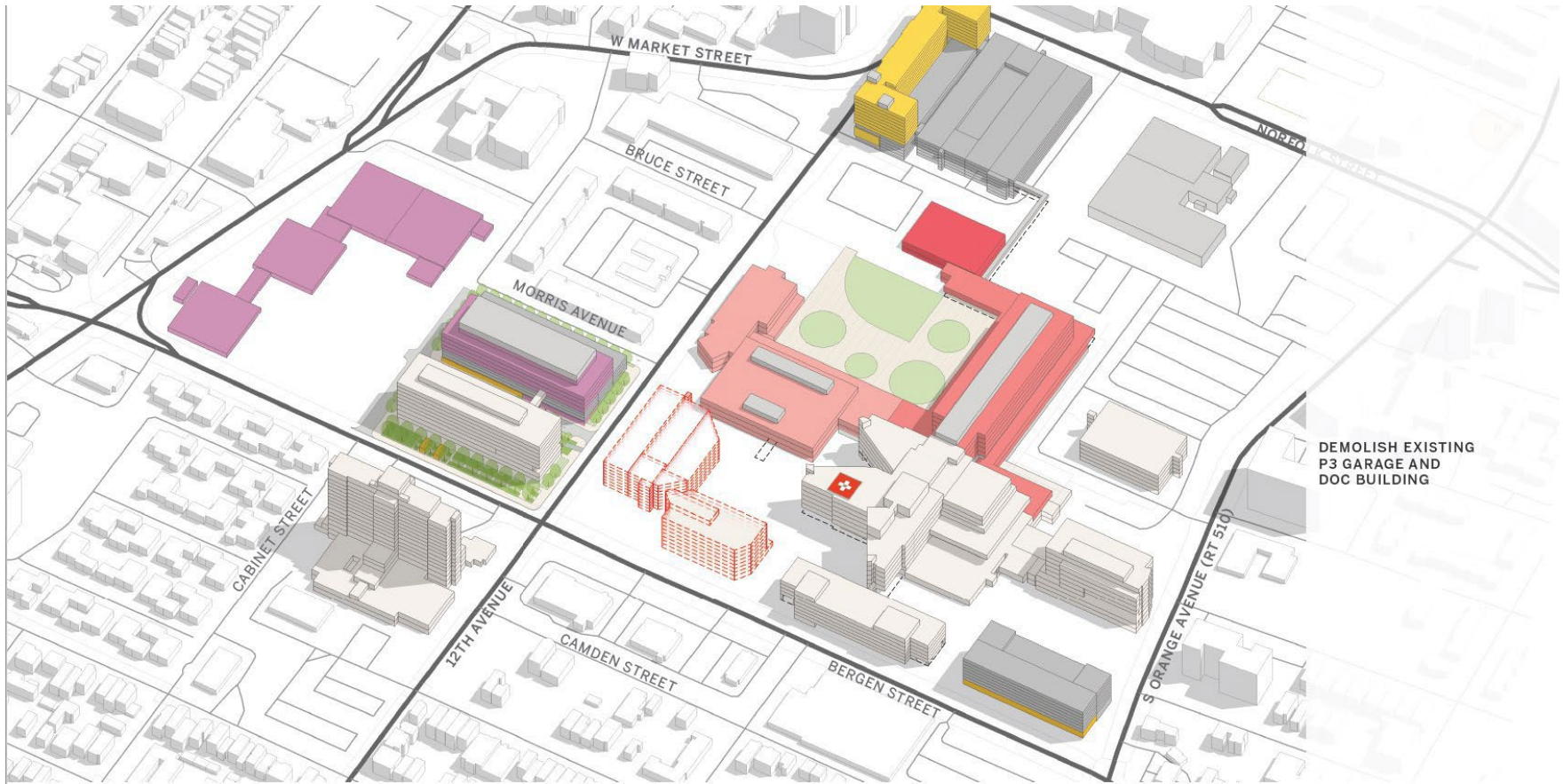
Medical Office Building

Administrative Building

Housing Development (Existing)

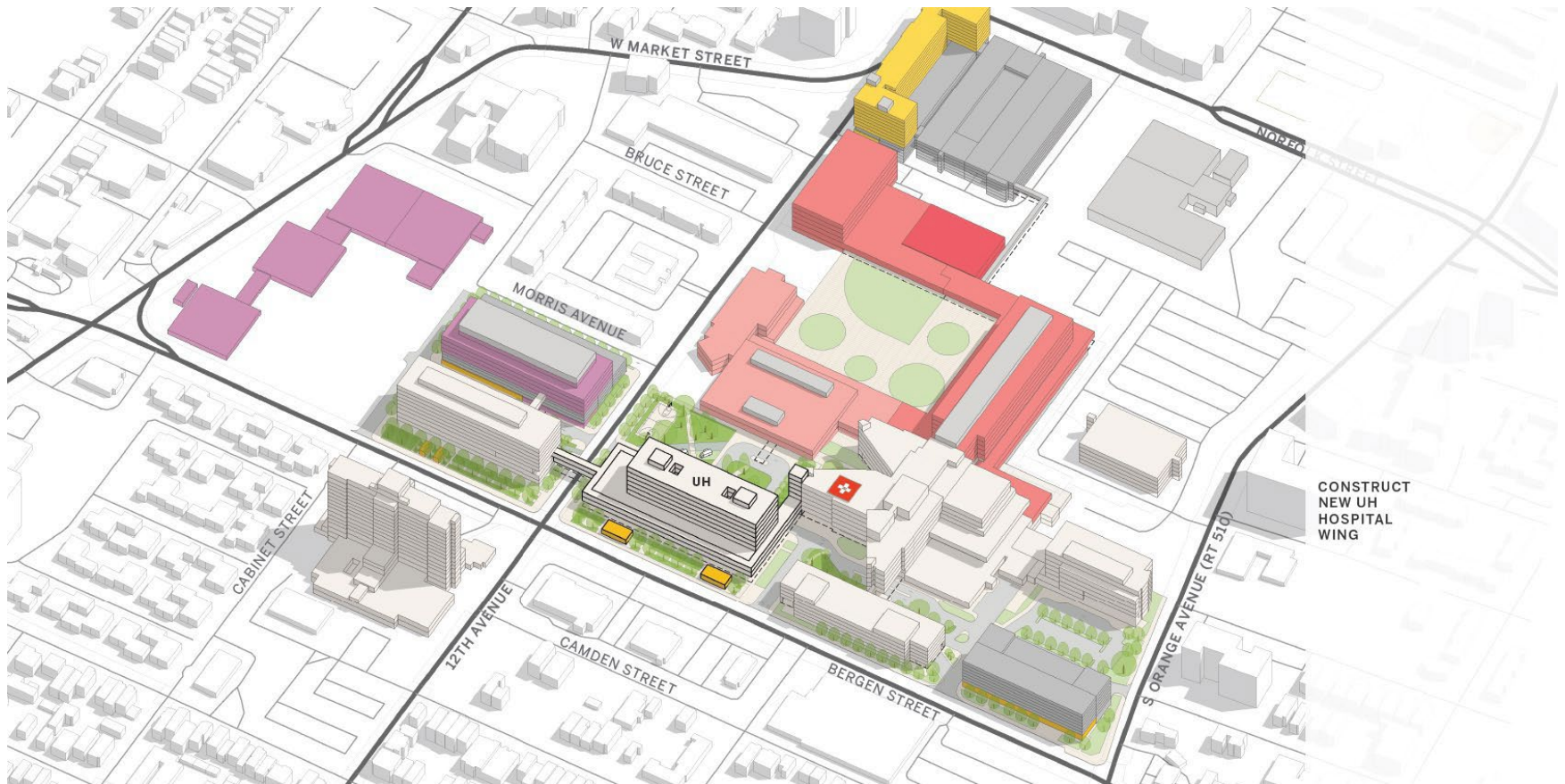
New MOB, New ADB, and associated  
Sitework comprise Proposed Development

## Future Planning- Phase 2



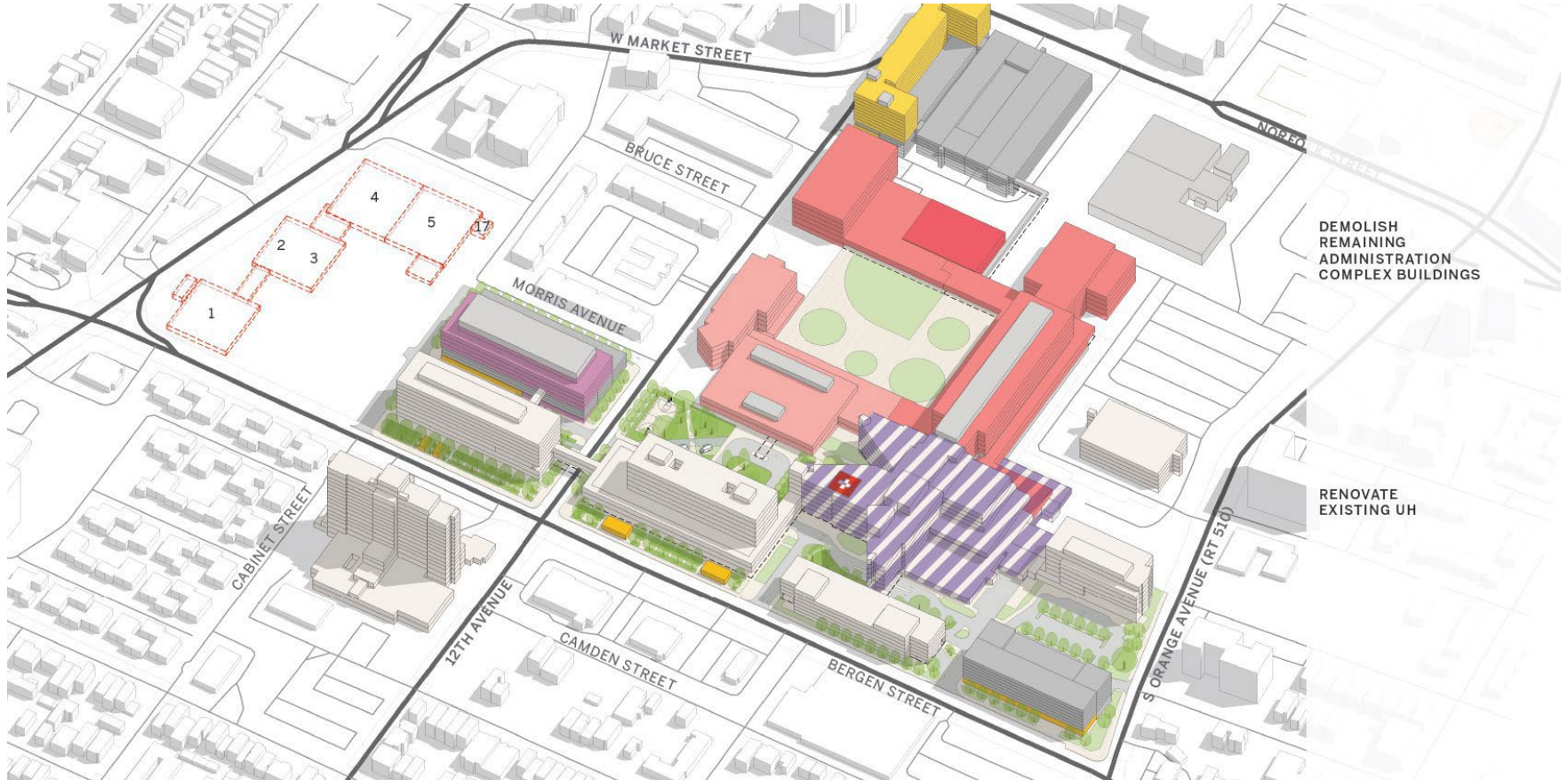


## Future Planning- Phase 3





## Future Planning- Phase 4



**Exhibit B**

**ACKNOWLEDGEMENT SHEET**

See Section 3.1.1 of the RFI regarding this Sheet. This Sheet must be completed and signed by the proposing firm and included as part of the proposal.

**The undersigned hereby confirms that they are an individual authorized by the firm to prepare and submit this proposal in response to the RFI.**

---

<b>Signature</b>	<b>Date</b>
<b>Firm Name:</b> _____	
<b>Firm Address:</b> _____	
<b>Firm Address:</b> _____	
<b>Signer's Name:</b> _____	
<b>Signer's Title:</b> _____	

**EXHIBIT C**

**STATEMENT OF OWNERSHIP DISCLOSURE**

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

**This statement shall be completed, certified to, and included with this RFQ submission. Failure to submit the required information is cause for automatic rejection of the bid or proposal.**

**Name of**

**Organization:** \_\_\_\_\_

**Organization**

**Address:** \_\_\_\_\_

**Part I Check the box that represents the type of business organization:**

☐ Sole Proprietorship

☐ Non-Profit Corporation

☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)

☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)

☐ Other (be specific): \_\_\_\_\_

**Part II**

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

**OR**

- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

**(Please attach additional sheets if more space is needed):**

<b>Name of Individual or Business Entity</b>	<b>Address</b>

**Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II**

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

**Please list** the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Address

**Part IV Certification**

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the University Hospital is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the University Hospital to notify the University Hospital in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the University Hospital to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

## Exhibit D

### University Hospital

#### Supplier Diversity and Vendor Development Program

It is the policy of University Hospital to encourage and afford contracting opportunities for diverse and local suppliers while ensuring that it receives the highest quality products and services at the most economical cost. The UH Supplier Diversity and Vendor Development Program is founded on the principles of fair and equitable business practices and social responsibility to the communities we serve. We are committed to be a valuable, contributing member of those communities. Supplier diversity is an important part of that commitment.

A wide range of suppliers are needed to support University Hospital's clinical and business operations. Through our Supplier Diversity Program, we are dedicated to diversifying our supplier base to include minority-owned, women-owned, veteran-owned, LGBT-Owned, small, and local businesses wherever possible. We actively seek to include diverse suppliers in bidding opportunities wherever possible.

A Diverse Supplier is a University Hospital supplier certified as one of the following:

- **Minority Business Enterprise (MBE)** - An enterprise presently located in the United States or its trust territories that is at least 51% owned by African Americans, Hispanic Americans, Native Americans, Asian Indian Americans or Asian Pacific Americans. Individual(s) must be involved in the day-to-day management of the business. Certification is provided by the following organizations: The New Jersey Department of treasury, Division of Revenue (and listed in the NJSAVI Database), the National Minority Supplier Development Council (NMSDC); the National Minority Business Council (NMBC); and the NY/NJ Minority Supplier Development Council.
- **Woman Business Enterprise (WBE)** - An enterprise presently located in the United States or its trust territories that is at least 51% owned, controlled, and operated by a woman or women of US citizenship. Individual(s) must be involved in the day-to-day management of the business. Certification is provided by the New Jersey Department of treasury, Division of Revenue (and listed in the NJSAVI Database) and the Women's Business Enterprise National Council (WBENC).
- **Veteran Business Enterprise (VBE)** – An enterprise presently located in the United States or its trust territories that is at least 51% owned, controlled, and operated by one or more individuals who have performed active service in one of the United States armed services and have been honorably discharged. Individual(s) must be involved in the day-to-day management of the business. Certification is provided by the following organizations: The New Jersey Department of treasury, Division of Revenue (and listed in the NJSAVI Database) and the US Department of Veteran Affairs (VA); National Veteran Business Development Council (NVBDC).
- **LGBT Business Enterprise (LGBTE)** - An enterprise presently located in the United States or its trust territories that is at least 51% owned, controlled, and operated by a gay, lesbian, bisexual or transsexual individual of US citizenship. Individual(s) must be involved in the day-to-day management of the business. Certification is provided by the New Jersey Department of treasury, Division of Revenue (and listed in the NJSAVI Database) and the National LGBT Chamber of Commerce (NGLCC)
- **Small Business Enterprise (SBE)** - A small business (as defined pursuant to Section 3 of the Small Business Act) presently located in the United States or its trust territories. The Small Business Act states that a small business concern is "one that is independently owned and operated, and which is not dominant in its field of operation." The law also states that in determining what constitutes a small business, the definition will vary from industry to industry to reflect industry differences accurately. Verification is provided by The Small

Business Administration, and the New Jersey Department of Treasury, Division of Revenue, which maintains the NJSAVI Database.

- **Local Business Enterprise (LBE)** - An enterprise with its headquarters or significant business operations physically located in Newark, NJ or University Hospital's Primary Service Area, which includes, in addition to Newark, Belleville, Bloomfield, East Orange, Elizabeth, Harrison, Hillside, Kearny, North Arlington, Nutley, Orange, Union and West Orange, NJ.

University Hospital has established a goal of awarding 15% of all contracts to diverse and local suppliers, however a percentage goal has not been set for the MOB RFI as of the date of this RFI. To that end, UH will:

- Actively seek out and solicit the participation of diverse and local suppliers in all procurement activities where feasible.
- Prequalify and register diverse and local suppliers through the UH Supplier Diversity Portal.
- Provide vendor education and training opportunities to help diverse and local suppliers better understand how to meet the hospital's business needs.
- Seek to remove barriers to diverse and local suppliers, and appropriately weigh diversity in evaluating bidder proposals.
- Challenge our suppliers to make good faith efforts to seek out and provide contracting opportunities to and document the use of second tier diverse and local suppliers.

## **Exhibit E**

### **Terms & Conditions**

#### **New Jersey State Mandatory Terms**

1. \_\_\_\_\_ (hereinafter referred to as “Developer”) represents and warrants that it is authorized to transact business in the State of New Jersey.
2. Developer acknowledges that the University Hospital (hereinafter, “UH”) is a body corporate and politic of the State of New Jersey and Contract with UH shall be construed in accordance with, and governed by, the Constitution and laws of the State of New Jersey, including, without limitation, the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1 et seq. and the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq. Developer agrees that all actions shall have jurisdiction and venue in the courts of the State of New Jersey, County of Essex and any federal action shall be venued in the federal courts in the State of New Jersey.
3. Developer will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor Developer will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Developer agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The Developer, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Developer, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The Developer will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the Developer's commitments under the New Jersey law Against Discrimination, N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The Developer, where applicable, agrees to comply with any regulations promulgated by the Treasurer, pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

4. Developer agrees and certifies that throughout the term of this Agreement it shall comply with subparagraphs A through O below and that Developer shall cause its subcontractors to comply therewith and, as a precondition of obtaining the written approval of UH to any subcontracts, Developer shall submit a copy of such subcontract executed by the subcontractor which contains the following provisions and obliges subcontractor to comply with same, all as required by the Law Against Discrimination, N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38 and Executive Order No. 189

(Kean)(1988); provided, however, that subparagraphs D, E, F, G and H are not required of subcontractors with four (4) or fewer employees or of Developer or any of its subcontractors who has presented evidence of a Federally approved or sanctioned Affirmative Action Program:

- A) not discriminate against any employees or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex; except with respect to affectional or sexual orientation and gender identity or expression, take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation which action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship; and to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provision of this nondiscrimination clause; and
- B) in all solicitations or advertisements for employees placed by or on its behalf state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation; and
- C) send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers= representative of its commitments under the New Jersey law Against Discrimination, N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38 and shall post copies of the notice in conspicuous places available to employees and applicants for employment; and
- D) comply with any regulations promulgated by the treasurer pursuant to N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38, as amended and supplemented from time to time; and
- E) attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the treasurer pursuant to N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38, and amended and supplemented from time to time, or in accordance with a binding determination of the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the treasurer pursuant to N.J.S.A. 10:5-31 through N.J.S.A. 10:5-38, and amended and supplemented from time to time; and
- F) inform in writing all appropriate recruitment agencies in the area, including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices; and
- G) revise any of its testing procedures if necessary to assure all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable federal laws and applicable federal court decisions; and
- H) review all procedures relating to transfer, upgrading, downgrading, and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey and as established by applicable federal laws and applicable federal court decisions; and



- I) furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and shall furnish public agencies such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq; and,
  - J) In addition, Developer and its subcontractor(s) agree to be bound by the provisions of Executive Order No. 189 (Kean)(1988), set forth below, which prohibits conflicts of interest on the part of vendors providing services to State agencies and imposes prohibitions on vendor activities, the violation of which shall render vendor liable to debarment in the public interest, pursuant to the procedures established by Executive Order No. 34 (Byrne)(1976):
  - K) not pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13-13b and 13e, in the Department of Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i., of any such officer or employee, or any partnership, firm, or corporation with which they are employed or associated or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D- 13g; and
  - L) report in writing the solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State office or employee or special State officer or employee forthwith to the Attorney General and the Executive Commission on Ethical Standards; and
  - M) not directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such vendor to, any State office or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13(g); and
  - N) not influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee; and
  - O) not cause or influence, or attempt to cause or influence, any State officer or employee or special State office or employee to use, or attempt to use, his official position to secure unwarranted privileges or advantage for the vendor or any other person; and provided, however, that subparagraphs J, K, L, M and N shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from or contracting with vendors under the same terms and conditions as are offered or made available to members of the general public subject to any guidelines the Executive Commission on Ethical Standards may promulgate.
5. The Developer shall not pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13D-13b. and e., in the Department of the Treasury or any other agency with which such vendor transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i., of any such officer or employee, or partnership, firm or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.

6. Each and every provision of law and clause required by law to be inserted in the Agreement shall be deemed to be inserted herein and the Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon notice by either party, the Agreement shall forthwith be physically amended to make such insertion.
7. Pursuant to R.S. 54:49-19 et seq., effective January 1, 1996, and notwithstanding any provision of the law to the contrary, whenever any taxpayer, partnership or S corporation under contract to provide goods or services or construction project to the State of New Jersey or its agencies or instrumentalities, including the legislative and judicial branches of State government, is entitled to payment for those goods or services at the same time a taxpayer, partner or shareholder of the entity is indebted for any State tax, the Director of the Division of Taxation shall seek to set-off so much of that payment as shall be necessary to satisfy the indebtedness. The amount of the set-off shall not allow for the deduction of any expense or other deduction which might be attributable to the taxpayer, partner, or shareholder subject to set-off under this Act. The Director of the Division of Taxation shall give notice of the set-off to the taxpayer, partner or shareholder and provide an opportunity for a hearing within thirty (30) days of such notice under the procedures for protests established under R.S. 54:49-18. No request for conference, protest, or subsequent appeal to the Tax Court from any protest shall stay the collection of the indebtedness. Interest that may be payable by the State pursuant to N.J.S.A. 52:32-32 et seq. to the taxpayer shall be stayed.
8. Developer shall maintain the confidentiality of any medical, personnel, student and/or confidential records to which the Consultant has access under this Agreement. This term shall survive the termination of the Agreement.
9. This section applies if the Developer is providing services or product to a healthcare unit of UH. Each party certifies that it shall not violate the federal anti-kickback statute, set forth at 42 U.S.C. § 1320a-7b(b) ("Anti-Kickback Statute"), or the federal "Stark Law," set forth at 42 U.S.C. § 1395nn ("Stark Law"), with respect to the performance of its obligations under this Agreement.
10. Among other legal requirements, this procurement and the Project will be subject to the New Jersey Prevailing Wage Act (N.J.S.A. 34:11-56.25, et seq.) and the State's rights of setoff under N.J.S.A. 54:49-19.
11. The prospective Developer must submit the following forms prior to contract award:
  - A) AA302 / Certificate of Employee Information Report:  
[https://www.nj.gov/treasury/contract\\_compliance/documents/pdf/forms/aa302/instructions.pdf](https://www.nj.gov/treasury/contract_compliance/documents/pdf/forms/aa302/instructions.pdf)
  - B) Business Registration Certificate (BRC): <http://www.state.nj.us/treasury/revenue/busregcert.shtml>  
A valid BRC is required of all contractors and subcontractors.
  - C) Two-Year Chapter 51 / Executive Order 333 Vendor Certification and Disclosure of Political Contributions Form: <https://www.nj.gov/treasury/purchase/forms.shtml#>
  - D) Disclosure of Investment Activities in Iran Form:  
<https://www.nj.gov/treasury/purchase/forms/DisclosureofInvestmentActivitiesinIran.pdf>
  - E) Certification Regarding Prohibited Activities in Russia or Belarus:  
<https://www.nj.gov/treasury/administration/pdf/DisclosureofProhibitedActivitesinRussiaBelarus.pdf>
  - F) A valid, current NJ Public Works Contractor Registration Certificate.