



**New Jersey Economic Development Authority**  
**REQUEST FOR EXPRESSIONS OF INTEREST (“RFEI”)**  
**for**  
**Wind Innovation Center**

## 1.0 Purpose and Intent

New Jersey is a national leader in offshore wind (OSW) energy with a goal of 11 GW of offshore wind generation by 2040. To date, the State has awarded more than 3,700 MW in OSW projects and made multiple infrastructure investments to localize the supply chain (e.g., New Jersey Wind Port and Port of Paulsboro). To establish New Jersey as a hub for OSW research and innovation, the New Jersey Economic Development Authority (“NJEDA”), is issuing a Request for Expressions of Interest (“RFEI”) for creation of a flagship Offshore Wind Innovation Center (“Center”) and for the possible investment by NJEDA in such a Center. NJEDA will review responses to this RFEI and may proceed to discuss and negotiate terms of the Center’s legal structure and NJEDA’s investment directly with a combination of one or more Respondents, which terms may include, but are not limited to, the development and operations of the Center. Selection of a Respondent will be based on the Respondent’s alignment with the NJEDA’s goals, ability to provide resources that support the Center’s long-term sustainability, and overall feasibility of success. The NJEDA will reserve the right to assign its rights to the Wind Institute for Innovation and Training (“Wind Institute”) at such time as the Wind Institute is established.

**NJEDA is seeking expressions of interest from Respondents that identify specific sites, financial contributions, and other resources (e.g., staffing, programmatic resources, other in-kind supports, etc.) that the Respondent will contribute to the development and operations of the Center.**

For NJEDA to consider an investment, the proposed Center will focus on research, innovation, and commercialization of technologies to attract investments, create jobs, and expand business opportunities in OSW. It will comprise convening spaces, offices, labs, and specialized testing facilities. The testing sites will provide up to two bespoke sites to conduct grid testing and research on transmission technologies, and test and/or calibrate oceanic survey equipment in a controlled deep tank environment. A virtual network will supplement the physical spaces and connect the Center’s users to support data analysis, digital product development and knowledge sharing. The Center and test sites will facilitate innovation across five core research priorities to pioneer OSW technology. The proposed Center’s research efforts will focus on:

1. Climate-smart modeling for high performance wind farms
2. Technological solutions to environmental impact assessment
3. Future transmission technologies and electrical infrastructure
4. Power-to-X and storage solutions
5. OSW component design and production

Detail on each focus area can be found in Section 3.1 Innovation Center Focus Areas.

## 2.0 Background

Governor Phil Murphy's economic development plan, "The State of Innovation: Building a Stronger and Fairer New Jersey Economy" identifies OSW as one of the State's strategic sectors for accelerating growth in New Jersey's economy. OSW is also a key energy source in the State's plan to reach 100 percent clean energy by 2035 with an established target of 11 GW of OSW by 2040. To reach these goals and ensure economic benefits for New Jerseyans, the State has made significant investments in supply chain infrastructure and workforce development. This includes the active development of the New Jersey Wind Port (with industry commitments to carryout nacelle assembly and marshalling), development of the EEW monopile manufacturing facility at the Port of Paulsboro, and related supply chain investments. New Jersey also undertook a first-of-its-kind State Agreement Approach (SAA) through PJM to determine a transmission solution for 7.5 GW of offshore wind and have initiated the second SAA (SAA 2.0) process to determine a solution for the remaining 3.5 GW.

NJEDA is the State's principal agency for driving economic growth and leads the State's OSW supply chain and sector development efforts. Under Governor Murphy's direction, NJEDA is developing Wind Institute programs to coordinate and galvanize cross-organizational workforce and innovation efforts to position New Jersey as a leader in offshore wind. NJEDA's current Wind Institute efforts include:

- Coordinating and partnering with education institutions from K-12 schools to four-year universities to prepare New Jersey's offshore wind workforce;
- Collaborating with industry to address workforce needs and accelerate the development of a robust and diverse talent pool;
- Identifying and addressing emerging workforce gaps and opportunities through the development of training programs;
- Championing research and innovation that unlocks market potential; and
- Investing in the offshore wind research and development ecosystem to further develop supply chain and promote job creation.

NJEDA is issuing this RFEI as part of its Wind Institute efforts. NJEDA envisions being an equity partner and having a limited role in the Center's development and operations, but not being the day-to-day operator of its facilities or its programming. The NJEDA's exact role in the Center will be determined as one of the outcomes of the negotiations resulting from this RFEI process.

### 2.1 Feasibility Analysis

To inform the development and vision for the Center, NJEDA evaluated the viability of a signature, flagship OSW Innovation Center in New Jersey. To inform this analysis, NJEDA conducted an in-depth review of approximately 20 research and development centers focused on OSW, renewable energy, and related industries and conducted more than 40 interviews with industry, start-ups, public sector organizations/teams, academic institutions, and research centers.

NJEDA identified offshore wind innovation trends and themes and conducted a multi-criteria analysis to assess their strategic alignment with the NJEDA's Wind Institute efforts, potential for job creation, ability to spur OSW research, innovation, and additional investment, and ability to deploy in commercial applications. After narrowing the research focus areas, NJEDA examined potential facility requirements, user profiles, cost and funding sources, governance options, financial models, test sites options, and implementation actions to determine the next steps in establishing the Center. Facility and testing site options were evaluated on their potential for creating value in the local OSW innovation ecosystem and long-term sustainability. This analysis informed the vision for the Center as described in Section 3.

## 2.2 Strategic Innovation Centers (SICs)

Under Governor Murphy's economic development strategic plan, "The State of Innovation: Building a Stronger and Fairer Economy in New Jersey," New Jersey is taking a place-based approach to economic development including creating and supporting new physical innovation centers and hubs. These centers and hubs are critical to fostering the innovation economy, as these spaces support the clustering of industry stakeholders to catalyze innovation and create physical locations that build a community of entrepreneurs and innovators collaborating on a shared goal. To support the economic development strategic plan, NJEDA adopted a policy for investing in or development of Strategic Innovation Centers (SICs), which are facilities that either directly support R&D, innovation, and/or entrepreneurship, or are aimed at solving specific problems in new and innovative ways through a combination of services such as mentorship, networking opportunities, hands-on training, business support services, education opportunities, and/or access to testing, fabrication, or manufacturing facilities and equipment. The Governor's 2022 budget allocated \$55 Million for SICs and \$70 Million for the 2023 budget. The aim of developing and investing in SICs is to accelerate economic recovery and drive the long-term growth of the State's innovation economy with a focus on supporting increased diversity and inclusion within the State's entrepreneurial economy.

NJEDA has already invested funds in the State's innovation ecosystem through two SICs: a \$25M investment with SOSV, a globally-ranked venture capital firm, to create HAX LLC in Newark, a startup development program for pre-seed hard tech companies focusing on hardware decarbonization and manufacturing, and a \$10M investment in HELIX, an anticipated health and life science innovation and technology hub in New Brunswick. These investments signify the State's commitment to create the most diverse innovation ecosystem in the country, support high-wage and high-growth innovation sectors, and close the racial and gender wage and employment gaps.

When deploying and reviewing the SIC investment opportunities, the NJEDA shall take the following factors into consideration in accordance with the initiative's funding statute (N.J.S.A 34:1B-7.14):

- The economic feasibility of the project;

- The degree to which the project will advance statewide and regional strategies and objectives;
- The degree to which the project maximizes the leveraging of other sources of funds; and
- The degree to which the project promotes economic development, the creation or retention of jobs, and the stimulation of private sector investment and expansion.

All SICs must fit within a certain list of targeted industries, which includes clean energy, and NJEDA will evaluate possible investment in a proposed SIC based on various additional criteria. NJEDA's investment in a SIC is limited to \$25 million with a requirement for private capital. Further information on the NJEDA SIC investment policy can be found on NJEDA's website at <https://www.njeda.gov/strategic-innovation-centers/>.

On the two SIC investments within the portfolio, the private entity established the SIC as a limited liability corporation in which NJEDA is a non-managing member through an equity contribution.

NJEDA will review RFEI responses for alignment with SIC funding source criteria as well as SIC evaluation criteria to determine whether to invest in the proposed Center.

### 3.0 Wind Innovation Center Vision

NJEDA is seeking proposals for a Center that is a defining, signature research and innovation asset that will solidify New Jersey's leadership in OSW innovation and serve the State and the region in growing the offshore wind industry. By co-locating convening spaces, offices, labs and testing facilities, connected by a virtual network, the Center will bring together researchers, start-ups, industry, and other key stakeholders to advance new technologies and methods that support the sector's development. The Center will:

- Propel New Jersey forward as a hub for OSW technology research and innovation;
- Support and foster emerging OSW innovations and solutions that advance the offshore wind industry in the state and region;
- Incentivize clustering and anchoring of OSW research and innovation investments and activities;
- Leverage existing facilities and assets in New Jersey;
- Capitalize on New Jersey's existing expertise and reputation for research and innovation;
- Support increasing diversity and inclusion within the State's economy and the offshore wind industry; and
- Support opportunities for New Jersey-based businesses and the overall growth of the industry in the region.

### 3.1 Innovation Center Focus Areas

NJEDA identified five core research and innovation focus areas that it seeks in any proposed Center that align with the NJEDA's Wind Institute efforts, capitalize on New Jersey's capabilities and interests, and spur innovation and additional investments necessary to grow the industry.

The focus areas are:

1. Climate-smart modeling for high performing wind farms
2. Technological solutions in environmental impact assessment
3. Future transmission technologies and electrical infrastructure
4. Power-to-x and storage solutions to scale OSW impact
5. OSW component design and production through the development of testing infrastructure

#### 3.1.1 Climate-smart modeling for high performing wind farms

Climate-smart modeling explores, evaluates, and mitigates the impact of climate change and assists the OSW industry in minimizing climate-related impacts. Potential research will utilize computing resources and hardware to collect data and test machine learning to assess topics like OSW farm capacity factors, address climate resilience through advancements in 3-D modeling, and digital twin development. Sub focus areas may include but are not limited to:

- Testing existing models for extreme weather events.
- Integrating existing models with climate integrated assessment models.
- Researching impacts of extreme weather events on OSW infrastructure.
- Modeling the influence of climate change on OSW farm performance including array impacts and wind resources.
- Investigating impacts of changing wind resource to Levelized Cost of Energy valuation.
- Developing extreme weather resiliency procedures.
- Forecasting energy supply and demand dynamics.

There is a need to understand the impact of environmental extremes and weather events to mitigate catastrophic failure modes and more fully recognize energy supply and demand dynamics to optimize OSW investments. Through advanced processing and data analysis, OSW developers can improve siting, performance, and climate resilience of OSW farms. Advances in climate-smart modeling require improved understanding of wind resource potential in areas of interest under changing climate conditions.

#### 3.1.2 Technological solutions to environmental impact assessment

Technological solutions in environmental impact assessment utilize state-of-the-art environmental assessment techniques, test new prototypes, including autonomous vehicles, submersibles, drones, and next generation vessels to reduce risks and protect marine resources through the development stages. Technology advancements in environmental impact

assessment can shorten development timelines and set regional standards for OSW development. Sub focus areas may include but are not limited to:

- Environmental surveying and sensing, software/modeling, and risk management.
- Utilizing robotics and technology to minimize environmental impacts of operating and maintaining OSW (e.g., reducing need for vessel trips through remote/drone-based monitoring and inspection).
- Integrating robotics and technology into whole life cycle/circular economy analysis.
- Developing and commercializing high resolution monitoring techniques (e.g., sonar, hydrophones, and camera systems).
- Deploying at scale new vessel strike detection technologies.
- Developing an open access regional environmental database for developers and policymakers.
- Facilitating venture capital and support activities for monitoring technology manufacturing small and medium enterprises.
- Developing academic and commercial applications for collected data.

### 3.1.3 Future transmission technologies and electrical infrastructure

Future transmission technologies and electrical infrastructure focus on electrical grid advancements including grid stability, capacity optimization, transmission modeling, and cable advancements. Sub focus areas may include but are not limited to:

- Analyzing transmission technologies by cost, performance, and component reliability.
- Standardizing guidelines for future OSW development including meshed ready requirements (e.g., geotechnical requirements, subsea cabling requirements, oceanographic data requirements and meshed ready requirements).
- Researching the cause of cable failures and developing predictive capabilities to detect future cable faults using AI.
- Demonstrating innovative designs of HVDC/HVAC converter technologies that reduce maintenance costs.

### 3.1.4 Power-to-X and storage solutions to scale OSW impact

Power-to-X research will develop and integrate storage technologies (including green hydrogen) into the electrical grid supported by offshore wind power. Research and technology developments include novel decarbonization applications for OSW power including energy storage and green hydrogen. Sub focus areas may include but are not limited to:

- Integrating green hydrogen into maritime decarbonization efforts.
- Designing and testing hydrogen production systems including electrolyzer technologies.
- Developing OSW-specific battery technologies, and testing models for grid integration.
- Researching future battery technology to leverage in OSW electric infrastructure.
- Offshore generation of hydrogen.

### 3.1.5 Enabling OSW component design and production

OSW component design and production focuses research on opportunities to achieve manufacturing excellence and improve OSW logistics. Research can steer future component design and improve blade, drivetrain, and foundation testing infrastructure that can handle large OSW turbine components. While in the near term, much of this innovation may be occurring in more established offshore wind geographies, there are opportunities to shift this research and development to the Center as the wider OSW innovation ecosystem matures in New Jersey. Sub focus areas may include but are not limited to developing a wind tunnel lab for blade and component testing.

### 3.2 Physical Requirements and Components

NJEDA is seeking proposals for a Center with convening spaces, offices, and labs, along with standalone or co-located testing sites. NJEDA anticipates the Center will occupy at least 20,000 to 100,000 square feet collectively of lab, office, convening space, and test sites, which would enable activities across all selected research areas. Test sites will require approximately 10,000 to 75,000 square feet, that support a range of technologies to be tested across transmission, storage, power-to-X, and OSW component design and production.

#### 3.2.1 Testing Sites

NJEDA identified two types of preferred testing facilities with the highest potential of value creation: transmission performance and grid testing (HV/HVDC systems, for power distribution and Power to X), and/or development of a deep saltwater tank. NJEDA is seeking proposals for a Center that establish testing facilities in one or more locations that are connected through common branding and/or operations.

A **transmission testing site** will provide grid testing capacity to help mitigate transmission bottlenecks as OSW deployment increases and enable usage of multiple technologies on the grid. This testing site could focus on high voltage and ancillary equipment, inter-operability of HVDC systems, and/or power-to-x and grid optimization. The test site could demonstrate new cable designs and materials that are more resilient, cost-effective, and have higher potential for interoperability. The transmission testing site may include a bespoke test rig, test benches, and mechanical equipment to test, validate, and demonstrate high-voltage electrical components, cables (static or dynamic), and materials, which can include a materials lab and e-grid simulator for advanced testing needs (e.g., alternatives to lead cables, cable fatigue testing).

A **deep saltwater tank** will provide a low-cost, realistic sandbox for early-stage robotic and automation solutions, and workforce development opportunities in environmental monitoring, data gathering and installation. The deep saltwater tank will provide a large marine environment to demonstrate and test technologies for longer periods and at lower costs than offshore testing and support growth in vessel/submersible and platform industries. Technologies to test include autonomous underwater vehicles, surveying equipment, and cable installation equipment.



To maximize the testing opportunity and application for OSW, the tank is envisioned to be at least 10 meters wide by 10 meters long and 10 meters in depth. There are no test sites for this technology at this scale in the northeast and a New Jersey based deep tank would fill a major gap. While there is the potential to repurpose a deep-port ship dock for the test site, it is anticipated that an on-land, enclosed facility will enable greater control of site conditions for testing purposes and be more cost-effective.

### 3.3 Virtual Data Network

The proposed Center may include a virtual network digital infrastructure that connects the Center's research activities and supports model-driven research (e.g., wind potential simulations, coastal and offshore seabed profiles, piloting the use of digital twin models, and marine animal modeling). It will provide the required computing power and the digital infrastructure for advanced climate modeling, develop environmental datasets and related digital products, and conducting e-grid testing. The network will develop the data architecture and protocols to link research projects affiliated with the Center to data collected by state agencies and other academic institutions. Where relevant and in partnership with industry, data from lease areas may also be incorporated for use in research projects. The network will utilize existing computing capabilities and supercomputer facilities to centralize research findings into a data library, connect research teams, and promote collaboration in OSW research across the state. The computing infrastructure could be co-located with the other physical components of the Center or located off-site but linked through common branding and/or operations.

### 3.4 Locational Considerations

NJEDA will consider the proposed location of the Center based on strategic siting that will maximize its utility and provide access to diverse users. Furthermore, locational requirements shall support a state-wide OSW network and consider:

- Presence of existing research activity focused on innovation and/or one or more of the Center's focus areas;
- Proximity to OSW industry activity (e.g. manufacturing, transmission, and/or operations);
- Available physical characteristics that meet the needs of the Center (e.g., square feet available, coastal/port access, conditions for research and testing facilities; access to transportation and electrical infrastructure);
- Financial viability (cost of land, etc.);
- Ability to derive significant state/local economic development; and
- Ease of implementation.

While a single site may not be able to maximize all locational considerations, the preferred location will be one that balances the physical needs of the Center with the ability to realize the

Center's goals. Facility options that support the Center's vision and research priorities and utilize one or a combination of the following strategies will have sustained success:

- Leased/retrofitted space(s) (office/lab test sites); or
- New-build facilities (test-site facilities); or
- Hybrid of newly built/leased facilities.

### 3.5 Governance

Governance models proposed for the Center should prioritize long-term sustainability. The Center's governance model will have the relevant legal structure as well as the proposed leadership to support its vision and goals. Governance archetypes include government-led, academia-led, independent non-profit, quasi-public, or private/commercial entity.

## 4.0 RFEI Submission

NJEDA is seeking responses from potential partners with an aligned vision for the Center. Potential Respondents may include but are not limited to:

- NJ Universities and research centers
- National/global research laboratories
- NJ state and local governments
- Other universities and research centers
- Existing accelerator and incubator organizations, and start-up operators
- OSW developers and OEMs, and businesses in the offshore wind supply and value chains
- Utilities, companies in the transmission supply and value chains, and Regional Transmission Organizations
- Venture and private equity groups
- Community based organizations
- Other private entities

Respondents may be a singular organization or coalitions of organizations. Under this RFEI, singular Respondents may participate in multiple proposals. Responses may address the entirety or specific aspects of the Center's vision detailed in this RFEI. As noted above, NJEDA will review responses to this RFEI and may proceed to discuss and negotiate terms of the Center's legal structure and NJEDA's investment directly with a combination of one or more Respondents. Selection will be based on Respondent's alignment with the NJEDA's goals, ability to provide resources that support the Center's long-term sustainability, and overall feasibility of success.

## 5.0 Instructions and Conditions

### 5.1 Timeline

An estimated calendar of dates associated with this RFEI is provided below:

Date	Event
June 23, 2023	Distribution of RFEI
August 22, 2023	Deadline for Respondents to submit their questions
September 13, 2023	Deadline of Respondents to submit their responses
Estimated Q2 2024	Draft agreements with initial partners

## 5.2 Required Information for Submission

Respondents should provide all of the information listed below in their response and submit as a single PDF. The information should be provided in the sequence listed below. Respondents may provide information beyond the scope of the listed questions to increase clarity and efficiency of responses. Respondents should note if a question is not applicable to their expressions. Additional information may be submitted as an appendix in a separate PDF file not to exceed 20 pages.

Category	Page Limit	Description
<b>Cover page</b>	1-page maximum	The cover letter shall include: <ul style="list-style-type: none"> <li>a. Lead entity’s name</li> <li>b. Primary point of contact information for lead Respondent (including: name, title, address, phone number, email address)</li> <li>c. List of owners, co-Respondents/partners, or members</li> <li>d. Summary of Respondent’s organizational history and background.</li> </ul>
<b>Relevant Experience</b>	5-page maximum	Relevant experience should include information about your entity’s experience in creating and managing a research and development innovation center. <ul style="list-style-type: none"> <li>a. Provide an overview of your organization and its involvement in OSW research and innovation.</li> <li>b. Describe your prior experience, qualifications, and subject matter expertise related to the core research focus areas and/or the role that you are proposing for your organization in the Center.</li> <li>c. List your proposed core team members and their roles, as well as any proposed partners.</li> </ul>

		<ul style="list-style-type: none"> <li>d. Provide qualification summaries for each key project team member.</li> <li>e. Describe your experiences in developing or providing programming in developing a world-class research or innovation facility.</li> <li>f. Describe your experience in producing transformational assets, technologies, or services.</li> <li>g. Describe your experience overseeing or conducting research and innovation in offshore wind, related renewable technologies, or any of the five core research area topics.</li> </ul>
<p><b>Plan and Approach</b></p>	<p>10-page maximum</p>	<p>Plan and approach should include in detail, the proposed program and approach for the Center.</p> <ul style="list-style-type: none"> <li>a. Describe your technical and management approach to develop and support the Center.</li> <li>b. Identify your research focus areas and how the scope of research aligns with the Center’s vision.</li> <li>c. Describe the activities and programs you or your partners will develop at the Center.</li> <li>d. Identify the expected users of the Center (short, medium, and long-term).</li> <li>e. Identify expected risks in developing and supporting the Center and how you will mitigate them.</li> <li>f. Describe how you will support and advance diversity, equity, and inclusion at the Center.</li> <li>g. Describe the staffing needs of the Center.</li> <li>h. Identify the partners you will bring to support collaboration across multiple disciplines throughout the private sector, research institutions, and local, state, and federal governments.</li> <li>i. Describe your project schedule for any site development work including design, permit timelines, engineering, and capital construction.</li> <li>j. Provide a high-level implementation plan and timeline for developing the Center and how it will achieve the NJEDA-defined vision and goals.</li> <li>k. Identify which governance model the Center will operate under (e.g., university-led, government-led, independent non-profit, quasi-public) and the proposed structure.</li> </ul>

		<ul style="list-style-type: none"> <li>l. Describe the challenges and advantages of your governance model.</li> </ul>
<b>Physical Requirements</b>	3-page maximum	<p>Physical requirements should include information on the physical requirements of the Center and the proposed approach to meet these requirements.</p> <ul style="list-style-type: none"> <li>a. Identify existing real estate or physical facilities that are available.</li> <li>b. Identify where the facility/facilities will be/are located and their competitive advantages.</li> <li>c. Describe the physical requirement needs of the Center.</li> <li>d. Describe the facility specifications, their intended use, and whether there is a need for new development or retrofitting.</li> <li>e. Identify the needs for laboratory and testing site equipment.</li> <li>f. Describe the needs and requirements for a virtual data network.</li> <li>g. Describe the approach to meet the physical requirements.</li> </ul>
<b>Funding</b>	5-page maximum	<p>Funding should include information on the costs and governance needed to support the Center.</p> <ul style="list-style-type: none"> <li>a. Describe the estimated capital costs, including all costs of facility design and construction.</li> <li>b. Describe the estimated operating costs over the short-, medium-, and long-term.</li> <li>c. Identify the source of funding, financing and capital you are contributing to the planning, construction, and operations of the Center.</li> <li>d. Identify the type and amount of financial support you need from NJEDA (e.g., investment, loans, grants, etc.).</li> <li>e. Identify any other types of resources you require from NJEDA or other state entities.</li> <li>f. Identify any other resources you require from other entities.</li> <li>g. Describe how the Center will achieve financial sustainability.</li> </ul>

### 5.3 Submission Process

All RFEI responses must be submitted no later than **5:00 PM ET on September 13, 2023**, via e-mail to: **windinstitute@njeda.gov**. The subject line of the e-mail should state: **Wind Innovation Center RFEI Response – [Primary Applicant Name]**.

#### 5.3.1 Question and Answer Process

Any questions by prospective Respondents concerning this RFEI shall be sent by email to: **windinstitute@njeda.gov**, no later than **5:00 PM ET on August 22, 2023**. The subject line of the e-mail should state: **Wind Innovation Center RFEI Questions**.

### 6.0 Post-Submission Process

NJEDA may invite Respondents to provide additional information to allow NJEDA to better understand information provided in the submittal. NJEDA may select whole or partial expressions of interest and reserves the right to recommend combining responses from multiple organizations if they contain similar scopes, or if a combination of responses will help achieve the Center’s vision and goals. NJEDA may also request meetings with some or all of the Respondents to discuss details and adjustments to responses.

### 7.0 Key Mandatory State Terms for Investment Agreements

The highest-scoring Respondent(s) shall also be expected to draft SIC formation documents and the investment agreements to reflect NJEDA’s investment. Those agreements shall include provisions required by State law and policy, including, but not limited to:

- All agreements to which NJEDA is a party shall be governed by New Jersey law;
- The Respondent shall indemnify NJEDA (except for investment losses) and provide insurance as NJEDA may request;
- NJEDA shall not indemnify the Respondent or the SIC;
- No transfers or assignments of Respondent’s interest without NJEDA consent;
- All SIC assets must be transferred based on SIC ownership upon dissolution;
- Standard New Jersey State Conflict of Interest provision;
- Respondent shall be subject to applicable political contribution disclosure requirements, which may include N.J.S.A. 19:44A-20.27 (L. 2005, c. 271);
- Records must be retained the greater of five (5) years after the end of the NJEDA investment, and NJEDA and the New Jersey Office of the State Comptroller shall have the right to audit all records held by the Respondent related to the Fund; and
- All agreements are subject to the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq., and the New Jersey Contractual Liabilities Act, N.J.S.A. 59:13-1 et seq.

### 8.0 New Jersey Open Public Records Act

Respondents should be aware that responses to this RFEI are subject to the “New Jersey Open Public Records Act” (N.J.S.A. 47:1A-1 et seq.), as amended and including all applicable

regulations and policies and applicable case law, including the New Jersey Right-to-Know law. All information submitted in response to the RFEI is considered public information, notwithstanding any disclaimers to the contrary, except as may be exempted from public disclosure by OPRA and the common law.

Any proprietary and/or confidential information submitted in response to this RFEI will be redacted by the Authority. A person or entity submitting a response to this RFEI may designate specific information as not subject to disclosure pursuant to the exceptions to OPRA found at N.J.S.A. 47:1A-1.1, when such person or entity has a good faith legal and/or factual basis for such assertion (i.e., information that may be included in another ongoing public procurement or solicitation). The Authority reserves the right to make the determination as to what is proprietary or confidential and will advise the person or entity accordingly. The Authority will not honor any attempt to designate the entirety of a submission as proprietary, confidential, and/or to claim copyright protection for the entire proposal. In the event of any challenge to the Respondent's assertion of confidentiality with which the Authority does not concur, the Respondent shall be solely responsible for defending its designation.