



ORANGE COUNTY, NEW YORK

Department of General Services
PO Box 218, 255-275 Main Street
Goshen, New York 10924

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RFP TITLE: GRAND STREET PROPERTIES

RFP-RPT01-20

**REQUEST FOR PROPOSALS FOR
THE PURCHASE AND REDEVELOPMENT
OF THREE HISTORICALLY-SIGNIFICANT
COUNTY-OWNED PROPERTIES
ON GRAND STREET IN THE CITY OF NEWBURGH, NY**

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DISCLAIMER FOR SECTION III APPENDICES

The application materials, images, surveys, maps, drawings and ALL other materials provided in this RFP are strictly “as is” and strictly for informational purposes only. The County does not guarantee currency, accuracy, scale or any other aspect of these materials and shall have absolutely no duty or liability to Offerors or Purchaser relating to these materials.

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The Offerors and ultimately the Purchaser are NOT authorized to rely on the materials provided and it is incumbent upon the Offerors and the Purchaser to perform all necessary due diligence (including, but not limited to: legal research, permitting, imaging, surveys, mapping, title research, environmental studies and any and all other necessary tasks) for the satisfaction of each Offeror’s and the Purchasers purposes.

Also, any general references to legal resources are strictly for informational purposes only and is not guaranteed to be accurate, applicable, complete or current. Nothing in this RFP or the Appendices constitutes legal advice and may not be relied upon in any manner by Offerors or Purchaser. **OFFERORS AND PURCHASER ARE ADVISED TO CONSULT WITH THEIR LEGAL COUNSEL TO DETERMINE ALL APPLICABLE LAW AND ITS INTERPRETATION AND WITH ALL OTHER CONSULTANTS AS MAY BE NECESSARY FOR DUE DILIGENCE SATISFACTORY FOR THEIR PURPOSES.**

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IV. INDEMNITY, RELEASE OF LIABILITY AND WAIVER FORM

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NOTICE TO OFFERORS

Proposals for the County of Orange **RFP-RPT01-20 GRAND STREET PROPERTIES** will be received by the undersigned Commissioner of the Department of General Services, in his office at 255-275 Main Street, Goshen NY 10924, **up to and including Thursday July 30, 2020 at 4:00 P.M.**, prevailing time.

Copies of the Request for Proposals may be obtained beginning June 22, 2020 at the above address between the hours of 9:00 A.M. and 4:45 P.M., Monday through Friday (with the exception of County-observed holidays), as well as through **www.orangecountygov.com/generalservices** under "Current Bids and Proposals".

June 22, 2020

James P. Burpoe, Commissioner
 Department of General Services

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INSTRUCTIONS TO OFFERORS

Unless a Request for Proposal (RFP) is solicited directly by another County department, the only official distribution source for this RFP is through the Department of General Services. Additionally, most RFP documents issued by the Department of General Services are distributed through BidNet which can be accessed through www.orangecountygov.com/general-services under "Current Bids and Proposals". If you have obtained this RFP from a different source, you are encouraged to contact the Department of General Services to receive an official copy. You may not receive addenda or important information regarding this RFP if you are not registered with the Department of General Services as having obtained a copy of this RFP through the Department or through BidNet.

By submitting a Proposal, you are asking the County to accept your offer for the sale of goods and/or services. It is important that you READ and UNDERSTAND all terms and conditions in this RFP, as well as understand the laws that govern Public Contracts in New York State. **If you do not agree with the terms and conditions contained in this RFP, you should not submit a Proposal.**

Your Proposal will be considered by the County if the following conditions are met:

1. Pursuant to State Finance Law §139-j and §139-k, this solicitation includes and imposes certain restrictions on communications between the County and an Offeror during the procurement process. An Offeror is restricted from contacting other than designated staff from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the County Executive ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). County employees are required to obtain certain information when contacted during the Restricted Period. The designated staff contact is the Commissioner of General Services or his representative, telephone (845) 291-2792. Offerors responding to this RFP must familiarize themselves with these State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the Proposal Form.

2. Applicable Not Applicable

Site visits may be arranged by sending a request to GeneralServices@orangecountygov.com all requests must be submitted by July 6, 2020 by 5:00 P.M. to be scheduled no later than July 10, 2020. The County shall not be liable for, nor shall it review proposed change orders, contract amendments, etc. for inadequate pricing, labor, materials, time or similar issues in Vendor/Consultant's contract with the County resulting from Vendor/Consultant's failure to attend and obtain information provided at the pre-proposal conference, site visit and/or any addenda issued afterward. **All respondents who wish to attend the site visit will be required to sign the "Indemnity, Release of Liability and Waiver" form (attached in the Appendices as #IV) prior to being allowed to enter any of the offered properties.**

3. Offerors are responsible for reporting in writing any errors, omissions or ambiguities found in this RFP. All such reports, requests for information, questions, etc. shall be emailed to GeneralServices@orangecountygov.com with questions typed in the body of the email, and the subject line "RFP Questions". **No questions will be entertained by any other means. All questions must be submitted by July 13, 2020 at 5:00 P.M., prevailing time. Questions received after this time may not be addressed. Please be patient, questions will be answered in an Addendum/Addenda to be shared with all interested Offerors. Questions will not be responded to individually.**

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4. Unless otherwise specified herein, all Proposals shall be made upon forms furnished in this RFP, if any, and as may be modified by addenda, contained in sealed envelopes clearly marked on the outside packaging with **RFP-RPT01-20 GRAND STREET PROPERTIES** addressed to James Burpoe, Commissioner, Department of General Services, PO Box 218, 255-275 Main Street, Goshen, NY 10924 and received up to and including **Thursday July 30, 2020 by 4:00 P.M. prevailing time**. If NOT sending your Proposal via U.S. Mail, (i.e., using FedEx, UPS, hand delivery, etc.) please use the following address: Orange County Department of General Services, 255-275 Main Street, Goshen NY 10924. **It is the Offeror's responsibility to clearly mark the outside of their mailing package with the RFP title and number. Faxed / E-mailed Proposals are not permitted.**

5. **Two (2)** sets of all Proposals shall be submitted, **ONE SET OF WHICH MUST CONTAIN ORIGINAL SIGNATURES** including completed copies of any forms or certifications required in this RFP. Forms, if any, included in this RFP shall be completely filled in, in ink or by typing, on the original form. Failure to respond to this RFP on any official form(s) included in this RFP, may result in disqualification of a Proposal as non-responsive. No Proposal Form will be accepted which contains any modification to the template, additional information not specifically requested, omissions or erasures. Each Proposal Form shall be signed by a duly authorized individual on behalf of the Offeror. Illegible and unsigned Proposals will be rejected as non-responsive.

6. Permission will not be given to modify or explain any Proposal after it has been opened, unless clearly specified in this document (e.g. interviews). Permission to withdraw a Proposal prior to opening will be at the discretion of the County and no replacement Proposal may be submitted without authorization from the Commissioner of General Services. Opened Proposals which required a deposit for plans and specifications may not be withdrawn until forty-five (45) days after opening.

7. **Basis of Award provisions vary with each RFP, please read that section carefully.** Some RFPs may be awarded to more than one entity. The County reserves the right to waive any informality, reject any and all Proposals, or, if noted in the Basis of Award section of this RFP, accept any Proposal in whole or in part, if deemed to be in the best interest of the County.

8. Any award shall be subject to the execution of a contract (and, if applicable, license or other agreements) between the Offeror and the County. The County's contract obligation is contingent upon execution of the contract between the County and selected Vendor/Consultant, provision of required Pay-to-Play forms, insurance certificates and bonds, as applicable, by the Vendor/Consultant, and the availability of appropriated funds for the contract. No legal liability on the part of the County for payment of any money shall arise unless and until a contract is executed by both parties, funds are appropriated and made available in each year of the term of the contract, and all performance requirements for each payment are met. The County shall have no responsibility or liability for any of Offeror's costs related to preparation of Proposals, attendance at interviews, etc.; all such costs are solely at Offeror's risk and expense.

9. Offeror(s) awarded a contract agree to execute the contract in the same form as the template enclosed in this RFP in the timeframe, if any, indicated in this RFP. If no template is included with the RFP the Offeror and the County will negotiate a contract based on the Proposal received, however, any supplemental agreement(s) (e.g. licensing or maintenance agreements) or specific contract language for the proposed contract requested by an Offeror must be included in the Proposal and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the scope of services, include any proposed license or maintenance agreement(s) with your Proposal. **Failure to reach agreement on contract terms and conditions may result in rejection of a Proposal, rescission of an award and/or retention of Bid Security by the County.**

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10. The County maintains a unilateral right to cancel or extend the contract in accordance with the terms of any contract resulting from this RFP. If a Vendor/Consultant fails to perform or otherwise breaches the contract, in addition to any other rights and remedies the County may have, the Vendor/Consultant may be listed as non-responsible and may be ineligible for future contract awards.

11. If Bid Security is required by this RFP; it must be included in the Proposal. If Performance and/or Payment Bonds are required by this RFP, Proposals must include a letter from the Offeror's bank or surety stating that the required letter of credit or bond(s) will be provided in the event of a contract. The letter of credit or bond(s) shall be provided for each year or relevant portion of the contract, as may be applicable.

12. Offerors should be properly registered to do business in the State of New York and furnish applicable certificates of authority/incorporation/partnership/dba, etc. with their Proposal.

13. The County encourages submission of Proposals by certified Minority- and/or Women-Owned Business Enterprises (MWBE) and/or Disadvantaged Business Enterprises (DBE).

14. A Non-Collusion Certification, Disclosure of Non-Responsibility Determination and Iran Divestment Act Certification are included in this RFP. Bidders must complete and submit a signed original of each and the applicable number of copies of each with each Bid.

15. Supplier Forms are provided with this RFP. Offerors that have not received a purchase order in the last twelve (12) months from the County must submit completed and signed Supplier Forms prior to execution of a contract by the County.

16. Please be advised that this solicitation is subject to Orange County Local Law No. 13 of 2013, as amended, known as the "Pay-to-Play Law". Pay-to-Play Forms will be made available with this RFP. All Pay-to-Play Forms should be submitted with your Proposal and will be required if you are awarded a contract. The Pay-to-Play Forms are required from the Vendor/Consultant (unless exempted by the law) prior to execution of a contract by the County.

17. Pursuant to New York's Freedom of Information Law ("FOIL") (Public Officers Law, Article 6, Sections 84-90) all government records are presumptively open for public inspection unless specifically exempted from disclosure under FOIL. Offerors who have a good faith belief that information contained in their Proposal is exempt from disclosure under FOIL must, at the time of their submission, request the exemption in writing, setting forth the basis for the claimed exemption. In addition, the Offeror must mark each page of its submission claimed to be exempt from disclosure under FOIL with the following legend: **"THE OFFEROR BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW."** Neither the Offeror's classification of materials as exempt under FOIL, nor the County's acceptance of Offeror's Proposal with the claimed exemption(s), should be considered a final determination as to whether the designated materials are exempt from disclosure under FOIL. Any and all determinations as to the propriety of claimed exemptions will be made by the County and/or a court of law in accordance with applicable law.

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INSURANCE REQUIREMENTS

If applicable, during the term of the contract, or longer if required, Vendor/Consultant shall maintain, at its expense, Worker's Compensation, Disability and liability insurance policies of the types and minimum coverages specified in the enclosed contract template (e.g., Agreement for Vendor Services), as applicable. Certificates of insurance evidencing Vendor's/Consultant's compliance with these requirements shall be required prior to execution of the contract by the County. Award is conditional upon submission of insurance documents within the time specified in the Notice of Award. Failure to do so may result in disqualification of the Offeror as non-responsive and/or the County's retention of any Bid Security.

BONDING REQUIREMENTS

There are no Bonds required for this contract.

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SCOPE

The County of Orange (County) is seeking proposals for the purchase and rehabilitation of one, two or all three County-owned buildings located at 48, 54 and 62 Grand Street, Newburgh, NY.

Award of the contract may be subject to approval by the Orange County Legislature. Orange County reserves the right to reject any or all proposals, or to accept any part of the proposal without accepting the whole thereof, or to accept such proposal they deem to be in the best interest of the City.

PROSPECTUS

I. OVERVIEW

The County of Orange (the County) is seeking a developer(s) to purchase and rehabilitate one, two or all three historic buildings located at 48, 54 and 63 Grand Street in the City of Newburgh (the City). These buildings, the former Masonic Temple, YMCA and American Legion, respectively, sit side-by-side on Newburgh’s truly grand avenue in the heart of its Historic District. Each is an architectural gem in its own right but, taken together, they represent a transformative development opportunity.

Orange County is experiencing an unprecedented wave of economic growth and our three small cities – led by Newburgh – have seized upon that momentum. Though it is a city of less than 30,000 people, Newburgh boasts unparalleled history, vitally important architecture and a setting on the mighty Hudson River that provides one of the most stunning vistas in the entire northeast and beyond. It was once heralded as an All-American city and, after enduring a period of post-industrial decline and while still carrying the scars of Urban Renewal, the City of Newburgh has been rediscovered for many of the treasures that led to its 1950’s moniker, “the Queen of the Hudson.”

Newburgh has enjoyed a remarkable renaissance in recent years as it has been descended upon by developers and investors, as well as professionals of all ages migrating from New York City. Two of the City’s most historic streets, Grand and Liberty, have perhaps benefited most from the current revival, in the form of new restaurants, coffee shops, co-work offices, maker spaces and countless restoration projects.

Also located on Grand Street is the Newburgh campus for SUNY Orange, also known as Orange County Community College (the College). Several years ago, the College made a commitment to grow their footprint in the City of Newburgh to extend their reach to students who can’t easily access their main campus in Middletown, and to help catalyze the City’s rebirth. That commitment was galvanized with the opening of the college’s Kaplan Hall on Grand Street in 2011, a beautiful new facility that has opened up the intimate campus to the historic neighborhood it’s nestled in.

Kaplan Hall is adjacent to 48 Grand St. (the former American Legion); its positioning, along with the rest of the SUNY Orange campus that sits *behind* all three subject properties, makes for clear collaborative opportunities between the College and a successful proposal. Communication and/or collaboration with SUNY Orange on a proposed project is encouraged but is not required.

Further information on the City and the vicinity of the subject properties:

The City of Newburgh is located 60 miles north of New York City on the west side of the Hudson River in Orange County, New York. Newburgh is a densely populated urban community of 3.8 square miles bounded by the

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Hudson River to the east, the Town of Newburgh to the north and west, and the Town of New Windsor to the south. Newburgh has ferry access to the Metro North Train station in Beacon, NY; has direct bus service to Port Authority Bus Terminal in New York City; has interstate highway access to the New York State Thruway, Rte. 87 and Interstate Rte. 84; is bisected by NYS 9W and NYS 17K; and is less than 2 miles from Stewart International Airport (SWF).

The City’s progressive “form-based” zoning code was adopted in 2015. Simultaneously, the City streamlined its land use board review process. The staff of the Planning and Development Office, the Building Department, and the Engineer’s Department are available to assist with the planning of the projects proposed.

The East End Historic District in the City of Newburgh was listed on the National Register of Historic Places, under the provisions of the National Historic Preservation Act of 1966, on August 15, 1985 and was adopted as local historic district in September 1985. The 445-acre district includes over 2,400 contributing buildings - many designed by some of the most renowned architects of the 19th century. According to the New York State Historic Preservation Office (SHPO), at that time it was numerically the largest historic district in New York State and the ninth largest in the nation.

II. RELEVANT HISTORY

The following is a brief synopsis of the rich history of these treasured buildings, each of which served gathering places in one of Newburgh’s most vibrant corridors:

YMCA – The Newburgh YMCA was founded in 1858 and built a downtown headquarters on Third & Smith Streets that they outgrew. In 1913 the Grand Street headquarters were constructed for \$108,000, after many community fund drives. Over 3,000 Newburghers contributed to building the YMCA on Grand Street. In 1920’s YMCA bought the Rogers Mansion behind their headquarters and connected the old 1830’s house to their building to gain extra meeting space. The Y offered housing, sports, swimming, day camp, woodworking, crafts, public speaking classes, and meeting place for AA. They had programs for "working boys" since there were no child labor laws and, when WWI came along, they housed many war industry workers and many canteen programs for troops being shipped through Newburgh.

American Legion – Newburgh’s American Legion was founded in 1919. It received the 152nd charter given by the growing national veterans organization after WWI. The American Legion Newburgh Post was named for Judson P. Galloway, the first local man killed in action in WWI. The Legion bought a Grand Street townhouse on the present site and used it through 1937. It was torn down to build a larger headquarters that could offer meeting and activity space and a catering kitchen for their many dinners. American Legion 152 sponsored many youth activities for groups that included the Newburgh Nuclears baseball team, youth in government conventions, marching band and drum corps, and citizenship classes for new immigrants.

Masonic Temple – The Masons organized in Newburgh during the Revolutionary War. They had several local headquarters until they built the expansive Grand Street Temple in 1905 to house the Hudson River Commandery and others. Regional Masonic lodges used it for central functions like conventions and dinner dances because of its sizeable auditorium, ballroom and many other amenities. The previous Newburgh Masonic lodge had been across the street as the top floor of the Academy of Music Building which the Masons helped fund.

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All three of these buildings comprised a core part of Newburgh’s cultural district. The Elks Club, a short block away on Liberty Street, was the other venue for large civic gatherings. Smaller clubhouses like The Wheelmen’s Club (next to the Elks) and various Labor Union halls supported a lively and constant calendar of public events.

III. PROPERTY INFORMATION

A. 48 GRAND STREET - DESCRIPTION OF THE PROPERTY

This subject property consists of a former Masonic Temple Building constructed in 1914 and is located on the east side of Grand Street, ±150 feet north of the intersection with Broadway. Tax ID is Section 31, Block 2, Lot 18. The lot totals ±0.34 acres. It has ±100 feet of frontage along the east side of Grand Street and ±150 of frontage on both the north and south sides of the building, providing for adequate ingress and egress to the site. The shape of the lot is rectangular and does not adversely affect the utility of the building. The lot is situated above street grade. The topography is nearly level with a slight upward slope from front to back.

This building is a four-story brick and masonry structure supported by a masonry foundation. The exterior is covered with brick, the flat roof is surfaced with a rubber membrane material. Windows are large wood frame, double hung style.

The basement is partially finished and includes a bar room, storage room, an office, a boiler room and half bathrooms. The decor of the finished space is a mix of vinyl tile flooring, wall-to-wall carpet, hardwood flooring, and brick, masonry and sheetrock walls.

The first floor consists of a lobby, library, large meeting room, office, a coat room, and a bathroom. Interior finishes are a mix of quarry tile flooring, wood pecan paneling, plaster ceilings, terrazzo flooring and a drop ceiling. The wood trim and paneling are of good quality and nicely done. The bathroom has five fixtures.

The second floor consists of a large theater/meeting hall that can seat 200, a kitchen, two half bathrooms and storage space. The interior decor includes a mix of hardwood flooring, masonry walls, and vinyl tile flooring. The meeting hall has a stage. The first bathroom has two fixtures and the second bathroom has four fixtures.

The third floor consists of a large temple. The interior decor includes custom painted walls and ceilings, gold leaf on the ceilings, stained glass windows and wall-to-wall carpeting.

The fourth floor is smaller due to the dramatic third floor ceiling height in the temple area and consists of storage space with skylights.

The total building area is approximately 24,281 square feet. The first floor is 7,344 square feet, the second and third floor are each 7,141 square feet, and the fourth floor is 2,655 square feet. Including the basement, the building totals 31,422 square feet+-. A small elevator serves all floors.

The building has a 600-amp electrical circuit breaker service and is heated by a gas and oil-fired steam boiler. There is a 50-gallon, gas-fired hot water heater.

Site improvements include one curb cut and a small off-street parking area for one car. Near the front and along the south side, there is an eight-foot metal fence with a large gate that prevents pedestrian traffic. There are municipal sidewalks and street lighting. The County intends to retain a 150 foot by 10-foot easement to the

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parking lot and County retained property located on and adjacent to 54 Grand Street. Please see Attachment A for further details.

See attachment A – Property Reports for 48 Grand Street

B. 54 GRAND STREET – DESCRIPTION OF THE PROPERTY

This subject property is located on the east side of Grand Street, within one block of Broadway, in the City of Newburgh, County of Orange, State of New York. It can be further identified as Section 31, Block 2, Lot 13.2. This lot will be subdivided, the parking area in the back and along the southern edge will be retained by Orange County. An easement to the parking area will be created along the southern edge of the existing site.

Building improvements include a former YMCA building and was renovated in 2000-2001 into multi-tenant office and recreation space. Most of the windows were replaced, the brick exterior was repointed, and the flashing and gutters have been updated.

The building totals ±38,266 square feet with ±35,782 square feet of net rentable square footage. The original building was constructed in 1912, according to the cornerstone at the southwest corner of the building, with additions to the rear over the years.

Construction Details of the Improvements:

Foundation: Poured concrete.

Basement: As noted previously, this area was occupied by a gym and fitness center and contains the controller unit for the elevator.

Framing: Mixed masonry and wood construction.

Exterior Walls: The front, three-story section is all brick, and the rear single-story sections are concrete block with a brick exterior.

Roof/Roofing: The roofs are flat with a coated rubberized surface on wood decking.

Windows: Insulated, wood-framed units; the large, half-round transom windows around the first floor of the original section have been re-glazed and covered with metal-framed storm units.

Ceilings: The ceilings are painted gypsum in the lobby, foyer, main level aerobics room, suspended acoustical tile ceilings throughout the remainder of the building. Several areas have been water damaged and most of the damaged ceiling tiles have been removed. The damaged drywall ceilings have not been repaired.

Interior Walls: Most of the walls are painted gypsum, with exposed concrete block walls remaining only in the stairways and foyers.

Floors: Ceramic tile floors in the locker rooms and lavatories; vinyl composition tile floors in the daycare classrooms, workout rooms, and hallways; carpet in the office areas, and quarry tile in the kitchen and break areas.

Bathrooms: Each floor has at least one set of men’s and ladies’ rooms; the first floor has two sets. The men’s room in the gym contains eleven fixtures; the ladies room has four fixtures. There is a childcare area restroom

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with two fixtures. The first floor has two sets of restrooms. Several of the fixtures have been damaged or removed.

Plumbing: A mix of cast iron, copper and PVC components.

Electrical: The electrical service is separately metered, with adequate amperage to each area, typically 100 to 200 amps each.

Meters: There are seven electric meters affixed to the southerly wall of the subject.

HVAC: Heating and air conditioning is provided by several gas-fired heating/air-conditioning units situated on the roof.

Lighting: Interior fluorescent lighting fixtures throughout. Exterior lighting consists of high-intensity halogen security fixtures along the secondary walls. Classic lamppost design, halogen lighting at the main entrance.

Entrances/Exits: There are five entrance/exits: the main one off Grand Street, a second along the southern driveway ±50 feet from the front of the building and a third entrance along the easterly side of the structure in the parking area and is wheelchair accessible. Two additional access points are located at the northeastern portion of the building. There is a wheelchair lift situated at street level in the gym foyer that provides access to the first floor and the elevator. The elevator services all levels.

Stairwells: Main access to the subject is via one masonry staircase situated at the front (westerly) entrance. There is one interior concrete staircase situated at the northwest section of the subject and one center staircase, both provide access to all levels of the structure. There are four exterior staircases, one along the southerly driveway, and one from the parking lot also provide access to the building. Two wood framed staircases are situated at the northeast corner of the building.

Building Layout:

Basement: Vacant fitness and gym center with locker rooms, sauna, childcare area and showers.

First Level: Vacant classrooms and offices that were formerly used by the Orange County Community College.

Second Level: Vacant office space.

Third Level: Vacant office space.

Allocations of Units/Area (SF):

Gross SF: 35,782 square feet

Basement: ±14,368 square feet

First Floor: ±14,368 square feet

Second Floor: ± 4,765 square feet

Third Floor: ± 4,765 square feet

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Total Floor Area: ±38,266 square feet

Common Area: ± 2,484 square feet

Rentable Floor Area: ±35,782 square feet

See Attachment B – Property Reports for 54 Grand Street

C. 62 GRAND STREET - DESCRIPTION OF THE PROPERTY

This subject property is located on the eastern side of Grand Street between the intersections of First Street and Broadway. It is rectangular in shape, has approximately 60 feet of road frontage along Grand Street and totals approximately 0.21 acres. The topography of the lot is even with road grade and level. Tax ID is Section 31, Block 2, Lot 19.

The subject property is improved with one building which was utilized as an American Legion Hall and is now a multi-tenant office building. The original building was erected in ±1925 and was remodeled in ±1997. This building is a one and a half story, brick and concrete block structure, with a marble front, supported by a concrete block foundation. The building totals ±9,384 square feet, is covered by a built-up hot tar flat roof. There is large wood frame, double hung, single pane windows throughout the building. There is a walk-up entrance at the front with double doors leading to a large lobby with a double door entry to the main level tenant space and an open stairwell to the lower level.

There is a finished lower level measuring ±4,755 square feet with 4,250 square feet of leasable area. It consists of a waiting room at the entrance with double doors leading to a long corridor lined with a receptionist office, nine offices, three group rooms, a nurse’s office with half bathroom, a file room, a kitchen, and a storage room. The waiting room has two handicapped accessible bathrooms and an elevator. The lavatories have two fixtures each. The kitchen has cabinets, counter, sink, stove and refrigerator. The lavatories have two fixtures each. The upper level of the building totals ±4,629 square feet and 4,250 square feet of leasable area. The interior consists of a large lobby, a waiting room, a receptionist office, a storage room, five offices, a small kitchen, two half bathrooms, a computer lab and a classroom. The kitchen is quite small with a sink/counter unit. The half bathrooms have two fixtures each.

The interior decor on both levels is in good condition and includes a mix of vinyl tile flooring, painted gypsum and plaster walls and ceilings, and wall-to-wall carpet.

The lobby is heated and cooled by a small gas-fired, HVAC system. There are two large gas-fired HVAC systems and four additional air conditioning condensers which heat and cool the rest of the building. There is a 10-gallon, electric hot water heater for each floor. The building has two-200-amp electrical circuit breaker services and one-100-amp electrical service. There are two gas meters and three electric meters. The building has a sump pump. There is also a two-stop elevator.

See Attachment C – Property Reports for 62 Grand Street

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IV. POTENTIAL TAX CREDITS & EXEMPTIONS

All potential credits and exemptions are subject to municipal approval and Sections V, VI and VII of this “Prospectus”.

Historic Tax Credits:

48, 54 and 62 Grand Street are all within the City of Newburgh’s East End Historic District. Therefore, each building is eligible for the New York State Rehabilitation Tax Credit Program which is used in conjunction with the Federal Historic Preservation Tax Incentive. The tax credits are intended to provide owners with a financial incentive to rehabilitate a building in a manner that retains its historic characteristics. Owners can take advantage of credits on both state and federal income taxes, each providing 20% tax credits for Qualified Rehabilitation Expenditures (QRE). A developer can opt to syndicate these credits. The project must meet the guidelines as established in Secretary of the Interior’s Standards for the Rehabilitation of Historic Buildings, with oversight from the State Historic Preservation Office (SHPO).

Historic Tax Abatement 444A:

Your project could also qualify for the Alteration or Rehabilitation of Historic Real Property Tax Exemption (RP444a): 9-year exemption applied to the increase in assessed value for the portion attributable to the alteration or rehabilitation of an historic property for historic preservation. For the first five years of the exemption, the increase in value attributable to the rehab work is 100% exempt from city and school taxes. For the remaining four years of the exemption, the exemption decreases by 20% each year.

Commercial Property Improvement Exemption 485B:

Your project may qualify for an exemption for the Construction, Alteration or Improvement of Commercial Property (RP-485-b): a 10-year tax exemption given for the increase in assessed value (the portion attributable to the construction, alteration or improvement of a commercial property but not for ordinary maintenance and repairs). In the first year, 50% of the increase (attributable to the construction, alteration, etc.) in the assessment is exempt from city, county and school taxes. The exemption continues for an additional nine years with the amount of the exemption declining by 5% each year (i.e., 45% in year 2, 40% in year 3, etc.). A 485B-equivalent or an enhanced PILOT that further extends the potential property tax exemption may be available through the City of Newburgh Industrial Development Agency (IDA) or the Orange County IDA.

Residential-Commercial Urban Exemption 485A:

If the proposal entails converting the property into a mix of residential and commercial uses, the project may be eligible for the Residential-Commercial Urban Exemption Program (RP485-a): a 12-year tax exemption given for the increase in assessed value (the portion attributable to the conversion, not for ordinary maintenance and repairs) from a solely non-residential use to a mix of residential and commercial uses. For the first eight years of the exemption, 100% of the increase (attributable to the conversion) in assessment is exempt from city tax. Thereafter, the exemption decreases by 20% a year (80% in year 9, 60% in year 10, 40% in year 11 and 20% in year 12).

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Sales Tax Exemption:

Businesses may be eligible for sales tax exemptions on durable goods such as for building materials from the City of Newburgh Industrial Development Agency (IDA).

CFA/WDI:

New York’s Empire State Development manages the state’s annual economic development funding competition, centered around the Consolidated Funding Application (CFA). The CFA allows applicants to be considered for multiple sources of funding for a development project through one application. Several projects in Orange County and specifically in the City of Newburgh have received significant awards through the CFA in recent years.

Beginning in 2019, ESD also began administering a \$175 million Workforce Development Initiative (WDI) fund to support projects that address businesses’ short-term workforce needs, long-term industry needs, improve regional talent pipelines, enhance the flexibility and adaptability of local workforce entities, and expand workplace learning opportunities.

Creative Neighborhood Loan Program:

The subject properties are within Pattern for Progress/Rhinebeck Bank’s Newburgh Creative Neighborhood boundary making projects eligible for access to a \$3,000,000 loan portfolio to fund secured term loans including commercial express loans, equipment and vehicle purchases, leasehold improvements and real estate transactions under favorable pricing, advance rates and terms to the prospective borrowers in the Newburgh Creative Neighborhood.

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V. NO REPRESENTATIONS, WARRANTIES OR GUARANTEES:

This property is being **SOLD “AS IS”**. The County makes **NO** representations, warranties or guarantees for water, sewer, other utilities, zoning or anything other than title, as may be stated in the deed(s) with the selected Offerors.

VI. NO GUARANTEE OR WAIVER:

Acceptance of an Offer and sale of the property by the County is in no manner:

- A. An express or implied guarantee that the project will be developable; nor
- B. a waiver on behalf of any local, state or federal government or other Authority having jurisdiction of the applicability of any requirement (legal or otherwise) for the project as may be proposed or modified in the future.

VII. DISCLAIMER:

A. The application materials, images, surveys, maps (including but not limited to the zoning and flood maps in the appendices), drawings, tax credit and program information and ALL other materials provided in this RFP are strictly “as is” and strictly for informational purposes only. The County does not guarantee currency, accuracy, scale or any other aspect of these materials and shall have absolutely no duty or liability to Offerors or Purchaser relating to these materials.

B. The Offerors and ultimately the Purchaser are NOT authorized to rely on the materials provided and it is incumbent upon the Offerors and the Purchaser to perform all necessary due diligence (including, but not limited to: legal research, permitting, imaging, surveys, mapping, title research, environmental studies and any and all other necessary tasks) for the satisfaction of each Offeror’s and the Purchasers purposes.

C. Also, any general references to legal resources are strictly for informational purposes only and is not guaranteed to be accurate, applicable, complete or current. Nothing in this RFP or the Appendices constitutes legal advice and may not be relied upon in any manner by Offerors or Purchaser.

D. OFFERORS AND PURCHASER ARE ADVISED TO CONSULT WITH THEIR LEGAL COUNSEL TO DETERMINE ALL APPLICABLE LAW AND ITS INTERPRETATION AND WITH ALL OTHER CONSULTANTS AS MAY BE NECESSARY FOR DUE DILIGENCE SATISFACTORY FOR THEIR PURPOSES.

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SUBMISSION OF PROPOSALS

I. GENERAL REQUIREMENTS

- A. **ALL SUBMISSIONS MUST BE CLEARLY MARKED ON THE OUTSIDE PACKAGING WITH THE RFP TITLE AND NUMBER.**
- B. Submission materials will not be returned. The County shall have no responsibility or liability for any of Offeror's costs related to preparation of Proposals, attendance at interviews, etc.; all such costs are solely at Offeror's risk and expense.

II. FORMATTING AND RESPONSIVE REQUIREMENTS

Proposals should be organized into the following sections and submitted in a binder or clipped (nothing permanently bound) to allow for copying by the County as may be necessary for review. Failure to provide information or materials for every section may result in disqualification of the proposal as non-responsive without further review.

A. COVER LETTER

Provide a brief letter of introduction which summarizes the development proposal and development team qualifications.

B. PROPOSAL FORM

- 1. The Respondent must complete the Proposal Form to purchase one, two or all three of the subject properties:
 - a. 48 Grand Street, Newburgh (former Masonic Temple)
 - b. 54 Grand Street, Newburgh (former YMCA)
 - c. 62 Grand Street, Newburgh (former American Legion)

C. DEVELOPMENT PROPOSAL

1. Development Team

- a. Primary contact name, address, phone number, fax number, e-mail address, Federal ID number (if applicable), and Business ID number (if applicable) of the person or entity submitting the proposal and who/which intends to purchase the property or properties. If the Offeror is not a natural person (i.e., partnership, corporation, L.L.C., etc.), then the Offeror must disclose the name and address of each partner, officer, and/or member of the team submitting an application for this project.



- b. Identify the proposed structure of the development team for this particular project and provide information on each proposed member of the team and any identified sub-contractors or professionals, including, for each, a summary of individual/entity information, his/her/its role in the development of this project, and prior experience.
- c. Descriptive information of the prior working relationship, if any, of the proposed development team. If this project is the first effort of this team to undertake a development, indicate the history and experiences leading to the establishment of this team.

2. Project Description

- a. Description of the Proposed Project: Offerors must include a detailed description of the proposed project which includes:
 - b.
 - i. Size of the project (square-footage, number of units....)
 - ii. Describe proposed use(s) in detail and any zoning issues which need to be addressed, including proposed re-zoning or variances, if applicable
 - iii. Proposed occupancy and ownership scenario
 - iv. Timeframe for commencing construction/rehabilitation and the anticipated length of the construction period
 - v. Proposed purchase price for property or properties
 - c. Provide a narrative describing the benefits, which will accrue to the County of Orange, the City of Newburgh and their residents as a result of the project (for example: jobs to be created, physical improvements to the area, etc.).

3. Budget

Include a budget detailing the cost to implement the project, and the resources to be utilized to undertake the project. If funds for the development are to be obtained from sources other than the Offeror's own funds, a statement of the Offeror's plan for financing must be included, providing the sources and amount of funding available and letters of commitment.

4. Marketing Plan

Provide a marketing plan that demonstrates how the development will be marketed for prospective occupants.

D. QUALIFICATIONS



1. Resumes

Please identify and include resumes of the Principals who are or will be responsible for:

- a. Implementation/pre-development
- b. Construction and/or rehabilitation efforts
- c. On-going property management

2. Representative Project Experience

Please identify relevant project experience for each member of the development team. Qualifications should include a description of project experience that demonstrates the following:

- a. Familiarity with New York State regulations related to the proposed development
- b. Experience with similar projects
- c. Knowledge of Orange County and Lower Hudson River Valley markets including the City of Newburgh

3. Financial Responsibility

- a. This information must be provided for the actual person or entity that will be purchasing the property. The Offeror must provide proof of its financial capability to develop the proposed project. This proof should include the following (please submit in a separate sealed envelope) for legal review.
- b. Identify if the Offeror is a subsidiary of or affiliated with any other corporation(s) or firm(s).
- c. Include a financial statement, showing the assets and liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting procedures and based on a proper audit.
- d. Within the previous 10 years, has the Offeror, involved individuals or entities noted in the proposal, or any of their related or subsidiary firms, affiliates, any predecessor company, or any entity, owner, director, officer, shareholder, principal, partner or proprietor been:
 - i. the subject of any criminal investigation or felony indictment that did not result in a termination of such criminal proceeding in favor of such company, subsidiary, or individuals?
 - ii. convicted of any felony?

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- iii. the subject of any judgment, conviction or grant of immunity for any business related conduct constituting a crime under federal, state or local governmental law?
- iv. the subject of any final governmental determination of a violation of any public works law, or regulation, or labor law or regulation, or any OSHA violation deemed “serious or willful”?
- v. the subject of a consent order with the NYS Department of Environmental Conservation, or a governmental enforcement determination involving a construction or real estate development-related violation of federal, state or local environmental law?
- ii. adjudged bankrupt, either voluntary or involuntary?

4. References

Provide references including contact name, title, email, address and phone number of the organization/individual listed for the following.

- a. A full description of the most complex project that the development team has completed with references for this specific project.
- b. For each member of the development team: Three (3) references should be provided from financial institutions, lenders and project sponsors demonstrating ability to complete projects in timely manner and within established budgets.

E. REQUIRED FORMS AND MATERIALS

Please complete and submit with your proposal, the following forms (enclosed in this RFP as indicated):

1. Non-Collusion Certification (enclosed in RFP).
2. Iran Divestment Act Certification (enclosed in RFP).
3. Disclosure of Non-Responsibility Determination (enclosed in RFP, copy of instruction page not required).
4. Pay-to-Play Forms (provided as an Appendix to this RFP). All Pay-to-Play forms should be submitted with your Proposal and will be required if you are awarded a contract.
5. A copy of the Certificate of Authority/Incorporation/Partnership/dba, etc., as applicable to your business entity.
6. Supplier Forms (provided as an Appendix to this RFP).
7. Information or other materials to be included, only as requested in the Prospectus

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ADDITIONAL INFORMATION, INTERVIEWS & SITE VISITS

The County may require any or all Offerors to present additional evidence of experience, ability and financial standing as well as a statement as to the materials, equipment or personnel which the Offeror will have available for the performance of this contract. The County reserves the right to interview, any or all Offerors and/or visit any or all Offeror's sites during the evaluation of Proposals. If applicable, the County shall contact Offerors to arrange an interview (which County may require to be held at the Department of General Services) and/or a site visit of Offeror's facilities at any time during the evaluation process. Offerors are reminded to include their best technical and price terms in their initial offer and not to automatically assume that they will have an opportunity to participate in interviews, site visits or be asked to submit a best and final offer. The County may award the contract without interviews and/or site visits for any or all Offerors, if deemed to be within the best interests of the County.

BASIS OF AWARD

- A. As per County Resolution No. 243 of 2019 and a forthcoming County Local Law, the property may be sold at fair market value to the party making the offer deemed in the best interests of Orange County. Sale to the party making the highest bid is not required. This sale is subject to approval of Orange County Legislature.

- B. The County Legislature may base its decision on the following criteria:
 - 1. Offering price for property
 - 2. Potential tax revenues and jobs generated by project
 - 3. Feasibility and potential timeline of development given zoning or other development challenges to the proposed project
 - 4. Offeror's experience in successfully developing similar projects
 - 5. Offeror's ability to complete this project in a timely manner
 - 6. Offeror's financial capability
 - 7. Ancillary community benefits which may be generated as a result of this project
 - 8. Such other criteria the County Legislature may deem relevant.

- C. Offerors or selected finalists may be interviewed as part of the evaluation process.

- D. This RFP does not in any way commit the County Orange to reimburse any Offeror for any costs associated with preparation and submission of a proposal.

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ANTICIPATED RFP TIMELINE

All dates except for the Proposals Due date are approximate and subject to change, unless otherwise noted. Any change in the Proposals Due date will be made by an Addendum to the RFP issued by the County.

Publication of RFP	6/22/2020
Site visit complete by	7/10/2020
Questions Due	7/13/2020
Proposals Due	7/30/2020

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PROPOSAL FORM

BUSINESS NAME: _____

BUSINESS ADDRESS: _____

NAME, TITLE, TELEPHONE, FAX AND EMAIL OF CONTACT PERSON: _____

Does this business have a minority, women's, disadvantaged, or small business certification? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

Proposals submitted for the following properties (Check all that apply):

- A. 48 Grand Street, Newburgh (former Masonic Temple)**
- B. 54 Grand Street, Newburgh (former YMCA)**
- C. 62 Grand Street, Newburgh (former American Legion)**

The undersigned proposes to furnish and deliver the services described in **RFP-RPT01-20 GRAND STREET PROPERTIES** and its responding Proposal to the County of Orange, at the prices stated in the Proposal submitted. The individual submitting this Proposal on behalf of the business entity noted above, certifies by his or her signature below that:

- he or she understands and has complied with the requirements of State Finance Law Sections 139-j and 139-k and will continue to do so throughout the Restricted Period;
- he or she has read and understood the full Request for Proposal cited above; and
- he or she is duly authorized to submit this Proposal on behalf of the business entity noted above.

Additionally, by submission of this RFP, the person signing on behalf of the business entity noted above certifies, and in the case of a joint quote each party thereto certifies as to its own organization, under penalty of perjury, that the business entity submitting this quote has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the New York State Labor Law.

By: _____

Date: _____

Name

Federal Tax ID Number

Title

DUNS Number, if applicable



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ADDENDA CONFIRMATION (Offerors should only complete this section if any addenda were issued for this RFP.)

Addendum # ____ - Received _____, 20__ Initialed by person signing above _____

Addendum # ____ - Received _____, 20__ Initialed by person signing above _____

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NON-COLLUSION CERTIFICATION

- (a) "By submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor.
 - (2) Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and
 - (3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition."
- (b) A Bid shall not be considered for award nor shall any award be made where the provisions of (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being proposed, does not constitute, without more, a disclosure within the meaning of subparagraph (a)(1) of this certification.

Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by an Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such Bid contains the certification referred to in subparagraph (a)(1) of this certification, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the this Non-Collusion Certification as the act and deed of the corporation or other business entity submitting the Bid.

DATE

SIGNATURE

NAME

TITLE

BUSINESS NAME

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IRAN DIVESTMENT ACT CERTIFICATION

The Iran Divestment Act of 2012 (“Act”), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services (“OGS”) developed a list (“Prohibited Entities List”) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> .

Pursuant to General Municipal Law §103-g, by signing below, Bidder certifies as true under the penalties of perjury that: By submission of this proposal each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Bidder cannot make the certification, the Bidder shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to a Bidder who cannot make the required certification on a case-by-case basis if:

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any Bid, Proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

DATE

SIGNATURE

BUSINESS NAME

NAME

TITLE

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INSTRUCTIONS FOR COMPLETING THE DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. *See State Finance Law §§139-j (10)(b) and 139-k(3).*

Instructions:

The County of Orange includes the following disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of Proposals or Bid documents or specifications or contract documents, as applicable, for Procurement Contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplement or Change Order. It shall be submitted to with your Bid or Proposal to the County agency conducting the Governmental Procurement.

The following disclosure form must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.

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DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address:

Name and Title of Person Submitting this Form:

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle): No Yes

If Yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):
 No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle): No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity:

Date of Finding of Non-Responsibility:

Basis of Finding of Non-Responsibility:

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle): No Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity:

Date of Termination or Withholding of Contract:

Basis of Termination or Withholding:

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By: _____

Signature

Date: _____

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INFORMATION SHEET

The questions asked on this Information Sheet are voluntary. It is not necessary to complete this Information Sheet. Filling out this sheet does not change your chances of a contract award in any respect. By completing this form, you will be helping the County track trends that we believe to be of importance. The information collected will NOT be used to compile mailing lists and will not be used to contact you. It will also not be sold. The information collected may be used to generate reports showing historical data with regard to the County's purchasing process.

Business Name: _____

Address: _____

In what county are the primary operations of this business conducted? _____

Business type (Sole Proprietorship, Corporation, LLC, etc.) _____

Does this business have a minority, women's, disadvantaged, or small business status? Yes No

If yes, please list the designation(s) and the certifying entity(ties) _____

How many individuals does this business employ? _____

Have you conducted business with the County before? Yes No

How did you discover this Proposal opportunity? _____

Do you use the Empire State Municipal Purchasing Group Website (BidNet)? Yes No

If Yes, do you find it useful (explain) or if No, why? _____

Please list any other comments or suggestions pertaining to doing business with Orange County. _____

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NON-OFFEROR'S RESPONSE

BUSINESS NAME: _____

For the purpose of facilitating your firm's response to our Request for Proposals, the County of Orange is interested in ascertaining reasons for prospective Offerors' failure to respond to Requests for Proposals. If your firm is not responding to this Proposal, please indicate the reason(s) by checking any appropriate item(s) below and faxing it to the Department of General Services at (845) 378-2365 or mailing it to the above address.

We are **not** responding to this RFP for the following reason(s):

- We do not offer this product or service.
- We are unable to meet specifications or conditions of the prospectus.
- Specifications or prospectus not clearly understood or applicable (please note in "Other reason(s)" below if too vague, too rigid, etc.).
- We are unable to meet your bond requirements.
- Insufficient time allowed for preparation of Proposal.
- Incorrect address used or our branch/division does not handle this type of Proposal. Correct name and mailing address is:

Other reason(s): _____

