

## **REQUEST FOR PROPOSALS CITY OF MIDDLETOWN, NEW YORK**

The Middletown Community Development Agency, New York ("the CDA") is requesting proposals from qualified firms, entities, and developers for the purchase of the improved parcel at 70 Beattie Avenue, Middletown, New York, City Tax Map Section 27, Block 7, Lot 16, owned by the Middletown Community Development Agency.

The Premises consists of approximately 2298 square ft. The Premises has been utilized as commercial/residential. The Premises in the City of Middletown is located in Residential (R-1) zoning district. Must remain first floor commercial, 2<sup>nd</sup> floor one apartment for a minimum of 10 years from date of closing.

The CDA is seeking proposals for commercial/residential, usage of the Premises. Proposals for less than \$50,000.00 will not be considered. This is "As Is" sale.

Proposals shall include a narrative setting forth the proposer's experience in owning and/or developing similar commercial/residential-type parcels. Proposals shall also include copies of the proposer's brochure, resume and relevant experience with parcels of this type, as well as resumes of the principals and employees of the proposer. A list of clients of and references for the proposer should be included, together with contact persons for each client and reference. Proposers will also provide proof of ability to perform work within New York State.

Interested proposers should submit 12 copies of the proposal in a sealed envelope labeled "70 Beattie Avenue" to the Director of the Middletown Community Development Agency, 16 James Street, Middletown, New York 10940 by no later than 4:00 p.m. on Tuesday,

September 3, 2019. All proposals will be considered final when submitted. The proposals will be reviewed by the CDA. Any proposal is subject to acceptance and approval by the CDA. The CDA reserves the right to reject any and all proposals in the Agency's sole discretion. The CDA also reserves the right to further negotiate terms and conditions of any proposal with any selected proposer. Any proposal selected by the CDA will be chosen based on factors which provide the best value to the CDA and which may, though not necessarily, include the following: purchase price to be paid to the CDA; experience of the proposer with similar projects; the proposer's demonstrated capacity to conduct the proposed project and deliver the promised proposal; and the economic benefit(s) to the CDA.

Information about the Premises is available through the Office of Economic and Community Development. Questions about this Request for Proposals, or general or specific requests for information, are to be directed in writing to the Director of the Middletown Community Development Agency at the address listed below. Proposers are responsible for inspection and verification of all field and building conditions; nothing in this Request for Proposals or other CDA records provides any guaranty to proposers nor does same bind the CDA in any way. Upon request with adequate notice a guided tour of the premise will be scheduled. Interested parties to tour the premise must RSVP with the Office of Economic & Community Development at 845-346-4170.

Proposers, by submitting a proposal to the CDA, will be certifying and representing that they are not a party to a collusive action in connection with the submission of the proposal. Proposers, by submitting a proposal to the CDA, also will be certifying and representing that they have not employed or retained any person, and will not employ or retain any person,

other than a bona fide full time salaried employee working solely for the proposer, to solicit or secure an agreement with the CDA that is contemplated by this Request for Proposals, and that it has not offered or given a fee, commission, percentage, gift, gratuity, or other consideration to any official, employee, or agent of the CDA with the purpose or intent of securing an agreement or favorable treatment with respect to the award or acceptance of any proposal. A statement encompassing this paragraph must be included with the proposal and must be signed by an officer of or other responsible person employed by the proposer.

FOIL information: The New York State Freedom of Information Law ("FOIL") (Sections 84-90 of the Public Officers Law) mandates public access to government records. Proposals submitted in response to this Request for Proposals may contain technical or financial information or other data which may not be required to be disclosed under FOIL. If a proposer believes that specific information or data contained in its proposal is protected from disclosure under FOIL, the proposer must specifically identify the pages of the proposal that contain such information or data by properly marking the applicable pages, and include a separate written explanation of all of the proposer's reasons for believing that the information is exempt from disclosure. IF the proposer believes certain information in the proposal is exempt from disclosure, the following notice must be inserted in the front of the proposer's proposal:

#### **NOTICE**

The data on pages of this proposal identified by an asterisk (\*) or marked along the margin with a vertical line contain technical or financial information which the proposer believes is protected from disclosure under the New York Freedom of Information Law. Therefore, the proposer requests that such information and data be used only for the evaluation of its proposal, but understands that disclosure will

be limited by the City only to the extent that the City determines such limitation of disclosure is proper under the law. The proposer agrees not to hold the City liable or to claim any damages against the City in the event the City releases such information.

The CDA does not assume any responsibility or liability regarding disclosure or use of data that has not been properly identified as set forth above. The CDA shall be permitted to disclose information or data properly marked with an asterisk or a vertical line if it has made a good faith legal determination that such information is legally subject to disclosure, or if disclosure is made pursuant to an interpretation issued by the appropriate administrative agency, such as the New York State Committee on Open Government.

#### **CERTAIN CONDITIONS MUST BE MET ONCE THE PREMISE IS AWARDED**

The following must be completed within 60 days of closing:

Install new roof – address chimney as per code – replace existing sidewalks with new sidewalks must encompass up to building – replace exterior with cement board siding or equal – new windows throughout – rehab and pave driveway.

The following must be completed within 90 days of closing:

Stairway to 2<sup>nd</sup> floor to be replaced along with new back porch.

The following must be completed within 180 days of closing:

Total renovation of the apartment on the 2<sup>nd</sup> floor; to include new plumbing, electrical and heating.

First floor commercial and second floor residential must meet all State and Local codes.

These conditions and the use restrictions shall be placed in the deed as covenants to run with the land. If the covenants are violated, ownership shall revert to the CDA.

**ALL CONSTRUCTION/REPAIRS AND RENOVATIONS MUST FOLLOW STATE  
AND LOCAL CODES – BUILDING PERMITS TO BE OBTAIN THROUGH THE CITY OF  
MIDDLETOWN DEPARTMENT OF PUBLIC WORKS.**

By Order of the Middletown Community Development Agency

City of Middletown, New York  
Joseph M. DeStefano, Chairman

Maria Bruni, Director of the Office of Economic and Community Development/CDA  
16 James Street  
Middletown, New York 10940  
(845) 346-4170

**NON-COLLUSION/CERTIFICATION STATEMENT**

**Project: 70 Beattie Avenue**

**MIDDLETOWN COMMUNITY DEVELOPMENT AGENCY/CITY OF MIDDLETOWN**

\_\_\_\_\_ hereby certifies and represents that  
\_\_\_\_\_ is not a party to a collusive action in connection with the  
submission of the proposal.

\_\_\_\_\_ further certifies and represents that they have not and will not  
employ or retain any person other than a bona fide full time salaried employee working solely for the  
proposer, to solicit or secure an agreement with the City/CDA that is contemplated by this Request for  
Proposals, and that it has not offered or given a fee, commission, percentage, gift, gratuity, or other  
consideration to any official, employee, or agent of the City/CDA with the purpose or intents of securing  
an agreement or favorable treatment with respect to the award or acceptance of any proposal.

\_\_\_\_\_  
BY:

\_\_\_\_\_  
TITLE:

STATE OF NEW YORK)

ss.:

COUNTY OF ORANGE)

On the \_\_\_ day of \_\_\_\_\_, 2019 before me, the undersigned, a Notary Public in  
and for said state, personally appeared \_\_\_\_\_, known to me or proved to  
me on the basis of satisfactory evidence to be the individual whose name is subscribed to the  
within instrument and acknowledged to me that he/she executed the same in his/her capacity,  
and that by his/her signature on the instrument, the individual, or the person upon behalf of  
which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public