



**RFP #16.21 Request for Proposal (“RFP”)
for the Remediation and Purchase of
842 Broadway, City of Newburgh, Orange County, New York**

Date of Issuance: September 9, 2021

Submission Deadline: November 3, 2021 (amended)

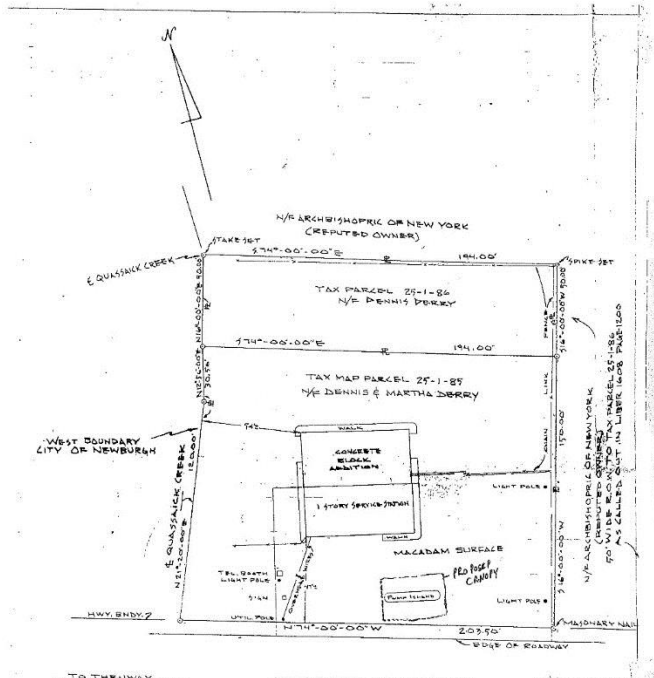
Introduction

The City of Newburgh, Orange County, New York, requests the submission of proposals for the remediation and purchase of property located at 842 Broadway. The property is located at the western entrance to the City, on Broadway. The property’s zoning designation, coupled with its proximate location to Broadway, Route 9W, Interstate 84, and Interstate 87 makes the property a prime opportunity for commercial development.



Property Description and History

842 Broadway is located at the City of Newburgh’s western border with the Town of Newburgh, along the City’s principal east-west thoroughfare. The tax map identifier for the parcel is Section 25, Block 1, Lot 85.1. The property enjoys approximately 203.5’ of frontage along Broadway. Its total lot size is estimated to be slightly under an acre.



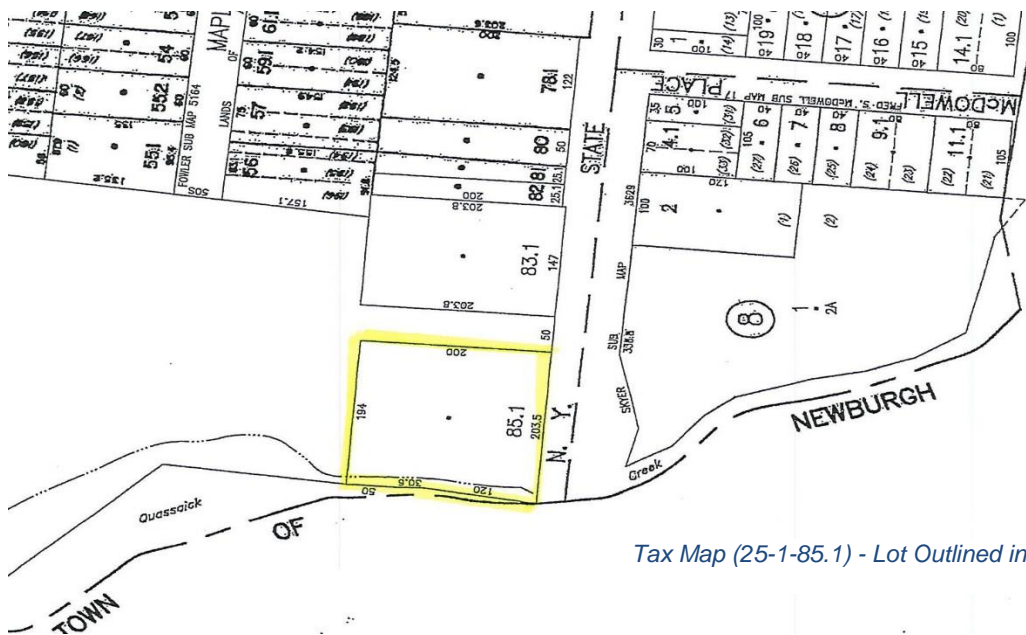
Survey from the 1980s shows the property as two separate lots (25-1-85 & 25-1-86) before they were joined in the 1990s as one lot (25-1-85.1)

For years, the property was known and operated as Dennis's Sunoco, a gas station and auto repair shop. The building was built in 1945, according to the assessor's records, and is estimated to be approximately 3,360 square feet in size. The property suffered a significant fire in December 2018, which left the building as a burned-out shell. The property is an environmental hazard, both above and below ground.

The City is nearing the completion of a tax foreclosure proceeding to acquire title to the property. The City has also entered into an agreement with The New York Environmental Protection and Spill Compensation Fund (the "Fund") to conduct the below ground portion of the remediation.

At the completion of the project, the City expects to receive confirmation from New York State agencies, including the

Department of Environmental Conservation, that the property is completely remediated and ready for re-development activity.



Tax Map (25-1-85.1) - Lot Outlined in Yellow

Project-Specific Considerations

As stated above, the City is nearing the completion of a tax foreclosure proceeding to acquire title to the property. The City has also entered into an agreement with the Fund to conduct the below-ground portion of the remediation. The full agreement between the City and the Fund is attached to this RFP.

The approved developer will be required to enter into a Site Development Agreement with the City, with terms and conditions to be approved by the City Council of the City, with details that track along the following path:

1. Approved developer to conduct above-ground remediation, including demolition and removal of all items on the property, including any concrete pads and/or foundation materials by no later than April 29, 2022.
2. The Fund to conduct below-ground remediation after above-ground remediation is complete (exact time to be determined).
3. City to complete tax foreclosure proceedings after all remediation is complete.
4. Approved developer to apply for, and receive, any required land development approvals from the City of Newburgh Planning Board and/or City of Newburgh Zoning Board of Appeals.
5. Transfer of title (i.e. closing) from City to approved developer.

The City has no definitive timetable for when the Fund will begin the below-ground remediation portion of the project. At the moment, the City expects the below-ground remediation portion of the project to begin within 2-3 months of completion of the above-ground remediation.

Property Development Incentives

As stated above, the City has entered into an agreement with the Fund to conduct a portion of the remediation. The approved developer will have affirmative obligations to remediate the above-ground portion of the property by no later than April 29, 2022.

The approved developer will be able to deduct the costs of remediation from its proposed acquisition cost on a dollar-for-dollar basis. However, the final acquisition cost, after deductions for remediation costs, may be no lower than five thousand dollars (\$5,000.00).

The Fund will facilitate a cleanup and remediation of any below-ground contamination, including petroleum contamination, by the New York State Department of Environmental Conservation at no cost to the approved developer prior to closing of title to the property. The Fund will also provide releases of liability to the City and its successors in interest to the property related to any of the contamination currently found on the property.

Site Inspection

Due to the current condition of the property, inspections are limited to an exterior inspection of the property.

Zoning

The property is located in the Commercial (C) Zoning District. The following uses are permitted within this district:

Use	Commercial	Commercial	Commercial
Residential		Commercial (continued)	
Apartment house		Funeral home	P*
Four-family dwelling		Hotel	P*
Two- or three-family dwelling		Laundromat	
Row or attached dwelling (townhome)		Marina	
Two-family detached dwelling		Movie or professional theater, indoor concert venue	S
One-family detached dwelling		Nursing home	S
Residential care facility		Office park	P*
Cooperative house		Personal services	P
Accessory apartment		Restaurant	P*
Bed-and-breakfast		Restaurant, carry-out	P*
Short-term in-home lodging		Restaurant, fast-food	P*
Boardinghouse		Retail	P
Customary home occupation		Retail, neighborhood	P
Rooming house	S	Self storage	P*
Mixed use with residential		Shopping center	P*
Live/work		Tattoo parlor	P
Institutional		Taxi service	S
Buildings, uses or facilities of any governmental unit	P*	Technical school	S
Cemetery	P*	Industrial	
College/university		Agriculture	P*
Community center	P*	Automobile gas station	S
Parking lot	P	Automobile sales	S
Community parking lot	P	Automobile service/repair	S
Dormitories	A	Automobile wash	S
Hospital	A	Boat repair	
House of worship	P*	Distribution facility/warehouse	P*
Membership club	S	Dry cleaner; commercial laundry	P*
Museum	S	Industrial uses	
Parks, open space, recreational facilities	P	Storage yard	P*
Public libraries		Wholesale	P
School of general instruction	P*		
Commercial		Schedule of Use Regulations Key	
Activity facility	P*	P - Designates a use permitted by right. Usually requires a building permit and a certificate of occupancy from the Building Inspector, but does not require review by any municipal board.	
Adult day-care facility			
Adult uses	S		
Amusement center	P*	P* - Designates a use permitted by right subject to site plan review by the City Planning Board	
Animal care facility	S		
Assembly hall	P*	S - Designates a use permitted by special use permit of the City Planning Board	
Bank	P*		
Bar	P*	A - Designates a use that is permitted as a use accessory to a use permitted by right, with site plan approval, or with a special use permit.	
Billiard parlor	P*		
Bowling alley	P*		
Brewing of malt beverages or distilled spirits primarily for on-site consumption	P*		
Professional office	P		
Cabaret	S		
Car rental	S		
Child day-care	S		
Cottage industry	S		
Drive-thru (bank, restaurant, pharmacy, etc.)	P*		

A full description of the Commercial district may be found on the City of Newburgh's website at <https://ecode360.com/30538878>. Interested developers should consult the City of Newburgh's Zoning Ordinance (Chapter 300) for additional information.

The western property boundary runs along the Quassaick Creek and falls within the City's Waterbody Protection Overlay (WPO) District. More information on the WPO is available on the City of Newburgh's website at: <https://ecode360.com/30538880>

Development Goals

The City of Newburgh seeks a capable development partner with the imagination, means, and experience to remediate the property and redevelop it. The City seeks projects that advance economic development and act as an example of quality development at the western entrance to the City.

For commercial endeavors, the City generally prioritizes development strategies and projects that:

- Create equitable and inclusive economic outcomes and opportunities for the diverse residents within the city;
- Strengthen the city's tax and revenue base;
- Expand job creation, employment, ownership, and small business development opportunities, including targeted support for local residents, minority- and women-owned businesses;
- Create opportunities through real estate investment;
- Build upon the city's historic, cultural and natural assets; and,
- Promote environmentally sustainable development practices.

For this project, the City specifically will prioritize development strategies and projects that:

- Demonstrate an ability to remediate environmental hazards;
- Demonstrate a clear plan for commercial redevelopment.

Newburgh's Locational Advantages

Newburgh is a city of approximately 28,000 residents that is centrally located between New York City and Albany, and within driving distance to nearby regional communities such as Beacon, New Paltz, Kingston, Middletown, and Woodbury. The City is easily accessed by two interstates (I-84 east/west and I-87 north/south), State Route 17K, New York Stewart International Airport, a local ferry connecting to the Metro-North Hudson Line in Beacon, a New Jersey Transit Line to the south, and the Newburgh-Beacon bridge. Newburgh also has the only deep-water port in the Mid-Hudson region.

Submission Materials

Respondents must submit 3 hard copies and 1 digital copy (on a flash drive) of their proposal as outlined below. *Faxed or electronic submissions will not be considered.* **Proposals must be submitted by mail or in person by November 2, 2021 to:**

City of Newburgh
City Hall, Office of the Comptroller
83 Broadway
Newburgh, New York 12550

Responses that miss the deadline will not be considered.

The information requested through this RFP is necessary for the City of Newburgh to adequately evaluate any proposal. Applicants are urged to submit proposals as complete as possible on their initial submission. Failure to supply the requested information may result in the rejection of a proposal.

The following items **must** be submitted for consideration for the purchase and redevelopment of the parcels:

1. Completed Private Owner Development Application (PODA) with competitive purchase price listed.

- a. A blank PODA can be found on the City of Newburgh website: (<https://www.cityofnewburgh-ny.gov/DocumentCenter/View/1413/PODA-April-2021-Revision?bidId=>

2. Purchase Price

- a. The minimum offer price is \$112,400 (based on the current 2021 assessed value), and subject to site remediation credits as outlined above. Offer prices will be evaluated based on the criteria contained in this RFP and in accordance with the City of Newburgh Surplus Real Property Disposition Policy.

3. Project Development Plan

- a. Narrative summarizing the overall project/proposal including the need/demand for the proposed use, key benefits (public and private) of the proposal, and a vision statement as to how and why the proposed development is the highest and best use of the site.
- b. Design concept/rendered drawings and elevations. (*Detailed architectural renderings are not required but may enhance understanding of the proposal.*)
- c. Specific proposed use for the site.

- d. Include, where possible, plans that incorporate sustainable and environmentally sensitive design, construction methods, materials and/or systems.
- e. Include, where possible, plans for local or regional sourcing of materials.
- f. Describe specific strategies to advance and strengthen opportunities for local MWBE (Women/Minority-owned Business Enterprises) contractors.
- g. Describe the types and quantities of jobs to be created, including construction and temporary jobs, and permanent positions for entry-, mid-, and upper-management-level employees.
- h. Describe any planned job training programs, apprenticeship programs, or other strategies intended to maximize employment opportunities for local residents.

4. Project Costs, Funding, and Marketing Plan

- a. Provide cost estimates for demolition and removal of all materials on site, including concrete and/or building foundation materials.
- b. Provide cost estimates for hard and soft costs related to any redevelopment project.
- c. List of project financing by source, including loan amounts, interest rates, term length, and any special loan covenants/requirements. The proposed financing arrangements must be verified by a letter from the financial source/institution.
- d. Provide a 10-year pro forma showing all revenues, expenses, debt service, and detailed assumptions.
- e. Project proposed construction and financing schedule, from closing to occupancy.

5. Development Team and Development Experience

- a. Provide a listing of the development team members including: the developer, project manager, construction manager, architects, engineers and marketing personnel.
- b. Provide resumes of the principal participants involved in the project.
- c. Describe diversity characteristics of the individuals and/or firms that will be hired to execute aspects of the development.
- d. Include a summary of the experience of the project team, similar environmental remediation or restoration projects that the development team has been involved with, and any previous experience with any City of Newburgh projects.
- e. Provide a list of all current projects and development commitments for the next 24 months.
- f. Submit a detailed history of all projects that have been completed in the last five (5) years with an emphasis on projects similar to those being proposed here.

Evaluation Criteria

Each proposal will be evaluated based on the information submitted. The proposals will be reviewed by relevant City departments. Qualified applicants may be asked to submit additional details, attend meeting(s) with City officials, and/or submit digital responses to additional clarifying questions.

City staff will then make a recommendation of one or more developer(s) that best meets the evaluation criteria to the City Council for its review. The final approval for the sale of this parcel rests with the City of Newburgh Council. Any approval for the disposition of this property will require a Site Development Agreement between the City and the approved proposal.

Proposals received within the stated deadline and containing all required information will be evaluated using the following criteria:

1. Social and Economic Benefit of the Development (25%)

- a. Advance equitable development opportunities for diverse residents in the fields of construction, design, development, financing, operations, ownership, and renting;
- b. Advance/strengthen local minority- and women-owned business enterprises;
- c. Create temporary and/or permanent employment and workforce job opportunities specifically for City of Newburgh residents;
- d. Offer the greatest economic benefit to the public as measured by the number and quality of jobs it creates and the potential to stimulate economic growth in the neighborhood.

2. Quality and Sustainability of the Design and Development Plan (25%)

- a. Promote the physical revitalization of the surrounding neighborhood;
- b. Has aesthetic appeal as well as design quality and materials consistent with existing structures in the vicinity;
- c. Has design features that promote sustainability and incorporate energy efficient construction methods and materials;
- d. Include adequate provisions to address any new parking needs as a result of the proposed development, and demonstrates an awareness of the city's Complete Streets priorities; and
- e. Meets or exceeds the RFP's minimum purchase price.

3. Financials & Long-term Fiscal Impact (25%)

- a. Return the parcel to the tax roll and meaningfully adds to the city's tax and revenue base;
- b. Exhibit strong economic feasibility/financially sound project budget/pro forma;

- c. Demonstrate the ability to secure project funding/financing (i.e. commitment of funds already in place); and
- d. Include a significant level of developer cash equity in the project and less reliance on public funding sources.

4. Experience (25%)

- a. Developer must demonstrate proof of having completed development or redevelopment projects within the region that are comparable in scope and scale to this proposal submission.
- b. Developer should demonstrate experience remediating or restoring sites that contained environmental hazards.
- c. Developer must demonstrate the ability to complete the proposed project in a timely manner.
- d. Developer must submit an application that is comprehensive and includes all required documents as stated above.

Terms and Conditions

1. The City may, at its option, interview prospective developers as part of this selection process. However, selection may take place without such interviews. Therefore, applicants are urged to present proposals that are as complete as possible upon initial submission.
2. The City reserves the right to amend its evaluation criteria at any point, at its sole discretion.
3. The City may terminate the RFP process at any time for any reason.
4. The City reserves the right to reject any and/or all proposals.
5. The City has no obligation to discuss its reasons for selecting, accepting, or rejecting any proposals with the proposer or representatives of said proposer, but will entertain such requests.
6. The issuance of the RFP does not obligate the City to select a proposal and/or enter into any agreement. Any submission does not constitute business terms under any eventual agreement.
7. This RFP does not in any way commit the City to reimburse respondents for any costs associated with the preparation and submission of proposals.
8. The proposal chosen will be one that represents the best value to the City. This may or may not be the highest offer.

Questions and Information

Please direct all questions regarding this Request for Proposal in writing to the City of Newburgh's Department of Planning and Development at planning@cityofnewburgh-ny.gov.

In addition, City staff may provide updates, addenda, or FAQs for this RFP. Any additional information will be posted on the City of Newburgh's website under the "RFQs & Property

RFPs” section of the Planning and Development’s Department page at: <https://www.cityofnewburgh-ny.gov/planning-development/pages/rfqs-property-rfps>

Potential respondents are encouraged to periodically check the City’s website for any new information concerning this RFP.

City of Newburgh Core Values Statement

Justice, Equity, Diversity and Inclusion are core values to the City of Newburgh, where there is a strong commitment to establishing and maintaining an environment free of discrimination. These values are promoted through the daily practice of professionalism, respect, acceptance and understanding. As such, City residents along with women, minorities, individuals with disabilities, members of the LGBTQ community, and veterans are encouraged to apply.