

SUFFOLK COUNTY LANDBANK CORP (“SCLBC”) SOLICITATION

REDEVELOPMENT OF TAX-DELINQUENT BROWNFIELD SITES

“APPENDIX A”

TAX LIEN PURCHASE AND DEVELOPMENT PROPOSAL

APPLICATION

SUFFOLK COUNTY LANDBANK CORP.
100 VETERANS MEMORIAL HIGHWAY, 2nd FLOOR
P.O. BOX 6100, HAUPPAUGE, NY 11788

[Email questions to andre.bermudez@suffolkcountyny.gov](mailto:andre.bermudez@suffolkcountyny.gov)

PLEASE NOTE:

Submission of a complete application does not guarantee proposal selection. Further, a recommendation by the SCLBC Board of Directors does not guarantee or imply that the Suffolk County Legislature will authorize the tax-lien transfer. The SCLBC reserves the right to request additional information from applicants. The SCLBC will not necessarily choose the Proposal with the highest proposed revenue. Based on the evaluation criteria, a competitive range consisting of those Proposals which are acceptable to the SCLBC, or which could be made acceptable following written or oral presentations, will be determined.

REQUIRED DOCUMENTS/ATTACHMENTS

All items listed below are required unless specified otherwise.
Incomplete applications are subject to disqualification.

- _____ 1) Completed application including all narrative questions and proposer information sheet

- _____ 2) Financial statements as outlined in the Financial Viability section of this application

- _____ 3) Architectural plans and renderings (if available/applicable)

- _____ 4) Operating Budget - Required for income producing properties only
(Examples include Mixed Use Developments, Office Buildings, Storage Facilities, etc.)

- _____ 5) Draft partnership or joint venture agreement (if applicable to proposal)

- _____ 6) Letter or letters of interest from private lender or lenders (if applicable)

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DO NOT INCLUDE ANY OTHER ATTACHMENTS

The information obtained from this form will be used by the Suffolk County Landbank Corporation (“SCLBC”) to evaluate tax lien purchase and development proposals. A recommendation by the SCLBC staff does not guarantee or imply that the SCLBC Board of Directors or the Suffolk County Legislature will authorize the lien transfer.

PROPOSER INFORMATION

LEAD ORGANIZATION/PROPOSER NAME (Give organization name, including parent company if applicable):

TYPE OF ENTITY (i.e. Corporation, Sole Proprietor, LLC, etc.): _____

MAILING ADDRESS: _____

PHYSICAL ADDRESS: _____

DATE AND LOCATION FORMED/INCORPORATED: _____

AUTHORIZED REPRESENTATIVE NAME: _____

POSITION/TITLE _____

PHONE: _____ FAX _____

E-MAIL: _____

HAVE THE PROPOSER OR ITS PRINCIPALS EVER BEEN EMPLOYED BY SUFFOLK COUNTY? _____

IF SO, PLEASE LIST DATES OF HIRE/SEPARATION: _____

TOTAL PROJECT COST: \$ _____

FEDERAL TAX ID #: _____

NOTE: Prior to certifying below, please read the SCLBC’s Real Property Disposition Policy, Section N at:

http://suffolkcountylandbank.org/Portals/35/Documents/Policies/SCLBC_Disposition%20Policy.pdf

CERTIFICATION OF APPLICATION

I, _____ (print full name), the undersigned, certify that I am the _____ and authorized representative of _____, the developer of the proposal attached hereto, and that this application form including any attached documentation constitutes a true statement of facts to the best of my knowledge. I further certify that I am not a family member, nor am I in a business relationship with the current or previous owners of the site(s) referenced in this proposal. I attest that I have read Section N of the SCLBC’s Real Property Disposition Policy and to the best of my knowledge, no proposer identified herein is an individual or entity prohibited from acquiring ownership or property rights from the SCLBC.

Authorized Signature _____

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TABLE OF ORGANIZATION

List names and addresses of all principals of the lead organization, that is, all individuals serving on the Board of Directors or comparable body, names and addresses of all partners, and names and addresses of all corporate officers. Conspicuously identify any person in this table of organization who is also an officer or an employee of Suffolk County or the Suffolk County Landbank Corp. (Please use the space provided below)

List all names and addresses of those individual shareholders holding more than five percent (5%) interest in the lead organization. Conspicuously identify any shareholder who is also an officer or an employee of Suffolk County or the Suffolk County Landbank Corp. (Please use the space provided below)

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Please respond to the following statements about the proposed project. If you answer “yes” to all of the six statements below, please proceed to PROJECT DESCRIPTION/EXECUTIVE SUMMARY QUESTION 1.

PROJECT CRITERIA/THRESHOLD QUESTIONS

| Must meet all of the factors below: | Yes | No |
|---|-----|----|
| 1. I understand that this Solicitation is not intended, and shall not be construed, to commit the Suffolk County Landbank Corp. or Suffolk County to pay any costs incurred in connection with any proposal or to procure or contract for the transfer of any real property or tax lien. | | |
| 2. Proposal demonstrates a redevelopment plan, which benefits the surrounding community, and seeks to create sustainable economic activity, improve the environmental condition of the property, and potentially improve surrounding property values. | | |
| 3. Proposer understands that the properties advertised in this Solicitation are currently deeded to the tax delinquent property owners, and transfer of the properties to an end developer/proposer will require approval of the Suffolk County Landbank Corp, The Suffolk County Legislature, and will be subject to a tax lien transfer and administrative foreclosure process. | | |
| 4. Proposer understands that lien transfer will be subject to a redevelopment agreement which will outline terms for the successful tax deed transfer, environmental remediation of soils, groundwater, building conditions and/or sanitary structures on the site. | | |
| 5. Proposer demonstrates the financial capacity to successfully implement project & demonstrates the experience to successfully carry out the project. | | |
| 6. Proposer demonstrates the ability to start the remediation and redevelopment process within 6 months of tax deed transfer. | | |
| 7. Proposer is neither a family member or involved in a business relationship with the current or former owners of the site(s) referenced in this proposal. | | |

PROPERTIES REFERENCED IN THIS APPLICATION

Please list the properties you are interested in acquiring and the offer price.

(Note that properties will be provided free and clear of Tax Liens and New York State Environmental Liens)

| Property Description | Offer Price |
|----------------------|-------------|
| | |
| | |
| | |
| | |
| | |
| | |

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PROJECT DESCRIPTION

1. Please highlight an executive summary of the information contained in all the other parts of the proposal. The executive summary shall include a general description of the components of the Solicitation response, the principals of the development and management team and their relevant qualifications. Proposers are encouraged to provide a comprehensive description that provides an accurate and complete overview of their proposal.

Note: If multiple variations on your proposal are to be considered, please reference those throughout the application as appropriate.

(Please use the space provided below and on the following pages)

Name of Proposer: _____

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PROJECT DESCRIPTION (continued)

Executive Summary (continued)

Name of Proposer: _____

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PROJECT DESCRIPTION (continued)

Executive Summary (continued)

Name of Proposer: _____

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PROJECT DESCRIPTION (continued)

2. Please describe the proposer's development plan, including type and size of development

3. If more than one site is proposed, indicate if proposal is contingent on all proposed sites being transferred to respondent.

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PROJECT DESCRIPTION (continued)

4. Please indicate the number of jobs projected to be created by the proposal (i.e. direct and indirect, construction and permanent jobs). Provide a rationale for this projection in the area below.

___ Direct jobs created

___ Construction jobs created

___ Indirect jobs created

___ Permanent jobs created

5. Please describe the proposer's experience / qualifications to complete the proposed project, including past real estate development experience, especially redeveloping brownfields.

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PROJECT DESCRIPTION (continued)

6. Does proposer or its affiliates own any other properties in Suffolk County? If so, include list of properties.

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PROJECT DESCRIPTION (continued)

7. Please provide three (3) professional references familiar with the proposer's real estate development experience (current governmental or quasi-governmental agencies preferred).
Provide name of the organization, services, contact name, email address and telephone number.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN

1. Please list the individual properties being proposed, as titled in the Solicitation document. For each property, please indicate the tax lien purchase offer amount. Briefly describe the prospective property end use. If any alternative payment methods are proposed, please describe them fully, including the financial benefit to the SCLBC and Suffolk County.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

2. Explain how prospective property use aligns with community goals or zoning requirements.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

3. Will the property(ies) be occupied by (choose one or multiple):

- Proposer's own business Business lessee/tenant Residential Homeowner
 Residential tenant Other (please explain below)

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

4. Please describe planned improvements/renovations to the property(ies).

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

5. Please attach, if applicable, architectural plans and renderings and provide below, a narrative description outlining the Proposer's design approach and rationale.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

6. Please describe how the proposer plans to assess and remediate environmental contamination which may exist at the site.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

7. Please describe a proposed schedule for the assessment, remediation, development or renovation, and occupancy of the proposed property(ies). Include a description of the proposed phases of development. Proposers must provide a development schedule for the entire proposed development. Schedules should include, at a minimum, the following tasks/milestones: commencement of design, completion of design, permitting, demolition and site preparation/remediation, construction commencement, construction completion, marketing period, occupancy and stabilization.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

8. Please itemize the capital budget for the entire development project. If the proposal is for multiple sites, please separate the capital budget by site.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

9. Please describe, in detail, the financial structure for the project, including sources and uses, any proposed financing, and prospective financing terms. Please indicate any interest in the SCLBC's revolving loan fund as highlighted in Section 5 of the Terms and Conditions.

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

10. If proposal is for an income producing property(ies), please describe the operating plan and budget for the property(ies), including. Please attach an operating budget, which takes into account operating concerns (for example - vacancy allowance, non-stabilized revenue, and affordability restrictions). Please include a list of prospective tenants and pre-lease agreements (if applicable).

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

11. Please describe the Developer/Proposer's organizational structure. If the developer is a joint-venture, include an explanation of the structure, including percentages of ownership, and attach a draft partnership or joint venture agreement (if applicable).

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TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

12. Please describe proposer's development team, including qualifications, experience, resumes, financial viability, and specific relation to the proposal. (For example – lender, architect, builder, environmental consultant, other proposed team members)

FINANCIAL VIABILITY

Please attach the following items:

1. Financial Statements (Mandatory)

- a. Current and most recent full year financial statements (if current year is not available, two most recent calendar years acceptable) prepared and certified by an Independent Certified Public Accountant (CPA) to include:
 - i. Balance Sheet
 - ii. Income Statement
 - iii. Cash Flow Statement
 - iv. Notes to the Financial Statements
 - v. Opinion Letter
- b. If independently audited financial statement is not available for the current year, the most current in-house Company statement to include:
 - i. Balance Sheet
 - ii. Income Statement
 - iii. Cash Flow Statement
- c. In house (compiled) Financial Statements must be signed by one of the following attesting to the accuracy of the statement: Chief Executive Officer (CEO)/Chief Financial Officer (CFO)/Chief Operating Officer (COO)
- d. Failure to submit complete, comprehensive documents may result in disqualification for consideration of a proposal.

- 2. If private financing is proposed, a letter or letters of interest from a private lender or lenders must be included. Letters must be dated no earlier than two (2) months from the date of submission of the Developer's Proposal. The letter(s) must indicate a willingness to provide construction and permanent financing in amounts and with terms consistent with the Proposal

Please Note

Audited/certified statements are preferred, however, the SCLBC will accept compiled statements in lieu of audited, as per 1 c. above.

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ADDITIONAL DISCLOSURES

1. Please include a statement disclosing any bankruptcy(ies) filed by the proposer or any affiliated organizations within the last seven (7) years. The statement must include the date the bankruptcy was originally filed, the current status, and, if applicable, the date the bankruptcy was discharged.

2. Is the proposer or its affiliate party to a lawsuit? If yes, please explain.

3. Has proposer or its affiliates ever been obligated on any loan which resulted in foreclosure, transfer of title in lieu of foreclosure, or judgement?

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ADDITIONAL DISCLOSURES (continued)

4. Has proposer or its affiliates ever owned property foreclosed on for tax-delinquency?

5. Has proposer, its affiliates, or principals or family members of principals ever owned the property on which you are applying?

6. Has proposer or its affiliates ever been named a potentially responsible party (PRP) in an environmental remediation action performed by a federal, state, or local regulatory authority? If so, explain.

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ADDITIONAL DISCLOSURES (continued)

7. Has proposer or its affiliates ever been found in violation of the Suffolk County Sanitary Code? If so, explain.

8. Has proposer or its affiliates participated in a Voluntary Cleanup Program, or a remediation agreement with a local or state regulatory authority? If so, please indicate sites, dates, and results.

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ADDITIONAL DISCLOSURES (continued)

9. Please disclose the existence of any conflict of interest, including but not limited to the following:
 - a. Any material financial relationships that the Proposer or any employee of the Proposer has that may create a conflict of interest in engaging in a business transaction with the SCLBC or Suffolk County.
 - b. Any family relationship that the Proposer or any employee of the Proposer has with any SCLBC or Suffolk County employee that may create a conflict of interest or the appearance of a conflict of interest when engaging in a business transaction with the SCLBC or Suffolk County.
 - c. Any other matter that the Proposer believes may create a conflict of interest or the appearance of a conflict of interest when engaging in a business transaction with the SCLBC or Suffolk County.