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## **I. Introduction**

The Suffolk County Landbank Corporation (“SCLBC”), a not-for-profit corporation of the State of New York, is requesting expressions of interest (RFEI) from Loan Underwriters (Respondents) with the ability to underwrite loans for the assessment and cleanup of brownfield properties.

The SCLBC was established in 2013 to facilitate the transfer of tax-delinquent brownfield properties to developers with the willingness and ability to acquire and remediate the sites, bringing them to productive and clean reuse. The process by which the SCLBC transfers title keeps local municipalities (i.e. Suffolk County) as well as the SCLBC itself out of chain of title. This is accomplished via tax lien sale to a buyer, who is then entitled to a tax deed under the Suffolk County Tax Act.

As part of grant funding awarded through the New York State Office of the Attorney General’s Community Revitalization Initiative program, the Suffolk County Landbank expects to receive \$200,000 to capitalize a revolving loan fund dedicated to the environmental assessment and environmental cleanup required on brownfield properties acquired via the SCLBC.

It is anticipated that these funds will be loaned to developers in conjunction with the sale of tax liens as an incentive to redevelop long neglected, problem properties.

This RFEI will be utilized to inform the SCLBC in drafting a Request for Qualifications. The SCLBC anticipates contracting with a service provider during the third quarter of 2017.

## **II. Administrative Information**

### **1. Questions and Comments**

#### Administrative Questions

Administrative questions (e.g., procedural questions on how to respond to this RFEI) may be submitted by telephone or in writing (fax/email acceptable) to the SCLBC staff member listed on page one of this RFEI.

#### Technical Questions

Technical questions (questions which are specific to the information requested in this RFEI) must be submitted in writing (fax/email are acceptable) on or before the date set forth on page one of this RFEI to the attention of the SCLBC staff member listed on page one of this RFEI. Responses to such technical questions will be developed by the SCLBC and issued by the SCLBC in the form of an Addendum to this RFEI.

### **2. Due Date for Responses**

Responses to the RFEI (Responses) must be submitted to the attention of the Purchasing Agent listed on page one, by 4:30 p.m. on the date set forth on page one of this RFEI. In the interest of fairness to all participants, no extensions or exceptions will be permitted, unless issued as an Addendum to this RFEI and applicable to all Respondents.

### **3. Number of Copies of Responses**

One original, plus such additional numbers of copies as set forth on page one of this RFEI are required to be sent to the SCLBC staff member listed on page one of this RFEI. Do not submit Responses that are permanently bound.

### **4. RFEI Policies, Procedures and Disclaimers**

- a. The information provided in this RFEI is subject to change and is not binding on the SCLBC.
- b. This RFEI is issued solely for information and planning purposes and does not constitute a solicitation or offer to procure or contract for any services. Responses to this RFEI are not an offer and cannot be accepted by the SCLBC to form a binding contract.
- c. This RFEI is not intended, and shall not be construed, to commit the SCLBC to pay any costs incurred in connection with any Response submitted during the RFEI process. The Respondent shall be solely and fully responsible for all costs associated with the development, preparation, transmittal, and submission of any material in response to this RFEI. The SCLBC may request selected Respondents to present their material in person to the SCLBC's representative at SCLBC offices, and the costs of such presentations shall be solely the responsibility of the Respondent. The SCLBC assumes no contractual or other obligations as a result of the issuance of this RFEI, the preparation or submission of materials by a Respondent, the evaluation of materials, the Respondents conducting of presentations, or the selection of any Respondent for further negotiations. There may be no claims whatsoever for reimbursement from the SCLBC or any of its consultants or agents for such costs.
- d. The SCLBC reserves the right to amend or withdraw this RFEI at any time in the sole discretion of the SCLBC. The SCLBC reserves the right to request additional information from any Respondent. While the SCLBC is under no obligation to contact Respondents for clarifications, it reserves the right to do so. Depending on the number and quality of the Responses received, the SCLBC may elect to interview all or some of the Respondents.
- e. The SCLBC reserves the right to reject or cancel any or all Responses or any part thereof submitted in response to this RFEI.
- f. The SCLBC reserves the right to disqualify any Respondent whose conduct and/or Response fails to conform to the requirements of the RFEI.
- g. No oral response by any employee, consultant or agent of the SCLBC shall be binding on the SCLBC, or shall in any way constitute a commitment by the SCLBC.

### **6. Confidentiality**

All Responses submitted for the SCLBC's consideration will be held in confidence unless disclosure is required by law or judicial order. However, if as a result of this RFEI, a

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Request for Proposals (RFP) is issued which results in a fully executed contract(s) with the Respondent, the contract(s) is subject to the New York State Freedom of Information Law (FOIL), codified at Public Officers Law Article 6. Therefore, if a Respondent believes that any information in its submission constitutes a trade secret or is otherwise information which if disclosed would cause substantial injury to the competitive position of the Respondent's enterprise and the Respondent wishes such information to be withheld if requested pursuant to FOIL, the Respondent shall include with its submission a separate letter addressed to the primary contact referenced in this RFEI, specifically identifying the page number(s), line(s) or other appropriate designation(s) containing such information, explaining in detail why such information is a trade secret or is other information which if disclosed would cause substantial injury to the competitive position of the Respondent's enterprise, and formally requesting that such information be kept confidential. Failure by a Respondent to include such a letter with its Response will constitute a waiver by the Respondent of any interest in seeking exemption of this information under Article 6 of the Public Officers' Law relating to protection of trade secrets. The proprietary nature of the information designated confidential by the Respondent may be subject to disclosure if it is requested and the SCLBC deems it subject to disclosure or if ordered by a court of competent jurisdiction. A request that an entire submission be kept confidential may not be considered reasonable since a submission cannot reasonably consist of all data not subject to FOIL.

**7. RFEI Posted On SCLBC Website**

This RFEI is available on-line at: [www.suffolkcountylandbank.org](http://www.suffolkcountylandbank.org) : click on About Us and then Procurement to download the PDF.

**III. Suffolk County Landbank Background**

The SCLBC is a not-for-profit corporation and local public authority established pursuant to Article 16 of New York State's Not-For-Profit Corporation Law ("The Land Bank Act"). The SCLBC was incorporated in May 2013 after being granted approval from Empire State Development ("ESD"), New York State's principal economic development entity. The overall purpose of the SCLBC is to facilitate the redevelopment of distressed and underutilized properties within Suffolk County.

The creation of the SCLBC was the result of extensive collaboration with the Executive and Legislative branches of Suffolk County's government, as well as the Suffolk Town Supervisors' Association, all of which are represented in the board of directors, as well as State and community stakeholders.

**IV. The Opportunity**

As highlighted in Section I of this RFEI, the SCLBC intends to establish a revolving loan fund to assist developers in financing the environmental assessment and remediation of brownfield properties. The SCLBC is seeking expressions of interest from third party due diligence and loan underwriting service providers who would be qualified to assist the SCLBC in establishing procedures, applications, and other documentation necessary to establish this fund. As the SCLBC does not have loan underwriting expertise in house, it would be seeking a service provider to underwrite the loans.

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The benefit of establishing this revolving loan fund is to accomplish the SCLBC's mission to efficiently facilitate the return of distressed and underutilized properties within Suffolk County to productive uses consistent with the comprehensive plans of the jurisdictions in which they are located. Currently there are approximately 50 tax-delinquent brownfield sites under consideration by the SCLBC. Via the Suffolk County Tax Act, the SCLBC is able to acquire tax liens to these sites and transfer them to developers possessing the interest and ability to remediate the properties and bring them to productive, compliant, and tax positive use. Many of the properties being considered cannot be developed without significant subsidy in the way of liability releases, tax credits, acquisition subsidy, and financing. The Revolving Loan Fund will help to fill this financing gap in certain transactions.

The redevelopment of these sites contributes to economic development by fostering temporary and permanent job creation, while removing blight and protecting public health. The SCLBC's brownfields program is the only Land Bank program of its kind addressing the redevelopment of brownfield sites, and has been recognized nationally.

## **V. Evaluation Review Process**

- The Advisory Committee as established by the Suffolk County Landbank Executive Director will review all responses and make recommendations to the Executive Director and President.
- This RFEI is the initial step in determining the level of interest in the proposed project.
- The determination to issue an RFQ will be predicated on the results of the RFEI and the recommendations of the Advisory Committee.

## **VI. Submission Process**

Responses should be submitted in A Non-Permanent Binder and:

- Include a Letter Of Intent, on Organization letterhead, identifying the Key Contact Person for the project and all contact information.
- Describe the nature of your Organization (e.g. business corporation, not-for-profit corporation, sole proprietorship, etc.).
- Provide the History of the Organization which includes:
  - Mission statement.
  - Brief history of the Organization including years of operation.
  - Organization's current programs and services.
  - Information regarding any awards, successes, and relevant impact statistics.
- Provide a Statement of Interest and Experience
  - Why is your Organization interested in the project?
  - What is the Organization's experience with similar projects?
  - How are the Organization's programs and services relevant to the project?
- Describe Organization's Vision for the project
  - Include specific goals and approaches for the project