

07/14/2020

RFP No. SCLBC2020-2; Redevelopment of Tax-Delinquent Property



**Suffolk County Landbank Corporation
Request for Proposals
Redevelopment of Tax-Delinquent Sites
via non-Judicial Tax Sale pursuant to the Suffolk County Tax Act**

Former Wyandanch Day Care Center	
Property Address	Tax Map Numbers
50 Commonwealth Dr. Wyandanch, NY 11798	0100-058.00-01.00-010.001
72 Commonwealth Dr. Wyandanch, NY 117988	0100-058.00-02.00-001.000
55 Arlington Dr. Wyandanch, NY 11798	0100-058.00-01.00-013.000
61 Arlington Dr. Wyandanch, NY 11798	0100-058.00-01.00-012.000

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SECTION 1 – INTRODUCTION AND OBJECTIVE

Release Date: July 14, 2020

Proposal Due Date: September 10, 2020 at 5:00pm EST

1 Digital PDF copy must be emailed to: Mikael.Kerr@suffolkcountyny.gov

RFP PROCESS/TIMELINE

July 14, 2020	RFP issued to the public
August 28, 2020	Technical Questions Due
September 10, 2020 5:00 pm EST	Final Proposals Due

The SCLBC intends to enter into a contract with a selected proposer within 90 days of the proposal due date. This timeline is subject to change.

**ALL QUESTIONS AND COMMUNICATIONS REGARDING THIS RFP MUST BE
SUBMITTED VIA EMAIL TO MIKAEL.KERR@SUFFOLKCOUNTYNY.GOV**

Proposals must be submitted to, and received by SCLBC, to the attention of Mikael Kerr, via email in PDF format at Mikael.Kerr@suffolkcountyny.gov by September 10, 2020 at 5:00pm EST.

By submitting a digital PDF application, proposers acknowledge electronic submissions and signatures will have the same effect as traditional paper submissions and “wet” signatures. SCLBC may modify, supplement or amend the provisions of this RFP as deemed necessary or appropriate by and in the sole judgment of SCLBC.

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SECTION 1 – INTRODUCTION AND OBJECTIVE

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SECTION 1

INTRODUCTION AND OBJECTIVE

Introduction

The Suffolk County Landbank Corporation (“SCLBC”) is soliciting proposals (“Proposal(s)”) from qualified organizations (“Proposer” or “Developer”) to acquire and re-develop the former Wyandanch Day Care Center property (“Site[s]” or “Property[-ies]”) as specified in Section 2 of this document.

The successful response to this request for proposals (“RFP”) will be for a project or projects that generate quality jobs and economic growth, while returning the property or properties to productive, tax paying use, in alignment with the [Wyandanch Rising Master Plan](#) land use goals and the nearby [Wyandanch Village](#) development, and in compliance with regulatory standards.

If you are interested in acquiring, remediating, and re-developing one or more of these sites, please submit a proposal in accordance with the procedure and schedule in this RFP.

Background

In 2013 the New York State Empire State Development Corporation approved Suffolk County’s application to establish a Land Bank, which is a not-for-profit entity that gives a municipality (i.e. Suffolk County) a mechanism to acquire, dispose of and/or redevelop tax foreclosed properties and tax liens located throughout Suffolk County, including sites previously deemed unsuitable for acquisition. The resulting organization, known as the Suffolk County Landbank Corp. is in the process of facilitating the return of these vacant, abandoned, underutilized and tax-delinquent properties to productive, tax-paying uses consistent with the comprehensive plans of the jurisdictions in which they are located. It is anticipated that the redevelopment of these properties will result in an increase to the property values of surrounding parcels, stabilize the tax base, put people to work and improve quality of life for neighborhood residents.

Area Description

Suffolk County

Suffolk County, with a population of 1.5 million, is Long Island's eastern-most county, and covers an area of approximately 912 square miles, 26 miles at its widest part and approximately 86 miles in length.

Suffolk County offers tremendous assets to businesses and residents of Suffolk County. The world-renowned beaches and parks, Suffolk County Wine Country, vibrant downtowns and proximity to New York City improve the quality of life for residents and make it a desirable place to live. Businesses have access to a highly educated and skilled work force and can continually recruit from our award winning universities and schools. Furthermore, businesses can collaborate with our leaders in the tech and science industry including Brookhaven National Lab, Stony Brook University and Cold Spring Harbor Lab.

Governmental Organization

In New York State, counties, cities, towns, and villages provide local governmental services. The County provides police and law enforcement services, economic assistance, health and nursing services, and preservation of open space along with numerous other services. The towns and villages make Land use decisions.

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Organizations coordinating this transaction

- The County of Suffolk
 - Under the Suffolk County Tax Act, commercial real estate taxes which are unpaid for a year result in a lien, giving Suffolk County the right to issue a deed to a buyer of the lien.
 - It is expected that the tax liens for the Site will be transferred to the SCLBC via duly adopted resolution of the Suffolk County Legislature shortly after proposals are approved.
 - Suffolk County will issue a tax sale certificate to the SCLBC which will then, in turn sell the lien to the selected Proposer. The selected Proposer, will in turn - take title to the property via tax deed and redevelop the property under existing local, state, and federal regulations and programs.
- The Suffolk County Landbank Corporation
 - As referenced earlier, the SCLBC is a not-for-profit public benefit corporation, separate from Suffolk County, charged with the mission of efficiently facilitating 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.
 - The SCLBC is the organization issuing this RFP, and will review and select a qualified proposer.
 - Any disposition of real property or interests thereof will require approval via duly adopted resolution of the SCLBC Board of Directors.

Opportunity Zone

The properties are located within a designated [Opportunity Zone](#). The Opportunity Zone program was created by Congress in the Tax Cut and Jobs Act of 2017 and establishes a mechanism that enables investors with capital gains tax liabilities across the country to receive favorable tax treatment for investing in Opportunity Funds that are certified by the U.S. Treasury Department. The presence of the Opportunity Zone designation for these properties could confer significant financial incentives for redevelopment, including deferment and exemption of certain capital gains taxes.

RFP Objectives

It is the objective of the SCLBC to see the properties redeveloped in a responsible manner by a qualified organization(s) or business(es) for economic development purposes that benefit the surrounding community. A successful proposal will be one that seeks to create sustainable economic activity, improve the condition of the property, and potentially improve surrounding property values, while also taking into account potential impacts to adjacent residential parcels. A successful proposal will describe in detail an eventual land use / redevelopment plan, which aligns with [Wyandanch Rising Master Plan](#) goals, current zoning regulations, and contains a bid amount satisfactory to the SCLBC and County. The Wyandanch Rising Master Plan envisions community revitalization through the construction of high-density mixed-use development, a pedestrian-friendly street network and a high quality public realm of open space centered around the Wyandanch Train station. Although the subject property does not fall within the [Wyandanch and Straight Path Corridor Form-Based Code](#), it occupies a prominent location within the Wyandanch Rising redevelopment and proposers are strongly encouraged to submit proposals that adhere to principals of the Form-Based Code. Proposers should be aware, this site would be the subject of a rezoning application to allow for a greater variety of use and/or fall within the adjacent Form Based Code.

END OF SECTION 1

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SECTION 3 – Detailed Property Descriptions

SECTION 2

PROPERTY OVERVIEW

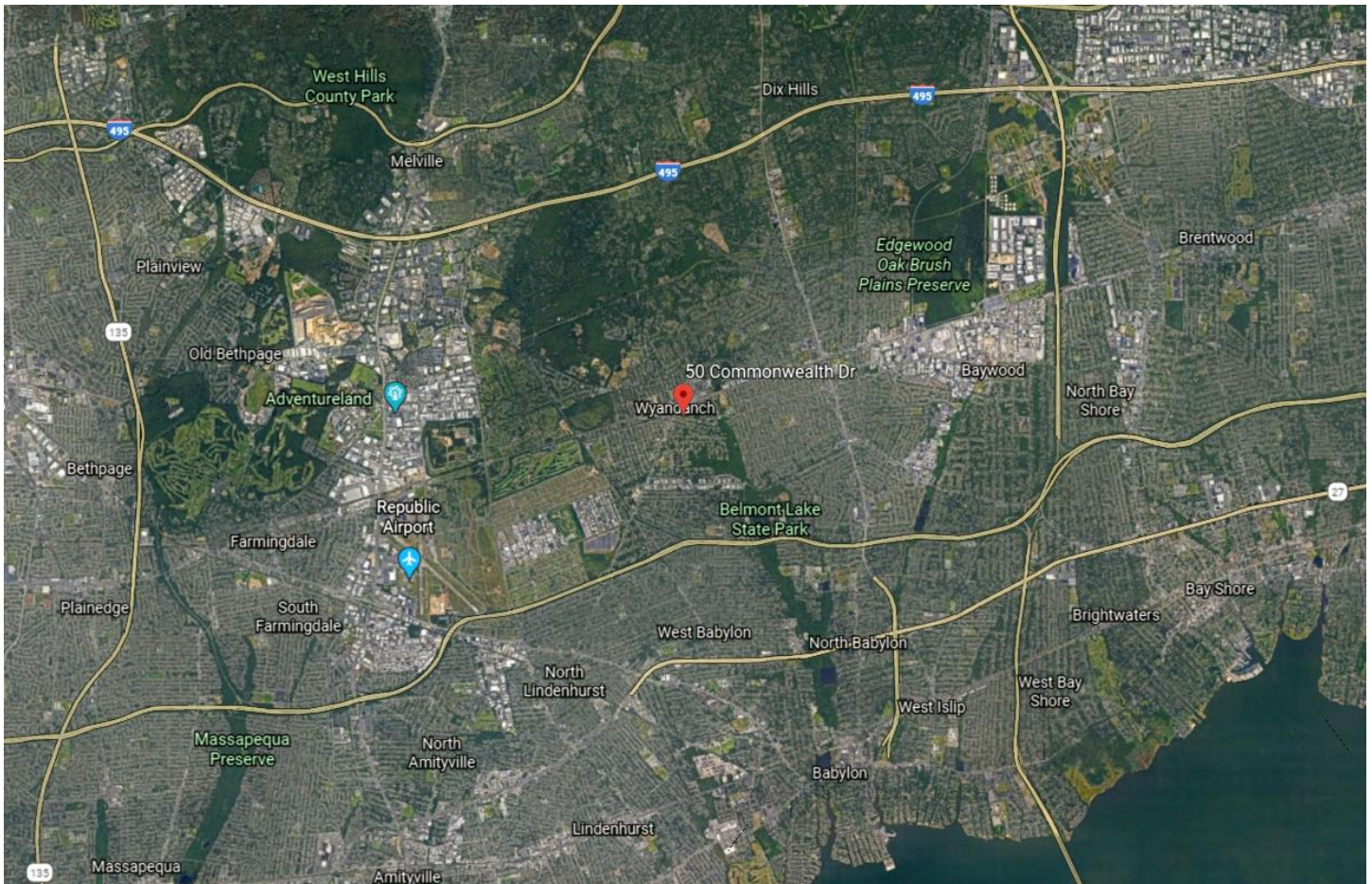
The site highlighted in this RFP is the former Wyandanch Day Care Center, the property has been abandoned for a number of years and tax delinquent for over 3 years.

Note: All sites are sold as-is and subject to current occupancy (if applicable). All properties are currently titled to the tax-delinquent property owner and the SCLBC is unable to provide access to these sites. **Unauthorized access may be construed as a criminal offense.**

SCTM#	Street Address	Hamlet	Town	Acres
0100-058.00-01.00-010.001	50 Commonwealth Dr.	Wyandanch	Babylon	1.06
0100-058.00-02.00-001.000	72 Commonwealth Dr.	Wyandanch	Babylon	0.09
0100-058.00-01.00-013.000	55 Arlington Dr.	Wyandanch	Babylon	0.14
0100-058.00-01.00-012.000	61 Arlington Dr.	Wyandanch	Babylon	0.14

PROPERTY LOCATION

The following maps indicate the general location of the properties.



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SECTION 3 – Detailed Property Descriptions



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SECTION 3 – Detailed Property Descriptions

SECTION 3

PROPERTY DESCRIPTION



This is an approximately 1.34 acre site located in Wyandanch, NY; the subject site is improved with an approximately 26,000 square foot, two-story building with a detached, four bay garage building. The building is the former home of the Wyandanch Day Care Center. The interior of the building is in substantial disrepair; however, the structure itself appears to be in acceptable condition. The historical use of the property has been primarily as a day care facility.

The site is comprised of four regularly shaped parcels with the main building and garage located on the north side of Commonwealth Drive approximately 788 feet east of Straight Path. Depth of the property is approximately 100 feet along Commonwealth. Two parcels comprise the former playground area and are located on the southern side of Arlington Drive, approximately 900 feet east of Straight Path. One additional parcel on the north side of Commonwealth Drive lies along a paper street adjoining 50 Commonwealth Dr., known as Doe St.

The property has been in tax arrears for over 3 years, the 2019/2020 tax bill was \$202,163.85

Initial inspection of the property by SCLBC staff did not identify any visual signs of recognized environmental concerns.

Note: The SCLBC does not make any representation regarding the presence or absence of hazardous materials or any other environmental conditions that may affect the value of the site, environmental liability or any future development thereon.

Zoning and Reuse Opportunities

Zoning at the site is controlled by the Town of Babylon and is defined by the [Wyandanch Form Based Code](#) as amended. The site is zoned as C-Residence. This development will likely require a full site plan review and a change of zone application. This process can take anywhere from 6-18 months depending on the

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completeness and quality of the submission. For additional zoning information, please visit Babylon Town Code at <https://ecode360.com/BA0924>

Note: The SCLBC makes no representations or warranties concerning current or future zoning or the ability of the selected proposer to obtain variances or change of zone.

Local Area Description – Wyandanch CDP

The Site is located in the Town of Babylon, which is the local zoning authority, and is within the Wyandanch Census Designated Place. Relevant demographic information can be found below:

	Suffolk County	Town of Babylon	Wyandanch CDP
Population	1,495,803	213,805	11,558
Pop. Density (Persons Per Sq. Mi.)	1,640	4,087	2,588
Median Age	40.1	39.4	32
Number of Companies	159,640	16,663	n/a
% High School Graduate or higher	89.9%	87.5%	77.2%

Utilities and Access

Electric

Electric Connection is available at this site and is provided by PSEG-LI. The condition of the electrical system on the site is unknown.

Heating

While other properties in the area have access to Natural Gas service provided by National Grid, the availability of gas service at this site is unknown.

Water

Public water in the area is provided by the Suffolk County Water Authority. Conditions of the water connection at the site itself are unknown.

Sewage/Sanitary

Sewage connection in the area is available; however, conditions of sewer connections at the site itself are unknown

Site Photos

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SECTION 3 – Detailed Property Descriptions



END OF SECTION 3

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SECTION 4 – REQUIRED APPROVALS

SECTION 4
REQUIRED APPROVALS

Terms and conditions of a successful purchase agreement are subject to negotiations and approval via duly adopted resolution of:

- The Suffolk County Landbank Corp. and;
- The Suffolk County Legislature

END OF SECTION 4

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SECTION 5 – PROPOSAL SUBMISSION REQUIREMENTS

SECTION 5
PROPOSAL SUBMISSION REQUIREMENTS

1 Digital copy must be delivered to Mikael.Kerr@suffolkcountyny.gov

Proposals that do not adhere to the specifications of this section and Appendix B-Tax Lien Purchase and Development Proposal Application are subject to disqualification.

END OF SECTION 5

SECTION 6

SELECTION/EVALUATION CRITERIA

The SCLBC will evaluate each proposal according to the selection criteria outlined below.

End Use

- **The SCLBC and its Board of Directors will be giving significant consideration to the proposed end use of each site. Applications that do not contain a prospective end use will not be considered.**
- Letters of support from local civic associations, community organizations, and town officials will be accepted and considered, however they are not mandatory

Proposer Qualifications

- The extent of the Proposer's experience, in terms of number, size, type, complexity, and scale of recent development projects built and managed;
- Capacity for undertaking the proposed development within the projected timeframe;

Program and Design

- The overall quality of the Proposal and the extent to which the Proposal contributes to the achievement of [Wyandanch Rising Master Plan](#) land use goals;
- The extent to which the Proposal achieves design excellence and adheres to the principals of the [Wyandanch and Straight Path Corridor Form-Based Code](#). The following elements, among others, will be considered: site planning, street wall elevations, massing, building materials, amenities, and streetscape treatment;
- The extent to which structures complement and elevate the level of design in the neighborhood.

Feasibility

- Proposer's demonstrated financial condition to complete the proposed development, and the feasibility and availability of financing sources;
- Proposer's ability to support the financial assumptions contained within the Proposal including development costs, rents/sales prices, operating expenses, capital costs and debt service;
- The long term viability of operations.
- Proposer's ability to provide a promissory note, bond or line of credit in the amount of the estimated cleanup costs of the site.

Economic Impact

- The number of projected jobs created related to construction and operations;
- The taxes the proposed development generates such as real property, sales and personal income taxes;

Purchase Price

- The purchase price proposed. The SCLBC reserves the right to award proposals based on multiple criteria.

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SECTION 6 – SELECTION/EVALUATION CRITERIA

END OF SECTION 6

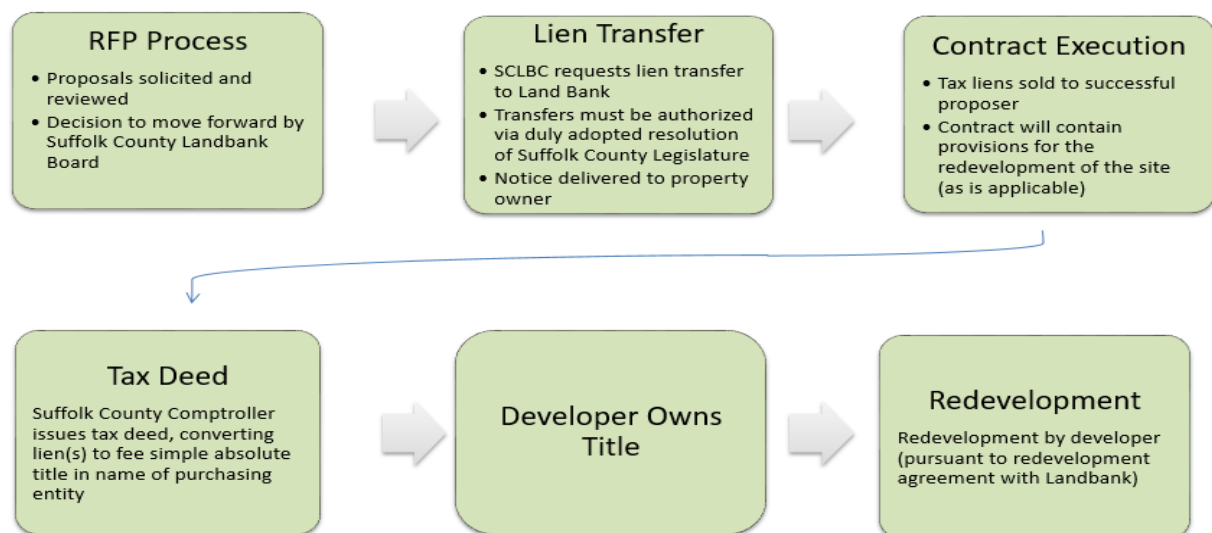
SECTION 7

DISPOSITION PROCESS

The Suffolk County Land Bank [SCLB] was constituted to redress a delimitation of existing Suffolk County law that prohibits the purchase of a tax-delinquent property for less than the outstanding amount of the lien. Furthermore, the sequence of SCLB transaction circumvents liability for environmental clean-up if, in fact, the County held title to the property Recognizing this as a recurring issue throughout the State, and its consequent drain on local economies, in 2011 the New York State Legislature adopted, Article 16 of the Not-For-Profit Corporation Law (otherwise known as and hereinafter referred to as the “the Land Bank Act”), to specifically address the need to revitalize tax delinquent and abandoned properties to restore them to productive use. See N.Y. Not-For-Profit Corp. Law Section 1600¹.

Section 1608 of the Land Bank Act provides, “[N]otwithstanding any other provision of law to the contrary, any municipality may convey to a land bank real property and interests in real property on such terms and conditions, form and substance of consideration, and procedures, all as determined by the transferring municipality in its discretion.” N.Y. Not-For-Profit Corp. Law §1608². Pursuant to section 1616 of the Land Bank Act, a municipality may enter into a contract to sell delinquent tax liens to a land bank for consideration that may be more or less than the face amount of the tax lien. N.Y. Not-For-Profit Corp. Law §1616(a)³.

Property Transfer Process



¹ McKinney 2013

² McKinney 2013

³ McKinney 2013

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SECTION 7 – DISPOSITION PROCESS

END OF SECTION 7

SECTION 8

TERMS AND CONDITIONS OF RFP

Environmental Conditions

The SCLBC does not make any representation regarding the presence or absence of hazardous materials or any other environmental conditions that may impact the value of the site, environmental liability or any future development thereon. The SCLBC also encourages the proposer to request environmental reports from regulatory authorities such as the New York State Department of Environmental Conservation as may be appropriate.

Closing contingencies related to environmental conditions will not be permitted. The SCLBC requires that the Developer take the Site “as-is” and assume the obligation to remediate any environmental contamination, indemnify the SCLBC and the County for any claims that may be made against them in the future, and release the SCLBC and the County from any claims that Developer may have in the future arising out of the condition of the Site.

NYS Freedom of Information Law (FOIL)

All submissions for the SCLBC’s consideration will be held in confidence pending final execution of the contract(s) unless disclosure is required by law or judicial order. However, fully executed contracts are subject to the New York State Freedom of Information Law (FOIL), codified at Public Officers Law Article 6. Therefore, if a Proposer 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 Proposer’s enterprise, and the Proposer wishes such information to be withheld if requested pursuant to FOIL, the Proposer shall submit with its Proposal a separate letter addressed to the primary contact referenced in this RFP, specifically identifying the page number(s), line(s) or other appropriate designation(s) of the Proposal 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 Proposer’s enterprise, and formally requesting that such information be kept confidential. Failure by a Proposer to submit such a letter with its submission will constitute a waiver by the Proposer 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 Proposer 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 Proposal be kept confidential may not be considered reasonable since a submission cannot reasonably consist of all data exempt from FOIL.

Other Terms and Conditions

Your submission of the qualification statement is deemed to be consent to the following:

- This RFP is not intended, and shall not be construed, to commit SCLBC to pay any costs incurred in connection with responding to this RFP or to procure or contract for any services or disposition of real property or interest thereof.
- The contract will be subject to final contract negotiations.
- All costs incurred by you in connection with responding to this RFP shall be borne solely by you.

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Section 8 – Terms and Conditions of RFP

- As a preliminary step, each Proposal will be examined to determine whether it is responsive to the requirements of the RFP. After such preliminary review, all responsive proposals will be evaluated.
- SCLBC reserves the right (in its sole judgment) to reject for any reason any and all responses and components thereof.
- All proposals shall become the property of SCLBC and will not be returned.
- All proposals will be made available to the public in accordance with law.
- SCLBC reserves the right to conduct in-person interviews of any, or all, proposers.
- Neither SCLBC, nor its respective staff, consultants, or advisors shall be liable for any claims or damages arising out of or in connection with the solicitation or preparation of the proposal.
- The award of any contract will be made as judged to be in the best interest of the SCLBC and Suffolk County.

Reservation of Rights

The SCLBC expressly reserves the right to:

- Reject or cancel any or all proposals or any part thereof submitted in response to this RFP;
- Withdraw the RFP at any time, at the SCLBC's sole discretion;
- Disqualify any Proposer whose conduct and/or Proposal fails to conform to the requirements of the RFP;
- Disqualify any Proposer with a family or business relation to the current or former owner of the site being proposed;
- Use Proposal information obtained through site visits, management interviews, and the SCLBC's investigation of a Proposer's qualifications, experience, ability or financial standing, and any material or information submitted by the Proposer in response to the SCLBC's request for clarifying information in the course of evaluation and/or selection under this RFP;
- Prior to submission due date, amend the RFP specifications to correct errors, or oversights, or to supply additional information as shall become available;
- Prior to submission due date, direct Proposers to submit Proposal modifications addressing subsequent RFP amendments;
- Change any of the dates concerning the RFP award schedule;
- Eliminate any mandatory, not-material specification that cannot be complied with by all of the prospective Proposers;
- Waive any requirements that are not material;

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Section 8 – Terms and Conditions of RFP

- Award negotiated contracts to one or more Proposers;
- Negotiate with the successful Proposer(s) within the scope of the RFP, in the best interest of the SCLBC;
- Conduct contract negotiations with the next responsible Proposer should the SCLBC be unsuccessful in negotiations with the selected Proposer;
- Require clarification at any time during the RFP process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a proposal and/or to determine a Proposer's compliance with the requirements of the RFP.

END OF SECTION 8

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Section 9 – Contract Requirements

SECTION 9

CONTRACT REQUIREMENTS

Any contract or agreement pursuant to this RFP will be subject to approval via duly adopted resolution of the SCLBC Board of Directors. Any transfer of tax lien to the Suffolk County Landbank will be subject to approval via duly adopted resolution of the Suffolk County Legislature.

Although specific contract terms may vary depending on end use, environmental condition, and other specifics of the approved proposal, contracts will generally require the following broad terms:

- Assignment of tax lien from the Suffolk County Landbank to the successful proposer
- Successful proposer to immediately perfect its lien interest and obtain fee simple absolute title to the Premises utilizing Suffolk County Treasurer's administrative process pursuant to Suffolk County Tax Act §53
- Successful proposer to agree to undertake remediation activities with oversight from NYSDEC and/or Suffolk County (if remediation is needed on the site) within a definitive timeframe
- Enforcement measures to ensure contract compliance

END OF SECTION 9

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APPENDIX

APPENDIX A
TAX LIEN PURCHASE AND DEVELOPMENT PROPOSAL
APPLICATION

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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, 11th FLOOR
HAUPPAUGE, NY 11788

[Email questions to Mikael.Kerr@suffolkcountyny.gov](mailto:Mikael.Kerr@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)
- _____ 7)_ Letters of support from local civic associations, community organizations, and town officials will be accepted and considered, however they are not mandatory

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

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)

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 includes a specific redevelopment/re-use plan, which benefits the surrounding community, and seeks to create sustainable economic activity 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.		
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 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)

<u>Property Description</u>	<u>Offer Price (\$)</u>
Former Wyandanch Daycare Center	

PROJECT DESCRIPTION

1. Please provide 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)

PROJECT DESCRIPTION (continued)

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

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

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

_____ Indirect jobs created

_____ Construction jobs created

_____ Permanent jobs created

5. Please describe the proposer's experience / qualifications to complete the proposed project, including past real estate development experience and working with municipalities and regulatory agencies. Please note any violations, current or former, with any regulatory agency.

PROJECT DESCRIPTION (continued)

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

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.

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. If any alternative payment methods are proposed, please describe them fully, including the financial benefit to the SCLBC and Suffolk County.

TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

2. Please describe in detail the prospective property end use for the individual sites

3. Explain how prospective property use aligns with community goals and/or zoning requirements.

TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

4. 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)

TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

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

TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

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

TECHNICAL PROPOSAL/DEVELOPMENT PLAN (continued)

7. Please describe a proposed schedule for the assessment, 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, construction commencement, construction completion, marketing period, occupancy and stabilization.

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.

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.

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).

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).

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.

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?

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.

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.

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.