

**TOWN OF YORKTOWN
WESTCHESTER COUNTY, NEW YORK
REQUEST FOR PROPOSALS FOR
SULTANA POOL PROPERTY**

NOTICE IS HERE GIVEN, that sealed proposals will be received by the Town Clerk, Town of Yorktown, Westchester County, NY until 2:00 PM on -----, 2022 at Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598 for the rehabilitation of the property known as Section 37.06 Block 1 Lot 11, formerly known as the sultana Ridge Pool.

Copies of the Request for Proposal Documents will be available in the office of the Town Clerk located at said Town Hall or on the Town's website, www.yorktownny.org under "Bids and RFPs." All completed proposals must be labeled "RFP: Sultana Ridge Pool Property" and must be accompanied with an executed non-collusive bidding certificate and disclosure of relationships to the Town.

The proposer assumes the risk of any delay in the mail or in the handling of mail by the employees of the Town of Yorktown. Whether sent by mail or means of personal delivery, the proposer assumes the responsibility for having bids in on the day, time, and place specified above.

The Town reserves the right to waive any informalities in the proposals, to reject any or all proposals, and reserves the right to accept that proposal which it deems most favorable to the interests of the Town of Yorktown.

If mailed, sealed proposals must be addressed in care of the Town Clerk at the above address.

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REQUEST FOR PROPOSALS**

BACKGROUND

In the 1960s, a single family home developer built a swimming pool on an approximately 1.52 acre parcel and deeded the parcel to Sultana-Ridge, Inc., a/k/a the Association. The parcel, referred to herein as the “Property,” is located at Section 37.06 Block 1 Lot 11.

For decades, the Association sold pool memberships to homeowners in the area, which provided sufficient revenue to operate and maintain the pool and property, and pay taxes on the property.

As the years went by, less and less revenue was being generated, and in or around 2008, the Association stopped paying taxes and, around that time, the property was effectively abandoned. At this time, approximately \$160,000 in back taxes are owed.

The abandoning of the Property has caused a blight upon the Town and the surrounding neighborhood.

SCOPE OF PROJECT

Although the Town does not own the Property, the Town is considering instituting a “taking” under the N.Y. Eminent Domain Procedure Law, or a foreclosure proceeding, to obtain ownership of the Property.

Thereafter, the Town is interested in a potential partnership with a private entity or individual to either purchase the property from the Town for development or rehabilitative purposes, or enter some sort of public/private partnership with the Town.

The Town is flexible, and open to any and all ideas and proposals.

SUBMISSION REQUIREMENTS

Interested Proposers must submit the following:

1. Detail the proposal for rehabilitating or repurposing the Property.
2. List any relevant background, experience and qualifications you have.
3. Provide at least three (3) references including the name of contact, affiliation, address, direct telephone number and email address.
4. Describe in detail any payment or fee structure you propose.
5. A non-collusion certification as required by General Municipal Law Section 103(d).
6. A disclosure of relationships to the Town of Yorktown.

EVALUATION CRITERIA

In selecting the Proposer(s) with whom to commence contract negotiations, and in ultimately awarding any agreement resulting from this solicitation, the Town will choose the response that it determines, in its sole discretion, is most advantageous to the Town.

In order to determine what response is most advantageous, the Town will evaluate all responses on the basis of the criteria specified below. These criteria are not necessarily listed in order of importance. The Town reserves the right to weigh its evaluation criteria in any manner it deems appropriate. While financial terms will be a factor in consideration of the responses, it is not the sole criterion.

1. Experience and Qualifications of Proposer.
2. Financial proposal.
3. A determination that the respondent has submitted a complete and responsive response as required by this solicitation, including the non-collusion certification as required by General Municipal Law Section 103(d) and a disclosure of relationships to the Town of Yorktown.

These instructions outline the format and content of the proposal and the approach to be used in its development and presentation. Only that information which is essential to an understanding and evaluation of the proposal should be submitted.

RESERVATIONS

The Town reserves the right to reject any or all proposals, or any part of a proposal, and to select the proposal deemed to be in the best interest of the Town. It is the Town of Yorktown's intention that the Contract(s) will be awarded based on a combination of qualifications and financial benefit to the Town. The Town of Yorktown reserves the right to select a proposal other than the proposal with the lowest cost, pursue some aspects of a proposal and not others, reject any and all proposals, to waive defects in the submission whether substantial or otherwise, request modifications to proposal, to award a contract in part or in full, or not at all. The Town reserves the right to re-advertise for Proposals.

PROPOSAL SUBMISSION INFORMATION

Sealed proposals must be received by the Town Clerk at the Office of the Town Clerk, Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598 by 2:00 P.M. on _____, 2022.

This request for proposal will be posted on the Town of Yorktown's website at www.yorktownny.org.

The Town is not responsible for any internal or external delivery delays that may cause the proposal to arrive beyond the deadline. To be considered, a proposal MUST arrive at the Town Clerk address specified herein and have a time stamp showing that it was submitted prior to the deadline.

No response will be accepted from, nor any agreement awarded to, any respondent that is in arrears upon any debt or in default of any obligation owed to the Town. Additionally, no agreement will be awarded to any respondent that has failed to satisfactorily perform

pursuant to any prior agreement with the Town.

**NO COMMUNICATIONS OF ANY KIND BY THE TOWN DURING THIS
PROCUREMENT PROCESS WILL BE BINDING AGAINST THE TOWN WITH
RESPECT TO THIS SOLICITATION.**

NON-COLLUSIVE BIDDING CERTIFICATION

By submission of this proposal, Proposer and each person signing on behalf of Proposer certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief:

The prices in this proposal have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other Proposer or with any competitor;

Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by Proposer and will not knowingly be disclosed by Proposer prior to opening, directly or indirectly, to any other bidder or to any competitor; and

No attempt has been made or will be made by the Proposer to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

A proposal shall not be considered for award nor shall any award be made where (1) (2) and (3) above, have not been complied with; provided, however, that if in any case Proposer cannot make the foregoing certification, Proposer shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefore. Where (1) (2) and (3) above have not been complied with, the proposal shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the proposal is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

Dated: _____

Proposer:

(Legal name of person, firm or corporation)

By: _____
(Signature)

(Please Print Name)

(Title)

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)ss

Sworn to me before this _____ day of _____ 2022

(Notary Public)

TOWN OF YORKTOWN

REQUIRED DISCLOSURE OF RELATIONSHIPS TO THE TOWN OF YORKTOWN

Name of Proposer: _____

Address: _____

Telephone No.: _____ Fax No.: _____

The Reporting Entity is (please check one):

Individual _____ Corporation _____ Partnership _____

A.) Related Employees: Are any of the employees that you will use to carry out this contract with the Town of Yorktown also an officer or employee of the Town of Yorktown, or the spouse, or the child or a dependent of a Town officer or employee?

Yes _____ No _____

If yes, please provide details:

B.) Related Owners:

1. If you are the owner of the Company, are you or your spouse an officer or employee of the Town?

Yes _____ No _____

If yes, please provide details:

To answer the following question, the following definition of the word "interest" shall be used.

Interest means a direct or indirect pecuniary or material benefit accruing to a Town officer or employee, his or her spouse, child or dependent, whether as a result of a contract with the Town or otherwise. For the purpose of responding to these questions, a Town officer or employee shall be deemed to have an "interest" in the contract of:

- a. His/her spouse, children and dependents, except a contract of employment with the Town;
- b. A firm, partnership or association of which such officer or employee is a member or employee;
- c. A corporation of which such officer or employee is an officer, director or employee;

and

d. A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

2. Do any officers or employees of the Town have an interest in the Contractor or in any subcontractor that will be used for this contract? Yes _____ No _____

I am the _____ (Title or Office) of the reporting entity listed above.

I make this affirmation based upon my personal review of the books and records of the reporting entity. All of the foregoing information is true to the best of my knowledge, after inquiry. I make these statements under penalty of perjury.

Signature: _____ Print Name: _____
Print Title: _____

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)ss

Sworn to me before this _____ day of _____ 2022