

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE****RFP NUMBER:
RFP-VSN--2014-001**

REQUEST FOR PROPOSAL

The County of Rockland is issuing this Request for Proposal on behalf of the Village of South Nyack. The County will assist the Village of South Nyack in conducting the RFP process. All communications regarding this RFP shall be address to the contact persons listed in this document.

REQUEST FOR PROPOSAL DEFINITION:

An RFP defines the situation or object for which the goods and or services are required, how they are expected to be used and/or problems that they are expected to address. Vendors are invited to propose solutions that will result in the satisfaction of the Village's objectives in a cost-effective manner. The proposed solutions are evaluated against a predetermined set of criteria of which price may not be the primary consideration.

Closing date for the receipt of proposals is 5:00 pm, local time, on December 31, 2014.

Send ONE CLEARLY MARKED ORIGINAL AND FIVE (5) COPIES of each proposal.

Please use the above RFP number on all correspondence.

For further information contact:

**Paul J. Brennan, CPPO
Director of Purchasing
Department of General Services – Purchasing Division
50 Sanatorium Road, Building A, 2nd floor
Pomona, NY 10970
purchasing@co.rockland.ny.us
Telephone: 845-364-3820
Telefax: 845-364-3809**

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THIS RFP IS IN THREE SECTIONS:

- SECTION A – Requirements Section*
- SECTION B – Information Section*
- SECTION C – Forms*

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SECTION A – REQUIREMENTS SECTION

INTRODUCTION

VILLAGE BACKGROUND

South Nyack is a village incorporated in 1878 in the town of Orangetown in Rockland County, New York. It is located north of Grand View-on-Hudson, northeast of Orangeburg, east of Blauvelt State Park, south of Nyack and west of the Hudson River. The village is the western terminus of the Tappan Zee Bridge. Its population was 3,510 at the 2010 census.

According to the United States Census Bureau, the village has a total area of 1.7 square miles (4.4 km²), of which 0.6 square miles (1.6 km²) is land and 1.1 square miles (2.8 km²), or 63.31%, is water. South Nyack is located adjacent to the Hudson River. The New York State Thruway (Interstate 87/287) passes through the village after passing over the Tappan Zee Bridge.

VILLAGE OF SOUTH NYACK GOVERNMENT OVERVIEW

The Village of South Nyack is promoting an initiative that will:

- Promote economic opportunities and create permanent jobs
- Provide for cultural and economic sustainability
- Improve the regional environment
- More efficiently utilize urban space to diversify municipality revenues

The Hudson River Village of South Nyack is a vibrant, culturally diverse, and historic municipality situated in the metropolitan New York City area. This now primarily residential municipality is recognized for its high proportion of graceful Victorian homes that line its streets and its part of the Hudson River. In fact, it is recognized as possessing the highest proportion of historic homes in the region. It is a village that has been home to literary and political greats of New York, and until the 1950’s had a very well defined and clearly independent identity from the surrounding communities. Like many established metropolitan New York municipalities, it is fully built out with few to no opportunities for development.

The Village’s income currently relies almost solely on residential property taxes. To lessen the tax burden of Village property owners the Village seeks to maximize generation of revenue through the development of the Exit 10 area.

A supporting document titled “Village of South Nyack Comprehensive Plan – Appendix A: Village of South Nyack Economic Sustainability Initiative – Draft: September 30, 2014” identified as Attachment A to this RFP in included in this RFP to provide additional background information.

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All submissions must conform to the Vendor Response Format and all the Requirements as outlined in Section A - "Requirements Section". Proposers are cautioned to read the requirements carefully and follow the response format of this Request for Proposal as any deviation from the format and requirements listed, may be cause for rejection.

RECEIPT CONFIRMATION FORM

Upon receipt, fill out the attached Receipt Confirmation Form and fax it to the Village. All subsequent information regarding this RFP will be directed only to those who return the form with an indication that they intend to submit a proposal.

CLOSING DATE

A clearly marked original and all complete copies of each proposal must be received at the address below by 5:00 PM, local time on the date specified in the Summary of Key Information, Addressed to:

**Paul J. Brennan, CPPO
Director of Purchasing
Department of General Services – Purchasing Division
50 Sanatorium Road, Building A, 2nd floor
Pomona, NY 10970
Telephone: 845-364-3820
Telefax: 845-364-3809**

PROPOSALS MUST BE CLEARLY MARKED WITH THE NAME AND ADDRESS OF THE PROPOSER AND THE RFP NUMBER ON THE ENVELOPE AND/BOX.

Proposers must conform to instructions given regarding proposal requirements as detailed in Section A – Requirements Section

AMERICANS WITH DISABILITIES

“The Village of South Nyack is committed to full compliance with the Americans with Disabilities Act. To that end, the Village is committed to creating an accessible environment for all. To request accommodations that you may require, please call Village Hall at (845) 358-0287. Please request these accommodations four (4) business days in advance so that we can seek to meet your needs.”

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TECHNICAL REQUIREMENTS

PURPOSE

The purpose of this RFP is to inform the private sector of a potential business opportunity to establish a contract for a feasibility study as part of the Village of South Nyack’s Economic Sustainability Initiative.

PROJECT BACKGROUND

The Village of South Nyack has drafted goals to promote Economic and Cultural Sustainability for the Village, which includes finding a sustainable fiscal model for the Village while restoring and retaining its cultural identity. To further these goals, the Village has developed the Village of South Nyack Economic Sustainability Initiative. The Village of South Nyack has been awarded a grant from the New New York Bridge Community Benefits Program, administered by the New York State Thruway Authority, not to exceed \$250,000 to retain the technical services to conduct a feasibility study for the initiative. The Village is now seeking proposals from qualified consultants to undertake the study.

The purpose of the proposed study is to determine the feasibility of alternatives to achieve the economic and cultural sustainability goals of the initiative. The study will include exploring the feasibility of the initiative’s proposal to shrink the footprint of the I87/287 Exit 10 interchange, construct a cap or deck over the Thruway, and use the resulting land areas for commercial and recreational development. The study will provide preliminary renderings of such a project, preliminary cost estimates for such a project, preliminary estimates of revenue that could be derived from such a project and other information as requested in this RFP.

STATEMENT OF OBJECTIVES

See Mandatory Section

STAFFING & PERSONNEL BIOGRAPHIES

Personnel qualifications and experience should be detailed as part of the Technical Proposal. Include resumes for all personnel and subcontractors to be assigned to this project.

DISCLOSURE OF SUPPLIER RESPONSIBILITY STATEMENT / QUESTIONNAIRE

The Supplier Responsibility Questionnaire Form - Section C shall be completed and included in each proposal submitted.

LENGTH OF CONTRACT

The draft report should be completed within 6 months of contract finalization with final report completion within 8 months of the contract signing.

PROPOSAL EVALUATION

Proposals will be evaluated in accordance with applicable Village of South Nyack procurement policies and procedures. Evaluation will be performed to determine the offeror’s understanding of work to be performed, technical approach, potential for completing the work as specified in the Statement of Objectives, cost reasonableness, the probable cost to the Village, and ranking with competing offerors.

Award will be made to that responsible offeror(s), whose offer(s), conforming to this RFP, is (are) considered most advantageous to the Village, considering the Evaluation Criteria in this Section.

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Technical Response 40%

The proposer's Understanding of the Project, Statement of Work, Work Breakdown Structure, and Master Schedule will be evaluated against the Village's Statement of Objectives and Technical Requirements.

Personnel Qualifications, Project Organization, Experience and Commitment Criteria 20%

Proposals will be evaluated considering the offeror's technical and managerial experience, qualifications, and the availability of personnel who are proposed to work on the project; project organization and management structure; and prior experience in managing projects similar in type, technology, size and complexity.

Relevant Past & Present Performance Criteria 20%

Assessment of the offeror's past & present performance will be one means of evaluating the credibility of the offeror's proposal and the relative capability to meet performance requirements.

Project Budget Criteria 20%

Project Budget/Cost Proposals will be evaluated with respect to adequacy and reasonableness. This evaluation will include consideration of the probable cost to the Village of doing business with each offeror; the possible growth in proposed costs during the course of the contract; the features of each offeror's work plan that could cause the estimated cost to vary; and cost-sharing if proposed. If after the evaluation of technical proposals, two or more competing overall proposals are considered in the competitive range, the evaluated probable cost to the Village may be a deciding factor for selection. That is, the highest technical proposal may not necessarily be selected when cost considerations are taken into account.

PRE-PROPOSAL MEETING

A pre-proposal meeting will be held at the time and in the location specified on the Summary of Key Information. Attendance may or may not be mandatory. A transcript of the questions and answers will be distributed, to all attendees and proposers who have returned the Receipt Confirmation Form. Verbal questions will be allowed at the meeting. However, questions of a complex nature, or questions where the proposer requires anonymity, should be forwarded in writing to the Village prior to the meeting.

VENDOR RESPONSE FORMAT FOR PRICING AND VALUE-ADDED INFORMATION

The vendor will provide prices (in U.S. dollars) for the items/services listed. It is important that vendors outline features of their proposal, such as value-added product(s) and/or service(s) that would not normally be addressed in a pricing evaluation as they are of a non-monetary nature. Indicate volume discount levels if they apply to your product(s).

VALUE-ADDED CONSIDERATIONS

Proposer to include any relevant services or products that will be provided to the Village which is not priced in this proposal, but which enhance the acquisition process.

COMPANY PROFILE AND VENDOR INFORMATION:

The following will be required in a company overview as part of proposer's proposal:

- Brief (one or two paragraphs) description of the vendor's business, its history and future plans

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- Vendor Identification
- Corporate name
- Corporate address
- Telephone numbers
- Contact person(s)
- Vendor size
- Number of years in business
- Vendor Stability as indicated below
- Vender Responsibility as indicated below

FINANCIAL STABILITY

Proposal shall include a statement in writing, signed by a duly authorized representative, stating that the present financial condition of the Proposer is satisfactory to complete the proposed project.

RESPONSIBLE CONTRACTOR/CONSULTANT: The Village of South Nyack retains the right to accept any and all offers and to determine what constitutes a “responsible Contractor/Consultant”. Specific items, but not limited to, that may be considered in determining responsibility are:

- Financial information relative to the Contractor/Consultant
- Past performance of the Contractor/Consultant as it related to proposal
- Information relative to experience, reliability and competence as related to proposal
- A Contractor/Consultant’s past or present criminal involvement or “corrupt conduct”, including whether there are pending criminal investigations of or indictments against the Contractor/Consultant
- Willful violations of the prevailing wage provisions of the Labor Law as it related to proposal.
- Contractor may be required to provide additional information, after the proposal opening, to elicit relevant information as part of the evaluation process to determine responsible Contractor/Consultant.

FOREIGN NATIONALS

Employers are required by Federal law to verify that all employees are legally entitled to work in the United States. Accordingly, the Village of South Nyack reserves the right to request legally mandated employer held documentation attesting to the same for each consultant assigned work under any contract awarded as a result of this solicitation. In accord with such laws, the Village of South Nyack does not discriminate against individuals on the basis of national origin or citizenship.

PROPOSAL RESPONSE AND ORGANIZATION

Organization/Number of Copies

Please submit ONE MARKED ORIGINAL AND FIVE COPIES of your proposal.

The Offeror shall prepare the proposal as set forth below. The titles and contents of the section shall be as defined in this section.

- Section A: Executive Summary
- Section B: Understanding of the Project

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- Section C: Detailed Project Budget/Cost Estimate
- Section D: Recent and Relevant Experience
- Section E: Resumes of Key Personnel to be assigned to the project
- Section F: Project Work Schedule

Selection Process

An evaluation committee appointed by the Mayor of South Nyack will choose the consulting firm undertaking the feasibility study. Requests will be solicited from planning consultant firms that have previous experience with the development of feasibility studies of similar scope and geographic area and who have an understanding of the planning and economic issues in the Village and surrounding areas. Proposals will be reviewed and scored according to the criteria indicated elsewhere in this proposal. Following a review of the responses, the Village of South Nyack’s evaluation committee will determine if a direct award will be made or if a number of firms will be invited to make oral presentations. If oral presentations are held, the oral presentations will also be scored. The final consultant selection will be based on the consultant's experience in undertaking similar feasibility studies, the team they bring to the project and the approach and methodology they plan to undertake.

To aid the committee in the selection process we request that all responders adhere to the following format:

Part A: Executive Summary: A concise narrative summary of the entire proposal, including significant risks, and a highlight of any key or unique features, excluding cost/price. The salient features should tie in with the evaluation factors/sub factors defined in this RFP. Any summary material presented here shall not be considered as meeting the requirements for any portions of other sections of the proposal.

Table of Contents - A master table of contents of the entire proposal.

Part B: A brief understanding of the project objectives and scope of work. The proposal must include a detailed description of the procedures, methods and studies that will be used to complete the Feasibility Study and complete the tasks outlined in the Scope of Work.

Part C: Detailed budget/cost estimate for each component highlighted in the Scope of Work. The consultant shall provide a “not-to-exceed” lump sum fee for services required to complete the Scope of Work. The consultant shall provide a detailed budget breakdown of the lump sum cost. The detailed budget breakdown shall include an hourly rate schedule and number of hours for each of the project personnel assigned to each task; a cost allocation between the prime consultant and any subcontractor(s); costs for each documentation component; and a summary of non-labor costs and reimbursable expenses.

Budget and Cost proposals shall not exceed the anticipated grant funds. Budget/cost proposals shall include but are not limited to all internal and external contractor costs, including but not limited to consultant, contractor, subcontractors, fees, travel, and any other cost or expense.

No more than three payments based on deliverables will be made. The final payment will not be less than 20% of the total contract amount.

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Participation of MWBE or Disadvantage Business Enterprises – the Village of South Nyack and the Consultant are required to implement the provision of New York State Executive Law Article 15-A and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all State contracts as defined therein, with a value (1) in excess of \$25,000 for labor, services, equipment, materials, or any combination of the foregoing or (2) in excess of \$100,000 for real property renovations and construction.

The Consultant/Contractor agrees, in addition to any other nondiscrimination provision of the resulting contract and at no additional cost to the Village of South Nyack, to fully comply and cooperate with the Village of South Nyack in the implementation of New York State Executive Law Article 15-A. These requirements include contracting opportunities for certified minority and women-owned business enterprises ("MWBEs"). The Consultant/Contractor's demonstration of "good faith efforts" pursuant to 5 NYCRR §142.8 shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, the nondiscrimination provisions required by New York State Executive Law Article 15 ("the Human Rights Law") or other applicable federal, state or local laws.

The Offeror is required to submit with their proposal response a Utilization Plan for Sub consultants which details MWBE participation in their proposed Scope of Work and resulting contract if awarded. If no such MWBE participation is included, evidence of good faith efforts to obtain such participation must be provided with the proposal response.

The Offeror agrees to use such Utilization Plan for All Sub consultants to obtain the prescribed MWBE goals set forth in Executive Law. The Offeror further agrees that a failure to submit the Utilization Plan for All Sub consultants with their proposal response shall result in their proposal response being determined non-responsive.

If the Offeror, after making good faith efforts, is unable to comply with MWBE goals, the Offeror may submit a written Request for Waiver. The Village of South Nyack will submit such waiver request to the New York State Thruway Authority for approval.

The Offeror must provide with its offer a statement as to whether they have established targets for MWBE / DBE participation on this contract. The targets may be provided for participation by a prime contractor, joint venture partner, teaming arrangement member or subcontractor. The targets for subcontractors must be listed separately.

Part D: A listing of recent and relevant experience in writing feasibility studies, economic development plans, comprehensive plans, and regional plans, that includes the firm's function during those projects (prime or sub-consultant, project cost, the firm's share of total project costs, etc.). Please provide five (5) references from past projects as described above, including a contact's phone number and an address at the agency where the work was performed. (Use the Relevant and Past Performance Forms)

Part E: One-page resumes of the key personnel of the consultant (principal, project manager, document author, etc.) and all sub-consultants (project manager only) that will be assigned to this project. The resumes shall indicate each employee's status with the firm (full-time, part-time) and

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length(s) of such employment. The roles of the key individuals to be assigned to the project, especially the project manager, should be identified, including an organizational chart for this project.

Part F: A project Scope of Work, Breakdown Structure and Master Schedule shall be provided which includes time frames for each major work element, breakdown of labor hours by proposed team member, target dates for any public meetings and dates for completion of draft and final documents.

Glossary of Abbreviations and Acronyms - Each section shall contain a glossary of all abbreviations and acronyms used, with an explanation for each. Glossaries do not count against the page limitations for their respective sections. If no abbreviations and/or acronyms are used, then a Glossary is not required.

Page Size and Format - Page size shall be 8.5 x 11 inches, not including foldouts. Pages shall be single-spaced. The text size shall be no less than 11 point. Use at least 1-inch margins on the top and bottom and 3/4 inch side margins. Pages will be numbered sequentially by section.

Legible tables, charts, graphs and figures shall be used wherever practical to depict organizations, systems and layouts, implementation schedules, plans etc. These displays shall be uncomplicated, legible and shall not exceed 11 by 17 inches in size. Foldout pages shall fold entirely within the section, and count as a single page.

Foldout pages may only be used for large tables, charts, graphs, diagrams, and schematics; and not for pages of text.

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MANDATORY REQUIREMENTS

SCOPE OF WORK AND OBJECTIVES:

Consultant Requirements

The consultant should have relevant experience in the preparation of feasibility studies, economic development plans, comprehensive plans and draft environmental impact statements.

Required Tasks

1. Interface with Comprehensive Planning Board and Board of Trustees:

The Comprehensive Planning Board (CPB) will be the primary interface with the consultant. The consultant will meet with the CPB regularly to provide status and receive feedback and guidance. The CPB will track status and receive all deliverables.

2. Presentations:

The consultant will make up to three presentations to the Board of Trustees to provide updates and keep the Trustees involved in the planning process. The consultant will also conduct a presentation of the final report to the CPB and Trustees.

3. Public Participation:

Much of the success and usefulness of this study will depend on its implementation at the municipal level. It is vital to the study's success that the consultant includes local input in the planning process.

A public meeting will be held early in the process to discuss the project and solicit input and ideas from Village residents and land owners. The meeting should include a presentation explaining the purpose and background of the study.

A public meeting will be held to present the draft report and solicit comments.

Proposals are to include costs for developing presentation materials for all public, CPB, and Trustees meetings. Presentation materials include but are not limited to PowerPoint presentations, presentation boards, audio/visual materials, and renderings.

4. Physical Feasibility:

The study should examine the physical attributes of the study area, including the topography, road network, and trail network, and explore feasible ways to:

- Redesign the Exit 10 interchange to free up land area.
- Determine alternatives for the physical use of the land.
- Construct a cap or deck over the Thruway.
- Utilize the freed-up land area and the new land area from the cap for development and park space.
- Identify any possible environmental remediation that may be necessary.

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Any potential design of the project must be completed in conformance with all applicable Uniform Federal Accessibility Standards, Americans' with Disabilities Act Standards and Regulations, American with Disabilities Act Accessibility Guidelines, and the New York State Uniform Fire Prevention and Building Code.

5. Cost / Benefit Analysis:

The consultant shall provide a cost/benefit analysis in relation to the alternatives identified in relation to the physical use of the land.

6. Economic Development:

The study should explore alternatives for development of the real property that maximizes the net return to the Village. The initiative supposes that class A commercial office space would likely bring significant rental income to the Village. There have, however, been other suggestions, such as using the space for commuter parking supporting a mass transit facility.

The Village of South Nyack is interested in exploring a design that balances commercial development with community needs. For example, professional offices (e.g., Class A office space), light retail/commercial (including but not limited to café, patisserie, convenience mart, dry cleaners, bicycle rental, and similar small businesses). Because traffic and parking associated with larger retail uses would most likely be an undue burden on the Village, the intent is to substantially reduce any additional traffic, parking, or environmental noise, and so bars, night clubs, and restaurants are discouraged. Pedestrian access and use is encouraged, as is innovative use of open space.

In exploring development alternatives, the study shall examine the financial models necessary to make the project successful, including capital costs, financing, and operational costs. The financial model should ensure financial sustainability of the development. The Village seeks to minimize capital investment from the village while maximizing net return to the village. Public Private Partnership arrangements should be considered, as well as state and federal grants and loans.

In exploring development alternatives, the study shall identify and explore other similar existing developments in the United States that are examples of developments that successfully generate non-tax revenue for municipalities. This should examine the business models of municipality owned developments.

The study shall explore organizational alternatives for implementation of a feasible project, such as the use of a Local Economic Development Corporation.

7. Village Green:

The study shall explore alternatives for connecting the two sides of the Village and creating a public space to serve as a Village green and give identity to the Village. The study should explore recreational and cultural uses for the green. These might include some sort of amphitheater or other music space, pathways, and gardens.

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The study should consider use of the existing adjacent parks, Elizabeth Place Park and the pocket park on South Broadway, for development if, with the newly created village green, this would result in an overall better plan for the Village.

8. Weekday vs. Weekend Uses:

The study shall explore weekday versus weekend uses. The design shall attempt to share facilities to serve both weekday and weekend uses.

9. Shared Use Path:

The new Tappan Zee Bridge includes a “shared use” path (SUP) serving pedestrians and bicycles, that terminates in the Village. This new facility will likely attract users from outside the Village as well as serve the local residents. The study shall explore connections of the SUP to the existing bicycle and pedestrian networks, such as the Esposito Trail and the Long Path, and to the Village of Nyack’s commercial district. The study shall explore how new development in the study area can connect to and enhance the SUP, capitalize on revenue opportunities afforded by the SUP, and minimize impacts on the local neighborhoods.

10. Traffic and Parking:

The study shall estimate expected increases in traffic due to the development. It should explore ways the development could handle the traffic, including circulation and parking. Project alternatives should minimize traffic and parking impacts on the Village. The study should explore opportunities for revenue generation from parking.

11. Mass Transit:

The study shall explore needs for mass transit services for the development and possible implementations. This should take into consideration the work of the Governor’s TZB Mass Transit Task Force.

12. Emergency Services:

All of South Nyack’s emergency service facilities are located on the northeast side of the Thruway. Service to the southwest hillside neighborhoods utilizes the three current crossings: South Broadway, Road F (Franklin Street extension), and Route 9W (Highland Avenue). The study shall explore how, in a redeveloped study area, adequate and redundant emergency access is maintained for the hillside neighborhoods.

13. Complete Streets and Safe Routes to School:

The study shall explore how a redeveloped study area would address the objectives of the New York State Complete Streets Act and the New York Safe Routes to School Program.

14. Crossings Connecting to Dead-end Streets:

The study should explore the feasibility of adding non-vehicular Thruway crossings to the current western dead-ends of Clinton, Brookside, White, Ross, Elysian, and Cedar Hill Avenues.

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15. Pollution Reduction:

The study shall explore the feasibility of reduction of environmental pollution. It has been suggested that decking over the Thruway would reduce noise and vibration, and provide the possibility to capture and scrub the emissions from Thruway vehicles.

16. Green Infrastructure, LEEDS:

The study shall explore the feasibility of employing green technologies in the buildings and structures, including green roofs, solar power, etc. LEED principles should be considered.

17. Environmental Remediation:

The study shall identify land areas that may require environmental remediation, such as the construction staging area within the Exit 10 interchange, and cost estimates for such remediation.

18. Public Facilities:

The study shall explore the provision of public facilities in the development, such as restrooms.

19. Nyack College:

Nyack College is located in the Village, but has had little interaction with the Village community. Nyack College administrators have expressed support for the Village's initiative and wish to pursue a closer relationship with the Village. The study shall explore the feasibility of the development hosting incubator businesses affiliated with Nyack College. The consultant shall explore the feasibility of the development providing facilities that would support community interaction with Nyack College. Such interactions might include activities such as health screenings from Nyack College's nursing program and performances from the College's music department.

20. Jurisdictional Issues:

The study shall explore jurisdictional issues. These include who should hold title to the land areas? Who should be responsible for operation and maintenance? With respect to the cap over the Thruway, what would the Thruway be responsible for versus the Village and other entities?

21. Zoning:

The study shall identify zoning suited to implementation of a feasible project.

22. Deliverable Products:

All documentation provided by the consultant for the feasibility study, whether digital or in hard copy, becomes the property of the Village of South Nyack at the completion of the study. The final report must be completed in a MS Word document file that can be both used by the Village to view and to edit, and be compatible with software programs used by the Village. All maps, charts, tables or other graphics must be in a format that is compatible with Village software. In addition, a PDF-formatted file should also be provided to the Village for use on the Village's website.

The draft report should be completed within 6 months with final report completion within 8 months of the contract signing.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE****RFP NUMBER:
RFP-VSN--2014-001****Draft Report**

The consultant will supply both a draft digital version (using compatible software with the Village) and hard copy of the draft report for review.

Final Report

The final plan report should consist of a narrative document including supporting information maps, renderings and a generalized land use plan. It should be printed with color maps, renderings and photographs throughout the document, providing visual interest and clarity to the study. The report should be done in such a format that it could be easily updated in the future when needed, such as in a 3-hole punched notebook-type layout. The report should include a table of contents, index, and appendixes where appropriate, and be formatted with tabs for each topic. Fifty (50) copies of the final report will be provided to the Village.

In addition, presentation materials shall be provided (e.g PowerPoint, brochure) to assist the Village in marketing the final reports recommendations.

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SECTION B – INFORMATION SECTION

TERMS AND CONDITIONS

INQUIRIES

All inquiries related to this request for proposal are to be in writing to the Village as noted on the Summary of Key Information. Information obtained from any other source is not official and may be inaccurate. Do not contact any other person involved. Inquiries and responses will be recorded and may be distributed to all proposers at the Village’s option.

NOTIFICATION OF CHANGES

All recipients of this request for proposal who have returned the Receipt Confirmation Form will be notified regarding any changes made to this document.

CHANGES TO PROPOSAL WORDING

No changes to wording of the proposal will be accepted after submission unless requested by the Village.

FUNDING

All Village expenditures are subject to appropriation of funds. Therefore, the Village reserves the right to discontinue the RFP process if funding is not available.

OWNERSHIP OF PROPOSALS

All responses to this request for proposal become the property of the Village.

PROPOSERS’ EXPENSES

Prospective proposers are solely responsible for their own expenses in preparing a proposal and subsequent negotiations with the Village, if any.

CONTRACT SOLUTION

The Village reserves the right to award a contract in part or in full, or not at all, on the basis of responses received.

ACCEPTANCE OF PROPOSALS

This RFP should not be construed as a contract to purchase goods or services. The Village is not bound to accept the lowest price or any proposal of those submitted.

LIABILITY OF ERRORS

While the Village has used considerable efforts to ensure an accurate representation of information in this RFP, all prospective proposers are urged to conduct their own investigations into the material facts and the Village shall not be held liable or accountable for any error or omission in any part of this RFP.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE****RFP NUMBER:
RFP-VSN--2014-001****ACCEPTANCE OF TERMS**

All the terms and conditions of this RFP are deemed to be accepted by the proposers and incorporated in its proposal except those conditions and provisions that are expressly excluded by the proposal.

QUOTES FROM THE MARKETPLACE

The Village reserves the right to consider quotes from the marketplace from suppliers other than those invited to respond to this solicitation.

PAYMENT HOLDBACK

The Village shall not pay the total contract price until the requirements outlined in this RFP have been met. Any holdback amount will be decided as part of the contract negotiations, or as specified in the RFP.

FINANCIAL STABILITY

The successful proposer must demonstrate financial stability and the Village reserves the right to conduct independent background checks to determine the financial strength of any and all organizations or individuals submitting proposals.

NEGOTIATION DELAY

If any contract cannot be negotiated within thirty (30) days of notification to the designated proposer, the Village may terminate negotiations with that proposer and negotiate a contract agreement with another proposer of its choice.

SHORTLIST

Unless there is a successful proposer based on the responses, the evaluation procedure will be to develop a shortlist based on the stated criteria. The shortlist of proposers may be asked to prepare a presentation and/or provide additional information prior to the final selection.

DEBRIEFING

Upon written request from an unsuccessful proposer, the Village will arrange for a debriefing session. The debriefing is not to be seen as an opportunity to challenge the decision. Once debriefing ends, the RFP process is finished and the RFP will not be discussed further with the proposer at any time.

SUBCONTRACTING

Utilizing a subcontractor, who must be clearly identified, to remedy deficiencies in the prime proposer's product or service is acceptable. This also includes a joint submission by two proposers having no formal corporate links. However, in this case, one of these proposers must be prepared to take overall responsibility for successful interconnection of the two-product/service lines and this must be defined in the proposal. Subcontracting to any firm or individual involved in the preparation of this RFP will not be permitted.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE****RFP NUMBER:
RFP-VSN--2014-001****DEFINITION OF CONTRACT**

The Village may at its option notify a proposer in writing that its proposal has been accepted and such acceptance shall at the Village's option constitute the making of a formal contract for the services set out in the RFP. Alternatively, the subsequent full execution of a written contract shall constitute the making of a contract for services, and no proposer shall acquire any legal or equitable rights or privileges whatever relative to the services until the Village has delivered either a signed notice in writing to the proposer or a fully executed written agreement to the proposer.

LABOR DISRUPTIONS

Any contract resulting from this Request for Proposal process is subject to the right of the Village to postpone acceptance of delivery and payment by the Village in the event of any form of labor disruption.

CONTRACT ADMINISTRATOR

A contract administrator will be assigned to oversee the contract awarded to the successful proposer. In addition, the successful proposer will be expected to name a counterpart project manager. The proposer's project manager will be responsible for providing scheduled status reports to the contract administrator or his designee.

COMPLIANCE WITH LAWS

The contractor shall give all notices and obtain all the licenses and permits required to perform the work. The contractor shall comply with all the laws applicable to the work or the performance of the contract.

GOVERNING LAW

This RFP and any contract entered into between the proposer and the Village shall be governed by and in accordance with the laws of the State of New York and the United States of America.

AMENDMENTS TO BID

Any verbal information obtained from or statements made by the Representative of the Village of South Nyack or his designee at the time of examination of the documents or site shall not be construed as, in any way, amending Contract documents. Only such corrections or addenda as are issued by the Director of Purchasing in writing to all Contractors shall become a part of the Contract. Any addendum issued during the time of bidding shall be included in bids and become a part of the Contract Agreement.

FAILURE TO PERFORM

Should the Contractor fail to perform as required by the specifications, the Village may cancel the order and/or contract. In such event, the Village will assume no responsibility for, nor will it reimburse the Contractor for any expense or loss to the contractor because of such termination or cancellation. Village will then purchase products/service on the open market and charge back the differences to defaulting vendor.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
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COMPLIANCE WITH LAWS

The Contractor shall comply with all the provisions of laws in the Village of South Nyack, the State of New York and of the United States of America which affect municipalities and municipal contracts, and provide at his expense, any and all permits, licenses and registrations required for the fulfillment of this agreement, and more particularly the Labor Law, the Immigration and Naturalization Laws and Regulation, the General Municipal Law, the Workers' Compensation Law, the Lien Law, Personal Property Law, State Unemployment Insurance Law, Federal Social Security Law, State, Local and Municipal Health Laws, Rules and Regulation, and any and all regulations promulgated by the State of New York and of amendments and additions thereto, insofar as the same shall be applicable to any contract awarded hereunder with the same force and effect as if set forth at length herein.

SOCIAL SECURITY TAXES

The Contractor for the agreed consideration promises and agrees to pay the taxes measured by the wages of their employees required by the Federal Social Security Act and all amendments thereto, and to accept the exclusive liability for said taxes. The Contractor further promises and agrees to indemnify and hold the owner harmless on account of any tax measured by the wages aforesaid of employees of the contractor assessed against the owner under authority of said law.

BUSINESS CORPORATION LAW

At the time of the execution of this contract, the contractor shall submit a certified document from the Secretary of State of New York verifying the contractor is licensed to do business in the State of New York and is fully qualified under the Business Corporation Law, Article 13 - Section 1304.

CONFIDENTIALITY AND SECURITY

This document or any portion thereof may not be used for any purpose other than the submission of proposals.

The successful proposer must agree to maintain security standards consistent with security policy of the Village. These include strict control of access to data and maintaining confidentiality of information gained while carrying out their duties. The successful proposer will be required to ensure that all personnel employed on the contract, which require access to Village of South Nyack information or facilities, meet the criteria for personal security clearance prescribed by the Village.

Suppliers should be aware that pertinent facts relating to their proposals, excluding trade secrets or proprietary information, could potentially be released as soon as sixty (60) days after the selection of the successful supplier.

The Village of South Nyack is subject to New York State's Freedom of Information law (FOIL). Should your submission, to this RFP, contain "**trade secrets**", or other information that the disclosure of which could **reasonably be expected to be harmful to business interests**, you must insure that such information is clearly identified and marked as such. Identification must be specific by item or paragraph.

Marked information will be treated as **Confidential Third Party Information**. Should marked information be the subject of a request under FOIL, you may be requested either to consent to the request, or make representation explaining why the information should not be disclosed.

Unpublished information pertaining to the Village or its customers obtained by the proposer as a result of participation in this project is confidential and must not be disclosed without written authorization from the Village.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE**

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GENERAL

Subsequent to the submission of proposals, interviews and negotiations may be conducted with some of the proposers, but there shall be no obligation to receive further information, from any proposer.

Any or all proposals shall not necessarily be accepted. The Village shall not be obligated in any manner to any proposer whatsoever until a written agreement has been duly executed relating to an approved proposal. The Village reserves the right to modify the terms of the RFP at any time in its sole discretion.

Neither acceptance of a proposal nor execution of an agreement shall constitute approval of any activity or development contemplated in any proposal that requires any approval, permit or license pursuant to any federal or municipal statute, regulation or by-law.

AWARD OF CONTRACT

When award Occurs: Award of contract occurs when a formal contract has been finalized or other evidence of acceptance by the Village is provided to the Offeror. A Recommendation of Award does not constitute award of contract.

Award: If a contract is awarded, it shall be awarded to the responsive and responsible Offeror whose offer conforming to the Request for Proposal will be most advantageous to the Village as set forth in the Evaluation Criteria.

PRICING

FIRM PRICING

Prices quoted in the proposals shall be firm for a period of at least 120 days after the submission deadline.

CURRENCY AND TAXES

Prices are to be in U.S. dollars, duty and delivery FOB destination, freight prepaid and allowed. The Village is exempt from all sales and use taxes.

PAYMENT TERMS

The Village's standard payment term is thirty (30) to sixty (60) days upon receipt of invoice after services are performed or goods delivered.

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SUMMARY OF KEY INFORMATION

PRE-PROPOSAL MEETING: A Pre-Proposal meeting has been tentatively scheduled for Monday, November 17 at 10:00am. The meeting will be held at the Orangetown Fire Company No. 1, 90 Depot Place, South Nyack, NY. The date, time, and place are subject to change. Please confirm schedule with the Village. Please note that the meeting location is not handicap accessible.

Closing date for the receipt of proposals is 5:00 pm, local time, on December 31, 2014.

Send ONE CLEARLY MARKED ORIGINAL AND FIVE (5) COPIES of each proposal

Interested proposers are advised to fax the enclosed Receipt Confirmation Form immediately to ensure that they receive further information with regard to this Request for Proposal.

Please use the above RFP number on all correspondence.

Responses to this RFP, and inquires concerning the RFP process and contractual conditions should be addressed as indicated below.

For further information contact:

Paul J. Brennan, CPPO
Director of Purchasing
Department of General Services – Purchasing Division
50 Sanatorium Road, Building A, 2nd floor
Pomona, NY 10970
purchasing@co.rockland.ny.us
Telephone: 845-364-3820
Telefax: 845-364-3809

Reference RFP number indicated above.

Information offered from sources other than the above is not official and may be inaccurate. Do not contact any other Departments or Agencies involved in this RFP.

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
ECONOMIC SUSTAINABILITY INITIATIVE**

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INSURANCE: THE RFP NUMBER IS TO APPEAR ON ALL INSURANCE CERTIFICATES

INDEPENDENT CONTRACTOR: The CORPORATION / CONTRACTOR/ AGENCY / CONSULTANT, is an independent contractor and covenants and agrees that it, its agents, servants and/or employees, will neither hold itself/themselves out as, nor claim to be an employee, servant or agent of the VILLAGE, and that it, its agents and employees will not make claim, demand or application to or for any right or privilege applicable to an officer or employee of the VILLAGE including, but not limited to, Worker's Compensation coverage, unemployment insurance benefits, Social Security Coverage or retirement membership or credit.

INSURANCE REQUIREMENTS:

GENERAL LIABILITY: The CONTRACTOR shall, at its/his/her own cost and expense, procure and maintain insurance to cover his/her/its work, services, employees, agents and servants under the terms of this agreement which shall include, but not be limited to:

A. Comprehensive general liability insurance in a minimal amount of one million dollars, combined single limit (CAL).

or

B. Comprehensive general liability insurance in a minimal amount of one million dollars, combined single limit (CAL); with two million dollars excess of one million dollars.

WORKERS COMPENSATION: The CONTRACTOR shall procure, pay for, and maintain during the entire term of the contract such insurance as will protect both the owner and the contractor from claims under worker's compensation acts and amendments thereto and from any other claims for property damage and for personal injury including death, which may arise from operations under this contract, whether such operations by contractor or by any other party directly or indirectly employed by the Contractor. Copy of Certificates to be provided to the Village of South Nyack.

COMPREHENSIVE AUTOMOBILE INSURANCE: The CONTRACTOR procure, pay for, and maintain during the entire term of the contract in an amount no less than \$300,000/\$500,000 for each occurrence for bodily injury, and \$100,000 for each occurrence of property damage.

DISABILITY INSURANCE & UNEMPLOYMENT INSURANCE: The Contractor shall procure, pay for, and maintain during the entire term of the contract any disability benefits and unemployment insurance as required by law. Copy of Certificates to be provided to the Village of South Nyack.

MALPRACTICE INSURANCE: (I.E. professional liability) in the amount of no less than one million and 00/100th (\$1,000,000.00) dollars.

If this box **IS CHECKED**, malpractice insurance **IS REQUIRED**.

CONTRACTOR TO HAVE ALL OTHER INSURANCE REQUIRED BY LAW.

When the CONTRACTOR signs and returns this agreement, contractor shall provide the Village (Department of Purchasing) with a policy endorsement showing the above-required insurance. The Village of South Nyack shall be named as additional insured on **all** insurance policies and policy endorsements, and the policies and policy endorsements shall provide that the insurance shall not be canceled or terminated without thirty-(30) day's prior written notice to the Village of South Nyack. Unless and until CONTRACTOR obtains such insurance and provides a policy endorsement to the Village, this agreement shall not be effective and no moneys shall be paid or given to the CONTRACTOR.

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SECTION C – FORMS

Receipt Confirmation Form

**PLEASE COMPLETE AND RETURN THIS CONFIRMATION FORM
 WITHIN 5 WORKING DAYS OF RECEIVING BID PACKAGE TO:**

**Paul J. Brennan, CPPO
 Director of Purchasing
 Department of General Services – Purchasing Division
 50 Sanatorium Road, Building A, 2nd floor
 Pomona, NY 10970
 Telephone: 845-364-3820
 Telefax: 845-364-3809**

Failure to return this form may result in no further communication or addenda regarding this Bid.

Company Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____

Phone Number: _____ EXT: _____ Fax Number: _____

Email: _____

I have received a copy of the above noted BID.

_____ We will be submitting a Bid

_____ We will NOT be submitting a Bid – (please indicate reason)

I authorize the Village of South Nyack to send further correspondence that the Village deems to be of an urgent nature by the following method:

Courier Collect: _____ Mail _____

Signature: _____

Title: _____

If a bidders meeting has been arranged for this Bid, please indicate if you plan to attend: Yes / No
 rectconf.frm

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PAST & PRESENT PERFORMANCE INFORMATION FORM

Provide the information requested in this form for each contract/program being described as a reference. Provide frank, concise comments regarding your performance on the contracts you identify. Provide a separate completed form for each contract/program submitted. Limit the number of past efforts submitted and the length of each submission to the limitations, if any, set forth in specifications.

A. Offeror Name (Company/Division): _____

B. Contract Name/Title: _____

C. Contract Specifics:

1. Customer: _____

2. Period of Performance: _____

3. Original Contract Value: _____

4. Current or Final Contract Value: _____

D. Brief Description of your Effort. Identify whether you were a Prime or Subcontractor.

E. Completion Date:

1. Original Date: _____

2. Current or Final Date: _____

3. How Many Times Changed: _____

4. Primary Causes or Reasons of Change: _____

**TITLE: FEASIBILITY STUDY FOR THE VILLAGE OF SOUTH NYACK
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F. Primary Customer Points of Contact: (For Government Contracts, provide current information on both individuals. For commercial contracts, provide points of contact fulfilling these same roles.)

(FAX NUMBERS ARE MANDATORY)

NOTE: CONFIRM CONTACT INFORMATION PROVIDED IS CURRENT PRIOR TO SUBMISSION.

1. Reference Program/Project Manager:

Name: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

2. Reference Contracting Officer

Name: _____

Address: _____

Telephone: _____ Fax: _____

E-mail: _____

G. Address any technical (or other) area about this contract/program considered unique.

H. Specify, by name, any key individual(s) who participated in this contract and are proposed to support acquisition detailed in the RFP.

I. Identify whether subcontractors were utilized on the referenced contract/program. If subcontractors were used, identify the names of the subcontractors and the percentage of the contract the subcontractor was responsible for.

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SECURITY STATEMENT FORM

USE OF CONFIDENTIAL INFORMATION

Our company will respect and maintain strict confidentiality in the use of all data that our company employees main gain access to for the purpose of preparing a response to the above referenced Request for Proposal and for the performance of any subsequent contract. Information obtained from the Village will be used only by authorized company employees and for only those purposes for which the Village provides the information. Those employees who handle the information will be notified of its strictly confidential nature. Our company will also take responsibility for returning to the Village promptly after use, all documents supplied along with all records of information derived therefrom.

 Signature of Company Representative

 Date

 Name

 Title

 Company Name

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CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

Pursuant to State Finance Law §165-a, on August 10, 2012 the Commissioner of the Office of General Services (OGS) posted a prohibited entities list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the Village receive information that a Bidder/Contractor is in violation of the above-referenced certification, the Village will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the Village shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The Village reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, _____, *being duly sworn, deposes and says that he/she*
is *the* _____ *of* *the*
 _____ *Corporation and that neither the Bidder/Contractor*
nor any proposed subcontractor is identified on the Prohibited Entities List.

 SIGNED

SWORN to before me this
 _____ day of _____
 201____
 Notary Public: _____