



NEWBURGH COMMUNITY LAND BANK ENVIRONMENTAL SERVICES REQUEST FOR QUALIFICATIONS

NEWBURGH COMMUNITY LAND BANK INVITES THE SUBMISSION OF QUALIFICATIONS FOR ENVIRONMENTAL SERVICES

June 26, 2017

Newburgh Community Land Bank is seeking bids from qualified, licensed, insured environmental contractors with extensive experience to provide high value environmental services for the testing and abatement of land bank properties.

Date Issued: JUNE 26 , 2017

Date Due: JULY 28, 2017

I. INTRODUCTION

NOTICE IS HEREBY GIVEN that submissions will be received by the Newburgh Community Land Bank (the “Land Bank”) to provide Environmental Services. This Request for Proposal (“RFP”) is a process designed to serve the Land Bank’s best interests and to provide firms a fair opportunity for consideration of their services. The request is open to all qualified firms able to deliver all requirements specified in this RFP. Proposals should address the general criteria and mandatory minimum criteria for the services. All proposals will be treated as confidential and reviewed only by the Land Bank. Proposals must be received at info@newburghcommunitylandbank.org at the Newburgh Community Land Bank offices located at 15 Chambers St, Newburgh, NY 12550, no later than **July 28, 2017 12pm noon**. Electronic submissions are preferred, but Respondents may submit two (2) original printed proposals instead. Printed proposals shall be contained in a sealed envelope, clearly marked “Newburgh Community Land Bank - PROPOSAL FOR ENVIRONMENTAL SERVICES”. Faxed Proposals are not acceptable. The Land Bank may select one (1) or more firms to provide environmental services on an ongoing, as-needed basis. Selection under this RFP is not a guarantee of any minimum contract award, but to establish eligibility to provide necessary services to the Land Bank as requested.

II. BACKGROUND

The Newburgh Community Land Bank was approved by New York State Urban Development Corporation d/b/a Empire State Development, pursuant to Article 16 of the New York State Not-for Profit Corporation Law in 2012. The Newburgh Community Land Bank is a not-for-profit formed by the City of Newburgh



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City Council to facilitate the return of vacant and abandoned properties to productive use. The Land Bank's work includes the acquisition and resale of properties to qualified buyers/investors, Land Bank-managed renovation of properties to sell in move-in or rehab ready condition, and long-term holding and assembly of certain properties to facilitate future development projects. For more information, visit <http://www.newburghcommunitylandbank.org>.

Pursuant to the above, the Land Bank is seeking qualified firms to provide independent Environmental Site Assessments (Phase I and subsequent investigations) on properties which are parcels the Land Bank has identified. The Land Bank anticipates acquiring at least twenty (20) properties over the next eighteen (18) months that will require the environmental services requested herein.

III. GENERAL PROPOSAL REQUIREMENTS

A proposal submitted in response to this RFP is to be formatted as follows to assure consistency:

Section A. Understanding of the Scope of Services to be provided for the Land Bank

Section B. Proposed Fee Schedule

Section C. Qualifications & Experience

Section D. Resume & Qualifications of Key Personnel

Section E. Client/Reference List

Section F. Conflict of Interest(s): This section should disclose any potential conflicts of interest that the firm may have in performing these services for the Land Bank

Section G. Miscellaneous/Other information (This section is for any further pertinent data and information not included elsewhere in the RFP).

IV. MISCELLANEOUS REQUIREMENTS

The Land Bank will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal. All proposals shall provide a straightforward, concise delineation of the firm's capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content. The contents of the proposal submitted by the successful firm and this RFP may become part of a contract for these services. The successful firm will be expected to execute any said contract with the Land Bank.



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Proposals shall be signed in ink by the individual or authorized principal of the responding party. Proposals submitted shall be valid for a minimum of sixty (60) days from the submission deadline. The Land Bank reserves the right to reject any and all proposals received or to negotiate separately in any manner necessary to serve the best interests of the Land Bank.

Any selected firm is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of any agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company or corporation without the prior written consent of the Land Bank.

Any contract entered into by the Land Bank with a contractor may not include an exclusion for labor law and any contractor's contract with subcontractors must provide for the same.

V. SCOPE OF SERVICES

GENERAL CRITERIA: The Land Bank desires to engage one (1) or more qualified firms to provide Environmental Services to the Land Bank.

The Newburgh Community Land Bank has been awarded funding from the Local Initiatives Support Corporation at the direction of the NYS Office of the Attorney General to facilitate the rehabilitation, stabilization, and demolition of vacant properties. Identified projects must demonstrate satisfactory completion of an environmental review in compliance with the scope and limitations of ASTM Practice E 1527-05 Phase I Environmental Site Assessment. For single family properties a National Environmental Policy Act (NEPA) review in accordance with HUD Environmental Standards, in particular a review of toxic or hazardous substances and radioactive materials in similar scope to HUD Notice 79-33, and a review of siting for HUD-Assisted Projects near Hazardous Operations, pursuant to 24 CFR 51 C, will be accepted in lieu of a Phase I Environmental Site Assessment. A Phase II may be required with some properties to insure the proper identification of certain materials.

VI. INSURANCE

The contractor shall continuously maintain, during the term of any contract entered into with the Land bank, insurance in amounts and types as follows:

- a) Commercial General Liability insurance, including contractual liability coverage, in an amount not less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury and Two Million



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Dollars (\$2,000,000.00) per occurrence for property damage. The New York State Office of the Attorney General and the Newburgh Community Land Bank shall be named an additional insured. Additionally, the Land Bank may require contractors to name third parties as additional insured on a project-by project basis, as specified by the Land Bank.

b) Comprehensive Automobile Liability coverage on owned, hired, leased, or non- owned autos with limits not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile. The Newburgh Community Land Bank shall be named an additional insured.

c) Workers' Compensation and Employer's Liability insurance in compliance with all applicable New York State laws and regulations and Disability Benefits insurance, if required by law. The Contractor shall furnish to the Land Bank, prior to its execution of the Contract, the documentation required by the State of New York Workers' Compensation Board of coverage or exemption from coverage pursuant to §§57 and 220 of the Workers' Compensation Law. In accordance with General Municipal Law §108, the Contract shall be void and of no effect unless the Contractor shall provide and maintain coverage during the Term for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

d) Professional Liability insurance in an amount not less than One Million Dollars (\$1,000,000.00) on either a per-occurrence or claims-made coverage basis.

VII. INDEMNIFICATION

To the fullest extent of the law, the successful firm shall defend, indemnify and save harmless the Land Bank, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful firm, its employees, agents, subcontractors or subcontractor employees to the extent of its or their responsibility for such claims, damages, losses and expenses.

VIII. NON- COLLUSIVE CERTIFICATION



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By submission of this RFP, each firm and each person signing on behalf of any firm 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 knowledge and belief:

- (1) 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 firm or with any competitor; and
- (2) Unless otherwise required by law, the prices which have been quoted in this proposal have not been knowingly disclosed by the firm and will not knowingly be disclosed by the firm prior to opening, directly or indirectly, to any other firm or to any competitor; and
- (3) No attempt has been made or will be made by the firm to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

IX. MWBE PROMOTION

It is the policy of the Land Bank that Minority-Owned Business Enterprises (MBE) and Women-Owned Business Enterprises (WBE) are afforded the maximum opportunity to participate in the performance of contracts. It is also the Land Bank's goal to award Procurement Contracts to those procurement contractors who have evidenced compliance with the laws of the State of New York prohibiting discrimination in employment.

X. AFFIRMATIVE ACTION

As required by Executive Law § 312, and in compliance with the Land Bank's procurement policy, any contractor awarded a procurement contract in excess of \$25,000 for services rendered to the Land Bank must acknowledge this affirmative action policy and agree to implement the same by making every reasonable effort to award any subcontracts (none of hereby authorized) to MBEs and WBEs and to utilize minority and labor in the performance of any agreement that is awarded to the contractor. Specifically, any contractor awarded a contract in excess of \$25,000 dollars will be expected to abide by the following provisions:



1. The contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. For purposes of this section, affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

2. At the request of the contracting agency, the contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein.

3. The contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the MWBE Threshold Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

XI. NON-DISCRIMINATION POLICY

In accordance with Article 15 of N.Y. Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor agrees that neither it nor any of its subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics or marital status refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

XII. EVALUATION OF PROPOSALS

Proposals will be independently evaluated on the basis of the criteria listed below:



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1. Proven record of experience, including referrals, in providing the type of services detailed herein.
2. Ability to provide services in a cost-effective and timely manner.
3. Personnel qualifications.
4. Understanding of the services requested (including completeness and clarity of submission), the Land 5. Bank and the qualitative nature of the services detailed herein.
6. Additional criteria described below.

XIII. PROPOSED FEE SCHEDULE

The proposed fee schedule should define the billing cycle or method used by the firm.

Include partners, associates and employees that would be primarily responsible for the work accomplished in this proposal.

It is anticipated that there will be periodic communications via phone, fax, email, or other medium. Identify how or if this will be billed.

XIV. PROPOSAL SUBMISSION

Electronic submissions are encouraged. Proposals must be received at the Newburgh Community Land Bank office:

Newburgh Community Land Bank
Attn: Madeline Fletcher
Executive Director
15 Chambers Street, Newburgh, NY 12550

Or by email: info@newburghcommunitylandbank.org

For Respondents who submit hard copies instead of electronic: The proposal shall be contained in a sealed envelope, clearly marked "Newburgh Community Land Bank - PROPOSAL FOR ENVIRONMENTAL SERVICES". Respondents must submit two (2) original printed proposals. Faxed Proposals are not acceptable.

Note: Submissions must be submitted and received by than **July 28, 2017 12pm noon.**