



COUNTY OF ORLEANS INDUSTRIAL DEVELOPMENT AGENCY

REQUEST FOR PROPOSALS

ALBION CORPORATE PARK

TOWN OF ALBION, ORLEANS COUNTY, NEW YORK

RFP RELEASE DATE: October 16, 2018

SITE TOUR DATE: November 8, 2018

QUESTION DEADLINE: November 16, 2018

SUBMITTAL DEADLINE: December 1, 2018

DESIGNATED CONTACT: James Whipple

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I. INTRODUCTION

The [County of Orleans Industrial Development Agency \(“COIDA”\)](#), is seeking proposals from responsive and responsible parties for the purchase and redevelopment of the Albion Corporate Park (“Park”).

The Park is owned jointly by the [COIDA](#) and the Orleans Land Restoration Corporation (“OLRC”) and consists of approximately 31.9 acres of undeveloped land (“Site”).

The goal of this Request for Proposal (“RFP”) is to advance public policy goals and maximize economic benefits to the Orleans County and the Town of Albion. Each party that submits a response (“Proposal”) to this RFP is referred to herein as a “Respondent.” A Respondent that is conditionally designated through this RFP process is referred to herein as a “Designated Developer.” COIDA intends to dispose of the entire Site. However, Respondents may submit Proposals for a sub-divided parcel of the Site, and The COIDA may select multiple Designated Developers. The COIDA encourages teams and partnerships to jointly respond to this RFP.

II. RFP TIMELINE

The following are significant dates in this RFP process:

- | | |
|--|-------------------|
| 1. RFP Release Date | October 16, 2018 |
| 2. Site Tour | November 8, 2018 |
| 3. Deadline for Submission of Questions | November 16, 2018 |
| 4. Deadline for Submission of Proposals | December 1, 2018 |
| 5. Anticipated Designation of Developer(s) | January 11, 2018 |

III. SITE CONTEXT AND DESCRIPTION

A. SURROUNDING AREA AND LAND USES

The Site is located in the Town of Albion along the east boundary of the Village of Albion in Orleans County, New York. (Appendix A)

The Town was historically developed as an Erie Canal village the railroad followed the same path and connected the area’s many small farms to the rest of the region. Today, the Town of Albion, remains a rural farming community with industrial ties.

The land uses around the Site are primarily commercial, industrial and agricultural.

B. SITE SUMMARY

The Site that is the subject of this RFP is located in [Orleans County](#) (Appendix B), Town of Albion on NYS Route 31, Telegraph Road, Albion NY. East and adjacent to 14789 Telegraph Road, 43.243860 longitude -78.163502 latitude, tax map #74.-1-53.1. It consists of approximately 31.9 acres, including frontage on NYS Route 31, Butts Road and the Falls Road Railroad.

The 31.9 acres, will be sold “AS IS” and “WHERE IS”. The size and contours of the Site make it an exciting opportunity for creative, well-planned development. Respondents are invited to propose mixed-

use development plans that may include, but are not limited to, lodging and event space; residential, commercial, light Industrial and cultural uses; and agricultural or other seasonal land uses. See “Zoning” section below for more detail on uses.

C. TRANSPORTATION, ACCESS AND PARKING

The Falls Road Railroad runs along the north boundary of the site with NYS Route 31 along the south and Butts Road, a County road, along the west.

D. UTILITIES

There is an operating electrical substation directly south of the site. Town water supply and access to the Village of Albion waste water system.

E. ENVIRONMENTAL CONDITIONS

The Executive Summary of a Phase 1 Environmental Site Assessment is attached in Appendix C. The complete report is available via Dropbox by sending a request to JWhipple@OrleansDevelopment.org.

F. WETLANDS

The Site contains a number of wetland areas. Please see Appendix D for a map of regulated wetland areas.

G. ZONING

This parcel is zoned light industrial. See Appendix E for a zoning map and Appendix F for a list of uses. Projects requiring rezoning will be considered.

H. OWNERSHIP AND TAXES

The Site is owned by the COIDA and the OLRC and is currently exempt from property taxes. Upon disposition and private re-use of the Site, property taxes would be assessed by local government entities, including Orleans County, the Town of Albion, and the Albion School District.

I. HISTORIC RESOURCES

The State Historic Preservation Office (“SHPO”) of the New York State Office of Parks, Recreation and Historic Preservation has determined that the site is in an archeological sensitive area. See Appendix G for their report.

IV. DEVELOPMENT OBJECTIVES

The COIDA is seeking Proposals for a well-integrated development that meets the following goals (“Development Objectives”):

- Utilizes the Site as an economic engine for the local economy;
- Enhances and complements the area’s existing resources and amenities

V. REQUIRED PROPOSAL CONTENTS

The following must be submitted with all Proposals in response to this RFP. The COIDA reserves the right, in its sole discretion, to reject any Proposal that is deemed incomplete or nonresponsive to the RFP requirements. The COIDA also reserves the right, in its sole discretion, to reject any and all Proposals, and to proceed (or not proceed) with the development of the Site without completing this

RFP process. The COIDA also reserves the right to waive any informalities or irregularities in procedure or Proposals submitted.

In evaluating the capabilities of the Respondents, the COIDA may utilize any and all information available (including information not provided by the Respondent). Proposals should clearly and concisely state the unique capabilities, experience, and advantages of the Respondent and demonstrate the Respondent's capability to satisfy the requirements and objectives set forth in this RFP. The COIDA reserves the right to ask additional written or oral clarifying questions to all Respondents or to a subset of Respondents.

Proposal must contain the following elements:

A. RESPONDENT DESCRIPTION AND QUALIFICATIONS

Each Respondent must demonstrate sufficient financial resources and professional ability to develop the Site in a manner consistent with its Proposal. In order to be considered a "Qualifying Organization," Respondent should demonstrate:

- Significant experience and expertise in developing and operating real estate;
- Successful completion of at least one real estate development project in the last ten years;

B. PROJECT DESCRIPTION

Proposals should include a detailed narrative describing all relevant aspects of the project and any plans/timing of phasing of the development. The description should include:

- Proposed use(s) and improvements on the Site;
- A general description of how the project will connect to existing roadways and interact with the surrounding area;
- A summary of the proposed building program;
- A list of potential tenants and any letters of interest and/or intent from potential tenants, if any;
- Estimated total development cost;
- How this project will advance the Development Objectives set forth in this RFP;
- An estimate of the economic impacts of the proposed project, including number of direct and indirect permanent and construction jobs estimated to be created by the project; and
- A plan identifying subcontracting opportunities, if any, associated with this project, and how Minority and Women-owned Business Enterprise ("MWBE") and Service-Disabled Veteran-owned Business ("SDVOB") businesses would be utilized.

C. ZONING ANALYSIS

Respondents must submit a preliminary zoning analysis. Any proposed changes to zoning and other municipal laws and regulations should be specifically identified in the Proposal. Respondents must identify any desired zoning changes and any required permits and authorizations necessary to effectuate the project.

D. DEVELOPMENT TIMEFRAME

Respondents must submit a development timeline (including phasing, if applicable), identifying the estimated length of time to reach key milestones, including commencing and completing design; finalizing financing; commencing and completing construction; tenant lease-up; and operational stabilization for each component of the development program. Any contingencies that may affect this timeline should be identified.

E. FINANCIAL INFORMATION

Respondent must submit a description of project financing and sufficient evidence that the proposed redevelopment and operation of the Site will be successfully accomplished by the Respondent and achieve the Development Objectives ("Financial Plan").

F. PURCHASE PRICE

Proposals must include a purchase price expressed in a fixed, non-contingent dollar amount. This may be covered in the Financial Plan. The purchase price will be paid in full at closing. Transfer of title will be by quitclaim deed (without any representations or warranties) at closing.

G. PROJECT CHALLENGES

Respondent must communicate any potential challenges or risks the COIDA should be aware of regarding the scope, procurement process, delivery method, term of contract, technical and financial feasibility, etc.

VI. SELECTION CRITERIA

The COIDA shall establish a review committee to evaluate Proposals. When evaluating Proposals.

The COIDA reserves the right to conduct interviews with or pose questions in writing to individual Respondents in order to clarify the content of Respondents' Proposals and to ensure a full and complete understanding of each Proposal. The COIDA shall undertake to pursue uniformity in the questions it asks Respondents to the extent practicable, but the COIDA may ask different or additional questions to different Respondents in the context of any individual interview or in writing. The COIDA reserves the option to hold oral interviews as part of the selection process; Respondents who are invited for an interview will receive additional instructions upon their invitation.

Proposals may be reviewed by the COIDA and other Town and County officials. The sale of the Site is subject to approval by the COIDA and OLRC Board of Directors.

VII. DEVELOPER DUE DILIGENCE

Respondents should assume that The Site will be disposed of "AS IS" and "WHERE IS" without representation, warranty, or guaranty as to quantity, quality, title, character, condition, size, or kind, or that the same is in condition or fit to be used for the Respondent's purpose.

The COIDA will post information regarding the RFP on the COIDA website (<http://www.OrleansDevelopment.org>). Respondents are encouraged to check back for updates. The COIDA makes no representation or warranty concerning the accuracy or utility of information posted or otherwise provided to potential or actual Respondents. Prospective Respondents should notify the COIDA of their interest as soon as possible in order to ensure that they receive all updates associated with this solicitation by sending an email to JWhipple@OrleansDevelopment.org.

Respondents must rely solely on their own independent research and investigations for all matters, including, costs, title, survey, development, financing, construction, and remediation, and shall not rely on the information provided in connection with this RFP. The COIDA makes no representation or warranty concerning the accuracy or utility of information posted or otherwise provided to potential or actual Respondents.

VIII. DISPOSITION PROCESS

After a review of the Proposals, the COIDA intends to conditionally designate one or more Respondents as the Designated Developer(s). The Designated Developer(s) and the COIDA will sign a non-binding term sheet regarding key aspects of the project and disposition of the Site, and the Designated Developer(s) may enter into separate agreements with the COIDA regarding payment by the Designated Developer(s) of costs and expenses.

IX. PROPOSAL SUBMISSION INSTRUCTIONS

A. PROPOSAL SUBMISSION

Five (5) hard copies and one (1) electronic copy (in the form of a flash drive) of the Proposal identified by “**Albion Corporate Park RFP**” must be received by the COIDA by December 1, 2018 at the following address:

County of Orleans Industrial Development Agency
Attn: James Whipple Re: ACP RFP
121 North Main Street, 2nd Floor
Albion NY 14411

It is the responsibility of each Respondent to ensure timely submission of its Proposal. Proposals received after the scheduled date and time cannot be accepted.

Respondents accept all provisions of this RFP by submitting a Proposal and are responsible for the accuracy of their submissions.

B. RFP INQUIRIES

The COIDA will accept written questions via email from prospective Respondents regarding The RFP. Please submit questions to: JWhipple@OrleansDevelopment.org. Written questions must include the requestor's name, e-mail address, and the prospective Respondent Team represented, and must be received by November 16, 2018. Responses to all timely and appropriate questions will be posted on the COIDA's website: <http://www.orleansdevelopment.org>.

If a Respondent discovers any ambiguity, conflict, discrepancy, omission or other error in this RFP, notification should be sent immediately via e-mail requesting written clarification or modification to this RFP. Should the COIDA find it necessary, an addendum or modification to this RFP will be posted on the COIDA website: <http://www.orleansdevelopment.org>.

C. SITE TOUR

An optional site visit is scheduled for November 8, 2018. Respondents are not required to attend but must email JWhipple@OrleansDevelopment.org at least 2 days in advance if they wish to participate. When emailing regarding tour participation, please provide the name of the firm, and the name, title, telephone number and email address of all representatives who will attend.

The COIDA reserves the right to limit the number of visitors on such site visit and to require such procedures as necessary to ensure the safety and security of visitors. The COIDA reserves the right to modify this RFP schedule at its discretion. Notification of changes in connection with this RFP will be made available to all interested parties by e-mail and via the COIDA's website at: <http://www.orleansdevelopment.org>.

D. INSURANCE REQUIREMENTS

The Designated Developer(s) will be required to provide appropriate insurance coverage as determined by the COIDA once the structure of the transaction with the Designated Developer(s) has been finalized.

X. GENERAL PROVISIONS

The issuance of this RFP and the submission of a Proposal by any Respondent or the acceptance of such Proposal by the COIDA does not obligate the COIDA in any manner. The COIDA reserves the right to:

1. amend, modify or withdraw this RFP;
2. revise any requirement of this RFP;
3. require supplemental statements or information from any responsible party;
4. accept or reject any or all responses hereto;
5. extend the deadline for submission of responses hereto;
6. negotiate potential contract terms with any Respondent;
7. communicate with any Respondent to correct and/or clarify responses which do not conform to the instructions contained herein;
8. cancel, or reissue in whole or in part, this RFP, if the COIDA determines in its sole discretion that it is its best interest to do so; or
9. extend the term of any agreement on terms consistent with this RFP.

The COIDA may exercise the foregoing rights at any time without notice and without liability to any Respondent or any other party for its expenses incurred in preparation of responses hereto or otherwise. All costs associated with responding to this RFP will be at the sole cost and expense of Respondent

Appendix A



Appendix B



Phase I

Environmental Site Assessment

Location:

Undeveloped Land on Route 31
Albion, New York

Prepared for:

Mr. James Whipple
County of Orleans
Industrial Development Agency
121 North Main Street
Albion, New York 14411

LaBella Project No. 2182340

September 18, 2018



300 State Street, Suite 201 | Rochester, NY 14614 | p 585-454-6110 | f 585-454-3066



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LaBella Associates, D.P.C. (LaBella) has been contracted by County of Orleans Industrial Development Agency to perform an All Appropriate Inquiry (AAI) Phase I Environmental Site Assessment (ESA) report for undeveloped land on Route 31, Town of Albion, Orleans County, New York (SBL No. 74.-1-53.1) hereinafter referred to as the "Site".

The findings of this report are based upon a preliminary assessment of the condition of the Site within the Scope of Work and objective described below as of the date of our Site observations and documentation review. This assessment was prepared according to the American Society for Testing and Materials (ASTM) Standard Practice E1527-13 to satisfy the due diligence requirements set for County of Orleans Industrial Development Agency. The information contained in this report is considered privileged and confidential and is intended solely for the use of County of Orleans Industrial Development Agency, as it applies to the Site.

1.0 EXECUTIVE SUMMARY

Based on the results of this assessment, no Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HREC), Controlled Recognized Environmental Conditions (CREC) or de minimis conditions have been identified associated with the Site at this time. However, the following Business Environmental Risk (BER) has been identified at this time.

SECTIONS #5.2 and 5.4.1 – Off-Site – PFCs in Groundwater

Perfluorinated compounds (PFCs) were identified in groundwater at the north adjacent property in 2017; however, such concentrations were identified below the United States Environmental Protection Agency's (USEPA's) 2016 Health Advisory for the total concentration of PFCs (70 parts per trillion (ppt). In addition, according to a New York State Department of Environmental Conservation (NYSDEC) State Listed Inactive Hazardous Substance Disposal Site (IHWDS) listing, the west adjacent property known as the St. Gobain facility (NYSDEC Site # 837019), has been identified by the NYSDEC as a facility which potentially utilizes and/or stores PFCs and the extent of any release (PFCs or other contaminants) is not known. As a result, the NYSDEC intends to conduct a soil and groundwater investigation at the St. Gobain facility. This work is pending as of the date of this Phase I ESA report.

Based on the findings of this assessment, there are no known off-site impacts from the adjacent western parcel and as such no further investigation appears warranted at this time. However, if future construction is anticipated at the Site, it is recommended that the Site be connected to the public water supply or if potable well(s) are installed at the Site, water samples should be collected from such subsequent installation and submitted for laboratory analysis of PFCs and any detected addressed at that time.

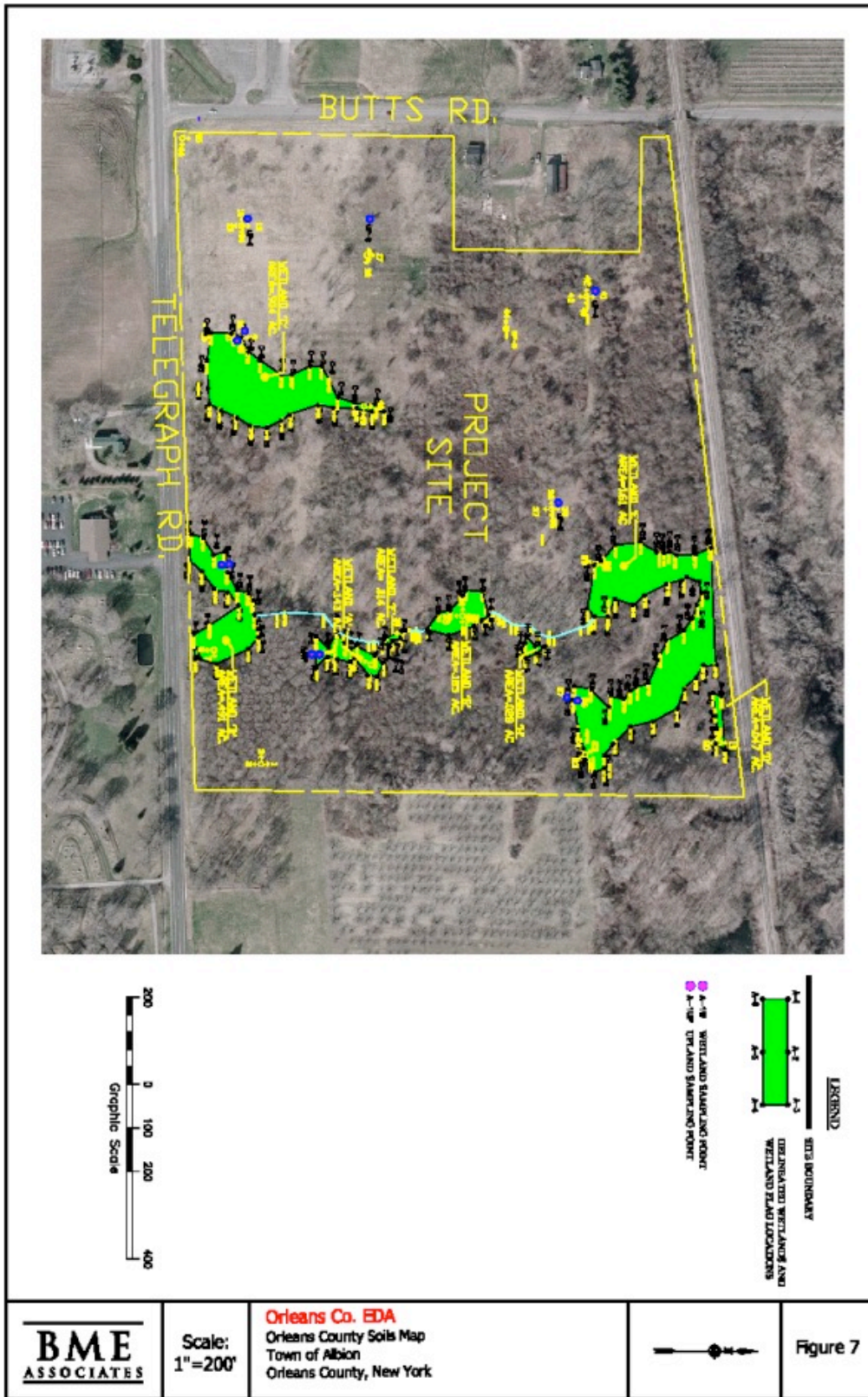
2.0 INTRODUCTION

2.1 Purpose

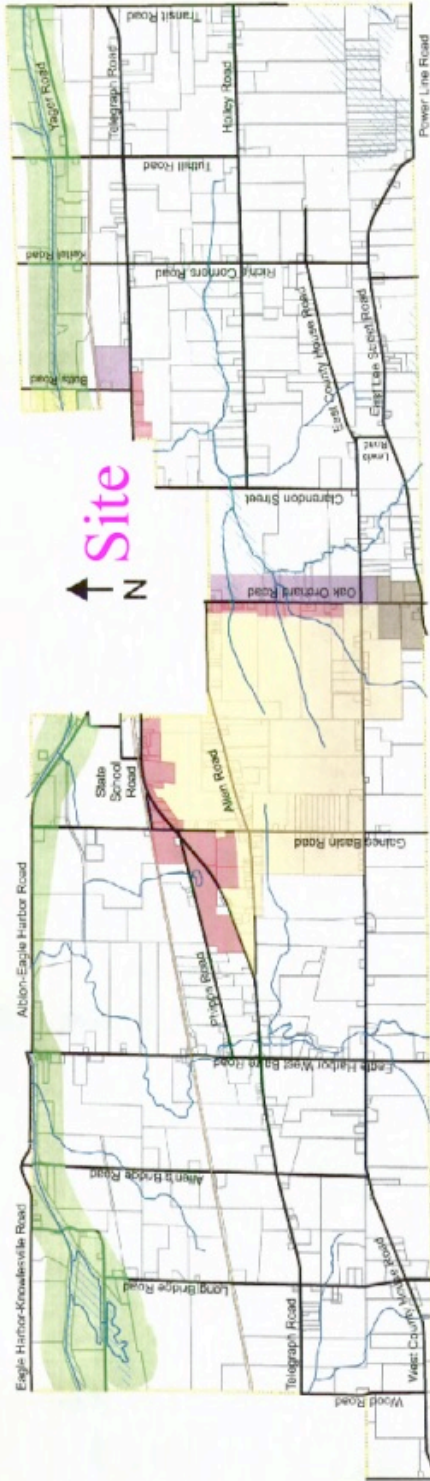
This investigation was requested to identify, to the extent feasible, Recognized Environmental Conditions in connection with the Site, including the identification of conditions indicative of releases and threatened releases of hazardous substances on, or in the vicinity of, the Site. This AAI Phase I ESA report was conducted in general conformance with the Scope and Limitations of ASTM Standard Practice E1527-13.

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Town of Albion Zoning Map



Zoning Districts

- A/R - Agricultural/Residential
- C - Canal Overlay
- F - Flood Hazard Overlay *
- B - General Business
- LI - Light Industrial
- PD - Planned Development
- R-1 - Residential

* - See Flood Insurance Rate Maps for Exact Boundaries
See text for description of Waste Management Facility Overlay Zone

Adopted: November 1997

Revised B District (Phipps Rd.): April 2004

Revised B District (Gaines Basin Rd.): April 2005



Prepared 4-25-05 by Orleans County Department of Planning and Development

Parcel Boundaries: 2005 Orleans County Real Property Tax Maps

11 - 01 - 2009

ZONING

103 Attachment 1

**Town of Albion
Zoning Schedule
[Amended 10-28-2002]**

Zoning District	Permitted Use *Special Permit Use	Minimum Lot Size	Minimum Width (feet)	Minimum Setbacks		
				Front (feet)	Side (feet)	Rear (feet)
A/R Agricultural/ Residential	Agriculture	40,000 square feet	200	50	15	15
	1-family dwelling	40,000 square feet	200	75	15	15
	*Airport		See specific design standards in Article VII			
	*Bed-and-breakfast establishment	40,000 square feet	200	50	15	15
	*Campgrounds	10 acres		See specific design standards in Article VII		
	*Cluster residential developments	15 acres		See specific design standards in Article VII		
	*Essential services and utilities			See specific design standards in Article VII		
	*Home business	40,000 square feet	200	50	15	15
	*Kennels and animal hospitals	2 acres	250	50	50	50
	*Mobile/manufactured home park	20 acres		See specific design standards in Article VII		
	*Public and semipublic uses	40,000 square feet	200	50	15	15
	*Stables or riding academy			See specific design standards in Article VII		
	Agriculture	40,000 square feet	200	50	15	
	Single-family dwelling	20,000 square feet	100	75	15	15
R/I Residential	Two-family dwelling	20,000 square feet	150	75	15	15
	*Bed-and-breakfast establishment	20,000 square feet	150	50	15	15
	*Essential services and utilities			See specific design standards in Article VII		
	*Public and semipublic uses			See specific design standards in Article VII		
	*Cluster residential developments	15 acres		See specific design standards in Article VII		
	Agriculture	20,000 square feet	100	50	15	30
B General Business	Single-family dwellings (constructed before 1-1-1997)	20,000 square feet	100	50	15	15
	Business uses listed in § 103-26	20,000 square feet	100	50	15	30
	Public and semipublic uses	20,000 square feet	100	50	15	30
	*Bed-and-breakfast establishment	20,000 square feet	100	50	15	30
	*Drive-in business	20,000 square feet	100	50	15	30
	*Essential services or utilities	20,000 square feet	100	50	15	30
	*Kennels and animal hospitals	2 acres	250	50	50	50
	*Motor vehicle service station/repair shop	20,000 square feet	100	50	15	30
	*Motor vehicle sales	20,000 square feet	100	50	15	30
	*Multiple family dwelling or development	20,000 square feet	150	50	15	30



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

September 11, 2018

Mr. James Whipple, CEO
County of Orleans Industrial Development Agency
121 North Main Street
Albion, NY 14411

Re: Information Request
Albion Corporate Park-Cultural Review
Butts Road at Telegraph Road
Albion, Orleans County
18PR05339

Dear Mr. Whipple,

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) on an informal basis to gather information only. If you find your project will have state or federal involvement, please provide us with that information so that we can understand our review our responsibility under the law.

OPRHP has archeology concerns for the previously identified Tanner III Precontact Site (USN 07301.000050) located within the Area of Potential Effects (APE) identified with your initial submission. Before projects involving ground disturbing impacts occur within this area, the OPRHP recommends that a Phase I Archaeological Survey be conducted to confirm the location of this early identified site, assess its integrity and research potential and determine if it is potentially eligible for the State and National Registers of Historic Places.

The project is adjacent to the National Register listed Mount Albion Cemetery. We will need to understand more about the project to comment on the project's potential impact on the cemetery.

If I can be of further assistance, please contact me at 518-268-2158.

Sincerely,

A handwritten signature in black ink that reads "Sloane Bullough".

Sloane Bullough
Historic Sites Restoration Coordinator via e-mail only

Division for Historic Preservation

P.O. Box 189, Waterford, New York 12186-0189 • (518) 237-8643 • www.nysparks.com