



Rome, New York

Gateway to the City of Rome:

Opportunities Await!

Former Rome Turney Site: 109 Canal Street, Rome, New York

Development Incentives

- + \$500,000 NYS Cash Incentive
- + \$300,000 Possible National Grid Cash Incentive
- + NYS Brownfield Tax Credits



Department of Community and
Economic Development

198 North Washington Street
Rome, NY 13440-5815

romenewyork.com

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Invitation from the Mayor

The City of Rome is proud to welcome potential development proposals at the former Rome Turney Radiator site on Canal Street. This is a unique opportunity for development along one of Rome's entrance corridors leading to the resurgent center city area known as Downtown Rome.

The site located in a Brownfield Opportunity Area, not only offers NYS Brownfield tax credits, but coupled with a NYS RESTORE grant and National Grid funds, provides a potential developer with the seed money necessary to assist a substantial redevelopment project.

The City of Rome is host to the area's largest Business and Technology Park at the former Griffiss Air Force Base, hosts of 1 of only 6 FAA certified drone test facilities in the United States which puts Rome at the forefront of new technology and initiatives related to the next generation drones, and is in close proximity to the SUNY POLY campus where site preparations are ongoing to advance a chip fabricator.

Rome is ready to assist your company, and we thank you for considering becoming the newest member of our great City!

Sincerely,

A handwritten signature in blue ink, reading "Jacqueline M. Izzo". The signature is fluid and cursive, with a large, stylized initial "J".

Jacqueline M. Izzo
Mayor of the City of Rome



Project Background & Overview

The City of Rome is requesting proposals from qualified developers to redevelop the former Rome Turney Site, a 1.4-acre site located at 109 Canal Street along the Erie Boulevard corridor. The City of Rome, located in the geographical center of New York State at the foothills of the Adirondacks, is home to over 33,000 residents. Incorporated in 1870, the growth of the City was directly attributed to historical movements including the fortification of the British Fort Stanwix during the American Revolutionary War and development of the Erie Canal in the 1790s.



Figure 1: Site Context Map

Site Details

The 1.4 acre former Rome Turney located at 109 Canal Street is the largest site along the Erie Boulevard corridor that is currently available for reuse. Several buildings dating back to the 1930's cover approximately 2/3rds of the site. The remainder of the property is asphalt with minimal small pockets of green space.

The former Rome Turney site has been identified as a strategic site in the Downtown Rome Brownfield Opportunity Area (BOA) due to:

- high visibility at the intersection of Black River Boulevard and Erie Boulevard
- proximity to the Fort Stanwix National Monument (part of the National Park System)
- central location in downtown
- located on the Mohawk River Trail and close to the Erie Canalway Trail

The site is in a critical location as it connects residents and visitors from Bellamy Harbor Park along the Erie Canal north to residential neighborhoods, Fort Stanwix and downtown. The surrounding parcels are comprised of a mix of residential, industrial and commercial uses. The Erie Boulevard corridor, on which the Rome Turney site resides, is a major vehicular gateway into the City. This intersection experiences a substantial amount of vehicular traffic. In 2015, the average daily vehicular traffic passing the former Rome Turney site was 20,744. As a gateway corridor into downtown the corridor has been identified for streetscape/traffic calming improvements and green infrastructure enhancements.

The City has dedicated significant resources to ensuring this property can be advanced for a major redevelopment project. Funds from the NYS BOA Program have been used for a number of studies and investigations on site, including:

- Environmental Site Assessment (ESA) Phase I
- Site Investigation Report (Phase II equivalent)
- Draft Analysis of Brownfield Cleanup Alternatives (ABCA)
- Draft Remedial Action Work Plan (RAWP)
- Hazardous Materials Report



Figure 2: Former Rome Turney Site Map

The adjacent property (107 Canal Street & 109 Canal Street) owners have expressed interest in selling their parcels. 109 Canal Street, located to the south of the property on the corner of Erie Boulevard and Jasper Street is outlined in red in Figure 2. Refer to attached tax map for exact parcel lines. To discuss possible acquisition please contact Rick Hoke (315)281-5215 and/or John Panzone (315) 941-8089.

Located to the north of the Former Rome Turney Site and outlined in blue on Figure 2 is 107 Canal Street. For possible acquisition contact Louis Gifone, (315) 794-9113.



Figure 3: Former Rome Turney Building

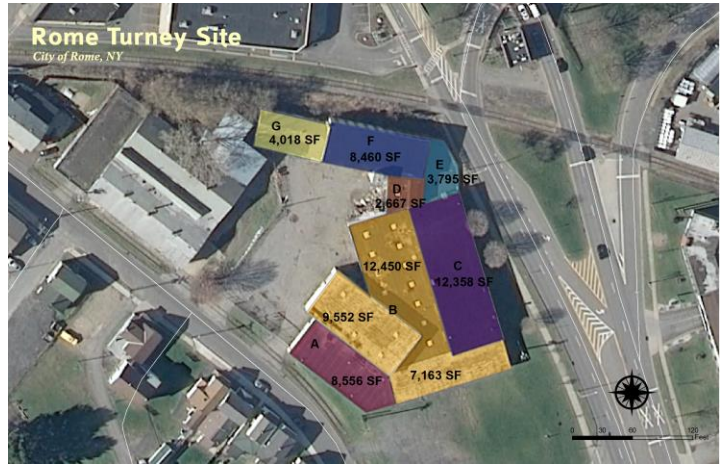


Figure 4: Former Rome Turney Building Area

The City of Rome is in the process of adopting a form based zoning ordinance for the areas indicated in Figure 5 (future Waterfront District). A form based zoning ordinance is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than the separation of uses) as the organizing principle for the code.

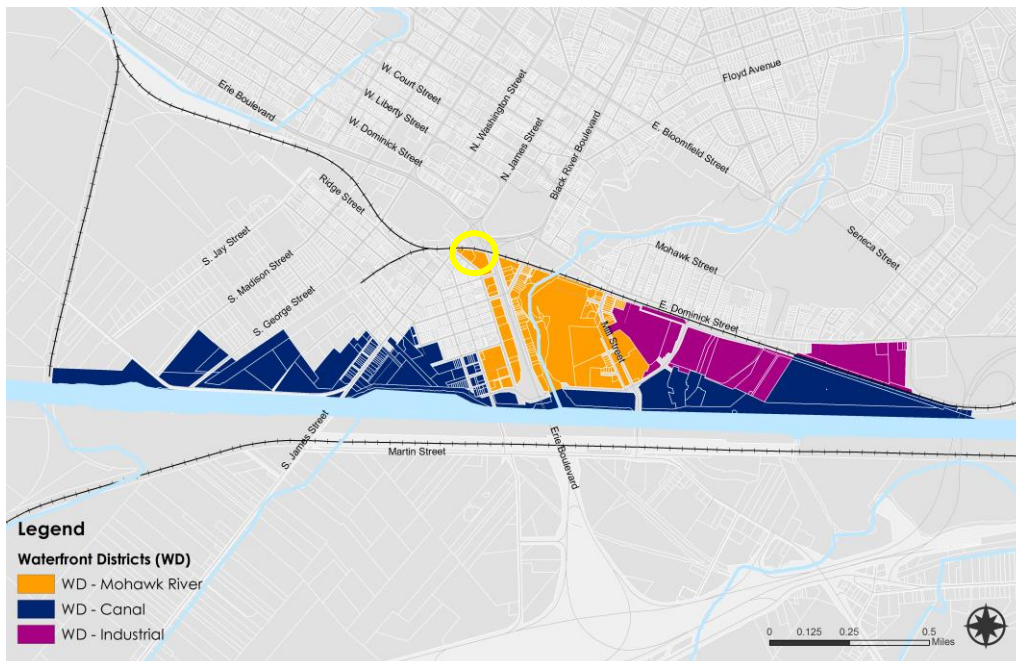


Figure 5: Proposed Waterfront District Boundaries

The intent of the Waterfront District is to facilitate recreational uses and mixed-use development, creating a strong link between the City's waterfront, Bellamy Harbor Park, surrounding light industrial uses and Downtown Rome. Regulations that will be implemented within the Waterfront District include façade requirements, building transparency minimums, pedestrian access, parking regulations, lighting and landscaping regulations. The form based zoning ordinance, when adopted mid-2017, will not restrict the uses permitted on the parcel, but will define the design standards required for developments within the district, including the Rome Turney site.

Historical Context

The City of Rome historically served as the industrial and manufacturing center of Oneida County. Strategically located at the junction of the Mohawk River and the Erie Canal, the City of Rome was considered one of the most important transportation hubs for moving goods and services from New York City and the Atlantic Seaboard to the Great Lakes. During the Industrial Revolution, Rome gained the reputation as the "Copper City" and was home to many significant metal industries such as Revere Copper, Rome Cable and General Cable. From 1950-1995, Rome was the home of Griffiss Air Force Base, a former United States Air Force installation, that served as a significant regional employer.

Much of Rome's industry was concentrated in the downtown core and immediate vicinity, as well as along the Erie Canal. Many of these industrial areas were directly adjacent to residential neighborhoods. Similar to many upstate cities, the loss of manufacturing from the 1980's to 2000's left the City with a number of contaminated and abandoned industrial sites. The City views these former industrial sites as opportunities for new investment and development in downtown, with the goal of attracting new employers, residents and visitors. The City of Rome has a successful record of accomplishment of bringing brownfield and underutilized sites back into productive, vibrant use.

This site was previously the location of the Rome Turney Radiator Company that manufactured radiators from 1905 until the mid-1990s, when the Company went out of business. From 1992 through 1995, the property was operated by Lynch Realty, The Music Factory (an internet search indicated that this was an asphalt company), the Rome Turney Radiator Co., and Serway Brothers Inc.-Plastic Laminating Division (an internet search indicated that this was a cabinet making company). From 1999 through 2003, the property was operated by The Music Factory and the Rome Turney Radiator Co. In 2008, the property was operated by Elegrace Casket Inc. (an internet search indicated that this was a casket making company), Rofin LLC (an internet search indicated that this was a global supplier of industrial coolers who purchased all of the assets of the Rome Turney Radiator Co.), and the Rome Turney Radiator Company. In 2013, the property was operated by The Music Factory. The site is vacant and ready for development.

Building on Past Success

For over a decade, the City of Rome has been actively designing, planning, and implementing projects that enhance the waterfront and downtown, leveraging existing assets along the Erie Canal, to continue building an attractive destination for visitors and residents. Since 2007, more than \$35 million in public and private investment has been made in the Downtown Rome BOA. Examples include the restoration of the Grand Hotel, the relocation of American Alloy Steel, enhancements to Bellamy Harbor Park and brownfield remediation along the Erie Canal. Figure 6 highlights the investments in the downtown BOA and recreation trails.

The City of Rome has successfully participated in the New York State Department of Environmental Conservation (DEC) Environmental Restoration Program to remediate a number of sites throughout the community. In 2006, the City was one of the first communities in New York State to receive Brownfield Opportunity Area (BOA) funding through the Department of State to develop a community-based revitalization plan for a 513-acre area, including the former Rome Turney property.

The State of New York created the BOA program in 2003 as the planning component for the NYS Superfund/Brownfield Law. The purpose of the program is to provide financial and technical assistance to municipalities and community-based organizations for area-wide revitalization. The BOA Program is implemented in neighborhoods that have been impacted by the presence of brownfields and environmental hazards. Brownfields are sites, typically former industrial or commercial properties, where activities may have resulted in environmental impairment. The New York State Department of State and Department of Environmental Conservation recognize the detrimental impacts these sites have on their surrounding neighborhoods, and that brownfield impacts are not limited to individual sites or adjoining property. The presence (and potential presence) of contaminated sites can affect the viability of entire neighborhoods by negatively affecting quality-of-life and discouraging potential investment. These impacts can lead to disinvestment and blight radiating outward far beyond the impacted sites or immediate area.

This study, known as the Downtown Rome BOA (Step 2 - Nomination Study) was completed in 2013. The City is currently completing implementation strategy activities in accordance with funding from the BOA for Step 3 of the three-phase program.

Communities that complete the BOA program may seek formal designation of the BOA, which increases their competitive position for access to funding and development incentives under the New York State Department of Environmental Conservation Brownfield Cleanup Program (BCP), the Empire State Development Corporation's economic development programs and many other state and federal assistance opportunities. Other state and federal programs can work in conjunction with the BOA program, including the Department of Conservation's Environmental Restoration and Brownfield Cleanup Programs and the US Environmental Protection Agency's Brownfield Program. These programs focus on physical investigations and activities, which further help local municipalities deal with brownfield properties and their impacts. The City's Downtown BOA was designated a BOA in 2015.

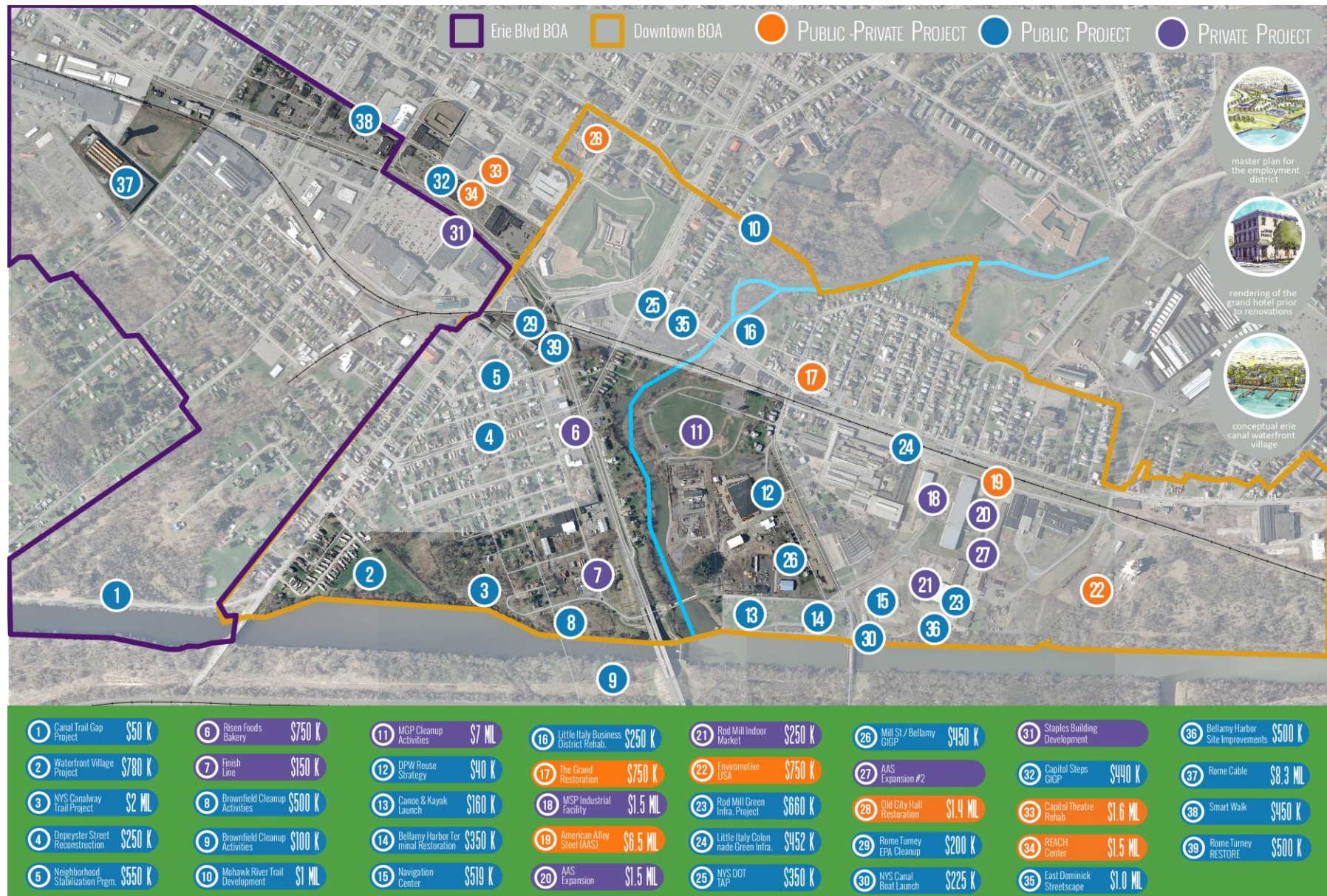


Figure 6: Past Investment Areas in the City of Rome

Regional Context

109 Canal Street is located at the intersection of Erie and Black River Boulevards, a key corridor and gateway. In addition to the site proximity to local destinations, the site is strategically located within a 15-mile radius of the City of Utica to the southeast and within a 10-mile radius of Turning Stone Resort Casino to the southwest. The City of Utica, a growing finance, hospitality and innovation center. The City of Utica is also home to the Oneida County and New York State Office Buildings.



Figure 7: Regional Context Map

The City of Rome is the home to the Air Force Research Laboratory (AFRL), an Information Directorate research vector that facilitates the creation of new and affordable command, control, communications, computing, cyber and intelligence technologies. AFRL is recognized as a national asset and is influential to the City of Rome's growth and development. AFRL is located in the Griffiss Business and Technology Park. The park is located approximately 15 minutes from the City of Rome's downtown. The technology park is the vibrant center for public and private enterprises. The technology park focuses on manufacturing, aviation, office, education and recreation uses, and has been described as one of the most successful technology parks in the United States. The technology park covers 3,500 acres, housing more than 62 individual tenants employing thousands

of people. Griffiss Business and Technology Park has a number of unique amenities including, an airfield with a 2.23-mil long runway, allowing this park to attract tenants. Griffiss Business and Technology Park is one of Rome's most pivotal assets and ensures the stability of the local population.

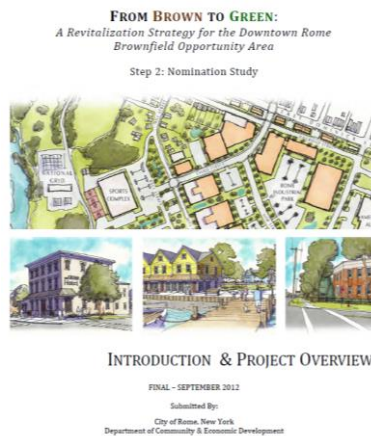
The Rome Lab located in Griffiss Business and Technology Park has experienced an increase in employees with hundreds of transient contractors visiting the lab on a regular basis. Another major tenant of the technology park, Premier Aviation, has recently secured a 5-year contract with JetBlue, ensuring the continued support of the region. The 5-year agreement is for the painting and maintenance of two of JetBlue's lines. The maintenance and painting agreement is expected to add skilled jobs to the City of Rome and increase recruitment efforts for the facility.

The City's close proximity to the Town of Marcy and the City of Utica are important influencing factors, for revitalization. The Town of Marcy, in partnership with Mohawk Valley EDGE, State University of New York (SUNY) and Empire State Development has undertaken a pivotal project, the Marcy Nanocenter Project that could greatly influence the City of Rome's housing market, demand for office and retail space and create new employment. Through the BOA Program, the City retained Camoin Associates to research the potential impacts of the Marcy Nanocenter Project on the City of Rome. Please see the *Understanding the Potential Impacts in Rome from the Marcy Nanocenter Project*.

In March 2017, Danfoss Silicon Power partnered with General Electric and the State University of New York (SUNY) Poly's Utica Campus to establish a computer-chip packaging plant. The plant, located in the Marcy Nanocenter, will generate approximately 300 jobs during the plant's first quarter. This collaboration further supports the continued revival of the City of Rome. Ensuring employment opportunities for skilled labor are available in close proximity and the continued recruiting efforts to the City of Rome will facilitate the revitalization of City and ensure success.

Market Studies Supporting Redevelopment

In support of this project, the City has completed a number of studies to identify the market demand and feasible reuse options for the property.



From Brown to Green: A Revitalization Strategy for the Downtown Rome Brownfield Opportunity Area, Step 2: Nomination Study (2012)

The Study identifies the former Rome Turney Site as an ideal location for a mixed-use property, one that would provide employment, housing and entertainment opportunities.

Real Estate Market Analysis: Erie Boulevard Brownfield Opportunity Area & the City of Rome (2016)

The analysis assessed the residential, retail, office and industrial market to identify key trends and opportunities within the City. The analysis organized the key finding by over-arching use types.

Residential:

- Housing is affordable, but quality is lacking
- There is current and expected demand for more modern housing in the City, especially in the Downtown
- There will be an increase in housing demand as a result of the Marcy Nanotech workers
- Mid- to upper-scale apartments will have greatest demand
- Some townhouse demand is expected
- New entertainment options are needed in the downtown to support the residential market
- Senior living and 55+ aging facilities are in demand

Retail:

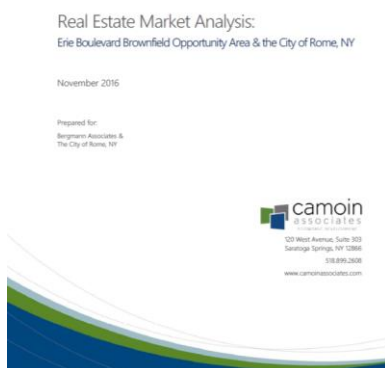
- No new retail construction has occurred in the City since 2008
- The Marcy Nanotech development in the Town of Marcy, 15 minutes from the City of Rome's downtown, will have a transformative impact on the market
- Mixed-use retail has the greatest potential

Office:

- Office market outlook is weak and not expected to drive demand
- Potential exists for specialized office projects (medical offices, short-term office space)

Industrial/Flex:

- Currently an excess of industrial properties on the market
- Demand for industrial space is weak
- Flex space (a mix of office and light industrial space) is in short supply



Pro Forma Statement for the Former Rome Turney Site (2017)

The analysis prepared a pro forma cash flow statement for the former Rome Turney site to determine the financial feasibility of potential redevelopment projects. The following summary table illustrates the pro forma's key findings. The financial feasibility assessment determined a new mixed-use construction project on this site would be viewed positively by lenders and would meet internal rate of return targets. Refer to attached *Revisions to the Analysis & Key Findings* for the complete analysis.

Summary Table: Rome Turney Redevelopment Scenario Feasibility Analysis		
	Revised Development Scenarios with RESTORE NY Funds	
	2. New-Build Mixed-Use	3. Commercial New-Build
Project Description	Demolish the existing building and build a new 130,000 square foot mixed-use residential building with 115-120 market rate apartments with ground floor commercial space.	Demolish the existing building and develop 3 commercial buildings: 2 restaurants and 1 retail building
Private Developer Feasibility	The project is feasible for a developer if it receives assistance such as an OCIDA PILOT	The project is not feasible even with a reduced subsidy
Bank Financing Feasibility	Bankable – but only with subsidy such as PILOT	Not bankable – even with a reduced subsidy
Conclusion	Feasible with Subsidy	Not Feasible

Financial Feasibility Analysis for the Former Rome Turney Site (2017)

A financial feasibility analysis was completed to evaluate the revenue, operating costs and rate of return for a hotel in downtown Rome. The analysis found the development of a hotel is financially feasible. The location is a vital component to the feasibility success. The former Rome Turney site is highly visible and accessible making it an attractive option for a hotel.

Supplemental Funding/Incentives

The City has actively pursued funding to supplement the costs of the private redevelopment of the property. To date, the City has been awarded or identified the following potential incentives associated with redevelopment of the former Rome Turney Site:

- **RESTORE NY.** In 2016, the City was awarded a \$500,000 grant through the RESTORE NY program to help offset demolition costs. Copies of relevant materials from the grant application are included as Appendix to this Request for Proposals. The RESTORE grant is transferable to the developer.
- **National Grid (possible).** The City has applied for \$300,000 of funding from National Grid to mitigate general costs associated with the redevelopment of the former Rome Turney Site. Should National Grid award the City of Rome, this would be transferable to the developer.
- **Environmental Protection Agency (EPA).** In 2016, the City was awarded a \$200,000 grant from the Environmental Protection Agency which covers the following clean up and remedial activities:
 - Soil Excavation (non-impacted)
 - Transportation and furnish Granular Backfill
 - Excavation and Disposal of Soil (contaminated soil disposal)
 - Soil Compaction
 - Soil Compaction Test
 - Groundwater Containment
 - Groundwater Disposal
 - Field Monitoring of Remediation Work done by Contractor
 - Documentation and Remediation Report
 - Groundwater Monitoring Report
 - Confirmatory Soil Samples and Field Expenses

The City of Rome is currently completing remedial activities with the awarded EPA funding. This funding is non-transferred to the developer.

- **Brownfield Cleanup Program (BCP).** Empire State Development encourages cleanup and redevelopment of brownfield sites by offering several types of tax credits to companies that complete cleanup programs under the State's Brownfield Cleanup Program (BCP) authorized in 2003. The amount of the credit is equal to a percentage of certain eligible costs incurred. Credits can be used against the New York State corporate franchise tax and certain personal income taxes (including shareholders of New York "S" corporations and beneficiaries of estates and trusts).

For more information on the BCP tax credits visit:

- <http://www.dec.ny.gov/chemical/8450.html>

- <https://www.tax.ny.gov/pit/credits/brownfield-credits.htm>

The City of Rome is currently in the process of entering this site into the State's Brownfield Cleanup Program (BCP), making it eligible for the associated tax incentives. All grant funded environmental activities and additional development costs on the site may be eligible to receive BCP tax credits, should the site be accepted into the program.

- **Oneida County Industrial Development Agency and City of Rome Incentives.** The project may be eligible for incentives provided by the Oneida County Industrial Development Agency (OCIDA), including a Payment in Lieu of Taxes (PILOT), Sales Tax Exemption, and Mortgage Recording Tax Exemption. In addition, the project may be eligible for incentives provided by the City of Rome, including the Commercial, Business or Industrial Property Exemption (485b) and the New Construction Tax Exemption (485i). More information about these incentives can be found at:

- <http://www.oneidacountyida.org/>

- **Mohawk Valley EDGE Project Loans.** Mohawk Valley EDGE is responsible for overseeing and administering several revolving loan funds used for economic development. These funds are available to support economic development projects that create jobs, support the retention of existing jobs, enhance the tax base of the area and provide other benefits to the region's economy. More information about this incentive can be found at:

- <https://www.mvedge.org/incentives-taxes/>

- **New York State Energy Research and Development Authority (NYSERDA) Energy Efficiency Program for New Construction.** NYSERDA can offset a portion of capital costs to purchase and install energy-efficient equipment that reduces energy consumption in new and substantially renovated commercial buildings in New York State. For more information visit:

- - <https://www.nyserda.ny.gov/All-Programs/Programs/New-Construction-Program>

Submission Requirements

The City is soliciting proposals from developers for an innovative redevelopment project, creating a vibrant gateway to the City of Rome.

Development proposals should address the goals, concepts, and recommendations from the *Revitalization Strategy for the Downtown Rome BOA*.

In addition, development proposals should address the following key concepts:

- Vertical mixed-use, multi-story development (residential unit/commercial space)
- Pedestrian and vehicle access and wayfinding
- Pedestrian-friendly design features
- Streetscape enhancements and amenities
- Innovative site and architectural design
- Green site design techniques, including stormwater management energy efficiency techniques
- Form Based Zoning Ordinance
- Utilize the Mohawk River Trail and nearby canalway trail as assets

Letter of Intent

Please submit a letter of intent summarizing the development team's interest and approach for redeveloping the site.

Development Entity

Please identify the development team for this project. Include the following information:

- Identify the legal entity that will complete site acquisition, design, and development of the project. Please note the name, street address, mailing address, phone number, email address, website (if applicable). Specify the type of organization (i.e. corporation, LLC, joint venture, etc.)
- Identify lead persons within the entity who have the authority to represent and make legally binding commitments for the entity
- Identify all officers, partners, owners, shareholders, and members of the development entity by name, title, and distribution of ownership
- Identify all other members of the development team, including consultants (planning, engineering, architectural, economic, financial, legal) and indicate the role of each in this project
- Include resumes of key individuals

Development Plan

All submissions should include a written description of the development plan for the site, including the developer's general approach and overall vision for the project. Describe the proposed development process, timeline, expected roles, and how the project will support the City's objectives and comply with the proposed form based zoning ordinance.

Please include the following information:

- Conceptual level site plan
- Note the approximate square footage by use
- Identify anticipated site access locations
- Phases of development illustrated on the plan
- Proposed elevations for building frontages
- Describe the expected design
- Construction schedule
- Any other information necessary to describe the proposed development plan
- Should there be interest in purchasing the adjoining property; please include a letter of commitment or intent between the two parties, or an accepted purchase offer.

Relevant Experience

Please include descriptions of comparable projects that the developer or members of the development team have completed. Comparable project information should include the following:

- Name of client
- Project title and location
- Proof of ability to meet a specific project schedule, including target dates and milestones. The RESTORE grant expires April 2019. Applicants must be able to meet target dates in order to meet the RESTORE grant payments.
- Development costs
- Description of the project, including size, mix of uses, types of tenants
- Description of services provided for the project
- Development timeline

Development Cost and Financial Capability

Proposals should include a description of potential development costs as well as any information necessary to demonstrate the proposer's access to equity capital and financing resources. This should also include a plan of how the BCP tax credits are going to be utilized in the development of the site.

NOTE: RESTORE & National Grid funding will be available as reimbursements only. Paid expenses and milestones must be demonstrated prior to a disbursement, Up to 2 disbursements will be allowed. A final disbursement will be made after a certificate of occupancy is filed with the Office of Code Enforcement.

NOTICE TO BIDDERS

The City of Rome will finance this project using grant funding provided by the Empire State Development ("ESD") and ESD's Non-Discrimination and Contractor and Supplier Diversity policies will apply. All contractors will be required to comply with the provisions of New York State Executive Law, Article 15-A and the rules and regulations set forth in 5 NYCRR §142-144. These

policies are intended to promote and encourage participation by certified minority and women-owned businesses (“MWBE”) in state contracting opportunities.

Contractors must document “good faith efforts” to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of this project. All contractors should reference the directory of New York State Certified M/WBEs at the following website:

<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

CONTRACT GOAL

The City of Rome, NYS funded portions of the project only, requires 30% Minority and Women Participation by the contractors and subcontractors on this project.

MBE – is defined as any United States business wherein the minority group member(s) or stockholder(s) have at least 51% ownership interest in the business and possess control over management, capital and earnings. A minority classification is characterized as a person of Black, Hispanic, Asian or Pacific Islander, or American Indian or Alaskan Native descent. MBE certification must be with New York State Division of Minority and Women Owned Business Development.

WBE – is defined as any United States business wherein the women group member(s) or stockholder(s) have at least 51% ownership interest in the business and possess control over management, capital and earnings. WBE certification must be with New York State Division of Minority and Women Owned Business Development.

M/WBE COMPLIANCE DOCUMENTATION

To comply with your contract and the applicable regulations, your company will be required to prepare, maintain and submit the following documentation and forms on a regular and timely basis. All required documentation must be submitted to the City of Rome, attention Mr. Matthew Andrews.

M/WBE Participation Plan (OCSD-4)

This plan must be completed to identify the subcontracting opportunities to minority and women-owned enterprises. This plan must be submitted with any bid, proposal, or proposed negotiated contract to the City of Rome.

Monthly Workforce Utilization Report (OCSD-3)

The Workforce Utilization Report (“Report”) is to be submitted on a monthly basis for construction contracts during the life of the contract to report the actual workforce utilized in the performance of the contract broken down by job title. The prime contractor is responsible for submitting the reports of its subcontractors as well as its own. Reports are to be submitted electronically, using the provided Report worksheet, to the City of Rome within ten (10) days of the end of each month.

Quarterly MWBE Compliance and Payment Report (OCSD-6)

The Payment Report is completed by the prime contractor on a quarterly basis, identifying payments made to all M/WBE subcontractor(s) and supplier(s)/vendor(s) ONLY. This report must be submitted to the City of Rome within [five] (5) days of the end of each quarter.

GOOD FAITH CLAUSE

Contractors must document their good faith efforts toward utilizing certified minority- and women-owned business enterprises, including but not limited to, those identified within a participation plan. (For guidance on how ESD will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.)

Such documented efforts, shall include, at a minimum:

- (1) Copies of its solicitations of certified minority- and women-owned business enterprises and any responses thereto;
- (2) If responses to the contractor's solicitations were received, but a certified minority- or woman-owned business enterprise was not selected, the specific reasons that such enterprise was not selected;
- (3) Copies of any advertisements for participation by certified minority- and women-owned business enterprises timely published in appropriate general circulation, trade and minority- or women-oriented publications, together with the listing(s) and date(s) of the publication of such advertisements;
- (4) The dates of attendance at any pre-bid, pre-award, or other meetings, if any, scheduled by the State agency awarding the State contract, with certified minority- and women-owned business enterprises which the State agency determined were capable of performing the State contract scope of work for the purpose of fulfilling the contract participation goals.

Selection Criteria

The City of Rome will evaluate each qualified proposal according to the criteria listed below. Developers whose proposals meet the minimum requirements may be asked to make a presentation to the City of Rome Common Council for its consideration. This is a qualifications based selection process and the recommendation will be based on, but not limited to, the following factors:

- Quality of proposal and development approach
- Quality of design and creativity
- Experience and credentials of developers and development teams
- Demonstrated ability with comparable projects
- Proven capability to complete projects in a timely and professional manner

Supplemental Information

Site Visits

The City of Rome extends an invitation for potential development teams to visit the site. All visits can be accommodated by appointment. Please contact Matt Andrews, Department of Community and Economic Development: mandrews@romecitygov.com to schedule an appointment.

Submission Deadline

Please submit all proposals to:

City of Rome
City Clerk
RE: Former Rome Turney RFP-2017-012
198 North Washington Street
Rome, New York 13440-5815
Submittal Date/Time: June 29th at 3:00 pm

Quantity of Proposals

Please submit one (1) electronic copy of the proposal on a CD or thumb drive and ten (10) paper copies of the proposal in a sealed envelope. Submissions must be time stamped by the Rome City Clerk. Electronic submissions will not be accepted.

Award of Contract

The City reserves the right to reject any and all proposals submitted, to request clarification or additional information, and to waive any irregularity in the proposal. Formal interviews may be conducted.

The City also reserves the right to negotiate an agreement with the developer that presents a proposal, which, in the sole judgment of the City, best demonstrates the goals and objectives desired by the City. This Request for Proposal does not represent a commitment on the part of the City to enter into an agreement.

Resolution of Disputes

The developer's failure to comply with the provisions of their agreement shall constitute a default. In the event that the developer is in default for cause under the terms of such agreement, the City shall have no obligation or duty to reimburse/compensate the developer for any work performed after the date of default and can terminate this agreement immediately by written notice to the developer. If such failure by the developer to make progress in the performance for work hereunder arises out of causes beyond the developer's control, and without fault or negligence of the developer, it shall not be considered a default.

If the City determines that the developer is in default in the performance of any of the terms or conditions of their agreement, he/she shall cause to be served upon the developer a written notice of the default. The developer shall have ten (10) days after service upon it of said notice in which to cure the default by rendering a satisfactory performance. In the event that the developer fails to cure its default within such period of time, the City shall have the right, notwithstanding any other provision of the contract, to terminate the contract without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under the contract.

Insurance Requirements

The successful developer shall provide a Certificate of Insurance naming the City as an additional insured, so long as the City maintains ownership of the property and the developer is conducting activities (i.e. due diligence work etc.) on site. Insurance must include the following:

A. General Liability. Developer shall maintain in full force and effect a general liability insurance policy in an amount not less than \$4,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage.

B. Automobile Liability. Developer shall maintain in full force and effect a policy of automobile liability insurance in an amount not less than \$1,000,000 combined single limit per accident for bodily injury and property damage.

C. Professional Liability. Developer shall maintain in full force and effect professional liability insurance for protection against claims alleging negligent acts, errors or omissions

which may arise from developer's activities, whether such operations are by developer or by its employees, subcontractors, or sub consultants. The amount of this insurance shall not be less than \$2,000,000 on a claims-made annual aggregate basis.

D. The City, its officers, officials, employees and volunteers are to be named as additional insured on the developer's general liability and automobile liability insurance policies.

E. Developer's general liability and automobile liability insurance coverage shall be primary insurance with respect to the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees or volunteers shall be in excess of developer's insurance and shall not contribute with it.

F. Worker's Compensation

- In the event the policy is canceled prior to the completion of developer's activities and the developer does not furnish a new Certificate of Insurance prior to cancellation, the City may obtain the required insurance and deduct the premium(s) from monies due to the developer.
- If the policy is a claims made policy, the policy shall contain language providing coverage up to six (6) months following the completion of the activities in order to provide insurance coverage for the hold harmless provisions herein.

G. As used above, the term "developer" includes the developer, and its officers, Agents or employees.

Indemnification

As long as the City/property owner maintains ownership of the property and the developer is conducting activities (i.e. due diligence work etc.) on site:

A. Contractor agrees to save harmless and to indemnify the City/property owner from every claim or demand which may be made for any injury or death, or damage to property caused by developer in the performance of this contract.

B. Such duty shall be irrespective of the date upon which the claim or demand is asserted.

C. If any judgment is rendered against the City/property owner for any injury, death or damage caused by developer under the agreement, developer shall, at his own expense, satisfy and discharge any judgment.

D. None of the foregoing paragraphs shall be applicable if the injury, death or damage is caused solely by the City's/property owner's negligence.

E. Developer agrees that it shall immediately notify City/property owner and developer's insurance carriers of any incident occurring during performance of activities which may result in a claim of liability.

F. As used above, the term "City" means the City of Rome, or its officers, agents or employees.

G. As used above, the term "developer" includes developer and developer's officers, agents or employees.

H. As used above, the term "Property owner" means the owner of the privately owned subject property.

Assignment

Any agreement resulting from this RFP and any amendments or supplements thereto shall not be assignable by the successful proposer either voluntarily or by operation of law, without the written approval of the City, and shall not become an asset in any bankruptcy, receivership or guardianship proceedings.

Contact Information

All questions regarding this RFP should be directed via email to Matt Andrews, Department of Community and Economic Development: mandrews@romecitygov.com

Attachments

All of the following attachments are available on the City of Rome's website.
<http://www.romerises.com/come-build-with-us/>

- Draft Analysis of Brownfield Cleanup Alternatives (ABCA) (2015)
 - Bergmann Associates (Bergmann) has prepared this Draft Analysis of Brownfield Cleanup Alternatives on behalf of the City of Rome that evaluates 3 proven remedial technologies that consider site characteristics, surrounding environment, land-use restrictions, potential future uses, and cleanup goals.
- Draft Remedial Action Plan (2015)
 - Bergmann Associates, Inc. (Bergmann) has been retained by the City of Rome to prepare this Remedial Action Plan (RAP) which details the methods and procedures for remediation of petroleum source areas at the former Rome-Turney Radiator Company (Rome-Turney Site) located at 109 Canal Street, City of Rome, New York (Site). Two petroleum source areas have been identified in the spill area based on the results of the Site Investigations completed in October and November 2015 and presented in the Draft Site Investigation report, December 10, 2015.

- Environmental Site Assessment Phase I (2015)
 - The purpose of this Phase I Environmental Site Assessment (Phase I ESA) report is to document the investigative activities conducted to identify Recognized Environmental Conditions (RECs) at the subject property identified as the Former Rome-Turney Radiator Company, 109 Canal Street in the City of Rome, Oneida County, New York 13440 (the subject property). This Phase I ESA was conducted as part of an evaluation for the sale of the building at the subject property.

- Environmental Site Assessment Phase II (2016)
 - The former Rome-Turney Site located at 109 Canal Street in the City of Rome, New York was issued a NYSDEC Petroleum Spill No. 8802056 in June 1988 when a release of petroleum from fuel storage tanks was discovered and reported to NYSDEC. The Site Investigation was completed during October and November 2015 by Bergmann Associates and was based on the recommendations in the Phase I Environmental Site Assessment Report (Bergmann, August 24, 2015). The Phase I Environmental Site Assessment Report recommended a Site Investigation to evaluate the known petroleum contamination associated with leaking underground storage fuel oil tanks and other recognized environmental conditions.

- Hazardous Materials Report (2016)
 - As requested by the City of Rome, Bergmann Associates (Bergmann) performed a Hazardous Waste/Contaminated Materials (HW/CM) survey of the subject building known as the former Rome-Turney Radiator Company located at 109 Canal Street, Rome, NY (the Site). The building was vacant and accessible at the time of this survey. The HW/CM Survey included a general walk-through and observation of the interior of one vacant former industrial building and the collection of bulk samples of suspect asbestos containing materials (ACM), lead-based paint (LBP) and polychlorinated biphenyls (PCBs) on November 3-4, 2015. At the time of this survey, the on-site structure was a block, brick and metal building with associated paved driveway and courtyard. Figure 1 – Building Plan shows a general floor plan of the former Rome-Turney Radiator Company operations.

- Real Estate Market Analysis: Erie Boulevard Opportunity Area & the City of Rome (2016)
 - The real estate market analysis for the Erie Boulevard Brownfield Opportunity Area (BOA) in the City of Rome, NY. The analysis considered the residential, retail, office, and industrial markets to identify key trends and opportunities in the BOA and city.
 - The market analysis consists of the following interrelated studies:
 - Demographic & Socioeconomic Analysis
 - General Economic Outlook v Residential Market Analysis
 - Retail Market Analysis v Office Market Analysis
 - Industrial & Flex Market Analysis

- “From Brown to Green” a Revitalization Strategy for the Downtown Rome BOA: Step 3 (2017)
 - The Downtown Rome Brownfield Opportunity Area (referred to as “From Brown to Green: A Revitalization Strategy for the Downtown Rome BOA”) is the City’s culminating effort, combining planning, economic development and marketing to rebuild its former industrial and manufacturing core into a sustainable community with high quality neighborhoods, diverse job opportunities, and accessible recreation alternatives. The BOA provides a roadmap for redevelopment within this classic American City.

- Return on Investment Map
 - For over a decade, the City of Rome has been actively designing, planning, and implementing projects that enhance the waterfront and downtown, leveraging existing assets along the Erie Canal, to continue building an attractive destination for visitors and residents. Since 2007, more than \$35 million in public and private investment has been made in the Downtown Rome BOA. The Return on Investment identifies all of the areas where the City of Rome has infused monies for revitalization.
- RESTORE NY Program Grant Application
 - The Restore New York Communities Initiative provides municipalities with financial assistance for revitalization of commercial and residential properties. The program encourages community development and neighborhood growth through the elimination and redevelopment of blighted structures.
- Draft Form Based Zoning Ordinance
 - The Form Based Zoning Ordinance is a regulatory standard, governing land use and building form within the Bellamy Harbor Waterfront District. The form-based code is a reflection of the community's vision for Bellamy Harbor and implements the intent of the Comprehensive Plan and the City of Rome Brownfield Opportunity Area Plan. The form-based code is intended for adoption as part of the City of Rome Zoning Ordinance. Upon adoption, it will supersede and replace existing Zoning provisions regarding zoning districts, allowable land uses, permit requirements, and site development standards.
- Rental Housing Market Study (2013)
 - The study reviews the need for market rate rental housing units for the Harborway on the Erie project and several vacant lots known as the A&C site in Rome, NY. The study found that there is demand for rental housing products for the Harborway on the Erie and the A&C. A need for housing units for rent was identified at different income levels with the mix of bedrooms varying
- Rental Housing Market Summary Report (2014)

The report summarizes and compiles a Rental Housing Market Study to review the need for rental housing for two specific projects, Harborway on the Erie and the A&C, and Rome in general. The study was used to address the need for rental housing for the projects located in the City of Rome. This summary report builds off the 2013 Rental Housing Market Study by providing more data.
- Site Deed
 - The Oneida County deed for 100 Jasper Street and 109 Canal Street.
- Survey/Dimensional Graphic
 - Parcel lines for the Former Rome Turney Site and the surrounding lots.

Legal Notice

Sealed proposals will be received by the City Clerk of the City of Rome, New York, until 3:00 P.M. local time, June 29, 2017, for the following project:

RFP-2017-012

109 Canal Street Request for Proposals Redevelopment Project

Proposals will be publicly opened and read aloud at 3:00 P.M., local time, the same day, June 29, 2017 in the Council Chambers, 2nd Floor, City Hall, Rome, New York.

All proposals shall be made on forms furnished and shall be enclosed in a sealed envelope marked to the attention of the City Clerk as follows:

RFP-2017-012

109 Canal Street Request for Proposals Redevelopment Project

(Bidder's Name)

Project Location: 109 Canal Street, Rome, NY 13440.

Owner: City of Rome.

Owner's Representative:

Matthew J. Andrews

City of Rome Senior Planner

198 Washington St., Rome NY, 13440

315-339-7643

PROJECT DESCRIPTION: The City of Rome is requesting proposals from qualified developers to redevelop the former Rome Turney Site, a 1.4-acre site (with potential adjacent lands) located at 109 Canal Street along the Erie Boulevard corridor. This is a unique opportunity for development along one of Rome's entrance corridors leading to the resurgent center city area known as Downtown Rome. The site located in a Brownfield Opportunity Area, not only offers possible NYS Brownfield tax credits, but coupled with a NYS RESTORE grant of \$500,000 and possible National Grid funds of \$300,000, provides a potential developer with the seed money necessary to assist a substantial redevelopment project.

Legal notice for the RFP will be advertise electronically at at www.romenewyork.gov; under the treasurer and purchasing tab. Notices are also advertised with the Mohawk Valley Builders Exchange at: www.mvbe.com; and the New York State Contract Reporter at: <https://www.nyscr.ny.gov/> . The proposals notice will also be available on the American Planning Association New York Upstate Chapter website at <http://www.nyupstateplanning.org/rfps-rfq/>; and Brownfield Listings at <https://brownfieldlistings.com/>.

The **proposals documents** with attachments will be advertised electronically at <http://www.romerises.com/come-build-with-us/>. The proposals are available for download (Adobe PDF) at the website at no charge; however, be advised that incomplete proposals will be disqualified.

Developers must notify the issuing office in order to be placed in the official proposal holder's list, in order to receive addenda and other proposal correspondence. Please contact the City Engineer's Office at (315)339-7635 with your name, proposal packet obtained, phone number, and email address to be placed on the official proposal holder's list. Proposals received from developers other than those on the official proposal holder's list will not be accepted.

Addenda, if any, will be issued only to those persons whose name and address are on record with the City as having obtained a proposal packet. Addenda to the proposal, when issued, will be on file in the Engineering Office at least five

days before the proposal opening date. If addenda's are issued for this proposal all official proposal holders will be issued with addenda by mail or email.

All questions should be directed to the Department of Community and Economic Development electronically at mandrews@romecitygov.com.

This project is partially funded through the New York State Empire State Development Corporation. This project is subject to the following conditions:

PARTICIPATION REQUIREMENTS FOR NEW YORK STATE CERTIFIED MWBES

- ESD is required to comply with and implement the provisions 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.
- Approval of funding by ESD, a public benefit corporation of the State of New York, is conditioned upon and subject to the following requirements:
 - a) Recipient agrees to fully comply and cooperate with ESD in the implementation of New York State Executive Law Article 15-A. These requirements include contracting opportunities for *New York State certified* Minority-owned Business Enterprises (“MBEs”) and Women-owned Business Enterprises (“WBEs”), collectively MWBEs.
 - b) For purposes of this project, ESD hereby establishes the following MWBE participation requirements:
 - **Overall MWBE Participation Requirement: 30% (totaling no less than \$150,000)**
 - c) For purposes of providing meaningful participation by MWBEs on the project and achieving the project goals established herein, Recipient should reference the directory of New York State certified MWBEs found at the following internet address:
<https://ny.newnycontracts.com>
Additionally, Recipient may contact ESD’s Office of Contractor and Supplier Diversity (OCSD) to discuss additional methods of maximizing participation by MWBEs on the project.
 - d) Recipient is required to submit a completed Non-Discrimination and Equal Employment Opportunity Policy Agreement (Form OCSD-1) prior to the first disbursement.
 - e) For all incentives where ESD’s effective contribution is equal to or greater than \$250,000, the Recipient and any contractors or sub-contractors are required to provide to OCSD a MWBE Staffing Plan (Form OCSD-2) prior to the first disbursement and a final Workforce Compliance Report (Form OCSD-3) prior to the final disbursement of project funds. If the first disbursement is also the final disbursement, the Recipient may submit only the final Workforce Compliance Report.
 - f) Recipient is required to submit a MWBE Utilization Plan (Form OCSD-4, also known as the MWBE Participation Plan) not later than ten (10) days after the execution of this Incentive Proposal.
 - If additional time is required to prepare an acceptable and effective MWBE Utilization Plan, the Recipient may submit a written extension request to the OCSD or the respective OCSD assigned project manager. The extension request must provide an explanation regarding why additional time is needed and provide an estimated date of submission for the MWBE Participation Plan.
 - Any modifications or changes to the MWBE Participation Plan after the execution of this Incentive Proposal and during the performance of the project must be reported on a revised MWBE Utilization Plan and submitted to OCSD for approval.

- g) ESD will review the submitted MWBE Utilization Plan and advise the Recipient of acceptance or issue a notice of deficiency within twenty (20) days of receipt.
- h) If a notice of deficiency is issued, Recipient agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to OCSD a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by ESD to be inadequate, ESD shall notify the Recipient and direct the Recipient to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals (Form OCSD-5, Waiver Request). Failure to file the waiver request in a timely manner may result in a finding that Recipient has intentionally or willfully failed to comply with the requirements of Article 15-A of the Executive Law and the MWBE provisions outlined herein.
- i) ESD may find that Recipient has willfully or intentionally failed to meet the MWBE project requirements under the following circumstances:
1. If a Recipient fails to submit a MWBE Utilization Plan;
 2. If a Recipient fails to submit a written remedy to a notice of deficiency;
 3. If a Recipient fails to submit a request for waiver; or
 4. If ESD determines that the Recipient has failed to document good faith efforts.
- j) Recipient shall attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the project. Requests for a partial or total waiver of established goal requirements made subsequent to the execution of the Incentive Proposal may be made at any time during the term of the project to ESD, but must be made no later than prior to the submission of a request for final payment on the project.
- k) Recipient is required to submit a Periodic MWBE Contractor Compliance & Payment Report (Form OCSD-6) to the OCSD by the 10th day following each end of quarter over the term of the project documenting the progress made toward achievement of the MWBE project goals. This report may be submitted monthly or quarterly. However, it may not be submitted less frequently than on a quarterly basis. Periodic compliance and payment reports may also be submitted electronically through the New York State Contract System, found at <https://ny.newnycontracts.com>. The Contract System provides automated electronic alerts to the Recipient and any identified sub-contractors and sub-vendors and allows for the electronic reporting and confirmation of the relevant data by all tiers of identified subcontractors. For additional information regarding this process, please contact OCSD.
- l) Good Faith Efforts is the standard applied to the MWBE participation requirements in all applicable ESD incentives. Recipients shall adhere to this standard and ensure that proactive and ongoing efforts are made throughout the length of the project to include MWBE participation in all categories where MWBE participation potential exists. Good Faith Efforts include, but are not limited to, the following factors:
- Unbundling of contracts to facilitate MWBE participation in the project scope.
 - Direct solicitation of New York State certified MWBE firms.
 - Inclusion of enforceable MWBE requirements in all subsequent contractual agreements, in accordance with the goals stated herein (item b, above).
 - Monitoring and enforcement of contractual MWBE requirements in subsequent agreements.
 - Timely submission of relevant forms, including MWBE Participation Plans and Quarterly or Monthly Compliance Reports.
 - Maintenance of detailed records supporting the Recipient's efforts to include the participation of MWBE firms in the project.

For additional details regarding Good Faith Efforts, please review section 142.8 of NYCRR5 (MWBE Rules and Regulations), found at:

http://esd.ny.gov/MWBE/Data/OFFICIAL_COMPILATION_OF_MWBEREGS.pdf

- m) Where MWBE goals have been established herein, pursuant to 5 NYCRR §142.8, Recipient must document “good faith efforts” to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the project. The Recipient acknowledges that if Recipient is found to have willfully and intentionally failed to comply with the MWBE participation goals and requirements set forth herein, such a finding may result in the recapture of grant proceeds. Such MWBE Recapture shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Recipient achieved the MWBE project goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the project.
- n) Recipient’s demonstration of Good Faith Efforts shall be a part of these requirements. These provisions shall be deemed supplementary to, and not in lieu of, other applicable federal, state or local laws.

Any questions relating to the MWBE requirements stated herein may be directed to ESD’s Office of Contractor and Supplier Diversity at ocsd@esd.ny.gov. Recipient may also address any inquiries relating to the above MWBE requirements to the respective OCSD project manager.

Documents relating to MWBE requirements outlined herein must be provided to OCSD in one of the following ways:

- 1. In an email to ocsd@esd.ny.gov or
- 2. the New York State Contract System (<https://ny.newnycontracts.com>) or
- 3. through postal mail, addressed to:
Empire State Development
Office of Contactor & Supplier Diversity
633 Third Avenue, 35th Floor
New York, NY 10017

All communications to OCSD must clearly identify the project in question and provide pertinent details.

It is the policy of the City of Rome to encourage the greatest possible participation of minority and women-owned business enterprises. All qualified Minority and Women-Owned Business Enterprises (MWBE) suppliers, contractors, and/or businesses will be afforded equal opportunity without discrimination because of race, color, religion, national origin, sex, age, disability or sexual preference.

No proposal may withdraw their Bid within sixty (60) days after the date set for the opening thereof. Incomplete proposals will be disqualified.

The City of Rome, New York, reserves the right to reject any or all proposals or to accept any proposal deemed to be in its best interest.

Jean I. Grande
City Clerk
Board of Estimate & Contract

LEGAL SECTION: 1 TIME

DATE: 5/25/2017, 2017

DATE TO APPEAR: 5/30/2017