



CITY OF BEACON, NEW YORK
ONE MUNICIPAL PLAZA
BEACON, NY 12508

Mayor Randy Casale
Councilman Lee Kyriacou, At Large
Councilman George Mansfield, At Large
Councilwoman Peggy Ross, Ward 1
Councilman Omar Harper, Ward 2
Councilwoman Pam Wetherbee, Ward 3
Councilman Ali Muhammad, Ward 4
City Administrator Anthony Ruggiero

City Council Workshop Agenda
July 10, 2017
7:00 PM

Workshop Agenda Items:

1. Introduction of Matt Landahl, Superintendent of Schools
2. Newburgh Noise Update
3. Camp Beacon Request for Expression of Interest
4. Development Discussion

Executive Session:

1. Sale of Real Property

City of Beacon Workshop Agenda
7/10/2017

Title:

Introduction of Matt Landahl, Superintendent of Schools

Subject:

Background:

City of Beacon Workshop Agenda
7/10/2017

Title:

Newburgh Noise Update

Subject:

Background:

City of Beacon Workshop Agenda
7/10/2017

Title:

Camp Beacon Request for Expression of Interest

Subject:

Background:

ATTACHMENTS:

Description
RFEI

Type
Backup Material

REQUEST FOR EXPRESSIONS OF INTEREST



**FOR THE REDEVELOPMENT OF:
BEACON CORRECTIONAL FACILITY**
City of Beacon and Town of Fishkill, New York

BeaconNYRFEI@esd.ny.gov

RFEI RELEASE DATE:

Friday, July 7, 2017

SITE TOUR DATE(S):

Tuesday, August 1, 2017

DEADLINE TO SUBMIT QUESTIONS:

Tuesday, August 8, 2017

DEADLINE TO SUBMIT PROPOSALS:

Friday, September 15, 2017, 12:00 PM

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I. INTRODUCTION

New York State Urban Development Corporation, d/b/a Empire State Development (“ESD”), is releasing this Request for Expressions of Interest (“RFEI”) to determine interest from qualified parties in the re-use and redevelopment (the “Project”) of the former Beacon Correctional Facility located at 50 Camp Beacon Road, Beacon, NY 12508 (the “Site”).

Located one mile from downtown Beacon and seventy miles from New York City, the Site consists of approximately 39 acres and 22 buildings. The Site was vacated in 2013 and is available immediately for redevelopment as part of New York Governor Andrew M. Cuomo’s initiative for the Department of Correctional Services and Community Supervision (“DOCCS”) to decommission a number of facilities in order to reduce costs and consolidate prison inmates at correctional facilities around the State of New York (the “State”).

Each party that submits a response (“Proposal”) to this RFEI is referred to herein as a “Respondent.” ESD will use responses and recommendations generated by this RFEI process to inform a planned Request for Proposals (“RFP”) process.

ESD will consider Proposals for any and all potential uses of the Site including but not limited to residential, commercial, industrial and mixed uses. Because of the local area’s existing transit infrastructure, its growing reputation as an artistic and cultural center and its proximity to New York City combined with financial support from the State, the Beacon Correctional Facility provides a unique development opportunity. ESD encourages Respondents to submit development Proposals that will create new jobs, stimulate economic activity, integrate the local community, and satisfy the other Development Objectives which are described in greater detail in Section IV herein.

A Site closure plan prepared by DOCCS (“the Closure Plan”), detailed floorplans, a site map and other materials have been appended to the end of this RFEI. The Closure Plan includes a description of the Site’s buildings and infrastructure. The Site Map defines the boundaries of the thirty-nine acres and denotes an adjacent, contiguous, six-acre parcel reserved for the City of Beacon’s future municipal use along with two additional contiguous acres not part of the surveyed 45 acres also reserved for the City of Beacon’s use.

Lastly, the State is prepared to allocate up to \$6 million in grants from the State and Municipal Facilities Program in conjunction with the redevelopment of the Site. Therefore, if applicable, Respondents may also suggest ideas to use up to \$6 million of this funding, which is expected to be made available for eligible capital purposes on the Site. The following qualify as eligible capital purposes:

- Capital costs of construction, improvement, rehabilitation or reconstruction of facilities;
- Acquisition of capital facilities and assets;
- Acquisition of capital assets with at least a 10-year useful life for the sole purpose of preserving and protecting infrastructure;
- Economic development projects sponsored by the State or municipal corporations that create or retain jobs. This will require certification by the Department of Economic Development;
- Environmental projects sponsored by the State or municipal corporations.

II. RFEI TIMELINE

Event	Timeline
RFEI Release Date:	Friday, July 7, 2017
Site Tour:	Tuesday, August 1, 2017
Deadline to submit questions:	Tuesday, August 8, 2017 at 5:00 PM EDT
Deadline to submit proposal:	Friday, September 15, 2017 at 12:00 PM

III. SITE CONTEXT AND DESCRIPTION

Site Description

The Site is a former minimum-security prison campus located at 50 Camp Beacon Road, Beacon, NY 12508, southwest of the currently operating Fishkill Correctional Facility. As indicated in the site survey included with the RFEI, a small portion of the Site is located in the Town of Fishkill, though the majority of the Site is located in the City of Beacon.

Originally home to the Matteawan State Hospital for the Criminally Insane, the Site began operation as a correctional facility in 1981 and was decommissioned in the fourth quarter of 2013 by DOCCS. The Site features a total indoor floor area of approximately 108,000 square feet distributed across 22 structures (see Figures 1 & 2 below) and does not use perimeter security walls or fences, giving the Site a “campus-like” feel and setting.

Aside from the existing buildings, the Site consists of vacant and unimproved land to the south of Interstate 84. To its east lies Fishkill Correctional Facility, a medium-security men’s prison with approximately 2,000 inmates. Near its border are a park, a middle school, a high school, a children’s day care center, and senior housing facilities.

Figure 1 – Facility Plot Plan

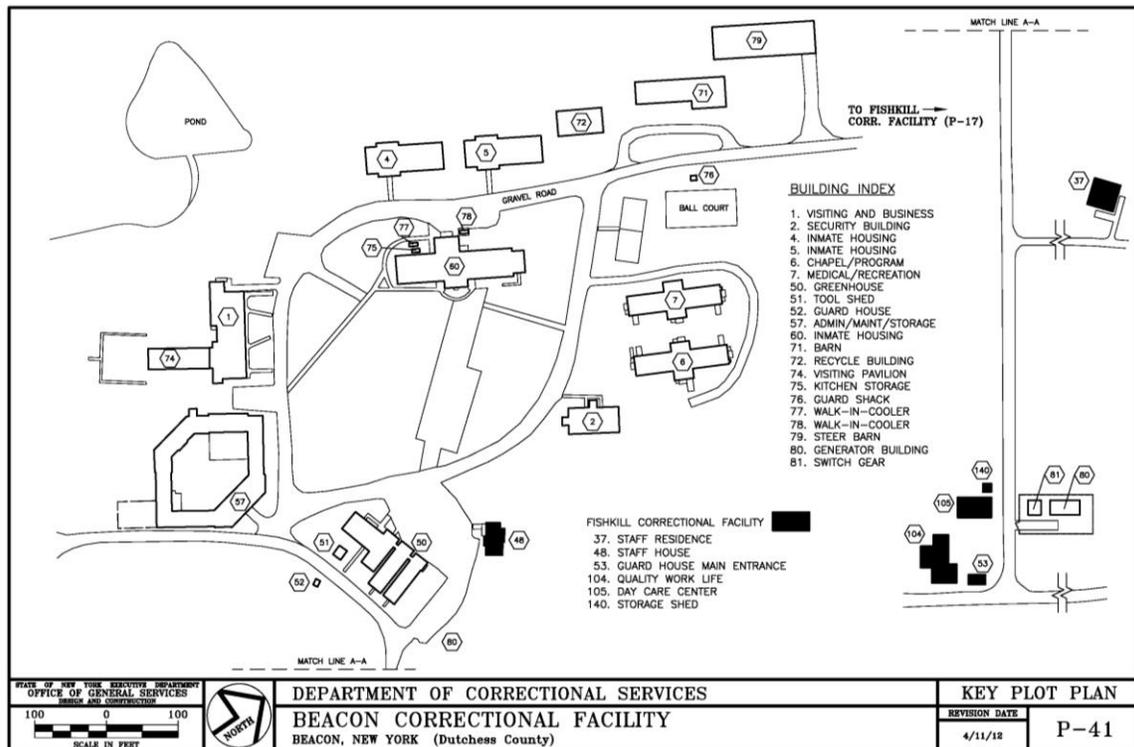


Figure 2 – Site Aerial View



All of the buildings listed below in Figure 3 are included in the Site. As shown in the attached Site Map (see Appendix C), the Site is part of a larger 45-acre parcel surveyed. To the east of the site lies the balance of the surveyed land, approximately six acres, along with an additional adjacent two acres not surveyed. These eight acres of land belong to the City of Beacon and have been developed by the City as a municipal highway garage.

Figure 3 – Property Building List

INDEX NO.	BUILDING	TOTAL SF	NO. OF FLOORS
1	Visiting and business	5,330	1
74	Visiting pavilion	2,800	1
2	Security	2,830	1
76	Guard shack	16	1
52	Guard house	100	1
51	Tool shed	180	1
57	Admin/maint./storage/garage	14,335	2
80	Generator	300	1
81	Switchgear	225	1
72	Recycle center	1,280	1
71	Barn	1,985	4

INDEX NO.	BUILDING	TOTAL SF	NO. OF FLOORS
79	Steer barn	8,100	1
4	Inmate housing #1	7,780	1
5	Inmate housing #2	7,780	1
60	Inmate housing #3	28335	4
6	Chapel/program	8000	1
7	Medical/recreation	8000	1
50	Greenhouse	6,305	2
75	Kitchen storage	80	1
77	Walk-in cooler	300	1
78	Walk-in freezer	180	1
48	Staff House	4,567	3

TOTAL SF	108,808
TOTAL FLOORS	32

Surrounding Area and Access

The Site is located in Dutchess County, New York in the mid-Hudson Valley region. The Site is approximately 30 miles west of the New York-Connecticut border, and approximately 1 ¾ hours north of New York City, 1 ½ hours south of Albany and 35 minutes south of Poughkeepsie. In addition, Beacon is approximately 1 hour north of the lower Hudson Valley region where several large companies are headquartered, including IBM (Armonk), Mastercard (Purchase), Pepsico (Purchase), ITT (White Plains) and Fujifilm Holdings (Valhalla).

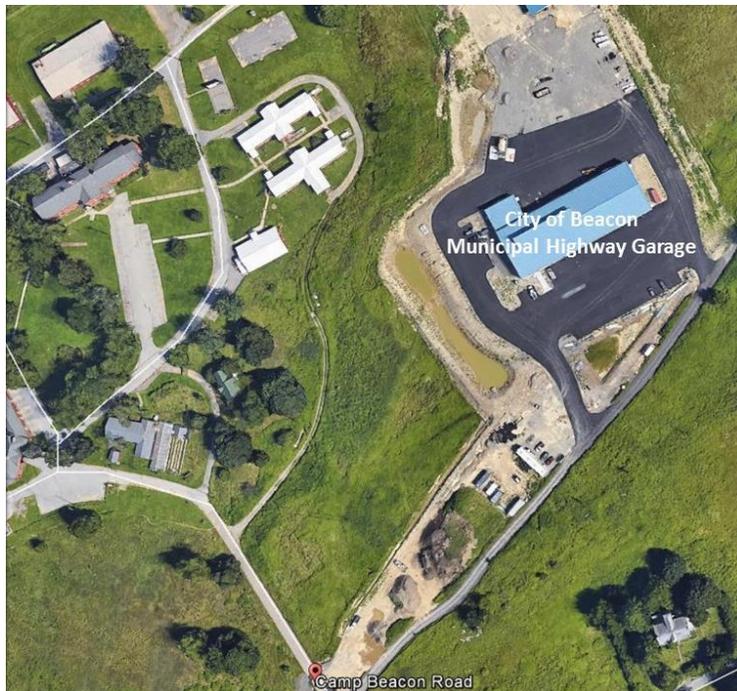
Up until the 1960s, Beacon, NY served as a regional manufacturing hub, with several brick and hat factories that employed thousands. After an economic decline, commercial activity returned to Beacon in the 1990s with the opening of one of the world's largest contemporary art museums, Dia: Beacon. Today, the town of Beacon continues to see new development with the recent openings of the Roundhouse Hotel and the Beacon Institute for Rivers and Estuaries, the construction of over 400 apartment units since 2015 and a rejuvenated Main Street featuring new private galleries, restaurants and retail. The Beacon Correctional Facility Site enjoys close access to the urban core as it is located one mile from Beacon's downtown area and Main Street.

Surrounding Land Uses

Land uses in the Site vicinity encompass a range of institutional, residential, light industrial and commercial uses. Major institutional uses include the active Fishkill Correctional Facility, immediately east of the Site, as well as Beacon High School and Middle School, to the southwest on either side of Matteawan Road. A low-density, single-family, residential neighborhood abuts the Site to the west, while medium-to-high density single-family uses and an affordable multifamily senior housing complex are found to the south and southwest, across Matteawan Road. Farther south of the Site, light industrial and commercial uses are found along Fishkill Road (NYS Route 52), which provides east-west vehicular access from the Town of Fishkill border to downtown Beacon and NYS Route 9D. The nearest public open space amenity is Memorial Park, which is one of the City's main park facilities and is located along Wilkes Street.

As previously mentioned, the adjacent eight acres lying to the east of the site are currently in use by the City of Beacon as a municipal highway garage. See Figure 4 below for a view of the garage neighboring the Site.

Figure 4 – Site View with City of Beacon Municipal Highway Garage



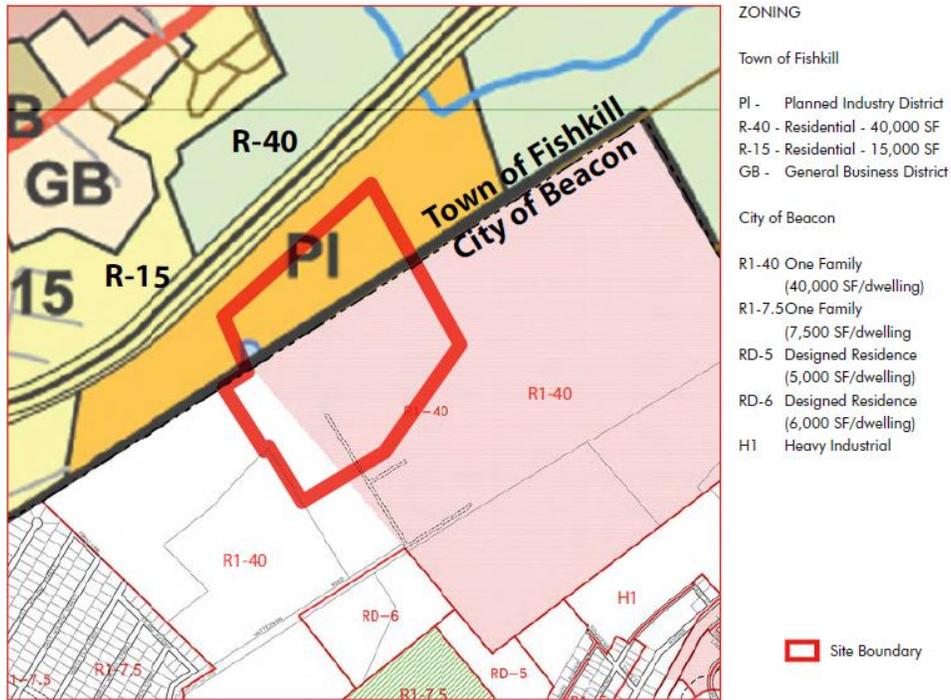
Approximately 20 acres of land to the west of the Site is also owned by DOCCS and is believed to contain a number of scattered, unmarked graves associated with the former Matteawan State Hospital on the Site. Portions of this additional acreage may be available for future development based on a more detailed review of Site conditions; however, the 20-acre parcel is not included in the Site for this RFEI due to the uncertainty of its development potential.

Zoning

Currently, the majority of the 39-acre Site is within the City of Beacon’s R1-40 zoning district as shown below in Figure 5. Permitted principal uses in this zone are detached single-family residences or municipal uses. The portion of the Site that falls within the Town of Fishkill is part of that municipality’s Planned Industry (PI) zone. Permitted uses in this district are executive and administrative offices; scientific research, engineering or design laboratories; industrial, warehousing or manufacturing use; recreation and cultural activities; outdoor storage; and resource extraction, removal and processing.

In conjunction with this RFEI, the City of Beacon (along with potentially the Town of Fishkill, if necessary) is expecting to rezone the Site in order to achieve the Development Objectives and the goals of this RFEI. As such, Proposals are not required to comply with current zoning. Respondents, instead, are encouraged to optimize existing zoning and propose zoning solutions that will support maximum economic impact and community benefits and the generation of new jobs for the surrounding area.

Figure 5 – Site Zoning

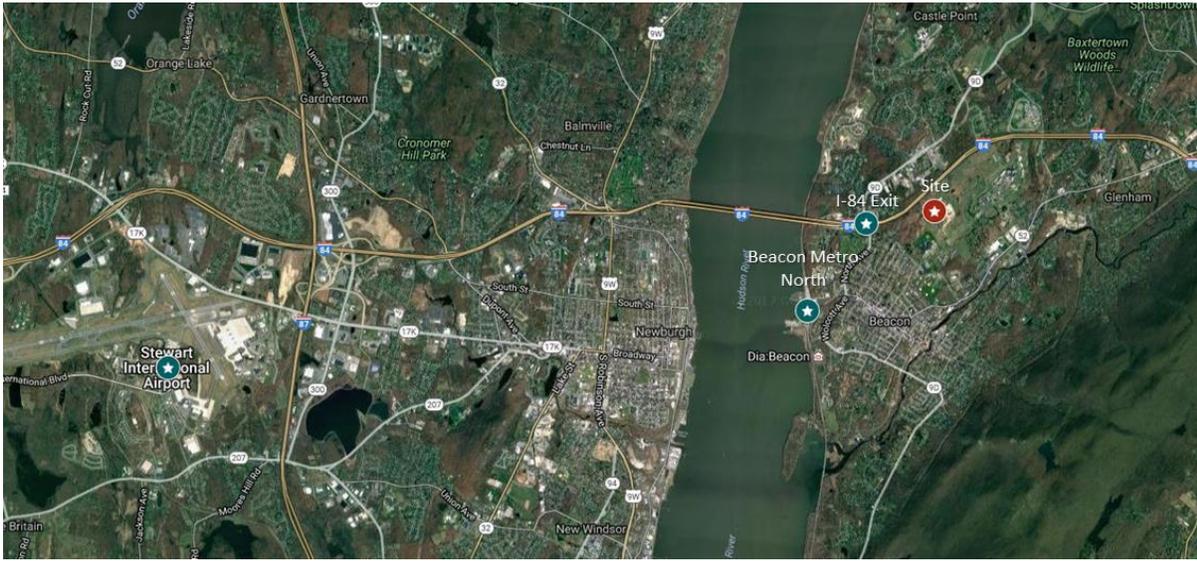


Transportation and Access

The Site is served by the Beacon Metro-North station, the antepenultimate stop on the Metro-North’s Hudson line, approximately 1 ½ hours from Grand Central Terminal. Other transportation access points that serve the Site, as shown below in Figure 6, include Stewart International Airport located 23 miles away in New Windsor, NY and Interstate 84 with the nearest exit located 2 miles from the Site.

While the Site has strong visibility from I-84, primary vehicular access is from the south, from Camp Beacon Road via Matteawan Road. Access requires traveling through established residential neighborhoods to reach the Site via Exit 11 off I-84, or through a large portion of the Town of Fishkill via Exit 12.

Figure 6 – Transportation Access Points to Site



At this time, the State does not have plans to sell any land adjacent to Interstate 84. However, Respondents are welcome to propose redevelopments that make the site more accessible to Interstate 84 than what current access points allow. In addition, due to security concerns at the adjacent Fishkill Correctional Facility access to the road and underpass that run below Interstate 84 is not possible.

Site Infrastructure

The Site contains 22 buildings housing former dormitories and miscellaneous support and service buildings, with a total indoor floor area of approximately 104,000 square feet.¹ The buildings are served by an internal network of gravel roads and assorted infrastructure. The remainder of the Site consists of vacant and unimproved land.

Although the Site receives potable water from the Fishkill Correctional Facility immediately to the east, via a line coming through a meter located on Camp Beacon Road, all Proposals will need to consider a new water supply system connected to this water main for any future re-use of the Site.

The sanitary sewer system consists of underground piping, grinder, manholes and a grease trap. Sewage is collected through pipes and manholes and routed to the City of Beacon wastewater treatment plant just east of the Hudson River and north of Fishkill Creek. This facility receives all of the wastewater produced in Beacon, and the Dutchess Park area of Fishkill.

The Site is also served by underground storm sewer piping, manholes and catch basins located throughout the compound. In addition, both DOCCS and the City of Beacon have expressed interest in utilizing portions of the Site's immediate surroundings for stormwater management facilities. Although no firm concepts or designs have been produced, it is understood that the DOCCS stormwater

¹ Due to the age of the buildings, which range from the early 1900s to the late 1990s, it should be assumed that some of the buildings may contain asbestos containing materials and lead-based paint.

management facility would be located just to the north and east of the Site, and would handle runoff from the adjacent Fishkill Correctional Facility.

Existing outside lighting at the Site consists of exterior building mounted lighting, free-standing pole lighting and lighting attached to overhead power poles.

Electrical service for the Site is supplied by Central Hudson Gas and Electric (CHG&E). Power is received from the utility at 13,200 Volts 3 phase and is distributed to pad and pole mounted transformers around the Site through a combination of underground and overhead lines. The voltage of each building is 120/208 V. The main electrical service to the Beacon Correctional Facility also provides power to the Fishkill Correctional Facility Quality of Work Life (QWL) and day-care center buildings on Camp Beacon Road at Matteawan Road. The combined electric meter for all three facilities is located on a pole on the grounds of the QWL building. An emergency electrical generator that serves the Site is located on the eastern side of Camp Beacon Road. This generator will be included in the DOCCS disposition.

Topography

Much of the Site has little topographical change, but there is a gentle slope up toward the northeast portion of the property, to approximately 180 feet, which affects stormwater runoff conditions both on- and off-site.

Natural Resources

The majority of the Site does not contain significant natural resources. However, there are several wetland areas that, while not regulated by the New York State Department of Environmental Conservation (NYS DEC), may be under U.S. Army Corps of Engineers and/or City of Beacon jurisdiction. The property is also distinguished by a number of mature specimen trees.

The Site is not located within a 100-year floodplain, but there is a history of flooding in the vicinity due to stormwater management issues.

Archaeological and Historic Resources

There are no significant historic buildings or archaeological resources on the site. However, the site falls within the City of Beacon's locally designated Historic District and Landmark Overlay Zone and therefore may require a certificate of appropriateness from the City of Beacon's Planning Board for any exterior alteration of a landmark or property within the historic district. Two buildings, the two-story brick dormitory and the former stables building, have relatively strong architectural character and could be considered for adaptive re-use.

Ownership and Taxes

The Site is currently owned by the State and is exempt from property taxes. For the purposes of this RFEI, Respondents should assume that the property is sold for private re-use and would be subject to property taxes assessed by the City of Beacon and the Town of Fishkill.

Economic Development Incentives

As noted above, ESD expects to make no more than, but not necessarily up to, \$6 million in State and Municipal Facilities Program funding available to fund projects of capital purpose on the Site as part of a future solicitation.

As the State's chief economic development agency, ESD is also responsible for the oversight and implementation of a variety of other economic development incentive programs. Receipt of State and Municipal Facilities funds will generally not by itself preclude a Respondent from pursuing other ESD or State programs (e.g., Excelsior Jobs Program). A list of such programs includes, but is not limited to, those on the following web page: <http://www.esd.ny.gov/BusinessPrograms.html>.

In particular, Respondents may wish to learn about the Site's potential eligibility as a START-UP NY program site, which would require partnership with a sponsoring academic institution (or institutions). Information on START-UP NY is available at <https://startup.ny.gov>.

Respondents are encouraged to email BeaconNYRFEI@esd.ny.gov for further inquiries related to Project eligibility for any and all such programs.

Additional Site Information

A substantial amount of additional information on the Site can be found in the materials appended to the RFEI, including the Closure Plan, Site Map and floorplans. Other documents and resources that Respondents may wish to review for additional area context on local needs and priorities can be found as follows:

- An informational video highlighting Site photos and features:
<http://www.youtube.com/watch?v=XSb96YbT1oY&feature=youtu.be>
- City of Beacon, New York, Comprehensive Plan and Generic Environmental Statement:
http://www.cityofbeacon.org/pdf/Beacon_Comprehensive_Master_Plan.pdf
- Town of Fishkill Comprehensive Plan:
http://www.fishkill-ny.gov/uploads/3/8/0/7/38072219/tof_comprehensive_plan_-_adopted_9-23-09.pdf
- Mid Hudson Region Sustainability Plan: <http://hudsonvalleyregionalcouncil.org/mid-hudson-regional-sustainability-plan/>
- Moving Dutchess (Countywide Transportation Plan):
http://www.dutchessny.gov/ConCalAtt/67/Moving%20Dutchess%20_Cover%20&%20Table%20of%20Contents_03252016248.pdf
- Dutchess County Transit Development Plan:
<http://www.co.dutchess.ny.us/CountyGov/Departments/TransportationCouncil/12709.htm>
- Dutchess County Greenway Connections Plan:
<http://www.co.dutchess.ny.us/CountyGov/Departments/Planning/17334.htm>

- Mid Hudson Region Economic Development Council Strategic Plan: http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/midhudson/MHREDCSPFINAL11_12_11.pdf

IV. DEVELOPMENT OBJECTIVES

ESD is open to all ideas for the redevelopment of the Beacon Correctional Facility and invites Respondents to submit Proposals that maximize the economic benefit to the City of Beacon, Town of Fishkill and the State through re-use and redevelopment of the Site in ways that advance the creation of new jobs, stimulate the local economy and integrate the local community. In addition, Respondents are encouraged to incorporate the following development objectives (“Development Objectives”) to guide their Proposals:

- Maximize economic benefit to the State while minimizing the State’s economic and environmental risk;
- Enhance the Site as an economic engine for the Hudson Valley region and New York state;
- Create direct construction and permanent on-site jobs and payroll. Indirect job creation through on-site job training programs may also be considered;
- Present a financially feasible project that describes a general approach to financing as well as revenue sources to support operating revenues and scheduled payments;
- Maximize incorporation of sustainable and green building practices;
- Feature meaningful participation of Minority Owned Business Enterprises (“MBE”), Women Owned Business Enterprises (“WBE”) and Service-Disabled Veteran-Owned-Businesses (“SDVOB”), per Articles 15-A and 17-B of the New York State Executive Law.²

Respondents are also encouraged to be sensitive to traffic management in their Proposals and may wish to include a statement of measures to be taken to reduce the traffic impacts from the Project.

V. REQUIRED PROPOSAL CONTENTS

Respondents to this RFEI must submit Proposals which include the following information.

A. Respondent Description

Contact information including name, address, telephone number and e-mail of the individual who will be authorized to act on behalf of the Respondent as the primary contact and who is available to answer questions or request for additional information. Background information on Respondent’s organizational structure, including all members of the Respondent and the proposed development team, and the relevant experience of all principal members should also be provided.

B. Project Description

² ESD typically establishes goals of 15 percent for New York State-certified MBE participation, 15 percent for New York State-certified WBE participation and 6 percent for SDVOB participation. For purposes of this RFEI, Respondents are asked to provide general information regarding their efforts to provide meaningful participation by MWBEs and SDVOBs.

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

- The proposed use(s) and improvements on the Site, including a general description of how the project will connect to existing roadways and interact with the local community and surrounding area;
- Type, bulk and size of each component of the development program;
- At least one concept sketch and/or rendering on 8.5" x 11" paper, showing the overall site plan of the proposed project;
- Summary of anticipated construction and environmental challenges.

C. Financial Information

Respondents must describe the general approach to financing. If a project sources and uses table is submitted, it should include an order of magnitude estimate of the project cost, including anticipated demolition and/or renovation and construction costs.

D. Zoning Description

Respondents must describe the general approach to zoning.

Prior to any disposition of the Site, the proposed project will be subject to requirements such as, but not limited to: (i) New York State Environmental Quality Review Act and its implementing regulations ("SEQRA"); (ii) New York state Coastal Zone Management Policies; (iii) New York State Finance Law; and (iv) all other applicable laws and regulations. Certain approvals are required prior to any disposition of the Site, including approvals by NYSDOT, the Office of the State Comptroller and the Attorney General's Office.

E. Project Challenges

Respondent may communicate any potential challenges or risks of which ESD should be aware with regard to the scope, procurement process, delivery method, term of contract, technical and financial feasibility, etc.

VI. REVIEW PROCESS

ESD reserves the right to conduct interviews with or pose questions in writing to Respondents in order to clarify the content of their proposals and to ensure a full and complete understanding of each proposal.

VII. DEVELOPER DUE DILIGENCE

Respondents should assume that the Site, including land, improvements, and any supporting building infrastructure, 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.

ESD will post information regarding the RFEI on the ESD website (<http://www.esd.ny.gov/CorporateInformation/RFPs.html>). Respondents are encouraged to check back for updates. ESD makes no representation or warranty concerning the accuracy or utility of information posted or otherwise provided to the potential Respondents or to the Respondents. Prospective Respondents should notify ESD 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 BeaconNYRFEI@esd.ny.gov.

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 RFEI.

VIII. 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 “Beacon CF RFEI” must be received by ESD by Friday, September 15 at 12:00 PM at the following address:

Empire State Development
633 Third Avenue, 35th Floor
New York, NY 10017
Attn: John Discolo, ESD Procurement Unit
Re: Beacon CF RFEI

ESD reserves the right, in its sole discretion, to withdraw or modify this RFEI and to reject any proposal as being non-responsive.

B. RFEI Inquiries

ESD will accept written questions via email from prospective Respondents no later than Tuesday, August 8, 2017 at 5:00 PM. Please submit questions to: BeaconNYRFEI@esd.ny.gov

Written questions must include the requestor’s name, e-mail address and the prospective Respondent represented. Responses to all timely and appropriate questions will be posted on ESD’s website on or about August 17, 2017 at 5:00 PM at: <http://www.esd.ny.gov/CorporateInformation/RFPs.html>.

No contact related to this solicitation with ESD Board members, ESD staff or consultants, other than emails to the designated email account for the solicitation at BeaconNYRFEI@esd.ny.gov will be allowed by Respondents or employed representatives of Respondent team members during the

procurement period of this RFEI. Any such contact by a Respondent will be grounds for disqualification.

C. Site Visit

An optional site visit is scheduled for Tuesday, August 1, 2017. Respondents who wish to attend must RSVP to BeaconNYRFEI@esd.ny.gov on or before Friday, July 28, 2017 if they wish to participate. When responding, please provide the name of the firm, and the name, title, telephone number and email address of all representatives who are attending. Due to security and logistics reasons, we ask that no more than five people per responding team attend the tour. ESD 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.

ESD reserves the right to modify this RFEI schedule at its discretion. Notification of changes in connection with this RFEI will be made available to all interested parties by e-mail and via ESD's website: <http://www.esd.ny.gov/CorporateInformation/RFPs.html>.

IX. GENERAL PROVISIONS

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

- i. amend, modify or withdraw this RFEI;
- ii. revise any requirement of this RFEI;
- iii. require supplemental statements or information from any responsible party;
- iv. accept or reject any or all responses hereto;
- v. extend the deadline for submission of responses hereto;
- vi. negotiate potential contract terms with any Respondent;
- vii. communicate with any Respondent to correct and/or clarify responses which do not conform to the instructions contained herein;
- viii. cancel, or reissue in whole or in part, this RFEI, if ESD determines in its sole discretion that it is its best interest to do so; and
- ix. extend the term of any agreement on terms consistent with this RFEI.

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

All information submitted in response to this RFEI, including accompanying documents, is subject to the Freedom of Information Law (FOIL) found in Article 6 of the N.Y. Public Officer Law. FOIL provides that certain records are exempt from disclosure, including those that contain (1) trade secrets, (2) information that, if disclosed, would cause substantial injury to the competitive position of your organization, or (3) critical infrastructure information. Please identify those portions of your Proposal and accompanying documents you believe fall under these exemptions by submitting your Proposal in both redacted and un-redacted form. Records may be redacted to protect only the portions of documents that fall within a FOIL exemption. An entire document may not be withheld if only a portion

of the document is exempt from disclosure. Along with the redacted version, please provide a detailed justification for the portions of your Proposal that you believe fall into the exemptions discussed above. Blanket assertions that information is a trade secret, confidential, or proprietary are insufficient to justify withholding information under FOIL. The identified information will be reviewed and a determination will be made as to whether the information is exempt from disclosure under FOIL. The State's determination may be appealed pursuant to POL §89(5)(c). Please note that if you do not submit a redacted version, your Proposal may be released in un-redacted form if requested under FOIL.

ESD reserves the right, in its sole discretion, to retain and use all the materials and information, and the ideas and suggestions therein, submitted in response to this solicitation (collectively, the "Response Information") for any purpose. By submitting a Proposal, each Respondent waives any and all claims against ESD relating to ESD's retention or use of the Response Information.

X. APPENDIX

Below is a list of appendices attached to and made a part of this RFEI:

Appendix A: Closure Plan (https://esd.ny.gov/sites/default/files/rfp/APPENDIX_Closure_Plan.pdf)

Appendix B: Detailed Floorplans (https://esd.ny.gov/sites/default/files/rfp/Beacon_Bluebook.pdf)

Appendix C: Site Map (https://esd.ny.gov/sites/default/files/rfp/Beacon_RFP_Map.pdf)

Appendix D: FEMA Flood Map (<https://esd.ny.gov/sites/default/files/rfp/FEMAfloodmap.pdf>)

Appendix E: Phase I Environmental Site Assessment
(https://esd.ny.gov/sites/default/files/rfp/BeaconPhaseIReport_Final.pdf)

Appendix F: Phase II Environmental Site Assessment
(https://esd.ny.gov/sites/default/files/rfp/Beacon_PhaseIIReport_Final.pdf)

City of Beacon Workshop Agenda
7/10/2017

Title:

Development Discussion

Subject:

Background:

City of Beacon Workshop Agenda
7/10/2017

Title:

Sale of Real Property

Subject:

Background: