

NOTICE TO PROPOSERS

PLEASE TAKE NOTICE that sealed EXPRESSIONS OF INTEREST must be received by the Division of Land Management, Town of Islip, at its office located at 401 Main Street, Room 226, Islip, New York, 11751 not later than 11:00 a.m. on August 25, 2011, following which time they will be publicly-opened for a project as follows:

DEVELOPMENT OF PROPERTY OWNED BY THE TOWN OF ISLIP IN OAKDALE NEW YORK.

The REQUEST FOR EXPRESSIONS OF INTEREST may be obtained from the Town of Islip, Division of Land Management, 401 Main Street, Room 226, Islip, New York 11751 during regular business hours (8:30 a.m. - 4:00 p.m. Monday - Friday). A copy of the REQUEST FOR EXPRESSIONS OF INTEREST may be obtained by written request via email to ccostigan@townofislip-ny.gov, or fax to 631-224-5655.

Persons interested in the REQUEST FOR EXPRESSIONS OF INTEREST are invited to attend at meeting to discuss it on August 18, 2011, at Town Hall, located at 655 Main Street, Islip, NY 11751 at 10:00 a.m. Please call 631-224-5370 for the location and to confirm your attendance.

The Town reserves the right to reject any and all responses in whole or part, to waive any informality in any or all responses and to enter negotiation with the proposal or part thereof which it deems most favorable to the Town. No response shall be withdrawn for a period of ninety (90) days after being publicly-opened.

TOWN OF ISLIP - DEPARTMENT OF PLANNING AND DEVELOPMENT
DAVE GENAWAY, COMMISSIONER



TOWN OF ISLIP

**Invitation to Submit an
Expression of Interest in
DEVELOPING PROPERTY on
MONTAUK HIGHWAY,
OAKDALE, NY**

**NOTICE TO RESPONDERS
INFORMATION FOR RESPONDERS
RESPONSE FORM**

Response Submission Deadline: August 25, 2011 by 11:00 A.M.

SUPERVISOR
Phil Nolan

TOWN BOARD MEMBERS

Steven J. Flotteron John H. Edwards Gene Parrington Trish Bergin Weichbrodt

TOWN CLERK
Regina V. Duffy

TOWN ATTORNEY
Alicia O'Connor

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TOWN OF ISLIP - DEPARTMENT OF PLANNING AND DEVELOPMENT

DAVE GENAWAY, COMMISSIONER

**INVITATION TO SUBMIT AN EXPRESSION OF INTEREST
In Developing Property Owned by the Town of Islip
on Montauk Highway, Oakdale, NY**

INTRODUCTION

The Town of Islip (herein, the "Town") invites qualified and experienced applicants to submit an Expression of Interest in developing all, or part, of certain Town-owned property in Oakdale, NY (the "Site(s)").

All persons interested in submitting an Expression of Interest are invited to attend a pre-submission at Town Hall at 10:00 am, on August 18, 2011 at which the subject property will be discussed. Please call to confirm the location and your attendance (631-224-5370.)

LOCATION

The Site(s) consist of two lots that front on the north side of Montauk Highway in Oakdale and are adjacent to the south side of the Long Island Railroad right-of-way, as follows:

Lot I (SCTM# 500-326-02-01) is also known as 1351 Montauk Highway, Oakdale. It has 483' of frontage on Montauk Highway (Rt 27A) and consists of 2.2 acres, adjacent to the west side of the Long Island Railroad Oakdale Station parking lot. Lot I was formerly improved by residential structures dating from the 1800's, but it is now vacant. Lot 1 is zoned Business One District (B1).

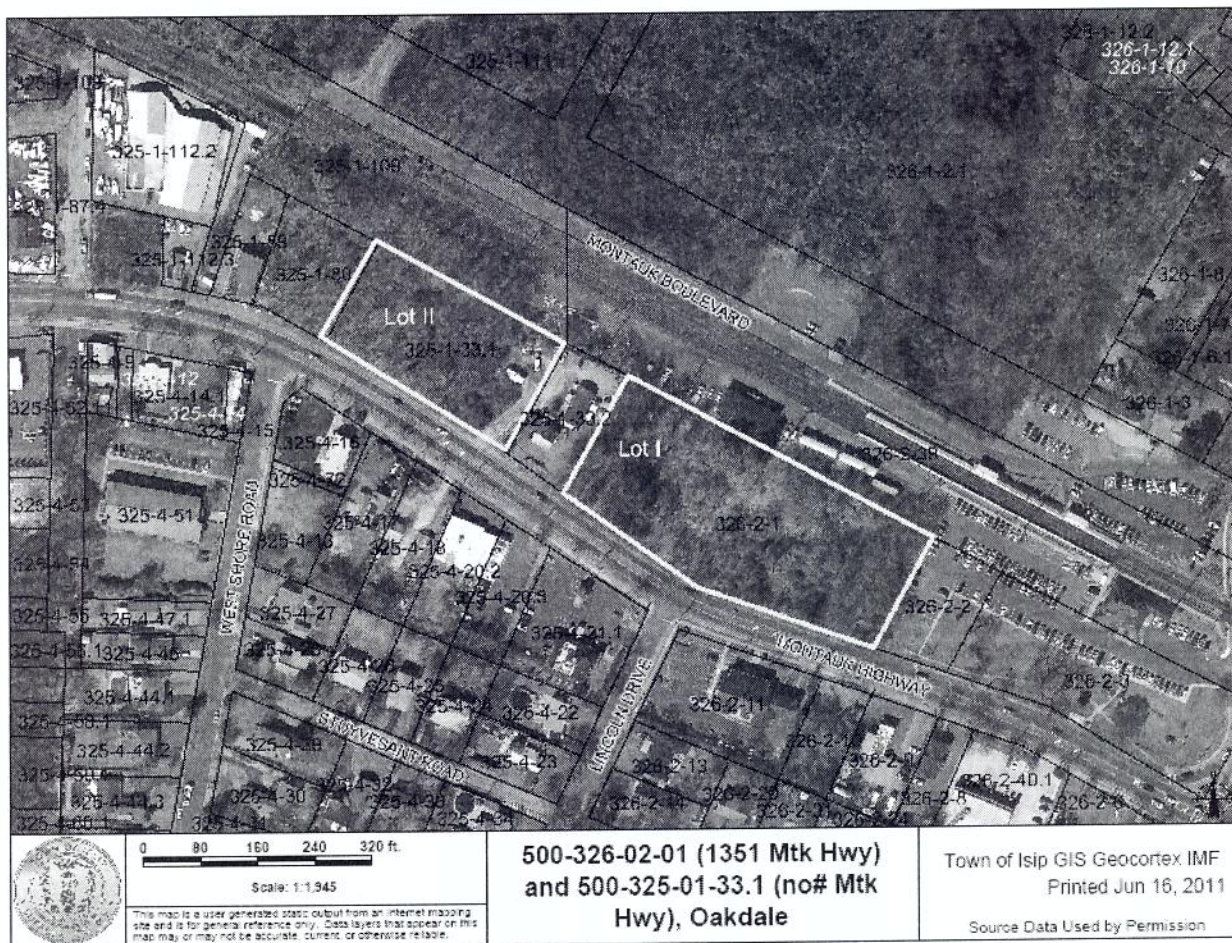
Lot II is designated on the Suffolk County Tax Map as 500-325-01-33.1. The area of Lot II is approximately 1.5 acres. It is located to the west of Lot I, and is separated from it by a privately-owned lot (90' x 186') that is between the two Town-owned lots. Lot II is undeveloped. Lot II is zoned Business One District (B1).

An aerial photograph of the Site(s) is included on the following page.

DEVELOPMENT CONSIDERATIONS

Responders may express interest in developing one or both of the Site(s). Proposals to develop both sites may be able to increase lot yield by purchasing development rights from another vacant, Town-owned, property in Oakdale. This option is not available to responses that pertain to only one lot. The

Town will consider development proposals that are based on a purchase, or a long-term lease of the Site(s).



The Town seeks to encourage development of the Site(s), consistent with the “Oakdale Hamlet Center Vision Plan (2008)”, prepared by the Town. The complete document can be viewed online at http://www.townofislip-ny.gov/e-services/forms-a-publications/doc_details/298-oakdale-hamlet-center-vision-plan-2008-large-file. In this area of Oakdale, although the predominant zoning classification along Montauk Highway is Business One District (B1), the “Oakdale Hamlet Center Vision Plan (2008)” had anticipated that the development of the Site(s) would be consistent with a rezoning to “Business District” (BD).

The Plan, which prepared by the Department of Planning in 2008, recognized that the Site(s) is well-suited to commercial use:

The idea is to design a downtown like plan with at least a two story building and mixed use occupancy. A change of zone to Business District is necessary. Plan, page 7.

B1 is a basic business zone which permits a broad variety of uses such as offices, stores, and banks, having a minimum front yard setback of twenty five (25') feet. However, in a BD zone, as in a typical downtown, buildings can be set close to the street. Permitted uses in the Business District include office and retail, and a mixed use building (residential/commercial), which is permitted with a Planning Board Special Permit.

BACKGROUND

1. TOWN OF ISLIP

The Town covers approximately 106 square miles and has a population of approximately 320,000 residents. Located about fifty-five miles east of New York Town, Islip is a suburban community with a residential sector consisting largely of one-family homes.

The Town is centrally located in Suffolk County, NY which reported a 2004 population of over 1.46 million, making it the 4th largest County in New York State. Suffolk County includes over 460,000 households, with the median household income in excess of \$65,000, according to the 2000 census. In 2002, the Suffolk County per capita income was calculated to be 122% of the national average.

2. PROJECT PARAMETERS

The Town is soliciting Expressions of Interest from developers interested in undertaking commercial development of the Site(s).

Developers are requested to provide a project development concept plan, as described in section "3", below. If real property, in addition to the Site(s), is required to realize the concept plan, it will be the responsibility of the Responder to acquire the other property.

Expressions of Interest shall also address the methods and alternatives that the Responder will use to mitigate the impacts of the Project upon transportation, utilities and the environment.

This Invitation seeks responses that reflect an understanding of the optimum way to convert the use of the Site(s) from largely vacant property, to uses that optimize the value and utility of the Site(s), and simultaneously enhance the Oakdale hamlet .

3. EXPRESSION OF INTEREST SUBMISSION

To submit a response, please send four copies of a written Expression of Interest to the Town of Islip, Office of Land Management, Room 226, 401 Main Street, Islip, NY 11751. Delivery may be made by U.S. mail, or personal delivery.

Respondents to this Invitation to Submit an Expression of Interest are hereby notified that each Expression of Interest submitted, and the information contained therein and attached thereto, shall be subject to disclosure under the Freedom of Information Act.

In addition to completing the Response Form included as an Appendix, please include the following in your Expression of Interest:

- Company name, address, telephone, fax and email addresses;
- Contact person with his or her contact numbers/email;
- Brief description of the firm's history, highlighting experience with development of projects similar to that described in the Expression of Interest;
- Identify the principals of the firm and their relevant experience and achievements;
- Summary of the financial position of the firm;
- Include a concept plan that states the central concept of the project you are proposing. Please describe the main features of the site plan design, types of buildings and uses, and features that are particularly-suited to the location. Include any projections, draft Site(s) plans, or conceptual layout designs;
- List limitations, prerequisites, or requirements necessary as a pre-condition to development of the project.

4. TIMETABLE

A response to this Invitation for Expressions of Interest must be received by 11:00 a.m., August 25, 2011 at the Town of Islip, Office of Land Management, 401 Main Street, Room 226, Islip, NY. Late submissions will not be opened.

5. QUALIFICATION STANDARDS

The Town will review the Expressions of Interest submitted by qualified responders and

select the most outstanding responses. Following review of submissions, the Town intends to schedule meetings with the firms that submit those responses it believes are in the best interest of the Town.

The financial aspect of the Expression of Interest will be carefully scrutinized and considered. However, the final selection will not be determined based on financial items alone. Because the development covered by the Invitation concerns the use of Town land, the background and experience of each responder will be closely scrutinized to verify that the responder is qualified to carry out the responsibilities of the project. An Expression of Interest from an unqualified responder will not be considered, without regard to the amount of potential financial benefit to the Town. In order to be deemed "qualified", at a minimum, a responder must demonstrate that:

- The organization, location and size of the firm are appropriate to carrying out the responsibilities of the project described in the Expression of Interest;
- The development team demonstrates relevant experience supporting its ability to finance, design, build and operate the proposed commercial development;
- The principals of the responder have successfully completed the design, construction and operation of facilities that are similar to the one(s) proposed.
- The responder is creditworthy and has the financial strength to pursue the concept plan to completion.

6. COSTS AND EXPENSES

Responders will not be reimbursed for expenses incurred in preparing responses to this Request for Expressions of Interest. Lease or sale of the Site(s) will be preceded by an appraisal of the Site(s) to determine the market value, based on the highest and best use.

7. CONTACT WITH TOWN

The Town is committed to providing all prospective responders with accurate and consistent information in order to ensure against undue competitive advantage. To this end, questions concerning the Expression of Interest package may be directed to Christine D. Costigan, Acting Deputy Commissioner, Department of Planning, 631-224-5370, or ccostigan@townofislip-ny.gov. All prospective Responders will be advised of the Town's written responses.

9. RESERVED RIGHT TO REJECT RESPONSES

The Town may reject any response if it concludes that such responder is not properly qualified to carry out the project described, or that the project is not in the Town's best interest. The Town may reject any and all responses, waive informality in any or all responses received.

Please complete the Response Form that is included on the following pages, and submit it with your Concept Plan for development.

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RESPONSE FORM

THIS EXPRESSION OF INTEREST IS SUBMITTED BY:

(Name of Responder) _____

Employer Federal Ident. No. _____ (Tel) _____

Address: _____

Email Address: _____

As described in the Concept Plan, annexed, the undersigned ("Responder") is interested in developing vacant land on Montauk Highway, Oakdale, NY. The Responder affirms and declares:

- A. That said Responder is of lawful age and that it is the only one interested in this Response, and that no person, firm or corporation other than above-named has any interest in this Response or in the contract to which it relates;
- B. That this Response is, in all respects, fair and has been submitted without collusion or fraud;
- C. That said Responder is not in arrears to the County of Suffolk or the Town of Islip upon debt or contract, and is not a defaulter, as surety or otherwise, upon any obligation to said County or Town;
- D. That Responder has had the opportunity to examine the Sites, and that based on personal investigations is satisfied as to the nature and location of the work, the character, quality and quantity of existing materials, the difficulties likely to be encountered, the kind and extent of equipment and other facilities needed for the performance of the work, the general and local conditions, and all other items which may in any way affect the work or its performance;
- E. That this Response will remain in effect for 90 days after the Response opening;
- F. The undersigned Responder also declares that he or she has carefully examined and fully understands the Notice to Responders, the Information for Responders, and the Response Form and he or she hereby proposes to furnish all the labor, supervision, materials, equipment and incidentals (such as, nuts, bolts, clamps, connectors) necessary to do all the work required to develop the Site(s) as described in the Response;
- G. Responder has signed the Response Form and thereby verifies that the representations in the Response Form, including the responses to the Questionnaire, the application of Provisions 1 through 4 and the FEDERAL IMMIGRATION AND NATIONALITY ACT

CERTIFICATION are in all respects true and complete, or that the Responder is not in violation thereof, as applicable to each section.

REFERENCES/ QUESTIONNAIRE

Responders must furnish references. List only projects that involved development similar to that proposed for the Site(s).

Reference Project # 1: (Describe) _____

Date of Completion: _____

Reference Project # 2: (Describe) _____

Date of Completion: _____

Reference Project # 3: (Describe) _____

Date of Completion: _____

PROVISION 1 - DISCLOSURE STATEMENT *(Use separate sheet for additional space.)*

In connection with the submission of this Response I, _____
 Title _____, as an Officer / Director / Agent (*Cross out title that does not apply*) of the corporate applicant, namely its _____ swear / affirm
 (*Cross out word that does not apply*) under the penalties of perjury that:

1. The following are all persons who have a direct or indirect interest* in this Response:

/ /

Name & Address

Date of Birth

** For corporations, all officers and stockholders owning more than 5% of the corporate stock must be listed. (Attach an additional sheet, if necessary.)*

2. The following persons listed in (1) above are related by blood or marriage to an officer or employee of the Town of Islip:

Name & Address

Name & Position of Town Employee

3. The following persons listed in (1) above are state or local officers or employees, or members of a board of commissioners or local public authorities, or other public corporation within Suffolk (exclusive of a volunteer fireman or civil defense volunteer):

Name

Position

PROVISION 2 - TOWN OF ISLIP LOCAL LAW NO. 2

Section 1. It shall be unlawful for any person engaged in the construction, alteration or repair of any building, project or any public works of any kind, or enjoying any contract, franchise, sub-contract or any other contractual awards issued by the Town of Islip, to discriminate against any qualified employee or qualified applicant for employment because of race, creed, color, sex, or national origin.

Section 4. The violation of Section 1, and a conviction thereof, shall constitute a material breach by such person of the contract with the Town, and the Town of Islip, may, in its discretion, terminate said contract.

FEDERAL IMMIGRATION AND NATIONALITY ACT CERTIFICATION

The undersigned hereby certifies that:

1. He/She is the Proposer in the annexed Response or is a/an partner/officer/director of the partnership/corporation named therein duly authorized to execute this certification.
2. By executing this document, Proposer certifies to the Town of Islip that:
 - (a) He/she is aware of the provisions of the Federal Immigration and Nationality Act, including 8 U.S.C.A. 1324-A, which provisions prohibit the employment of unauthorized aliens; and
 - (b) Proposer is in compliance with same.
3. Proposer understands that the Town of Islip will rely on this Certification in considering the Response of Proposer.
4. Proposer is aware that a violation of the provisions of the aforesaid Immigration and Nationality Act constitute a material breach of the contract and shall result in Proposer being ineligible to participate in any Town of Islip Projects for a period of one (1) year and from holding any contracts with the Town of Islip for said period.

PLEASE NOTE: This Response shall be deemed to have authorized by the board of directors of the Responder and such authorization shall be deemed to include the signing and submission of the Response Form and the inclusion therein of the Questionnaire responses, the Certification, the Disclosure Statement and the Federal Immigration and Nationality Act Certification as the act and deed of the corporation.

THIS COMPLETED RESPONSE IS SUBMITTED ON _____, 2011

Responder: _____

By: _____ Title: _____

Signature _____