NEW YORK STATE DEPARTMENT OF TRANSPORTATION

REQUEST FOR EXPRESSIONS OF INTEREST #20140128
DESIGN, DEVELOPMENT and SUBSEQUENT LEASING of 5 ± ACRES of STATE-OWNED PROPERTY at REPUBLIC AIRPORT in E. FARMINGDALE by NYSDOT

February 3, 2014

The New York State Department of Transportation (NYSDOT) hereby requests: (1) Expressions of Interest, and (2) Information from potentially interested responsible and responsive parties pertaining to the renovation or the redevelopment and subsequent leasing of a 5+/- acre parcel of State-owned property that is part of Republic Airport (FRG) in E. Farmingdale, Suffolk County, New York.

Schedule
- February 3, 2014  RFEI Issue Date
- March 7, 2014 Noon: Public Inspection Site Visit Registration Deadline
- March 14, 2014 at 10:00 AM ET: Public Onsite Inspection Visit
- April 11, 2014 at 2:00 PM ET: Question Due Date
- May 30, 2014 5:00 PM ET: RFEI Response Deadline

Purpose and Objective

The purpose of this Request for Expressions of Interest (RFEI) is to acquire expressions of interest and information regarding possible options for renovation or the demolition and redevelopment the existing restaurant building, formerly operated as the 56th Fighter Group Restaurant located upon 5+/- acres at Republic Airport in East Farmingdale, NY as prerequisite to entering into a lease for a period of twenty years or longer. The property is located on Republic Airport property owned by NYSDOT. The official address is 7160 Republic Airport E. Farmingdale, NY, Babylon Township, Suffolk County New York 11735. The Tax Identification Number is District 100-Section 71-Block 1- Lot 5.1.

The freestanding one and part two story commercial building containing a total of 13,346 sq. ft. was designed for use as a restaurant with approximately 200 parking spaces on 5.0 acres. The
property is accessible from Grumman Boulevard, a paved interior airport access road accessible from the easterly side of New York State Route 110.

Republic Airport is a general aviation airport and provides service to light aircraft as well as corporate aviation. The airport accommodates 500-based aircraft and over 60 businesses that employee more than 1384 people. The Towns of Babylon, Oyster Bay and Huntington are in close proximity. The Site is located close to the Route 110 business corridor, a major commercial and industrial area built up with light manufacturing and warehouse facilities, along with retail land uses and low rise office complexes. The estimated median family income for E. Farmingdale (2010) was $90,427.

This property contains a 30-year old 13,346 sq. ft. building with 2,400 sq. ft. second floor. The building is on a slab foundation and was designed for use as a restaurant. The structure is a unique design of a 1917 French style farmhouse with stucco and brick exterior, a distressed tower, open lofts, open walls and bunker-style partial walls. The roof is asphalt shingle covered. Generally, the structure suffers from normal wear and tear. The structure also lacks ADA accessibility to certain areas of the Site.

Should NYSDOT decide to conduct a competitive solicitation and offer the parcel for some type of development, a Request for Proposals (RFP) will be formulated and the decision to award a contract for development rights and a long-term lease will be based upon the evaluation of received RFEI information.

NYSDOT will use the expressions and information received from this RFEI to review the available options and solutions to develop a property development and leasing strategy, leading to a possible decision to develop the property. It is recommended that interested parties who wish to participate in this information gathering process attend an on-site public inspection tentatively scheduled for March 14, 2014 at 10:00 AM ET. Requests for expressions of interest and information regarding possible options for the renovation or redevelopment and leasing of the property are due May 30, 2014 at 5:00 PM, ET. Should this RFEI lead to a procurement, all developers responding to this RFEI shall be notified. Be advised that any resulting lease agreement shall include NYS standard clauses.

It is the objective of this RFEI to:
  - Develop a general understanding among interested parties pertaining to the development and subsequent leasing of a 5± acre parcel of State-owned property at Republic Airport.
  - Obtain feedback as to what aviation or non-aviation development constitutes the highest and best use of the subject property.
  - Develop a general understanding of the methodologies for the renovation or redevelopment and the rough estimated costs.
  - Obtain feedback on how NYSDOT could structure the RFP and lease for this property.
  - Perspective of interested parties on such lease methods.

NYSDOT reserves the right to seek additional information/ask questions from a firm or firms who present expressions of interest and information via responses to this RFEI to which the Department requires additional information. This right can be exercised via written Q&A or a face-to-face interview.
General Description of the Scope Of Work

PLEASE NOTE: This is a Request for Expressions of Interest only. This RFEI is not a request for bids or proposals. Should this RFEI lead to a Request for Proposals, from which the successful developer shall be selected and deemed eligible for a contract that will most likely take the form of a long-term lease, the following tasks shall comprise the Scope of Work for the selected Proposer (“Lessee/Developer”):

A. Tasks

The Selected Lessee/Developer shall pursue the renovation or redevelopment plan specified in the agreement that would follow a possible RFP for the airport parcel. All work shall be done in accordance with the requirements of the Lease Agreement. NYSDOT expects that an agreement will set forth a period of due diligence, subject to possible modification, during which the renovation or redevelopment project will be completed.

The Lessee/Developer shall commit to completion of the proposed renovation or redevelopment of the property within the amount of time specified in the agreement; investing such capital or securing whatever financing is necessary to fund the project.

NYSDOT representatives will review the proposed plans for the development and inspect the work and monitor the progress to ensure that the work is being performed as in accordance with the specifications in the agreement.

The Lessee/Developer shall ensure that all development work is performed in accordance with applicable environmental laws/regulations, FAA and airport regulations, and completed in compliance with state building codes. Height restriction requirements may apply. Height restrictions vary by distance from the runway, and are subject to verification. Property development shall be subject to FAR Part 77 height limitations (FAR = Federal Aviation Regulations).

The Lessee/Developer shall take precautions to provide for the safe and efficient operation of Republic Airport and shall not adversely impede the operation of the Airport or the operations of airport tenants. The Lessee/Developer shall submit a construction plan that describes how the work zone will be controlled at least four weeks prior to commencing any work at the location. This plan should include a construction entrance. This plan will be subject to NYSDOT approval. The Lessee/Developer must abide by the rules & regulations of the local municipalities for noise, use of local roads, pollution control and sweeping debris from local roads caused by development work.

The Lessee/Developer shall minimize dust from the disturbed soil surfaces and other materials that can cause off-site damages, health hazards and traffic & safety problems.

The Lessee/Developer will hold the Lease Agreement for the completed project and shall be responsible for operating the completed facility and paying all rent. The Lease Agreement may not be assigned without the approval of NYSDOT.
To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Lessee/Developer will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Lessee/Developer agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Lessee/Developer agrees that neither it nor its contractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract.

**B. Deliverables**

1. Within the period of time allowed for the completion of the renovation or redevelopment, Lessee/Developer will complete the project set forth in the possible RFP Proposal and Lease Agreement and obtain the required certificate for occupancy of the completed project.
2. Lessee/Developer will pay the rent as provided in the possible Lease Agreement during the period of due diligence.
3. Lessee/Developer will commence operations of the operations provided in the possible Lease Agreement upon the completion of the renovation or redevelopment project.
4. Lessee/Developer will pay rent to NYSDOT in accordance with the terms of the possible Lease Agreement.
5. Lessee/Developer will be responsible for the payment of all utilities and operational costs associated with the leased property, and in the event of a non-aviation use, Lessee/Developer will be responsible for the payments in lieu of taxes (PILOT) to local governing authorities.

**Public Inspection (Site Visit)**

It is recommended that interested parties who intend to submit a response to this RFEI and participate in this information gathering process attend an on-site public inspection tentatively scheduled for March 14, 2014 at 10:00 AM ET. For security purposes, interested attendees are required to register in advance by contacting Michael Geiger at Republic Airport via e-mail to Michael.Geiger@dot.ny.gov. No questions will be entertained except for those provided in writing. Reasonable use of cameras and other recording or surveying equipment is permitted.

**RFEI Response Content**
NYSDOT is requesting parties interested in informing NYSDOT about possible options for the renovation or redevelopment of the 5+/- acre parcel as prerequisite to entering into a lease at the airport location to submit a response to this RFEI. Parties interested in any portion of the property are encouraged to submit a response to this RFEI. The following items must be provided in the response:

- **Contact Information** – Provide the full legal name and address of the Lessee/Developer, FEIN and SFS Vendor ID Number, and contact information of the CEO and RFEI contact person including title, mailing address, telephone number and email address.

- **Company Background** – Describe the Lessee/Developer’s current business operations and provide applicable SIC Code. Provide a summary of specific experience and qualifications in the subject matter of this RFEI. Describe any possible other firms who might also participate with you (provide same background info for each additional firm).

- **Expression of Level of Interest** – Describe the level of participation in which the Lessee/Developer is interested, including thoughts possible future uses of the property and possible models for paying ground and/or concession rent. **Submission of an expression of interest does not provide a respondent to the RFEI with an exclusive opportunity to participate in the proposed development project, but it is possible that said respondent may be invited to negotiate a lease agreement in the event that the RFEI results in only one only responsible and responsive RFP proposal.**

- **Highest and Best Use** – NYSDOT is requesting potential Lessee/Developer responding to the RFEI provide a brief description of their perspective of the current marketplace for the commercial development of real estate at this location and what they perceive to be the optimal use for the available property. Such description should include a description of the property use in which the Lessee/Developer would be interested, the estimated investment that the Lessee/Developer would be interested in making, and an estimate as to the gross revenue that the Lessee/Developer projects would be generated by the development in which they are interested.

NYSDOT encourages the submittal of supplemental information that provides additional options, alternative approaches and solutions available in the highest and best use of the available parcel as well as discussions about possible land use(s) for the property and identification of procedural, legal or other issues associated with any future land use.

**RFEI Submission Information**

This is not a Request for Proposal (RFP) or an Invitation to Bid (IFB). A response to this RFEI does not bind or obligate NYSDOT or the responder to any agreement for provision or procurement of services referenced.

One original and three copies of the response to this RFEI should be submitted along with a cover letter on the responder’s official business letterhead. The response is requested on or before May 30, 2014 5:00 PM ET via mail delivery service or hand delivered to:
New York State Department of Transportation  
Contract Management Bureau, 6th Floor,  
50 Wolf Road, Albany, NY 12232  
ATTN: L12014R RFEI  

Responses cannot be e-mailed or faxed. Responders mailing their responses should allow sufficient mail delivery time to ensure receipt of their response by the deadline. An opening of RFEI responses will be done by NYSDOT Contract Management Bureau, which will include a review to ensure RFEI response formatting instructions have been followed (with possible clarification questions) and include a determination to test if only one responsive and responsible RFEI response has been received. 

Inquiries regarding the RFEI can be addressed by contacting Mr. Al Hasenkopf NYSDOT Contract Management Bureau in writing via e-mail to alfred.hasenkopf@dot.ny.gov . All questions about this RFEI are due in writing via e-mail to Mr. Hasenkopf by April 11, 2014 at 2:00 PM ET. NYSDOT may release supplemental RFEI information (Q&A, etc.) and post said information to its website with sufficient time allowance for parties to consider before submitting an RFEI response. NYSDOT is under no obligation to respond to questions submitted close the RFEI response deadline.

**Attachments**

- Attachment 1  Location Maps (2)  
- Attachment 2  Property & Structure Photographs (4)  
- Attachment 2  Legal Description/Metes and Bounds Description