



Request for Proposals



Shoreline Trail Enhancement Project Design Landscaping & Historical Monuments/Amenities

Proposal must be submitted, no later than Noon, Friday, October 8, 2021, to: ECIDA, 95 Perry Street, Suite 403, Buffalo, New York 14203

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I. RFP Overview

Proposals are being solicited from professional Landscaping Architect or Engineering Firms, licensed to practice in New York State, to design landscaping and historical monuments/amenities along the recently constructed **Shoreline Trail, along the former Bethlehem Steel site. The trail is part of the larger Shoreline Trail regional network of waterfront trails which extends from North Tonawanda to Lackawanna.**

The Shoreline Trail Enhancement Project involves pre-development activities within the Lackawanna First Ward BOA. The project will assist the ECIDA and Erie County to hire a contractor to install /construct landscaping, monuments and other features within the 50-foot right-of-way which abuts the former Bethlehem Steel site. The right of way contains the recently constructed 10-foot-wide Shoreline Trail, which, stretching 6,500 feet on the west side of NYS Route 5 from the City of Buffalo line to Madison Avenue in the City of Lackawanna. Erie County is currently evaluating options to extend the multi-use trail south from Dona Street to Woodlawn Beach State Park in Hamburg, NY.

The intent of the project, as described in the Scope of Work subsections, is to design landscaping, monuments and amenities that once constructed will:

- Provide an attractive landscape that will encourage pedestrians and bicyclists to use the trail and enjoy the natural setting.
- Create a visible demarcation between the public trail and the industrial park to the immediate west.
- Screen portions of the trails from the traffic on the adjacent New York State Route 5.
- Pay homage to the industrial heritage of the former Bethlehem Steel Site and celebrate its significance to the development of Western New York and beyond.
- Identify, preserve/ relocate industrial artifacts of the site.
- Utilize native vegetation that requires low maintenance.
- Minimize overall maintenance
- Address areas which are difficult to maintain
- Create attractive walkable space for visitors to the area as well as workers in the industrial area.
- Become an amenity that can be used as a selling point to attract businesses to the industrial park and the area.
- Create a cohesive site identity which is complimentary to the branding and marketing of the Renaissance Commerce Park, formerly the Bethlehem Steel site and Shoreline Trail.
- Create a guidance manual for future landscaping improvements including guidance regarding BCP compliance for the Parks Department

The project will include development of landscape design plans and standards, preparation of preliminary cost estimates, final construction drawings and specifications, public engagement and obtain necessary permits and approvals to implement the Shoreline Trail Enhancement Project.

The consultant is expected to work in conjunction with the Erie County Industrial Development Agency (ECIDA), Erie County (County), New York State Department of State (NYS DOS) and a Project Advisory Committee to include the following stakeholders:

- ILDC
- NYS DEC
- Tecumseh
- Erie County Department of Parks, Recreation and Forestry
- Erie County Department of Environment and Planning
- City of Lackawanna
- Town of Hamburg
- Steel Plant Museum of WNY

The project includes a three-phase approach as follows:

Task 1: Draft Conceptual Landscape Design Plan, Standards and Preliminary Cost Estimates

The Contractor or its consultant(s) shall develop a draft Public Engagement Plan, Conceptual Design Plan, Standards, and Preliminary Cost Estimates and supporting materials for the Brownfield Opportunity Area. The draft Conceptual Design Plan, Historical Monument and Plaque design, Standards, and Preliminary Cost Estimates Documents shall be provided to the Department of Parks, Recreation and Forestry and the public for review. Comments from the NYS DOS and the public must be addressed to the satisfaction of the NYS DOS in subsequent revisions of the products and the final design.

Products:

- Site reconnaissance assessment
- Renderings of proposed historical monuments, artifacts or sculptures
- Public Engagement Plan
- Draft Conceptual Design Plan, Historical Monument, Artifact, sculptures and Plaque design, Standards, Preliminary Cost Estimates and supporting materials

Task 2: Environmental Quality Review

The Contractor shall prepare, or cause to be prepared, all documents necessary to comply with the State Environmental Quality Review Act (SEQRA) through determination of significance. If a positive declaration is made, a Draft Environmental Impact Statement shall be prepared.

- SEQRA documents
- Draft Environmental Impact Statement (if necessary)

Task 3: Final Construction Drawings and Specification Documents

Based upon the approved draft Landscape Design Plan and Standards documents, the Contractor or its consultant(s) shall develop final Landscape Design Plan construction drawings and specification documents and other supporting materials. The final construction documents shall be provided to the NYS DOS and Erie County Department of Parks, Recreation and Forestry for review and comment. NYS DOS comments must be addressed to the satisfaction of the Department.

Products:

- Executive Summary
- Final Landscape Design Plan Construction Documents, Standards, and supporting materials
- Historical Amenity / Monument Design
- Historical Amenity/ Monument interpretative panel narrative
- Amenity Placement Plan
- Planting Plan
- Construction cost estimates
- Permits
- Public Engagement report

The Erie County Industrial Development Agency (ECIDA) and Erie County (County) are seeking qualified firms for planning and conceptual design services for the above-noted project. Funding for the project is being provided by New York State Department of State under Title 11 of the Environmental Protection Fund. The ECIDA encourages submissions from Women and Minority Owned Business Enterprises (M/WBE). The plan must carefully follow all the specifications of the government agencies which will take ownership of the improvements.

THE ECIDA RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

II. GENERAL DESCRIPTION

A. Background

Bethlehem Steel's Lackawanna plant first opened in 1899 as the Lackawanna Iron & Steel Company. At its peak, the Bethlehem Steel plant employed over 25,000 workers and had over 7 million square feet of buildings, as well as almost 30 miles of rail track. The plant ceased most operations in 1983. Since the plant began operation, the residents of Lackawanna have been shut off from access to Lake Erie's waterfront within their municipal boundary. The Shoreline Trail provides waterfront public access to users of the Trail.

Land Acquisition/Brownfield Cleanup Program:

The enhancement of the Shoreline Trail system provides an opportunity for community enrichment, economic investment and environmental restoration in the City of Lackawanna, Town of Hamburg and the Western New York region. Future plans include extending the Trail by continuing south on property that is currently owned by Tecumseh Redevelopment Corporation. The Project areas has already been entered into the New York State Brownfield Program. Improvement of this section will require adherence to the current Brownfield Cleanup Agreement

Project stakeholders include: Erie County, Buffalo and Erie County Industrial Land Development Corporation, Erie County Industrial Development Agency, City of Lackawanna, Empire State Development, and Tecumseh Redevelopment, Inc.

The Bethlehem Steel Shoreline Enhancement Project is being funded by the New York State Department of State under Title 11 of the Environmental Protection Fund.

III. GENERAL PROPOSAL REQUIREMENTS:

Proposals must address each of the following items:

A. Approach and Methodology

Respondents to this RFP should include a brief narrative explaining their approach. The narrative should outline the products and tasks to be provided in response to the recommended Scope of Work outlined below.

B. Scope of Services

The consultant shall meet with the project steering committee composed of representatives from ECIDA/ILDC, Erie County (Department of Environment and Planning and Parks, Recreation and Forestry), City of Lackawanna and the Town of Hamburg to discuss project scope, schedule and deliverables.

The following is an outline of the general scope of services and process anticipated for completing the project. Upon selection, the successful landscape architect (Consultant) shall work closely with the ECIDA to develop a detailed scope of work for design, construction elements, and negotiate a mutually acceptable fee and project schedule.

B.1 Phase 1 – Preliminary Design Report

Building on the existing remaining, non-turf landscaping, the project will at minimum include installation of drought tolerant landscaping, and upgrades to ensure plant survival, and hardscaping (e.g., using native rock and custom structures) and other recommended minimal maintenance features.

- a. Consultant shall meet on site with the Project Advisory Committee for a project kickoff meeting to:
 - Clarify and address questions related to the project objectives listed in Section I above.
 - Identify boundaries of the specific areas to be addressed in the landscape plan.
 - Conduct survey as necessary for design
 - Review consultant recommended plant and hardscape selections.

- Finalize Phase 1 deliverable scope and schedules.
- Determine appropriate construction project budget.
- Discuss integration of the public outreach/education efforts. First to review the initial project and again to present the more developed design documents.
- Conduct site reconnaissance of the Tecumseh property to gauge the potential and feasibility of the relocation of industrial artifacts to the site

b. Consultant shall prepare up to three concept level drawings depicting various landscape options and monuments for review by the Project Committee. A second meeting shall be held with the Committee for selection of the desired alternative. Electronic files of the draft and selected alternatives shall be provided in PDF, JPG or comparable format.

c. Consultant shall refine the selected alternative, develop preliminary design details, make product selection, at the level adequate to produce a preliminary opinion of probable construction costs, and recommended project implementation schedule. Based on the selected alternative, the ECIDA will conduct a public process to determine if and when the final project design and construction will be completed.

B.2 Phase 2 - Design Development

The Preliminary Design Report shall be used to develop a set of drawings and details to a level of 30% to 90% to include all necessary plan submittals including a general site plan, grading plan, drainage plan, irrigation plan, planting plan, hardscape details, design development documents that, upon approval by the ECIDA and Erie County Parks, Recreation and Forestry, will serve as the basis for preparing construction documents.

The site is within the NYSDEC Brownfield Clean-up Program, review of potential improvements by the NYSDEC is required.

B.3 Construction Document Preparation

Consultant shall provide 30%, 60% and 90% design documents. Consultant shall finalize the design within the approved budget and prepare construction documents required for competitive bidding for construction of the project. The construction documents shall include plans, details and specifications for all proposed improvements. Consultant shall prepare a final opinion of probable cost of construction based on the final construction documents. The construction documents shall be reviewed by Erie County and ECIDA prior to public availability.

B.4 Bidding Phase Services for Landscape Construction

Consultant shall assist the ECIDA during the competitive bidding process for the Landscape Construction contract by distributing documents; conducting a pre-bid meeting; preparing addenda as required to clarify documents and answer bidder questions; and tabulating and evaluating the bid results.

B.5

This Scope of Work has been prepared as a proposal guideline. It is the respondent's responsibility to add any other services and tasks that the consultant feels are necessary to complete the project.

C. Work Schedule and Task Breakdown by Personnel

Proposals should include a schedule for each major component of the work and a detailed breakdown of person-hours for assigned personnel for each proposed task included in the Scope of Services. The estimated number of person-hours for specific, key personnel assigned to each task should be presented as part of the task breakdown.

It is anticipated that the Plan will take 6-8 months to complete with an anticipated kick-off in November 2021.

D. Experience of Firm/Project Team

Firms, or their principals responding to this RFP, must be registered to conduct business in New York State. Proposals should include an organizational chart, identifying the project manager and team members, with their titles/role on the project. All proposed sub-consultants must also be identified, along with their key personnel assigned to the project and their roles.

As part of the proposal, teams should provide a detailed case study of **one** project that best demonstrates their capacity to complete this project successfully or otherwise highlights the team's strengths with regards to multi-use trails, stakeholder and community engagement. In selecting this one project, the team should consider: plans that have been successfully implemented, at least in part; projects where the individual team members have worked together; projects with innovative approaches or design features applicable to this site; and/or projects demonstrating an excellence of design that will serve as a legacy for both the design team and the sponsors.

E. Key Personnel

The Consultant's project team *directly assigned* to the Plan should have a full-range of relevant planning, environmental and landscaping expertise. Primary personnel in each of the noted disciplines must be identified by name and office location, with resumes included, and should demonstrate satisfactory experience and depth in each of the required disciplines.

For the proposal, we would like to see information on **one** project for each of the key personnel (maximum of three) that they would consider the highlight of their professional career, and the reasons why. This could be a project that demonstrates design excellence, or

a project that overcame extraordinarily difficult circumstances to attain implementation, or a project whose process achieved a level of community building for the sponsor(s) that surpassed the initial goals of the project. Key personnel would include the Principal-in-Charge, Project Manager and Discipline Team Leaders.

F. Cost and Budget

The design consultant contract will be a fixed price or lump sum cost contract. Therefore, all proposals must contain a Lump Sum Cost Proposal for the scope of services delineated, inclusive of all expenses (there will be no reimbursables). Proposals must include a breakdown of the costs by the task as outlined in the scope of services.

G. Personnel Allocation

The proposals must include a breakdown of personnel hours per task, with key personnel manpower allocations. General support staff allocations may be listed generically by task.

H. Designated Individual – Procurement Lobbying Law

1. Lori Szewczyk, Director of Grants 856-6525, ext. 126 lszewczyk@ecidany.com

Pursuant to State Finance Law §§139-j and 139-k, this Request for Proposal includes and imposes certain restrictions on communications between ECIDA members (including employees and Board members) and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through final award and approval of the procurement contract by the ECIDA (“restricted period”) to other than the above Designated Individuals unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). ECIDA members (including employees and Board members) are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period; the bidder is debarred from obtaining governmental procurement contracts, and reported to the Authorities Budget Office (ABO), the ECIDA’s regulatory authority.

Bidders are required to complete Form in Attachment B regarding their understanding and agreement to comply with procedures on procurement lobbying restrictions regarding

permissible contacts in the restricted period in accordance with State Finance Law §§139-j and 139-k.

Minority and Women-Owned Business Enterprise Utilization

The ECIDA strongly encourages participation by Minority- and Women-Owned Business Enterprises as part of the team submitting qualifications for this work. All proposals must submit a statement indicating that the firm submitting the proposal will work toward a business utilization goal for minority business enterprise of **15%** and women business enterprise of **15%**.

Information Meeting

An informational meeting is tentatively scheduled for **Tuesday September 21, 2021, 11:00 am via Zoom** to address any general questions that potential respondents may have regarding this RFP. Any other requests for RFP interpretations should be made in writing to ECIDA (faxes will be accepted at 362-8393, attn. Lori Szewczyk; or e-mail to **lszewczyk@ecidany.com**). No requests for oral interpretations via the telephone will be accepted. The deadline for submitting questions is **Thursday, September 30, 2021**.

Documents and further information supporting this RFP will be posted to the website listed below.

www.ecidany.com/requests_for_proposals

SUBMISSION OF PROPOSALS:

Eight (8) copies of the Proposal must be submitted, **no later than Noon (12:00 PM), Friday, October 8, 2021, to:**

**Lori Szewczyk
ECIDA/ILDC
95 Perry Street, Suite 403
Buffalo, New York, 14203**

An electronic copy should also be emailed to Lori Szewczyk at: lszewczyk@ecidany.com

SELECTION PROCESS:

ECIDA may short list from the proposals and interviews may be required. Interviews are expected to be conducted during the week of October 18-22, 2021. A final decision is anticipated to be made by November 2021. Scoring and ranking will include the following factors:

Background of Firm

- Experience and performance of firm
- Experience with multi-use trail projects and NYSDOT
- Staff assigned to project
- Local presence of firm

Approach to Project

- Understanding of owner's program and intent
- Understanding of tasks
- Cost
- Schedule
- M/WBE Participation

ECIDA does not assume the responsibility or liability for costs incurred by firms responding to this RFP or to any subsequent requests for proposals, interviews, additional information, submissions, etc. prior to issuance of a contract.

***THE ECIDA RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND
THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.***

Exhibit 1

additional option.



Attachment A: Insurance

The bidder agrees to procure and maintain, for the term of the Contract, insurance of the types and in the amounts hereafter required, with insurance companies authorized to do business in New York State, covering all operations under the Contract whether performed by it or its sub-contractors. The insurance companies affording coverage must be deemed acceptable to the Erie County Industrial Development Agency (ECIDA) throughout the term of the Contract. If any insurance company is deemed unacceptable to the ECIDA the bidder agrees to procure and maintain at its expense, coverage with an acceptable insurer as soon as notified by the ECIDA. The policies shall provide for a 30-day notice to the ECIDA prior to termination, cancellation or change.

Prior to the execution of the Contract, the bidder shall supply the ECIDA with a certificate(s) of insurance providing evidence of insurance coverage for the bidder for the following coverage:

- General Liability Insurance in a comprehensive form including coverage for property damage, bodily injury, personal injury and completed operations with a single limit of at least \$1,000,000 per occurrence with a \$2,000,000 aggregate. The certificate shall name the ECIDA as an additional insured.
- If any motor vehicle is used in regard to services on behalf of ECIDA or its affiliates, Auto Liability Insurance covering bodily injury and property damage with minimum combined single limit of \$1,000,000.
- Workers' Compensation and Employer's Liability in accordance with the applicable laws of the State of New York.
- Professional Liability Insurance, in the amount of \$2,000,000.

Each insurance policy shall be kept in force until the receipt of final payment to the bidder except for professional liability insurance, which shall be kept in force until at least one year after final payment to bidder.

The ECIDA and the bidder agree to waive all rights against each other for damages to the extent covered by the insurance, except for such rights they may have to the proceeds of such insurance held by the ECIDA as trustee. The bidder shall require similar reciprocal waivers by all sub-consultants. This policy shall recognize such waivers of recovery by an appropriate Waiver of Subrogation Clause Endorsement, excluding any subrogation rights granted under New York Law to the contrary notwithstanding. Above needed insurance coverage should be provided on a primary and non-contributory basis.

Copies of any required policies shall be provided to the ECIDA upon request.

ATTACHMENT B

NEW YORK STATE FINANCE LAW REQUIREMENTS

Permissible Contacts

Pursuant to State Finance Law §§139-j and 139-k, this Solicitation/Request for Proposal includes and imposes certain restrictions on communications between the ECIDA and an Offerer/bidder during the procurement process. An Offerer/bidder is restricted from making contacts from the earliest notice of intent to solicit Request for Proposals through the final award and approval of the Procurement Contract by the ECIDA and, if applicable, Office of the State Comptroller (“restricted period”) to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff, as of the date hereof, are identified on page 1 of this solicitation. ECIDA employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offerer/bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four (4) year period, the Offerer/bidder is barred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at <http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>.

Offerer/Bidder’s Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j(6)(b)

State Finance Law §139-j(6)(b) requires that the ECIDA seek written affirmations from all Offerers/bidders as to the Offerer’s/bidder’s understanding of and agreement to comply with the ECIDA’s procedures relating to permissible contacts (described above) during a Governmental Procurement pursuant to subdivision three of this section. It is recommended that this affirmation be provided to the ECIDA as early as possible in the procurement process, such as when the Offerer/bidder submits its proposal or bid. Attachment A may be used to satisfy this requirement.

Offerer’s/Bidder’s Certification of Compliance with State Finance Law §139-k(5)

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer/bidder that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate. It is recommended that the certification be provided to the ECIDA as early as possible in the process, such as when an Offerer/Bidder submits its proposal, bid or other form of offer. Attachment B may be used to satisfy this requirement.

Offerer/Bidder Disclosure of Prior Non-Responsibility Determinations

New York State Finance Law §139-k(2) obligates the ECIDA to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer/bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law §139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on

Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such Contact does not fall within one of the exemptions).

NEW YORK STATE FINANCE LAW REQUIREMENTS

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer/bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no Procurement Contract shall be awarded to any Offerer/bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer/bidder is necessary to protect public property or public health safety, and that the Offerer/bidder is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The ECIDA must include a disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. Attachment C entitled “Offerer Disclosure of Prior Non-Responsibility Determinations” must be completed by the Offer/bidder and submitted to the ECIDA.

Public Disclosure

Responses submitted under this Request for Qualifications are subject to public disclosure under the New York State Freedom of Information Law. If the respondent does not want certain data disclosed for any purpose other than for the evaluation of the submitted proposal, the respondent must prominently identify sections or pages of the response which they wish to have restricted. Such sections shall be restricted from disclosure, if allowed by law.

Contract Termination Provision

New York State Finance Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j contain a provision authorizing the ECIDA to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. This statutory contract language authorizes, but does not mandate, termination. “Governmental Entity” and “procurement contract” are defined in State Finance Law §139-k(1). If a contract is terminated in accordance with State Finance Law §139-k (5), the ECIDA is required to include a statement in the procurement record describing the basis for any action taken under the termination provision.

ECIDA Termination Provision

Pursuant to New York State Finance Law §139-k(5), the ECIDA reserve the right to terminate any contract in the event it is found that the certification filed by the Offerer in accordance with New York State Finance Law §139k was intentionally false or intentionally incomplete. Upon such finding, the ECIDA may exercise its termination rights by providing written notification to the Offerer/bidder in accordance with the written notification terms of this contract.

NEW YORK STATE FINANCE LAW REQUIREMENTS

Affirmation of Understanding & Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

I affirm that I understand and agree to comply with the procedures of the ECIDA relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

NEW YORK STATE FINANCE LAW REQUIREMENTS

Offerer/Bidder Certification:

I certify that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____

Name: _____ Title: _____

Contractor Name: _____

Contractor Address: _____

NEW YORK STATE FINANCE LAW REQUIREMENTS

Offerer Disclosure of Prior Non-Responsibility Determinations

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

Address: _____

Name and Title of Person Submitting this Form: _____

Contract Procurement Number: _____

Date: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No

Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No

Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity: _____

Date of Finding of Non-responsibility: _____

Basis of Finding of Non-responsibility:

(Add additional pages as necessary)

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

Erie County Industrial Development Agency
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No

Yes

6. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

Offerer certifies that all information provided to the ECIDA with respect to State Finance Law §139-k is complete, true and accurate.

By: _____ Date: _____
Signature

Name: _____ Title: _____