Request for Proposal

Buffalo Urban Development Corporation

Planning, Engineering & Landscape Architecture Consulting Services for

Downtown Buffalo Infrastructure & Public Realm Master Plan

Due: October 25, 3:00 pm
## Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I. RFP Overview</td>
<td>1</td>
</tr>
<tr>
<td>II. Project Location</td>
<td>2</td>
</tr>
<tr>
<td>III. General Project Description</td>
<td>3</td>
</tr>
<tr>
<td>A. Background</td>
<td>3</td>
</tr>
<tr>
<td>B. Scope of Work</td>
<td>4</td>
</tr>
<tr>
<td>C. Background/Expertise</td>
<td>7</td>
</tr>
<tr>
<td>D. General Proposal Requirements</td>
<td>8</td>
</tr>
<tr>
<td>E. Submission of Proposals</td>
<td>10</td>
</tr>
<tr>
<td>F. Selection Process</td>
<td>10</td>
</tr>
<tr>
<td>Attachments</td>
<td>11</td>
</tr>
</tbody>
</table>
I. **RFP OVERVIEW:**

Proposals are being solicited from Planning, Engineering and Landscape Architecture firms, to provide planning and design services for an **Infrastructure & Public Realm Master Plan** for downtown Buffalo, New York.

The plan and implementation strategy shall establish a strategic approach and methodology to guide the development and investment of streetscape and open space infrastructure in downtown Buffalo. The plan will be aligned with other downtown planning efforts and projects and dictated by consensually developed stakeholder criteria and available funding sources. The plan shall also comprehensively develop and incorporate, but not be limited to, the following components:

- An Inventory and analysis of existing conditions, including issues of special concern for downtown public realm improvements.
- A master list of planned, proposed and desirable streetscape and public space improvement projects to be implemented over the next 5 – 10 years.
- Design guidelines for public and private streetscape and associated public realm entities to provide a consistent design vocabulary across downtown while allowing for individual identity of distinct downtown districts.
- General recommendations for storm water management and control applying sustainable infrastructure planning and design considerations.
- An investigation in the potential for district heating for sidewalks.
- Coordination with downtown utility planning and capital improvements.
- General recommendations for multi-modal transportation facilities and projects as well as physical connections between these systems - *NFTA light rail and bus, regional and local bicycle networks, City owned parking garages, and shared-user services (BikeShare and CarShare).*
- An overall Pedestrian & Open Space Framework Plan that identifies the distinct downtown districts and the infrastructure improvements as components of downtown’s entire public realm network.
- Coordination with Transportation Demand Management strategies being developed by the Buffalo Niagara Medical Campus.
- Maintenance and management options and alternatives, including potential public/private partnerships.
- Implementation strategy which includes projects, responsibilities, cost and general phasing for moving the plan forward.
- Funding identified to advance the plan, including public/private partnerships.

The final master plan should be able to clearly articulate an exciting yet realistic vision for improving downtown Buffalo’s public realm. The plan will delineate a master list of streetscape and public space improvements and provide a strategic approach for implementation. The plan should be able to communicate the importance that each recommended project will have upon downtown’s overall function, appeal and marketability in order to leverage public and private investment.
This project will build upon regional planning priorities that have been established by the Western New York Regional Economic Development Council (WNY REDC) established by New York State that stresses the importance of sustainable development, rebuilding our existing urban cores and returning residents and businesses to downtown Buffalo. Downtown is the transit hub of Buffalo-Niagara; this project will strengthen downtown’s viability as a walkable, multi-modal center of employment and stimulate the continued growth of residential developments. Ultimately, it will provide a guided approach to creating a more competitive and marketable downtown Buffalo real estate sector, prioritizing especially catalytic projects that will have the most significant impact in attracting new businesses and development to downtown.

The Buffalo Urban Development Corporation (BUDC), the City’s designated downtown development agency, is seeking qualified firms for planning and design services for the above-noted project. Funding for the project is being provided by National Grid through their Strategic Economic Development Program and by National Fuel through their Area Development Program. BUDC 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 BUDC RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN.

II. PROJECT LOCATION:

The focus area of the plan will be within the Buffalo Building Reuse Project boundaries (BBRP boundaries) in downtown Buffalo, roughly encompassed by the Buffalo Niagara Medical Campus (BNMC) to the north, the traditional Central Business District (CBD), CanalSide to the south, and the Larkin District as it connects to the rest of the study area via Swan, Seneca, and Exchange Streets (see attachment A, “study area boundaries”). Boundaries are established according to identified transition areas between downtown Buffalo’s mixed-use and commercial development and that of surrounding residential neighborhoods (see attachment B for “street boundaries”).

Applicant must be cognizant of how streets, public spaces, neighborhoods and corridors adjacent to and outside of the Buffalo Building Reuse Project boundaries interact with and connect to those within the boundaries. Surrounding neighborhoods include, but are not solely limited to the West Village, Allentown, Waterfront Village, Fruit Belt, Willert Park, Commodore-Perry and South Ellicott. It is highly recommended that interested applicants review the BBRP Report available on the BNP website at: http://www.thepartnership.org/smartgrowth.
III. GENERAL PROJECT DESCRIPTION:

A. Background

The Buffalo Building Reuse Project, undertaken by the Buffalo Niagara Partnership at the request of Mayor Byron W. Brown, was a year-long project that coordinated public and private sector stakeholders to identify how to make downtown Buffalo more competitive for private investment. In accordance with one of the project recommendations, BUDC was established as lead downtown development agency and charged with encouraging residential adaptive reuse of older buildings (often historical) and proactively coordinating and facilitating the development of an attractive, multi-modal streetscape and public realm in downtown Buffalo to compliment and drive private investment.

In 2012, Mayor Brown and National Grid made an initial financial commitment for infrastructure and streetscape enhancements in downtown Buffalo over a three-year period. These funds are strategically recommended by BUDC according to clearly delineated investment criteria established in the Buffalo Building Reuse Project report, and refined through a series of meetings with the BUDC Infrastructure Working Group. This working group is comprised of public sector agencies responsible for infrastructure planning and development, as well as private sector stakeholders and downtown property owners. The criteria and investment priorities that have evolved from this process will be utilized to inform the strategic phasing included in the Downtown Infrastructure & Public Realm Master Plan. This initial investment is two-thirds complete and there is an immediate need to identify long-term infrastructure funding solutions that will capitalize improvements continually into the future.

In addition to Mayor Brown and National Grid’s commitments, approximately $88 million in streetscape and public infrastructure improvements are planned or under-construction downtown in the next 2-3 years (see attachment C, “existing and ongoing projects”). These projects are being driven forward by a handful of transportation agencies and funding sources, and range from basic street mill and overlay to full scale streetscape treatments and Complete Streets.

With all of the infrastructure, streetscape, and public realm investments currently underway in downtown Buffalo, there is a need to establish a comprehensive framework that can connect these investments to guide and secure future investments. The Infrastructure and Public Realm Master Plan shall provide a coordinated vision and strategic roadmap for investment decisions based upon consensually developed and clearly communicated criteria and objectives.
B. **SCOPE OF WORK:**

For the purposes of the proposal submittal, the following categories should be delineated in a *Fee Chart*, showing a lump sum amount for each category:

**Project Initiation**

**Stakeholder Outreach and Engagement**

**Plan Development**

*(Planning and Design Components)*

*(Implementation Process)*

1. **Project Initiation** *(Tasks include, but are not limited to):*

   - The consultant shall meet with the project steering committee composed of representatives from BUDC, the City of Buffalo (Public Works and Strategic Planning) and the Buffalo Niagara Partnership to discuss project scope, schedule and deliverables.

   - Over the past year, the **BUDC Infrastructure Working Group** has developed infrastructure investment criteria that the consultant will utilize to further develop the plan’s strategic phasing component. The consultant shall become familiar with these criteria and understand the process and stakeholders that have been involved to-date.

   - The consultant will incorporate mapping of private investments within the study area (recent, under construction and planned) to guide the application of the infrastructure investment criteria.

   - The consultant will work with the project steering committee to identify and map the distinct districts in the project area for planning and stakeholder outreach purposes.

2. **Stakeholder Outreach and Engagement** *(Tasks include, but are not limited to):*

   - The consultant will meet on a regular basis with the project steering committee to review and accept feedback on project progress and deliverables.

   - The consultant is expected to attend a minimum of three (3) meetings with the **BUDC Infrastructure Working Group** at the beginning, middle and end of the planning process in order to review and refine infrastructure and public space investment criteria. It should be noted that the BUDC Infrastructure Working Group has met several times to-date to develop initial investment criteria and considerations.
• The consultant shall meet with public, private and non-profit stakeholders in each district to understand the scope and timeframe of transportation infrastructure, streetscape, public realm, and private development projects planned or under construction within and around. Entities that are expected to be consulted may include, but are not limited to:
  • City of Buffalo Department of Public Works
  • Buffalo Sewer Authority
  • New York State Department of Transportation
  • Niagara Frontier Transportation Authority
  • Greater Buffalo Niagara Transportation Council
  • Local advocacy and development organizations
  • City and private parking operators
  • District property owners & tenants
  • others as identified by BUDC

• The consultant will meeting with local utility companies to gain an understanding of their infrastructure and capital improvement plans for the purposes of coordinating downtown streetscape and public space improvements with plans for maintenance and improvements of utilities throughout downtown.

• The consultant shall arrange, prepare and hold one (1) public meeting for general input into the development of the Plan.

• The consultant may be expected to appear and participate in regular meetings of organizations involved in downtown transportation and infrastructure, such as BUDC’s Downtown Committee, Buffalo Place, Inc. Board, Buffalo Niagara Medical Campus Transportation Demand Management Committee, etc.

3. **Plan Development** *(Tasks include, but are not limited to):*

• The consultant shall conduct site visit(s) to become familiar with, and document existing conditions within the Buffalo Building Reuse Project boundaries (see attachment A, “project study area and public space”).

• The consultant shall become familiar with downtown specific, City-wide, and regional planning documents.
  • Such plans include but are not limited to: The Queen City Hub, Buffalo Building Reuse Project, Outer Harbor Brownfield Opportunity Area, Larkin District Master Plan, BNMC Master Plan, Four Neighborhoods One Community Plan, UB 2020, utility and transportation capital improvement plans, the Framework for Regional Growth, the City of Buffalo’s Tree-Planting Guide, The GBNRTC’s Bicycle and Pedestrian Master Plan and others identified by BUDC.

  ➢ The consultant shall understand legal restrictions or regulations controlling design and construction.
• Such design and construction regulations include, but are not limited to: the City of Buffalo GreenCode/Unified Development Ordinance and the Complete Streets Ordinance.

• The consultant shall prepare a draft **Infrastructure & Public Realm Master Plan** for downtown Buffalo. Plan shall include, but is not limited to:

  a) **Planning and Design Components**

  • **Existing Conditions Report** – The consultant should develop an inventory and assessment of present conditions that will define downtown’s strengths and weaknesses as well as identify issues of special concern facing downtown infrastructure that may include, but are not limited to the condition of underground vaults in areas identified by the department of public works. It is expected that the consultant will work with the department of public works and other infrastructure-related entities to identify conditions.

  • **District Delineation** – Define and map the distinct districts within the project area for planning and stakeholder outreach purposes.

  • **Project Selection Criteria** – The consultant should provide a basis for future decision making by establishing project selection criteria and a general plan for phasing downtown district improvements. This criteria will be refined through stakeholder outreach and engagement as identified in Section II of this Scope of Work. These stakeholders have already been organized into an Infrastructure Working Group and engaged by BUDC to establish initial investment criteria and considerations.

  • **Project Identification** – Detail a master list of planned, proposed and desirable streetscape and public space improvement projects to be implemented over the next 5-10 year period.

  • **Design Guidelines for downtown streetscapes and public realm amenities** – This includes elements such as street lamps, benches, sidewalks, landscaping, trash receptacles, bike racks, bus shelters, and other components as identified by the consultant and BUDC. Traffic calming techniques and enhanced pedestrian amenities should be incorporated into streetscape design guidelines. Themes should maintain an element of consistency and connectivity while being sensitive to different areas and districts downtown.

  • **Strategies to Strengthen multi-modal transportation systems** - This includes strengthening physical connections to and between the regional public transportation network (NFTA light rail and bus), regional and local bicycle networks, City owned parking garages, and shared-user services (BikeShare and CarShare). Special consideration should be given to how these systems can help support high-density residential development downtown.
• Investigate the potential for “green” infrastructure technologies and opportunities – *This includes district heating for sidewalks, alternative fuel/charging stations for vehicles, storm water management and control techniques such as but not limited to porous asphalt, rain garden cut-outs, stormceptor structures, and biorentention platers. Consultant shall coordinate with the Buffalo Sewer Authority to determine how such improvements coordinate with the Combined Stormwater Overflow (CSO) Abatement Plan.*

• Public Art Opportunities – *Identify opportunities to incorporate public arts projects into the downtown public realm.*

• Pedestrian & Open Space Framework Plan – *Should incorporate and connect identified districts, major improvement projects and key open spaces (see attachment “D”) as part of planning and design work.* The plan will illustrate how various elements of the public realm will be linked to create a holistic downtown experience that is pleasant to walk, bike, use transit and drive.

b) **Implementation Process** *(Tasks include, but are not limited to):*

• Implementation Strategy – *Consultant will define a strategic approach for implementation that incorporates the project selection criteria and considers the various public and private entities that will be involved in downtown improvements. This strategy should consider the magnitude of impact of projects, a general concept for how to phase in various improvements, potential for funding and their place within the framework of the downtown public realm.*

• Management and maintenance of improvements – *Consultant will identify and detail options and opportunities for streetscape and public realm maintenance arrangements, including potential public/private partnerships.*

• Funding plan – *Consultant will identify and detail specific funding strategies available (local, county, state, federal, and others, including public/private joint financing) to advance design, engineering, construction, and implementation of the plan.*

This Scope of Work has been prepared as a proposal guideline. It is the respondent’s responsibility to add any other design consultant services that the consultant feels would be necessary to complete the project.
C. **BACKGROUND/EXPERTISE OF PARTICULAR VALUE:**

- Strategic planning
- Asset-based and need-based planning
- Open space planning and design experience
- Municipal street and infrastructure design experience
- Landscape architectural experience
- Urban design experience
- Sustainable and low-impact design experience
- Experience planning and designing way finding systems
- Experience with stakeholder outreach and engagement
- Experience with projects within the City of Buffalo jurisdiction
- Experience working with the City of Buffalo Office of Strategic Planning, Department of Public Works, and Buffalo Sewer Authority
- Background in similar projects of this nature

D. **GENERAL PROPOSAL REQUIREMENTS:**

1. **Experience of Firm/Project Team**

   Firms, or their principals responding to this RFP, must be licensed to practice landscape architecture and engineering in New York State. Proposals should include an organizational chart, identifying the project manager and team members, with their titles. All proposed sub-consultants must also be identified, along with their project managers and key personnel.

2. **Experience, Depth and Breadth of Personnel**

   The project team should have a full-range of relevant environmental, urban design, wayfinding, and transportation planning and engineering 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. The role of your organization should be clearly highlighted in any references to experience on prior projects and initiatives.

3. **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 above.
4. 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 by the categories outlined.

5. Hourly Personnel Rates

As a supplement, a schedule of billable rates for all key personnel (Principal-in-Charge, Project Manager, primary personnel for each design discipline, etc.) must be included in the proposal. Proposals must also include the ranges of billable rates for technical staff and support personnel.

6. MBE/WBE Goals

Buffalo Urban Development Corporation and the City of Buffalo strongly encourage participation by Minority- and Women-Owned Business Enterprises. 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 10% and women business enterprise of 10%.

7. Restrictions on Bidder Communications with BUDC (Attachment C, Items 1-3)

Please include all forms under Attachment B as an addendum to your proposal. Pursuant to State Finance Law §§139-j and 139-k, this Request for Proposals imposes certain restrictions on communications between Bidders and BUDC during the procurement process. Bidders are prohibited from making contacts (whether oral, written or electronic) with any BUDC personnel or BUDC Board member other than the designated BUDC staff member (unless the contact is otherwise permitted under State Finance Law §139-j(3)(a)). In addition, Bidders are hereby notified that any contact with any BUDC personnel, BUDC Board member or the designated BUDC staff member which a reasonable person would infer is intended to influence the award of the contract under this Request for Proposals is prohibited. These prohibitions apply from the Bidder’s earliest notice of BUDC’s intent to solicit proposals through the final award and approval of the procurement contract (“Restricted Period”). For the purposes of this Request for Proposals, the designated BUDC staff member is David A Stebbins. dstebbins@buffalourbandevelopment.com.
8. Schedule

The expected duration of the project from commencement to completion is four (4) months. Proposals should include a timeline for completion, identifying major project milestones to include, at minimum:

- Stakeholder Outreach
- Draft Existing Conditions Report (Including District Mapping)
- Draft Concept Plan
- Final Draft

The anticipated schedule for the project is:

- **September 27:** RFP Released
- **October 15:** Pre-Proposal Meeting (1:00 pm at BUDC Offices)
- **October 25:** Proposal Response Deadline (3:00 pm)
- **November 1:** 3 – 5 Firms/Teams Shortlisted
- **Week of November 11:** Interviews
- **November 27:** Award of Contract
- **Week of December 1:** Project Commencement
- **March 31, 2014:** Project Completion
E. SUBMISSION OF PROPOSALS:

There is no restriction on the length of a proposal; however, respondents are encouraged to be as concise as possible.

Seven (7) copies of the proposal must be submitted in hard-copy and one (1) electronically via e-mail, no later than Friday October, 25 at 3:00 pm to:

David A. Stebbins
Vice President, BUDC
95 Perry Street, Suite 404
Buffalo, New York, 14203

E-mail: dstebbins@buffalourbandevelopment.com

F. SELECTION PROCESS:

BUDC will short list from the proposals and interviews may be required. Award of a contract is expected to be made on or about November 27.

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

An informational meeting will be held at BUDC / ECIDA offices at October 15, 1:00 pm to address any general questions which potential respondents may have regarding this RFP. Any other requests for RFP interpretations should be made in writing to BUDC (faxes will be accepted at 856-6754, attn. David Stebbins; or e-mail to dstebbins@buffalourbandevelopment.com). No requests for oral interpretations via the telephone will be accepted.

The selected firm(s) must demonstrate to BUDC’s satisfaction that no City and/or County of Erie tax arrearages or other fees or related liens exist nor are there any pending City of Buffalo Housing Court Cases and or open letters of violation for the applicant and principals.

Consultant teams that include local companies headquartered in Western New York are encouraged to propose on this project.
ATTACHMENTS

A. Project Study Area & Public

B. Downtown Infrastructure Projects: Planned & Completed

C. Forms (3) pursuant to State Finance Law §§139-j and 139-k
ATTACHMENT C

1. **Restrictions on Bidder Communications with BUDC**

Bidders are hereby notified that BUDC is required to collect certain information when contacted by a Bidder during the Restricted Period and make a determination of the responsibility of the Bidder pursuant to State Finance Law §§139-j and 139-k. Certain findings of non-responsibility can result in rejection of a contract award, and in the event of two findings within a four (4) year period, the Bidder may be barred from obtaining governmental procurement contracts.

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

BUDC is required to obtain written affirmations from all Bidders as to the Bidder’s understanding of and agreement to comply with BUDC’s procedures relating to permissible contacts (described in paragraph 1 above). The affirmation must be provided to BUDC when the Bidder submits its proposal. The form of affirmation to be completed and submitted by the Bidder is included herein as Attachment C: Exhibit 1.

3. **Bidder’s Certification of Compliance with State Finance Law §139-k(5)**

State Finance Law §139-k(5) requires Bidders to provide written certification that all information provided to BUDC with respect to State Finance Law §139-k is complete, true, and accurate. The certification must be provided to BUDC when Bidder submits its proposal. The form of certification to be completed and submitted by the Bidder is included herein as Attachment C: Exhibit 2.

4. **Bidder Disclosure of Prior Non-Responsibility Determinations**

State Finance Law §139-k(2) obligates BUDC to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, each 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. 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).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether a 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 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 Bidder is necessary to protect public property or public health and safety, and that the Bidder is the only source capable of supplying the required article of procurement within the necessary timeframe. **Attachment C – Exhibit 3** entitled “Offerer Disclosure of Prior Non-Responsibility Determinations” must be completed by the Bidder and submitted to BUDC at the time of Bidder’s submission of its proposal.

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 shall contain a provision authorizing termination of the contract in the event that the certification provided by the Bidder that is awarded the contract is found to be intentionally false or intentionally incomplete. The following provision is hereby incorporated by reference and included in the contract that is awarded (if one is awarded) pursuant to this Request for Proposals:

**BUDC Termination Provision**
Pursuant to New York State Finance Law §139-k(5), BUDC reserves the right to terminate this contract in the event it is found that the certification filed by the Contractor in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, BUDC may exercise its termination rights by providing written notification to the Contractor in accordance with the written notification terms of this contract.
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 BUDC 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:
________________________________________________________________
________________________________________________________________
________________________________________________________________
Offerer/Bidder Certification:

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

By: _________________________________________________________
Date: ___________________________

Name: _______________________________________________________
Title: _______________________________________________________

Contractor Name:____________________________________________________________________________

Contractor Address:____________________________________________________________________________
____________________________________________________________________________
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: N/A

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):

   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 BUDC with respect to State Finance Law §139-k is complete, true and accurate.

By:_________________________  Date:_________________________

   Signature

Name:_________________________  Title:_________________________