

REAL ESTATE AND PERSONAL PROPERTY/FIXTURE APPRAISERS – NEW YORK STATE

Real Estate and Personal Property/Fixture Appraisers. This solicitation requests submission of qualifications from individuals and/or firms (collectively, “firms”) with demonstrable experience in providing market-value appraisals of real estate and/or personal property of all types throughout New York State. Experience can include the preparation of appraisals of all types of interests (fee, leasehold, easement, etc.) in real property that can be vacant or developed for commercial, industrial and/or multi-unit residential use, as well as personal property, including fixtures. The submissions will be considered in adopting a list of pre-qualified appraisers that are capable of providing market value appraisals of property interests that are acquired and disposed of by the New York State Urban Development Corporation d/b/a Empire State Development Corporation (“ESDC”) and its subsidiaries. Once adopted, ESDC and its subsidiaries may select, from time to time as the need arises, one or more firms from the pre-qualified list to provide appraisal services. It is expected that the list will remain in effect for 3 – 4 years after adoption. Inclusion of a firm on the pre-qualified list does not represent or guarantee that it will receive any contract for appraisal services during the effectiveness of the list. Submission for consideration, however, will constitute the firm’s agreement to enter into a contract on the terms and conditions set forth in ESDC’s Standard Short Form Contract and Schedule A thereto, attached to this solicitation.

Submissions should include detailed information regarding relevant experience, at least three references with contact information, and a statement of rates, costs and expenses. Public sector experience is preferred but not required. Eligible individuals and/or firms (that have an office in New York State will be given preference. If interested firms have represented ESDC or its subsidiaries in the last 5 years, contact persons should be identified. Submissions should include detailed information regarding relevant experience, including the type and location of the property and property interest being appraised, the date of the appraisal and the use for which the appraisal was prepared. Please indicate whether the firm or anyone in the firm has experience in providing testimony as an expert witness in connection with any appraisal matter and, if so, the outcome of the litigation. Also provide at least three references with contact information, and a statement of rates, costs and expenses. Responses to this solicitation should also include a statement that there is no material or threatened litigation, or contractual or other business relationship, involving the firm or its principals, partners, associates or employees that would constitute a conflict of interest or appearance of impropriety in providing the services for which the firm seeks prequalification. The selected firms will generally be required to provide evidence of the following insurance (with ESDC and subsidiary named as additional insured): Commercial General Liability of \$1 million per occurrence and \$2 million in the aggregate; Commercial Automobile insurance of \$1 million; Errors and Omission insurance of \$1 million; and Evidence of Workers Compensation, Disability and Employers Liability coverage.

New York State Finance Law Sections 139-j and 139-k apply to this solicitation and respondents are solely responsible for compliance with the State Finance Law and all regulations promulgated thereunder. ESDC’s Policy Regarding Permissible Contacts under State Finance Law Sections 139-j and 139-k (collectively the “Procurement Requirements”) apply to this solicitation. The Procurement Requirements: (i) govern permissible communications between

potential respondents and ESDC or other involved governmental entities with respect to this solicitation during the procurement process; (ii) provide for increased disclosure in the public procurement process through identification of persons or organizations whose function is to influence procurement contracts, public works agreements and property transactions; and (iii) establish sanctions for knowing and willful violations of the provisions of the Procurement Requirements, including disqualification from eligibility for an award of any contract pursuant to this solicitation. Respondents must complete and submit an Offerer Disclosure of Prior Non-Responsibility and Offerer's Affirmation of Understanding pursuant to the State Finance Law. Copies of ESDC's policy and the forms referenced above are available at, <http://www.empire.state.ny.us/CorporateInformation/RFPs.html> or from the contact person listed below. **ALL QUESTIONS, COMMENTS, REQUESTS FOR CLARIFICATIONS AND OTHER COMMUNICATIONS MUST BE IN WRITING** or submitted by e-mail to: swynn@empire.state.ny.us or addressed to Empire State Development Corporation, att'n Simon Wynn, Esq., 633 Third Avenue, New York, New York 10017. **CONTACT WITH ANY OTHER PERSON REGARDING THIS SOLICITATION IS PROHIBITED BY LAW.** Responses to questions and requests for clarification will be in writing and disseminated to all persons and organizations having expressed an interest in this solicitation.

Submissions should be addressed to Empire State Development Corporation, 633 Third Avenue, New York, NY 10017, Attention: Simon Wynn, Esq. Submissions (5 hard copies and 1 copy on disk) must be received by 12 noon on April 20, 2010.

ESDC's non-discrimination and affirmative action policy will apply. This policy assigns numerical Minority/Women-owned Business Enterprise ("M/WBE") participation goals to ESDC contracts. ESDC's Affirmative Action Unit, in consultation with relevant parties, will develop an appropriate M/WBE goal program. Minority and women-owned firms are encouraged to respond.

Proposal Due: April 20, 2010, received by 12 noon.

Contract Term: Not more than 4 years.

Contact Info.: Empire State Development Corporation, att'n Simon Wynn, Esq., 633 Third Avenue, New York, New York 10017. Email: swynn@empire.state.ny.us