



# Empire State Development

## MEMORANDUM

TO: Bronx Psychiatric Center Purchase and Redevelopment RFP  
FROM: RFP Review Committee  
DATE: Tuesday, December 17, 2013  
RE: Responses to Newly Submitted Questions 14-20

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*The following is a list of questions submitted by prospective Respondents to ESD's request for proposals (RFP) for the purchase and redevelopment of a portion of the site currently occupied by the New York State Office of Mental Health (OMH)'s Bronx Psychiatric Center. A copy of this RFP is available on ESD's website at: <http://www.esd.ny.gov/CorporateInformation/RFPs.html>.*

*Questions listed in this document were received in writing between the most recent publishing of responses to questions, which occurred on December 3, 2013, and Monday December 16, 2013.*

*This list is provided in addition to the first round of questions and answers, which can also be found on ESD's website at: [http://www.esd.ny.gov/CorporateInformation/Data/RFPs/12032013\\_Bronx\\_PC\\_QandA.pdf](http://www.esd.ny.gov/CorporateInformation/Data/RFPs/12032013_Bronx_PC_QandA.pdf).*

Of note, it is anticipated that this will be the last round of formal answers that will be provided in advance of the RFP deadline, which, as described in additional detail in the RFP, is December 20, 2013 at 2:00 PM EST.

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**Q14: What disclosure is required for litigation regarding the Project Team and the Respondent—is it possible to merely state that we have such litigations, or must we list each one?**

Litigation that must be listed individually should include: (a) any litigation which, if adversely determined, would have a material impact on the operations of respondent; and (b) any non-tort, non-lien litigation involving breach of contract claims against a respondent in the last five years which relate to the design, construction, or operation of a real estate development valued at over \$1,000,000.

**Q15: Schedule A - Attachment 4.6 (Form ST-220-CA): This form is presented for completion by a contractor entity. The Respondent to the RFP that is completing the documents is not necessarily the contractor that will be doing the work. Can this form be completed at this time using the respondent's information and later updated?**

See RFP Section XII. Respondents should complete Form ST-220-CA, which may be further updated and/or supplemented at a later time as necessary.

**Q16: Do the schedules/attachments to the Schedule A contract need to be completed at this time?**

The forms required for the RFP are described in RFP Section XI of the RFP and should be submitted with the RFP. Schedule A will be part of a contract to be signed with the Designated Developer at a later time.

**Q17. Which vendor responsibility form should be used for the RFP - construction or non-construction?**

Construction.

**Q18: Does the respondent have to enroll in the VendRep system prior to submission?**

All respondents are encouraged to register with VendRep, and will be required to do so prior to being designated. See RFP Section XI(2).

**Q19: Does ESDC have any environmental reports or environmental information on the Bronx Psychiatric Center site that is available to prospective respondents?**

ESD has recently received a series of environmental reports from the Office of Mental Health on Bronx P.C. and has made such reports available in a shared folder. These reports are available at the following link: <https://www.dropbox.com/sh/cyqx60a01blrlas/AANaT4gRwr>. If you have difficulty accessing the files, please email [OMHFacilitiesRFP@esd.ny.gov](mailto:OMHFacilitiesRFP@esd.ny.gov).

**Q20: If a Respondent desires to do a Phase I environmental study prior to making a submission, can the Respondent's environmental consultant have access to the property and the buildings, and if so, how can access be arranged?**

ESD is unable to offer additional tours or access prior to the RFP deadline. However, Respondents will find many environmental studies available at the link previously included in Question 19.