

**TOWN OF OYSTER BAY REQUEST FOR PROPOSALS FOR
SALE BY TOWN OF REAL PROPERTY**

**PROPERTY COMMONLY KNOWN AS 50 ENGEL STREET,
HICKSVILLE, NEW YORK
SECTION 11, BLOCK 187, LOTS 9-15, 20-24, 29-32, 36-40, 46-48, 57, 59, 60-62**

RFP # OTA-RE-17-01



PROPOSAL SUBMISSION DEADLINE: 3:00 PM, EST, December 7, 2017

I. REQUEST FOR PROPOSAL

A. Request:

Proposals are being accepted by the Town of Oyster Bay (“Town”) for the sale by the Town of property commonly known as 50 Engel Street, Hicksville, New York (“Property”). The legal description of the Property is set forth on Schedule A annexed hereto and made a part hereof.

Responses to this Request for Proposal (“RFP”) shall submit a proposal that addresses the various components set forth in this RFP.

II. PROPERTY INFORMATION

The Town is interested in selling the Property. The Property is a 98,972 sq. ft. (2.27 acre) rectangular shaped site. It is level and on street grade with 505’ of frontage along the east side of Engel Street, 484.72’ along the west side of Laurel Street and 201.02’ along the north side of the Long Island Railroad Right of Way (shown as Hicksville Avenue (a paper street) on the Tax Map).

The site is overgrown with natural vegetation including grass, shrubs and some trees along its perimeter. The site’s north property line abuts Lot 64 which is improved with an industrial/storage facility. Its south side abuts the Long Island Railroad’s main (Hicksville) line. The Property was previously used as an asphalt plant until 2012/13 when all improvements were removed prior to the property’s sale to the Town. It is zoned LI Light Industry by the Town. Examples of primary uses include light manufacturing, R&D, warehouse and distribution. These uses are conducive to the Property’s location within an industrial area just south of West John Street in Hicksville.

The Buyer is responsible for determining whether the intended use of the Property complies with Town regulations (including but not limited to the Town of Oyster Bay Zoning Code) and any covenants and restrictions on the Property.

III. CONDITIONS GOVERNING SALE OF PROPERTY

A. Offer

Interested parties must offer to purchase the Property in cash at closing. All bidders must complete and submit the Offer to Purchase (Attachment A) indicating the amount offered for the Property. All valid offers submitted shall remain open for 60 days from the opening date of the RFP and the Town reserves the right to formally accept any offer within that time period.

B. Purchase Price

Purchase price must be paid in cash at closing. The minimum purchase price is \$2,730,000.

C. Title and Escrow Costs

Buyer shall pay for any title insurance searches and coverage as determined and requested by the Buyer. All other closing costs, including survey and recording fees and transfer taxes, if any, will be paid by Buyer.

D. Commission

Any commission to be paid to an agent or broker shall be paid by the Buyer and shall not be deducted from the Purchase Price.

E. Earnest Money Deposit

Sealed proposals must include a minimum earnest money deposit of 5% of the Purchase Price, in the form of a certified or cashier's check, payable to the Town of Oyster Bay and must be submitted together with the signed Offer to Purchase (Attachment A). The earnest money will be returned to all unsuccessful bidders within 60 days of the proposal due date. If a bidder's proposal is accepted, the earnest money deposit will be applied to the purchase cost.

F. Pre-Proposal Conference

A Pre-Proposal Conference and Walk Through will be held on Monday, November 27, 2017 at 11:00 am EST. Attendance is highly recommended. The location of the Conference is at the Property.

G. Submission of Proposal

To be considered, sealed proposals must be submitted no later than 3:00 pm EST on December 7, 2017, at which time the proposals will be publicly opened. An original proposal must be mailed or delivered to:

Town of Oyster Bay
54 Audrey Avenue
Oyster Bay, New York 11771
Attention: Town Attorney's Office

The outside of the envelope should be marked **“SALE OF REAL PROPERTY 50 ENGEL STREET, HICKSVILLE, NEW YORK, RFP #OTA-RE-17-01. THIS ENVELOPE MUST REMAIN SEALED UNTIL DECEMBER 7, 2017”** Hand delivered/couriered bids should be directed to the Town of Oyster Bay, Town Attorney's Office, 54 Audrey Avenue, Oyster Bay, New York 11771 where they will be date stamped and held until bid opening. Late submittals will not be considered.

H. Provision of Notices

Those interested in submitting a proposal are encouraged to provide contact information to Joseph Nocella, Esq., Town Attorney. Providing contact information will allow the Town to provide notification if an addendum to the RFP is issued or the RFP is cancelled. Those who choose not to provide contact information are solely responsible for checking the Town's website for any issued addenda or a notice of cancellation.

I. Award

The Town will award the Proposal to the highest acceptable offer and responsible bidder. In addition to the amount of the offer, the Town will take into account contingencies and exceptions contained in each Proposal. The sale of the Property is subject to final approval of the Town of Oyster Bay Town Board and permissive referendum. The Town reserves the right to reject any and all offers.

J. Schedule

The projected schedule is:

Pre-Proposal Conference & Walk Through: Monday, November 27, 2017 at 11:00 am EST.

Questions due to Town: Wednesday, November 29, 2017 at 3:00 pm.

Posting of Q & A Document: Monday, December 4, 2017

Bid Opening: Thursday, December 7, 2017 at 3:00 pm EST

This schedule is subject to change. All times are Eastern Standard Time.

K. Exceptions to this Request for Proposal

Any exceptions from the provisions of this Request for Proposals, which are desired by the Bidder, shall be specifically noted in the proposal submitted, including additional requirements or requests. The exceptions to be listed shall include any contingencies to closing the transaction including but not limited to financing and feasibility contingencies.

IV. QUESTIONS

Questions regarding this RFP or the need for additional data or information should be submitted in writing by email to Joseph Nocella, Esq., Town Attorney, at jnocella@oysterbay-ny.gov no later than Wednesday, November 29, 2017 at 3:00 pm. The Town will post a Q&A document after the deadline for written questions and a link will be emailed to those who have provided contact information. It is recommended that all interested parties visit the Property before submitted a proposal.

V. CONFLICT OF INTEREST INFORMATION

Information on possible conflicts of interest should be provided in the proposal. Such information will be taken into account in making a decision on the selection of the Bidder. Should a conflict arise during the RFP process, the Bidder shall immediately advise the Town of such conflict.

**OFFER TO PURCHASE REAL PROPERTY
RFP NO. OTA-RE-17-01**

TO: Office of the Town Attorney
54 Audrey Avenue, 2nd Floor
Oyster Bay, New York 11771

_____, herein called the “Buyer,” hereby offers and agrees to purchase from the Town of Oyster Bay (“Town”) at the price and subject to the terms and conditions contained in this Offer, the following described real property (“Property”):

50 Engel Street, Hicksville, New York 11801, known and described as Section 11, Block 187, Lots 9-15, 20-24, 29-32, 36-40, 46-48, 57, 59, 60-62 on the Land and Tax Map of Nassau County.

The entire parcel described above contains 2.27 acres. Possession shall be granted upon closing. Transfer of the Property shall be by Bargain and Sale Deed with covenants against Grantor’s Acts.

Closing shall be within sixty (60) days of acceptance of this Offer, unless otherwise agreed to by the parties. This sale is subject to approval by the Town of Oyster Bay Town Board and permissive referendum.

SUBMITTAL: To ensure proper identification and handling, submit your Offer in a sealed envelope. This Offer may be hand delivered or mailed, and must be delivered by the date and time due to:

Office of the Town Attorney
54 Audrey Avenue, 2nd Floor
Oyster Bay, New York 11771

Hand delivered/couriered bids should be directed to the Office of the Town Attorney where they will be date stamped and held until bid opening. **ENVELOPES MUST BE MARKED AS FOLLOWS: “SALE OF REAL PROPERTY 50 ENGEL STREET, HICKSVILLE, NEW YORK, RFP #OTA-RE-17-01. THIS ENVELOPE MUST REMAIN SEALED UNTIL DECEMBER 7, 2017”**

Timely delivery of the Offer is the sole responsibility of the Bidder. Late offers, as determined by the Town’s time/date stamp, will not be accepted. All offers shall remain valid for a period of 60 days from the RFP opening date.

The successful Bidder will be determined by the Seller based on the bid amount and any exceptions and contingencies identified by the Bidder. Bids must remain valid for 60 days from the bid opening date during which time the Seller may accept or reject any Offer.

OFFER TO PURCHASE

Total Purchase Price Offered: \$ _____

Earnest Money Deposit: \$ _____

Balance Due on Closing: \$ _____

Agent Commissions and other closing costs attributable to the Buyer are the responsibility of the Buyer and are not included in the purchase price.

ATTACH CERTIFIED OR CASHIER'S CHECK AS EARNEST MONEY DEPOSIT (MINIMUM 5%)

Name of Buyer: _____

Address: _____

Telephone No.: _____

Email Address: _____

Date: _____

Agent (if applicable): _____

Agent Address: _____

Agent Phone and Email: _____

Please List Exceptions and Contingencies to the RFP (use additional sheets if necessary):

Signature of Buyer: _____

Print Name and Title: _____

Date: _____

Signature of Agent (if applicable) _____

Print Name and Title: _____

Date: _____