

**VILLAGE OF FORT EDWARD**  
(Washington County, NY)

**138-140 Broadway Redevelopment Project**

**REQUEST FOR PROPOSALS AND QUALIFICATIONS (RFPQ)**

The Village of Fort Edward has been awarded \$500,000 in Restore NY (Round 7) grant funds from Empire State Development Corporation (ESDC) to support the stabilization and/or restoration of properties owned by the Village located at 138 and 140 Broadway. The grant funds contemplate a total project cost of at least \$706,402 and would require submission to the ESDC Board of Directors for approval. A copy of the grant award letter is included with this RFPQ.

This request is a hybrid RFP and RFQ whereby the Village is seeking qualifications and proposals from interested developers whereby such developer would undertake a project to restore and/or replace the buildings and grounds at 138 and 140 Broadway in the Village using such developer's private forces and funds, and whereby upon approval by ESDC and compliance with all relevant grant requirements, such developer could be reimbursed the sum of up to \$500,000 pursuant to the grant award noted above. The proposal should include a purchase of the properties from the Village and arrangements for their long-term ownership, management, and routine maintenance with no further committed public support after all redevelopment work is completed. The Village is asking for the sum of \$170,000 for the two properties, however, the Village reserves the right to negotiate any price with any responding developer based on the qualifications and proposal specifics of such developer.

**The Village of Fort Edward strongly encourages minority and women-owned enterprises (MBE/WBE) and Service Veteran-Owned Businesses (SVOB) to submit proposals and qualifications for consideration.**

**I. Project Description**

The Village acquired the properties at 138 and 140 Broadway from Washington County pursuant to an agreement dated April 11, 2023 (copy available upon request). The deed for the properties is also available from the Village Clerk-Treasurer. The properties are key to continued redevelopment of downtown Fort Edward. The Village is steeped in history dating to times before the formation of the United States. The properties are located along Broadway, immediately opposite a brewery and other downtown businesses. The properties are near the Hudson River, Underwood Park, and Yacht Basin owned in part by the NYS Canal Corporation and maintained by the Village.

Proposals could include complete demolition of the buildings and reconstruction of a building or buildings of similar (or larger) size and configuration, or rehabilitation and reuse of the existing properties. Certain project activities may require additional review and approval by ESDC. Compliance with the Village's zoning law, including site plan review, would be the obligation of the selected developer. Such zoning includes prohibition against residential development at the street level/ground floor, which is important to the Board of Trustees.

The Board of Trustees reserves the right to accept or decline any proposal, and to negotiate directly with one or more interested developers to arrive at the best project in the sole and absolute discretion of the Village. This request is not a competitive bidding request, but it is intended to achieve the best possible redevelopment outcome for the project as the Board of Trustees may determine. Developers will be evaluated by the Board of Trustees based on prior project experience, financial capability, proposed project specifics including the anticipated look and content of a project, and proposed time of completion. Responding developers should be prepared to disclose to the Board of Trustees, upon request, proof of funding and ability to proceed in a timely manner.

It is anticipated that the Board of Trustees will negotiate with one, or more, interested developer(s) for a contract for the purchase of the properties by such developer, and timelines for progress and grant compliance. The Board of Trustees may also consider coordination for other grant applications. In that regard, interested developers should familiarize themselves with potential grant programs offered through various state and/or federal agencies. The Board of Trustees does not anticipate identifying applicable grant programs but is interested in cooperating with a selected developer on any such grant programs if time milestones are achievable in the sole and absolute discretion of the Board of Trustees.

## **II. Neighboring Property**

Local attorney Leslie Ryan owns adjoining property at 136 Broadway, Fort Edward, New York. Attorney Ryan has expressed an interest to hear proposals for her property. The Village notes this simply for information only, and nothing contained herein shall be deemed any representation, warranty, or offer by the Village relative to the property owned by Attorney Ryan. Interested parties can contact her to gauge her interest. Any proposal accepted by the Village need not be connected to or contingent upon any engagement or agreement with Attorney Ryan.

## **III. Submission Contents and Format**

A complete submission package will include the following required components:

1. All items listed on the Submission Checklist in Attachment B;
2. A description of experience and work history that communicates the developer's qualifications including:
  - a. Experience of the team with similar projects in similar settings.
  - b. A listing of individuals to be involved with the project and a description of their experience and role in the execution of project-related tasks.
  - c. A description of the redevelopment concept(s) and approach to be used to successfully complete the Project.
  - d. A description of the developer's ability to control cost and schedule for the proposed project and successfully manage the project after redevelopment work is completed.

Developers shall be aware that the Village of Fort Edward reserves the right to conduct an independent investigation of any information, including prior experience, identified in a submission by contacting project references, accessing public information, contacting independent parties, or any other means. The Village also reserves the right to request additional information from a responding developer during the evaluation of that submission.

3. Submissions shall be:

- a. Prepared on 8.5" x 11" white paper.
- b. Typed on one (1) side of each page – 25-page limit.
- c. Separated by numbered tabs (which shall not count against the page limit), with sections set forth in the following general order:

Letter of Interest;

Development Entity and/or Team Members and Structure.

Description of Qualifications and Prior Experience.

Project History.

Appendices (**not** counted in page limit):

- A. Submission Checklist in Attachment B)
- B. Non-Collusive Bidding Certification (Attachment C)
- C. Other materials and/or information deemed relevant by the Proposer.

- d. All narrative printing should utilize a minimum 12-point font size.
- e. If necessary, information may be provided on tabloid size paper (11"x17") provided that such pages are folded to 8.5" x 11".

#### IV. Timeline

Proposals and Qualifications must be submitted **NO LATER than 3:00 PM on Thursday, November 30, 2023** to the Village of Fort Edward Office at 118 Broadway, P.O. Box 345, Fort Edward, NY 12828. Submit four (4) copies of the complete qualification and proposal materials and label the envelope "**138-140 Broadway Redevelopment Project**". Prior submittals for similar or previous projects will NOT be accepted. Contact the Village Office at 518/747-4023 if you have questions or need additional information about this request. Proposals and qualifications received after the date and time specified above according to the Village Clerk-Treasurer will not be accepted regardless of the reason for the delay.

## **V. Primary and Project Information Contacts**

The Primary Point of Contact (POC) for this RFPQs is Matthew Traver, the Village Mayor. Mayor Traver and/or individuals designated by the Mayor, are the only individuals authorized to discuss this RFPQ with any interested parties. All communication with the Village's POC about the Project or this RFPQ shall be in writing and submitted to the Village of Fort Edward.

Site visits of 138 and 140 Broadway can be arranged through the Village's Code Enforcement Officer, David Armando, who can be contacted at (518) 747-4023 during normal business hours. Access to the interior of the two buildings is dependent on scheduling a visit with Mr. Armando and subject to his availability with respect to other code enforcement activities.

Individuals able to provide general information about this Request for Proposals and Qualifications during normal business hours include the following:

Janelle Rose  
Village Clerk-Treasurer  
[clerk@villageoffortedward.com](mailto:clerk@villageoffortedward.com)  
(518) 747-4023

Jim Thatcher  
CT Male Associates, D.P.C.  
(518) 786-7400  
[j.thatcher@ctmale.com](mailto:j.thatcher@ctmale.com)

Matthew F. Fuller, Esq., Village Attorney  
Meyer, Fuller & Stockwell, PLLC  
(518) 668-2199  
[mfuller@meyerfuller.com](mailto:mfuller@meyerfuller.com)

## **VI. Funding and Legal Requirements**

1. Involvement by Minority-owned Business Enterprise, Women-owned Business Enterprise, and Disabled Service Veteran-owned Businesses (MBE/WBE/DSVOB):

Use of the awarded Restore NY Grant funding for the Project is subject to retention of persons or firms certified as minority-owned or women-owned businesses by Empire State Development Corporation (ESDC). At the present time, ESDC has not finalized its MWBE or DSVOB participation goals for this Project. Therefore, the percentage of fees paid to involved professional individuals or firms will be required to meet minimum requirements once such percentages have been determined by ESDC. For planning purposes, the Village is using a minimum of 36% of the portion of the Project funded with the Village's ESDC Award (\$500,000) broken down as follows:

- a. 15% for minority-owned certified individuals or firms;
- b. 15% for women-owned certified individuals or firms; and
- c. 6% for service-disabled veteran-owned certified individuals or firms.

2. Statement of Non-Discrimination

The Village does not discriminate against a Proposer because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment.

3. Compliance New York General Municipal Law §101

New York General Municipal Law §101, known as “Wicks Law,” provides that when the total cost of contract work for the erection, construction, reconstruction, or alteration of a public building exceeds \$500,000 or more, independent prime contractors must be used for the 1) plumbing and gas fitting work; 2) steam, hot water heating, ventilation, and air conditioning work; and 3) electrical wiring and illuminating fixtures work.

4. Compliance with NYS Labor Law Relating to the Prevailing Wage

If the proposed Project should be subject to Article 8, Section 220 of the NYS Labor Law, then the Village expects that all procedures, wage structures, and payments as per the NYS Department of Labor Prevailing Wage requirements in effect during any applicable construction activities will apply.

## **VII. Rights and Obligations of the Village of Fort Edward**

The Village of Fort Edward declares the following rights regarding the administration of the solicitation process as set forth in this RFPQ:

- a) Reservation of rights shall be exercisable by the Village in its sole discretion available to it under applicable law, including without limitation, the following, with or without cause and with or without notice;
- b) The right to cancel, withdraw, postpone, or extend this RFPQ in whole or in part at any time prior to the execution by the Village of a contract, without incurring any obligations or liabilities;
- c) The right to issue a new RFPQ;
- d) The right to reject all submittals and responses received at any time;
- e) The right to modify all dates set or projected in this RFPQ;
- f) The right to terminate evaluations of responses received at any time;
- g) The right to suspend and terminate the procurement process for the Project, at any time;
- h) The right to revise and modify, at any time prior to the RFPQ submittal date, factors it will consider in evaluating responses to this RFPQ and to otherwise revise its evaluation methodology;
- i) The right to waive or permit corrections or additions to data submitted with any response to this RFPQ until such time the Village declares in writing that a particular stage or phase of its review of the responses to this RFPQ has been completed and closed;

- j) The right to issue addenda, supplements, and modifications to this RFPQ, including but not limited to evaluation criteria or methodology and weighting of evaluation criteria;
- k) The right to hold meetings and conduct discussions and correspondence with one or more of the Proposers responding to this RFPQ to seek an improved understanding and evaluation of the responses to this RFPQ;
- l) The right to seek or obtain data from any source that has the potential to improve the understanding and evaluation of the responses to the RFPQ, including the right to seek clarifications from Proposers;
- m) The right to permit Proposers to add or delete firms and/or key personnel until such time as the Village declares in writing that a particular stage or phase of its review has been completed and closed;
- n) The right to use the assistance of other Village staff, technical and legal experts and consultants in the evaluation process;
- o) The right to waive deficiencies, informalities, and irregularities in a submission, accept and review a non-conforming submission or seek clarifications or supplements to a submission;
- p) The right to disqualify any Proposer that changes its submittal without Village approval;
- q) The right to respond to all, some, or none of the inquiries, questions and/or requests for clarification received relative to the RFPQ;
- r) The Village of Fort Edward is not obligated for costs of preparing or submitting a qualifications package;
- s) The Village assumes no obligations, responsibilities, and liabilities, fiscal or otherwise, to reimburse all or part of the costs incurred or alleged to have been incurred by parties considering a response to and/or responding to this RFPQ. All such costs shall be borne solely by each Proposer and/or its team members.

*The Village of Fort Edward is an Equal Opportunity Employer*



A low-angle photograph of a three-story brick building with arched windows and decorative lintels. A large basket of pink flowers hangs from the upper right. The ground floor has dark brown horizontal siding and a black wrought-iron bracket. The sky is blue.

# Populate Broadway

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138-140 Redevelopment Project

## Village of Fort Edward

Restore NY Round 7 Grant Award

Request for Proposals and Qualifications

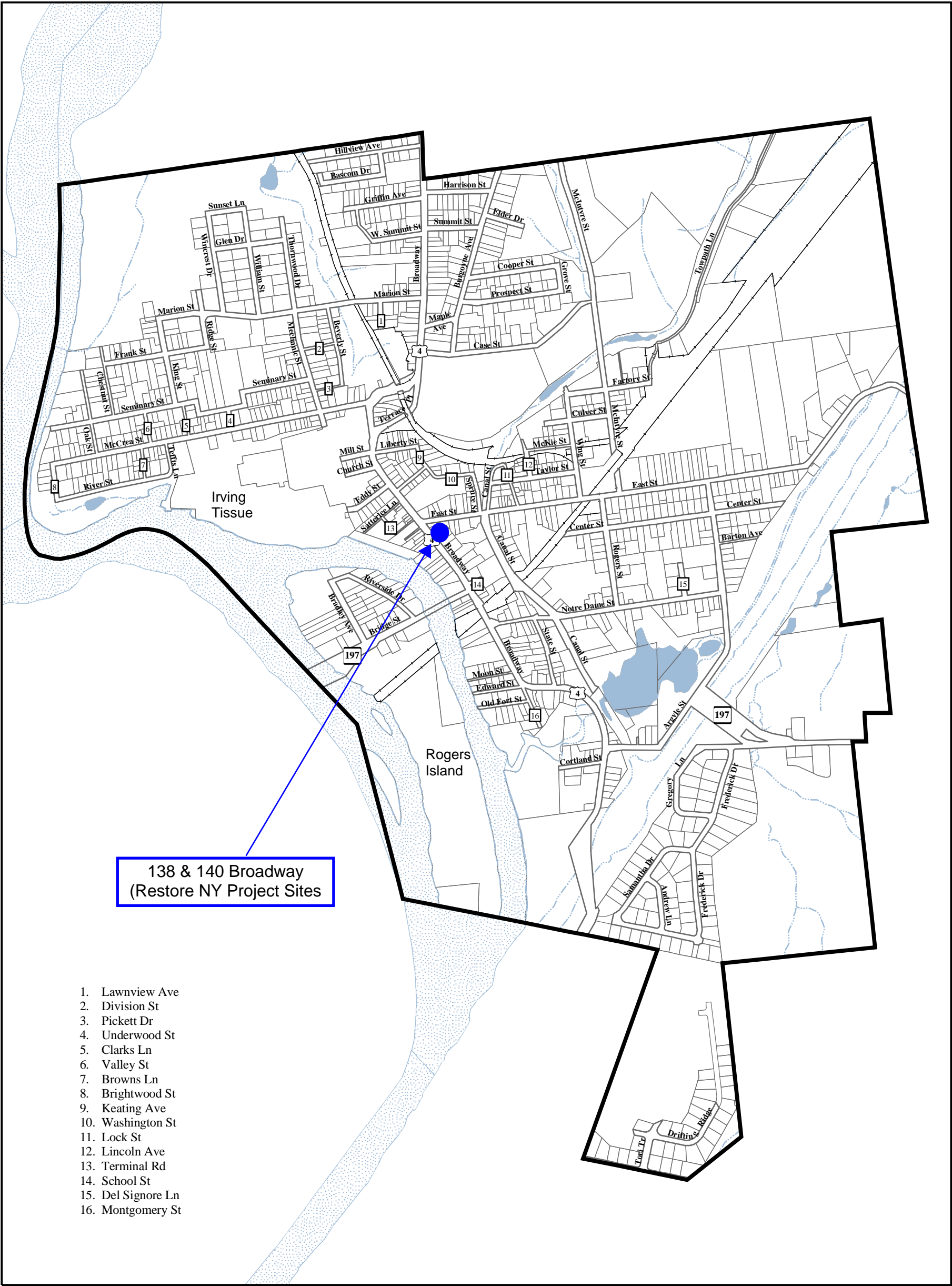
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# Attachment A

# **Attachment A**

Map and Existing Conditions





LEGEND

- Village Boundary
- Roads
- Railroads
- Hydrology
- Parcels
- Hudson

Village of Fort Edward  
Base Map

Laberge Group  
ENGINEERING ARCHITECTURE SURVEYING PLANNING  
4 COMPUTER DRIVE WEST ALBANY, NEW YORK 12205  
NEW YORK OFFICES IN ALBANY AND UTICA



0 250 500 1,000 1,500 2,000 Feet

Copyright 2005, Laberge Group  
Data provided by:  
Washington County Real Property  
State Plane Coordinates, NY East Zone NAD27  
Produced for Planning Purposes Only  
Last Revision 04-26-05 # 25019

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## Redevelopment Project

### Facade Photos & Existing Conditions



The following pages include a sample of existing condition photos for 138 and 140 Broadway. The photos were taken between August and December 2022, as both buildings have been vacant and not habitable for nearly six years. Since 2007, the prior owner has only sporadically paid his property taxes, and he had been cited on numerous occasions for code violations and issued court appearances under the Village's property nuisance law. In Fall 2022, Washington County finally completed tax foreclosure on both buildings and offered the properties to the Village to facilitate the opportunity to seek public funding help and solicit a quality developer.

The Village is expected to obtain title to the properties from the County by February. At the same time, we will issue a Request for Development Proposals and formally discuss rehabilitation budgets and available tax and grant incentives to help overcome the high costs and perceived risks of being the first major downtown redevelopment project in Fort Edward. As of this Restore NY Application, the condition of the two properties (see the photos on the following pages) is both daunting because of how long we have been trying to obtain control and move past the prior neglectful owner, and also positive in that with Restore help, we can preserve 138 and 140 and seek long-term private investment to become a viable anchor for Downtown Fort Edward.





The rear of both 138 and 140 are overgrown with weeds and trash, potentially hiding more severe roof and exterior wall damage from water infiltration (August 2022).

**140 Broadway**

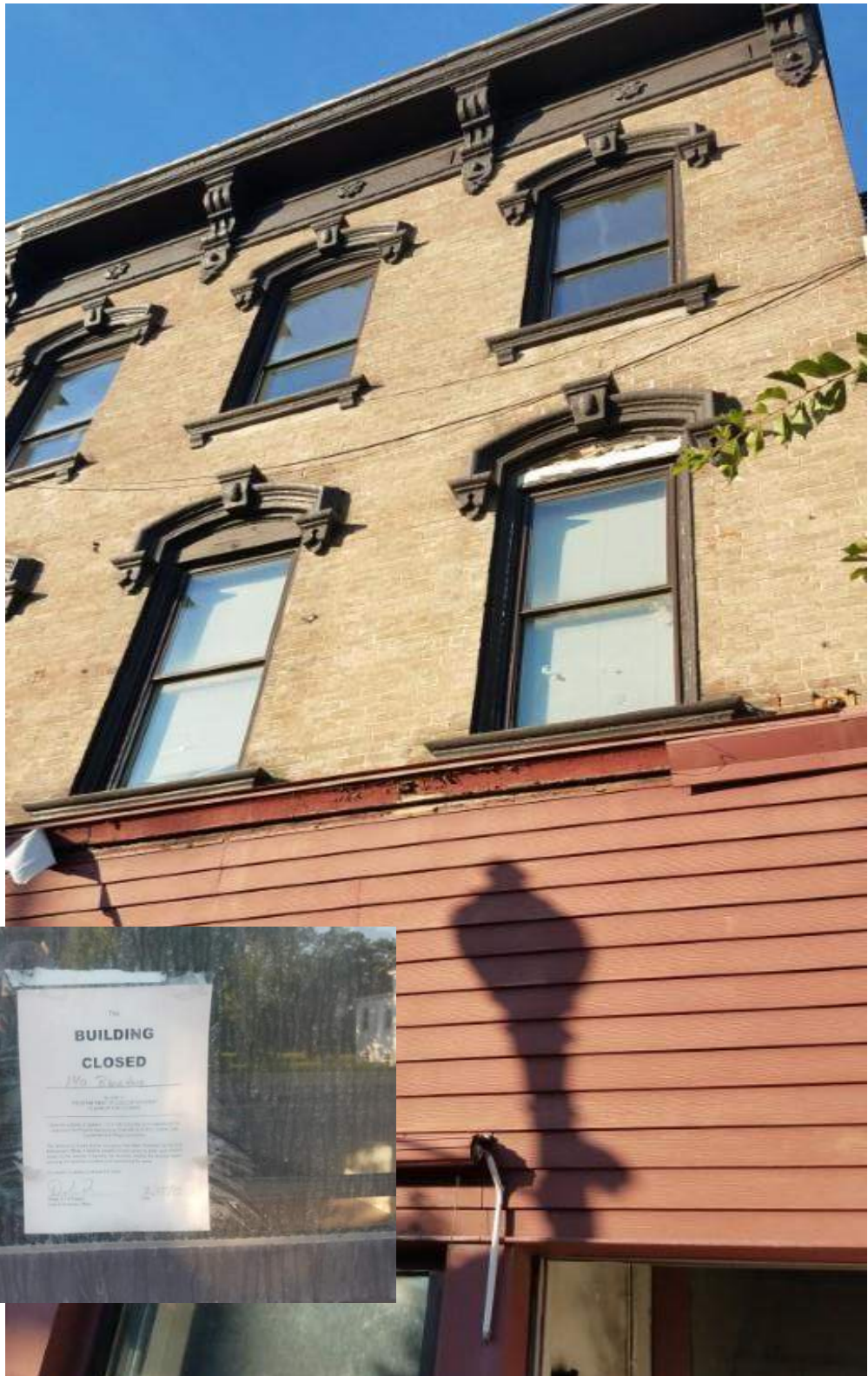


**138 Broadway**



The exterior facade of 140 Broadway is relatively intact, although the outdated storefront should be replaced with something more appealing and historically sensitive.

Building closure placard (below) posted since 2017 for a variety of code violations and health and safety threats.





**140 Broadway and its faded mural facing southbound traffic through Fort Edward's Downtown at the strategic Route 4 and East Street intersection. Note the condition of the fire escape and the temporary roof bracing installed several years ago to prevent interior water damage and brick failure in an attempt to save the building for a developer.**



**The rear of 138 Broadway is suffering from a hole in the roof and steady water infiltration down the interior and exterior wall to the basement.**



**The Village intends to rebuild and repair the rear roof and wall structure with Restore NY funding to stabilize the building, protect the interior from further water damage, and preserve the property as an incentive for a preferred developer to undertake additional rehabilitation work after a Request for Development Proposal process is conducted this Spring.**





**There is significant water flowing inside the rear wall of 138 Broadway (above), prompting the Village to use proposed Restore NY and local funding as quickly as possible (once title to the properties is transferred by Washington County) to shore up the roof leak and repair the damaged masonry wall and rotted roof and floor structure.**

**Furniture and personal belongings left in place when both 138 and 140 were shut down by the Village's Code Enforcement Officer in 2017 for significant violations and health and safety hazards.**





The storefronts in 138 (above) and 140 Broadway (below) need updating and new wall, ceiling, and flooring finishes, which a developer could easily handle once the buildings are stabilized. These areas have suffered the least damage within both buildings. The Project Site location at the corner of East Street is mere steps from the Hudson River waterfront along the busy Route 4 corridor.







**The seeds of revitalization in Fort Edward; there is a relatively intact pattern of mixed-use buildings and other properties (Churches, Post Office, the Fire Department; Village and Town Hall); New business owners are starting to open stores and restaurants along Broadway; the Hudson River and Amtrak Station are both a short walk on either side of the Broadway Corridor.**

**138 and 140 Broadway (right) are a critical part of the remaining downtown business district in Fort Edward.**





After nearly 12 years of poor ownership, deferred maintenance, problem tenants, and neglect and incompetent building management by the same absentee owner, Washington County finally foreclosed in 2022 for years of unpaid taxes.

The Village is working with the County to transfer title to the properties so we can clear out debris, stabilize the severe water infiltration in 138 Broadway (left), and control the fate of both properties through a developer solicitation process.

Note the other downtown buildings clustered in this area of Broadway and East Street. The Hudson River is just beyond the darker brick building in the right background (above). Loss of these two mixed-use buildings (demolition by neglect) would have dire consequences for any hope to revitalize Fort Edward and keep our small Broadway business district intact.







# Populate Broadway

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138-140 Redevelopment Project

## **Village of Fort Edward**

Restore NY Round 7 Grant Award

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## SHPO Information

# Populate Broadway

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## Redevelopment Project

### SHPO Review

To prepare for this Restore NY Application, the Village has searched the SHPO CRIS database with respect to known or potential historic designation for 138 and 140 Broadway.

Neither building is currently listed on the National and State Registers of Historic Places, nor are the buildings included in any designated historic district within the Village of Fort Edward. Both buildings are also noted as **“Not Eligible”** in the CRIS database, meaning prior information submitted at one time for both properties has been reviewed and vetted by the SHPO in terms of potential eligibility for one or both historic registers. Nor are the two buildings adjacent or contiguous with any properties designated historic or considered eligible, according to the map provided by SHPO (the “red squares” denote properties Not Eligible for designation).

The existing CRIS database entries for both buildings are included on the following page. No further review or consultation is required. The Village is interested in retaining any interesting and unique features of both buildings during the redevelopment process, especially 140 Broadway which still has its full-size windows and interesting window lintels and trim fairly intact.



**While not designated historic or eligible for designation, we hope a developer can do something with the front facades of 138 and 140 to remove generic building materials and uncover what the buildings and storefronts might have looked like prior to these poorly done renovations.**



## SHPO Review

### 138 & 140 Broadway, Fort Edward, NY

USN Details

**11542.000115: Building - Not Eligible**  
138 BROADWAY, FORT EDWARD NY

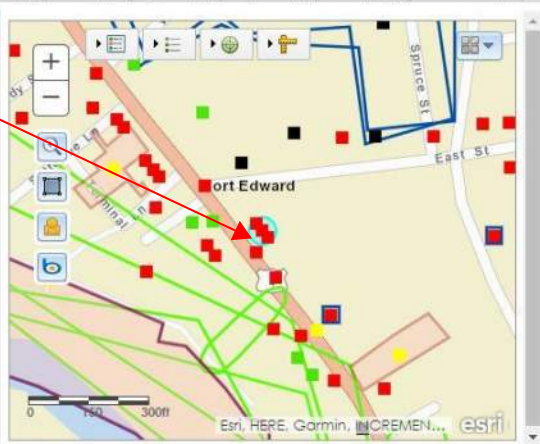
Overview | Inventory Data | NR Status (0) | MCDs (1) | Children (0) | Determinations (0) | Photos (0) | Atts. (0) | Agmts. (0) | Projects (0) | Surveys (0) | Submitted (0)

Type: Building  
Classification: Building  
Parent USN:  
Is Contributing: ☐  
Is Demolished: ☐  
Is in a Certified District: ☐  
Is a National Historic Landmark: ☐  
Is State Board Approved: ☐  
Is State Register Listed: ☐

No Photo Available

Eligibility: **Not Eligible**  
Notes:

County	MCD
Washington	FORT EDWARD (Village)



138 & 140 Broadway “NOT ELIGIBLE” for Historic Designation per SHPO CRIS, 1/2023.

USN Details

**11542.000116: Building - Not Eligible**  
140 BROADWAY, FORT EDWARD NY

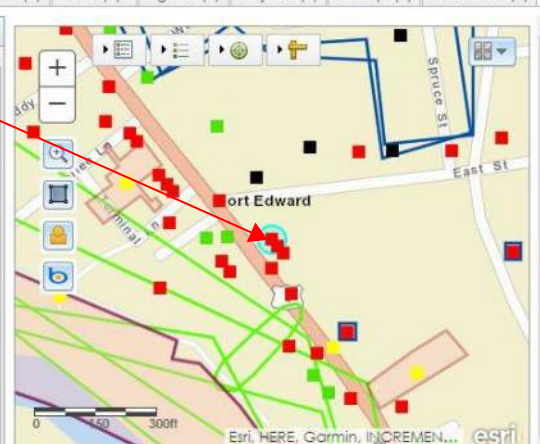
Overview | Inventory Data | NR Status (0) | MCDs (1) | Children (0) | Determinations (0) | Photos (0) | Atts. (0) | Agmts. (0) | Projects (0) | Surveys (0) | Submitted (0)

Type: Building  
Classification: Building  
Parent USN:  
Is Contributing: ☐  
Is Demolished: ☐  
Is in a Certified District: ☐  
Is a National Historic Landmark: ☐  
Is State Board Approved: ☐  
Is State Register Listed: ☐

No Photo Available

Eligibility: **Not Eligible**  
Notes:

County	MCD
Washington	FORT EDWARD (Village)







# Populate Broadway

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138-140 Redevelopment Project

## Village of Fort Edward

Restore NY Round 7 Grant Award

Request for Proposals and Qualifications

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# Attachment B

# Attachment B

## Submission Checklist

**Proposer Name:** \_\_\_\_\_

### REQUIRED ITEMS FOR QUALIFICATION SUBMISSIONS RELATING TO THE 138-140 BROADWAY REDEVELOPMENT PROJECT

(Note: This completed form is **required** as part of the final submission package).

<b>Submission Item:</b>	<b>Check If Provided:</b>	<b>Location: Tab and/or Page #:</b>
a) Submission Checklist (this page) with all items provided as indicated below	<input type="checkbox"/>	
b) Letter of Interest	<input type="checkbox"/>	
c) Required Form: Non-Collusive Bidding Certification	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
d) Narrative Describing the Proposer's Team Structure (include organizational chart)	<input type="checkbox"/>	
e) Narrative Description of Project Work History and/or Prior Experience	<input type="checkbox"/>	
f) List of Affiliated and/or Subsidiary Companies to be involved in the Project	<input type="checkbox"/>	
g) Resumes of Key Personnel who will be directly involved in the Project	<input type="checkbox"/>	
h) Narrative Description of Project Vision, Scope of Work to Redevelop 138-140 Broadway, Schedule, and Risks	<input type="checkbox"/>	



A low-angle photograph of a three-story brick building with arched windows and decorative lintels. A large basket of pink flowers hangs from the upper right. The ground floor has dark red horizontal siding and a black wrought-iron bracket. The sky is blue.

# Populate Broadway

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138-140 Redevelopment Project

## Village of Fort Edward

Restore NY Round 7 Grant Award

Request for Proposals and Qualifications

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# Attachment C

# Attachment C

## NON-COLLUSIVE BIDDING CERTIFICATION

(a) By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

1. The prices in this bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly, disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(b) A bid shall not be considered for award nor shall any award be made where (a) 1., 2., and 3., above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (a) 1., 2., and 3., above have not been complied with the bid shall not be considered for award nor shall any award to be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee determines that such disclosure was not made for the purpose of restricting competition.

(c) The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph (a) of this certification.

(d) Any bid hereafter made to any political subdivision of the State or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

PROPOSER: \_\_\_\_\_

By: \_\_\_\_\_

Name and Title: \_\_\_\_\_