

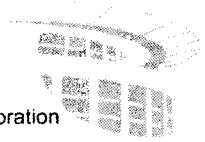
## **Fuller Road Management Corporation**

**For a Qualified Developer In the Albany Area To Work With Fuller Road Management Corporation In Conjunction with SUNY Polytechnic Institute To Plan, Design and Implement Student Housing Facilities Adjacent to the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering Campus At Fuller Road, Albany, New York**

*Request for Proposal*

**March 19, 2015**

**Fuller Road Management Corporation  
257 Fuller Road  
Albany, New York 12203**



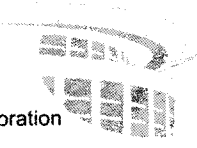
2015

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# FRMC

Fuller Road Management Corporation



## ***Attention to Bidders***

**Announcement of the Issuance of a Request for Proposal (RFP) for a Qualified Developer In the Albany Area To Work With Fuller Road Management Corporation In Conjunction with SUNY Polytechnic Institute To Plan, Design and Implement Student Housing Facilities Adjacent to the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering Campus At Fuller Road, Albany, New York**

Fuller Road Management Corporation  
NanoFab East, 4th Floor  
257 Fuller Road  
Albany, NY 12203

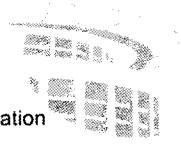
The Fuller Road Management Corporation ("FRMC") is seeking a qualified developer in the Albany area to assist in the planning, design and Implementation of student housing facilities in close proximity to the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering at Fuller Road, Albany, New York campus.

Accordingly, on March 19, 2015, FRMC issued a Request for Proposal ("RFP") for a Qualified Developer In the Albany Area To Work With Fuller Road Management Corporation In Conjunction with SUNY Polytechnic Institute To Plan, Design and Implement Student Housing Facilities Adjacent to the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering Campus At Fuller Road, Albany, New York.

Enclosed for review by potential Bidders is the RFP to which FRMC requests submission of appropriate responses.

Walter G. Barber  
President  
Fuller Road Management Corporation

NanoFab East  
Albany NanoTech Complex  
257 Fuller Road  
Albany, New York 12203



## **LEGAL NOTICE**

### **ADVERTISEMENT for Developer Proposals**

**Announcement of the Issuance of a Request for Proposal (RFP) for a Qualified Developer In the Albany Area To Work With Fuller Road Management Corporation In Conjunction with SUNY Polytechnic Institute To Plan, Design and Implement Student Housing Facilities Adjacent to the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering Campus At Fuller Road, Albany, New York**

The Fuller Road Management Corporation ("OWNER") is in the process of expanding and adding increased capabilities and enhanced infrastructure for the SUNY Polytechnic Institute Colleges of Nanoscale Science and Engineering's ("SUNY Poly") Albany, NY campus.

In support of the next critical phase of SUNY Poly's initiatives, the OWNER is seeking proposals from experienced developers to plan, design and implement a student housing facilities in close proximity to the SUNY Poly campus at Fuller Road, Albany, New York, to be completed in a phased approach..

Proposals shall be delivered to OWNER'S Representative, Mr. David Roden, at NanoFab East, Room 4202, 257 Fuller Road, Albany New York 12203, by **May 1, 2015 at 3:00PM Eastern Time**. The Request For Proposals ("RFP") will only be provided to prospective Bidders electronically. Bidder must be able to read and print Adobe Acrobat "PDF" files in order to respond to this RFP.

Highly qualified developers may request an RFP Package by contacting Cheryl Casey-Rose, Fuller Road Management Corporation, 257 Fuller Road, Albany, New York 12203. Signed confidentiality agreements are required before an RFP package can be sent. Deadline to submit the signed confidentiality agreement is **March 31, 2015 by 3:00PM Eastern Time**. The RFP package will be available on **March 19, 2015**. A confidentiality agreement and RFP package may be ordered through written request or email to:

**Cheryl Casey-Rose, Executive Assistant, Fuller Road Management Corporation, 4th Floor, 257 Fuller Road, Albany, NY 12203 or [ccasey-rose@sunycnse.com](mailto:ccasey-rose@sunycnse.com)**



## ***Instructions to Bidders***

### **Developers for Colleges of Nanoscale Science and Engineering Student Housing**

#### **INTRODUCTION, OVERVIEW, AND PROJECT DESCRIPTION**

##### **A. INTRODUCTION**

1. Fuller Road Management Corporation ("FRMC" or "OWNER"), with an office located at the State University of New York ("SUNY") Polytechnic Institute ("SUNY Poly"), 257 Fuller Road, Albany, New York 12203, hereby solicits proposals, in conjunction with SUNY Poly, from qualified, responsive and responsible local developers ("BIDDER") in the Albany Area to Plan, Design and Implement Student Housing Facilities Adjacent to the SUNY Poly campus at Fuller Road, Albany, New York.
2. The successful developer will be required, in its proposal, to demonstrate its ability to meet the objectives of the Request for Proposals ("RFP") and to foster the New York State governmental, business, economic, and educational agendas for this PROJECT.

##### **B. OVERVIEW**

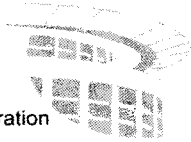
1. FRMC, the owner of the Albany NanoTech Complex, is a 501(c)(25) corporation formed to: (i) establish a state-of-the-art infrastructure in which new and technically innovative businesses can develop and basic scientific research can be translated into commercially viable applications with emphasis on the most enabling nanotechnology fields in the global economy of the 21<sup>st</sup> century, including nanoelectronics, nanobiology and green energy; (ii) plan, design, develop, construct, own, operate and lease facilities necessary to create such an environment by holding title to property, collecting income therefrom on behalf of its member organizations, each of which is exempt from taxation under Section 501 of the Internal Revenue Code of 1986, as amended (the "Code"); and (iii) to the extent permitted under Section 501(c)(25) of the Code, to purchase, acquire, own, hold sell, transfer, lease, mortgage, use, excavate, improve and develop lands, buildings and other real property improvements. With respect to these purposes, FRMC's objective is to advance the educational and research mission of the State University of New York and SUNY Poly by providing facilities for the research and scholarly programs for the enhancement of faculty, visiting scholars and students.
- 2.

SUNY Poly is the first college in the world dedicated to education, research, development and deployment in the emerging disciplines of nanoscience, nanoengineering, nanobioscience and nanoeconomics. SUNY Poly represents the world's most advanced university-driven research enterprise, with more than \$20 billion in high-tech investments and over 300 corporate partners. The SUNY Poly College of Nanoscale Science and Engineering at the Albany Nanotech campus currently includes about 400 undergraduate and graduate students who are participating in this thriving ecosystem. The 1.3 million-square-foot Albany NanoTech megaplex is home to more than 3,100 scientists, researchers, engineers, students, and faculty. SUNY Poly maintains a statewide footprint, operating the Smart Cities Technology Innovation Center at Kiernan Plaza in Albany, the Solar Energy Development Center in Halfmoon, the Photovoltaic Manufacturing and Technology Development Facility in Rochester, and the Smart System Technology and Commercialization Center in Canandaigua. SUNY Poly co-founded and manages the Computer Chip Commercialization Center at SUNY Poly in Utica and is lead developer of the Marcy Nanocenter site in Utica, as well as the Buffalo High-Tech Manufacturing Complex, Buffalo Information Technologies Innovation and Commercialization Hub, and Medical Innovation and Commercialization Hub. For information, visit [www.sunycnse.com](http://www.sunycnse.com).



### C. PROJECT DESCRIPTION

1. Owner anticipates working with a developer in the Albany area to plan, design and implement a housing program (Project) to support the needs of 500 students over three phases with Phase A meeting the needs of 100 students, Phase B meeting the needs of an additional 250 students and Phase C meeting the needs of an additional 150 students. Phase A should be implemented by June 2016 and Phase B should be implemented by June 2017 with Phase C to follow by June 2018. The student housing is preferred to be within 10 minutes walking distance of the SUNY Poly Albany Nanotech campus for the convenience and safe traveling of students. In addition, the facilities contemplated under Phases A, B and C should be adjacent to each other to enhance the student life experience at SUNY Poly's Albany campus. The facilities should be designed and constructed in a manner that compliments the advanced high-tech and research environment that students will be experiencing as part of their education at SUNY Poly. At a minimum proposals should address the following:
  - The housing facilities should include automobile parking ✓
  - Outdoor space landscaped for passive use
  - Maintenance shop space and equipment storage area
  - Compliance with all requirements of the Americans with Disabilities Act
  - Exterior lighting in accordance with SUNY Poly standards
  - Central heating and air conditioning of all buildings with air supplies to each room
  - Natural gas, electricity, telecommunications infrastructure (including Ethernet speed capable data connections, telephone and cable TV drops to each bedroom and living room, water, sewer, storm drains, US Postal Service delivery and recycling and refuse disposal area
  - Sound attenuation throughout the facilities particularly between bedrooms and apartments
  - Effective security for premises and rooms within
  - Fire detection and suppression systems in conformance with code
  - Bicycle parking space, in conveniently located clusters
  - Furnished kitchenettes
  - Restroom appropriately sized to the number of permitted building occupants
  - Multi-purpose room(s) compatible with conversion to a fitness studio and with sound attenuating dividers for conversion into smaller rooms, including study rooms
  - Floors, walls, and ceilings finished appropriately
  - Window covering
  - Electrical capacity which assumes the use by each resident of a computer, printer, stereo, television, and an array of small appliances many of which may be running simultaneously
  - Separate connections in each living room and bedroom for cable television, and individual computer access to the internet
2. It is the intent of this RFP that the developer may be required to share in the investments associated with this Project and to be involved in its financing. The developer is also expected to recommend options for the construction of the facilities as well their space fit-up and layout specifications and to work in junction with and under the direction of the OWNER and SUNY Poly.
3. The OWNER retains full and complete approval of all actions associated with the Project including all public communications associated with it.



4. Schedule is of critical importance and building is to be completed for full occupancy in a 2016-2018 timeframe.
  - i. (100) Students completed for full occupancy June 2016
  - ii. (250) Additional students completed for full occupancy June 2017
  - iii. (150) Additional students completed for full occupancy June 2016
5. The BIDDER will need to comply with FRMC procurement guidelines for any procurement involving the Project. This includes prevailing wage requirements and the achievement of at least 30% Minority and Women Owned Business Enterprise Participation ("MWBE"), including 15% MBE and 15% WBE.
6. To the extent required by Article 15 of the Executive Law (also known as the Human rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the BIDDER will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State land and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, including minority and women apprenticeship programs.
7. The OWNER will retain full and complete approval of all actions by the successful BIDDER(S) including all public communications about the Project.

#### D. DEVELOPER REQUIREMENTS

FRMC in conjunction with SUNY Poly is seeking a developer in the Albany area with the expertise, commitment, and business values needed to create the student housing facilities that will complement the learning environment of SUNY Poly graduate and undergraduate students at the Albany Nanotech Campus. A proven record in successfully implementing large-scale projects to meet facility requirements in an educational setting or in a public-private organizational context is desired. The successful developer must demonstrate its ability to meet the following OWNER Requirements:

1. Over 15 years of proven experience and successful track record in construction of housing facilities and buildings in the Greater Albany Area with experience preferred on creating housing in an educational settings.
2. A developer team list including design professionals, construction personnel, and any other applicable individuals deemed necessary for the Project. Qualifications of each member should be described.
3. Establishment of financial capacity to successfully pursue and complete the Project on a timely basis.
4. Location of headquarters and major operations in the Greater Albany Area with extensive knowledge and demonstrated know how of the local real estate market and business financial drivers in the Greater Albany Area.
5. Recognized ability to successfully carry out acquisition, planning, design construction, ownership, and operation of facilities.
6. Fully integrated and comprehensive skills and services, including design, architecture, legal, financial, leasing, and construction with sophisticated tools and advanced capabilities to accurately and efficiently coordinate all aspects of site construction and to effectively manage projects expeditiously, professionally and within budget.
7. Demonstrable know how in the development and implementation of multi-faceted budget and financial models to fund projects, generate revenue, and meet financial goals, including providing strategic leadership to formulate and execute viable and financially sound projects.
8. Demonstrated track record at serving as the single point of accountability for institutional clients who have multi-year projects.



## REQUEST FOR PROPOSAL PROCESS OVERVIEW

The process will involve evaluating RFP submittals from BIDDERS resulting in tentative award(s) pending successful contract negotiation(s). Should negotiations be unsuccessful FRMC may engage other BIDDERS. Non-awarded BIDDERS will be notified. Selected BIDDERS may be requested to provide oral presentation and respond to questions on site at FRMC. OWNER assumes no responsibility or liability for any cost incurred by BIDDER in connection with this RFP.

### ***RFP Communication Protocol***

Upon release of the RFP, FRMC will impose a blackout period. This blackout period will continue until the RFP contract award notification. During the blackout period, there is to be NO contact between BIDDERS, BIDDER'S subcontractors, and/or BIDDER'S representatives with FRMC or SUNY Poly personnel regarding this RFP, other than communications with the RFP designated contact or alternative contact(s), as approved by the RFP designated contact. The failure to abide by this protocol may result in your proposal being disqualified.

### ***RFP Designated Contact***

The designated contact for this RFP is David Roden at [droden@sunycnse.com](mailto:droden@sunycnse.com), (518) 956-7497, 257 Fuller Road, Albany, NY 12203.

### ***Site Visit Information:***

There is no site visit for anticipated for this request for proposal process.

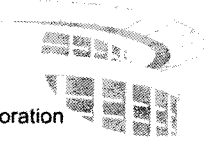
### ***RFP Question Submittal Process***

BIDDERS are to submit questions in writing as a **Microsoft Word document attachment** to an email sent to the RFP designated contact; David Roden at [droden@sunycnse.com](mailto:droden@sunycnse.com). The email should have the subject line "STUDENT HOUSING RFP QUESTIONS." The deadline for submission of written questions is no later than the date and time noted in the "RFP Timeline Summary" section of this document. It is the responsibility of the BIDDER to verify the successful transmission and receipt of e-mail. BIDDERS may contact the RFP designated contact via telephone at (518) 956-7497. FRMC will compile all questions and the associated responses into one document and email the document to all BIDDERS no later than the date and time noted in the "RFP Timeline Summary" section of this document.

### ***RFP Timeline Summary (All times are Eastern)***

Event	Date
RFP advertisement - Legal Notice Announcement	March 19, 2015 – March 25, 2015
Availability of CDA	March 16, 2015 – March 31, 2015
RFP Available	March 16, 2015 – March 31, 2015
Deadline to request an RFP package (Must submit signed Confidentiality Agreement)	March 31, 2015, 3:00pm
Deadline for Submission of Written Questions	April 10, 2015 3:00pm
Response Due by OWNER to Written Questions	April 17, 2015
Proposal Due Date	May 1, 2015, 3:00pm
Final Interviews of top proposals	Week of May 11, 2015





Final Interview Clarifications Due	Week of May 18, 2015
Tentative Award and Contract Negotiation	May 25, 2015

## ***Request for Qualifications***

Proposal submittals should contain detailed responses to all requested information of RFP document including information supporting BIDDER as a highly qualified and experienced developer. On company letterhead, please provide:

### A. Letter of Interest

1. A letter must accompany the submission, signed by a principal of the proposed BIDDER. Documentation should also be provided listing the officers in the firm who are authorized to negotiate and execute agreements on behalf of the BIDDER.

### B. Project Approach

1. Describe development approach including financial strategies, potential sites, design and construction methods and partnerships.

### C. Developer Requirements

1. Demonstrate abilities associated with OWNER requirements:
  - i. Over 15 years of proven experience and successful track record in construction and operation of housing facilities and buildings in the Greater Albany Area with emphasis preferred on creating housing in an educational settings. Provide current specific of projects of similar scope.
  - ii. Location of headquarters and major operations in the Greater Albany Area with extensive knowledge and demonstrated know how of the local real estate market and business financial drivers in the Greater Albany Area.
  - iii. Recognized ability to successfully carry out acquisition, planning, design construction, ownership, and operation of facilities housing construction.
  - iv. Fully integrated and comprehensive in-house skills and services, including design, architecture, legal, financial, leasing, and construction with sophisticated tools and advanced capabilities to accurately and efficiently coordinate all aspects of site construction and to effectively manage projects expeditiously, professionally and within budget.
  - v. Demonstrable know how in the development and implementation of multi-faceted budget and financial models to fund projects, generate revenue, and meet financial goals, including providing strategic leadership to formulate and execute viable and financially sound projects.
  - vi. Demonstrated track record at serving as the single point of accountability for institutional clients who have multi-year projects.

### D. Affirmative Action

1. On company letterhead BIDDER should provide detailed information on their organizations affirmative action and equal employment opportunity policies.

### E. Minority and Women Business Enterprise Project involvement

1. The contract resulting from this RFP will contain a Minority and Women Business Enterprise (MWBE) utilization requirement of thirty percent of non-specialized project cost; of materials and/or subcontracting. On company letterhead BIDDER should acknowledge this requirement by providing an explanation of their experience with MWBE utilization and their strategy to meet or exceed the 30% requirement, including 15% MBE and 15% WBE. BIDDER is required to comply with equal employment opportunities for Minorities and Woman per section



312 of the New York State Executive Law. BIDDER is required to achieve a minimum of 30% NYS Certified MWBE participation.

- F. Statement of Operational Presence and Economic Impact in New York State. On company letterhead, BIDDER should provide detailed information on corporate (headquarters, business operations, etc.) presence in New York State, specific intentions to initiate or increase operations and employment within the State, including, but not limited to operations and employment at SUNY Poly in Albany and affiliated New York State Sites.
- G. Financial Information. On company letter head, BIDDER should provide detailed information in regards to:
1. If not publicly traded, identification of the 10 largest shareholders, or partners of developer.
  2. Any outstanding legal actions, liens, and lawsuits that developer, or any parent, subsidiary, or affiliate of developer, is currently involved in, pending, or has experienced in the last three years.
  3. The maximum dollar amount for which developer can provide a payment and performance bond.
  4. Evidence of available capacity to the extent to convince OWNER that developer has the resources to commit to the Project.
  5. Evidence that financial resources are solid and reliable to protect OWNER and ensure a timely and successful development of the Project.
  6. List of on-going projects and financial commitment levels.
  7. Limits of developer general liability insurance.
  8. Latest audited financial statement for developer or letter of financial reference from major financial institution.

### ***Request for Cost Proposals***

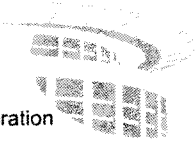
Proposal submittals should contain comprehensive details of the potential financial strategies considered applicable for the engagement. Please discuss the fees, costs, profits, and terms for each proposed arrangement.

### ***Submission of the RFP Responses***

Each response to this RFP will be screened to determine whether it is sufficiently responsive. The purpose of this review is to ensure that the requirements of this RFP are properly and adequately addressed, including compliance with all requested documentation. Failure to address the required components or furnish the forms and documents specified in the RFP based on the timeline outlined in this document may eliminate a BIDDER from further review.

A complete submittal must at a minimum contain:

- Complete responses to all inquiries regarding *Request for Qualifications*.
- Complete responses to all inquiries regarding *Request for Cost Proposal*.
- Completed and Signed Attachments.
  - Attachment A - Disclosure of Lobbyist Form, disclosure of any person or company that lobbied on your behalf in relation to this RFP.
  - Attachment B - Vendor Responsibility Form, disclosure of legal, organizational and financial information. If you have submitted a Vendor Responsibility Form to a FRMC, Fuller Road Management Corporation, or Research Foundation/Colleges of Nanoscale Science and Engineering within the previous 12 months and the information contained remains current, then you may re-submit a copy of your most recent Vendor Responsibility Form as part of the submittal to this RFP.



## **FORMAT OF BIDDER RFP RESPONSE**

BIDDERS in accordance with the schedule above shall:

Submit one (1) signed original of the proposal, three (3) additional hard copies of the proposals, and one (1) electronic copy on thumb drive or CD rom by the Proposal Submittal Due Date indicated in the "RFP Timeline Summary" section of this document.

Deliver complete submittal in sealed envelope to FRMC RFP Designated Contact.

Clearly print or type FRMC RFP Designated contact name and FRMC address on the front of envelope.

BIDDER'S proposal shall be delivered to OWNER'S Representative FRMC Designated Contact at NanoFab East, 257 Fuller Road, Albany New York 12203, by the Proposal Submittal Due Date indicated in the "RFP Timeline Summary" section of this document.

If at any point during this RFP process a determination is made not to submit a proposal, the courtesy of a "No-Bid" email indicating the factors influencing your decision are requested. Please send the email to the FRMC RFP designated contact.

## ***Evaluation of RFP Responses***

Submitted responses will be evaluated to determine the responsive and responsible organization that provides the best fit to FRMC requirements. Selected BIDDERS who are determined to be most qualified as a result of the review of submittals may be required to attend informational exchange meetings at the SUNY Poly's Albany campus.

Certainty to Close: Should FRMC and awarded firm(s) be unable to come to terms within a reasonable timeframe, determined solely by FRMC's judgment, the firm(s) may be deemed unresponsive and the firm(s) offering the remaining proposal(s) which address the best interests of the FRMC may be engaged.

FRMC is under no obligation to make an award based on this RFP.

### **A. Selection process**

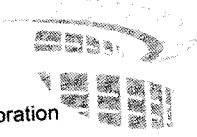
1. FRMC will appoint a Selection Committee that will oversee the process of reviewing submissions to this RFP.
2. Responses to this RFP will be evaluated by the Selection Committee and result in a multi-stage process. The first stage will result in the selection of top candidates based on evaluation submittals. The top selected responders will participate in the second stage, final interview process, which will result in the recommendation of a preferred candidate for the PROJECT.
3. In the event that an ultimate selection cannot be made, FRMC reserves the right to terminate the process and this RFP.
4. FRMC reserves the right to reject any and all proposals, in whole or in part, at any point during the process.
5. FRMC also reserves the right to effectuate any of the following: to negotiate change in the scope of services, to select and award developer, architect, and builder contracts separately, combined into one contract, or combined in a way that is different from what is proposed, and to waive any technicalities as deemed in its best interest.

## ***Debriefing***

Supplier may request a debriefing with FRMC by contacting the RFP Designated Contact. This meeting will be used to discuss the strengths and weakness of your proposal. You must request a debriefing within 30 days of the selection notification. FRMC will hold all debriefings by teleconference or at its campus in Albany, NY.

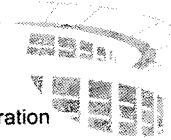
# FRMC

Fuller Road Management Corporation



## ***Statement of Non-Collusion***

By submission of this bid, each 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/costs/fees in this bid have been arrived at independently without collusion, consultation, communications, or agreement, for the purpose of restricting competition as to any matter relating to such prices/costs/fees with any other BIDDER or with any competitor; (2) unless required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the BIDDER prior to opening, directly or indirectly, to any other BIDDER or to any other 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.



## GENERAL STANDARD INFORMATION AND INSTRUCTIONS

### ***Compliance with Laws and Regulations: Non-discrimination, Equal Opportunity and Affirmative Action Obligations***

The awarding of this business and continuation of services are subject to the requirements of Executive Order 11246 and 11375 and the rules and regulations of the Secretary of Labor (41 CFR Chapter 60) in promoting Equal Employment Opportunities.

The successful BIDDER must certify that it does not and will not discriminate or unduly favor any employees or agents on the basis of race, gender, national origin, religion or disability. As part of this contract, BIDDER must agree to comply with all applicable provisions of Section 503, Title V of the Vietnam Era Veterans' Readjustment Assistance Act of 1972, as the same may be from time to time amended, together with all applicable regulations there under and all applicable provisions of Sections 503 and 504 of the Rehabilitation Act of 1973 (Public Law 93-516) as the same may be from time to time amended, together with all applicable regulations there under.

### ***Terms and / or Conditions***

- FRMC is not liable for any costs incurred by BIDDER in the preparation and production of a response, the costs of any goods or services supplied or performed prior to receiving approval of the agreement from the FRMC, or failure to issue an award.
- All responses and materials submitted in conjunction with the response shall become the property of the FRMC for use as deemed appropriate, respecting all copyrights.
- By submitting a proposal, the BIDDER agrees that s/he will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of any misinformation or lack of information
- FRMC reserves the right to modify the requirements of this RFP after its release. If any modifications make compliance with the original timetable impractical, FRMC may adjust the timetable accordingly.
- BIDDER agrees that all work produced, and the product of all services rendered by the BIDDER pursuant to this RFP shall be the property of FRMC. BIDDER agrees that any work based on the services rendered under this RFP shall be kept in confidence and not released, published or disseminated in any form without the express written consent of FRMC'S designated representative.
- This RFP is governed by the laws of the State of New York.
- The content of this RFP, including information and data attached as a part of same and all other information provided shall be held in strict confidence unless FRMC specifically authorizes otherwise. BIDDER shall not disclose any information contained herein or any subsequent information supplied by the FRMC without written approval. No news release, public announcement, denial, or confirmation of any part of the subject matter of this request shall be made without the prior written consent of the FRMC.
- The successful BIDDER is responsible for compliance with all applicable rules and regulations pertaining to cities, towns, counties and State where the services are provided, and all other laws applicable to the performance of the resulting contract. The successful BIDDER shall provide all necessary safeguards for safety and protection as set forth by the United States Department of Labor, Occupational Safety and Health Administration.
- FRMC reserves the following rights:
  - To accept or reject any or all responses in part or entirety. To make no award. To cancel procurement process.
  - To select multiple BIDDERS.
  - Request an oral presentation (such oral presentations shall be requested solely at the discretion of OWNER and not all BIDDERS may be asked to make such oral presentations).
  - Request written clarification of any or all responses.