

# Request for Proposals

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**Buffalo Urban Development Corporation &  
City of Buffalo Office of Strategic Planning**

Planning, Engineering & Landscape  
Architecture consulting services for:

## **Infrastructure and Public Realm Improvements along the Downtown Waterfront**

**RFP Issued: August 16, 2022**

**Revised: September 2, 2022**

**Pre-Proposal Meeting: August 30, 2022 at 2:00 p.m. Via Zoom**

**Questions Due: Tuesday, September 6, 2022 at 4:00 p.m.**

**Proposals Due: Monday, September 19, 2022 at 4:00 p.m.**



## Contents

<b>1.0</b>	<b>RFP Overview .....</b>	<b>3</b>
<b>2.0</b>	<b>Background &amp; Project Area .....</b>	<b>4</b>
<b>3.0</b>	<b>Scope of Work .....</b>	<b>6</b>
<b>4.0</b>	<b>Project Timeline .....</b>	<b>8</b>
<b>5.0</b>	<b>Proposal Format/Requirements .....</b>	<b>8</b>
<b>6.0</b>	<b>Submission Instructions.....</b>	<b>10</b>
<b>7.0</b>	<b>Selection Process.....</b>	<b>10</b>
<b>8.0</b>	<b>General Requirements.....</b>	<b>11</b>

## **1.0 RFP Overview**

Proposals are being solicited for a planning-level feasibility and conceptual design study from planning, engineering, and landscape architecture consulting firms for infrastructure and public realm improvements along Buffalo's Downtown waterfront. The location and extent of this study area are provided on page 5. BUDC and the City of Buffalo encourage submissions from Women and Minority Owned Business Enterprises (M/WBE).

The study will provide a comprehensive infrastructure, public realm, and streetscape plan to ensure a shared/common vision along downtown portions of Buffalo's waterfront. It will provide for public spaces, multi-modal transportation facilities, and connections between existing and upcoming waterfront development projects, as well as improve the connection between the downtown Inner Harbor and Ralph Wilson Park (formerly LaSalle Park). The plan will also build upon planning initiatives that have taken place over the past two decades which have helped shape our waterfront to date including the Erie Shelton Square Greenway Plan (2018) the Queen City Waterfront (2007), the Downtown Buffalo Infrastructure and Public Realm Master Plan (2015), the City of Buffalo Future of Mobility Report (2020), Renderings of Ralph Wilson Park (2022 <https://regional-institute.buffalo.edu/work/imagine-lasalle/>) and several others. In addition, the plan will be a key component of Buffalo's Race for Place initiative, which looks to make our downtown and other key urban areas more appealing, exciting, and connected. This plan should consider and incorporate the initiative's goals:

1. Advancement of the downtown infrastructure plan, streetscape improvements, and placemaking in key investment corridors and nodes within the Inner Harbor study area
2. Progressive land-use policies that prioritize traffic calming, demand and load management, and pedestrian and bicycle friendly activity, as well as promotion of public transit usage, ridesharing, micro-mobility, and continuation of Cars Sharing Main Street
3. Additive public safety solutions to further community confidence and quality of life
4. Increased urban vibrancy and activation through implementation and feedback from citizens and employees/employers (via City of Buffalo, Buffalo Urban Development Corporation, and community outreach)

The final plan should be able to clearly articulate a shared/common vision for improving Buffalo's Downtown waterfront connectivity and transportation infrastructure. The plan will include a list of the streetscape and public space improvements and provide a strategic approach for implementation. The plan should communicate the importance that each recommended project will have on the Downtown waterfront's overall function, appeal, and marketability to leverage public and private investment.

A pre-proposal meeting will be held via zoom on August 30, 2022, at 2:00 p.m. to address any general questions that potential respondents may have regarding this RFP. Please reach out to Antonio Parker at [aparker@buffalourbandevelopment.com](mailto:aparker@buffalourbandevelopment.com) no later than August 26, 2022, to obtain call-in information. Any other questions regarding this RFP should be made in writing to Brandye Merriweather at [Bmerriweather@buffalourbandevelopment.com](mailto:Bmerriweather@buffalourbandevelopment.com) no later than 4:00 p.m. on September 6, 2022. No requests for oral interpretations via the telephone will be accepted.

**Please note: THE BUDC AND THE CITY OF BUFFALO RESERVE THE RIGHT TO REJECT ANY OR ALL PROPOSALS, AND THE RIGHT TO WAIVE ANY INFORMALITIES THEREIN**

## **2.0 Background & Project Area**

### **Background Overview**

The City of Buffalo waterfront has a rich history, and its industrial past was the key driver of the City's early growth via the Erie Canal and great lakes shipping. The City's waterfront fueled economic growth and activity from the early 19th century through most of the 20<sup>th</sup> century. Still today there are active vestiges and relics of the city's once formidable working waterfront.

Over the past few decades, the waterfront has been overgoing a dramatic transformation into a recreational waterfront that attracts residents from throughout the region as well as visitors from various locations both nationally and internationally. Several infrastructure projects have enhanced waterfront access, which has spurred significant private investment providing new destinations from which to enjoy Buffalo's world-class waterfront.

While significant waterfront development and planning have taken place over the years, there is a need to ensure the connectivity of the waterfront to the Central Business District and adjacent neighborhoods, Ralph Wilson Park, as well as in-between destinations within the Inner Harbor. In addition, both BUDC and the City of Buffalo recognize that to truly achieve success, public and private investment must be leveraged to provide for the equitable and sustainable future development of the Inner Harbor.

In 2020, BUDC Chairman Mayor Byron W. Brown announced Buffalo's Race for Place initiative to further encourage coordination efforts along the waterfront. The waterfront coordination working group was formed. This working group is comprised of public sector agencies responsible for infrastructure planning and development as well as private sector stakeholders and downtown property owners. The criteria and investment priorities that have evolved from this working group process will be utilized to inform the strategic phasing included in this planning process.

BUDC in partnership with the City of Buffalo, with funding from Empire State Development, is seeking to create and ensure a shared/common vision along Buffalo's waterfront. With all of the infrastructure, streetscape, public realm improvements, and real-estate development investments currently underway in downtown Buffalo, there is a need to establish a shared/common vision that can connect these investments and guide and secure future investments. This planning process shall provide this shared/common vision and a strategic roadmap for investment decisions based upon consensually developed and clearly communicated criteria and objectives.

### **Overview and Mission of BUDC**

BUDC is the City of Buffalo's not-for-profit development agency, reclaiming distressed land and buildings for future development with Mayor Byron W. Brown serving as Chairman of the Board. As the City's development agency, BUDC seeks to create an environment conducive to private investment, provide oversight and visioning for projects of regional significance, serve as a liaison among various public and private stakeholders, serve as a conduit for public funding of significant projects and serve as a real estate holding company for certain public-sector projects.

The mission of Buffalo Urban Development Corporation (BUDC) is to support the urban economic development efforts of the region through the acquisition, remediation, and management of distressed

## RFP: Infrastructure and Public Realm Improvements along the Downtown Waterfront

properties, and to engage in related real estate development activities to attract and/or retain new and existing businesses to the City as part of the region. The mission of BUDC also includes supporting the revitalization of downtown Buffalo by serving as the lead management entity for Buffalo Building Reuse Project (BBRP) and Race for Place initiatives, working in collaboration with the City of Buffalo, including the coordination of financial assistance for downtown adaptive re-use projects and public right-of-way improvements. BUDC also serves as the lead management entity for the Ralph Wilson Park transformation.

### Project Location/Study Area

Below is a map of the proposed study area along Buffalo's waterfront from Canalside and the Cobblestone District to the South and connections to Ralph Wilson Park (formerly LaSalle Park) to the north. Applicants must be cognizant of how streets, public spaces, neighborhoods, and corridors adjacent to and outside of this study area interact with and connect to those within the study area. Surrounding neighborhoods include the Lower West Side, Central Business District, First Ward, and Ellicott neighborhoods.



City of Buffalo LWRP Boundary

Study Area

### 3.0 Scope of Work

For the proposal submittal, include and expand on the following:

#### **Task 1: Project Initiation and Coordination**

The consultant shall meet with a project advisory committee created and comprised of representatives from BUDC and the City of Buffalo (Department of Public Works and Mayor's Office of Strategic Planning) to discuss the execution of the project scope, schedule, and deliverables.

BUDC in collaboration with the City will be responsible for providing overall project coordination and oversight. The consultant will provide a project management plan detailing their management/administrative process and change control. The project advisory committee will oversee the planning process and plan development. Advisory Committee meetings will be held bi-weekly with the consultant preparing meeting materials and meeting minutes.

#### **Task 1 Deliverables**

- Project management plan
- Meeting materials and minutes/summaries
- Invoices/progress reports

#### **Task 2: Building the Foundation**

To develop an effective plan, a thorough understanding and synthesis of previous and ongoing planning efforts, existing multi-modal transportation infrastructure, pedestrian experience analysis, equity opportunities, infill development opportunities, precedent studies, and relevant initiatives will be required. The following provides a summary of the elements thus far considered for this task:

- The consultant will assist in the compilation of previous and ongoing planning initiatives relevant to the study area, provide an analysis of these previous and ongoing planning initiatives and develop a synthesis of a shared vision, goals, and objectives for the study area. The consultant will assist with the identification of any planning-level gaps.
- Gather already documented existing and planned multi-modal transportation infrastructure data/mapping and determine any supplemental data/mapping that may be necessary to create an overview of that infrastructure within the study area. A preliminary list of information necessary for this planning process includes:
  - Key destinations and existing barriers
  - Vacant and underutilized areas
  - Land ownership, land use, zoning
  - Past and ongoing planning and development initiatives
  - Transportation infrastructure, routes, rights-of-way including multi-modal facilities and amenities
  - Utility infrastructure
  - Public spaces and parks
- Pedestrian experience analysis focuses on accessibility, wayfinding, aesthetic appeal and consistency, sight lines, amenities/facilities, parks and open spaces, lighting, perceived safety,

and other elements the consultant determines are necessary.

- Identification of opportunities to address the City's goals for diversity, inclusion, and equity, and strategies with a focus on transportation and accessibility.
- Utilizing the information obtained in this phase, the consultant will gather and examine precedent studies and relevant initiatives that share commonalities with the identified issues and opportunities. The consultant will prepare information for a synthesis workshop where BUDC, the City, and the consultant will discuss the findings from this phase and formulate the next steps with communication engagement.

After this task, the consultant team and Advisory Committee will hold a synthesis meeting to discuss and review the key findings from this task to provide direction for the subsequent task.

**Task 2 Deliverables**

- Key findings and opportunities
- Data and mapping
- Pedestrian experience analysis
- Synthesis meeting with Advisory Committee

**Task 3: Stakeholder Outreach and Engagement**

BUDC and the City will lead public engagement with assistance from the consultant. The consultant will assist with the creation of a public engagement plan, identification/coordination with stakeholders, and creation of meeting materials and summaries. At a minimum, public engagement will include at least three (3) meetings with the BUDC waterfront coordination working group and at least two (2) public meetings. In addition, focus group meetings, walking tours, online surveys, agency consultations, and other stakeholder engagement strategies should be considered by the consultant. The consultant shall provide recommendations for appropriate public engagement techniques to ensure public opinion is incorporated. The consultant may also meet with entities, agencies, and private sector stakeholders as identified by BUDC/City to better understand the scope and timeframe of the project.

**Task 3 Deliverables**

- Public Engagement Plan
- Meeting materials/summaries
- Synthesis of community engagement findings to guide subsequent phases

**Task 4: Strategies and Alternatives**

Based on the key findings from the analyses completed in Task 2 and the public/stakeholder input garnered per Task 3, the consultant will develop strategies and alternative approaches to improve the connectivity, functionality, and appeal of the Downtown waterfront while facilitating future equitable and sustainable development. The following provides a summary of the elements thus far considered for this task:

- Develop a unifying theme for waterfront infrastructure to provide identifiable placemaking attributes to public spaces along the Downtown waterfront.
- Identify potential future infrastructure and public realm projects that will improve connectivity, functionality, and appeal of the Downtown waterfront.

## RFP: Infrastructure and Public Realm Improvements along the Downtown Waterfront

- Identify key connections within the study area and linking to neighborhoods surrounding the study area
- Identify mobility alternatives that may be introduced
- Identify environmentally sustainable infrastructure and smart city technology improvements relevant to advancing a more efficient and sustainable waterfront
- Consider potential interim and long-term uses of city-owned land including lighter, cheaper, quicker projects
- Provide active recreational spaces, for all age groups and abilities (including children, seniors, and persons with mobility challenges).
- Conduct a synthesis workshop with the Advisory Committee to review recommended strategies and alternatives.
- Prioritize public infrastructure projects to improve the connectivity, functionality, and appeal within the study area while considering strategic investments key to driving future development. Consolidate and illustrate preferred alternatives

### **Task 4 Deliverables**

- Prepare key graphics and diagrams to illustrate strategies and alternatives, and key connections to and between future development areas/destinations. Graphics may include building massing (3-D) diagrams specific to key development areas.
- Synthesis workshop with Advisory Committee

### **Task 5: Finalizing the Plan**

Based on the results of Task 4, the Consultant will prepare the draft plan, including the final strategies and preferred alternatives with illustrative graphics and diagrams. Following the Advisory Committee's review of the draft report, the consultant will prepare the final report and executive summary.

### **Task 5 Deliverables**

- Draft Report
- Final Report
- Executive Summary

## **4.0 Project Timeline**

The expected duration of the project from commencement to completion is five (5) months. Proposals should include a timeline for completion, identifying major project milestones to include, at minimum, each phase of the project.

## **5.0 Proposal Format/Requirements**

Submissions must include the following information in a brief and concise format. While there is no page limit for proposals, they should be concise. BUDC and the City reserve the right to request additional information during the review of proposals and to reject all submissions.

### **Cover Letter**

The cover letter should include the official name of the firm submitting the proposal, mailing address, e-mail address, telephone number, and primary contact name. The letter must be signed by an official authorized to bind the proposer contractually and contain a statement that the proposal is firm for

## **RFP: Infrastructure and Public Realm Improvements along the Downtown Waterfront**

ninety (90) days. An unsigned letter, or one signed by an individual not authorized to bind the consultant, may be disqualified.

### **Minority and Women Business Enterprises**

Each Consultant team shall provide any relevant information with respect to any program or action taken to attract, recruit, retain and promote minority and women employees, partners, and associates, including the Consultant's team's current minority and women workforce ("Workforce Development"). Each Consultant team shall additionally provide any information with respect to programs, initiatives, policies, or practices that support the development of, and provide business opportunities too, minority-owned and women-owned businesses in the City, including suppliers and service providers ("Community Involvement and Vendor Policies"). Examples of Workforce Development, Community Involvement, and Vendor Policies that promote the employment of minority and women employees and contracting with minority-owned and women-owned businesses include direct hire programs, business utilization plans, and youth hiring programs.

The contracting goal with firms that subcontract is 25% for minority-owned businesses and 5% for women-owned businesses as a percent of the total proposed fee.

### **Understanding and Approach**

Respondents to this RFP should include a brief narrative explaining their understanding and approach to this project and the requested scope of work. The understanding and approach should outline a proposed scope of work, specific phases and tasks, and the deliverables and products to be provided.

### **Firm Profile, Experience of Firm/Project Team, and References**

Firms or their principals responding to this RFP must be licensed to practice landscape architecture and engineering in New York State. Proposals should include a firm profile, an organizational chart identifying the project manager and team members with their titles, resumes from key personnel, and references from at least 3 clients for whom the consultant has performed services within the past 3 years. All proposed sub-consultants must also be identified, along with their project managers and key personnel.

The project team should have a full range of relevant environmental, urban design, wayfinding, and transportation planning and engineering expertise to name a few. Primary personnel in each of the noted disciplines must be identified by name and office location, with resumes included, and should demonstrate satisfactory experience and depth in each of the required disciplines. The role of your organization should be highlighted in any references to experience on prior projects and initiatives.

### **Fee Proposal**

The proposal should include a proposed fee for all services delineated by phase and task as outlined in the consultant's proposed scope of work. The fee proposal should include the hourly rate of each staff member who will work on a task and their number of hours by phase and task. The consultant contract will be a fixed-price or lump sum cost contract per phase and task. Therefore, all proposals must contain a Lump Sum Cost Proposal for the scope of services delineated, inclusive of all expenses (there will be no reimbursables).

## **6.0 Submission Instructions**

Seven (7) copies of the proposal must be submitted in hard copy and one (1) electronically via e-mail, no later than 4:00 p.m., September 19, 2022, to:

Brandye Merriweather, President  
Buffalo Urban Development Corporation  
95 Perry Street, Suite 404  
Buffalo, New York, 14203  
E-mail: [Bmerriweather@buffalourbandevelopment.com](mailto:Bmerriweather@buffalourbandevelopment.com)

## **7.0 Selection Process**

A detailed evaluation of proposals will be conducted by BUDC and the City of Buffalo. To select the most advantageous proposal for consulting services related to the scope of work contained in the RFP, comparative judgments of technical factors, in addition to price, will be necessary. Evaluation will be based on at least the following criteria, not necessarily in the order provided or with equal weight given to each criterion.

1. Responsiveness to the provisions and requirements of this RFP.
2. The thoroughness of the proposal and clarity of services to be provided.
3. Ability, capacity, and skill of the consultant to perform the services requested in this RFP.  
Skillsets include but are not limited to:
  - a. Strategic planning, asset-based and need-based planning, open space planning, and design experience
  - b. Municipal street and infrastructure design experience
  - c. Landscape architectural experience
  - d. Urban design experience
  - e. Sustainable and low-impact design experience
  - f. Experience planning and designing way-finding systems
  - g. Experience with stakeholder outreach and engagement
  - h. Background in similar projects of this nature
4. Quality of performance of previous contracts or service as demonstrated through your references.
5. Ability to meet or exceed M/WBE requirements.
6. Fee proposal.

BUDC and the City will shortlist the proposals and interviews may be required.

BUDC and the City do not assume the responsibility or liability for costs incurred by firms responding to this RFP or any subsequent requests for interviews, additional information, submissions, etc. before issuance of a contract. The selected firm(s) must demonstrate to BUDC and the City's satisfaction that no City and/or County of Erie tax arrearages or other fees or related liens exist nor are there any pending City of Buffalo Housing Court Cases and or open letters of violation for the applicant and principals.

## **8.0 General Requirements**

Please complete and include all forms in your proposal.

### **Procurement Lobbying Restrictions**

#### **1. Restrictions on Bidder Communications with BUDC**

Pursuant to State Finance Law §§139-j and 139-k, this Request for Applications imposes certain restrictions on communications between Applicants and BUDC during the procurement process. Applicants are prohibited from making contacts (whether oral, written, or electronic) with any BUDC personnel or BUDC Board member other than the designated BUDC staff member (unless the contact is otherwise permitted under State Finance Law §139-j (3) (a)). In addition, Applicants are hereby notified that any contact with any BUDC personnel, BUDC Board member, or the designated BUDC staff member that a reasonable person would infer is intended to influence the award of the contract under this Request for Applications is prohibited. These prohibitions apply from the Bidder's earliest notice of BUDC's intent to solicit applications through the final award and approval of the procurement contract ("Restricted Period"). For purposes of this Request for Applications, the designated BUDC staff member is Brandy Merriweather (bmerriweather@buffalourbandevelopment.com).

Applicants are hereby notified that BUDC is required to collect certain information when contacted by a Bidder during the Restricted Period and make a determination of the responsibility of the Bidder pursuant to State Finance Law §§139-j and 139-k. Certain findings of non-responsibility can result in rejection of a contract award, and in the event of two findings within a four (4) year period, the Bidder may be barred from obtaining governmental procurement contracts.

#### **2. Bidder's Affirmation of Understanding of and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6)(b)**

BUDC is required to obtain written affirmations from all Applicants as to the Respondent's understanding of, and agreement to comply with BUDC's procedures relating to permissible contacts (described in paragraph 1 above). The affirmation must be provided to BUDC when the Bidder submits its application. The form of affirmation to be completed and submitted by the Bidder is included herein as Attachment A.

#### **3. Bidder's Certification of Compliance with State Finance Law §139-k(5)**

State Finance Law §139-k (5) requires Applicants to provide written certification that all information provided to BUDC with respect to State Finance Law §139-k is complete, true, and accurate. The certification must be provided to BUDC when Bidder submits its application. The form of certification to be completed and submitted by the Bidder is included herein as Attachment B.

### **Procurement Lobbying Restrictions**

#### **4. Bidder Disclosure of Prior Non-Responsibility Determinations**

State Finance Law §139-k (2) obligates BUDC to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, each Bidder must disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. State Finance Law §139-j sets forth detailed requirements about the restrictions on contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible contact during the Restricted Period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions). As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether a Bidder fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no procurement contract shall be awarded to any Bidder that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the procurement contract to the Bidder is necessary to protect public property or public health and safety, and that the Bidder is the only source capable of supplying the required article of procurement within the necessary timeframe. Attachment C entitled "Offerer Disclosure of Prior Non-Responsibility Determinations" must be completed by the Bidder and submitted to BUDC at the time of Bidder's submission of its application.

#### **5. Contract Termination Provision**

New York State Finance Law §139-k (5) provides that every procurement contract award subject to the provisions of State Finance Law §§139-k and 139-j shall contain a provision authorizing termination of the contract in the event that the certification provided by the Bidder that is awarded the contract is found to be intentionally false or intentionally incomplete. The following provision is hereby incorporated by reference and included in the contract that is awarded (if one is awarded) pursuant to this Request for Applications:

##### **BUDC Termination Provision**

Pursuant to New York State Finance Law §139-k (5), BUDC reserves the right to terminate this contract in the event it is found that the certification filed by the Contractor in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, BUDC may exercise its termination rights by providing written notification to the Contractor in accordance with the written notification terms of this contract.

**Procurement Lobbying Restrictions**  
**ATTACHMENT A**

**Affirmation of Understanding & Agreement pursuant to State Finance Law §139-j (3) & §139-j (6)  
(b)**

I affirm that I understand and agree to comply with the procedures of BUDC relative to permissible contacts as required by State Finance Law §139-j (3) and §139-j (6) (b).

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

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

Contractor Name: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Procurement Lobbying Restrictions**  
**ATTACHMENT B**

9.0 **Offerer/Bidder Certification:**

I certify that all information provided to BUDC with respect to State Finance Law §139-k is complete, true and accurate.

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

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

Contractor Name:

\_\_\_\_\_

Contractor Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Procurement Lobbying Restrictions**

**ATTACHMENT C**

**Offerer Disclosure of Prior Non-Responsibility Determinations**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Name and Title of Person Submitting this Form: \_\_\_\_\_

\_\_\_\_\_

Contract Procurement Number: \_\_\_\_\_

Date: \_\_\_\_\_

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No Yes

If yes, please answer the next questions:

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):

No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below.

Governmental Entity:

\_\_\_\_\_

Date of Finding of Non-responsibility:

\_\_\_\_\_

Basis of Finding of Non-Responsibility:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Add additional pages as necessary)

