

RPF AACA2602 – Intercity Transit Station with Addendum

<p>Based on feedback from the design-build teams, the Alliance has modified</p> <p>Section 3.4 Proposals Due: March 20, 2026 – 4pm to Proposals Due: April 3, 2026 - 4PM.</p>
<p>Based on feedback from the design-build teams, the Alliance is modifying</p> <p>Section 2.7 Cost Portion of the Proposal: a guaranteed max price (GMP) for the project based on project scope to: Best estimated price range, while identifying your team’s approach to value engineering, cost controls and related assumptions to justify your cost estimates on the project scope your team is presenting.</p>
<p>1. Please confirm the design milestone deliverables required for this project. What is the project timeline?</p> <p>Is there a required completion date or duration, other than “expedited”?</p>
<p>Per the RFP, deliverables are to be developed by the selected design-build team in coordination with the Alliance and project stakeholders/authorities having jurisdiction; specific “design milestone” submittal packages (e.g., schematic design, design development, construction documents) are not explicitly defined in the RFP and should be proposed by the respondent as part of its approach and schedule.</p>
<p>2. What is the expected budget? What is the project budget?</p>
<p>An Owner’s budget / expected budget is not provided in the RFP.</p>

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Section 2.7 has been modified, The Alliance is now relying on the design-build teams to provide their best estimated price range, while identifying your team's approach to value engineering, cost controls and related assumptions /exclusions to justify your cost estimates on the project scope your team is presenting

3. Due to the required Items needed in the response of the RFP, is the agency (Alliance) entertaining the possibility to extend the RFP Submission deadline?

March 20 bid date is not feasible, would AACA consider a 3 week extension?

Based on feedback from the design-build teams, the Alliance has modified

Section 3.4: Proposals Due: March 20, 2026 – 4pm to Proposals Due: April 3, 2026 - 4PM.

4. What are the required M/WBE % requirements?

The RFP states that MBE, WBE, and NYS SDVOB businesses are to be afforded the maximum opportunity to participate, but it does not specify required participation percentages in the document provided.

Per ESD guidelines the MWBE requirements are 30% total with 15% WBE and 15% MBE.

5. Will this site be considered historic district or subject to SHPO consideration?

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This question has been sent to ESD, once they provide clarity their response will be posted.

Until that time, the selected respondent should assume they are responsible for implementing and managing the local/state review and approval process with authorities having jurisdiction; respondents should assume applicable historic preservation review requirements may apply if triggered.

6. Please confirm the extent of the stakeholder outreach scope to be performed by the selected design-build team. For example, please advise whether the anticipated long haul intercity carriers been consulted to date on moving to this service location and please share any specific requirements or needs they may have provided not already included in the RFP.

Please confirm the extent of the community outreach scope required of the design build teams

The design-build team must assist with public involvement, engagement and overall communication with the public and all levels of governmental involvement. However, the Alliance has retained River Street Planning to lead the public outreach process. Design-build team should include time to support/coordinate with River Street Planning

8. Please confirm the Authority Having Jurisdiction for building permit purposes for this project. Will it be the City, County, or OGS?

Who is the authority having jurisdiction? City of Albany or County of Albany?

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It is expected that the project will be reviewed/approved by the Albany County Planning Department and all Building Permits will be provided through the City of Albany Building Department

Coordination with the City of Albany will be required for traffic, row of work and utilities as required.

9. Besides CDTA, which other bus lines (Greyhound, Trailways, etc.), if any, will be using the Transit Center !

CDTA will be the operator of the facility. As such they will assist with coordination of the bus lines through the design/build process.

The terminal will support the major intercity carriers.

10. Are any details available regarding expectations for the level of finishing within the building, such as bullet resistant construction at ticket / sales areas or specialty hardware to remotely unlock restroom doors or similar?

The RFP lists security-related requirements (e.g., integrated CCTV, video analytics, emergency call stations, access control, panic buttons/duress alarms; and consideration of anti-riot/laminated safety glazing “where appropriate”), but it does not prescribe specific finish levels or specialty hardware.

Respondents should include proposed design elements if recommended for safety/operations and identify related assumptions in their anticipated budget

11. Please provide any renderings if available

We understand Bohler is the owner’s representative. What other tasks has Bohler completed?

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What are they contracted to complete as this project commences, if anything? Please itemize.

Please provide “as built” drawings for the existing structure (this is required if reuse is to be considered).

The Alliance is seeking a design-build team, including Architects to provide renderings and design elements as this is a signature project. The corner of S. Pearl and Madison Ave is a gateway to the city. The Alliance is looking for each team to provide their ideas on design and estimated cost.

The Alliance is in the process of updating the survey, preparing an initial geotechnical investigation, asbestos investigation of the building, a preliminary site and completing SEQ. All of these documents will be provided to the selected Design/Build team.

12. Do you have, and can you provide (in PDF and/or in CAD) –

- site survey
- site layout drawings created by Bohler on behalf of the Alliance
- site environmental reports
- Building drawings and/or affiliated reports (environmental, structural, etc.) !

Please provide survey for the site if available

Is a site survey completed? Available to share

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An existing site survey is attached. The Alliance is in the process of updating the survey. It will be provided to the selected Design/Build Team.

13. Please provide geotechnical reports for the site if available

Is geotechnical completed? Available to share?

Will site survey files or geotechnical report data be made available prior to the submission of proposals?

The Alliance is in the process of completing an initial geotechnical investigation of the site. It will be provided to the selected Design-Build upon completion. It is expected to be completed by May 2026.

14. Is environmental (Phase 1) completed? Available to share ?

Please provide RFP attachments mentioned on page 23 of RFP(#1. Phase 1 Environmental Site Assessment completed by PS Property Solutions, Inc. Dated May 1, 2024 and #2. Building Footprint

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Phase 1 ESA is attached to the RFP

15. Please provide any tabular building program documents that have been prepared thus far, including either square footage is per space or number of people to be accommodated. If this is not available, please advise whether design build teams should assume a building addition is necessary as a base project cost.

The RFP provides a high-level program description (adaptive re-use of an existing ~3,200 SF structure to include ticketing, law enforcement presence, driver lounge, ADA bathrooms, retail component, etc., plus 8–12 bus slips and site/parking improvements), but it does not include a tabular space program with SF-by-room or occupancy targets. The RFP also does not direct teams to assume an addition; respondents should base their approach on adaptive re-use of the existing structure and identify any assumed additions/expansions as part of their concept, schedule, and assumptions.

The Architect on the team should provide insight into the space needs of the mentioned tenants.

16. Regarding CDTA coordination, please confirm that no CDTA buses will utilize the deep saw tooth berths or layover berths indicated on site and that CDTA will instead stop streetside in front of or near the project site. If that is accurate, please confirm whether any streetside amenities are needed for the CDTA stop. If CDTA drivers will utilize the building for drivers break facilities, please advise whether their spaces must be separate from the intercity drivers (agreement vs non-agreement drivers).

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The RFP calls for coordination with CDTA to determine optimal bus stop placement within or adjacent to the facility and references the existing CDTA Madison Staging Area (operators only)

17. Please confirm the project scope does not include pursuit of a formal sustainable building system certification such as LEED or other program?

The RFP states the Alliance “desires to include all prudent Green Building Initiatives and sustainable energy generation,” but it does not specify a required formal certification program (e.g., LEED) nor state that certification is excluded. Respondents should propose sustainable/green elements as part of their design-build approach and identify whether any formal certification is assumed in their estimate.

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19. When you ask for sufficient parking does that mean what the zoning requires or what the not yet determined program does?

The RFP states “sufficient parking” to accommodate travelers and the local community but does not quantify required spaces or specify whether “sufficient” means zoning-minimums versus a program-driven demand analysis. Respondents should assume compliance with applicable zoning while also providing an operations-based parking approach tied to the proposed program and peak demands and identify assumptions in the proposal.

20. RFP scope item 1.3.11 mentions requiring a” Traffic access management plan.” Please clarify what AACA requires for this deliverable, as traffic studies can take greater than 2-3 months or more to produce.

The Alliance is in the process of preparing an updated Site Plan for the project and completing initial coordination of the plan with CDTA, City of Albany and NYSDOT. The results of this work will be provided to the selected Design-Build team. Final design of the site and access will be the responsibility of the Design/Build team.

21. Who is lead agency for SEQRA environmental impacts?

It is expected that the Alliance will be the Lead Agency for SEQRA

22. RFP page 10 mentions “provide ...safe and secure bicycle parking and bike-sharing accommodation.” What costs or scope should be included for this item?

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<p>The RFP requires “safe and secure bicycle parking” and accommodation for bike-sharing/micromobility (including references to CDPHP Cycle! and FLEX), but it does not specify quantities or a preferred system/vendor. Respondents should include reasonable scope for secure bicycle racks (and space/allowance for shared micromobility if coordinated with providers) and clearly state assumptions (quantity, type, and whether vendor-provided equipment is Owner- or contractor-furnished) in the proposal/GMP.</p>
<p>23. RFP page 10 mentions sales, ticketing, counters, etc. These items are typically considered “FF&E” and not included in construction costs. What costs or scope should be included for this items?</p>
<p>Respondents should include the architectural/MEP/IT-ready infrastructure (space, power/data, blocking, millwork/counters if assumed) and clearly list any FF&E exclusions/allowances (e.g., standalone scales, ticketing kiosks, POS equipment) in the budget-assumptions</p>
<p>24. RFP page 11 mentions trash compactors. Is this a cost to be carried by the bidder. Typically for a project this size, a trash compactor would not be considered.</p>
<p>Respondents should carry an appropriate waste management approach for a facility of this size and note in assumptions whether a compactor is included, excluded, or carried as an allowance pending owner direction</p>

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25. Can the 3/5 site tour attendance list be shared?

The following companies signed in at the site tour:
MLB, Wainschaf, Bette Cring, Stantec, Rifenburg Contracting Corp, Wendel Companies, Greco Construction, AOW, LaBella, CS Arch, Fisher Associates

(order from the sign in sheet and the company name they provided)

26. When will you post the answers by and how will we be notified?

Per the RFP, all questions are to be submitted by email by 3/10/2026 at 4:00pm, and answers will be posted on the Alliance website and contract reporter for all respondents to view (with no identity of questioners posted). The RFP does not specify an exact posting date or a separate notification method; respondents should monitor the Alliance website for updates/addenda.

27. Suggestion to extend the timeline:

The Alliance has modified the date for submissions until April 3, 2026 – 4PM with the RFP Award pushed two weeks as well.

The alliance is also requesting each design-build team to provide a construction schedule that works for their team. Timelines will be taken into consideration and the Alliance will balance cost estimates with timelines and design elements.



REQUEST FOR PROPOSALS
TO PROVIDE DESIGN &
BUILD SERVICES FOR AN
INTERCITY TRANSIT
STATION

Advance Albany County Alliance Local Development Corporation
111 Washington Avenue, Suite 100, Albany, New York 12210

February 27, 2026

Intercity Transit Station RFP

Summary of Issuer

Governor Hochul along with County Executive Daniel P. McCoy have identified this site as part of the Governor's \$200 Million, Championing Albany's Potential initiative to construct an Intercity Transit Station enhancing the South End gateway into the City of Albany

The Developer of this critical project is the Advance Albany County Alliance Local Development Corporation ("Alliance") a not-for-profit, corporation located in Albany, New York with the mission of increasing and diversifying economic activity throughout Albany County through the growth, expansion and attraction of business activity, promotion of strategic infrastructure projects and the active promotion of the County as a business-friendly location. It is apparent to the Albany County Executive Daniel P. McCoy that the current bus terminals located in downtown Albany are not up to the standards of the New York State Capital and the County of Albany. In direct support of the Alliance's mission, the Alliance is issuing this Request for Proposals ("RFP") seeking to engage a general contractor/architectural team for a design-build project ("Project") to design and construct a new state-of-the-art Intercity Transit Station at the corner of Madison Avenue and South Pearl Street, and create a welcoming gateway into the City of Albany.

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1.0 General Information: The Alliance through this RFP is soliciting proposals from qualified construction, engineering & architectural teams experienced in working on projects utilizing a design-build structure, including Project approach, architecture, design and construction. It is desired by the Alliance that this RFP process will result in the Alliance selecting and contracting with a single respondent entity to complete the Project; however, each respondent to this RFP is expected to assemble and identify their complete team of entities and/or individuals who will be engaged by such RFP respondent to complete the Project.

The respondent selected pursuant to this RFP will work with the Alliance and support from related consultants to determine the final scope of the Project including the adaptive re-use of the existing 3,200 +/- sq ft structure into a state-of-the-art intercity bus terminal with a ticket window / kiosk, dedicated law enforcement presence, a driver's lounge, ADA compliant bathrooms and a street facing retail component with access from South Pearl Street and the terminal. The location of the Project is 106 South Pearl Street, Albany NY, a 1.55-acre site with a 3200 +/- sq ft structure, Tax Parcel 76.11-1-4. See Exhibit 1 ("Site Location Map") and Exhibit 2 ("Conceptual Design").

A signature gateway building design is required to establish a high-performance, context-sensitive intercity transportation terminal that meets both functional and urban-design objectives at this key point of entry into the City of Albany. The facility must incorporate an architecturally distinguished envelope that responds to site geometry, multimodal circulation patterns, security requirements, and long-term operational needs, while aligning with local design standards and the Alliances and the City's expectations for prominent gateway corridors.

The terminal's massing, structural systems, and façade elements should provide clear visual identity, support wayfinding, enhance passive surveillance, and integrate durable, low-maintenance materials suitable for heavy public use and extreme weather conditions. By delivering a building form that is both technically robust and visually prominent, the design will reinforce corridor legibility, improve transit user experience, and signal sustained public investment in high-quality mobility infrastructure.

The respondent selected pursuant to this RFP will be responsible for implementing and managing the local review approval process with all NYS and local authorities having jurisdiction.

Note that the Alliance intends to fully evaluate each respondent based on their respective written RFP proposal submitted; the Alliance will not conduct any oral presentations with RFP respondents. Based on this, RFP respondents should ensure that their written proposal is complete, meets all RFP requirements and contains any information which such respondent wishes the Alliance to consider.

Please also note that while the Alliance does not anticipate conducting oral interviews/presentations from the respondents (or any submissions beyond each respective respondent's written proposal), the Alliance reserves the right (following Alliance review of the submitted written proposals) to select a limited number of the RFP respondents whose submitted written proposals have been evaluated highest among the RFP respondents against the RFP scoring criteria) to make an oral presentation on their respective proposals to Alliance Staff.

Exhibit 1 – Site Location Map



Exhibit 2 – Conceptual Design (for illustration only)



1.1 Project Objectives:

Create an architecturally distinguished signature gateway building that establishes a strong visual identity for the Madison Avenue and South Pearl Street corridor, supports efficient intercity transportation operations, and meets all functional, security, and durability requirements expected of a high-performance public facility.

- The design and constructed Project should allow for a ticket booth and kiosk (potential room for expansion), dedicated law enforcement presence, street facing retail presence, driver's lounge (with possible restroom, lockers and break amenities), ADA compliant restrooms and maintenance closet along with 8 – 12 bus slips with sufficient parking with dark-sky lighting to accommodate the travelers and local community including but not limited to EV Charging stations and secure bicycle racks.
- Provide a clean and safe terminal for passengers arriving to/departing from/connecting through Albany. The Project design should consider a canopy to cover passengers boarding and deboarding their bus.
- Deliver the Project within a negotiated/contracted budget and on an accelerated schedule, leveraging the design-build delivery method.
- Ensure compliance with any and all relevant federal, state, and local legal requirements, including but not limited to ADA Compliance, NYS prevailing wage requirements, required MWBE contract percentages, NYS bidder responsibility requirements, local zoning, building codes, and any transportation-specific regulations.

1.2 Project Status: The location is currently owned and controlled by 106 South Pearl Street LLC, which is a single-member limited liability company of which the sole member is the Alliance.

1.3 Contractors Project Scope:

1. Architectural, engineering and functional design is the top priority for the Project.
2. Structural engineering and inspection.
3. Project presenting, review and approval by all governmental/regulatory authorities having jurisdiction over the Project.
4. Design and construct State-of-the-art architecturally significant transit facility.
5. Site work/landscaping.
6. Inviting streetscape and improved connectivity as this site is the South End gateway to the City of Albany.
7. Mobility Hub Evaluation and Auto Turn Analysis

8. Traffic control devices (if required).
9. All municipal approvals including Albany County Planning Department review/approval and utility and building permits
10. Traffic access management plan.
11. Right-of-way details.
12. Signage.
13. Utilities / Infrastructure (and all matters relating to National Grid, City of Albany water/sewer and any other relevant Project utilities/infrastructure such as fiber and power).
14. Assist with public involvement, engagement and overall communication with the public and all levels of governmental involvement.
15. Quality assurance and quality control.
16. Construction engineering and inspection.
17. Overall Project management.
18. Project closeout including inspections, occupancy certification, and warranty management.

The Alliance is seeking respondents (including any entities/individuals who are part of a respondent's team) with expertise in several key areas: 1) experience in creating conceptual drawings/renderings of project sites and public use projects. 2) incorporate value design and engineer practices, using low cost, low maintenance features; 3) design service experience with transit terminals; 4) preliminary cost estimates. 5) constructing the Project starting with the adaptive re-use of the existing structure.

1.4 Design Build - Incorporate Value Engineering and Design principles: The selected respondent team will be responsible for designing the site, structure, and structure systems, managing the entire design-build process which will include, but is not limited to:

- Site assessment and master plan for the 1.55 acre site, including any required geotechnical and environmental studies.
- Conceptual and detailed design, in collaboration with architects and engineers. Create architectural drawings / Rendering of the site in the final Project for submission to the appropriate Planning Board and Design Review Board.
- Recognize this Project will be under great scrutiny from our residential neighbors and local and NYS government officials so there will be an emphasis on the architecture and design worthy of our Capital City and the ability to complete the Project in a timely manner and within budget.
- Permitting and regulatory approvals.
- Manage and present, if necessary, at all municipal approval entities (and any other government entities with relevant jurisdiction or oversight) meetings throughout the Project approval, construction, and turnover process.

- Site preparation, construction, and installation of all Project systems (structural, MEP, security).
- Project closeout, including inspections, occupancy certification, and warranty management.

1.5 Design and Construction Considerations: Below is a partial list of considerations the Alliance would like addressed in the Design-Build RFP, as well as coordination with CDTA Leadership:

A creative, innovative approach is encouraged.

On-Site Intercity Bus Operations: Provide sufficient bus staging, layover, and maneuvering capacity to support current and projected intercity service levels without operational conflicts, as well as a comprehensive bus circulation and traffic analysis, including swept-path modeling for 45-foot and 60-foot CDTA coaches (102-inch width), queue management, and conflict resolution at Madison Avenue and South Pearl Street. Design shall address driver relief and rest procedures, safe pedestrian separation between drivers and passengers, and compliance with anti-idling regulations. Shore-power or equivalent electrification solutions shall be evaluated to reduce emissions, noise, and fuel consumption during dwell times, with provisions for future electrified coach fleets.

Seating and Queuing Capacity: Design passenger seating and queuing areas to accommodate peak-hour demand and special event surges, with clearly delineated boarding lanes for multiple carriers. Seating layouts shall balance comfort, visibility, and circulation while preventing congestion, maintaining ADA clearances, and allowing flexible reconfiguration as service patterns change.

Intracity Bus Integration (Off-Site Stops): Provide safe, intuitive, and fully ADA-compliant pedestrian connections between the terminal and nearby intracity bus stops, including the existing CDTA Madison Staging Area (operators only). Improvements may include curb ramps, tactile warnings, crosswalk enhancements, signal timing adjustments, and wayfinding. Covered or weather-protected pedestrian routes should be provided where it is feasible to improve user experience, safety and operational efficiency.

Pavement Design for Heavy Axle Loads: Design pavement systems to withstand frequent heavy axle loads and turning movements from intercity and transit buses. Pavement sections shall include subgrade improvements, reinforced concrete bus pads at high-stress locations, joint detailing to prevent faulting, and materials resistant to rutting, freeze-thaw cycles, and snow-removal damage.

Canopy Height & Building Envelope: Provide canopy and structural clearances adequate for all anticipated vehicle types, including taller coaches where applicable. Design shall consider ice shedding, snow drift, wind loading, lighting placement, and sightlines for drivers and security.

Stormwater & Deicing Management: Design drainage systems capable of managing runoff from bus operations. Systems shall include oil-water separation where appropriate and be coordinated with Spill Prevention, Control, and Countermeasure (SPCC) requirements and local and state environmental regulations.

Paratransit, Taxis, TNCs & Micromobility: Provide clearly designated, well-signed pick-up and drop-off zones for paratransit, taxis, transportation network companies (Uber/Lyft), and micromobility users. include short-term parking for passengers, visitors, employees, and service vehicles as appropriate, as well as safe and secure bicycle parking and bike-sharing accommodation (including CDPHP Cycle! and FLEX micromobility systems).

CDTA Operations: Coordinate closely with CDTA to determine optimal bus stop placement within or adjacent to the facility.

Baggage Handling: Provide dedicated baggage handling spaces, including storage rooms or lockers, scales, and staging areas that support efficient passenger processing while maintaining security and clear circulation paths.

Customer Service & Ticketing: Design accessible, technology-ready ticketing and customer service areas, including counters with compliant heights, hearing loops, public address integration, and space for a CDTA sales office–

Climate Control: Provide vestibules, air curtains, and HVAC zoning tailored to distinct functional areas (waiting, retail, staff, operations). Systems shall balance passenger comfort, energy efficiency, and resilience during extreme weather conditions.

Comprehensive ADA Compliance: Ensure full ADA compliance throughout the facility, including tactile and braille signage, detectable warnings, high-contrast and intuitive wayfinding, non-glare finishes, intelligible PA systems, and continuous accessible routes from curb to gate.

Security Technology: Provide an integrated security system, including comprehensive CCTV coverage, video analytics, emergency call stations, access control for staff-only areas, panic buttons, and duress alarms.

Law Enforcement Presence: Provide a dedicated space sized and configured to accommodate a future law enforcement or public safety presence. Space shall be designed for easy retrofit, with appropriate utility and security rough-ins.

Emergency Power: Provide generator or battery backup systems to support critical operations, including PA systems, lighting, access control, IT infrastructure, and egress signage. Systems shall be designed for cold-weather reliability and extended outage scenarios.

Evacuation & Severe Weather Protocols: Design and document evacuation, shelter-in-place, and continuity-of-operations strategies for snow emergencies including snow clearing procedures, heat advisories, and poor air quality events. Design shall support safe passenger holding and communication during service disruptions.

Janitorial & Waste Management: Provide adequate janitorial and waste management infrastructure, including trash compactors, recycling areas, pest management provisions and custodial storage rooms with mop sinks and secure chemical storage.

Sustainable Materials & Durability: Require a life-cycle cost analysis as a design deliverable. Materials shall be durable, low-maintenance, and resistant to heavy public use, including anti-graffiti coatings, impact-resistant finishes, and anti-riot/laminated safety glazing where appropriate.

Maintainability Review: Design shall prioritize long-term maintainability, including clear access to valves, filters, and panels; use of standardized components; protective finishes; and documentation supporting efficient operations and maintenance over the facility's life cycle.

- 1.6 Green Building Elements:** the Alliance desires to include all prudent Green Building Initiatives and sustainable energy generation.

2.0 Submittal Proposal Document: The submittal must include the following information:

- 2.1 Letter of introduction:** A letter of introduction signed by the principal(s) of the respondent firm indicating a willingness and capacity to commit appropriate time and resources to this Project.
- 2.2 Team Members:** List of all team members (i.e., architects, engineers, contractor(s), etc.), being proposed to work on this Project. For each member of respondent's team, include: (1) name of principal(s) or key associate(s) who will work on this Project; (2) primary contact information, including name, mailing addresses, e-mail addresses and telephone numbers for each team member. The inclusion of a résumé or curriculum vitae of each team member is preferred.
- 2.3 Design-Build Experience:** Provide three (3) projects utilizing this structure highlighting their success utilizing the "design-build" process.
- 2.4 Transportation Terminal Experience:** List and describe successfully completed transportation terminal projects or projects of similar size and scope previously undertaken by your firm and/or the proposed team members. The selected projects should demonstrate expertise in adaptive re-use development, state-of-the-art design concepts, sustainable and green design, integration of architecture with the natural environment, efficient and fiscally responsible design, and the ability to work with a broad range of end users and community partners to achieve an optimum product. Experience with transit and bus facilities is preferred.
- 2.5 Time Requirements:** Please provide an estimate of the time required, in weeks, to complete the Project as outlined.
- 2.6 References:** Please provide minimum of three (3) references from design-build projects (if possible, transportation-based projects) clients with whom the respondent has had relevant experience, including contact names, mailing and e-mail addresses, and telephone numbers.

- 2.7 Cost Portion of the Proposal:** Each proposal shall contain
- A guaranteed maximum price (GMP) for the Project based on the provided scope
 - A breakdown of costs by major Project phase (e.g., design, site work, construction).
 - Assumptions and exclusions, if any.

As noted below in section 4.0 (RFP Evaluation Criteria), cost is not the only RFP Evaluation Criteria (or the most heavily weighted).

3.0 RFP Proposal Guidelines; RFP Schedule

- 3.1 Format:** The format of the proposal should follow the outline above and should ensure that all requirements are met.
- 3.2 RFP Questions:** The designated point of contact for this RFP is Kevin Catalano (“Designated POC”). Any and all questions on the RFP or the Project shall sent in writing via email not later than 4pm, March 10, 2026 to the Designated POC at kcatalano@advancealbanycounty.com All questions submitted shall be answered and posted on the Alliance website for all respondents to view (no identify of questioners will be posted).
- 3.3 Submission of Proposals:** Five (5) copies of your proposal must be received by the Alliance not later than 4:00pm on March 20, 2026. Late submittals will not be accepted or considered; any late submittals will be rejected. Electronic submissions of proposals are acceptable and may be emailed to the address below.

Submit all materials to:

Kevin Catalano, Senior Vice-President
 Advance Albany County Alliance, LDC
 111 Washington Ave, Suite 100
 Albany NY 12210

E-mail: kcatalano@advancealbanycounty.com

- Each proposal submitted will be the document upon which the Alliance will make its final judgement regarding each proposer’s qualifications, methodology, and ability to provide the requested services.
- Those submitting proposals do so entirely at their own expense. There is no express or implied obligation by the Alliance to reimburse any entity, firm, or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the Alliance, or participating in any selection interviews.
- Submission of any proposal indicates an acceptance of the conditions contained in this RFP unless the submitted proposal clearly and specifically states otherwise.

- The Alliance reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, require supplemental statements or information from any respondent, negotiate potential contract terms with any respondent to this RFP, have discussions with any respondent to this RFP, to correct and/or clarify responses which do not conform to the instructions contained herein and to disregard all non-conforming, non-responsive or conditional proposals.
- The Alliance reserves the right to award the services, in whole or in part, to one or more entities, firms and/or individuals.
- Any RFP award shall be conditioned on the later execution of a formal written contract. The Alliance reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.
- All proposals, documentation and information submitted in response to this RFP are to be the sole property of the Alliance and shall be subject to the provisions of New York State Freedom of Information Statute (“FOIL”) which generally mandates the disclosure of documents in the possession of the Alliance upon the request of any person unless the contract of the document falls under a specific exemption to disclosure.. Reports and materials developed by the successful respondent under a contract that may result from this RFP are considered public information and may not be copyrighted.

3.4 RFP Schedule (subject to change; any party interested in potentially responding to this RFP should check the Alliance website daily for any updates to the below schedule as any schedule changes will be made publicly via the Alliance website at: AdvanceAlbanyCounty.com

RFP Issued:	February 27, 2026
Site Tour:	March 5, 2026 12:00PM – 3PM
Questions Due:	March 10, 2026 4:00PM
Proposals Due:	March 20, 2026 4:00PM
RFP Award:	April 3, 2026 (any RFP award is only tentative until a final contract has been fully executed by the Alliance and any potential RFP awardee)

4.0 RFP Evaluation Criteria: Proposals will be reviewed and scored against the following weighted RFP Evaluation Criteria:

RFP Evaluation Criteria	Weighting
Experience in the design and construction of a creative, innovative, and welcoming city gateway project will be the highest priority of the Alliance and therefore will weigh heavily in the scoring matrix. Proposals should include renderings, drawings, and/or concepts	25%
Ability of the respondent to successfully demonstrate a history of similar projects that meet the criteria noted in section 2.3 & 2.4 above.	15%
Ability to complete the Project in an expedited timeframe	25%
Quality of professional experience and background of individual Project team members	15%
Cost Estimate (note that cost is not the only evaluation criteria used in determining any potential award)	20%

- 5.0 Respondent Interviews/Oral Presentations (only if determined by the Alliance to be necessary in its sole discretion):** The Alliance may or may not choose to conduct oral presentations/interviews with one or more respondents. If oral presentations are conducted, such presentations are fact-finding and explanation sessions only and do not include negotiations. If the Alliance determines such presentations are necessary, the Alliance will schedule the time and location of these presentations/interviews.
- 6.0 Site Tours:** As access to the Project site is limited, the Alliance will conduct a walking tour of the site on March 5, 2026 at 12PM – 3PM. Any respondent wishing to attend this tour of the Project site shall email the Designated Point of Contact, Mr. Kevin Catalano at kcatalano@advancealbanycounty.com NLT March 4, 2026, 12PM with the names of the individuals attending and the entity such individuals represent.
- 7.0 Regulations, Licensing, and other Requirements:** Respondents, their staff, and subcontractors shall comply with all laws, ordinances, and regulations applicable to the Project and services contemplated herein, including those applicable to conflict of interest. Respondents are presumed to be familiar with all Federal, State, and Local laws, ordinances, codes, rules, and regulations that may affect the Project or services to be provided.

8.0 Equal Employment Opportunity; Participation by MBE, WBE and SDVOB Businesses: Respondents agree that there will not be discrimination as to age, religion, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence regarding employment, work, and services performed under the terms of any contract ensuing from this RFP. Minority Business Enterprises (MBE), Woman Business Enterprises (WBE) and New York State Service-Disabled Veteran-Owned Businesses (SDVOB) are to be afforded the maximum opportunity to participate in the Project.

9.0 Prevailing Wages: This Project shall be performed in accordance with Article 8 of the New York Labor, including the payment of Prevailing Wage Rates for the State of New York as specified in the relevant wage schedules issued by the NYS Department of Labor. The project is located within Albany County. The respondent awarded the RFP warrants to comply with all relevant legal requirements, including but limited to the required submission and retention of certified payroll records by awarded contractor and any of its subcontractors.

10.0 Insurance Requirements:

The awarded respondent and their co-applicants/contracted partners on the Project will be required to procure and maintain at their own expense insurance coverage for the below liabilities/amounts:

Workers' Compensation and Employers' Liability Insurance: Must show evidence of Workers' Compensation insurance at the statutory required amounts a policy or policies providing protection for employees in the event of job-related injuries.

Commercial General Liability (CGL): A policy or policies for comprehensive general liability insurance written on an occurrence basis with limits of not less than:

- \$4,000,000 GENERAL AGGREGATE LIMIT (OTHER THAN PRODUCTS-COMPLETED OPERATIONS)
- \$4,000,000 PRODUCTS-COMPLETED OPERATIONS AGGREGATE LIMIT
- \$2,000,000 PERSONAL AND ADVERTISING LIABILITY
- \$2,000,000 EACH OCCURRENCE LIMIT
- \$1,000,000 FIRE LEGAL LIABILITY
- \$10,000 MEDICAL EXPENSE LIMIT (EACH PERSON)
- \$1,000,000 EMPLOYEE BENEFIT LIABILITY

Errors and Omissions/Professional Liability Insurance: A policy or policies of errors and omissions insurance with limits of not less than one million dollars per occurrence (\$1,000,000).

Automobile Liability Insurance: A policy or policies of comprehensive automobile liability insurance with limits of not less than \$1,000,000 for each accident because of bodily injury, sickness, or disease, including death at any time, resulting therefrom, sustained by any person caused by accident; and a policy or policies with limits for not less than \$1,000,000 for damage because of injury to the destruction of the including the loss of use thereof caused by accident and arising out of the ownership, maintenance, or use of any automobiles, including owned, non-owned, and hired.

Excess/Umbrella Insurance: A policy of policies of insurance with limits no less than which shall apply to both the CGL and Automobile Liability coverages:

- \$5,000,000 PER OCCURRENCE
- \$5,000,000 ANNUAL AGGREGATE

Each policy of insurance required shall be in form and content satisfactory to the Alliance, and shall provide that:

- 106 South Pearl Street LLC and Advance Albany County Alliance Local Development Corporation shall be named as certificate holders and additional insureds on a primary and non-contributing basis. An ACORD document evidencing such coverage shall be provided prior to Project commencement.
- The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the Alliance.

No work shall be commenced under the contract until the selected proposer has delivered to the Advance Albany County Alliance proof of issuance of all policies of insurance required by the Contract to be procured by the selected proposer. If at any time, any of said policies shall be or become unsatisfactory to the Alliance, the selected proposer shall promptly obtain a new policy and submit proof of insurance of the same to the Alliance for approval. Upon failure of the selected proposer to furnish, deliver and maintain such insurance as above provided, this Contract may, at the election of the Alliance, be forthwith declared suspended, discontinued or terminated. Failure of the selected proposer to procure and maintain any required insurance shall not relieve the selected proposer from any liability under the Contract, nor shall the insurance requirements be constructed to conflict with the obligations of the selected proposer concerning indemnification.

Said insurance must be issued by an insurer licensed to do business in the State of New York and must have an A.M. best rating of not less than "A".

11.0 Indemnification: The contract awarding any and all work from this RFP shall provide that each and every contractor (as used in this paragraph the term "contractor" shall include any and all subcontractors) shall defend, indemnify, and save harmless 106 South Pearl Street LLC, Advance Albany County Alliance Local Development Corporation, their agents, officers, directors, employees and subcontractors, from and against any and all liability, loss, or other claim for damages for death, bodily injury, or property damage, or of any other kind of nature, related to or arising out of the performance of the work by the contractor or any agent, servant, employee, subcontractor, or supplier of the contractor, or of any failure to perform the work, or arising in any way as a result of the contractor's activities or omissions related to the Project all to the fullest extent allowed by law.

12.0 Non-Collusive Proposal Certificate and Acknowledgement: Each proposer shall complete and submit with its, his, or her proposal the "Non-Collusive Proposal Certificate" and the "Acknowledgment" included with this RFP at Exhibit A.

- 13.0 Bidder Responsibility and New York State Finance Law §§139-j And 139-k:** Pursuant to State Finance Law §§139-j and 139-k, this request for proposals (“RFP”) includes and imposes certain restrictions on communication between the Alliance (also referred to as the “Authority”) and a respondent during the procurement process. A respondent is restricted from making contacts from the earliest notice of intent to solicit offers (in this instance, the release of this RFP) through final award and approval of the resultant contract by the Authority (“restricted period”) to other than designated individuals unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a).

Note that only email questions/inquiries are allowed. The designated individual for this RFP is Clayton Besch of the Alliance at cbesch@advancealbanycounty.com.

Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Respondent pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a 4-year period, the Respondent is debarred from obtaining governmental Procurement Contracts. Additionally, the above law requires certain affirmations to be provided to the Authority by respondents and that certain provisions be contained within any contract/award resulting from this RFP. Specifically, the following forms/information are provided at Exhibits B-1, B-2, B-3:

1. The Authority must obtain from all Respondents the required affirmation (“**Compliance with NYS Finance Law §139-j**”) of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible Contacts in the restricted period for a procurement contract in accordance with State Finance Law §§139-j and 139-k. The affirmation is provided with this RFP and must be completed and returned to the Authority when submitting a bid.
2. The Authority must include a disclosure request (“**Offeror Disclosure of Prior Non-Responsibility Determinations**”) regarding prior non-responsibility determination in accordance with State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts. The required form is provided with this RFP and is to be completed and returned to the Authority when submitting a bid.
3. The Authority must obtain from all Respondents a required certification (“**Respondent Certification**”) that the information is complete, true and accurate regarding any prior findings of non-responsibility, such as non-responsibility pursuant to State Finance Law §139-j. The Respondent must agree to the certification and provide it to the procuring Government Entity. This certification is provided with this RFP and must be completed and returned to the Authority when submitting a bid.
4. New York State 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 the Authority to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. An example of such language is provided below:

The Authority reserves the right to terminate this contract in the event it is found that the certification filed by the Respondent in accordance with New York State Law §139-k was intentionally false or intentionally incomplete. Upon such findings, the Authority may exercise its termination right by providing written notification to the Respondent in accordance with the written notification terms of this contract.

EXHIBIT A

NON-COLLUSION PROPOSAL CERTIFICATE
PURSUANT TO NEW YORK STATE PUBLIC AUTHORITY LAW § 2878

By submission of this bid, each respondent and each person signing on behalf of any respondent 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 knowledge and belief:

(1) The prices in the 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 proposer 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 proposer and will not knowingly be disclosed by the proposer prior to the opening, directly or indirectly, to any other proposer or to any competitor; and

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

(date)

(signature)

(printed name and title)

(name of firm)

STATE OF _____)
COUNTY OF _____) SS:

On the __ day of _____, 2025, before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to this document and acknowledged to me that he/she executed the same in his/her capacity and that by his/her signature, the individual or the person/entity upon behalf of which the individual acted, executed this document.

Notary Public

EXHIBIT B-1

Compliance with NYS Finance Law §139-j

Offeror affirms that it understands and agrees to comply with the procedures of the Alliance relative to permissible Contacts as required by State Finance Law §139-j.

By: _____ Date: _____
Signature

Name: _____

Title: _____

Contractor Name: _____

EXHIBIT B-2

Offeror 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: _____

Date: _____

A. 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

B. If yes, please answer the following questions: Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j? (Please circle):

No Yes

C. 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

D. If you answered yes to questions A thru C, 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)

E. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):

No Yes

F. If yes, please provide details below.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

(Add additional pages as necessary)

EXHIBIT B-3

Respondent Certification

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

By: _____
Signature

Date: _____

Name: _____

Title: _____

Respondent Name: _____

RFP Attachments

1. Phase 1 Environmental Site Assessment completed by PS Property Solutions, Inc. Dated May 1, 2024
2. Building Footprint

Utilities to the Property (Bidder should confirm):

600-amp, 208 V/3-Phase electrical Service

National Grid Gas service

City of Albany - Department of Water

Possible subsurface grease trap from former McDonalds located on the site

PS PROPERTY SOLUTIONS, INC.

ASTM E1527-21 PHASE I ENVIRONMENTAL SITE ASSESSMENT

**Parcel No. 76.11-1-4
106 South Pearl St.
Albany, NY 12207**

PREPARED FOR:

**Mr. Kevin Catalano
Senior Vice-President & Director of Commercial Lending
Advance Albany County Alliance, LDC
111 Washington Ave, Suite 100
Albany, NY 12207**

PREPARED BY:

PS PROPERTY SOLUTIONS, INC.

**Paul M. Shannon
Environmental Professional / President
10 Catherine Street
Hudson Falls, NY 12839
518-932-9121 / 518-223-0458**

May 1, 2024

10 Catherine Street
Hudson Falls, NY 12839
Ph: (518) 223-0458
Cell: (518) 932-9121
pspropertiesolutions@albany.twcbc.com
paulmshannon@yahoo.com

EXECUTIVE SUMMARY

PS Property Solutions, Inc. (Property Solutions) performed a Phase I Environmental Site Assessment (ESA) in conformance with the scope and limitations of ASTM International's E1527-21: *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* of parcel no. 76.11-1-4, 106 South Pearl St., City of Albany, Albany County, New York (the subject Property). The purpose of this Phase I ESA was to provide an environmental liability assessment that identifies the presence of potential environmental concerns (i.e., *recognized environmental conditions [RECs]*) in connection with the subject Property. Although this Executive Summary provides a summary of this Phase I ESA, it is recommended that the entire document be thoroughly read and reviewed.

- The subject of this assessment is one (1) parcel, totaling approximately 3.65 acres and located on the northeastern side of the intersection of South Pearl St. and Madison Ave. in a historically commercialized/urbanized area in City of Albany, NY. The subject Property is improved by an approximately 3,148 square-foot, inactive, one (1)-story, slab-on-grade supermarket. The building contained features, items, amenities, and areas that appeared to be typical of an inactive supermarket.
- The exterior areas of the Property generally consisted of a paved parking lot and drive-through area. Electrical service, a natural gas meter, and a suspected sewer vent were noted along the southeastern exterior side of the building. Catch basins, for the collection of surface runoff, were noted throughout the parking lot area. Decorative landscaping surrounded areas of the perimeter of the building.
- The subject Property is located in a historically urbanized area in City of Albany, NY. Based on the observations during the walkover, there were no sites adjoining the subject Property that would appear to present a significant environmental concern based solely on their present observed uses. It should be noted that a steep, easterly-downward slope is present to the west of the subject Property (i.e., the subject Property is situated at the base of a large hill and may be located hydraulically downgradient of many sites). The Hudson River is located around 1,100 feet to the east of the subject Property.
- The results of the historical research suggest that the current subject Property building appears to have been built around 1994 and was used as a fast food restaurant, followed by a supermarket, since that time. The subject Property is suspected to have been vacant from around the 1960s until around 1994. Prior to the 1960s, the subject Property was covered by a large amount of buildings, mainly consisting of rowhouse-type structures. These uses included, but were not limited to, retail stores, apartments, restaurants, residences, bakery, office space, a printing company, dentist/doctor's offices, a welding company, and a possible chemical storage warehouse. A possible dry cleaning business was identified at 105 Madison Ave. (suspected to have formerly been located at the subject Property) in at least 1956 and 1961. However, this listing was not identified under the "Cleaner and dyers" section of the directories during those years. A past possible dry cleaner was identified across Madison Ave. to the west, at the intersection of Madison Ave. and South Pearl St. (i.e., 121 South Pearl St.) The past printing company use at the subject Property is not considered a significant environmental concern due to the past assumed connection of the sites to municipal sewer services. Surrounding sites appear to have mainly consisted of row house-type buildings over time. The subject Property has been located in a historically urbanized area over time.
- Property Solutions identified one (1) data gap during the performance of this Phase I ESA (lack of an interview with the subject Property's most recent former owner). It is Property Solutions' opinion that this data gap is not significant and does not warrant further inquiry and/or investigation.

CONCLUSIONS

Property Solutions performed a Phase I ESA (in conformance with the scope and limitations of ASTM Practice E1527-21) of the subject Property known as parcel no. 76.11-1-4, 106 South Pearl St., City of Albany, Albany County, New York. Any exceptions to, or deletions from, the ASTM E1527-21 are described in **Appendix A** of this report.

This assessment has identified no *controlled recognized environmental conditions*, *historical recognized environmental conditions*, or *significant data gaps* in connection with the subject Property.

This assessment has identified the following *REC* for the subject Property:

- During the federal and New York State environmental/regulatory public records databases review, the intersection of South Pearl St. and Madison Ave., which adjoins the subject Property to the southwest, was identified twice as a "Closed" New York State Department of Environmental Conservation (NYSDEC)-reported Spill site during the federal and New York State environmental/regulatory public records databases review. A Freedom of Information Law (FOIL) review was performed for these two (2) NYSDEC-reported Spill Numbers. Both of these Spills appear to have been reported to the NYSDEC due to #2 heating oil petroleum contamination found in the Madison Ave. Right-of-Way (ROW) across the street along the southwestern side of the subject Property in two (2) of four (4) soil borings advanced in this area in June 1997 for New York State Department of Transportation (NYSDOT) municipal water line work. The petroleum contamination was estimated to extend from around six (6) feet below grade (fbg) to 16 fbg. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Meets Standards" by the NYSDEC in July 1998. Petroleum contamination was also found in 1998 in the approximate same area by the NYSDOT during continued excavation work for the municipal water line. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Does Not Meet Standards" by the NYSDEC in February 1999. The designation of this Closed Spill as "Does Not Meet Standards" by the NYSDEC suggests that petroleum contamination above applicable NYSDEC Soil Cleanup Objectives (SCO) remained at the Spill area as of the date of this Spill Closure by the NYSDEC. It is assumed that the remedial excavation activities were limited to the municipal water line work area in the ROW along Madison Ave. at the subject Property. Based on the proximity of the contaminated soil borings to the subject Property, it is assumed that the petroleum contamination identified in the ROW area in 1997 and 1998 extends on to the subject Property. Due to this, it is Property Solutions' opinion that the subject Property is also assumed to be impacted at around the same depth (i.e., starting around six [6] feet below grade). As such, it is Property Solutions' opinion that this contamination could be encountered in the future during redevelopment at the Property (e.g., excavation for building footings). This could incur associated management costs for the subject Property owner (if applicable). Surrounding and/or adjoining federal and New York State-listed sites were identified during this review. These include, but are not limited to, 196 Spills/releases have been reported to the NYSDEC in the past within less than about 0.25 miles from the subject Property (albeit the majority have been "Closed" by the NYSDEC). Due to this, adversely-impacted soil, groundwater, and/or vapors, may be at, or in the vicinity of, the subject Property. It is Property Solutions' opinion that this can be typical of such a historically urbanized area. Petroleum contamination has been documented adjoining (but for Madison Ave.) the subject Property in the past. As such, it is possible that there could be the potential for a vapor encroachment condition (VEC) at the subject Property. This opinion of probable historical contamination at the subject Property is considered a *REC*.

OPINION

The ASTM Standard E1527-21 (Standard Practice for Phase I ESAs) defines *recognized environmental conditions* as “*the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment*”.

Property Solutions has performed an ASTM E1527-21 Phase I ESA for the subject Property. Based on the information contained within this report, it is Property Solutions' opinion that no additional inquiry and/or investigation is warranted at this time. However, since the subsurface at the subject Property is presumed to be affected by historical petroleum impacts (suspected to be mainly due to the historically urbanized nature of the surrounding area), a sub-slab depressurization system, vapor barrier(s), and/or similar vapors mitigation system should be installed for any new construction at the subject Property as a preventative measure.

ASTM E1527-21 PHASE I ENVIRONMENTAL SITE ASSESSMENT

**Parcel No. 76.11-1-4
106 South Pearl St.
Albany, NY 12207**

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Appendices

- Appendix A: Scope and Limitations
- Appendix B: Figures
- Appendix C: ASTM E1527-21 *User Questionnaire*
- Appendix D: Photographic Log
- Appendix E: Environmental Risk Information Services, Inc. Report
- Appendix F: Freedom of Information Law Documents
- Appendix G: Professional Resume

ASTM E1527-21 PHASE I ENVIRONMENTAL SITE ASSESSMENT

**Parcel No. 76.11-1-4
106 South Pearl St.
Albany, NY 12207**

1.0 INTRODUCTION

This work was performed by Property Solutions, on behalf of Advance Albany County Alliance, LDC. The scope of work consisted of a Phase I ESA of the above referenced site (the subject Property). The Phase I ESA included, but may not have been limited to, a physical walkover of the subject Property, interview(s) with current and/or former owners (when available), research at municipal offices, a review of historical records, and a search of federal and New York State environmental and regulatory records databases information. The purpose of this Phase I ESA is to provide an environmental liability assessment that identifies the presence of potential environmental concerns (i.e., *recognized environmental conditions [RECs]*) in connection with the subject Property. The Phase I ESA was performed using the guidance provided in the ASTM E1527-21 - *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*, along with the Environmental Protection Agency's (EPA) AAI rule. The ASTM E1527-21 standard practice has been established to allow a lender or property owner to satisfy one of the requirements necessary to qualify for the *innocent landowner defense*, *contiguous property owner defense*, or the *bona fide prospective purchaser* limitations for liability under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). A detailed description of the scope of work and limiting conditions is outlined in Appendix A.

1.1 Location and Legal Description of the Subject Property

The subject of this assessment is one (1) parcel, located on the northeastern side of the intersection of South Pearl St. and Madison Ave. in an urbanized area in City of Albany, NY (Appendix B – **Figure 1**, **Figure 2**, and **Figure 3**). Some of the details for the subject Property, as gleaned from Albany County, NY online assessment database, are shown in **Table 1** (below). The subject Property is shown on this source as owned by AACC Holdings, LLC.

**TABLE 1
LIMITED DETAILS - SUBJECT PROPERTY**

PARCEL #	ADDRESS	PROPERTY CLASS / SITE USES	BUILDING SIZE (Sq. Ft. +/-)	LOT SIZE (ACRES +/-)
76.11-1-4	106 South Pearl St.	454-Supermarket / Fast Food	3,148	3.65 acres

2.0 SUBJECT PROPERTY WALKOVER

Paul M. Shannon of Property Solutions conducted the subject Property walkover on April 4, 2024. Mr. James Cornwell, owner representative for the subject Property, was interviewed during the walkover and accompanied Property Solutions on the same. The ASTM E1527-21 *User Questionnaire* was also completed (**Appendix C**). Reconnaissance of the subject Property's vicinity and surrounding areas, and municipal / historical research were also performed on April 4, 2024. A photographic log summary of the walkover of the subject Property is provided in **Appendix D**.

The subject Property (Appendix B - **Figure 4**) is improved by an one (1)-story, slab-on-grade, concrete block, inactive supermarket (Appendix D - Photographs 1 and 2). The building contained features, items, amenities, and areas that appeared to be typical of an inactive supermarket (Appendix D - Photographs 3 through 13). These included, but were not limited to, shelving for food items, counter area, kitchen, dry storage, walk-in cooler, restroom, janitorial room, and storage/debris items. A utility room was also observed (containing such features as a hot water heater, municipal water meter, storage items, electrical panels, sinks, and sprinkler system piping). The walk-in cooler also contained storage and/or debris items. Standing water was observed inside the building.

The exterior areas of the Property generally consisted of a paved parking lot and drive-through driveway area (Appendix D - Photographs 14 through 21). Electrical services, a natural gas meter, and a suspected sewer vent were noted along the southeastern exterior side of the building. Catch basins, for the collection of surface runoff, were noted throughout the parking lot area. Decorative landscaping and/or greenspace surrounded areas of the perimeter of the building.

2.1 Current Use of Adjoining Properties

The subject Property is located in a mixed residential/commercial, urbanized area in the City of Albany, NY. The Property is adjoined by residences/apartments, a vacant lot, storefronts, and similar instances to the west, across South Pearl St. An elevated highway (S. Mall Arterial) borders the Property's northern/eastern side. Farther north/east, beyond this elevated highway are parking lots and office space. Madison Ave. adjoins the Property's southern side. Farther to the south, beyond this street, are row houses/apartments, along with office space. Based on observations during the walkover, there were no adjoining sites that appear to pose a potential environmental concern with regard to the subject Property based solely on their current observed uses.

2.2 Utilities

According to Albany County, NY municipal information, municipal water, sewer services, underground electric, and natural gas services are connected to the subject Property building. It should be noted that a heating oil tank may have been in use at the Property in the past, due to its lengthy period of development (to be discussed). If the tank (if applicable) was underground in nature, it would be considered a potential environmental concern. Underground electrical services are connected to the subject Property building.

2.3 Storage Tanks

No petroleum bulk storage tanks were observed on the subject Property during the walkover. One (1) aboveground storage tank for used cooking oil (Appendix D – Photograph 22) was observed behind the building on the subject Property during the walkover.

2.4 Hazardous Substances or Other Petroleum Products

No suspected hazardous materials and/or other suspected petroleum products were observed on the subject Property during the walkover.

2.5 Drains or Sumps

Federal regulation bans motor vehicle waste disposal wells throughout the United States. These wells require closure because they pose a threat to drinking water resources. The EPA's regulations consider "dry wells" or similar subsurface disposal structures to be

Class V Injection Wells. Where motor vehicle maintenance is done, EPA considers these facilities to be out of compliance and potential sources of drinking water contamination. These injection wells are no longer authorized and must be capped, sampled, and the underlying soils and/or groundwater remediated when necessary.

Floor drains were observed inside the building on the subject Property during the walkover. These were limited to such areas as the kitchen, restrooms, and/or similar instances. These drains are for accepting water and are assumed to be connected to the municipal sewer system. They are not considered a significant environmental concern.

2.6 Polychlorinated Biphenyls (PCBs)

Certain hydraulic oils (e.g., hydraulic lifts), electrical equipment (e.g., transformers or capacitors), fluorescent light ballasts, and/or similar units manufactured prior to 1979 have the potential to contain PCBs or PCB-containing oils and/or dielectric fluids. EPA regulations generally banned manufacturing of PCBs within the United States in 1979. No suspected PCB-containing equipment or apparatus were observed on the subject Property during the walkover. Pole-mounted transformers were observed in the vicinity of the subject Property, on nearby and/or adjoining street(s). These pole-mounted transformers are assumed to be owned by the local power company. As such, any spills from these units would likely be the local power company's responsibility.

2.7 Asbestos Containing Materials (ACM)

No suspected ACM was observed on the subject Property during the walkover. Additionally, based on the age of the subject Property building (1994), the presence of ACM in the same is considered unlikely.

2.8 Lead Based Paint (LBP)

No suspected LBP was observed on the subject Property during the walkover. Additionally, based on the age of the subject Property building (1994), the presence of LBP in the same is considered unlikely.

2.9 Interviews

Mr. James Cornwell, owner representative for the subject Property, was interviewed during the walkover and accompanied Property Solutions on the same. The most recent former owner of the subject Property was interviewed during the course of this Phase I ESA. However, this is not considered a significant environmental concern, as the subject Property appears to have been used as a store and restaurant during that time.

2.10 Non-ASTM Considerations

Property Solutions did not investigate non-ASTM details (refer to Appendix A) regarding the subject Property except for that which is listed in this Phase I ESA report (e.g., NYSDEC-reported spills, limited ACM, limited LBP).

2.11 Environmental Liens

Property Solutions did not identify any specific environmental liens against the Subject Property via Albany County, NY Clerk online source(s). Further, it was indicated on the *User Questionnaire* that there were not any known environmental liens encumbering the Subject Property (Appendix C).

2.12 Relationship of Purchase Price to Fair Market Value

It is Property Solutions' understanding that the future sale price for the subject Property approximately reflects fair market value (Appendix C). However, this was not confirmed.

2.13 Activity and Use Limitations (AULs)

Property Solutions did not identify AULs (i.e., engineering controls and/or institutional controls) in effect at the subject Property via Albany County, NY Clerk online source(s). This was also supported by completion of the *User Questionnaire* (Appendix C).

3.0 HISTORICAL RESEARCH

Based on a review of the Albany County, NY online assessment database, the subject Property building was built in 1994. Permits / Improvements for the subject Property are listed in **Table 2** (below).

**TABLE 2
 PERMITS / IMPROVEMENTS - PARCEL NO. 76.11-1-14**

YEAR	PERMITS / IMPROVEMENTS	SQUARE FEET (+/-)
1994	Cold stor. rm.	504
1994	Cold stor. rm.	112
1994	Fldlt.-mercry.	250
1994	Strlt.-mercry.	20
1994	Pavng.-asphlt.	120,000

Historical topographic maps covering the subject Property and dated 1893, 1900, 1915, 1930, 1947, 1950, 1965, 1981 and, 2000 was performed via the United States Geological Survey (USGS) online, and/or via HistoricAerials.com. The historical topographic maps dated 1893, 1900, 1915, 1930, 1940, 1950, and 1965 appear to show the subject Property as developed. The historical topographic map dated 1981 appears to depict the Property as undeveloped. A typical topographic map (1947) reviewed as part of this Phase I ESA for the subject Property is attached as **Figure 5** (Appendix B).

A review of historical aerial photographs covering the subject Property and dated 1940, 1952, 1961, 1969, 1985, 1996, 2001, 2007, 2014, and 2017 was performed via the New York State online GIS Clearinghouse, Albany County GIS, the Albany County, NY Soil and Water Conservation District, and/or additional online source(s). The 1940, 1952, and 1961 historical aerial photographs appear to show the subject Property developed with suspected rowhouse-type buildings. The 1969 and 1985 historical aerial photographs appear to depict the subject Property as vacant land. The 1996 historical aerial photograph appears to show the current building, possibly under construction. The 2001, 2007, 2014, and, 2021 historical aerial photographs appear to depict the subject Property as similar to current conditions. The 1940, 1952, 1961, 1969, 1985, 1996, 2001, 2007, and 2014 historical aerial photographs are attached as **Figure 6** through **Figure 14**, respectively (Appendix B). The historical aerial photograph (2021) reviewed as part of this Phase I ESA is attached as Figure 3 (Appendix B). Surrounding sites appear to consist of retail site, apartments, and/or residences over time. The subject Property has been located in a historically urbanized area over time.

A limited local street directory review for the subject Property was performed at the Troy, NY Public Library, NY (**Tables 3** through **Table 5**). It should be noted that some of the listings may

have been inferred and/or estimated, based on suspected location, lack of address number, or similar instance. Limited volumes covering Albany, NY were identified for review. The subject Property is suspected to have previously been known as at least 106, 108 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, and 136 South Pearl St.; 87, 89, 91, 93, 95, 97, 101, 103, 105, 107, and 109 Madison Ave.; and, 13, 15, 17, and 19 Mosher St. (based on the historical Fire Insurance Map review). As such, these addresses were included in this review. As shown in Table 4, a possible dry cleaning business was identified at 105 Madison Ave. in at least 1956 and 1961. However, this listing was not identified under the "Cleaner and dyers" section of the directories during those years. A past possible dry cleaner was identified across Madison Ave. to the west, at the intersection of Madison Ave. and South Pearl St. Also as shown in Table 4, a suspected printing company was identified at 95 Madison Ave. in at least 1936, 1941, 1946, and 1951. However, the past printing company use is not considered a significant environmental concern due to the past assumed connection of the sites to municipal sewer services. A suspected past dry cleaning business was also identified at 121 South Pearl St. in at least the 1950s. This site adjoins (but for South Pearl St.) the subject Property to the west.

TABLE 3
LOCAL STREET DIRECTORY LISTINGS –
106/108/110/112/114/116/118/120/122/124/126/128/130/132/134/136 SOUTH PEARL ST.

YEAR(S)	OCCUPANT(S) OF SUBJECT PROPERTY
2020, 2017, 2012	106 S. Pearl St. - McDonald's
1993, 1988, 1985, 1981, 1976, 1971, 1966	106 S. Pearl St. – Subject Property address covered, but not listed 108 S. Pearl St. – Subject Property address covered, but not listed 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Subject Property address covered, but not listed 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – Subject Property address covered, but not listed 120 S. Pearl St. – Subject Property address covered, but not listed 122 S. Pearl St. – Subject Property address covered, but not listed 124 S. Pearl St. – Subject Property address covered, but not listed 126 S. Pearl St. – Subject Property address covered, but not listed 128 S. Pearl St. – Subject Property address covered, but not listed 130 S. Pearl St. – Subject Property address covered, but not listed 132 S. Pearl St. – Subject Property address covered, but not listed 134 S. Pearl St. – Subject Property address covered, but not listed 136 S. Pearl St. – Subject Property address covered, but not listed
1961	106 S. Pearl St. – Morris Men's and Boy's Shop, Sam Brower (Dentist) 108 S. Pearl St. – Swartz Hertzman (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – J. Wade, L. Brandon 120 S. Pearl St. – Leonard's House (furnishing goods) 122 S. Pearl St. – Rose Curtain Shop 124 S. Pearl St. – Ramax Paint Co., M. Glass, I. Brown

	<p>126 S. Pearl St. – Landau's Corset Shoppe, J. Turner, D. Horne 128 S. Pearl St. – E. Hughes, B. Saguski 130 S. Pearl St. – The Paris Co. (women's clothing) 132 S. Pearl St. – Rocky's Bar & Restaurant 134 S. Pearl St. – Velvet Paint Corp. 136 S. Pearl St. – Royal Suit & Cloak Co. (dresses)</p>
1956	<p>106 S. Pearl St. – Solomon's Men's Shop (men's and boys' clothing), Sam Brower (Dentist), Albany Window Cleaning 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – L. Brandon 120 S. Pearl St. – Leonard's House (furnishing goods) 122 S. Pearl St. – Subject Property address covered, but not listed 124 S. Pearl St. – Ramax Paint Co., M. Glass, A. Ewell, S. Pearson, I. Brown 126 S. Pearl St. – Landau's Corset Shoppe, H. Gonya, F. DeNucci 128 S. Pearl St. – E. Hughes 130 S. Pearl St. – The Paris Co. (ready-to-wear) 132 S. Pearl St. – Subject Property address covered, but not listed 134 S. Pearl St. – Subject Property address covered, but not listed 136 S. Pearl St. – Royal Suit & Cloak Co. (dresses)</p>
1951	<p>106 S. Pearl St. – Solomon's Men's Shop (men's and boys' clothing), S. Brower (Dentist), Albany Window Cleaning 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – F. Elston, W. Crawford 120 S. Pearl St. – Leonard's House, M. Gordon (atty.), E. Harris, J. Walton 122 S. Pearl St. – Subject Property address covered, but not listed 124 S. Pearl St. – Ramax Paint Co., A. Ewell, I. Brown, M. Glass, S. Pearson 126 S. Pearl St. – Landau's Corset Shoppe, E. Hirsch, A. Tallman 128 S. Pearl St. – E. Hughes 130 S. Pearl St. – The Paris Co. (ready-to-wear) 132 S. Pearl St. – Albany Spaghetti House (restaurant) 134 S. Pearl St. – Pirie Mme Corset Shop 136 S. Pearl St. – Royal Suit & Cloak Co. (dresses)</p>
1946	<p>106 S. Pearl St. – A. Solomon (clothing), Sam Brower (Dentist) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – Diamanets Importing Co. 120 S. Pearl St. – Leonard's (house furnishing goods), M. Gordon (lawyer), H. Eleazer, J. Walton 122 S. Pearl St. – Subject Property address covered, but not listed</p>

	<p>124 S. Pearl St. – Ramax Paint Co., A. Ewell, I. Brown, M. Glass, S. Pearson 126 S. Pearl St. – M. Landau Corset Shoppe, E. Hirsch, A. Tallman 128 S. Pearl St. – E. Hughes 130 S. Pearl St. – The Paris Co. (ready-to-wear) 132 S. Pearl St. – Albany Spaghetti House (restaurant) 134 S. Pearl St. – Pirie Mme Corset Shop 136 S. Pearl St. – Royal Suit & Cloak Co. (dresses)</p>
1941	<p>106 S. Pearl St. – A. Solomon (clothing), Sam Brower (Dentist) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture 114 S. Pearl St. – Subject Property address covered, but not listed 116 S. Pearl St. – Subject Property address covered, but not listed 118 S. Pearl St. – Working Men's Dry Goods, Store (men's furring's), P. Egner, F. Pritchard, R. Schaffer 120 S. Pearl St. – Baby Furniture Co. 122 S. Pearl St. – Regent Cut Rate (variety) 124 S. Pearl St. – I. Silverman (paints), L. Dixon, B. Glass 126 S. Pearl St. – M. Landau Corset Shoppe, E. Harrington, A. Williams 128 S. Pearl St. – Red & Blue Club (liquors) 130 S. Pearl St. – The Paris (dresses) 132 S. Pearl St. – A. Rubin (jeweler) 134 S. Pearl St. – Kay Vacuum Store 136 S. Pearl St. – Royal Suit & Cloak Co. (dresses)</p>
1936	<p>106 S. Pearl St. – Solomon Abr. Clothing, Sam Brower (Dentist) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Vacant 116 S. Pearl St. – Vacant 118 S. Pearl St. – Workingmen's Dry Goods Store (men's furring's) 120 S. Pearl St. – M. Gordon (beauty shop) 122 S. Pearl St. – Regent Theatre 124 S. Pearl St. – Palmer's Women's Wear, C. London 126 S. Pearl St. – J. Sherman (men's clothing), L. Brown, A. Williams 128 S. Pearl St. – Ben Franklin Store (dept. store) 130 S. Pearl St. – R. Furie (shoes) 132 S. Pearl St. – M. Landau Corset Shoppe 134 S. Pearl St. – J. McCann, E. Potvin, K. Swartz 136 S. Pearl St. – Hannay's Clothiers</p>
1931	<p>106 S. Pearl St. – Bender's Clothes Shop (men's clothing) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Standard Furniture Co. 116 S. Pearl St. – Standard Furniture Co. 118 S. Pearl St. – Smuskler Alexander & Son (shoes), H. Drumm, H. Gleason 120 S. Pearl St. – Toporista Importing Co. (grocers), M Gordon (beauty shop), S, Bass Delicatessen 122 S. Pearl St. – Regent Theatre</p>

	124 S. Pearl St. – Fink's Men's Shop, M Hayes, C. London 126 S. Pearl St. – J. Sherman (men's clothing), I. Link (hairdresser), A. Williams 128 S. Pearl St. – Phillips Hardware 130 S. Pearl St. – Vacant 132 S. Pearl St. – Subject Property address covered, but not listed 134 S. Pearl St. – E. Darwick (dentist) 136 S. Pearl St. – Hannay's Clothiers
1926	106 S. Pearl St. – Goldberg Harry Dentist, John J. Plotke (men's furnishings) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Standard Furniture Co. 114 S. Pearl St. – Brown Eazzey Shoes 116 S. Pearl St. – Solomon Samuel (dry goods), R. Mittler, S. Solomon 118 S. Pearl St. – James P. Cummings (shoes and real estate) 120 S. Pearl St. – E. Bennett (dry goods), 122 S. Pearl St. – Regent Theatre, M. Fisher, W. Pricci 124 S. Pearl St. – Fitwell Clothing Co., J. Cunningham, E. Harrington 126 S. Pearl St. – J. Sherman (men's clothing), H. Oliver, H. George 128 S. Pearl St. – A. Phillips (locksmith) 130 S. Pearl St. – D. Brown Shoe Co. 132 S. Pearl St. – Subject Property address covered, but not listed 134 S. Pearl St. – H. Gray, A. Rose 136 S. Pearl St. – W. Hannay (clothing), E. Peterson
1921	106 S. Pearl St. – Sherman and Spector (Clothing) 108 S. Pearl St. – Swartz & Levison (shoes) 110 S. Pearl St. – Subject Property address covered, but not listed 112 S. Pearl St. – Fred W. Eberle Agricultural Implements 114 S. Pearl St. – Brown Eazzey (shoes) 116 S. Pearl St. – Vacant, E. Collins, R. Mittler 118 S. Pearl St. – James P. Cummings shoes, N. Hagner, J. Serafino 120 S. Pearl St. – Antlook Cloghin Co., H. Cohn, P. Martin 122 S. Pearl St. – Regent Theatre, J. Socca. W. Quinn 124 S. Pearl St. – Fitwell Clothing Co., E. Phillips 126 S. Pearl St. – J. Sherman (men's clothing), J. O' Hare 128 S. Pearl St. – A. Phillips (locksmith), R. Morgan 130 S. Pearl St. – D. Brown Shoe Co. 132 S. Pearl St. – Subject Property address covered, but not listed 134 S. Pearl St. – J. Costello, H. Kerr, F. Matto, R. Sanders 136 S. Pearl St. –

TABLE 4
LOCAL STREET DIRECTORY LISTINGS – 87/89/91/93/95/97/101/103/105/107/109 MADISON AVE.

YEAR(S)	OCCUPANT(S) OF SUBJECT PROPERTY
2020, 2017, 2012	Madison Ave. addresses not identified
1993, 1988, 1985, 1981	87 Madison Ave. – Subject Property address covered, but not listed 89 Madison Ave. – Subject Property address covered, but not listed 91 Madison Ave. – Subject Property address covered, but not listed

	<p>93 Madison Ave. – Subject Property address covered, but not listed 95 Madison Ave. – Subject Property address covered, but not listed 97 Madison Ave. – Subject Property address covered, but not listed 101 Madison Ave. – Subject Property address covered, but not listed 103 Madison Ave. – Subject Property address covered, but not listed 105 Madison Ave. – Subject Property address covered, but not listed 107 Madison Ave. – Subject Property address covered, but not listed 109 Madison Ave. – Subject Property address covered, but not listed</p>
1961	<p>87 Madison Ave. – Havana Club Restaurant 89 Madison Ave. – S. Sluto, F. Campanella 91 Madison Ave. – C. Parker, N. Isgro 93 Madison Ave. – Chiamonte & Sons (Bakers), F. Smith, F. Thorton 95 Madison Ave. – M. Reed, R. Savolis 97 Madison Ave. – Vacant store, F. Tissaj 101 Madison Ave. – B. Anastasto, G. Mosco 103 Madison Ave. – C. Faranacci (tailor), J. Johnson, T. Insero 105 Madison Ave. – Virgillio's Tailors & Cleaners 107 Madison Ave. – Virgillio's Laundromat 109 Madison Ave. – Sanford Tobacco Inc.</p>
1956	<p>87 Madison Ave. – Havana Restaurant & Bar, A. Belcastro 89 Madison Ave. – G. Clow, S. Stuto, S. Isgro, M. Alexander 91 Madison Ave. – V. Ricco, W. Wilson, A. Stella, J. Hawley 93 Madison Ave. – Chiamonte & Sons (Bakers), F. Salvatore, M. Faranda, J. Chiamonte 95 Madison Ave. – M. Reed, R. Savoie, G. Falcioni 97 Madison Ave. – C. Galluzzo, F. Milazzo, C. Milham 101 Madison Ave. – G. Farinacci (tailor), V. Gravagno, J. D'Ambrosi 103 Madison Ave. – G. DeRenzo (grocer), F. Maccagnano, J. Roberts 105 Madison Ave. – Virgillio's Tailors & Cleaners 107 Madison Ave. – Scott's Shade Shop 109 Madison Ave. – Safran Tobacco Co., Inc</p>
1951	<p>87 Madison Ave. – Havana Restaurant & Bar, A. Belcastro 89 Madison Ave. – N. Aurelia, E. DeCrescenzo, A. Maccagnano, A. Lourinia 91 Madison Ave. – J. Lupo, J. Hawley, Jos. Lupo, R. Valantino 93 Madison Ave. – Chiamonte & Sons (Bakers), R. Chiamonte, Jos. Chiamonte, S. DeCrescenzo 95 Madison Ave. – Capitol Press Printers, A. Domenico, Jos. Bianchini, R. Savoie 97 Madison Ave. – F. Milazzo (upholstery), Modernistic Upholstery Shop, A. Milazzo 101 Madison Ave. – G. Farinacci (tailor), V. Gravagno, T. Insero, R. Scott 103 Madison Ave. – L. DeRenzo (grocer), F. Maccagnano, J. Roberts 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – Scott's Shade Shop 109 Madison Ave. – Safran Tobacco Co., Inc</p>
1946	<p>87 Madison Ave. – Havana Restaurant & Bar, A. Belcastro 89 Madison Ave. – N. Aurelia, E. DeCrescenzo, A. Maccagnano, A. Tangora 91 Madison Ave. – J. Lupo, Jos. Lupo, D. Frentine 93 Madison Ave. – Antonio Chiamonte (Bakers), Jos. Chiamonte, S. DeCrescenzo 95 Madison Ave. – Capitol Press Printers, A. Domenico, P. Ignazio, G. Venditi 97 Madison Ave. – F. Milazzo (uphol H), O. Milazzo, C. Milham</p>

	<p>101 Madison Ave. – G. Farinacci (tailor), R. Caher 103 Madison Ave. – L. DeRenzo (grocer), F. Maccagnano, J. Roberts 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – Scott's Shade Shop 109 Madison Ave. – Safran Tobacco Co., Inc</p>
1941	<p>87 Madison Ave. – Eighty Seven Club Restaurant, L. Farinacci 89 Madison Ave. – N. Aurelia, E. DeCrescenzo, S. Wallace, L. Chiotti 91 Madison Ave. – J. Lupo, D. Bifano, F. Spallane 93 Madison Ave. – Antonio Chiaramonte (Bakers), Jos. Chiaramonte, S. DeCrescenzo 95 Madison Ave. – Capitol Press Printers, A. Domenico, L. Urbano, G. Venditi 97 Madison Ave. – Vacant store, O. Milazzo, C. Milham, Frank Milazzo Uphol. 101 Madison Ave. – G. Farinacci (tailor), R. Caher, M. Macri 103 Madison Ave. – L. DeRenzo (grocer), Wm. Derenzo, J. Roberts 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – Safran Tobacco Co., Inc 109 Madison Ave. – Subject Property address covered, but not listed</p>
1936	<p>87 Madison Ave. – Vacant store 89 Madison Ave. – N. Aurelia, E. DeCrescenzo, P. DeCrescenzo, E. Lillie 91 Madison Ave. – J. Lupo, R. Belcastro 93 Madison Ave. – Antonio Chiaramonte (Bakers), A. Verdone 95 Madison Ave. – Vacant store, A. Domenico, L. Venditi, G. Venditi 97 Madison Ave. – Hockberg, Miley Printer, O. Milazzo, C. Milham, Frank Milazzo 101 Madison Ave. – G. Farinacci (tailor), R. Caher, J. Davis 103 Madison Ave. – L. DeRenzo (grocer), Wm. Derenzo, J. Delho 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – Safran Tobacco Co., Inc 109 Madison Ave. – Ed Serafino restaurant. E. Harrington</p>
1931	<p>87 Madison Ave. – Costa Viginna Cigars, G. Gioeni 89 Madison Ave. – F. Castello, E. DeCrescenzo, A. Fabozzi, N. Fabozzi 91 Madison Ave. – J. Lupo, R. Belcastro, A. Tangorre 93 Madison Ave. – Antonio Chiaramonte (Bakers), F. Esopi 95 Madison Ave. – Dominick Andrew pocket billiards, A. Domenico, L. Venditi, G. Venditi 97 Madison Ave. – Milazzo Orazio shoe repair, C. Milham 101 Madison Ave. – G. Farinacci (tailor), R. Caher, J. Sager 103 Madison Ave. – L. DeRenzo (grocer), D. D'Amico, C. Melica 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – B & M Tire Co., Inc 109 Madison Ave. – Samuel Chiffolo Barber. E. Harrington</p>
1926	<p>87 Madison Ave. – Padula Rocco V beverages, M. Belgrasa 89 Madison Ave. – E. DeCrescenzo, J. Nathan, N. Fabozzi 91 Madison Ave. – J. Lupo, R. Belcastro, J. Doyle, E. Ciarfello 93 Madison Ave. – Antonio Chiaramonte (Bakers), A. DiLillo, J. Lombardo, J. Torro 95 Madison Ave. – Vacant, A. Domenico, L. Venditi, 97 Madison Ave. – Milazzo Orazio shoe repair, A. DiMenzo, H. Amabile 101 Madison Ave. – G. Farinacci (tailor), R. Caher, W. Flesche, S. Virgilio 103 Madison Ave. – L. DeRenzo (grocer), D. D'Amico 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – B & M Tire Co., Inc</p>

	109 Madison Ave. – Calsolaro Bros. Barber, R. Rings
1921	87 Madison Ave. – Padula Rocco V beverages, M. Belgras, A. Dominic 89 Madison Ave. – Brumer Abram (clothing), J. Colleenbrawn 91 Madison Ave. – J. Lupro, R. Belcastro, J. Doyle, E. Ciarfello 93 Madison Ave. – Sovitsky Meyer (furniture), J. Lupos, N. Fabozzi, A. Rocco 95 Madison Ave. – Dominick Andrew Pool, A. Domenico, A. DeCosta, L. Lopprasto 97 Madison Ave. – C. Maccarrone, L. Bombardo, L. Cassera, O. Milazzo 101 Madison Ave. – G. Farinacci (tailor), R. Caher, W. McTague, S. Virgilio 103 Madison Ave. – L. DeRenzo (grocer), F. Fioro, J. Perna 105 Madison Ave. – John Virgillio Tailor 107 Madison Ave. – Gabriel Feltman (bicycles) 109 Madison Ave. – R. Rings

**TABLE 5
 LOCAL STREET DIRECTORY LISTINGS - 11/13/15/17/19 MOSHER ST.**

YEAR(S)	OCCUPANT(S) OF SUBJECT PROPERTY
2020, 2017, 2012	Mosher St. addresses not identified
1993, 1988, 1985, 1981, 1976, 1971, 1966	11 Mosher St. – No addresses shown on Mosher St. 13 Mosher St. – No addresses shown on Mosher St. 15 Mosher St. – No addresses shown on Mosher St. 17 Mosher St. – No addresses shown on Mosher St. 19 Mosher St. – No addresses shown on Mosher St.
1961	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – Vacant store 15 Mosher St. – Springer’s Welding Works 17 Mosher St. – Storage 19 Mosher St. – Storage
1956	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – Vacant store, I. Barnes 15 Mosher St. – Springer’s Welding Works 17 Mosher St. – Vacant store 19 Mosher St. – Vacant store
1951	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – L. Cage 15 Mosher St. – Springer’s Welding Works 17 Mosher St. – Subject Property covered , but not listed 19 Mosher St. – Economizer Sales and Services (soda dispensing equipment)
1946	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – C. Pennick 15 Mosher St. – Springer’s Welding Works 17 Mosher St. – La Capital (newspaper) 19 Mosher St. – La Capital (newspaper)
1941	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – C. Pennick 15 Mosher St. – Springer’s Welding Works 17 Mosher St. – La Capital (newspaper)

	19 Mosher St. – La Capital (newspaper)
1936	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – Vacant 15 Mosher St. – Springer's Welding Works, J. Hampton 17 Mosher St. – 19 Mosher St. – Vacant
1931	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – Springer's Welding Works, J. Hampton 15 Mosher St. – Vacant 17 Mosher St. – Vacant 19 Mosher St. – Autento Salmeri (cigars)
1926	11 Mosher St. – Subject Property covered , but not listed 13 Mosher St. – Springer's Welding Works, J. Hampton 15 Mosher St. – Subject Property covered , but not listed 17 Mosher St. – Vacant 19 Mosher St. – G. Anyeman (truckman)
1921	11 Mosher St. – Vacant 13 Mosher St. – S & S Welding 15 Mosher St. – C. Zubrick 17 Mosher St. – Vacant 19 Mosher St. – Subject Property covered , but not listed

Very limited ownership details for the subject Property were reviewed via the Albany County, NY Clerk online source(s). The very limited ownership details were researched to provide insight into past owners that could possibly present a potential environmental concern. A very limited summary of past ownership for the subject Property is provided in **Table 6** (below). These limited data should be considered to be inferences, are not guaranteed to be accurate, may contain gap(s), and are for informational purposes only for this Phase I ESA.

TABLE 6
PROPERTY OWNERSHIP PARCEL NO. 76.11-1-4

OWNER'S NAME	PERIOD OF OWNERSHIP	DEED REFERENCE (BOOK/PAGE)
AACC Holdings LLC	12/2021-Present	2021/39323
Albany Housing Authority	8/1966-12/2021	1879/59
State of New York*	Not Identified-8/1966	Not Identified

* Suspected to have been part of urban renewal project

A review of historical Fire Insurance Maps covering the subject Property and dated 1892, 1909, 1934, 1950, 1989, and 1990 was performed via ERIS. The 1892 and 1909 historical Fire Insurance Maps appear to depict the subject Property as stables, stores, and residences. The 1892 Map also shows a chemical dye warehouse "Mendelson and Sons", possibly at the subject Property. Since this is shown as a warehouse (i.e., no manufacturing), it is not considered a significant environmental concern. The 1934 historical Fire Insurance Map appears to depict row house-type stores and houses, along with one (1) furniture warehouse and a restaurant. On the 1950 historical Fire Insurance Map, the resolution is of poor quality and appears to depict the subject Property as developed with interconnected row house-type buildings. Not all buildings were able to be identified, but at least apartments and stores were noted. The 1989 historical Fire Insurance Map appears to depict the Property as vacant. The 1990 historical Fire

Insurance Map depicts the Property as a parking lot. The 1892 through 1990 historical Fire Insurance Maps are attached as **Figure 15** through **Figure 20**, respectively (Appendix B).

Summary

The results of the historical research suggest that the current subject Property building appears to have been built around 1994 and was used as a fast food restaurant and a supermarket since that time. The subject Property is suspected to have been vacant from around the 1960s until around 1994. Prior to the 1960s, the subject Property was covered by a large amount of buildings, mainly consisting of rowhouse-type structures. These uses included, but were not limited to, retail stores, apartments, restaurants, residences, bakery, office space, a printing company, dentist/doctor's offices, a welding company, and a possible chemical storage warehouse. A possible dry cleaning business was identified at 105 Madison Ave. (suspected to have formerly been located at the subject Property) in at least 1956 and 1961. However, this listing was not identified under the "Cleaner and dyers" section of the directories during those years. A past possible dry cleaner was identified across Madison Ave. to the west, at the intersection of Madison Ave. and South Pearl St. (i.e., 121 South Pearl St.) The past printing company use is not considered a significant environmental concern due to the past assumed connection of the sites to municipal sewer services. Surrounding sites over time appear to have mainly consisted of row house-type buildings over time. The subject Property has been located in a historically urbanized area over time.

4.0 PHYSICAL SETTING

4.1 Topography

The subject Property and vicinity are depicted on the USGS 2023 Albany, NY Quadrangle topographic map (Appendix B – Figure 1). The subject Property is shown to be located at approximately Latitude: 42.6460242, Longitude: -73.75395045. The subject Property is shown as being located approximately 29 feet above sea level in elevation. A steep, easterly-downward slope is present to the west of the subject Property (i.e., the subject Property is situated at the base of a large hill and may be located hydraulically downgradient of many sites) The Hudson River is located around 1,100 feet to the east of the subject Property.

4.2 Geology/Hydrogeology

Surficial geology in the vicinity of the subject Properties appears to be mapped by the USGS as glacial till. These deposits are described as poorly-sorted sediments deposited beneath glacial ice (USGS, Surficial Geologic Map of New York, Hudson-Mohawk Sheet, 1987).

The depth to groundwater at the subject Property was not identified by Property Solutions, but is estimated to be greater than around 10 fbg, due to previous environmental work performed near the subject Property in the 1990s (to be discussed in Section 5.0). Groundwater flow direction at the subject Property is presumed to follow local topography (i.e., easterly), toward the Hudson River. However, a groundwater mapping study would be necessary to accurately determine the groundwater depth and flow direction at the subject Property.

The bedrock in the area appears to have been mapped by the USGS as the Normanskill Shale (USGS, Bedrock Map of New York, Hudson-Mohawk Sheet, 1970). The depth to bedrock at the Property was not identified by Property Solutions.

5.0 FEDERAL / NEW YORK STATE ENVIRONMENTAL / REGULATORY RECORDS DATABASES REVIEW

Property Solutions reviewed federal and New York State environmental / regulatory agency public records databases information for the subject Property and vicinity, as provided by ERIS. Inquiries were made based on the ASTM E1527-21 (i.e., Phase I ESA) recommended radii of search, although additional, non-ASTM records databases were also included. Although not an ASTM standard, Property Solutions included the NYSDEC Spills Incidents database to at least a radius distance of approximately 0.25 miles of the subject Property. It should be noted that limited environmental records exist prior to 1985. Information provided by ERIS was reviewed by Property Solutions regarding federal and New York State records database lists of known and/or potential hazardous waste sites, NYSDEC-listed Solid Waste Landfills (SWLFs), registered current hazardous waste generators (RCRA GEN), registered former hazardous waste generators (RCRA NONGEN), registered dry cleaner sites, Vapor Intrusion Legacy Site List sites (VAPOR), hazardous/regulated waste transporters (Manifest), CERCLIS (hazardous waste sites in which Superfund has some involvement) sites, NYSDEC-registered petroleum bulk storage sites, activity and use limitation (AUL) sites, NYSDEC-reported Leaking underground storage tank (UST) Spill sites, sites currently under regulatory scrutiny and/or investigation, environmental violations, Brownfield's sites, and/or similar instances. A brief summary of the regulatory information acquired during this limited evaluation from the ERIS report is included below. The ERIS Report is attached as **Appendix E**.

Federal Sites

Mapped and unmapped federal-listed sites were identified in the ERIS report. One (1) National Priorities List site (Hudson River PCBs) was identified within the one (1)-mile search radius. This site is not expected to present a significant environmental concern. This NPL site is shown as located around 0.22 miles to the east of the subject Property. It is also shown as around 25 feet lower in elevation than the subject Property. At this distance and elevation difference, this NPL site is not expected to present a significant environmental concern. One (1) Resource Conservation and Recovery Act (RCRA) Corrective Action site was identified within the one (1)-mile search radius. However, it is shown as located around 0.86 miles away. At this distance, this RCRA Corrective Action site is not expected to present a significant environmental concern. One (1) EPA-listed Facility Response Plan (FRP) site was identified within the 0.5-mile search radius (a bulk oil storage facility at 50 Church St.), but it is shown as being located around 0.21 miles away. At this distance, it is not expected to present a significant environmental concern. Five (5) mapped (i.e., located within around 0.25 miles or less of the subject Property) Alternative Fuels sites were identified (45 Hudson Ave., Empire State Plaza, 110 Sate St., and 100 Beaver St [listed twice]). These Alternative Fuels sites are presumed to represent electric vehicle chargers or similar instance and are not expected to present a potential environmental concern. 54 mapped (i.e., located within around 0.25 miles or less of the subject Property) RCRA GEN and/or RCRA NONGEN sites were identified in the ERIS report, along with two (2) RCRA GEN and/or RCRA NONGEN sites (a New York State Department of Transportation [NYSDOT] Bridge Identification Number [BIN] site and a National Grid site on James St.). The mapped RCRA GEN and/or RCRA NONGEN sites include, but are not limited to, 121 South Pearl St., 66 Green St., 45 Grand St., NYSDOT BIN sites, 34 Hamilton St., 50 Hudson Ave., 128 Hamilton St., 165 Madison Ave. and 104 Grand St. None of these RCRA GEN and/or RCRA NONGEN listings are expected to present a significant environmental concern. Additionally, 15 mapped (i.e., identified as mapped within a 0.125-mile radius of the Property) Facility Registry System (FRS) sites were identified (federal sites that are subject to regulatory scrutiny and/or interest). These FRS sites include, but are not limited to, 121 South Pearl St., NYSDOT BIN sites, 45 Grand St., 34 Hamilton St., 51 South Pearl St., 114 Hamilton St., and 50 Hudson Ave. Some of these federal-listed sites may adjoin, and/or be in close proximity to, the subject Property. It is Property Solutions' opinion that this can be typical of such a historically

urbanized area. However, it should be noted that the 121 South Pearl St. adjoins the subject Property (but for South Pearl St.) to the west, and is suspected to be located hydraulically upgradient of the subject Property. As such, it is possible that this past adjoining dry cleaner site may have affected the subject Property.

New York State Sites

New York State-listed sites were identified in the ERIS report. Four (4) NYSDEC-registered hazardous waste sites (Superfund equivalent) were identified within the one (1)-mile search radius, but they are all shown as located over 0.24 miles away from the subject Property. At this distance, they are not expected to present a significant environmental concern. One (1) VAPOR site was identified within the one (1)-mile search radius, but it is shown as being located around 0.86 miles away. At this distance, it is not expected to present a significant environmental concern. One (1) NYSDEC-listed SWLF site was identified within the 0.5-mile search radius, but it is shown as located around 0.21 miles away. At this distance, this SWLF site is not expected to present a significant environmental concern. One (1) NYSDEC-listed Voluntary Cleanup Program site was identified within the 0.5-mile search radius, but it is shown as being located around 0.24 miles away from the subject Property. At this distance, it is not expected to present a significant environmental concern. Two (2) NYSDEC-listed AUL sites were identified within the 0.5-mile search radius, but they are shown as located around 0.24 miles away. At this distance, they are not expected to present a significant environmental concern. Three (3) MGP sites were identified within the one (1)-mile search radius, but they are all shown as located over 0.56 miles away. At this distance, they are not expected to present a significant environmental concern. 11 NYSDEC-registered PBS sites were identified within around 0.25 miles or less of the Property. Three (3) are shown as "Active" and are listed as 34 Hamilton St., 222 South Real St., and a NYS Office of General Services site. The closest of these "Active" NYSDEC-registered PBS sites is shown as located around 0.10 miles away, and at an elevation around 14 feet lower than the subject Property. At this distance and elevation difference, this site is not expected to present a significant environmental concern. The remaining NYSDEC-registered PBS sites are shown as "Unregulated/Closed" and are shown as Cargill - Port of Albany, 40 Howard St., 70 Howard St., 90 State St., 80 State St., 112 State St., and 100 State St. None of these "Unregulated/Closed" NYSDEC-registered PBS sites are suspected to adjoin the subject Property, and none are considered a significant environmental concern. Two (2) Chemical Bulk Storage sites were identified within the 0.5-mile search radius (both shown as 50 Church St.). 50 Church St. is also shown as a Major Oil Storage Facility. This site is shown as being located around 0.20 miles away from the Property. At this distance, it is not expected to present a significant environmental concern. Eight (8) Manifest sites were identified within the 0.25-mile search radius of the subject Property. These Manifest sites include such listings as the aforementioned 121 South Pearl St., 45 Grand St., 34 Hamilton St., 114 Hamilton St., and 50 Hudson Ave. None of these Manifest listings are expected to present a significant environmental concern. Five (5) Tier 2 sites were identified within the 0.25-mile search radius (all shown as 34 Hamilton St.). This Tier 2 site does not adjoin the subject Property and is not considered a significant environmental concern. Tier 2 is a list of facilities which have reported hazardous substances provided by Homeland Security and Emergency Services. Two (2) PFAS sites were identified within the 0.5-mile search radius. These PFAS sites are shown as being located around 0.21 miles away or greater from the subject Property. At this distance, they are not expected to present a significant environmental concern. In addition to these listings, 196 mapped (i.e., within around 0.25 miles or less of the subject Property) NYSDEC-reported Spill sites were identified in the ERIS report, along with 39 unmapped NYSDEC-reported Spill sites. In addition to these NYSDEC-reported Spill sites, 22 mapped (within around 0.5 miles or less of the subject Property) NYSDEC-reported Leaking UST Spill sites were also identified in the ERIS report, along with three (3) unmapped NYSDEC-reported Leaking UST Spill sites. Many of these NYSDEC-reported Spills/Leaking UST Spill listings are associated with Spills at the Port of Albany (mainly large-scale PBS facilities and/or

similar instances). The remaining NYSDEC-reported Spill sites are associated with incidents such as equipment failures, residential, governmental, and/or commercial fuel oil tank failures, surface spills, gasoline station tank failures, discoveries of historical contamination, traffic accidents, pole-mounted transformer spills, spills on the Hudson River, and/or similar instances. The majority of these reported Spill listings/leaking UST Spill listings are shown as "Closed" by the NYSDEC in the ERIS report. Based on their "Closed" status, they are not expected to present a significant environmental concern. A total of four (4) "Active" NYSDEC-reported Spill sites were identified in the ERIS report within the 0.25-mile search radius. **Table 7** (below) shows the "Active" NYSDEC-reported Spills Identified in the ERIS report. None of these "Active" NYSDEC-reported Spills are expected to present a significant environmental concern, as none are suspected to adjoin the subject Property.

**TABLE 7
 "ACTIVE" NYSDEC-REPORTED SPILLS IDENTIFIED IN ERIS REPORT**

NYSDEC SPILL No.	ADDRESS / LOCATION	DETAILS
20-07610	71 Trinity Place; National Grid	Power transformer spill in vault. "In containment" is indicated. At 0.22 +/- miles away, this "Active" NYSDEC-reported Spill site is not expected to present a significant environmental concern.
92-14481	50 Church St. (Bulk oil facility)	Historical spill discovered. At 0.22 +/- miles away, this "Active" NYSDEC-reported Spill site is not expected to present a significant environmental concern.
11-10257	50 Church St. (Bulk oil facility)	Historical spill discovered. At 0.22 +/- miles away, this "Active" NYSDEC-reported Spill site is not expected to present a significant environmental concern.
20-10309	90 Church St.	Contamination found during UST removal; at 0.24 +/- miles away, this "Active" NYSDEC-reported Spill site is not expected to present a significant environmental concern.

Two (2) NYSDEC-reported Spills were identified for the intersection of South Pearl St. and Madison Ave., which adjoins the subject Property to the southwest. **Table 8** (below) shows these suspected past NYSDEC-reported Spills. A FOIL review was performed for these two (2) NYSDEC-reported Spills (**Appendix F**). Both of these Spills appear to have been reported to the NYSDEC due to petroleum contamination found during utility excavation work being performed along Madison Ave., near the southwestern side of the subject Property, in the 1990s. Both of the associated Spills have been "Closed" by the NYSDEC. Based on their "Closed" status by the NYSDEC, these past spills do not appear to present a significant environmental concern. However, one (1) of the below referenced NYSDEC-reported Spill Numbers is designated as "Closed - Does Not Meet Standards" by the NYSDEC. This suggests that petroleum contamination above applicable NYSDEC cleanup standards remained at the spill area at the time of the Spill closure by the NYSDEC. However, based on the "Closed" status, it suggests the contamination levels were acceptable to the NYSDEC at the time. It should be noted that this contamination could be encountered in the future during redevelopment (e.g., excavation) in the vicinity. This could incur associated costs (if applicable) for the subject Property owner.

**TABLE 8
 NYSDEC-REPORTED SPILLS ADJOINING SUBJECT PROPERTY AS IDENTIFIED IN ERIS REPORT**

NYSDEC SPILL No.	STATUS	DETAILS
97-03078	Opened 6/11/1997; Closed - Meets Standards 7/17/1998	South Pearl @ Madison Ave.: petroleum contamination found during subsurface investigation for NYSDOT project; environmental consultant handled contaminated soil disposal; "Pearl St. Rehabilitation Project" indicated.

98-01952	Opened 5/14/1998; Closed - Does Not Meet Standards 2/5/1999	South Pearl @ Madison Ave.: petroleum contamination found by NYSDOT during installation of water line; "Open excavation filled with water and oil" indicated. The same location as the above-described Spill (NYSDEC Spill No. 97-03078) is indicated.
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Summaries of the FOIL information are shown below:

NYSDEC Spill No. 97-03078

In 1997, the NYSDOT performed municipal water line work along Madison Ave. The work area of concern was generally located in the Right-of-Way (ROW) along Madison Ave., across the street from the subject Property to the south. As part of the NYSDOT work, geotechnical soil borings were advanced along South Pearl St. and Madison Ave. On June 11, 1997, a total of four (4) soil borings were advanced along the southeastern corner of the intersection of South Pearl St. and Madison Ave. (i.e., across Madison Ave. from the subject Property), in the ROW. The soil borings were advanced to depths ranging from approximately 12 to 16 fbg. The soil encountered during advancement of the soil borings generally consisted of suspected fill material and / or sand to a depth ranging between around four (4) and 10 fbg. Underlying this strata was generally clay in all soil borings. No groundwater was indicated. During advancement of the soil borings, photoionization detector (PID) headspace screening was performed. Low (i.e., below four [4] parts per million [ppm]) PID readings were documented in soil borings SB-1 and SB-2. However, elevated (i.e., up to 44.1 ppm and 107 ppm) PID readings were documented in soil borings SB-3 and SB-4, respectively. This was suggestive of petroleum contamination in these soil borings. Due to the field indications of petroleum contamination, the NYSDEC Spills Hotline was contacted and NYSDEC Spill No. 97-03078 was assigned. One (1) soil sample was obtained from each of soil borings SB-1, SB-2, and SB-4. The soil samples were collected from approximately eight (8) to 16 fbg (soil boring SB-1); approximately 0.5 to seven (7) fbg (soil boring SB-2); and, approximately eight (8) to 12 fbg (soil boring SB-4). The soil samples were all analyzed for Hazardous Waste Characterization (excluding PCBs, pesticides, and herbicides), along with the NYSDEC Spill Technology and Remediation Series (STARS) Memo #1 list of volatile organic compounds (VOCs) via EPA Method 8021, semi-VOCs (Base-Neutrals) via EPA Method 8270, and the suite of eight (8) RCRA metals via EPA Method 6010/7471. All analyses were performed via the Toxicity Characteristic Leaching Procedure. The soil sample from soil boring SB-4 was also analyzed for Petroleum Identification via EPA Method 310.14. The laboratory analytical results for the soil samples collected from soil borings SB-1 and SB-2 were "not characteristically hazardous" (i.e., no compounds of concern were detected above their applicable laboratory reporting limits). However, the soil sample collected from soil boring SB-4 exhibited exceedances of applicable (at the time) NYSDEC soil cleanup objectives (SCO) VOCs, along with a few semi-VOCs. Additionally, the results of the Petroleum Identification scan for the soil sample collected from soil boring SB-4 were indicative of #2 fuel oil.

The FOIL documents indicate that a plan was being formulated for handling of the contaminated soil that may be encountered during NYSDOT excavation activities. This Spill was "Closed - Meets Standards" by the NYSDEC on July 17, 1998. Since the Spill was Closed by the NYSDEC, it is presumed that any excavated contaminated soil was properly disposed of off-site.

NYSDEC Spill No. 98-01952

The FOIL information received for this NYSDEC-reported Spill was limited to the NYSDEC Spill Report Form (SRF). This Spill was reported to the NYSDEC on May 14, 1998 due to a report of petroleum contamination found in the approximate same previous location during continued excavation by the NYSDOT for the aforementioned municipal water line project. As of May 15,

1998, "soil stockpiled - to be disposed of. DOT project water line installation" is indicated on the SRF. No additional pertinent information was identified on the SRF, except that NYSDEC Spill No. 98-01952 was "Closed - Does Not Meet Standards" by the NYSDEC on February 5, 1999. Since the Spill was Closed by the NYSDEC, it is presumed that any contaminated soil that was excavated was properly disposed of off-site. The designation of this Closed Spill as "Does Not Meet Standards" by the NYSDEC suggests that petroleum contamination above applicable NYSDEC SCO remained at the Spill area as of the date of this Spill Closure by the NYSDEC.

No information with regard to any past investigations at the subject Property was identified during the FOIL review. It is assumed that the remedial excavation activities were limited to the municipal water line work area in the ROW along Madison Ave., across the street to the south of the subject Property. Based on the proximity of the contaminated soil borings to the subject Property, it is presumed that the petroleum contamination identified in the ROW area in 1997 and 1998 extends on to the subject Property. As such, this contamination could be encountered in the future during redevelopment at the Property (e.g., excavation for building footings). This could incur associated management costs for the subject Property owner (if applicable).

Summary

Two (2) NYSDEC-reported Spills (both "Closed" by the NYSDEC) were identified for the subject Property during the federal and New York State environmental/regulatory public records databases review for the intersection of South Pearl St. and Madison Ave., which adjoins the subject Property to the southwest. Both of these Spills appear to have been reported to the NYSDEC due to #2 heating oil petroleum contamination found in the Madison Ave. ROW across the street along the southwestern side of the subject Property in two (2) of four (4) soil borings advanced in this area in June 1997 for NYSDOT municipal water line work. The petroleum contamination was estimated to extend from around six (6) fbg to 16 fbg. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Meets Standards" by the NYSDEC in July 1998. Petroleum contamination was also found in 1998 in the approximate same area by the NYSDOT during continued excavation work for the municipal water line. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Does Not Meet Standards" by the NYSDEC in February 1999. The designation of this Closed Spill as "Does Not Meet Standards" by the NYSDEC suggests that petroleum contamination above applicable NYSDEC SCO remained at the Spill area as of the date of this Spill Closure by the NYSDEC. It is assumed that the remedial excavation activities were limited to the municipal water line work area in the ROW along Madison Ave. at the subject Property. Based on the proximity of the contaminated soil borings to the subject Property, it is assumed that the petroleum contamination identified in the ROW area in 1997 and 1998 extends onto the subject Property. Due to this, it is presumed that the subject Property is also impacted at around the same depth (i.e., starting around six [6] feet below grade). As such, this contamination could be encountered in the future during redevelopment at the Property (e.g., excavation for building footings). This could incur associated management costs for the subject Property owner (if applicable). Surrounding and/or adjoining federal and New York State-listed sites were identified during this review. These include, but are not limited to, 196 Spills/releases have been reported to the NYSDEC in the past within less than about 0.25 miles from the Property (albeit the majority have been "Closed" by the NYSDEC). Also identified was a former dry cleaner at 121 South Pearl St., which adjoins the subject Property (but for South Pearl St.) to the west, and is suspected to be located hydraulically upgradient of the subject Property. As such, it is possible that this past adjoining dry cleaner site may have affected the subject Property. This probable contamination at the subject Property is considered a REC. It is Property Solutions' opinion that this can be typical of such a historically urbanized area.

6.0 VAPOR ENCROACHMENT SCREENING (VES)

It is Property Solutions' understanding that the NYSDEC is currently re-evaluating previous assumptions and decisions regarding the potential for soil vapor intrusion exposures at certain sites. As a result, past (including previously "Closed" Spill sites), current, and future contaminated sites may be evaluated to determine whether these sites have the potential for exposures related to soil vapor intrusion (i.e., Vapor Encroachment Condition [VEC]). Property Solutions conducted a "Tier I" (non-intrusive) VES on the subject Property in accordance with the methodology set forth in ASTM E 2600-10 "Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions". During the VES, the Area of Concern was minimized using the ASTM standard. The purpose of the Tier I VES was to conduct an initial screen to identify, to the extent feasible, the potential for a VEC in connection with the subject Property with respect to chemicals of concern that may migrate as vapors into the subsurface of the subject Property as a result of contaminated soil and groundwater on, or near, the same. This VES utilized available data sources previously discussed in this Phase I ESA to include the type of soils, geology and groundwater characteristics of the area of the subject Property (refer to Section 4.0) as well as known or potentially contaminated sites as identified on federal, State, tribal, and/or local public records databases (refer to Section 5.0). Property Solutions also utilized previously discussed standard historical sources of information (refer to Section 3.0) to identify potential historical sources of contamination on the subject Property and surrounding properties which may be indicative of a VEC. This data collection and analysis was also coupled with the subject Property walkover and a review of surrounding sites. Petroleum contamination has been documented adjoining the subject Property in the past. As such, it is possible that there could be the potential for a VEC at the subject Property.

7.0 AGENCY FILE REVIEWS

The ASTM E1527-21 standard indicates that an agency file review should be conducted: "*if the subject property or adjoining properties are identified in any of the standard environmental records sources*".

During the federal and New York State environmental/regulatory records databases review for the subject Property as part of the Phase I ESA, an area adjoining the subject Property (but for Madison Ave.) was identified twice as a "Closed" NYSDEC-reported Spill site. As such, a FOIL request to the NYSDEC was made for these NYSDEC-reported Spill Numbers (refer to Section 5.0).

8.0 DATA GAPS

Property Solutions identified one (1) data gap during the performance of this Phase I ESA (lack of an interview with the subject Properties' most current and recent former owners). It is Property Solutions' opinion that this data gap is not significant and does not warrant further inquiry and/or investigation.

9.0 SUMMARY OF FINDINGS

Property Solutions performed a Phase I ESA (in conformance with the scope and limitations of ASTM Practice E1527-21) of the subject Property known as parcel no. 76.11-1-4, 106 South Pearl St., City of Albany, Albany County, New York. Any exceptions or additions to, or deletions from, the ASTM E1527-21 or EPA's AAI practice are described in Appendix A of this report. The findings of this assessment are outlined below.

- The subject of this assessment is one (1) parcel, totaling approximately 3.65 acres and located on the northeastern side of the intersection of South Pearl St. and Madison Ave.

in a historically commercialized/urbanized area in City of Albany, NY. The subject Property is improved by an approximately 3,148 square-foot, inactive, one (1)-story, slab-on-grade, supermarket. The building contained features, items, amenities, and areas that appeared to be typical of an inactive supermarket.

- The exterior areas of the Property generally consisted of a paved parking lot and drive-through area. Electrical service, a natural gas meter, and a suspected sewer vent were noted along the southeastern exterior side of the building. Catch basins, for the collection of surface runoff, were noted throughout the parking lot area. Decorative landscaping surrounded areas of the perimeter of the building.
- The subject Property is located in a historically urbanized area in City of Albany, NY. Based on the observations during the walkover, there were no sites adjoining the subject Property that would appear to present a significant environmental concern based solely on their present observed uses. It should be noted that a steep, easterly-downward slope is present to the west of the subject Property (i.e., the subject Property is situated at the base of a large hill and may be located hydraulically downgradient of many sites). The Hudson River is located around 1,100 feet to the east of the subject Property.
- The results of the historical research suggest that the current subject Property building appears to have been built around 1994 and was used as a fast food restaurant and a supermarket since that time. The subject Property is suspected to have been vacant from around the 1960s until around 1994. Prior to the 1960s, the subject Property was covered by a large amount of buildings, mainly consisting of rowhouse-type structures. These uses included, but were not limited to, retail stores, apartments, restaurants, residences, bakery, office space, a printing company, dentist/doctor's offices, a welding company, and a possible chemical storage warehouse. A possible dry cleaning business was identified at 105 Madison Ave. (suspected to have formerly been located at the subject Property) in at least 1956 and 1961. However, this listing was not identified under the "Cleaner and dyers" section of the directories during those years. A past possible dry cleaner was also identified across Madison Ave. to the west, at the intersection of Madison Ave. and South Pearl St. (i.e., 121 South Pearl St.) The past printing company use is not considered a significant environmental concern due to the past assumed connection of the sites to municipal sewer services. Surrounding sites over time appear to have mainly consisted of row house-type buildings over time. The subject Property has been located in a historically urbanized area over time.
- During the federal and New York State environmental/regulatory public records databases review, the intersection of South Pearl St. and Madison Ave., which adjoins the subject Property to the southwest, was identified twice as a "Closed" NYSDEC-reported Spill site during the federal and New York State environmental/regulatory public records databases review. A FOIL review was performed for these two (2) NYSDEC-reported Spill Numbers. Both of these Spills appear to have been reported to the NYSDEC due to #2 heating oil petroleum contamination found in the Madison Ave. ROW across the street along the southwestern side of the subject Property in two (2) of four (4) soil borings advanced in this area in June 1997 for NYSDOT municipal water line work. The petroleum contamination was estimated to extend from around six (6) fbg to 16 fbg. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Meets Standards" by the NYSDEC in July 1998. Petroleum contamination was also found in 1998 in the approximate same area by the NYSDOT during continued excavation work for the municipal water line. After excavation of the contaminated soil from the utility area, this Spill was "Closed - Does Not Meet Standards" by the NYSDEC in February 1999. The designation of this Closed Spill as "Does Not Meet Standards"

by the NYSDEC suggests that petroleum contamination above applicable NYSDEC SCO remained at the Spill area as of the date of this Spill Closure by the NYSDEC. It is assumed that the remedial excavation activities were limited to the municipal water line work area in the ROW along Madison Ave. at the subject Property. Based on the proximity of the contaminated soil borings to the subject Property, it is assumed that the petroleum contamination identified in the ROW area in 1997 and 1998 extends on to the subject Property. Due to this, it is Property Solutions' opinion that the subject Property is also assumed to be impacted at around the same depth (i.e., starting around six [6] feet below grade). As such, it is Property Solutions' opinion that this contamination could be encountered in the future during redevelopment at the Property (e.g., excavation for building footings). This could incur associated management costs for the subject Property owner (if applicable). Surrounding and/or adjoining federal and New York State-listed sites were identified during this review. These include, but are not limited to, 196 Spills/releases have been reported to the NYSDEC in the past within less than about 0.25 miles from the subject Property (albeit the majority have been "Closed" by the NYSDEC). Due to this, adversely-impacted soil, groundwater, and/or vapors, may be at, or in the vicinity of, the subject Property. It is Property Solutions' opinion that this can be typical of such a historically urbanized area. Petroleum contamination has been documented adjoining the subject Property in the past. As such, it is possible that there could be the potential for a VEC at the subject Property. This probable contamination at the subject Property is considered a REC.

- Property Solutions identified one (1) data gap during the performance of this Phase I ESA (lack of an interview with the subject Property's most recent former owner). It is Property Solutions' opinion that this data gap is not significant and does not warrant further inquiry and/or investigation.

10.0 OPINION

The ASTM Standard E1527-21 (Standard Practice for Phase I ESAs) defines *recognized environmental conditions* as “*the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment*”.

Property Solutions has performed an ASTM E1527-21 Phase I ESA for the subject Property. Based on the information contained within this report, it is Property Solutions' opinion that no additional inquiry and/or investigation is warranted at this time. However, since the subsurface at the subject Property is presumed to be affected by historical petroleum impacts (suspected to be mainly due to the historically urbanized nature of the surrounding area), a sub-slab depressurization system, vapor barrier(s), and/or similar vapors mitigation system should be installed for any new construction at the subject Property as a preventative measure.

11.0 CERTIFICATION

PS Property Solutions, Inc. certifies to Advance Albany County Alliance LDC, their employees, successors and/or assigns that the information contained in this ASTM E1527-21 Phase I ESA of the subject Property known as parcel no. 76.11-1-4, 106 South Pearl St., City of Albany, Albany County, New York is true to the best of our knowledge. This Phase I ESA is based on the conditions observed by PS Property Solutions, Inc. during the walkover of the subject Property on April 4, 2024. This report has been compiled for the exclusive use of Advance Albany County Alliance LDC. Use of this report by any other party is the sole responsibility of

Advance Albany County Alliance LDC. This report and its contents represent confidential information and should not be duplicated without the expressed permission of Advance Albany County Alliance LDC, their employees, successors and/or assigns.

This ASTM E1527-21 Phase I ESA was limited to the Scope and Limitations as described in Appendix A. No representations or warranties are made concerning the nature or quality of the air, soil, water, building materials, or any other substances on the subject Property, other than the visual observations as stated within this report. Any statement or opinion contained in this Phase I ESA prepared by PS Property Solutions, Inc. shall not be construed to create any warranty or representation that the real or personal property on which the investigation was conducted is free of pollution or complies with any or all applicable regulatory or statutory requirements, or that the subject Property are fit for any particular purpose. Unless otherwise indicated in this Phase I ESA, PS Property Solutions, Inc. did not independently determine the compliance of present or past owners of the subject Property with federal, state or local laws and regulations. The conclusions presented in this Phase I ESA were based upon the services described, within the time and budgetary constraints imposed by the client, and not on scientific tasks or procedures beyond the scope of those described services. Any person or entity considering the acquisition, use or other involvement or activity concerning the subject Property that are the subject of this Phase I ESA shall be solely responsible for determining the adequacy of the subject Property for any and all such purposes. The person or entity should enter into any such acquisition or use relying solely on its own judgment and personal investigation of the subject Property, and not upon the reliance of any representation by PS Property Solutions, Inc. regarding the subject Property or character, quality or value thereof. This report has been prepared in accordance with generally accepted industry practices, including but not limited to, ASTM Practice E1527-21 and EPA's *All Appropriate Inquiries* rule, including the review of accessible public records, interviews, inspection of the subject Property their features and facilities, and similar notable items as presumed necessary for the particular circumstances involved. PS Property Solutions, Inc. is not an ownership title abstracting company; the ownership details presented in this report are for informational purposes only. A licensed and insured title abstracting company should be consulted for additional information regarding the chain of ownership review. The information received from the various sources during the performance of this Phase I ESA is presumed to be factual. PS Property Solutions, Inc. did not attempt to verify all data reviewed or received. However, PS Property Solutions, Inc. did not detect any inconsistency or omission that may call into question the validity of the information received by PS Property Solutions, Inc. To the extent that the findings, conclusions, and/or opinion(s) in this report are based in whole or in part on such information, they are contingent on the information's validity. PS Property Solutions, Inc. assumes no responsibility, other than the cost of this report, for any consequence arising from any information or condition that was concealed, withheld, misrepresented, or otherwise not fully disclosed or reasonably obtainable by PS Property Solutions, Inc. (including information contained within the ERIS report). The findings and conclusions contained herein must be considered not as scientific certainties, but as probabilities based on professional judgment concerning the significance of the limited data assimilated during the course of this evaluation.

WRITTEN BY: **PS PROPERTY SOLUTIONS, INC.**
Paul M. Shannon
Environmental Professional / President

SIGNATURE:



DATE:

5/1/2024

APPENDIX A

SCOPE AND LIMITATIONS

A1.0 SCOPE OF WORK

The purpose of the ASTM E1527-21 Phase I ESA was to identify, to the extent feasible pursuant to the processes described in this report, any *recognized environmental conditions* in connection with the subject Property that could represent a potential present and/or future environmental liability.

A1.1 Limitations and Conformance to ASTM E1527-21 Standard

This Phase I ESA is based on the conditions observed by PS Property Solutions, Inc. during the limited walkover of the subject Property on March 4, 2024. This report has been compiled for the exclusive use of Advance Albany County Alliance LDC. Use of this report by any other party is the sole responsibility Advance Albany County Alliance LDC. This report and its contents represent confidential information and should not be duplicated without the expressed permission of Advance Albany County Alliance LDC, their employees, successors and/or assigns.

This Phase I ESA was limited to the Scope and Limitations as described in Appendix A. No representations or warranties are made concerning the nature or quality of the air, soil, water, building materials, or any other substances on the subject Property, other than the visual observations as stated within this report. Any statement or opinion contained in this Phase I ESA prepared by PS Property Solutions, Inc. shall not be construed to create any warranty or representation that the real or personal property on which the investigation was conducted is free of pollution or complies with any or all applicable regulatory or statutory requirements, or that the subject Property is fit for any particular purpose. Unless otherwise indicated in this Phase I ESA, PS Property Solutions, Inc. did not independently determine the compliance of present or past owners of the site with federal, state or local laws and regulations. This report has been prepared in accordance with generally accepted industry practices, including ASTM Practice E1527-21. This included the review of accessible public records, interviews, inspection of the subject Property' features and facilities, and similar notable items as presumed necessary for the particular circumstances involved. PS Property Solutions, Inc. did not attempt to verify all data reviewed or received. The data is limited to the information available from interviews, records, files, and plans released by the Property owner(s) and/or the owner's representatives, and/or the respective regulatory agencies and/or information officers and are assumed to be factual. The findings and conclusions contained herein must be considered not as scientific certainties, but as probabilities based on professional judgment concerning the significance of the limited data assimilated during the course of this evaluation. The Phase I ESA should not be construed as a guarantee or warranty with regard to the absence, presence, or potential of environmental liabilities that may impact the subject Property.

A1.2 Non-ASTM Considerations

Items not considered part of ASTM E1527-21 may also be investigated during the Phase I ESA. These out of scope items may include potential asbestos-containing materials, lead-based paint, per- and polyfluoroalkyl substances, on-site wells, regulatory compliance, and/or a review of the NYSDEC Spills database.

A1.3 Methods

Mr. Paul M. Shannon, Environmental Professional / President for Property Solutions, provided site inspection, research and report preparation services. The general methods utilized in the performance of this environmental assessment are outlined below.

A1.4 Subject Property Walkover

A visual inspection of the subject Property and the surrounding lands was performed, paying particular attention to (but may have not been limited to) the following features:

- surface conditions, staining, and spills;
- location, utilization, and documentation of any aboveground and/or underground storage tanks and any monitoring wells;
- chemical, petroleum, or waste loading, storage, and disposal areas;
- repair and potential subsurface disposal areas;
- current operations;
- potential areas of contamination; and,
- adjoining and/or nearby properties of potential environmental concern.

A1.5 Interviews

Property Solutions conducted personal interviews with current subject Property owners and past owners (where applicable and feasible) in order to gain further insight into potential environmental concerns associated with the subject Property.

A1.6 Environmental Liens

Property Solutions has researched applicable public records for known environmental liens against the subject Property and/or designated the *User* of this Phase I ESA to do so through the completion of the ASTM E1527-21 *User Questionnaire*. It should be noted that Property Solutions did not perform a search for any other types of liens associated with the subject Property.

A1.7 Relationship of Purchase Price to Fair Market Value

Property Solutions has researched applicable public records to consider the relationship of the purchase price of the subject Property to the fair market value of the subject Property if the subject Property was not contaminated, and/or designated the *User* of this Phase I ESA to do so through the completion of the ASTM E1527-21 *User Questionnaire*.

A1.8 Activity and Use Limitations

Property Solutions performed research (based mainly on the ERIS federal / New York State environmental / regulatory public records databases review) to determine whether the subject Property have activity and use limitations, including engineering controls or institutional controls, in effect.

A1.9 Subject Property Historical Reviews

The current and prior uses of the subject Property may be examined through a review of deeds and title information obtained by Property Solutions. In addition, when available and reasonably obtainable, Property Solutions examines possible sources (if available) such as city directories, aerial photographs, historical topographical maps, historical Fire Insurance maps, and/or local and regional maps in order to gain further insight into potential environmental concerns associated with the subject Property.

A1.10 Operations Information

Property Solutions has reviewed the available information on current and former subject Property uses that could present an environmental concern.

A1.11 Regulatory Review/Compliance

Property Solutions obtained from ERIS the available regulatory reports prepared by agencies from the State of New York and the US EPA. Property Solutions reviewed these reports with respect to the environmental integrity of the subject Property and adjoining properties within the recommended ASTM radius that could present an environmental liability concern. Where applicable, a review of compliance with required environmental permits may also be performed.

A1.12 Hydrogeological Review

Property Solutions has evaluated the available geologic and hydrogeologic data specific to the subject Property and surrounding region to determine the potential for off-site impacts from any potential releases to the soil and/or groundwater. The potential for impacts from the immediately surrounding areas was also addressed.

A1.13 Records Review/References

Records from the following agencies, references, organizations, and/or online resources listed below were utilized and/or visited during the completion of this Phase I ESA:

- Environmental Risk Information Services, Inc.
- ASTM E 2600-10: *Standard Guide for Vapor Encroachment Screening on Property Involved in Real Estate Transactions*
- New York State Department of Environmental Conservation website
- United States Environmental Protection Agency website
- United States Geological Survey website

- New York State Library, Albany, NY
- New York State Department of Transportation
- Historicaerials.com
- New York State GIS Clearinghouse
- Fultonhistory.com
- Albany County, NY GIS
- ARCGIS.com
- Albany County, NY Clerk's Office (via online)
- Albany County, NY Real Property Tax Service (via online)
- Albany County, NY Assessment Database (via online)
- Albany County, NY Soil and Water Conservation Service, Albany, NY
- City of Albany, NY Assessor
- Google Earth Pro™
- Google Maps™

A1.14 Agency File Reviews

Property Solutions may submit a Freedom of Information Law (FOIL) request to the appropriate local, state, and/or federal agencies (if applicable) "if the subject property or adjoining property is identified in any of the standard environmental records sources" per the ASTM E1527-21 standard to possibly provide further insight into reported spills/incidents at the subject Property and/or adjoining properties.

A1.15 ASTM E1527-21 Relevant Definitions

The following relevant definitions are presented within the ASTM E1527-21 Phase I ESA standard:

- *De minimis condition*: a condition related to a *release* that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. A condition determined to be a *de minimis condition* is not considered a *recognized environmental condition (REC)*, nor a *controlled recognized environmental condition (CREC)*.
- *Recognized Environmental Condition (REC)*: the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.
- *Historical Recognized Environmental Condition (HREC)*: a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable

regulatory authority or authorities, without subjecting the subject Property to any required controls.

- Controlled Recognized Environmental Condition (CREC): a *recognized environmental condition* affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of controls.
- Significant Data Gap: a data gap that affects the environmental professional's ability to identify a *recognized environmental condition*.

A1.16 Environmental Professional Statement

As required by §40 C.F.R 312.21(d), Property Solutions makes the following statement:

I declare that, to the best of my professional knowledge and belief, I meet the definition of *Environmental Professional* as defined in § 312.10 of 40 C.F.R § 312 and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject Property. I have developed and performed the all appropriate inquiries and practices set forth in §40 Part 312. Paul M. Shannon's Professional Resume is attached as **Appendix G**.