Montauk Cutoff Request for Expressions of Interest: Q&A

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**Question:** The RFEI contemplates leasing the site. What are its projected lease terms? Does MTA/LIRR contemplate collecting rent, and if so, how much? What would be MTA/LIRR’s preferred lease duration?

**Answer:** The lease terms, including compensation and duration, will depend on what is supportable and necessary for the ultimate use. MTA leases also typically contain a recapture provision that allows MTA to terminate the lease and take back the property subsequent to a certain notice period.

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**Question:** The RFEI requires “site protection.” Does this include fencing the parcels? If so, how can the fencing be done so as to not obstruct the right-of-way?

**Answer:** Site protection can include fencing and other forms of access control at portions of the site that are accessible to the street. The right-of-way is no longer in active rail use and so this would not constitute an obstruction.

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**Question:** Can permanent structures be erected on the site? If so, how can they be erected so as to not obstruct the right-of-way? Does MTA/LIRR offer technical assistance or consultation to develop designs that are acceptable?

**Answer:** The existence of structures are not specifically precluded for the purposes of this RFEI. The right-of-way is no longer in active rail use and so such a structure would not constitute an obstruction. MTA/LIRR does not offer technical assistance for design development, but will review and comment on any building plans submitted.

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**Question:** Pollution liability insurance is required. Does MTA/LIRR know of any potential environmental liability issues on any of the parcels? Has MTA/LIRR conducted soil samples on any of the parcels? If so, what are the results?

**Answer:** MTA/LIRR is not aware of any specific instance of contamination on the Montauk Cutoff parcels. No soil study has been conducted.

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**Question:** Is Worker’s Compensation insurance still required if the lessee has no employees (i.e., is composed of volunteers only)?
Answer: Volunteer-run organizations may be eligible for a waiver from Worker’s Comp, subject to MTA’s determination.

Question: Does MTA/LIRR have a preferred site plan format for submissions?

Answer: MTA/LIRR does not have a preferred site plan format.

Question: Does MTA/LIRR have any preferred uses for the site? For example, notwithstanding all other considerations, would a nonprofit/open-space use be "scored" higher than a commercial for-profit use?

Answer: MTA/LIRR does not have any preferred uses.

Question: Will the existing blue rolling stock stay on the tracks?

Answer: It is anticipated that the rolling stock currently on site will be removed by LIRR prior to any adaptive reuse of the Montauk Cutoff.

Question: What sort of maintenance is required for the bridges/trestles. What is the scope of this work, and what duties will the MTA/LIRR perform?

Answer: LIRR will conduct annual inspections of the bridges. As part of a lease with a future user of the Montauk Cutoff, depending on the nature of the use, LIRR may require tenant to make certain repairs to the retaining walls and bridge structures that it determines are necessary, and will require any damage caused as a result of tenant’s use to be fully repaired.

Question: How much weight can be put on the bridges? What are the limitations?

Answer: The maximum load capacities of the bridges have yet to be determined. However, it should be assumed that the regular transit of heavy machinery over the bridges or the erecting of structures on the bridges will not be permitted.

Question: What herbicide (or other chemicals) have been applied along the tracks? How much, for how long & how often?
Standard herbicides have been applied no more than twice per year to the Montauk Cutoff for the purposes of weed control.

**Question:** Can MTA offer labor/contractor support cleaning trash and/or removing poison ivy to leave the Semite clean and safe for adaptive reuse?

**Answer:** MTA cannot make labor or contractor support available.

**Question:** Can MTA/LIRR offer design, permit expediting, engineering support, or other professional services?

**Answer:** MTA/LIRR cannot offer design, permit expediting, engineering support, or other professional services.

**Question:** Can proposed uses include removal of the existing track and bridge structures, and grading of the embankments?

**Answer:** Yes.

**Question:** Does the adaptive reuse plan have to include a public open space component as a requirement?

**Answer:** No. Any use that can be shown to meet the feasibility and code requirements outlined in the RFEI can be considered.