

# Request for Immediate Release of Flowers Park RFP Bid Documents

From: Robert Cox  
robertcox@talkofthesound.com

To: Melendez, Wilfredo  
wmelende@newrochelleny.gov

Cc: Tarantino, Albert  
ataranti@newrochelleny.gov  
Peters, David  
dpeters@newrochelleny.gov  
Lopez-Hanratty, Martha  
mlopez@newrochelleny.gov  
+5 more

On: Friday 31 October 2025 at 14:06:15

# Exhibit I

Thank you.

I will wait until there is a bid award and follow up.

Kind regards

Robert Cox  
Talk of the Sound

----- Original Message -----

On Friday, 10/31/25 at 13:36 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Mr. Cox,

Please note that the requested bid proposals are not available for release at this time under POL. Since the City has not yet made an award, sharing the bid materials at this stage could affect the fairness of the ongoing process and the City's ability to get the best value for the public. Once the selection process is complete, extensive public outreach of the proposal selected to be advanced, will be made. Once the procurement process is complete, we'll be happy to revisit your request and provide the records as appropriate.

Sincerely,

**Wilfredo Melendez, P.E.**

City Manager

City of New Rochelle

515 North Avenue

New Rochelle, NY 10801

(914) 654-2145 Office

[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>

**Sent:** Thursday, October 30, 2025 3:53 AM

**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>

**Cc:** Tarantino, Albert <[ataranti@newrochelleny.gov](mailto:ataranti@newrochelleny.gov)>; Peters, David <[dpeters@newrochelleny.gov](mailto:dpeters@newrochelleny.gov)>; Lopez-Hanratty, Martha <[mlopez@newrochelleny.gov](mailto:mlopez@newrochelleny.gov)>; Stern, Matthew <[mstern@newrochelleny.gov](mailto:mstern@newrochelleny.gov)>; Kaye, Sara <[skaye@newrochelleny.gov](mailto:skaye@newrochelleny.gov)>; Osinloye, Shane <[sosinloy@newrochelleny.gov](mailto:sosinloy@newrochelleny.gov)>; Ramos Herbert, Yadira <[ramosherbert@newrochelleny.gov](mailto:ramosherbert@newrochelleny.gov)>; Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>

**Subject:** Request for Immediate Release of Flowers Park RFP Bid Documents

**This email was sent to your .com address.** Please make the sender aware that your email has changed to .gov

**EXTERNAL SENDER: DO NOT CLICK** links or open attachments unless you recognize the sender and know the content is safe. If unsure, contact IT for guidance.

Dear City Manager,

The deadline for submitting bids on the Flowers Park RFP has now passed. I am writing to request copies of all bid documents received. I submitted a FOIL request yesterday. However, given the strong emphasis you, the Mayor, and Council members placed last week on transparency, public engagement, and the significant public interest in this project, I ask that you either provide the bid documents to me immediately or direct staff to post them on the city website without delay. This would allow equal and simultaneous access for all interested parties.

Thank you for your prompt attention to this matter.

Kind regards

Robert Cox

Talk of the Sound

## Re: RE: Statement on flowers park

From: Robert Cox  
robertcox@talkofthesound.com

To: Melendez, Wilfredo  
wmelende@newrochelleny.gov

On: Thursday 13 November 2025 at 21:33:43

Got it. Thanks.

For good orders sake, can you send along the bid proposal (redacted for confidential/proprietary as appropriate),

Bob Cox

----- Original Message -----

On Thursday, 11/13/25 at 21:22 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Yes. I informed council early this morning on my intentions. Posting a statement now.

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**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Thursday, November 13, 2025 3:46 PM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Subject:** Statement on flowers park

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Peters, David  
dpeters@newrochelleny.gov  
Lopez-Hanratty, Martha  
mlopez@newrochelleny.gov  
+5 more

On: Wednesday 12 November 2025 at 9:38:05

Dear Mr. Melendez,

Thank you for your prompt response to my request for the bid proposal submitted in response to the Flowers Park RFP (Specification No. 5820). Although the Freedom of Information Law (FOIL) provides that agencies may withhold certain records under exemptions like §87(2)(c), it does not *require* such withholding, leaving the decision to the agency's discretion.

I understand the City's concerns regarding the ongoing procurement process and the potential implications under the Public Officers Law. To address those concerns, I am happy to accept a redacted version of the proposal at this time. Specifically, I agree that any sections marked as "Confidential" or "Proprietary" by the bidder—as permitted in the RFP—can be withheld or redacted to protect sensitive information, such as trade secrets or financial details that could cause competitive harm.

However, non-proprietary elements, including site plans, conceptual designs, project timelines, and other descriptive materials that outline the proposed redevelopment, should be releasable without impairing the process, especially given that only one proposal was received.

Releasing a redacted version now would promote transparency and allow for informed public input during the evaluation phase, aligning with the City's stated commitment to community engagement on this significant park project.

I kindly ask that you reconsider and provide such a redacted copy, or if a denial is maintained, please provide a detailed explanation of why even redacted materials cannot be shared at this stage.

Thank you for your attention to this matter. I look forward to your reply.

Sincerely,  
Robert Cox  
Talk of the Sound

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Thank you for your prompt attention to this matter.

Kind regards



Robert Cox

Talk of the Sound

## Statement on flowers park

From: **Robert Cox**  
robertcox@talkofthesound.com

To: **Melendez, Wilfredo**  
wmelende@newrochelleny.gov

On: **Thursday 13 November 2025 at 20:45:38**

I saw Matt's statement and published it

Now I hear you have a statement

Can I get a copy?

Bob Cox

## RE: Statement on flowers park

From: Melendez, Wilfredo  
wmelende@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com

On: Thursday 13 November 2025 at 21:22:45

Yes. I informed council early this morning on my intentions. Posting a statement now.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Thursday, November 13, 2025 3:46 PM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Subject:** Statement on flowers park

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Bob Cox

## Re: RE: Statement on flowers park

From: Robert Cox  
robertcox@talkofthesound.com

To: Melendez, Wilfredo  
wmelende@newrochelleny.gov  
Jones, Kim  
kjones@newrochelleny.gov

On: Friday 14 November 2025 at 16:47:17

Hi

Hate to be a nudge but I am traveling next week and would like to post the Flowers Park bid docs today.

Can I get them?

Bob Cox

----- Original Message -----

On Thursday, 11/13/25 at 21:33 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Got it. Thanks.

For good orders sake, can you send along the bid proposal (redacted for confidential/proprietary as appropriate),

Bob Cox

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Bob Cox

## RE: RE: Statement on flowers park

From: Jones, Kim  
kjones@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com

On: Tuesday 18 November 2025 at 14:25:05

I apologize for the delay.

Is it possible to foil this request.

Thank you very much.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Tuesday, November 18, 2025 8:20 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>; Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: RE: Statement on flowers park

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I return home tomorrow and was hoping to write up a story based on the bid documents.

Can you please send them no later than tomorrow morning your time?

Thank you

Bob Cox

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On Friday, 11/14/25 at 17:47 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

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robertcox@talkofthesound.com

To: Melendez, Wilfredo  
wmelende@newrochelleny.gov  
Jones, Kim  
kjones@newrochelleny.gov

On: Tuesday 18 November 2025 at 13:19:33

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Thank you

Bob Cox

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## Re: RE: Statement on flowers park

From: Melendez, Wilfredo  
wmelende@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com  
Jones, Kim  
kjones@newrochelleny.gov

On: Thursday 20 November 2025 at 17:26:57

Foil response forth coming.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Thursday, November 20, 2025 4:40:09 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>; Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: RE: Statement on flowers park

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Will

I have been under the impression that you intended to make the bid proposal documents available to me (or otherwise make them public so I could download them) based on my initial request after the RFP deadline on 10/29. I also made a FOIL request through the Clerk. And when asked to re-submit a FOIL request after you pulled the RFP I did so despite my belief your initial response obviated the need to do so. I still have no indication that there is some good reason for not providing the bid proposal documents so am left to conclude that despite your past statements to me and your public statements about "transparency" and two FOIL requests, you do not want the public to see the bid proposal documents.

Under POL, which you previously cited, there is no longer a basis to withhold bid documents for an RFP that is closed or awarded.

I would prefer to just get the records and publish them but in the event I do not have them by noon your time (my end of day) I will publish a story about your not producing the records despite your past statements to me, your public statements and your obligations under FOIL. Of course, I will continue to expect the records.

Thanks

Robert Cox  
+353 (89) 972 0669

(If you are not in Europe, look me up in WhatsApp)

TALK OF THE SOUND

Publisher and Managing Editor  
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instagram: @talkofthesound

Vimeo: [vimeo.com/robertcox](https://vimeo.com/robertcox)

YouTube: [youtube.com/c/talkofthesound](https://youtube.com/c/talkofthesound)

LinkIn: [linkin.bio/talkofthesound](https://linkin.bio/talkofthesound)

ROBERT COX

Journalist  
Words in Edgewise

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Vimeo: [vimeo.com/robertcox](https://vimeo.com/robertcox)

News Tips

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On Tuesday, 11/18/25 at 13:19 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

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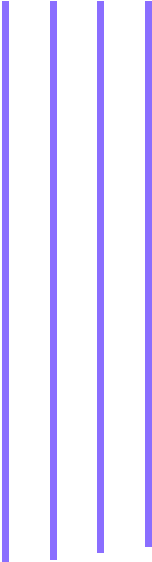
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Journalist

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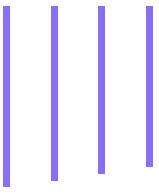
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**dpeters@newrochelleny.com**  
dpeters@newrochelleny.com  
**+5 more**



On: Friday 21 November 2025 at 6:14:20

Dear City Manager,

This response is not the records or even a commitment to produce the records but merely the promise of a "response". Past being prologue, it presupposes that the response might well be to continue to withhold the records.

I have waited patiently for the records to no avail. I complied with every request. As previously indicated, I have to draw a line under this at some point and did so with yesterday's deadline. That deadline has now passed.

There have four discussion items on this matter. 68 citizens addressed council at CTBH. There have been numerous media reports. There is no question but that the the bid proposal documents are a matter of great public interest.

Among the words used most often have been "public engagement" and "transparency". The failure to make public the bid proposal documents— which were inarguably public records the moment you pulled the RFP more than a week ago — is neither.

There is no need for a FOIL request for you to release these public records. You have had the authority to do so all along but certainly since last Thursday as there is no legal basis to withhold them.

As previously stated, I will proceed with publishing an article today about the bid proposal documents. I had hoped it would be about the documents themselves not your repeated stonewalling of their release but so be it.

Thank you.

Robert Cox  
Talk of the Sound

----- Original Message -----

On Thursday, 11/20/25 at 17:26 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

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On: Tuesday 25 November 2025 at 13:23:57

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Cc: Jones, Kim  
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On: Tuesday 25 November 2025 at 13:50:00

Are you telling me you returned the bid proposal documents?

Are you telling me you are asking the developer to redact the documents and return redacted documents to you so you can then release them?

If so, what is the timeline on this?

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Words in Edgewise

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To: Melendez, Wilfredo  
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Cc: Jones, Kim  
kjones@newrochelleny.gov

On: Monday 1 December 2025 at 16:50:20

I received a document in reply to my FOIL on Flowers Park RFP.

My questions below remain so please address them.

I want to explain to readers what exactly they are looking at as my understanding is that the city gave these docs to bob young and his representatives, then they made the redactions and submitted the document I received to the city and the clerk sent it to me.

So this raises a number of questions I'm hoping you can answer. The biggest one is chain of custody if you gave Bob Young the original bid document and then he substituted it for with some other document. How would you know that? Also how would you know that the reductions that were made by Bob Young and his people are allowed under the law. If they have the original, then the city has no way to compare and evaluate what they got back there's quite a few reductions. I would certainly plan on appealing each of them, so I'm gonna win an explanation since one was not provided as to why each section was redacted which I'm entitled to under an appeal, but I'm not really clear how you would know why something was redacted if you didn't do the redacting and all you have now is the redacted version of the original from Bob Young. All of this is probably a reason why to my understanding what was done here is in violation of New York State freedom of information law and the public records requirements under the state of New York. I just don't think you can give the originals of a document to an outside party because you don't know if the reductions are legitimate and be you don't know if what they gave you back is actually the document that they submitted on October 29. I feel like I need to explain to my readers that they can't really trust this document for the reasons above, and so there should be an effort to continue to continue to press for the proper handling of this document if that's even possible now if you've given away the original and then it's changed or altered. There'd be no way to know that so what assurance is can I have the public have that what I received today is not been manipulated along these lines or others. This is dictated not read so please excuse the typos.

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Thanks much

Great Thanksgiving!

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## RE: RE: RE: Statement on flowers park

From: Melendez, Wilfredo  
wmelende@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com

On: Tuesday 2 December 2025 at 15:37:19

The proposal was received as per RFP solicitation. Hard copies were distributed to internal technical staff to begin their review. The RFP was then withdrawn. Developer requested proposal be returned. Developer was informed of FOIL and exemptions did not apply, however can redacted information not relevant to substance of project or propriety information, subject to review. Redactions reviewed by City. Original then returned. FOIL provided. Not manipulated in any way. RFP scope requirements versus proposal should be focus.

Thanks Will

---

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**Sent:** Monday, December 1, 2025 11:50 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
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From: Robert Cox  
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To: Melendez, Wilfredo  
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On: Tuesday 2 December 2025 at 16:17:41

Thank you.

This is quite obviously NOT what you said previously. I will note your new position on this matter in a subsequent article.

I will be appealing every redaction soon.

Thanks

Bob Cox

----- Original Message -----

On Tuesday, 12/02/25 at 16:13 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Mr. Cox,

To clarify the process, the City worked with the proposer to identify the portions they asserted to be trade secrets or proprietary commercial information, which are exempt from disclosure under FOIL. The City then reviewed those requested redactions and made the final determination as to what should be withheld. The City has maintained a copy of the original, unredacted proposal in its files in compliance with all public-record obligations and procurement-retention requirements. At no point was the City's only copy of the proposal provided to the proposer or replaced by another version. The redacted version you received reflects the City's FOIL determination based on the exemptions asserted and the City's review of them. To the extent you disagree with any of the redactions, you may pursue a FOIL appeal as you indicated you intend to do, and the appeal officer will review.

Sincerely,

**Wilfredo Melendez, P.E.**

City Manager

City of New Rochelle

515 North Avenue

New Rochelle, NY 10801

(914) 654-2145 Office

[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)

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Will,

I am familiar with the subject matter and I do not understand this statement (or your previous statement). You did not clarify your previous statement. It would be helpful if you would clarify both statements.

Regardless, before I include this statement in an article, I want to make sure I represent the City's position accurately and in a way that readers can easily understand. The current statement contains several sentence fragments and missing words, which will confuse the public just as it has me.

Would it be possible for you to provide a clearer, more complete version (preferably in full sentences) that I can quote directly?

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On: Tuesday 2 December 2025 at 16:02:03

Will,

I am familiar with the subject matter and I do not understand this statement (or your previous statement). You did not clarify your previous statement. It would be helpful if you would clarify both statements.

Regardless, before I include this statement in an article, I want to make sure I represent the City's position accurately and in a way that readers can easily understand. The current statement contains several sentence fragments and missing words, which will confuse the public just as it has me.

Would it be possible for you to provide a clearer, more complete version (preferably in full sentences) that I can quote directly?

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From: Robert Cox  
robertcox@talkofthesound.com

To: Melendez, Wilfredo  
wmelende@newrochelleny.gov

Cc: Jones, Kim  
kjones@newrochelleny.gov

On: Tuesday 2 December 2025 at 22:00:39

No. The emails where Bob Young or his reps are requesting the RFP Response he submitted.

You just said it was requested and there was back and forth so those emails

Bob Cox

----- Original Message -----

On Tuesday, 12/02/25 at 19:47 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Robert,

RFP scope requirements?

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Tuesday, December 2, 2025 2:32 PM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Cc:** Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: FOIL: return of spec 5820

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Will

This FOIL request was not acknowledged within 5 days. I can appeal and you would have 10 days to grant or deny my request. As always, I would rather you just produce the records. As a courtesy, please send all records from 11/21/25 to today. If you do not wish to do that I will make an appeal tomorrow along with an additional FOIL to cover the balance of related records.

Kind regards

Robert Cox

+353 (89) 972 0669

(If you are not in Europe, look me up in WhatsApp)

TALK OF THE SOUND

Publisher and Managing Editor

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Member, New York Press Club

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----- Original Message -----

On Friday, 11/21/25 at 15:15 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Dear City Manager,

There is no question that the bid proposal for the Flowers Park RFP is a public record. You have made various public and private (to me) statements in this regard. And yet you are stonewalling me.

My FOIL for those records remains but I would also like to make a new FOIL request here to address the point that no submissions for "spec 5820" or any other RFP can be returned to the bidder or his representatives for any reason as once submitted they are a public record.

This is a public records request.

I would like to obtain the following records:

All emails sent or received this week that reference the return of spec 5820.

I would like the fulfillment of my request to adhere to the new standards required under recent amendments to the New York State Freedom of Information Law which were intended to bring FOIL into the digital era.

Whenever and wherever possible I would like records provided pertaining to my records request to be converted to and delivered in standard, cross-platform, non-proprietary electronic/digital formats. For paper records that must be duplicated, I would like them duplicated by scanning not photocopying and saved in Adobe Acrobat PDF (i.e., pdf). For audio records, I would like them exported/saved into a standard audio format (i.e., .mp3). For video records, I would like them exported/saved into standard video format (i.e., .mp4). For electronic database records, I would like them converted into Microsoft Excel (i.e., .xls) I would like all communications including the delivery of documents to take place via email as much as is possible based on the nature and size of the available records. Other online digital delivery methods such as Dropbox are also acceptable.

The New York State Committee on Open Government has issued numerous advisory opinions to the effect that an agency can not require that a request be made on a prescribed form. The Freedom of Information Law, §89(3), as well as the regulations promulgated by the Committee (§1401.5), require that an agency respond to a request that reasonably describes the record sought within five business days of the receipt of a request. As such, neither the Law nor the regulations refer to, require or authorize the use of standard forms. Accordingly, it has consistently been advised that any written request that reasonably describes the records sought should suffice.

I willing to pay any necessary, required statutory costs but for any costs that exceed \$20.00 I would like prior notification of the estimated cost to comply with this records request so I do not get any big surprises. I am willing to entertain any reasonable request to tailor or narrow my request to make compliance easier. I can be charged for the time required to "prepare" records at the lowest hourly rate for the lowest-paid person capable of doing the work but I cannot be charged for "search" time or for any costs related to work done by a machine (e.g., a machine that scans and converts paper documents to PDF files, exporting a digital video file from a video surveillance system, duplicating an audio cassette recording, burning files onto a CD) or for any costs not specified under the statute.

I would like the Records Access Officer to certify that the records are genuine.

Robert Cox

Publisher and Managing Editor

Talk of the Sound

<http://www.talkofthesound.com>

Words in Edgewise

<http://www.robertcox.ie>

## CONTACT INFO

Robert Cox

+353 (89) 972 0669

(If you are not in Europe, look me up in WhatsApp)

Email: [robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)

Follow us on Twitter at [www.twitter.com/talkofthesound](http://www.twitter.com/talkofthesound)

Like us on Facebook at [facebook.com/TalkoftheSound](https://facebook.com/TalkoftheSound)

Register for a Basic or Premium account for Words in Edgewise at [robertcox.ie](http://robertcox.ie)

----- Original Message -----

On Friday, 11/21/25 at 06:14 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Dear City Manager,

This response is not the records or even a commitment to produce the records but merely the promise of a "response". Past being prologue, it presupposes that the response might well be to continue to withhold the records.

I have waited patiently for the records to no avail. I complied with every request. As previously indicated, I have to draw a line under this at some point and did so with yesterday's deadline. That deadline has now passed.

There have four discussion items on this matter. 68 citizens addressed council at CTBH. There have been numerous media reports. There is no question but that the the bid proposal documents are a matter of great public interest.

Among the words used most often have been "public engagement" and "transparency". The failure to make public the bid proposal documents—which were inarguably public records the moment you pulled the RFP more than a week ago — is neither.

There is no need for a FOIL request for you to release these public records. You have had the authority to do so all along but certainly since last Thursday as there is no legal basis to withhold them.

As previously stated, I will proceed with publishing an article today about the bid proposal documents. I had hoped it would be about the documents themselves not your repeated stonewalling of their release but so be it.

Thank you.

Robert Cox

Talk of the Sound

----- Original Message -----

On Thursday, 11/20/25 at 17:26 Melendez, Wilfredo  
<[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Foil response forth coming.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Thursday, November 20, 2025 4:40:09 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>; Jones, Kim  
<[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: RE: Statement on flowers park

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Will

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Under POL, which you previously cited, there is no longer a basis to withhold bid documents for an RFP that is closed or awarded.

I would prefer to just get the records and publish them but in the event I do not have them by noon your time (my end of day) I will publish a story about your not producing the records despite your past statements to me, your public statements and your obligations under FOIL. Of course, I will continue to expect the records.

Thanks

Robert Cox

+353 (89) 972 0669

(If you are not in Europe, look me up in WhatsApp)

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I return home tomorrow and was hoping to write up a story based on the bid documents.

Can you please send them no later than tomorrow morning your time?

Thank you

Bob Cox

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On Friday, 11/14/25 at 17:47 Robert Cox  
<[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Hi

Hate to be a nudge but I am traveling next week and would like to post the Flowers Park bid docs today.

Can I get them?

Bob Cox

----- Original Message -----  
On Thursday, 11/13/25 at 21:33 Robert Cox  
<[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Got it. Thanks.

For good orders sake, can you send along the bid proposal (redacted for confidential/proprietary as appropriate),

Bob Cox

----- Original Message -----  
On Thursday, 11/13/25 at 21:22 Melendez, Wilfredo

<[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Yes. I informed council early this morning on my intentions. Posting a statement now.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>

**Sent:** Thursday, November 13, 2025 3:46 PM

**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>

**Subject:** Statement on flowers park

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I saw Matt's statement and published it

Now I hear you have a statement

Can I get a copy?

Bob Cox

## RE: RE: RE: RE: Statement on flowers park

From: Melendez, Wilfredo  
wmelende@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com

On: Tuesday 2 December 2025 at 16:13:09

Mr. Cox,

To clarify the process, the City worked with the proposer to identify the portions they asserted to be trade secrets or proprietary commercial information, which are exempt from disclosure under FOIL. The City then reviewed those requested redactions and made the final determination as to what should be withheld. The City has maintained a copy of the original, unredacted proposal in its files in compliance with all public-record obligations and procurement-retention requirements. At no point was the City's only copy of the proposal provided to the proposer or replaced by another version. The redacted version you received reflects the City's FOIL determination based on the exemptions asserted and the City's review of them. To the extent you disagree with any of the redactions, you may pursue a FOIL appeal as you indicated you intend to do, and the appeal officer will review.

Sincerely,

**Wilfredo Melendez, P.E.**

City Manager  
City of New Rochelle  
515 North Avenue  
New Rochelle, NY 10801  
(914) 654-2145 Office  
[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Tuesday, December 2, 2025 11:02 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Subject:** Re: RE: RE: RE: Statement on flowers park

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Will,

I am familiar with the subject matter and I do not understand this statement (or your previous statement). You did not clarify your previous statement. It would be helpful if you would clarify both statements.

Regardless, before I include this statement in an article, I want to make sure I represent the City's position accurately and in a way that readers can easily understand. The current statement contains several

sentence fragments and missing words, which will confuse the public just as it has me.

Would it be possible for you to provide a clearer, more complete version (preferably in full sentences) that I can quote directly?

Thank you

Robert Cox

PS, on a personal note, I find it sad to think it was not that long ago that I could just pick up the phone and speak with Chuck (and briefly Kathleen). It's too bad that you have chosen a different path as my preference is always to achieve clarity for my readers. You have made that extremely difficult (impossible really). I think you should care about helping me understand you as I have more readers in 5 minutes than you can reach in a month. That said, I have been doing this for a long time. People like you come and go. I remain. If you change your mind my mobile phone is in every email signature

Robert Cox  
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using any of the contact information above or you can reach me via WhatsApp +353 (89) 972 0669. Other Alternatives are to DM my @X account or leave a message at Google Voice at (914) 500-8386.

----- Original Message -----

On Tuesday, 12/02/25 at 15:37 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

The proposal was received as per RFP solicitation. Hard copies were distributed to internal technical staff to begin their review. The RFP was then withdrawn. Developer requested proposal be returned. Developer was informed of FOIL and exemptions did not apply, however can redacted information not relevant to substance of project or propriety information, subject to review. Redactions reviewed by City. Original then returned. FOIL provided. Not manipulated in any way. RFP scope requirements versus proposal should be focus.

Thanks Will

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Monday, December 1, 2025 11:50 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Cc:** Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: RE: RE: Statement on flowers park

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I received a document in reply to my FOIL on Flowers Park RFP.

My questions below remain so please address them.

I want to explain to readers what exactly they are looking at as my understanding is that the city gave these docs to bob young and his representatives, then they made the redactions and submitted the document I received to the city and the clerk sent it to me.

So this raises a number of questions I'm hoping you can answer. The biggest one is chain of custody if you gave Bob Young the original bid document and then he substituted it for with some other document. How would you know that? Also how would you know that the reductions that were made by Bob Young and his people are allowed under the law. If they have the original, then the city has no way to compare and evaluate what they got back there's quite a few reductions. I would certainly plan on appealing each of them, so I'm gonna win an explanation since one was not provided as to why each section was redacted which I'm entitled to under an appeal, but I'm not really clear how you would know why something was redacted if you didn't do the redacting and all you have now is the redacted version of the original from Bob Young. All of this is probably a reason why to my understanding what was done here is in violation of New York State freedom of information law and the public records requirements under the state of New York. I just don't think you can give the originals of a document to an outside party because you don't know if the reductions are legitimate and be you don't know if what they gave you back is actually the document that they submitted on October 29. I feel like I need to explain to my readers that they can't really trust this document for the reasons above, and so there should be an effort to continue to continue to press for the proper handling of this document if that's even possible now if you've given away the original and then it's changed or altered. There'd be no way to know that so what assurance is

can I have the public have that what I received today is not been manipulated along these lines or others. This is dictated not read so please excuse the typos.

Bob Cox

----- Original Message -----

On Tuesday, 11/25/25 at 13:50 Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)> wrote:

Are you telling me you returned the bid proposal documents?

Are you telling me you are asking the developer to redact the documents and return redacted documents to you so you can then release them?

If so, what is the timeline on this?

Bob Cox

----- Original Message -----

On Tuesday, 11/25/25 at 13:23 Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)> wrote:

Mr. Cox,

Proposals were requested to be returned by the requestor. They have been asked to redact items at the request of the FOIL. We are waiting on the redacted version.

Thanks much  
Great Thanksgiving!

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Tuesday, November 25, 2025 3:28 AM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Cc:** Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: RE: Statement on flowers park

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City Manager Melendez

I would greatly prefer to just get the records without having to make a public issue of your not producing the records despite your past statements to me personally but also your past public statements at city council meetings where you repeatedly used the word "transparency".

Although I was prepared to run a story on the stonewalling on Friday I decided to give it until end of day on Monday.

You have offered no explanation for the delay so I am left to conclude you do not intend to produce the records I seek. If that is not the case I would appreciate your telling me

that, giving a detailed explanation of the delay and a date certain when you will provide me the records (or publish them on the city website where I can download them).

For my part, I think you are getting bad advice from anyone telling you it's a good idea to obstruct or slow walk my request.

Thanks

Robert Cox  
+353 (89) 972 0669

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Foil response forth coming.

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Bob Cox

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Yes. I informed council early this morning on my intentions. Posting a statement now.

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>

**Sent:** Thursday, November 13, 2025 3:46 PM

**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>

**Subject:** Statement on flowers park

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--

I saw Matt's statement and published it

Now I hear you have a statement

Can I get a copy?

Bob Cox

## RE: FOIL: return of spec 5820

From: Melendez, Wilfredo  
wmelende@newrochelleny.gov

To: Robert Cox  
robertcox@talkofthesound.com

Cc: Jones, Kim  
kjones@newrochelleny.gov

On: Tuesday 2 December 2025 at 19:47:51

Robert,

RFP scope requirements?

---

**From:** Robert Cox <[robertcox@talkofthesound.com](mailto:robertcox@talkofthesound.com)>  
**Sent:** Tuesday, December 2, 2025 2:32 PM  
**To:** Melendez, Wilfredo <[wmelende@newrochelleny.gov](mailto:wmelende@newrochelleny.gov)>  
**Cc:** Jones, Kim <[kjones@newrochelleny.gov](mailto:kjones@newrochelleny.gov)>  
**Subject:** Re: FOIL: return of spec 5820

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This FOIL request was not acknowledged within 5 days. I can appeal and you would have 10 days to grant or deny my request. As always, I would rather you just produce the records. As a courtesy, please send all records from 11/21/25 to today. If you do not wish to do that I will make an appeal tomorrow along with an additional FOIL to cover the balance of related records.

Kind regards

Robert Cox  
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My FOIL for those records remains but I would also like to make a new FOIL request here to address the point that no submissions for "spec 5820" or any other RFP can be returned to the bidder or his representatives for any reason as once submitted they are a public record.

This is a public records request.

I would like to obtain the following records:

All emails sent or received this week that reference the return of spec 5820.

I would like the fulfillment of my request to adhere to the new standards required under recent amendments to the New York State Freedom of Information Law which were intended to bring FOIL into the digital era.

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The New York State Committee on Open Government has issued numerous advisory opinions to the effect that an agency can not require that a request be made on a prescribed form. The Freedom of Information Law, §89(3), as well as the regulations promulgated by the Committee (§1401.5), require that an agency respond to a request that reasonably describes the record sought within five business days of the receipt of a request. As such, neither the Law nor the regulations refer to, require or authorize the use of standard forms. Accordingly, it has consistently been advised that any written request that reasonably describes the records sought should suffice.

I willing to pay any necessary, required statutory costs but for any costs that exceed \$20.00 I would like prior notification of the estimated cost to comply with this records request so I do not get any big surprises. I am willing to entertain any reasonable request to tailor or narrow my request to make compliance easier. I can be charged for the time required to “prepare” records at the lowest hourly rate for the lowest-paid person capable of doing the work but I cannot be charged for “search” time or for any costs related to work done by a machine (e.g., a machine that scans and converts paper documents to PDF files, exporting a digital video file from a video surveillance system, duplicating an audio cassette recording, burning files onto a CD) or for any costs not specified under the statute.

I would like the Records Access Officer to certify that the records are genuine.

Robert Cox  
Publisher and Managing Editor  
Talk of the Sound  
<http://www.talkofthesound.com>  
Words in Edgewise  
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## CONTACT INFO

Robert Cox  
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Register for a Basic or Premium account for Words in Edgewise at [robertcox.ie](http://robertcox.ie)

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I have waited patiently for the records to no avail. I complied with every request. As previously indicated, I have to draw a line under this at some point and did so with yesterday’s deadline. That deadline has now passed.

There have four discussion items on this matter. 68 citizens addressed council at CTBH. There have been numerous media reports. There is no question but that the the bid proposal documents are a matter of great public interest.

Among the words used most often have been “public engagement” and “transparency”. The failure to make public the bid proposal documents— which were inarguably public records the moment you pulled the RFP more than a week ago — is neither.

There is no need for a FOIL request for you to release these public records. You have had the authority to do so all along but certainly since last Thursday as there is no legal basis to withhold them.

As previously stated, I will proceed with publishing an article today about the bid proposal documents. I had hoped it would be about the documents themselves not your repeated stonewalling of their release but so be it.

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Foil response forth coming.

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**Sent:** Thursday, November 20, 2025 4:40:09 AM

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**Subject:** Re: RE: Statement on flowers park

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I have been under the impression that you intended to make the bid proposal documents available to me (or otherwise make them public so I could download them)

based on my initial request after the RFP deadline on 10/29. I also made a FOIL request through the Clerk. And when asked to re-submit a FOIL request after you pulled the RFP I did so despite my belief your initial response obviated the need to do so. I still have no indication that there is some good reason for not providing the bid proposal documents so am left to conclude that despite your past statements to me and your public statements about “transparency” and two FOIL requests, you do not want the public to see the bid proposal documents.

Under POL, which you previously cited, there is no longer a basis to withhold bid documents for an RFP that is closed or awarded.

I would prefer to just get the records and publish them but in the event I do not have them by noon your time (my end of day) I will publish a story about your not producing the records despite your past statements to me, your public statements and your obligations under FOIL. Of course, I will continue to expect the records.

Thanks

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Can you please send them no later than tomorrow morning your time?

Thank you

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Can I get them?

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