



**Albany Parking Authority
25 Orange Street
Albany, NY 12207-2224**

**REQUEST FOR PROPOSALS
INSTALLATION AND ENHANCEMENT OF LIGHTING AND WIRELESS
SECURITY CAMERAS**

PROPOSALS DUE: MARCH 10, 2023 AT 2:00 PM EDT

RFP 2023-01

February 1, 2023

This RFP has been developed specifically for the Albany Parking Authority for the installation and enhancement of lighting and wireless security cameras. This request for proposals may not be the same as previous requests for proposals. Therefore, all Vendors are urged to review this package in detail before submitting their bids.

Albany Parking Authority

REQUEST FOR PROPOSALS

INSTALLATION AND ENHANCEMENT OF LIGHTING AND WIRELESS SECURITY CAMERAS

Proposal Number 2023-01

Issued February 1, 2023

IMPORTANT NOTICE:

A restricted period is currently in effect for this Procurement and it will remain in effect until approval of the Contract. Proposers are prohibited from contact related to this procurement with any Albany Parking Authority employee other than the designated contacts listed below refer to:

Designated Contacts for this Procurement:

For Project Specific Clarifications:.....Sean Palladino, Associate Director

For Public Procurement Process Clarifications:Allan O’Brien, Esq., General Counsel

SECTION 1: PURPOSE

The Albany Parking Authority (“Authority”) is seeking qualified firms to install 17 decorative light poles and enhance lighting at four parking lot locations along Central Avenue (between Henry Johnson Blvd and Quail St.) and at the Quackenbush parking lot. The project also includes installation of wireless security cameras in those same locations.

The Albany Parking Authority provides equal employment opportunity. Minority Business Enterprises and Women's Business Enterprises are highly encouraged to submit proposals.

SECTION 2: RECEIPT OF PROPOSALS:

2.1 Anticipated Procurement Schedule:

Issue RFP:	February 1, 2023
Pre-Bid Meeting RSVP:	February 17, 2023
Pre-Bid Meeting:	February 21, 2023
Questions Submitted Not Later Than:	February 24, 2023
Questions & Answers Posted:	March 1, 2023

Proposals Due:

March 10, 2023

Potential Award

Week of March 27, 2023

- 2.2 Five (5) bound paper copies and One (1) electronic copy in Portable Document Format (PDF) of the Proposal must be received in a sealed envelope marked “Proposal Enclosed – Installation and enhancement of lighting and wireless security cameras” no later than **March 10, 2023 at 2:00 pm EST** at the following address:

Sean Palladino, Associate Director
Albany Parking Authority
25 Orange Street
Albany, NY 12207-2224
(518) 434-8886
spalladino@parkalbany.com

The electronic copy must be submitted via email to the email address listed above or on a thumb drive included with the proposal submittals.

- 2.3 Each proposal submitted will be the document upon which the Albany Parking Authority will make its initial judgment regarding each proposer's qualifications, methodology, and ability to provide the requested services.
- 2.4 Those submitting proposals do so entirely at their own expense. There is no express or implied obligation by the Authority to reimburse any entity, firm or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the Authority, or participating in any selection interviews.
- 2.5 Submission of any proposal indicates an acceptance of the conditions contained in this Request for Proposals unless the submitted proposal clearly and specifically states otherwise.
- 2.6 The Albany Parking Authority 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 responsible party, 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.
- 2.7 The Albany Parking Authority reserves the right to award the services, in whole or in part, to one or more entities, firms and/or individuals.
- 2.8 Any award of the services shall be conditioned on the later execution of a formal written contract. The Albany Parking Authority reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.

- 2.9 Respondents shall avoid submission of marketing materials.
- 2.10 All information submitted in response to this RFP is subject to the Freedom of Information Law (FOIL), which generally mandates the disclosure of documents in the possession of the Authority upon the request of any person unless the content of the document falls under a specific exemption to disclosure.

SECTION 3: QUALIFICATIONS OF PROPOSER:

- 3.1 Each proposer shall provide a statement of qualifications including:
1. A brief history and description of the entity/firm submitting the proposal.
 2. Identification of the entity/firm's professional staff members who will be assigned to this engagement if the entity/firm's proposal is selected. Include summarized information regarding the professional staff members detailing qualifications, years and types of experience, education, licensure, certifications, accomplishments, etc. Specify the extent of the availability and commitment of each such professional staff member who will be assigned to this engagement if the firm's proposal is selected. Specify a project manager and contact person to coordinate the services for the Albany Parking Authority.
 3. Proof proposer at all times obtains and maintains all licenses required by Federal, State and Local Laws to perform the services contemplated by this Agreement.
 4. At least three (3) references, including addresses and telephone numbers.
 5. A signed cover letter from a person within the entity/firm who is authorized to make representations on behalf of the firm and to bind the entity/firm.
 6. A summary of the entity/firm's general experience in providing the service(s) required under the RFP.
 7. Any additional information which would serve to distinguish the entity/firm from other entities/firms submitting proposals.
- 3.2 The Albany Parking Authority may make such inquiries it deems necessary to determine the ability of each proposer to perform the services contemplated by this RFP. Proposers shall promptly furnish all information and data for this purpose as may be subsequently requested by the Albany Parking Authority.

SECTION 4: SCOPE OF SERVICES:

Please see Project Manual & Specifications attached as Exhibit A. All proposals must submit a completed Exhibit A to be considered complete proposal under Section 16 of this RFP.

SECTION 5: TERM OF CONTRACT:

- 5.1 Substantial completion of the scope of services shall be by July 31, 2023. The Albany Parking Authority reserves the right to extend the agreement.
- 5.2 The selected proposer(s) will be required to execute a contract with the Albany Parking Authority. The Albany Parking Authority will have the right to terminate the contract at any time, with or without cause, upon thirty (30) days written notice.

SECTION 6: COST PROPOSAL:

- 6.1 Please provide a cost proposal for providing all of the services referenced above.
- 6.2 Clearly set forth in detail any and all additional expenses for which you expect to be reimbursed. The proposal must, however, provide a guarantee that no additional fees will be charged to the Albany Parking Authority without prior written consent by the Authority.

SECTION 7: PROPOSAL EVALUATION:

- 7.1 Proposals shall remain valid until the execution of a contract by the Albany Parking Authority.
- 7.2 Proposals shall be examined and evaluated by the Albany Parking Authority to determine whether each proposal meets the requirements of this RFP. A recommendation will be made to the Executive Director and Board of Directors for a contract award based on the following criteria:
 - * Proposer's demonstrated capabilities, professional qualifications, experience, character, reputation, training, and efficiency.
 - * The wherewithal of the proposer(s) to render the requested services to the Authority in a timely fashion.
 - * Total proposed cost.
 - * Completeness of the proposal.
 - * MWBE, service disabled veterans, small business, local business and environmental.
 - * Quality of the material and services offered.
- 7.3 The selection of a proposal will not be based solely on a monetary evaluation. The Albany Parking Authority uses a weighted scoring system when determining best value, eighty percent (80%) of the scoring will be determined by financial and cost related factors and twenty percent (20%) will be based on technical factors.

SECTION 8: ALTERNATIVES:

- 8.1 Proposals may include alternative matters or items not specified or requested in this RFP.

However, all such alternative matters or items must be listed separately from the proposal and the cost(s) thereof must be separate and itemized.

SECTION 9: INDEMNIFICATION:

- 9.1 The selected proposer will be required to defend, indemnify, and save harmless the Albany Parking Authority, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorney’s fees) arising out of, or in consequence of, any intentional act or omission of the selected proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses, and expenses.

SECTION 10: SPECIFICATION CLARIFICATION:

- 10.1 All inquiries with respect to this Request for Proposals shall be **in writing** directed to the following address:

For project specific clarifications:

Sean Palladino
Associate Director
Albany Parking Authority
25 Orange Street
Albany, New York 12207
Phone:(518) 434-8886
E-mailSPalladino@parkalbany.com

For public procurement process clarifications:

Allan O’Brien, Esq.
General Counsel
Albany Parking Authority
25 Orange Street
Albany, New York 12207
Phone:(518) 434-8886
E-mail:aobrien@parkalbany.com

For Pre-bid Meeting Scheduling please see Exhibit A, Project Manual.

- 10.2 All questions about the meaning or intent of the specifications shall be submitted **in writing no later than February 24, 2023**. Replies will be posted via the Authority’s website: <https://parkalbany.com/bids-rfps>, along with the electronic version of this RFP on **March 1, 2023**. Questions received less than four (4) business days prior to the date of submission

of proposals will not be answered. Only questions answered by formal written Addenda will be binding. Oral or other interpretations or clarifications will be without legal effect.

- 10.3 In addition, any changes, additions or deletions to this RFP will also be posted on the Authority's website: <https://parkalbany.com/bids-rfps>, along with the electronic version of this RFP. Respondents are urged to check the Authority's website frequently for notices of any clarification of or changes, additions, or deletions to this RFP.

OTHER THAN THE CONTACTS IDENTIFIED ABOVE, PROSPECTIVE RESPONDENTS SHALL NOT APPROACH THE AUTHORITY'S EMPLOYEES DURING THE RESTRICTED PERIOD OF THIS RFP PROCESS ABOUT ANY MATTERS RELATED TO THIS RFP OR ANY QUALIFICATIONS SUBMITTED PURSUANT THERETO.

SECTION 11: MODIFICATION AND WITHDRAWAL OF PROPOSALS:

- 11.1 Proposals may be modified or withdrawn by an appropriate document duly executed (in the manner that a proposal must be executed) and delivered to the place where proposals are to be submitted at any time prior to the opening of proposals.
- 11.2 If within twenty-four (24) hours after the proposals are opened, any proposer files a duly signed written notice with the Authority and promptly thereafter demonstrates to the reasonable satisfaction of the Authority that there was a material and substantial mistake in the preparation of its proposal, that proposer may withdraw its proposal and the proposal security will be returned. Thereafter, that proposer will be disqualified from further proposal on the work.

SECTION 12: INSURANCE AND SECURITY REQUIREMENTS:

- 12.1 The selected proposer will be required to procure and maintain at their own expense the following insurance coverage:
- (a) Workers' Compensation and Employer's Liability Insurance: Must show evidence of Worker's Compensation insurance at State statutory limits, a policy or policies providing protection for employees in the event of job-related injuries;
 - (b) Commercial General Liability (CGL): A policy or policies of comprehensive general liability insurance of general liability limits of \$1,000,000 per occurrence/\$2,000,000 aggregate;
 - (c) Errors and Omissions/Professional Liability Insurance: A policy or policies of errors and omissions insurance with limits of not less than one million dollars (\$1,000,000.00). 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"
 - (d) Excess/Umbrella Insurance: A policy or policies of insurance with limits of \$2,000,000 per occurrence/\$2,000,000 aggregate.

- (e) Automobile Liability Insurance: In the event that Respondent is using a vehicle in business, 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 of not less than \$1,000,000 for damage because of injury to or destruction of property, 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.

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

- (a) The Albany Parking Authority is named as an additional named insured **on a primary and non-contributing basis**.
- (b) The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the Albany Parking Authority.
- (c) The insurance policies shall be automatically renewed upon expiration and continued in force unless the Albany Parking Authority is given sixty (60) days written notice to the contrary.

12.3 No work shall be commenced under the contract until the selected proposer has delivered to the Albany Parking Authority 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 Authority, the selected proposer shall promptly obtain a new policy and submit proof of insurance of the same to the Authority 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 Authority, 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.

SECTION 13: NON-COLLUSIVE PROPOSAL CERTIFICATE AND ACKNOWLEDGMENT:

13.1 Each proposer shall complete and submit with its, his, or her proposal the “Non-Collusive Proposal Certificate” and the “Acknowledgment” included with this RFP.

SECTION 14: BIDDER RESPONSIBILITY AND NYS FINANCE LAW CERTIFICATION

14.1 Each proposer shall complete and submit with its, his, or her proposal the “Bidder Certification” and the “Disclosure of Prior Non-Responsibility Determinations” forms included with this RFP.

SECTION 15: PROCUREMENT FORMS AND REQUIREMENTS:

15.1 Additional requirements for this RFP are described below. Relevant statements, where required to be submitted, must be executed and included in the submission in the following order: 1. Iran Divestment Act Statement and 2. Non-Discrimination and Diversity Requirements.

15.2 Iran Divestment Act: By submission of a bid in response to this Bid request, “*each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.*” The list in question is maintained by the New York State Office of General Services. For further information and to view this list please go to: <http://www.ogs.ny.gov/about/regs/ida.asp>. If in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. A political subdivision may award a bid to a bidder who cannot make the certification pursuant to paragraph a of N.Y. General Municipal Law § 103-g on a case-by-case basis.

15.3 Non-Discrimination and Diversity Requirements:

Pursuant to Federal laws and regulations, the New York State Executive Law Article 15-A and the City of Albany General Code Chapter 48, Article III Omnibus Human Rights Law, the Authority recognizes its obligation under the law to prevent discrimination on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency and to promote opportunities for maximum feasible participation of certified minority and women-owned business enterprises and the employment of minority group members and women in the performance of Authority contracts.

In furtherance of these rules and principles, the Albany Parking Authority highly encourages the participation of certified minority and women-owned business enterprises (“MWBE”) at the City of Albany’s goal levels and the employment of minority groups’ members and women in the performance of its contracts. The Albany Parking Authority hereby notifies all Consultants submitting a proposal that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency in consideration for award.

Further, by submission of a bid in response to this Bid request, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that:

“The respondent/contractor, with regard to the work performed by it

during the contract, will not discriminate on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The respondent/contractor will not participate directly or indirectly in the discrimination prohibited by the federal, state and local laws and regulations, including employment practices. In all solicitations, either by competitive bidding, or negotiation made by the respondent/contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the respondent/contractor of the respondent/contractor's obligations under this Statement and the federal, state and local laws and regulations relative to Non-discrimination on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency.”

15.4 Public Work: The work conducted by vendor pursuant to this RFP is “public work” as such term is defined by Article 8 of the New York Labor Law, and all labor will be paid at Prevailing Wages in accordance with the Prevailing Wage Schedule (“PWS”) to be provided by the Albany Parking Authority. Neither vendor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in the Article 8 of the New York State Labor Law, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, vendor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Vendor warrants to comply with all relevant legal requirements, including but limited to the required submission and retention of certified payroll records by vendor and any of vendor’s subcontractors.

15.5 Federal MWBE Affirmative steps: by submitting a proposal all contractors are certifying that they will take affirmative steps to include:

- (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce

- 15.6 Equal Opportunity & Other Requirements: Each contractor is required to adopt and enact a Nondiscrimination policy consistent with the requirements found in this section.
- a. Civil Rights Laws. Contract shall comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d *et seq.*), and the Treasury's implementing regulations codified at 31 CFR Part 22, which prohibits discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance.
 - b. Fair Housing Laws. Contractor shall comply with the Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 *et seq.*), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability
 - c. Disability Protections. Contractor shall comply with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance.
 - d. Age Discrimination. Contractor shall comply with the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101, *et seq.*) and the Treasury's implementing regulations at 31 CFR Part 23, which prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.
 - e. Americans with Disabilities Act. Contractor shall comply with Title II of the Americans with Disabilities Act of 1990 (42 U.S.C. §§ 12101, *et seq.*), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
- 15.7 Program for Enhancement of Contractor's Employee Protections: Contractor is hereby notified that they are working on a federally awarded contract and are required to inform employees that:
- a. they are working on a federal award that the employees are subject to the Whistleblower Rights and remedies of the Program;
 - b. inform its employees, in writing, of the Whistleblower Rights and Protections under 41 U.S.C. §4712 in the predominant, native language of the employee(s); and
 - c. include such requirements in any agreement with a subcontractor.
- 15.8 In the event that the Project Manual (Exhibit A) and this RFP document conflict, this document will control, if a portion of the document contains language that does not conflict with the other document but is not included in that document, it is incorporated in both.

SECTION 16: SUBMISSION REQUIREMENTS:

- 16.1 All Proposers shall be required to submit a complete proposal. As outlined in this RFP, all proposals shall include the following:
- A. Complete all project Manual & Specifications forms
Statement of Qualifications as outlined in Section 3
 - B. Cost Proposal as outlined in Section 6.
 - C. Non-Collusive Proposal Certificate and Acknowledgment Form
as outlined in Section 13
 - D. An acknowledgment of understanding that by submitting a bid the proposer certifies under penalty of perjury the above Iran Divestment Act statement, as outlined in Section 15.2 and the Non-Discrimination and Diversity statement, as outlined in Section 15.3., Federal MWBE

affirmative steps outlined in Section 15.5, Equal opportunity and Other Regulations in section 15.6, and program for enhancement of Contractor's Employee Protection in section 15.7.

E. Bidder Responsibility and NYS Finance Law Certification form as outlined in Section 14.

16.2 Failure to include all of the above items may result in the proposal being considered nonresponsive.

Please see the below certain forms which must be completed and submitted with your bid to the Albany Parking Authority ("APA").

Bidder Responsibility. Pursuant to State Finance Law §§139-j and 139-k, this request for proposals ("RFP") includes and imposes certain restrictions on communication between the Albany Parking Authority ("Authority") and an Offeror/bidder during the procurement process. An Offeror/bidder 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). Only email inquiries are allowed. **The designated individuals for this RFP are Sean Palladino, Associate Director of the Authority at Spalladino@parkalbany.com and Allan O'Brien, General Counsel of the Authority at aobrien@parkalbany.com. Stephanie Wright, Special Assistant.** Authority employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offeror/bidder 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 Offeror/bidder is debarred from obtaining governmental Procurement Contracts. Additionally, the above law requires certain affirmations to be provided to the Authority by bidders and that certain provisions be contained within any contract/award resulting from this RFP. Specifically, the following forms/information is provided:

1. The Authority must obtain from all Offerors/bidders 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 below 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 below and is to be completed and returned to the Authority when submitting a bid.

3. The Authority must obtain from all Offerors/bidders a required certification ("**Bidder 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 Offeror/bidder must agree to the certification and provide it to the procuring Government Entity. This certification is provided below 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 Bidder in accordance with New York State Law §139-k was intentionally false or intentionally incomplete. Upon such finding, the Authority may exercise its termination right by providing written notification to the Bidder in accordance with the written notification terms of this contract.

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

By: _____ Date: _____
Signature

Name: _____

Title: _____

Contractor Name: _____

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

If yes, please answer the following questions:

B. 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)

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

By: _____ Date: _____
Signature

Name: _____

Title: _____

Contractor Name: _____

Non-collusion statement. Pursuant to Public Authority Law §2878, each Bidder must complete the attached “NON-COLLUSION PROPOSAL CERTIFICATE PURSUANT TO NEW YORK STATE PUBLIC AUTHORITY LAW § 2878” and submitted with the bidder’s response to this RFP.

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

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto, certifies as to its own organization, under penalty of perjury, that to the best of 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 _____, 2023, 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