



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

**REQUEST FOR PROPOSALS
For the Provision of
Design, Development and
Hosting of the Albany Parking
Authority Website**

PROPOSALS DUE: July 21, 2022, 2022 AT 2:00 PM EDT

RFP 2022-05

June 16, 2022

This RFP has been developed specifically for the Albany Parking Authority for the provision of design, development and hosting of the Albany Parking Authority Website. 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
FOR THE PROVISION OF DESIGN, DEVELOPMENT AND
HOSTING OF THE ALBANY PARKING AUTHORITY WEBSITE**

Proposal Number 2022-05

Issued: June 16, 2022

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

SECTION 1: PURPOSE

- 1.1 The Albany Parking Authority (“Authority”) is seeking the services of an experienced website design firm to re-design, develop, implement, and possibly host a website for the Authority. The Authority recognizes the importance of having a website that provides effective citizen engagement and communication and functions as a single source site of information for our constituencies.

The overall goal is to redesign the website to improve citizen engagement, to increase communication, and to provide transparency of government, to incorporate current website technologies, all with simple navigation. The Authority expects the vendor to re-engineer the site to better reflect the Authority’s emphasis on improving citizen engagement, communication and using the latest technology.

The Authority requires this website to be modern, functional, highly attractive and responsive. From the administrative perspective the site must be easy to update by users of varied technical expertise from individual departments.

Minority Business Enterprises and Women's Business Enterprises are encouraged to submit proposals.

SECTION 2: RECEIPT OF PROPOSALS:

2.1 Anticipated Procurement Schedule:

Issue RFP:	June 16, 2022
Questions Submitted Not Later Than:	June 30, 2022
Questions & Answers Posted:	July 7, 2022
Proposals Due:	July 21, 2022
Presentations by Finalists:	TBD

- 2.2 Three (3) 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 – Website Design, Development and Hosting of the Albany Parking Authority” no later than **July 21, 2022 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. Albany Parking Authority selected bidder finalists may be asked to present their proposal and demonstration of prior website designs to the Authority before an awardee is selected.
- 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. Description of current technologies used to design and deliver solutions.
 3. 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.
 4. 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.
 5. At least three (3) references, including addresses and telephone numbers.
 6. 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.
 7. Any additional information which would serve to distinguish the entity/firm from other entities/firms submitting proposals.
- 3.1 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.

- 3.2 Proven Content Management System – The proposed content management software must be a proven platform for website development and local government website architecture. Development that is requested and approved by the Authority should be performed by the vendor with collaboration between the developer and the Authority.

SECTION 4: SCOPE OF SERVICES:

- 4.1 Design and Functionality Objectives: The ParkAlbany website redesign objectives include, but are not necessarily limited to:

- A modern, accessible site that employs effective design, graphics, and current development and SEO knowledge. Website should be accessible across all modern platforms and devices.
- Updated navigation bar; a site map will be agreed upon between Albany Parking Authority and chosen vendor based on functionality and content objectives.
- A “Login” link on the navigation bar that will allow users to access their customer account.
- Home page should allow visitors to search for parking (including meter parking spaces, garages, and lots) from the home page, this should be the most prominent feature.
- Integration of an events calendar, business directory and ParkAlbany’s Instagram feed on the home page.
- Ability to highlight high profile news, blogs and updates prominently on the homepage.
- Website must allow users the ability to share content (blogs, news, events, etc.) easily across social media platforms including Facebook, Twitter, Instagram and LinkedIn.
- Site will have the ability to easily create and edit new and existing content.
- Implement an events calendar that has multi-dimensional sorting capability between several variables including dates, range of dates, event type, by venue / location. Additionally, event calendar will have the ability to add a specified parking location(s), time range that event parking will be in effect and an event parking rate to each event.
- Implementation of business directory for restaurants, retail, tourist sites, etc that will allow for easy additions of new businesses and edits to existing business profiles. This section will also have a “Submit Your Business” feature where users can fill out a form and submit their business to be feature on our website. Business profiles will also include a section where the closet parking location will be included.

- Sales Portal – Monthly Passes/Permits
 - Must accept a variety of Digital Payment Types including Credit Card, Apple Pay, Google Wallet, ePay, etc. and the ability to automatically and manually reprocess and customers stored payment for their monthly subscription in the case of failed payment attempt.
 - Monthly Pass sales can be reoccurring/automatically renewed, and pricing can be automatically prorated depending on the date of purchase.
 - Ability to set inventory numbers for each product, manually modify product pricing on the backside.
 - Ability to have quantity discounts for specific products/pass types that would automatically be applied at check out.
 - Ability to suggest or sell addition products/service with a monthly pass, i.e. extra AVI tags, proximity cards, access to additionally parking locations.
 - Create required information fields that the customer must fill out at the time of purchase, such as Vehicle Make, Model, Plate Number. This information can also be updated by the customer through their account.
 - Customer will automatically receive an email notifying them when a change is made to their account and/or payment information.
 - Customers can have multiple subscriptions/products active under a single account and each can be canceled or modified independently of the others.
 - Customers can update their account information and cancel their monthly pass subscriptions online.
 - Ability for the customer to upload required documents showing proof that they qualify for a pass/permit type. Order will be held in a pending status until approved.
 - Detailed customer and sales reporting abilities and include fields such as product type, sales/activation/cancelation dates, locations, account information, etc. Reports should be able to be exported in multiple formats including excel.

- Sales Portal - Emergency No Parking Requests (ENP)
 - Through this site the user will need to provide the address for the request, contact information, number of parking spaces needed for the request.
 - Selectable options will be provided for the reason for the request, such as but not limit to moving, construction, event, and based on the selection the request will be sent to the appropriate departments and the user will be sent to the payment portal.
 - The ability to create “business” accounts that payment types can be set up on the backside (invoice, credit, no charge).
 - All requests will be but put into a pending status for approval from the appropriate departments.
 - Requests (both approved, pending and denied) must be searchable by multiple fields – ID Number, Address, Name, Phone, Email, Etc.)
 - Once Approved a confirmation email is sent to the customer and then a detailed workorder is sent to internal department.

- Website shall have a FOIL request portal so that the public can digitally submit requests to a ghost email that automatically gets forwarded to General Counsel's email address.
 - Portal shall include rules/regulations for FOIL
 - Ability to pay fees associated with request
- A public document portal that can be sorted and categorized on the back end and easily searchable by visitors.
- A private portal for Board member and senior staff access only to upload and view documents/meeting materials prior to monthly meetings.
- Ability to add Staff and Board member Profiles along with headshot for each person.
- Ability to create and add pop-out linkable call to actions/ads on key pages of the website.
- Creation and implementation of branded short link URL.
- Implementation of plug-in for language translation.
- Website shall be ADA and WCAG compliant with Section 508 requirements.
- Sites the Albany Parking Authority has identified for interesting design and functionality:
 - <https://www.visitportland.com/>
 - <https://www.gaslamp.org/>
 - <https://www.novascotia.com/>
 - <https://www.brooklynbridgepark.org/>

SECTION 5: TERM OF CONTRACT:

- 5.1 The services contemplated by this RFP should be substantially completed by no later than six (6) months from the execution of a contract. The Authority reserves the right to extend the agreement upon budget approval if deemed necessary.
- 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: CONTRACT TERMS AND CONDITIONS:

- 6.1 Award of a contract is conditioned upon the execution of a formal written agreement with the Albany Parking Authority. The Authority reserves the right to rescind or revoke any award prior

to the execution of a formal written agreement. Standard contract clauses to be included in the Authority agreement for professional implementation services include, but are not limited to the following:

Payment Terms

6.1.1 Payment for the Software Licenses and for the implementation services rendered pursuant to any agreement resulting from this RFP shall be made in amounts and at times set forth in the resulting agreement (the "Agreement"). Implementation services will be paid on a fixed, not-to-exceed basis as described, only on a deliverable completion basis, meaning the Authority will pay only when the Vendor(s) has satisfactorily completed mutually agreed upon payment deliverables. In addition, the Authority reserves the right to apply a retention rate of ten percent (10%) to all service payments, with such retention being released on final acceptance of the entire system, which will be defined during the contract negotiation phase.

6.1.2 A purchase order will be issued, and all invoices must reference the purchase order number. Payment shall be made upon receipt of original invoice(s) in accordance and in conformity with payment dates for bills and claims as established by the Authority. Prior to payment, the Vendor(s) must submit an original dated itemized invoice of services rendered. (Photographs or facsimiles of invoices will not be accepted.) Any reimbursement for expenses, as allowed in the Agreement and that are included in the invoice(s), must be supported with attached original billings for such expenses.

SECTION 7: PROPOSAL:

7.1 Address the Scope of Services referenced in Section 4 above, including a detailed work plan and project approach that includes task definitions and methodology, milestones, and project schedule. Proposals must include the following:

References

Describe your experience in delivering successful projects for the municipal government market including:

- a. Experience with organizations located within the State of NY.
- b. Name of municipality.
- c. Contact information of personnel involved in the project.
- d. List of features/capabilities and services delivered.
- e. Overall project budget amount and project duration.
- f. Site URL.

Please provide at least 3 successful projects for municipalities of the Authority's size and economic sphere.

- a. Name of municipality.

- b. Contact information of personnel involved in the project.
- c. List of features/capabilities and services delivered.
- d. Overall project budget amount and project duration.
- e. Length of business relationship (e.g. 3 years after initial design and implementation)
- f. Site URL.

If your organization does not have experience with delivering projects in the municipal governmental market, describe any related work performed for governmental agencies or other governmental clients. Please include:

- a. Name of agency or client.
- b. Contact information of personnel involved in the project.
- c. List of features/capabilities and services delivered.
- d. Approximate project budget amount and project duration.
- e. Length of business relationship (e.g. 3 years after initial design and implementation)
- f. Site URL.

Proposal Terms

Proposed agreement structure to include:

- a. Initial contract length and conditions.
- b. Renewal options.
- c. Hosting service level agreement.
- d. Support plan scope, terms, levels of service, service level agreement (SLA).
- e. Non-disclosure agreement (NDA) term and conditions.
- f. Description of project acceptance criteria, terms, and remediation procedures.
- g. Description of change order criteria, process and terms.

Project Plan

- a. Identification of any sub-contractors that will participate in the development, training, or hosting of the website.
- b. Identification of any third-party applications, services, or contractors necessary in order to provide a coherent end product that the proposer recommends be utilized in their proposed website. These components should be addressed in the schedule and budget.
- c. Project milestone dates.

Note: It is understood that this project may require multiple iterations of review and approval, and that the initial start and end dates for the following project milestones may change.

- i. Initial design consultation
 - ii. Completion of design concept for presentation to the Authority
 - iii. Completion of website prototype
 - iv. Prototype testing period
 - v. Gap/fit determination and remediation
 - vi. Training (Administrator, general user)
 - vii. Go live date
- d. Training plan for administrators and staff
 - e. Description of technologies used to design and deliver solution.

SECTION 8: COST PROPOSAL:

8.1 Project Budget

- a. Detail the project budget into one-time and recurring/future cost elements
- b. One-Time Costs:
 - i. Web Site Redesign:
 1. Site Development (navigation layout, content migration, graphics standards, and elements)
 2. Third-party applications or plugins costs
 3. Additional costs related to site re-design and deployment
 - ii. Staff Training
- c. Recurring/Future Costs:
 - i. Maintenance and Support
 - ii. Estimated future site “refresh”
 - iii. Software or other license fees
 - iv. Expected monthly site fees

8.2 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 9: PROPOSAL EVALUATION:

9.1 All proposals shall remain valid until the execution of a contract by the Albany Parking Authority with the selected awardee.

9.2 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, and experience in providing design, development and hosting of the Albany Parking Authority Website.
- * 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.

9.3 The selection of a proposal will not be based solely on a monetary evaluation. Considerable weight will be given to the experience in the areas required, quality of the proposal, and the track record of the proposer(s).

SECTION 10: ALTERNATIVES:

10.1 Proposals may include alternative matters or items not specified or requested in this RFP. However, all such alternatives matters or items must be listed separately from the proposal and the cost(s) thereof must be separate and itemized.

SECTION 11: INDEMNIFICATION:

11.1 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 12: SPECIFICATION CLARIFICATION:

12.1 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

- 12.2 All questions about the meaning or intent of the specifications shall be submitted **in writing no later than June 30, 2022**. Replies will be posted via the Authority's website: <https://parkalbany.com/bids-rfps>, along with the electronic version of this RFP on July 7, 2022. 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.
- 12.3 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 13: MODIFICATION AND WITHDRAWAL OF PROPOSALS:

- 13.1 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.
- 13.2 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 14: INSURANCE AND SECURITY REQUIREMENTS:

- 14.1 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.

14.2 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.

14.3 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 15: NON-COLLUSIVE PROPOSAL CERTIFICATE AND ACKNOWLEDGMENT:

15.1 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 16: BIDDER RESPONSIBILITY AND NYS FINANCE LAW CERTIFICATION

- 16.1 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 17: PROCUREMENT FORMS AND REQUIREMENTS:

- 17.1 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.
- 17.2 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.
- 17.3 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.”

- 17.4 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.

SECTION 18: SUBMISSION REQUIREMENTS:

- 18.1 All Proposers shall be required to submit a complete proposal. As outlined in this RFP, all proposals shall include the following:
- A) Statement of Qualifications as outlined in Section 3
 - B) Adherence to the scope of work as outlined in Section 4
 - C) Cost Proposal as outlined in Section 6.
 - D) Adherence to the proposal terms as outlined in Section 7
 - E) Non-Collusive Proposal Certificate and Acknowledgment Form as outlined in Section 13

- F) 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.
- G) Bidder Responsibility and NYS Finance Law Certification form as outlined in Section 14.

18.2 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 Sevil Barber, General Counsel of the Authority at sbarber@parkalbany.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 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: _____
Signature

Date: _____

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 _____, 2022, 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