

# **County of Albany**

Harold L. Joyce  
Albany County Office Building  
112 State Street - Albany, NY 12207



## **Meeting Agenda**

**Thursday, April 28, 2022**

**6:30 PM**

**Held Remotely**

### **Audit and Finance Committee**

**PREVIOUS BUSINESS:**

1. APPROVING PREVIOUS MEETING MINUTES
2. LOCAL LAW NO. "L" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, ENSURING UNIVERSAL ACCESS TO COUNSEL DURING EVICTION PROCEEDINGS IN HOUSING COURTS IN ALBANY COUNTY

**CURRENT BUSINESS:**

3. AMENDING RESOLUTION NO. 83 FOR 2022 REGARDING AMENDMENTS TO THE 2022 SHERIFF'S OFFICE BUDGET
4. AUTHORIZING A CORRECTION TO THE TAX ROLL FOR 2607 2ND AVENUE IN THE TOWN OF COLONIE
5. AUTHORIZING THE CANCELLATION AND CHARGE BACK OF AN UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIEN ON 25 DELAWARE AVENUE IN THE CITY OF ALBANY AND CHARGE BACK OF THE AMOUNT CREDITED IN CONNECTION WITH SAID LIEN
6. AUTHORIZING AN AGREEMENT WITH CMA CAPITAL MARKET ADVISORS LLC REGARDING AMERICA RESCUE PLAN ACT ADVISORY SERVICES AND AMENDING THE 2022 ALBANY COUNTY BUDGET
7. RESCINDING THE CONVEYANCE OF REAL PROPERTY PURSUANT TO RESOLUTION NO. 401 FOR 2019 AND AUTHORIZING THE CONVEYANCE OF PROPERTY LOCATED AT 601 23RD STREET (TAX MAP NO. 32.50-2-21) IN THE CITY OF WATERVLIET
8. AMENDING RESOLUTION NO. 86 FOR 2022 REGARDING AUTHORIZATION TO CONVEY OF REAL PROPERTY LOCATED AT 467 ORANGE STREET (TAX MAP NO. 65.63-1-58) IN THE CITY OF ALBANY

# **County of Albany**

*Harold L. Joyce  
Albany County Office Building  
112 State Street - Albany, NY 12207*



## **Meeting Minutes**

**Thursday, March 31, 2022**

**6:30 PM**

**Held Remotely**

**Audit and Finance Committee**

**PREVIOUS BUSINESS:**

**Present:** Wanda F. Willingham, Paul J. Burgdorf, William M. Clay, Mark E. Grimm, Raymond F. Joyce, Lynne Lekakis and David B. Mayo

**Excused:** Matthew T. Peter and Nathan L. Bruschi

**1. APPROVING PREVIOUS MEETING MINUTES**

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

**2. LOCAL LAW NO. "L" FOR 2021: A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, ENSURING UNIVERSAL ACCESS TO COUNSEL DURING EVICTION PROCEEDINGS IN HOUSING COURTS IN ALBANY COUNTY**

This Local Law was tabled at the request of the Sponsor.

**CURRENT BUSINESS:****3. FINALIZING THE ACCOUNTING FOR THE 2021 ALBANY COUNTY BUDGET**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

**4. AUTHORIZING THE REFUND OF REAL PROPERTY TAXES IN THE TOWN OF COLONIE**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

**5. AMENDING RESOLUTION NO. 88 FOR 2021 REGARDING THE RELEASE OF A RIGHT OF REVERTER OF TITLE TO 144 LIVINGSTON AVENUE (TAX MAP NO. 65.74-4-12) IN THE CITY OF ALBANY**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

**6. AMENDING THE 2022 ALBANY COUNTY BUDGET: VARIOUS ADMINISTRATIVE ADJUSTMENTS**

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.



7. AMENDING RESOLUTION NO. 21 FOR 2022 REGARDING THE CHILDREN'S ADVOCACY CENTER AND AMENDING THE 2022 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

A motion was made to move the proposal forward with a positive recommendation. The motion carried by a unanimous vote.

## LOCAL LAW NO. “L” FOR 2021

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, ENSURING UNIVERSAL ACCESS TO COUNSEL DURING EVICTION PROCEEDINGS IN HOUSING COURTS IN ALBANY COUNTY

Introduced: 9/13/21

By Messrs. Fein, Efekoro and Ms. Lekakis:

**BE IT ENACTED** by the County Legislature of the County of Albany as follows:

#### SECTION 1. TITLE

This local law shall be known as the “Albany County Right to Counsel Act”

#### SECTION 2. LEGISLATIVE INTENT

While those facing criminal prosecution have a legal right to an attorney, as determined in the Supreme Court case *Gideon v. Wainwright*, those facing eviction are not guaranteed representation. Right to counsel legislation would address a significant imbalance in representation in housing court. In 2018, in landlord tenant cases in Albany City Court, only 2.4% of defendants had counsel while 85.7% of plaintiffs had counsel.

Rent is a significant burden for many individuals in Albany County. The COVID pandemic has exacerbated already deep problems of housing insecurity and has highlighted the struggles many families face. In the City of Albany, 49% of families of color are rent-burdened and 35% of white families are rent burdened (meaning they spent more than 30% of their income on rent).

Right to counsel would strengthen protections for individuals facing eviction, ensuring that they are adequately represented in court. When someone is at risk of losing their housing, they deserve the full hearing in court which only a lawyer is capable of advocating for.

#### SECTION 3. DEFINITIONS

- (a) Brief legal assistance. The term “brief legal assistance” means individualized legal assistance provided in a single consultation by a designated organization to a covered individual in connection with a covered proceeding.
- (b) Coordinator. The term “coordinator” means the County Attorney.
- (c) Covered individual. The term “covered individual” means a tenant of a rental dwelling unit located in Albany County, including any tenant in a building operated by any housing authority located in Albany County, who is a respondent in a covered proceeding.

- (d) Covered proceeding. The term “covered proceeding” means any summary proceeding in housing court to evict a covered individual, including a summary proceeding to seek possession for the non-payment of rent or a holdover, or an administrative proceeding of any housing authority located in the Albany County for termination of tenancy.
- (e) Designated organization. The term “designated organization” means a not-for-profit organization or association that has the capacity to provide legal services and is designated by the coordinator pursuant to this chapter.
- (f) Full legal representation. The term “full legal representation” means ongoing legal representation provided by a designated organization to an income-eligible individual and all legal advice, advocacy, and assistance associated with such representation. Full legal representation includes, but is not limited to, the filing of a notice of appearance on behalf of the income-eligible individual in a covered proceeding.
- (g) Housing court. The term “housing court” means the housing part of any city, town, or village court located in Albany County.
- (h) Income-eligible individual. The term “income-eligible individual” means a covered individual whose annual gross household income is not in excess of 200 percent of the federal poverty guidelines as updated periodically in the federal register by the United States department of health and human services pursuant to subsection (2) of section 9902 of title 42 of the United States code.
- (i) Legal services. The term “legal services” means brief legal assistance or full legal representation.

#### **SECTION 4. PROVISION OF LEGAL SERVICES**

- (a) Subject to appropriation, the coordinator shall establish a program to provide access to legal services for covered individuals in covered proceedings and shall ensure that, no later than January 1, 2022:
  - a. all covered individuals receive access to brief legal assistance no later than their first scheduled appearance in a covered proceeding, or as soon thereafter as is practicable; and
  - b. all income-eligible individuals receive access to full legal representation no later than their first scheduled appearance in a covered proceeding, or as soon thereafter as is practicable.

- (b) The coordinator shall estimate annually the expenditures required for each year of implementation of the programs described by this section. Beginning October 1, 2022 and no later than each October 1 thereafter, the coordinator shall publish a summary of any changes to such estimates for expenditures.
- (c) The coordinator shall annually review the performance of designated organizations.
- (d) The coordinator shall require each designated organization to identify the geographic areas for which such organization will provide legal services. For each such geographic area, the coordinator shall maintain a list of such organizations that provide such legal services.
- (e) Any legal services performed by a designated organization pursuant to this chapter shall not supplant, replace, or satisfy any obligations or responsibilities of such designated organization pursuant to any other program, agreement, or contract.
- (f) Nothing in this chapter or the administration or application thereof shall be construed to create a private right of action on the part of any person or entity against the city or any agency, official, or employee thereof.

## **SECTION 5. NOTICE AND OUTREACH**

- (a) The Sheriff's Office shall provide notice of a covered individual's right to counsel in all eviction notices.
- (b) The coordinator shall set up a hotline to connect covered individuals with legal services and answer questions.

## **SECTION 6. PUBLIC HEARING**

- (a) Following the establishment of the programs described by Section 4, the coordinator shall hold one public hearing each year to receive recommendations and feedback about such programs.
- (b) Such hearing shall be open to the public, and the coordinator shall provide notice of such hearing, no less than 30 days before such hearing, by:
  - a. posting in the housing court in English, Spanish, and any other languages determined by the coordinator;
  - b. posting in public offices of the Department of Social Services in English, Spanish, and any other languages determined by the coordinator; and

- c. outreach through local media and to each designated organization, local elected officials, the supervising judges of housing courts, and community-based organizations.
- (c) At such hearing, written and oral testimony may be provided.
- (d) The coordinator shall cause a transcript of such hearing to be produced and shall post such transcript online no later than 45 days after the meeting.

## **SECTION 7. REPORTING**

No later than January 1, 2022 and annually by each January 1 thereafter, the coordinator shall submit to the county executive and the chairperson of the county legislature, and post online, a review of the program established pursuant to subdivision a of Section 4 and information regarding its implementation, to the extent such information is available, including, but not limited to:

- (a) the estimated number of covered individuals;
- (b) the number of individuals receiving legal services, disaggregated by the following characteristics of such individuals:
  - a. city, town, or village and postal code of residence;
  - b. age of head of household;
  - c. household size;
  - d. estimated length of tenancy;
  - e. approximate household income;
  - f. receipt of ongoing public assistance at the time such legal services were initiated;
  - g. tenancy in housing operated by any housing authority located in Albany County;
- (c) outcomes immediately following the provision of full legal representation, as applicable and available, including, but not limited to, the number of:
  - a. case dispositions allowing individuals to remain in their residence;
  - b. case dispositions requiring individuals to be displaced from their residence; and
  - c. instances where the attorney was discharged or withdrew.
- (d) non-payment and holdover petitions filed in housing court, warrants of eviction issued in housing court, and residential evictions conducted by county sheriff deputies, disaggregated by city or town.

## **SECTION 8. RULES**

The coordinator may promulgate such rules as may be necessary to carry out the purposes of this local law.

## **SECTION 9. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or other portion of this law is, for any reason, declared unconstitutional or invalid, in whole or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

## **SECTION 10. EFFECTIVE DATE**

This local law shall take effect upon filing with the Secretary of State.

*Referred to Law and Audit and Finance Committees – 9/13/21*



## ALBANY COUNTY SHERIFF'S OFFICE

County Court House Albany, New York 12207 (518) 487-5400  
[WWW.ALBANYCOUNTYSHERIFF.COM](http://WWW.ALBANYCOUNTYSHERIFF.COM)



**MICHAEL S. MONTELEONE**  
EXECUTIVE UNDERSHERIFF

**CRAIG D. APPLE, SR.**  
SHERIFF

**WILLIAM M. RICE**  
UNDERSHERIFF

**SHAWN P. NOONAN**  
CHIEF DEPUTY

**LEON A. BORMANN**  
CHIEF DEPUTY

April 6, 2022

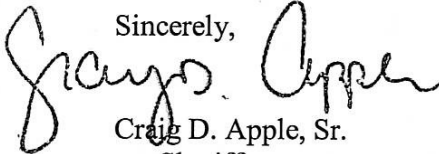
Honorable Andrew Joyce  
Legislative Clerk's Office  
112 State Street, Room 710  
Albany, New York 12207

Dear Mr. Joyce:

The attached correspondence is forwarded for presentation to the Albany County Legislature. Legislative approval is required in order to amend Resolution 83 that was adopted on 3/14/22.

The budget amendment that accompanied the original RLA was incorrect. Attached, please see the new updated budget amendment.

Should there be any questions, do not hesitate to call.

Sincerely,  
  
Craig D. Apple, Sr.  
Sheriff

Att.

Cc: Hon. Daniel P. McCoy, County Executive  
Hon. William Clay, Public Safety Chairman  
Hon. Wanda Willingham, Audit & Finance  
Brandon Russell, Esq., Majority Counsel  
Arnis Zilgme, Esq., Minority Counsel  
Christian Barnes, Minority Counsel

**REQUEST FOR LEGISLATIVE ACTION**

<b>FOR COUNSEL USE ONLY</b>	
DATE:	_____
RECEIVED:	_____
RECEIVED BY:	_____
METHOD:	<u>HAND</u> _____
	<u>COURIER</u> _____
	<u>MAIL</u> _____

**DATE :** APRIL 6, 2022

**DEPARTMENT:** ALBANY COUNTY SHERIFF'S DEPT

CONTACT PERSON: CRAIG D. APPLE SR  
TELEPHONE: 487-5438

DEPT. REPRESENTATIVE ATTENDING  
COMMITTEE MEETING: \_\_\_\_\_

**PURPOSE OF REQUEST:**

- ADOPTION OF LOCAL LAW \_\_\_\_\_
- AMENDMENT OF PRIOR LEGISLATION X
- APPROVAL/ADOPTION OF PLAN/PROCEDURE \_\_\_\_\_
- BOND APPROVAL \_\_\_\_\_
- BUDGET AMENDMENT(SEE BELOW) \_\_\_\_\_
- CONTRACT AUTHORIZATION (SEE BELOW) \_\_\_\_\_
- ENVIRONMENTAL IMPACT \_\_\_\_\_
- HOME RULE REQUEST \_\_\_\_\_
- PROPERTY CONVEYANCE \_\_\_\_\_
- OTHER:(STATE BRIEFLY IF NOT LISTED ABOVE) \_\_\_\_\_

WE NEED TO CHANGE THE AMOUNTS ON THE BUDGET AMENDMENT ON RESOLUTION # 83,  
ADOPTED ON 3/14/2022

**CONCERNING BUDGET AMENDMENTS**

**STATE, THE FOLLOWING**

INCREASE ACCOUNT/LINE NO. \_\_\_\_\_  
SOURCE OF FUNDS: \_\_\_\_\_  
TITLE CHANGE: \_\_\_\_\_

**CONCERNING CONTRACT AUTHORIZATION,**

**STATE THE FOLLOWING:**

**TYPE OF CONTRACT**

- CHANGE ORDER/CONTRACT AMENDMENT \_\_\_\_\_
- PURCHASE (EQUIPMENT/ SUPPLIES) \_\_\_\_\_
- LEASE (EQUIPMENT/SUPPLIES). \_\_\_\_\_
- REQUIREMENTS \_\_\_\_\_
- PROFESSIONAL SERVICES \_\_\_\_\_
- EDUCATIONAL/TRAINING \_\_\_\_\_
- GRANT: NEW \_\_\_\_\_
- RENEWAL \_\_\_\_\_
- SUBMISSION DEADLINE DATE \_\_\_\_\_

SETTLEMENT OF A CLAIM \_\_\_\_\_  
RELEASE OF LIABILITY \_\_\_\_\_  
OTHER: (STATE BRIEFLY) \_\_\_\_\_



**CONCERNING CONTRACT AUTHORIZATION (CONT'D)**

**STATE THE FOLLOWING:**

CONTRACT TERMS/CONDITIONS: \_\_\_\_\_ PARTY (NAME/ADDRESS):  
\_\_\_\_\_  
\_\_\_\_\_

AMOUNT/RATE SCHEDULE/FEE:  
\_\_\_\_\_  
\_\_\_\_\_

TERM: \_\_\_\_\_

SCOPE OF SERVICES: \_\_\_\_\_  
\_\_\_\_\_

CONTRACT FUNDING:

ANTICIPATED IN CURRENT BUDGET: YES \_\_\_\_\_ NO \_\_\_\_\_

FUNDING SOURCE: \_\_\_\_\_

COUNTY BUDGET ACCOUNTS: \_\_\_\_\_

REVENUE: \_\_\_\_\_

APPROPRIATION: \_\_\_\_\_

BOND(RES. NO. & DATE OF ADOPTION) \_\_\_\_\_

CONCERNING ALL REQUESTS:

MANDATED PROGRAM/SERVICE: \_\_\_\_\_ YES \_\_\_\_\_ NO X

IF MANDATED CITE: AUTHORITY \_\_\_\_\_

ANTICIPATED IN CURRENT ADOPTED BUDGET: YES \_\_\_\_\_ NO X

IF YES, INDICATE REVENUE APPROPRIATION ACCOUNTS: \_\_\_\_\_

FISCAL IMPACT - FUNDING: \_\_\_\_\_ (DOLLARS OR PERCENTAGES)

FEDERAL \_\_\_\_\_

STATE \_\_\_\_\_

COUNTY \_\_\_\_\_ 100%

TERM/LENGTH OF FUNDING \_\_\_\_\_

PREVIOUS REQUESTS FOR IDENTICAL OR SIMILAR ACTION:

RESOLUTION/LAW NUMBER: 83/2022 (COPY ATTACHED)

DATE OF ADOPTION: 3/14/2022

JUSTIFICATION: \_\_\_\_\_ (STATE BRIEFLY WHY LEGISLATIVE ACTION IS REQUESTED)

THE ALBANY COUNTY SHERIFF'S OFFICE RESPECTFULLY REQUESTS LEGISLATIVE APPROVAL TO AMEND PRIOR RESOLUTION 83, ADOPTED ON 3/14/2022. THE AMOUNTS NEEDS TO BE CHANGED ON THE BUDGET AMENDMENT PREVIOUSLY SUBMITTED.  
\_\_\_\_\_  
\_\_\_\_\_

BACK-UP MATERIAL SUBMITTED \_\_\_\_\_ (I.E. APPLICATION/APPROVAL NOTICES FROM FUNDING SOURCE, BID TABULATION SHEET, CIVIL SERVICE APPROVAL NOTICE, PROGRAM ANNOUNCEMENT, CONTRACTS AND/OR ANY MATERIALS WHICH EXPLAIN OR SUPPORT THE REQUEST FOR LEGISLATIVE ACTION.)  
\_\_\_\_\_  
\_\_\_\_\_

SEE ATTACHED SPREADSHEET  
\_\_\_\_\_  
\_\_\_\_\_

SUBMITTED BY: CRAIG D APPLE SR  
TITLE: SHERIFF

RESOLUTION NO. 83

AMENDING THE 2022 SHERIFF'S OFFICE BUDGET: SALARY ADJUSTMENTS

Introduced: 3/14/22

By Audit and Finance Committee:

WHEREAS, The Albany County Sheriff has requested a budget amendment is necessary in order to meet current and anticipated staffing needs through the year end of 2022, now, therefore, be it

RESOLVED, By the Albany County Legislature, that the 2022 Sheriff's Office Budget is hereby amended as follows:

Decrease Appropriation Account A3110.1 by \$189,651 by Decreasing and Deleting the following line items:

Decrease and Delete Line Item A3110 1 1393 001 Deputy Dir. Comm. Emer. Srvs. by \$51,000

Decrease and Delete Line Item A3110 1 4131 004 Sheriff's Sr. Investigator by \$67,500

Decrease and Delete Line Item A3110 1 4138 017 Sheriff's Deputy by \$71,151

Decrease Appropriation Account A3020.1 by \$52,495 by Decreasing the following Line Items:

Decrease and Delete Line Item A3020 1 3306 005 Telecommunicator by \$50,560

Decrease Line Item A3020 1 9970 Temporary Help by \$ 1,935

Increase Appropriations Account A3110.1 by \$189,651 by Creating and Increasing the following Line Items:

Create and Increase Line Item A3110 1 1289 001 Health and Safety Coord. by \$51,000 with an annual salary of \$60,000

Create and Increase Line Item A3110 1 4135 004 Sheriff's First Sergeant by \$67,500 with an annual salary of \$79,645

Create and Increase Line Item A3110 1 4132 015 Sheriff's Investigator by \$64,260 with an annual salary of \$75,943

Increase Line Item A3110 1 9970 Temporary Help by \$6,891

Increase Appropriation Account A3020.1 by \$52,495 by Creating and Increasing Line Item A3020 1 3303 005 Senior Telecommunicator by \$52,495 with an annual salary of \$52,495

and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

*Adopted by unanimous vote – 3/14/22*

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 14<sup>th</sup> day of March, 2022, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 15<sup>th</sup> day of March, 2022.

*Nicole Chambers*

Clerk, Albany County Legislature

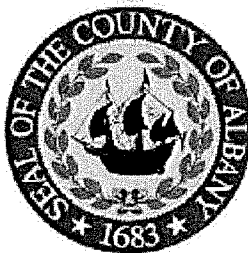
2022 BUDGET AMENDMENT (3110)

RESOLUTION NO.	BTCH	ACCOUNT NO.	APPROPRIATIONS	INCREASE	DECREASE	ANNUAL SALARY	POSITION CONTROL NUMBER
			RESOLUTION DESCRIPTION				
A 3110	1	2448 001	HEALTH AND SAFETY COORD.	46,886.00		60,000.00	379270
A 3110	1	4135 004	SHERIFF'S FIRST SERGEANT	61,242.00		79,645.00	379269
A 3110	1	4132 004	SHERIFF'S INVESTIGATOR	58,537.00		75,943.00	370033
A 3110	1	9870	TEMPORARY HELP	1,335.00			
			TOTAL APPROPRIATIONS	168,000.00		215,588.00	
			APPROPRIATIONS				
			RESOLUTION DESCRIPTION				
A 3110	1	1393 001	DEPUTY DIR. COMM. EMER. SRVS		50,000.00	51,000.00	370214 ELIMINATE POSITION
A 3110	1	4131 004	SHERIFF'S SR. INVESTIGATOR		50,000.00	79,952.00	370210 ELIMINATE POSITION
A 3110	1	4138 017	SHERIFF'S DEPUTY		68,000.00	71,151.00	370068 ELIMINATE POSITION
			GRAND TOTALS	168,000.00	168,000.00	202,103.00	

NOTE: THE ANNUAL SALARIES HAVE BEEN PRORATED FOR 39 WEEKS IN 2022

2022 BUDGET AMENDMENT (3020)									
RESOLUTION NO.	BTCH	ACCOUNT NO.	ACCOUNT NO.	RESOLUTION DESCRIPTION	RESOLUTION DESCRIPTION	INCREASE	DECREASE	ANNUAL SALARY	POSITION CONTROL NUMBER
A	3020	1	3303	005	APPROPRIATIONS SENIOR TELECOMMUNICATOR	39,372.00		52,495.00	360049
					TOTAL APPROPRIATIONS	39,372.00		52,495.00	
					APPROPRIATIONS				
A	3020	1	3306	005	TELECOMMUNICATOR	INCREASES	DECREASE	ANNUAL SALARY	POSITION CONTROL NUMBER
A	3020	1	9970		TEMPORARY HELP		36,000.00	50,560.00	360010
					GRAND TOTALS	0.00	39,372.00	50,560.00	ELIMINATE POSITION

NOTE: THE ANNUAL SALARIES HAVE BEEN PRORATED FOR 39 WEEKS IN 2022



**DANIEL P. McCOY**  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
REAL PROPERTY TAX SERVICE AGENCY  
112 STATE STREET, ROOM 1340  
ALBANY, NEW YORK 12207  
OFFICE: (518) 487-5291  
FAX: (518) 447-2503  
[www.albanycounty.com](http://www.albanycounty.com)

**MICHAEL McGUIRE**  
DIRECTOR

March 25, 2022

Honorable Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Rm 710  
Albany, NY 12207

Re: RP-554 Application for Corrected Tax Roll  
Chel-Car Realty LLC  
2607 2<sup>nd</sup> Ave, Town of Colonie – 32.8-3-9.1

Dear Chairman Joyce,

The owner of 2607 2<sup>nd</sup> Ave, located in the Town of Colonie, submitted an Application for Corrected Tax Roll to correct an erroneous 2021 school tax bill and the 2022 property tax bill. An error of essential fact, as defined by RPTL §550 (3) (a), has occurred. Physical improvements to the real property were removed prior to taxable status date 2021. However, the assessment roll does not reflect the change in parcel inventory and taxes were levied against a structure that no longer existed.

The 2021 school tax bill was not corrected, and went unpaid, the incorrect amount was relieved onto the 2022 property tax bill. The North Colonie CSD has approved the correction of the school tax bill. The school relevy amount has to be corrected.

Real Property Tax Law §550 (3) (a) allows for the correction of Errors in Essential Fact made on the assessment and tax roll. I recommend that the Albany County Legislature approve the correction to the tax rolls and authorize the correction of the inaccurate school relevy and the incorrect property tax bill.

Sincerely,

Michael McGuire, Director  
Real Property Tax Service Agency

CC: Dennis Feeny, Majority Leader  
Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

**File #:** TMP-3237, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Requesting resolution to correct 2022 tax bill for 2607 2<sup>nd</sup> Ave, Town of Colonie

Date:	03/25/2022
Submitted By:	Michael McGuire
Department:	Real Property Tax Service Agency
Title:	Director
Phone:	518-487-5292
Department Rep.	
Attending Meeting:	Michael McGuire

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Correct inaccurate tax bill

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel



- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.  
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes  No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

The owner of 2607 2<sup>nd</sup> Ave, located in the Town of Colonie, submitted an Application for Corrected Tax Roll to correct an erroneous 2021 school tax bill and the 2022 property tax bill. An error of essential fact, as defined by RPTL §550 (3) (a), has occurred. Physical improvements to the real property were removed prior to taxable status date 2021. However, the assessment roll does not reflect the change in parcel inventory and taxes were levied against a structure that no longer existed.

The 2021 school tax bill was not corrected, and went unpaid, the incorrect amount was relieved onto the 2022 property tax bill. The North Colonie CSD has approved the correction of the school tax bill. The school relevy amount has to be corrected.

Real Property Tax Law §550 (3) (a) allows for the correction of Errors in Essential Fact made on the assessment and tax roll. I recommend that the Albany County Legislature approve the correction to the tax rolls and authorize the correction of the inaccurate school relevy and the incorrect property tax bill.



Department of Taxation and Finance  
Office of Real Property Tax Services

# Application for Corrected Tax Roll

# RP-554

(12/19)

### Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners <b>Chel - CAR Realty LLC</b>			
Mailing address of owners (number and street or PO box) <b>P.O. Box 57</b>		Location of property (street address) <b>2607 2<sup>nd</sup> Ave 2607 A 2<sup>nd</sup> Ave</b>	
City, village, or post office <b>LATHAM</b>	State <b>N.Y.</b>	ZIP code <b>12110</b>	City, town, or village <b>Waterlot</b>
Daytime contact number <b>518-857-8560</b>	Evening contact number <b>SAMP</b>	Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) <b>012689 32 8-3-9-1</b>	
Account number (as appears on tax bill) <b>0:11 #434 01268932-8-3-9-1</b>		Amount of taxes currently billed	
Reasons for requesting a correction to tax roll: <b>The house is no longer there. I bought it from the county in 2001 for \$1444.00</b>			

I hereby request a correction of tax levied by Town of Colosse for the year(s) 2000.  
(County, city, village, etc.)

Signature of applicant 	Date <b>2/11/20</b>
----------------------------	------------------------

### Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <b>2/28/2022</b>	Period of warrant for collection of taxes <b>1/1/2022</b>
Last day for collection of taxes without interest <b>1/31/2022</b>	Recommendation <b>Approve application</b> <input checked="" type="checkbox"/> <b>Deny application</b> <input type="checkbox"/>
Signature of official 	Date <b>3/25/2022</b>

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of \_\_\_\_\_ who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

### Part 3 – For use by the tax levying body or official designated by resolution \_\_\_\_\_ : (insert number or date, if applicable)

Application approved (mark an X in the applicable box):

Clerical error       Error in essential fact       Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): \_\_\_\_\_

Signature of chief executive officer, or official designated by resolution	Date
--	------

2607 2nd Ave Town of Colonie - 32.8-3-9.1

Levy Year	Levy Description	Taxable Value Billed / Units	Correct Taxable Value	Tax Rate	Original Tax Amount	Correct Tax Amount
2022	Albany County Tax	74000	14800	5.835283	\$ 431.81	\$ 86.36
	Colonie Town Tax	74000	14800	4.180524	\$ 309.36	\$ 61.87
	Maplewood Fire Prot	74000	14800	1.771899	\$ 131.12	\$ 26.22
	Maplewood Refuse	74000	14800	1.24027	\$ 91.78	\$ 18.36
	Maplewood Water Dist	74000	14800	0.63638	\$ 47.09	\$ 9.42
	Sewer D Debt Payment	5	5	0.1	\$ 0.50	\$ 0.50
	<b>Totals</b>				<b>\$ 1,011.66</b>	<b>\$ 202.73</b>

Levy Year	Levy Description	Taxable Value Billed / Units	Correct Taxable Value	Tax Rate	Original Tax Amount	Correct Tax Amount
2021-2022	North Colonie School	74000	14800	26.453577	\$ 1,957.56	\$ 391.51
	<b>Totals</b>				<b>\$ 1,957.56</b>	<b>\$ 391.51</b>

<b>Total Corrected Bill</b>	<b>\$ 594.25</b>
-----------------------------	------------------

TOWN OF COLONIE - TOWN & COUNTY 2022

FISCAL YEAR: 1/1/2022 to 12/31/2022    WARRANT DATE: 12/30/2021    STATE AID: CNTY \$102,140,410 TWN \$3,999,814

**MAKE CHECKS PAYABLE TO:**  
C. Michele Zilgme, Receiver of Taxes

<b>BANK</b> 000	<b>BILL</b> 4342	<b>TAX MAP NUMBER</b> 012689 32.8-3-9.1
--------------------	---------------------	--

**TO PAY IN PERSON:**  
Memorial Town Hall  
534 New Loudon Rd.  
Latham, NY 12110  
Mon. - Fri. 8:30 am - 4:30 pm

**PROPERTY INFORMATION:**  
ACCOUNT#: \_\_\_\_\_  
DIMENSION: 0.05 Acres  
ROLL SECTION: 1 CLASS: 220 - 2 FAMILY RES  
LOCATION: 2607 2nd Ave  
MUNICIPALITY: Town of Colonie  
SCHOOL: 012605 North Colonie  
FULL MARKET VALUE: As of 1/1/21 125,424  
UNIFORM % OF VALUE: 59.00  
LAND ASSESSMENT: 14,800  
TOTAL ASSESSMENT: 74,000

**PROPERTY OWNER:**  
Chel-Car Realty, LLC  
888 Troy Schenectady Rd  
Latham, NY 12110

<b>EXEMPTION</b>	<b>VALUE</b>	<b>FULL VALUE</b>	<b>TAX PURPOSE</b>
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**DELINQUENT TAXES ARE DUE ON THIS PARCEL**

LEVY DESCRIPTION	TOTAL TAX LEVY	% CHANGE FROM PRIOR YEAR LEVY	TAXABLE VALUE OR UNITS	RATE	TAX AMOUNT
ALBANY COUNTY TAX	36,018,222	3.1	74,000.00	5.83528300	431.81
COLONIE TOWN TAX	25,912,493	3.7	74,000.00	4.18052400	309.36
SCHOOL RELEVY	0	0.0	0.00	1.00000000	2,094.59
MAPLEWOOD FIRE PROT.	367,005	1.5	74,000.00	1.77189900	131.12
MAPLEWOOD REFUSE	48,200	2.0	74,000.00	1.24027000	91.78
SEWER D DEBT PAYMENT	0	0.0	5.00	0.10000000	0.50
MAPLEWOOD WATER DIST	22,440	2.0	74,000.00	0.63638000	47.09

**TOTAL TAX AMOUNT:** ~~\$3,106.25~~

**FULL PAYMENT OPTION**

Paid From	Paid To	Tax Amount	Penalty	Total Due
12/30/2021	01/31/2022	3,106.25		3,106.25
02/01/2022	02/28/2022	3,106.25	31.06	3,137.31
03/01/2022	03/31/2022	3,106.25	62.13	3,168.38

594.25  
*(Handwritten signature)*

TOWN OF COLONIE - TOWN & COUNTY 2022

MUNICIPALITY: Town of Colonie  
SCHOOL: 012605 NORTH COLONIE  
LOCATION: 2607 2ND AVE  
Chel-Car Realty, LLC  
888 Troy Schenectady Rd  
Latham, NY 12110

RECEIVER'S STUB

BILL NUMBER: **4342**  
Tax Map: 012689 32.8-3-9.1  
BANK: 000

*\$3137.31 by 2/28/22*  
*\$3168.38 by 3/31/22*

TOTAL BASE TAX:  
**\$3,106.25**

AMOUNT ENCLOSED:

\$

CHECK THIS BOX TO REQUEST A RECEIPT

RECEIVER STUB MUST BE RETURNED WITH PAYMENT

Printed On: 02/04/2022 At: 03:49:19 PM

**NORTH COLONIE - SCHOOL 2021 - 2022**

FISCAL YEAR: 7/1/2021 to 6/30/2022	WARRANT DATE: 8/31/2021	STATE AID: SCHL \$27,971,723
<b>MAKE CHECKS PAYABLE TO:</b> C. Michele Zilgme, Receiver of Taxes	<b>BANK</b>	<b>BILL</b> 16253
		<b>TAX MAP NUMBER</b> 012689 32.8-3-9.1

**TO PAY IN PERSON:**

Memorial Town Hall  
534 New Loudon Rd.  
Latham, NY 12110  
Mon. - Fri. 8:30 am - 4:30 pm

**PROPERTY INFORMATION:**

ACCOUNT#: \_\_\_\_\_  
DIMENSION: 0.05 Acres  
ROLL SECTION: 1 CLASS: 220 - 2 FAMILY RES  
LOCATION: 2607 2nd Ave  
MUNICIPALITY: Town of Colonie  
SCHOOL: 012605 North Colonie  
FULL MARKET VALUE: As of 1/1/21 125,424  
UNIFORM % OF VALUE: 59  
LAND ASSESSMENT: 14,800  
TOTAL ASSESSMENT: 74,000

**PROPERTY OWNER:**

Chel-Car Realty, LLC  
888 Troy Schenectady Rd  
Latham, NY 12110

EXEMPTION	VALUE	FULL VALUE	TAX PURPOSE
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LEVY DESCRIPTION	TOTAL TAX LEVY	% CHANGE FROM PRIOR YEAR LEVY	TAXABLE VALUE OR UNITS	RATE	TAX AMOUNT
NORTH COLONIE BILL	89,438,564	1.4	74,000.00	26.453577	1,957.56

14,800

391.51

*KW*

**FULL PAYMENT OPTION**

Paid From	Paid To	Tax Amount	Penalty	Total Due
09/01/2021	09/30/2021	1,957.56		1,957.56
10/01/2021	10/31/2021	1,957.56	78.30	2,035.86

**NORTH COLONIE - SCHOOL 2021 - 2022**

MUNICIPALITY: Town of Colonie  
SCHOOL: 012605 NORTH COLONIE  
LOCATION: 2607 2ND AVE

RECEIVER'S STUB

BILL NUMBER: 16253  
Tax Map: 012689 32.8-3-9.1  
BANK:

Chel-Car Realty, LLC  
888 Troy Schenectady Rd  
Latham, NY 12110

TOTAL BASE TAX:  
**\$1,957.56**  
AMOUNT ENCLOSED:

\$

CHECK THIS BOX TO REQUEST A RECEIPT

RECEIVER STUB MUST BE RETURNED WITH PAYMENT  
Printed On: 03/25/2022 At: 11:37:48 AM

# Bill Haupt Dumpsters

# INVOICE

PO Box 435  
 Wynantskill, NY 12198  
 Phone: 518-225-6996  
 Email: billhauptdumpsters@yahoo.com  
 Website: billhauptdumpsters.com

INVOICE #	DATE
124	1/22/2020

**BILL TO**

Paul Roberts  
 2607 2nd Ave  
 Watevliet, NY 12189  
 P: 518-857-8560  
 E: Paul.roberts1644@gmail.com

**TERMS**

Due Upon Receipt

Please Make Checks Out to Wayne Haupt

DESCRIPTION	QTY	AMOUNT
Dumpster Service Provided 12/4/20-12/10/20	1	9,805.00

INVOICE PAID IN FULL

*Thank you for your business!*

<b>SUBTOTAL</b>	9,805.00
<b>TOTAL</b>	<b>\$ 9,805.00</b>

If you have any questions please call (518) 225-6996 or Email: billhauptdumpsters@yahoo.com

Customer agrees all containers must be loaded level. Overloaded containers will be back charged to customer. Customer agrees no asbestos, hazardous waste, oils or chemicals are allowed in the container. Such waste will be returned to customer or billed for cleanup costs. Customer agrees to pay any fines incurred by Bill Haupt Dumpsters; as a result of its container being overweight or overfilled by customer. Customer shall be responsible for all damages to Bill Haupt Dumpsters equipment. Customer agrees to accept all liability in connection our with placement of this container; including but not limited to personal injury due to failure to properly baricade, damage to pavement and/or landscaping and damage caused by instability or cable failure as a result of unbalanced loading or loading in excess of safe load. Customer agrees to not attempt to ruin Bill Haupt Dumpsters reputation or publicly put negative reviews. In the event of a problem call our office promptly for a resolution.

12/23/21



C & D Stump & Tree Removal LLC.  
P.O. Box 387  
Latham NY 12110  
Ph# 518-365-0523



Date 12/23/2020  
Invoice # 1491

2607

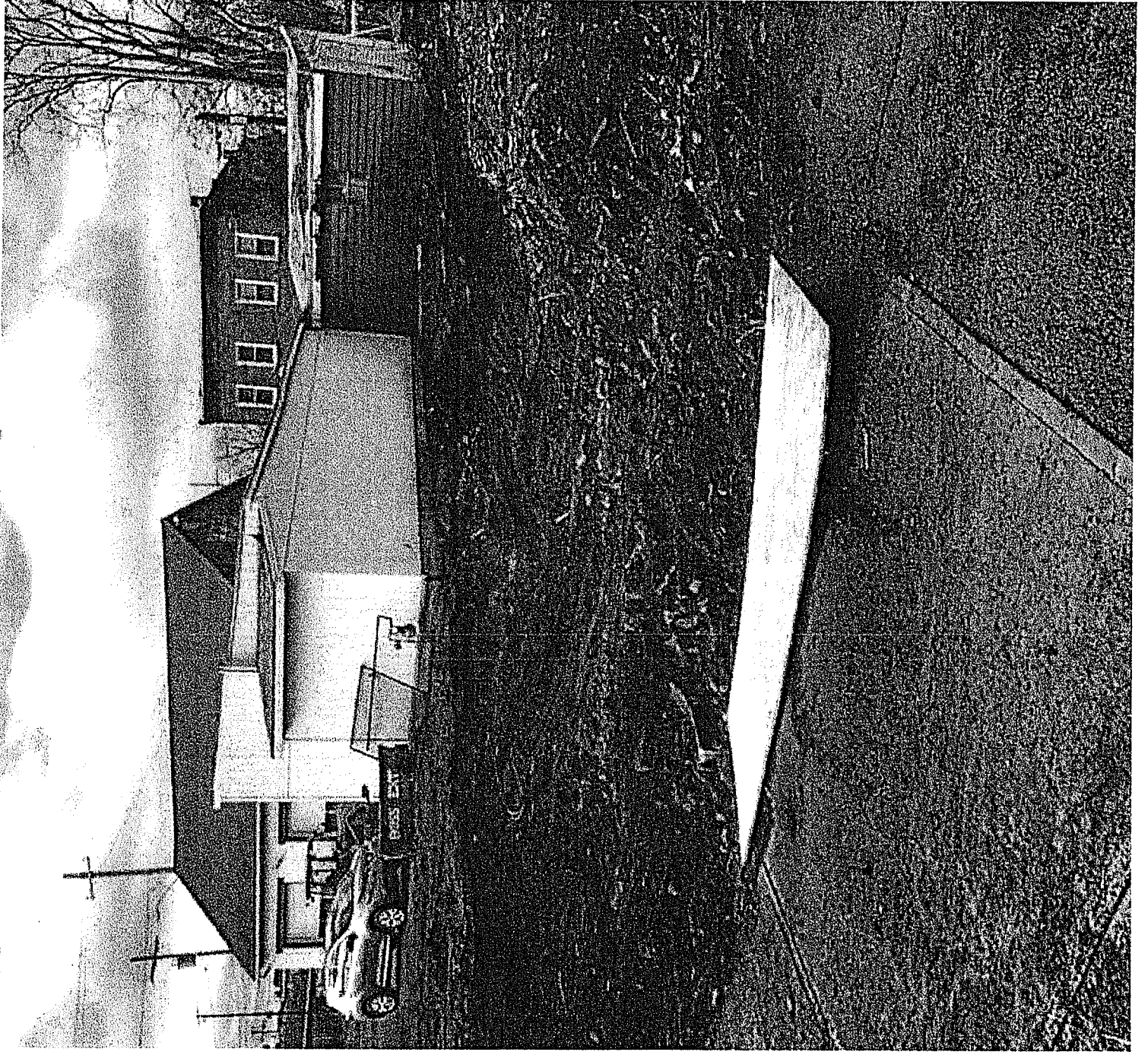
**Bill To**  
Chelcar Reality LLC  
888 Troy Schenectady Rd  
Latham NY 12110

Terms Due on receipt

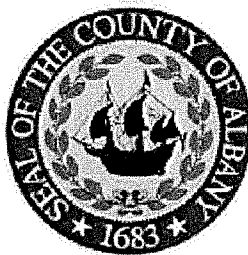
Description	Qty	Rate	Amount
Cut and remove trees along fence line at 2603 2nd ave watervliet and remove fence		4,000.00	4,000.00T
Thank you for your business		<b>Subtotal</b>	\$4,000.00
		<b>Sales Tax (8.0%)</b>	\$320.00
		<b>Total</b>	<b>\$4,320.00</b>











**DANIEL P. McCOY**  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
REAL PROPERTY TAX SERVICE AGENCY  
112 STATE STREET, ROOM 1340  
ALBANY, NEW YORK 12207  
OFFICE: (518) 487-5291  
FAX: (518) 447-2503  
[www.albanycounty.com](http://www.albanycounty.com)

**MICHAEL McGUIRE**  
DIRECTOR

April 1, 2022

Honorable Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Rm 710  
Albany, NY 12207

Re: Authorization to cancel and charge back unenforceable delinquent tax  
25 Delaware Ave, City of Albany – SBL 76.31-4-3

Dear Chairman Joyce,

The three-year time limit to use the ordinary correction of errors process has expired, therefore, enclosed for your review is a resolution. In reviewing the 1995 List of Delinquent Taxes, it became apparent that a sewer and water fee was imposed on a property in error. Parcel number 76.31-4-3, in the City of Albany, is a property owned by the City of Albany, a municipal corporation. At the time of lien the property was held for public use, housing Senior Services of Albany. Under RPLT §406 (1) property owned by a municipal corporation within its corporate limits held for public use is exempt from taxation and exempt from special ad valorem levies and specials assessments. Furthermore, RPLT §558 (1) authorizes the County Legislature to cancel any tax lien where the tax is rendered permanently unenforceable by operation of the provisions of any statute.

Given the information provided, I am requesting that the County Legislature adopt a resolution canceling the unenforceable property tax lien on 25 Delaware Ave pursuant to RPTL §558 (1). Additionally, I am requesting that said resolution authorize a chargeback of all amounts credited or guaranteed to the City of Albany. The total amount of the chargeback is \$470.23.

Sincerely,

Michael McGuire, Director  
Real Property Tax Service Agency

Enclosures:

CC: Dennis Feeny, Majority Leader  
Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

**File #:** TMP-3254, **Version:** 1

### REQUEST FOR LEGISLATIVE ACTION

**Description (e.g., Contract Authorization for Information Services):**

Authorizing cancellation of a certain unenforceable delinquent real property tax lien on 25 Delaware Avenue in the City of Albany and charge back of the amount credited in connection with said lien

Date:	04/01/2022
Submitted By:	Michael McGuire
Department:	Real Property Tax Service Agency
Title:	Director
Phone:	518-487-5292
Department Rep.	
Attending Meeting:	Michael McGuire

**Purpose of Request:**

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Adoption of resolution to cancel and chargeback delinquent tax lien

**CONCERNING BUDGET AMENDMENTS**

**Increase/decrease category (choose all that apply):**

- Contractual
- Equipment
- Fringe
- Personnel



- Personnel Non-Individual
- Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.  
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes  No

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

The three-year time limit to use the ordinary correction of errors process has expired, therefore, enclosed for your review is a resolution. In reviewing the 1995 List of Delinquent Taxes, it became apparent that a sewer and water fee was imposed on a property in error. Parcel number 76.31-4-3, in the City of Albany, is a property owned by the City of Albany, a municipal corporation. At the time of lien the property was held for public use, housing Senior Services of Albany. Under RPLT §406 (1) property owned by a municipal corporation within its corporate limits held for public use is exempt from taxation and exempt from special ad valorem levies and specials assessments. Furthermore, RPLT §558 (1) authorizes the County Legislature to cancel any tax lien where the tax is rendered permanently unenforceable by operation of the provisions of any statute.

Given the information provided, I am requesting that the County Legislature adopt a resolution canceling the unenforceable property tax lien on 25 Delaware Ave pursuant to RPTL §558 (1). Additionally, I am requesting that said resolution authorize a chargeback of all amounts credited or guaranteed to the City of Albany. The total amount of the chargeback is \$470.23.

00/00/22

**RESOLUTION NO. \_\_\_\_\_**

**AUTHORIZING CANCELLATION OF A CERTAIN UNENFORCEABLE DELINQUENT REAL PROPERTY TAX LIEN ON 25 DELAWARE AVENUE IN THE CITY OF ALBANY AND CHARGE BACK OF THE AMOUNT CREDITED IN CONNECTION WITH SAID LIEN**

Introduced: 00/00/22  
By Audit and Finance Committee:

WHEREAS, the Director of the County Real Property Tax Services Agency has advised the Commissioner of the County Department of Management and Budget as Enforcing Officer of the Albany County Tax District (“Tax District Enforcing Officer”) that the three year time limit for use of the ordinary “correction of errors” process provided by Real Property Tax Law, §554 to cancel and charge back the amount credited or guaranteed by the Tax District in connection with the following unenforceable delinquent real property tax lien which was returned to the Tax District for enforcement,

<u>CITY OF ALBANY</u>				
<u>Parcel Location</u>	<u>Tax Map No.</u>	<u>Tax Lien Year(s)</u>	<u>Charge Back Amount</u>	<u>Legal Impediment</u>
25 Delaware Ave	76.31-4-3	1995 Property tax	\$470.23 \$470.23	This parcel is a real property tax exempt municipal owned firehouse (RPTL 406)

, and

WHEREAS, the County Legislature in its capacity as the governing body of the Tax District has upon the advice of the Enforcing Officer determined that cancellation of said delinquent real property tax lien pursuant to RPTL §558 (subd, 1) would be effective to accomplish such cancellation and chargeback, now, therefore be it

RESOLVED, that pursuant to RPTL §558 (subd, 1) the above specified delinquent tax lien on said parcel is hereby cancelled and the Enforcing Officer is directed to charge back to the municipal corporation within which said parcel is located any and all amounts credited or guaranteed to such corporation[s] by the Tax District in connection with said cancelled delinquent tax lien, and, be it further



RESOLVED, That the Clerk of the County Legislature is hereby directed to file a copy of this Resolution with said Enforcing Officer and to forward certified copies thereof to the other appropriate County Officials.



DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
OFFICE OF THE EXECUTIVE  
112 STATE STREET, ROOM 1200  
ALBANY, NEW YORK 12207-2021  
(518) 447-7040 - FAX (518) 447-5589  
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.  
DEPUTY COUNTY EXECUTIVE

April 24, 2022

Honorable Andrew Joyce, Chairman  
Albany County Legislature  
112 State Street, Room 710  
Albany, New York 12207

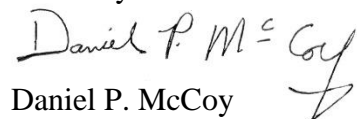
Dear Chairman Joyce:

The County Executive, Legislature, and Comptroller are requesting authorization to enter into a contract with CMA Capital Markets Advisors, LLC for American Recovery Plan Act (ARPA) Advisory Services. In 2022 Albany County will receive a \$29.6 million disbursement of American Recovery Plan Act State and Local Fiscal Recovery Funds that must be expended by December 31, 2026.

An RFP was issued for ARPA services including (1) Public Engagement; (2) Project Prioritization and Determination of Eligibility; (3) Plan Development; (4) Project Management and Compliance Support. Three strong bids were reviewed and graded by representatives from the Office of the County Executive, County Legislature, Office of Management and Budget, and Office of the Comptroller. Bidders were graded on cost, experience, and the strength of their proposal and CMA was selected based on those criteria. The selected consultant will work with County leadership and staff to determine the best ways to solicit stakeholder input, prioritize funding, and ensure timely and accurate reporting.

If you should have any questions, please do not hesitate to contact me.

Sincerely

  
Daniel P. McCoy  
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader  
Hon. Frank Mauriello, Minority Leader  
Rebekah Kennedy, Majority Counsel  
Arnis Zilgme, Minority Counsel

## REQUEST FOR LEGISLATIVE ACTION

---

### Description (e.g., Contract Authorization for Information Services):

..title

Contract Authorization with CMA Capital Markets Advisors, LLC for American Recovery Plan Act Advisory Services

..body

---

Date: 4/22/2022  
Submitted By: Lucas Rogers  
Department: County Executive  
Title: Analyst  
Phone: 518-447-5566  
Department Rep.  
Attending Meeting: Lucas Rogers/David Reilly

### Purpose of Request:

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed)

[Click or tap here to enter text.](#)

---

## **CONCERNING BUDGET AMENDMENTS**

### Increase/decrease category (choose all that apply):

- Contractual
- Equipment
- Fringe
- Personnel
- Personnel Non-Individual
- Revenue

Increase Account/Line No.: A9 8020 44046  
Source of Funds: Federal Stimulus

Title Change:

Click or tap here to enter text.

---

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed)

Click or tap here to enter text.

---

**Contract Terms/Conditions:**

**Party (Name/address):**

Capital Markets Advisors, LLC  
11 Grace Avenue, Suite 308  
Great Neck, NY 11021

**Additional Parties (Names/addresses):**

Click or tap here to enter text.

Amount/Raise Schedule/Fee:

\$180,000

Scope of Services:

Click or tap here to enter text.

Bond Res. No.:

Click or tap here to enter text.

Date of Adoption:

Click or tap here to enter text.

---

**CONCERNING ALL REQUESTS**

Mandated Program/Service:

Yes  No

If Mandated Cite Authority:

Click or tap here to enter text.

Is there a Fiscal Impact:

Yes  No

Anticipated in Current Budget:

Yes  No

County Budget Accounts:

Revenue Account and Line: A9 8020 44046  
Revenue Amount: \$60,000

Appropriation Account and Line: A4 1340 04962  
Appropriation Amount: \$ 60,000

Source of Funding – (Percentages)

Federal: 100  
State: Click or tap here to enter text.  
County: Click or tap here to enter text.  
Local: Click or tap here to enter text.

Term

Term: (Start and end date) 5/15/2022 – 4/14/2024  
Length of Contract: Two Years

Impact on Pending Litigation

If yes, explain: Yes  No   
[Click or tap here to enter text.]

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

The County Executive, Legislature, and Comptroller are requesting authorization to enter into a contract with CMA Capital Markets Advisors, LLC for American Recovery Plan Act (ARPA) Advisory Services. In 2022 Albany County will receive a \$29.6 million disbursement of American Recovery Plan Act State and Local Fiscal Recovery Funds that must be expended by December 31, 2026.

An RFP was issued for ARPA services including (1) Public Engagement; (2) Project Prioritization and Determination of Eligibility; (3) Plan Development; (4) Project Management and Compliance Support. Three strong bids were reviewed and graded by representatives from the Office of the County Executive, County Legislature, Office of Management and Budget, and Office of the Comptroller. Bidders were graded on cost, experience, and the strength of their proposal and CMA was selected based on those criteria. The selected consultant will work with County leadership and staff to determine the best ways to solicit stakeholder input, prioritize funding, and ensure timely and accurate reporting.

RATING SHEET  
RFP # 2022-29  
Coronavirus State and Local Fiscal Recovery Funds Advisory Services

	<b>BerryDunn</b>	<b>CMA</b>	<b>PFM</b>
LR	4.2	<b>4.5</b>	4.4
DR	4.7	<b>4.8</b>	4.5
BR	4.4	<b>4.6</b>	4.45
MW	3.15	<b>3.8</b>	3.4
Total	16.45	<b>17.7</b>	16.75
Average	4.11	<b>4.43</b>	4.19
Rank	3	<b>1</b>	2

**APPROPRIATIONS**

<b>ACCOUNT NO.</b>	<b>RESOLUTION DESCRIPTION</b>	<b>INCREASE</b>	<b>DECREASE</b>	<b>UNIT COST</b>	<b>DEPARTMENT NAME</b>
A9 8020 4 4046	Fees for Services	\$ 60,000.00	\$ -		Econ Development
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 60,000.00</b>	<b>\$ -</b>		

**ESTIMATED REVENUES**

<b>ACCOUNT NO.</b>	<b>RESOLUTION DESCRIPTION</b>	<b>DECREASE</b>	<b>INCREASE</b>	<b>UNIT COST</b>	<b>DEPARTMENT NAME</b>
A4 1340 0 4962	Federal Stimulus	\$ -	\$ 60,000.00		Management & Budget
<b>TOTAL ESTIMATED REVENUES</b>		<b>\$ -</b>	<b>\$ 60,000.00</b>		
<b>GRAND TOTALS</b>		<b>\$ 60,000.00</b>	<b>\$ 60,000.00</b>		

Note- 7,500 per month. Contract anticipated to start in May. 7,500 \* 8 months = 60,000





**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: BerryDunn**

	Weight	Brandon Russell		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	4.5	1.125	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4.75	1.1875	
Evaluation of the proposer’s fee submission.	30%	4	1.2	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4.5	0.9	
<b>TOTALS:</b>			4.4125	

**NOTES:**

Strong professional qualifications and experience.

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: CMA Market Advisors LLC**

	Weight	Brandon Russell		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	4.5	1.125	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4.25	1.0625	
Evaluation of the proposer’s fee submission.	30%	5	1.5	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4.75	0.95	
<b>TOTALS:</b>			4.6375	

**NOTES:**

Effective cost and public outreach components.

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: PFM Group Consulting LLC**

	Weight	Brandon Russell		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	4.5	1.125	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4.5	1.125	
Evaluation of the proposer’s fee submission.	30%	4	1.2	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	5	1	
<b>TOTALS:</b>			4.45	

**NOTES:**

Strong response regarding carrying out RFP goals.

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: BerryDunn**

---

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer's demonstrated technical capability to provide the services.	25%	5	1.25	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	5	1.25	
Evaluation of the proposer's fee submission.	30%	4	1.2	
Evaluation of the proposer's projected approach and plans to meet the requirements of this RFP.	20%	5	1	
<b>TOTALS:</b>			4.7	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0



**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: CMA Market Advisors LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	5	1.25	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	5	1.25	
Evaluation of the proposer’s fee submission.	30%	5	1.5	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			4.8	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: PFM Group Consulting LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	5	1.25	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	5	1.25	
Evaluation of the proposer’s fee submission.	30%	4	1.2	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			4.5	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: BerryDunn**

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	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer's demonstrated technical capability to provide the services.	25%	3	0.75	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4	1	
Evaluation of the proposer's fee submission.	30%	2	0.6	
Evaluation of the proposer's projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			3.15	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: CMA Market Advisors LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	3	0.75	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	3	0.75	
Evaluation of the proposer’s fee submission.	30%	5	1.5	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			3.8	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0



**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: PFM Group Consulting LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	4	1	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4	1	
Evaluation of the proposer’s fee submission.	30%	2	0.6	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			3.4	

**NOTES:**

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ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: BerryDunn**

---

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	5	1.25	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	5	1.25	
Evaluation of the proposer’s fee submission.	30%	3	0.9	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	4	0.8	
<b>TOTALS:</b>			4.2	

**NOTES:**

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Stong response high cost

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: CMA Market Advisors LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	4	1	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	4	1	
Evaluation of the proposer’s fee submission.	30%	5	1.5	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	5	1	
<b>TOTALS:</b>			4.5	

**NOTES:**

Solid response with significantly lower cost

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
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0		0		0
0		0		0
0		0		0

**RFP #2022-029: CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICE**

**Proposal Rating Worksheet**

**Proposer: PFM Group Consulting LLC**

	Weight	Reviewer 1		Review
		Rate	Score	Rate
			0	
Proposer’s demonstrated technical capability to provide the services.	25%	5	1.25	
Evaluation of the professional qualifications and experience to perform the proposed services.	25%	5	1.25	
Evaluation of the proposer’s fee submission.	30%	3	0.9	
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%	5	1	
<b>TOTALS:</b>			4.4	

**NOTES:**

Stongest response high cost

ES

<b>wer 2</b>	<b>Reviewer 3</b>		<b>Reviewer 4</b>	
<b>Score</b>	<b>Rate</b>	<b>Score</b>	<b>Rate</b>	<b>Score</b>
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0
0		0		0



# COUNTY OF ALBANY, NEW YORK

Proposal:

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## CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS ADVISORY SERVICES

RFP NO.: 2022-029

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**DATE OF PROPOSAL:  
MARCH 18, 2022**



**CMA**  
CapitalMarketsAdvisors,LLC

Strategic Consulting Group

**Submitted By:**

**Richard Tortora, President**  
*Capital Markets Advisors, LLC*  
Tel:(516) 487-9815  
Email: [rtortora@capmark.org](mailto:rtortora@capmark.org)  
Web: [www.capmark.org](http://www.capmark.org)



Capital Markets Advisors, LLC  
11 Grace Ave., Suite 308  
Great Neck, New York 11021  
Phone: (516) 487-9815  
[rtortora@capmark.org](mailto:rtortora@capmark.org)

March 17, 2022

Ms. Karen A. Storm  
Purchasing Agent  
County of Albany  
112 State Street  
Albany, NY 12207

Re: RFP 2022-029 Coronavirus State and Local Fiscal Recovery Funds Advisory Services

Dear Ms. Storm:

On behalf of Capital Markets Advisors, LLC (“CMA”), I am pleased to present our proposal to provide Coronavirus State and Local Fiscal Recovery Funds Advisory Services to the County of Albany, New York (the “County”). I am authorized to bind CMA under this engagement and the cost projections included as a part of this Proposal shall remain in effect for 120 after the due date.

CMA has read through the County’s Request for Proposals and is well aware of the needs of the County as they relate to the American Rescue Plan Act of 2021 (“ARPA”). CMA’s Strategic Consulting Group, led by Managing Director Margaret Guarino, a government and finance expert with over 45 years of experience, would lead our efforts for the County. James Nytko, Managing Director at Local Government Solutions and a former CMA employee, works with CMA on ARPA-related engagements. CMA possesses the institutional knowledge, experience, resources, time and manpower to provide the necessary services noted in the Scope of Work in your RFP. We have received extensive training on ARPA over the last several months and are very well versed in the nuances of this legislation. We currently provide the same scope of ARPA-related services for several cities in the Northeast including Rochester, New Rochelle and Poughkeepsie. We are able to assist and guide the County in all ARPA-related matters. We recommend that you to take a minute to review one of our recently created, online ARPA information and transparency portals which will provide additional insight into our team’s capabilities (<https://cityofpoughkeepsiearp.org>). In addition to the portal pages you are able to view in this example, there are also additional private password protected pages we have created which are utilized by the client to administer and manage its ARPA allocation. To provide additional ARPA educational material and samples of our ARPA-related work, CMA has prepared a *temporary* online component which should be considered a part of this proposal. In addition, the accompanying online component should be considered confidential, private and only be made assessable to applicable County officials. Therefore, it is being password protected. Nevertheless, the site may be accessed with the following information:

**Website:** <https://jamesn26.sg-host.com>  
**Password:** ARPAalbany

My colleagues and I enjoy and appreciate our existing relationship with the County of Albany and we look forward to expanding it though our Strategic Consulting Group in connection with your receipt and management of funds through the ARPA. You may contact me at (516) 487-9815 and [rtortora@capmark.org](mailto:rtortora@capmark.org) should you have any questions regarding the County’s needs or CMA’s services.

Sincerely yours,

*Richard R. Tortora*

Richard R. Tortora, Esq.  
Capital Markets Advisors, LLC

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<b>SUPPLEMENTAL ONLINE COMPONENT <sup>(1)</sup></b>	<b>N/A</b>
<b>Website:</b> <a href="https://jamesn26.sg-host.com">https://jamesn26.sg-host.com</a>	
<b>Password:</b> ARPAalbany	

(1)     *The accompanying online component should be considered confidential, private and only be made assessable to applicable County officials.*

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## SECTION II – QUALIFICATIONS/EXPERIENCE

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### FIRM OVERVIEW

CMA was founded in New York in 2002 and has a professional staff of 18 working out of offices on Long Island (Great Neck), Western New York (Orchard Park) and New York’s Southern Tier (Elmira).

**CMA Overview.** CMA is an independent, municipal advisory firm serving the operational and financial needs of public jurisdictions in the northeastern United States. CMA is registered as a Municipal Advisor with the Municipal Securities Rulemaking Board (“MSRB”) ID#K0489 and the Securities and Exchange Commission (“SEC”) ID#867-00807. CMA currently represents approximately 375 public jurisdictions, including the County, predominantly in New York State. *In each of the last 7 years, Thomson Reuters has ranked CMA among the top ten municipal advisors in the nation.*

**CMA Strategic Consulting Group.** For twenty years, CMA has been an industry leader in analyzing, advising and implementing fiscally sustainable solutions for local governments. In fact, CMA has a team solely dedicated to this purpose. CMA’s Strategic Consulting Group understands the workflow of governmental entities and assists our clients to strategically bridge the sometimes misunderstood and often blurred gap that exists between operations and finance. Over the past several months the professional staff of CMA has spent hundreds of hours strategically preparing itself to advise our clients with respect to maximizing the impact of funding allocations through ARPA. *In fact, CMA currently advises the cities of Rochester, New Rochelle, Long Beach, Glen Cove and Poughkeepsie on the planning, use, tracking and reporting of their respective ARPA allocations.*

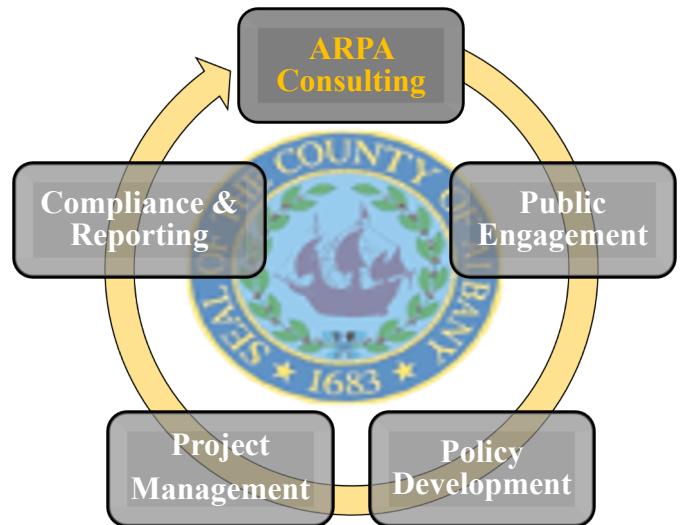
CMA has worked with all types of jurisdictions across the Northeast, assisting them to establish sound financial and operational roadmaps that optimize operations and achieve fiscal goals. The services provided by our Strategic Consulting Group are wide-ranging yet strategically tailored to meet the individual needs of each of the jurisdictions it serves. ARPA consulting is a natural fit for CMA.

**Strategic Consulting Services.** Some of the services of the CMA include, but are not limited to, the following:

- *ARPA Planning and Consulting to Maximize the Impact of Funding Allocations*
- ARPA Internal Controls, Policies and Procedures
- Community Engagement
- Strategic Operational and Departmental Analysis
- Workforce and Staffing Analysis
- Multi-Year Financial Planning
- Operational Budget Consulting
- Capital Budget Consulting

- User Fee and Rate Analysis
- Grant Procurement
- Shared Services Consulting
- Economic and Demographic Analysis
- Project Management
- Plan Implementation

**Staff.** CMA’s well-qualified staff of 18 possesses the comprehensive knowledge, existing relationships and resources to carefully and thoroughly assist the County with respect to its ARPA allocation. As detailed in this proposal, the Proposed Project Team includes a total of seven (7) dedicated professional staff members.



## QUALIFICATIONS

*If selected, CMA will respond rapidly and effectively to the County, deploying a team of well-qualified professionals to regularly meet with County officials (in-person, via phone or videoconference), to develop a comprehensive and mutually agreeable plan of action to meet the goals and objectives of the County.*

The COVID-19 pandemic brought with it a vast multitude of fiscal obstacles that will need to be cautiously navigated. With this financial crisis, the municipal jurisdictions which will emerge strongly on the other side will be those that utilize their ARPA allocation strategically, plan for the long term and shift their activities accordingly. As an entitlement unit with an ARPA allocation of \$29.6 million, the County will require the assistance of a consultant that is not limited to simply one aspect of the ARPA. In fact, the consultant should be multifaceted and well rounded, possessing expertise in the following areas:

- Comprehensive understanding of ARPA guidelines and parameters (i.e., the Final Rule);
- Real experience working with municipalities in the Northeast to guide their understanding of the true economic impact of COVID-19;
- Experience facilitating, guiding and participating in recurring meetings with the specialized task forces, committees and/or subcommittees;
- Ability to develop comprehensive public/stakeholder engagement and outreach plans (view a sample of our recently released ARPA Information Portal: <https://cityofpoughkeepsiearp.org/>);
- Ability to effectively educate, train and inform persons with varying levels of understanding related to ARPA;
- Expertise in identifying and implementing best practices correlating to spending, compliance, monitoring and reporting;
- Experience in developing comprehensive fiscal and operational policies and guidelines;
- Extensive working knowledge of the local economy;
- A solid understanding of community development;

- Familiarity with regulatory compliance and reporting and the ability to develop sound procedures to ensure conformity;
- Proficiency in project management, and;
- Ample staff and resources.

*The CMA Team is that consultant.*

**ARPA Subject Matter Expertise.** Our professional staff has spent countless hours to become subject matter experts with respect to the ARPA and to understand the economic impacts associated with the COVID-19 pandemic. We have analyzed data and participated in webinars hosted by the Government Finance Officers Association, the White House, the U.S. Treasury, the National League of Cities, local municipal accounting firms and the U.S. Conference of Mayors. We have also hosted two webinars on the subject with a third scheduled for March 30<sup>th</sup>.

**Local COVID-19 Pandemic Economic and Financial Forecasting Experience.** The COVID-19 pandemic has significantly complicated the “traditional” economic forecasting process. Through real experience working with municipalities, CMA understands the COVID-19 impact is unique and cannot be easily analyzed in connection with prior economic recessionary trends. In a typical recession, spending is reduced but people still patronize restaurants, purchase goods and spend on entertainment. The impact of COVID-19 has put unprecedented stress on the economies of the County, State and Nation commencing in 2020 and it remains unknown whether the change in consumer practices will have a long-lasting effect. In recent months, CMA has and continues to work with a variety of Northeastern municipalities to analyze the financial and economic impacts relating to the COVID-19 pandemic.

The ARPA funds are intended to combat the negative economic and various other impacts of the COVID-19 pandemic at the local level. CMA will assist the County to better understand the local impact and to develop a comprehensive long-term financial strategy based on best practices that will ensure the most effective and efficient usage of its Federal allocation.

**Experience in Educating, Training and Informing Key Decision Makers and Stakeholders.** Our team members are experts in educating our clients and key stakeholders. In fact, our staff are regularly asked to present to governing bodies and at professional seminars on topics involving the fiscal operations of municipal jurisdictions. Furthermore, our Strategic Consulting Group recently hosted its second comprehensive ARPA webinar, which focused on reporting and compliance and provided an overview of the US Treasury’s recently released Final Rule. The webinar was attended by nearly 200 participants. CMA/LGS’s first ARPA webinar in July 2021 provided an overview of the program and discussed ARPA related best practices and strategies. A third webinar is currently scheduled for March 30<sup>th</sup>.

See: [www.capmark.org/webinars](http://www.capmark.org/webinars).

CMA also writes and disseminates on a monthly basis, its industry newsletter, *Capital Markets News*, which is the only, regularly published newsletter put out by a municipal advisor in New York State. It contains articles on topics of interest, tracks current and historic interest rate trends and reports on recent debt sale results. We also put out periodic *Special Bulletins* to alert our clients of important developments that could have an immediate impact on their day-to-day

operations. We last published two such bulletins in 2020 in connection with the COVID-19 pandemic, multiple publications in 2021 relating to the ARPA and one article, to date, in 2022.

**Public Outreach and Engagement.** The U.S. Treasury expects ARPA recipients to serve as stewards of their respective allocations and to act in a transparent and accountable fashion. The U.S. Treasury’s recently published Compliance and Reporting Guidance document (viewable at: <https://home.treasury.gov/system/files/136/SLFRFCompliance-and-Reporting-Guidance.pdf>), lists transparency and public accountability as key guiding principles. A commitment to transparency demonstrates integrity to the community and is widely accepted as a best practice relating to finance and management. While stakeholder engagement and making information available to the public is a critical step in the ARPA strategic planning process, it is equally important to ensure that information is both clear and easy to locate. A centralized source of a jurisdiction’s applicable ARPA information, decisions and initiative progress may perhaps be the simplest way to achieve transparency in both the ARPA planning and compliance process.

*Interactive ARPA Portal.* Over the past several months, CMA has worked with clients to launch its “Interactive ARPA Information Portal”. The portal may be used by local governments to engage and provide ARPA-related information to the public and stakeholders. In addition, it is fully managed and regularly updated by CMA so as not to burden municipal officials with any additional work relating to this program. A sample ARPA portal can be viewed at: <https://cityofpoughkeepsiearp.org>.

*Public Engagement Surveys.* As part of its Interactive ARPA Information Portal, CMA has developed an online public engagement survey which may be utilized by local jurisdictions to gain insight and inform ARPA related decisions.

*Online Funding Request / Application.* Also, as part of its Interactive ARPA Information Portal, CMA has crafted a comprehensive online funding request application. Through the form, stakeholders, in particular small businesses, non-profits and even residents, may request funds for ARPA-eligible uses. A demo of the online application will be provided to the County at its request.

A successful ARPA plan must maintain a long-term focus on compliance and reporting. As such, the online application is critical. With a sound application process in place, a local government gains the ability to build an immediate foundation for record keeping activities, document the decision-making process and, most importantly, avoid costly mistakes.

*Compliance Tools.* Our team has crafted a host of tools and processes aimed at making the compliance process smooth and to mitigate the risk of “claw backs” by the Federal government.

**Local Government Operations.** CMA represents close to 400 public jurisdictions, including the County. We understand what drives local governments and how even the simplest of decisions can have a significant impact for generations to come. Furthermore, as the County’s Municipal



Advisor, we have an existing knowledge base of the County's operations which ensure our ability to hit the ground running with respect to the proposed engagement.

**Regulatory Compliance.** Most of CMA's clients are legally required to publicly provide annual financial updates, which CMA prepares on a timely basis each year, including the County. Our team members are experts in providing sound advice and management assistance relative to compliance matters. We will assist the County to ensure its ARPA reports are prepared and filed timely and accurately.

**Hands on Tailored Approach.** We help local governments to establish sound financial and operational plans that will optimize operations and achieve realistic fiscal goals. Our team approach is not "one-size-fits-all." Instead, we tailor our services to the meet the individual needs of each of the jurisdictions we serve. Our team takes a hands-on approach, establishing an optimal planning process that combines best practices, trending and benchmarking with the proper forecasting tools and methodologies. CMA will provide to the County a core team of fully committed professionals, supported by other members of the firm, in order to meet its ARPA needs. Our professionals will work together as a cohesive unit to provide the services described in the RFP.

**Staff and Resources.** CMA is committed to its staff and to their professional development. Most of our officers, have been with us for over a decade. We have been formally trained in many fields including municipal operations, municipal law, banking, accounting, business and credit analysis. We possess advanced degrees in finance, law, management and accounting. Twelve members of CMA professional staff members are licensed as Series 50 Municipal Advisor Representatives by the SEC and MSRB and two have also been licensed as Series 54 Municipal Principals. We bring to the table years of prior experience as a bond attorney, CPA, bankers, credit analysts, educators and government officials. We have access to resources, locally and nationally, that allow us to identify and stay ahead of trends in public finance. We bring all of this training and experience to bear, in a team effort, to identify and address problematic issues faced by our clients. Based on our many decades of acquired expertise, we are able to address our clients' questions quickly and to their satisfaction, while more complex issues are carefully researched and discussed internally before a well-reasoned answer is provided. Our staff members regularly attend professional seminars, such as those offered by the Government Finance Officers Association ("GFOA"), and we are often asked to present on topics involving the fiscal operations of public jurisdictions.

**CPA Oversight.** Senior Director Rick McCarthy, CPA will provide compliance oversight in connection with this engagement. In addition to being a CPA, Rick has an MBA from Cornell University and over 40 years of experience working with public jurisdictions across the nation. He has worked on numerous projects that were funded with state and Federal grant monies.

In addition, on certain ARPA engagements, CMA/LGS partners with a large, regional, independent accounting and auditing firm, PKF O'Conner Davies, that can provide comprehensive accounting insight with respect to ARPA matters. This firm co-hosted our last ARPA webinar and will co-host again on March 30<sup>th</sup>.

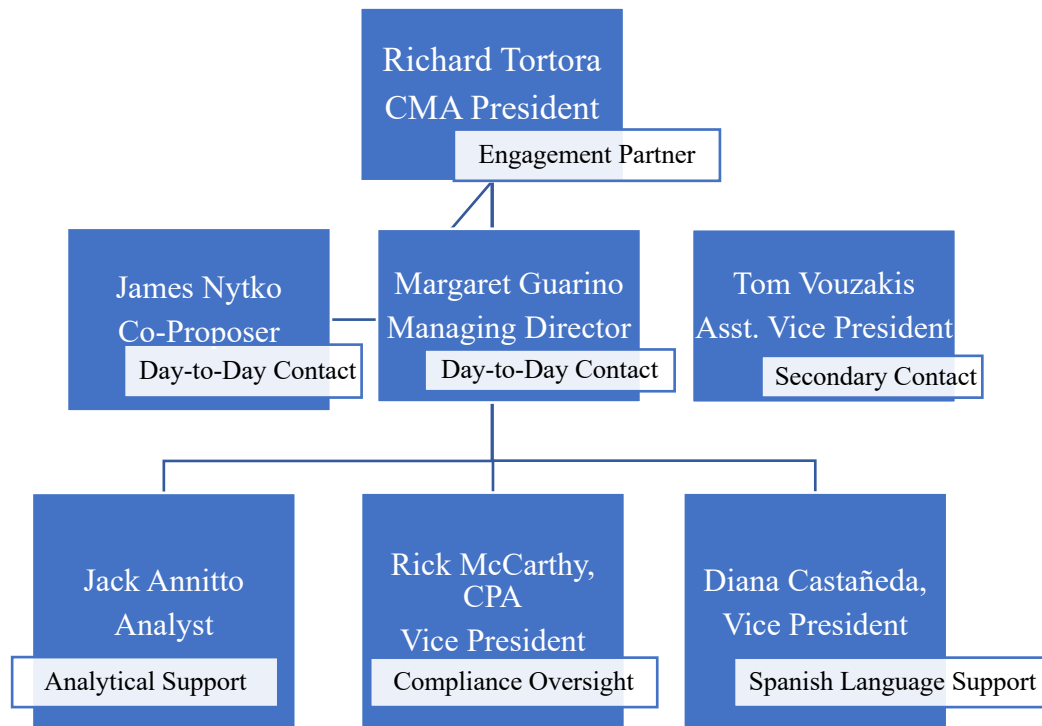


## PROPOSED TEAM ORGANIZATIONAL CHART

*Richard Tortora, CMA President* will be responsible for ensuring that the County’s team has access to all of CMA’s resources. *Margaret Guarino, Managing Director* in charge of CMA’s Strategic Consulting Group and together with James Nytko will be one of two lead, day-to-day contacts for the County. She joined CMA in 2016 after a successful 40-year career in public finance as a banker, head of a not-for-profit housing corporation and the Public Development Corporation of New York City under Mayor Ed Koch. Serving as Project Manager, Margaret will supervise the overall provision of services to the County by its 6-person Proposed Project Team to ensure that the appropriate level of staffing and resources are available to meet its objectives and goals. *Senior Director Rick McCarthy, CPA* will be responsible compliance oversight. *Assistant Vice President Tom Vouzakis and Consultant James Nytko* will serve as day-to-day leads for the County. James, Managing Director and Principal of LGS, was an employee of CMA prior to founding LGS in August 2019. He has since consulted exclusively to CMA on a number of strategic consulting assignments and has become a subject matter expert on ARPA funds. Diana Casteñeda, CMA Vice President, is fluent in Spanish and will provide lingual support throughout the engagement, as needed.

Following is the proposed Team Organizational Chart for the County. It is followed by resumes of Key Team Members.

### Proposed Project Team Organizational Chart



## KEY TEAM MEMBER RESUMES

### **Richard Tortora – Engagement Partner**

#### ***President and Principal***

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Richard manages the firm’s headquarters office and is responsible for providing financial advisory services to numerous, municipalities and agencies throughout the Northeast. His role in this engagement would be to ensure that the County is receiving all of the services and manpower that it requires from CMA to achieve its objectives. Over the course of his 35-year career in public finance, he has worked with over 600 municipalities, authorities and school districts including the counties of Albany, Monroe, Rockland, Suffolk and Westchester. Prior to co-founding CMA, he managed the northeast practice of Evensen Dodge, Inc., the nation’s oldest, independent financial advisory firm, for 9 years and prior to that he managed The Bank of New York’s financial advisory practice for 5 years. He worked as an Associate with the Wall Street law firm of Hawkins, Delafield & Wood and started his career in finance at Cantor Fitzgerald Securities Corp. as in-house counsel.

Richard routinely speaks at industry conferences including the Government Finance Officers Association (“GFOA”) and NYS Association of Certified Public Accountants. He holds a law degree from St. John’s University School of Law and a B.A. degree from Fordham University in Political Science/Public Administration. He is a former board member of the GFOA and is an active member of New York State ASBO and the National Association of Municipal Advisors (“NAMA”). Richard has been licensed by the Municipal Securities Rulemaking Board (“MSRB”) and Securities and Exchange Commission (“SEC”) as both a Series 50 Registered Municipal Advisor Representative and a Series 54 Municipal Principal. He resides on Long Island with his wife and two of his four sons.

### **Margaret Guarino – Day-to-Day Contact**

#### ***Managing Director, CMA’s Strategic Consulting Group***

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Margaret manages CMA’s Strategic Consulting Services Group, which provides its clients with management support in several areas that are vital to their ongoing success. She joined CMA in 2016 after a successful 40+ year career as a banker with Bank of America/Merrill Lynch. Her career in banking was preceded by positions as the head of a not-for-profit housing corporation and Senior Vice President at the Public Development Corporation of New York City under New York City Mayor Ed Koch.

Since 2016, Margaret has worked closely with the cities of Long Beach and Glen Cove, the towns of Islip and Riverhead and the US Virgin Islands to prepare multi-year financial plans that address, among other things, operations, existing and future debt, efficiency and management practices as well as comprehensive credit rating presentations and deficit reduction plans that include revenue enhancement initiatives and expenditure reduction opportunities.

Margaret earned both undergraduate and graduate degrees in City and Regional Planning from Pratt Institute of Technology. She has three sons and lives with her husband on Long Island.

**James Nytko – Day to Day Contact**  
***Consultant, Managing Director LGS***

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James is a Managing Director and Principal of Local Government Solutions, LLC. He has 15 years of financial management experience, having worked in both the public and private sectors. Prior to founding LGS, James was one of CMA’s lead advisors in the firm’s prior Hudson Valley office. While in this role, he concurrently provided operational consulting services to a variety of public jurisdictions.

James has served as financial advisor to wide variety of issuers including counties, cities, city improvement authorities, towns, villages, school districts, and fire districts. He has been involved in the issuance of hundreds of bond, note and lease financings with a total par well exceeding 5 billion dollars. Having developed comprehensive long-term fiscal improvement plans, James specializes in strategic planning, policy development and economic analysis. In addition, he is proficient in identifying and submitting applications for grant funding opportunities.

James is a graduate of Marist College and holds both a Bachelor of Science in Business Administration (concentration in finance) and a Master of Public Administration from the college. In 2016, he was formally recognized for his commitment to professional excellence and competence by the GFOA, which awarded him a Certificate of Professional Development in Public Finance. As a member of the GFOA he has presented to association members on “Best Practices in Debt Management” and “Investment of Public Funds by Local Governments in New York State”. James is also a member of the Connecticut GFOA.

Over the past two years, James Nytko, LGS’s Managing Director and Principal, has been working with a DIXWORKS LLC, a longstanding Connecticut financial advisory firm whose Principal has conducted business in the State of Connecticut for nearly 50 years and has recently decided that he will retire in the foreseeable future. In the capacity of a subconsultant, James is currently working with the Advisor to meet the firm’s clients and to assist on a number of financial transactions. Over the period of the next 1-2 years, LGS expects that it will fully assume the role of Municipal Advisor to all jurisdictions represented by the Connecticut advisory firm.

James is a licensed by the MSRB and SEC as a Series 50 Registered Municipal Advisor Representative and a Series 54 Municipal Principal.

**Rick McCarthy, MBA, CPA – Compliance Oversight**  
***Senior Director***

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Rick is a Senior Director at CMA, specializing in financings related to the treatment of solid waste, wastewater and drinking water. He was formerly the President of Environmental Capital, LLC, a registered Municipal Advisor firm, which he founded in 1990.

Rick has worked in public finance for over 35 years. Prior to establishing Environmental Capital, he was a Vice President at Bear Stearns, in charge of solid waste financings from 1987 to 1990 and prior to that he was the manager of the Resource Recovery and General Obligation Bond Group in the Public Finance Department at Manufacturers Hanover Trust Company from 1982 to

1987. Rick specializes in start-up financings and financings with new or unusual structures and has advised seven environmental authorities on their development and initial financings. He serves as the financial advisor to ten environmental authorities, to which he provides a variety of financial and strategic advice. Rick has performed a wide variety of other financial advisory assignments for county, city and town clients, such as water, sewer and solid waste system consolidations, mergers and sales; the development of regional authorities; financial feasibility studies and utility rate studies. He has pioneered the use of subsidized loans offered by the New York State Environmental Facilities Corporation for solid waste projects and for advance refundings.

Rick received his bachelor's degree from Cornell University and his Master of Business Administration from the University of Chicago. He is a Certified Public Accountant and a licensed Series 50 Municipal Advisor Representative.

**Diana Castañeda, M.A. – Spanish Language Services**  
***Vice President***

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Diana is one of CMA's two, in-house credit experts. She joined CMA in 2019 with 20 years of experience in public finance in New York State. She started her career at Moody's Investors Service where she worked for 6 years as a public finance credit analyst. While at Moody's, as part of the rating process, Diana analyzed the budgets of counties, cities and housing finance agencies across the Northeastern United States. She next moved to Assured Guaranty, currently the nation's largest municipal bond insurer, where she worked for two years. Prior to joining CMA, she was a Vice President at The Bank of New York Mellon where she worked in the Public Finance, Capital Markets and Derivatives groups.

Diana is an active member of the Northeast Chapter of Women in Public Finance, NYS GFOA and MAGNY. Strategic Consulting clients of CMA that she has worked with include Ulster County, the City of Long Beach, and the town of Brookhaven. Diana completed her undergraduate work at University of Massachusetts at Amherst and obtained a master's degree from NYU. She is a licensed Series 50 Municipal Advisor Representative. Diana would provide Spanish language support to the County.

**Tom Vouzakis – Secondary Contact**  
***Assistant Vice President***

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Tom provides analytical support to the CMA Strategic Consulting Services' clients. He has expertise in preparing spreadsheets and provides analysis to support multi-year financial plans and budgets. His strategic consulting client assignments have included, to date, the US Virgin Islands, towns of Ramapo, Riverhead and Hempstead and cities of Glen Cove and Long Beach.

Tom has a B.S. degree in Finance from NYU's Stern School of Business. He interned for CMA during the summers of 2010, 2011 and 2012 before joining the firm full time as an analyst in 2014. He is a licensed Series 50 Municipal Advisor Representative.

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## SECTION III - REFERENCES

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### REFERENCES

CMA believes that our clients are the most valuable source of information about our skills, resources, and capabilities to service your account. We encourage you to contact the following three individuals from existing CMA clients in your evaluation of our response to your RFP.

**City of Poughkeepsie**  
**American Rescue Plan Act & Strategic Consultants**

Mr. Brian Martinez  
Commissioner of Finance  
**City of Poughkeepsie**  
845-451-4025  
[bmartinez@cityofpoughkeepsie.com](mailto:bmartinez@cityofpoughkeepsie.com)

**City of New Rochelle**  
**American Rescue Plan Consultant**

Mr. Edward Ritter  
Commissioner of Finance  
914-654-2066  
[eritter@newrochelleny.com](mailto:eritter@newrochelleny.com)

**City of Rochester**  
**American Rescue Plan Consultant**

Ms. Kristina Heiligenthaler, MSW  
Office of Management and Budget  
Department of Recreation and Human Services  
(585) 428-7287  
[Kristina.Heiligenthaler@cityofrochester.gov](mailto:Kristina.Heiligenthaler@cityofrochester.gov)

**County of Ulster**  
**Budget Consultant to County Legislature**

Amber K. Feaster, CPA  
Deputy Clerk / Legislative Financial Analyst  
(845) 340-3900  
[afea@co.ulster.ny.us](mailto:afea@co.ulster.ny.us)

**County of Albany**  
**Financial Advisor**

Hon. Susan Rizzo  
Comptroller  
(518) 447-7130  
[Susan.rizzo@albanycountyny.gov](mailto:Susan.rizzo@albanycountyny.gov)

## SIMILAR TYPE ENGAGEMENTS

There are several past and ongoing assignments, including ARPA Compliance, that we believe provide valuable experience and insight for the work to be done on behalf of the County. A brief description of select assignments is included below. Additional examples or work products can be provided upon request.

1. CITY OF POUGHKEEPSIE	
<b>I. Population</b>	<b>30,469</b>
<b>II. Role of Team</b>	<ul style="list-style-type: none"> <li>• <b>American Rescue Plan Act Consultant</b></li> <li>• COVID-19 Pandemic 2021 Impact Analysis</li> <li>• Operational Budget Consulting</li> <li>• Capital Improvement Plan Review</li> <li>• Departmental Review</li> <li>• Operational Review</li> <li>• Workforce Analysis</li> <li>• Shared Services Review</li> <li>• Development Strategic Fiscal Improvement Plan</li> <li>• Grant Procurement</li> <li>• Policy Development</li> <li>• Plan Implementation</li> <li>• Best Practices Recommendations</li> </ul>
<b>III. Project Description</b>	<p><b>2021 American Rescue Plan Act Consultant.</b> In March of 2021, CMA/LGS was retained by the City of Poughkeepsie to act as its strategic consultant with respect to its \$20+ million allocation of ARPA funds. In this capacity, among other things, our SCG will work with the City to facilitate and oversee the operations of an internal task force, to develop a strategic spend plan, to provide support to City officials, assist with public engagement, support future reporting requirements and to implement ARPA initiatives.</p> <p><b>2021 Proposed Budget Analysis.</b> After reviewing CMA/LGS’s analysis for Ulster County, in December 2020 the City of Common Council retained CMA/LGS to develop to conduct an analysis of the Mayor’s Preliminary Budget for its fiscal year ending December 31, 2021. Members of CMA/LGS commenced work on a comprehensive review immediately, which continues to be an ongoing engagement as of the date of this proposal. CMA/LGS delivered to the Common Council and the City a report detailing its analysis of preliminary budget, economic environment and key departments. In light of current economic conditions, CMA/LGS’s analysis focused particularly on the economic and fiscal impacts of the COVID-19 pandemic.</p> <p><b>2019 Budget Analysis.</b> Subsequent to public release of CMA’s fiscal strategic improvement report (further discussed below), our team was retained to act in the capacity of the City’s operating budget consultant with respect to their 2019 budget. The 2019 Budget was successfully adopted by the City Council.</p>

	<p><b>Strategic Fiscal Improvement Plan.</b> Our team was engaged to assist with the development of a strategic fiscal improvement plan aimed at reducing the City’s deficit and reestablishing the City’s credit rating. Our staff conducted on-site interviews with City officials, gathered information on City operations, comprehensively analyzed the economic environment and accumulated data on comparable municipalities to compare and contrast with City metrics. Interviews and data were thoroughly analyzed and served as the basis for a Strategic Fiscal Improvement Plan, which presented the findings of our team’s evaluation and included various recommendations. In addition, our team assisted the City to develop various fiscal policies, including a Debt Management Policy which was successfully adopted by the City Council.</p> <p><b>Grants.</b> To mitigate the cost associated with the development of the City’s Strategic Improvement Plan, our team identified two grant programs and wrote applications for each on behalf of the City. The grant submissions on behalf of the City were successful and are further discussed below.</p> <p><i>Planning Grant.</i> As noted, our team was successful in identifying and submitting a grant application in the early stages of its work with the City. Ultimately, an award was made which covered the full cost of developing the City’s strategic plan.</p> <p><i>Initiative Implementation Grant.</i> During the initial evaluation period, conversations were held with various State and local government officials to determine what resources, if any, were available to the City. Our team was successfully able to identify an opportunity through the New York State Financial Restructuring Board for Local Governments. We determined that funding through this program could be utilized by the City to counterbalance the upfront costs of executing key initiatives. Ultimately, a special aid package of \$3.0 million was approved by the State. The aid package included \$1.0 million for economic development, \$1.25 million to help resolve long-standing collective bargaining issues and \$0.75 million to consolidate certain transit functions. <i>One of the funded initiatives was selected as the winner of the New York State Conference of Mayor’s Local Government Achievement Award.</i></p>	
<b>IV. Team Members</b>	3	
<b>V. Guidance and Recommendations</b>	Combined, the multiyear strategic plan and grant funds proved to be a major success. To date, fiscal policies and best practices have been implemented and fiscal conditions in the City continue to improve compared to prior years.	
<b>VI. Primary Contact Name/Phone</b>	<b>Hon. Robert Rolison</b> Mayor Phone: (845) 451-4025	<b>Mr. Brian Martinez</b> Commissioner of Finance Phone: (845) 451-4025

<b>2. CITY OF NEW ROCHELLE, NEW YORK</b>	
<b>I. Population</b>	79,067
<b>II. Role of Team</b>	<ul style="list-style-type: none"> <li>• <i>American Rescue Plan Strategic Consultant</i></li> </ul>

<b>III. Project Description</b>	<p><b>2021 American Rescue Plan Act Consultant.</b> With LGS acting in the capacity as consultant, CMA was retained by the City to act in the capacity as its ARPA consultant with respect to its multimillion-dollar allocation. Among other things, our CMA/LGS will work with the City to facilitate and oversee the operations of an internal strategic task force, assist in the development of a spend plan, provide research and general support to City officials, assist with public engagement, support future reporting requirements and to implement selected ARPA initiatives.</p> <p>Similar to the City of Poughkeepsie, CMA/LGS is actively in the process of developing an ARPA web portal which is expected to be launched in the coming weeks on behalf of the City.</p>
<b>IV. Number of Team Members</b>	5
<b>VI. Primary Contact Name/Phone</b>	<p><b>Mr. Ed Ritter</b>  Commissioner of Finance  Phone: (914) 654-2066</p>

### 3. CITY OF NEW ROCHESTER, NEW YORK

<b>I. Population</b>	<b>206,848</b>
<b>II. Role of Team</b>	<ul style="list-style-type: none"> <li>• <i>American Rescue Plan Strategic Consultant</i></li> </ul>
<b>III. Project Description</b>	<p><b>2021 American Rescue Plan Act Consultant.</b> With LGS acting in the capacity as consultant, CMA was retained by the City to act in the capacity as its ARPA consultant with respect to its \$200+ million-dollar allocation. Among other things, CMA/LGS will work with the City to assist in the development of a spend plan, provide research and general support to City officials, assist with public engagement, support future reporting requirements and to implement selected ARPA initiatives.</p>
<b>IV. Number of Team Members</b>	5
<b>VI. Primary Contact Name/Phone</b>	<p><b>Mr. Christopher Wagner</b>  Budget Director  Phone: (585) 428-6836</p>

### 4. CITY OF LONG BEACH

<b>I. Population</b>	<b>133,534</b>
<b>II. Role of Team</b>	<ul style="list-style-type: none"> <li>• <b>American Rescue Plan Strategic Consultant</b></li> <li>• COVID-19 Pandemic Impact Analysis</li> <li>• Budget Analysis</li> <li>• Analysis of Economic Environment</li> <li>• Operational Review</li> <li>• Workforce Analysis</li> <li>• Shared Services Review</li> <li>• Development of Fiscal Conditions Analysis</li> <li>• Development of Multi-Year Financial Plan</li> </ul>



	<ul style="list-style-type: none"> <li>• Strategic Deficit Reduction Recommendation</li> <li>• Fiscal and Operational Policy Development</li> <li>• Plan Implementation</li> <li>• Best Practices Recommendations</li> </ul>
<b>III. Project Description</b>	<p><b>2021 American Rescue Plan Act Consultant.</b> As part of its ongoing strategic consulting engagement with the City of Long Beach, CMA/LGS act in the capacity as the City’s ARPA consultant with respect to its multimillion-dollar allocation. Among other things, CMA/LGS will work with the City to facilitate and oversee the operations of an internal strategic task force, assist in the development of a spend plan, provide research and general support to City officials, assist with public engagement, support future reporting requirements and to implement selected ARPA initiatives.</p> <p><b>Budget Analysis.</b> For the City’s 2021-22 budget process, CMA/LGS assisted the City to revamp both the City’s budget process and the presentation of its budget book. The City’s 2021-22 budget was successfully adopted in May of 2021.</p> <p><b>Fiscal Conditions Analysis.</b> As part of our engagement with the City, our team developed a fiscal condition’s analysis aimed at identifying economic and fiscal trends and to assist the City in reestablishing structural balance to its finances. Our staff conducted a series of comprehensive on-site interviews with key City officials, gathered information on City operations, reviewed economic conditions and accumulated data on comparable municipalities to compare and contrast with City metrics. Interviews and data have been thoroughly analyzed and served as the basis for a (draft) report, which has been presented to the City Council. The findings of our evaluation and approximately 50 recommendations are included in the draft report. To mitigate various costs associated with the implementation of initiatives included in the strategic plan, our team continues to work with the New York State Financial Restructuring Board for Local Government who may be able to provide a significant level of grant funding to the City.</p> <p><b>Multi-Year Plan.</b> As a second phase of the fiscal condition analysis, our team developed a multi-year strategic financial plan. Multiple draft reports have been delivered to the City and CMA/LGS believes in the near future the City intends to publicly release the multi-year plan.</p> <p><b>Strategic Deficit Reductions.</b> Following the onset of the COVID-19 pandemic, the City engaged CMA, with LGS acting in the capacity as consultant, to review the City’s budget and recommend options to deal with the City’s deficit; potentially exacerbated by COVID-19 related revenue losses and anticipated reductions in State Aid.</p>
<b>IV. Number of Team Members</b>	3
<b>VI. Primary Contact Name/Phone</b>	<b>Ms. Donna Gayden</b> City Manager Phone: (516) 431-1001

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## SECTION IV – PLAN IMPLEMENTATION

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It is critical to think strategically about how the one-time Federal ARPA aid can make a transformative difference for the County and its stakeholders. Our expert team stands ready to guide and assist the County with respect to:

**Comprehensive ARPA Internal procedure, Oversight and Process Management.** If requested, the CMA Team will assist the County to organize an ARPA project team comprised of County leadership and our staff. This is a service that CMA has successfully performed for our existing ARPA clients. In fact, as the Task Force Facilitator for the City of Poughkeepsie, which serves as the ARPA investigative and advisory body of the City, CMA has developed significant experience with respect to the development, organization and ongoing management of ARPA project teams. CMA crafted the comprehensive guiding principles of Poughkeepsie’s Task Force, which govern the group’s activities and actions.

- *Prepare working team management plan;*
- *Coordinate, facilitate and participate in recurring work team meetings;*
- *Prepare and distribute meeting agendas;*
- *Distribute advice and/or information to the working team, as appropriate; and*
- *Prepare performance and/or status reports.*

**Internal ARPA Guidelines, Parameter Oversight and Best Practices.** Our Team will simplify ARPA guidelines and educate County Officials to make certain its “strategic spend plan” and internal ARPA procedures are compliant with ARPA parameters:

- *Investigate and educate applicable staff and officials on ARPA program requirements, processes, constraints, reporting, funding schedules and all other applicable factors;*
- *Evaluate the County’s ability and capability to comply with ARPA parameters;*
- *Identify of risks that may prevent funding;*
- *Assist in the development of accountability and reporting mechanisms;*
- *Assist in summarizing ARPA guidelines and educating key County officials;*
- *Work to resolve disputes as they arise, if any;*
- *Provide technical specialized assistance as requested.*

**Strategic Financial Advisory.** Together with County officials, CMA will develop a strategic long-term comprehensive ARPA financial plan. (written and/or online). To do so, CMA will provide the County with technical, strategic and financial advisory services, advice, information and updates, advise of potentially problematic issues and develop solutions, provide timely verbal and written advice, provide support for navigating Federal agency web portals, assist in training County staff, work to resolve County disputes related to ARPA funding, provide oversight to facilitate progress, provide award/close-out services and provide for fraud, waste and abuse identification, reporting and remediation. In addition, we will assist the County to identify, analyze and prioritize funding opportunities outside ARPA to strategically maximize the impact of every ARPA dollar spent by the County.

**External Stakeholder/Subrecipient Education and Engagement.** We understand the importance of strategic community engagement. Nevertheless, stakeholders and subrecipients must first be informed and understand the complexities of ARPA. Our experienced team of professionals possesses the capability to assist the County with respect to all aspects of its public engagement efforts.

As applicable, CMA will recommend and develop fiscal policies, procedures and internal controls that will assist the County to construct a framework for its ARPA program.

- *Develop and implement a strategic stakeholder education and engagement plan;*
- *Create comprehensive marketing materials;*
- *Develop an online digital footprint which can be utilized to provide educational material to the general public and stakeholders;*
- *If appropriate, develop and assist in the distribution of digital and/or hardcopy surveys, polls and other forms engagement tools.*

**Subrecipient Funding Requests (County's Perspective).** CMA understands that ARPA recipients remain responsible for awards made to subrecipients (including, but not limited to small businesses and non-profit organizations). As such, we will assist the County to develop an approach that mitigates the potential for risk. This may include the development of ARPA subrecipient funding applications and participation in the drafting of ARPA subrecipient agreements. This two-prong approach has works well for our ARPA clients. The subrecipient applications achieve two primary purposes. Foremost, the applications ensure ample data is available to inform the County's decision-making process. Secondly, the applications act as the foundation commencing record keeping activities. The subrecipient agreement comes after a funding decision is made and mitigates risk by defining legal arrangement between the County and subrecipient (The County's legal team would need to participate in this process). Strong internal controls and an upfront application can be effective tools to mitigate future risks, fraud and can be considered the starting point and foundation for sound record keeping activities. Equally as import to risk mitigation is long-term compliance. As funding requests are being considered, the lasting compliance requirements should also be considered.

- *Develop effective internal controls, policies and procedures with respect to long-term ARPA financial reporting requirements;*
- *Create standardized processes to evaluate subrecipient requests and to mitigate future risks of non-compliance or fraud;*
- *Assist in establishing processes for collecting data and information upfront to ensure a sound foundation is constructed for record keeping efforts;*
- *Assis the County to request appropriate and timely financial reports from subrecipients.*

**Subrecipient Funding Requests (Subrecipient Perspective).** As the County begins to make awards to subrecipients, we understand these external entities may require assistance. Just as our team will educate and assist the County, we will be available to assist subrecipients as follows:

- *Assist subrecipients in the development of ARPA internal controls, policies and procedures;*

- *Assist the subrecipients to provide timely financial reports to the County;*
- *As appropriate, identify other sources of funding to reduce reliance on ARPA funds;*

*Special Note: We have staff members who are fluent in Spanish and capable of providing assistance to Spanish speaking stakeholders or subrecipients.*

**Reporting and Compliance.** With decades of experience in regulatory compliance, our team will guide the County with respect to the reporting requirements of the ARPA as follows:

- *Provide recurring progress reports to support County staff efforts;*
- *Develop strategic internal processes and project templates to ensure financial reporting compliance;*
- *Attend meetings (virtually or in-person) as required or requested.*

**CPA Oversight.** Senior Director Rick McCarthy, CPA will provide compliance oversight in connection with this engagement. In addition to being a CPA, Rick has an MBA from Cornell University and over 40 years of experience working with public jurisdictions across the nation. He has worked on numerous projects that were funded with state and Federal grant monies.

In addition, on certain ARPA engagements, CMA/LGS partners with a large, regional, independent accounting and auditing firm, PKF O’Conner Davies, that can provide comprehensive accounting insight with respect to ARPA matters.

**Record Keeping Efforts (Consultant Specific).** We understand all operational working records and reports must be retained for a minimum of five (5) years beyond the expiration of the engagement, at which time such records will be required to be turned over to the County. Our team will make such operational working records and reports available, during the term of the contract and for five (5) years beyond the expiration of the contract.

**Cost Recovery Management and Fiscal Oversight Assistance.** Our team will review contracts and purchasing documentation to ensure cost recovery and review County and sub-recipient policies, procedures and other relevant documents. In addition, we will establish proper reporting internal control mechanisms to record and track ARPA funding, proactively recommend processes or procedures to achieve compliance, assist in reviewing revenue replacement calculation and processing reimbursement requests and summarizing costs for presentation to the Federal government.

**Meetings.** CMA will participate and/or facilitate ARPA working team meetings, attend ARPA meetings with County leadership and/or the public, and collaborate with the County officials to prepare presentation materials.

**Equipment.** The CMA team will provide all of the equipment required by its team members to perform the services required by the County.

## DETAILED WORK PROGRAM

The following summary provides details of our tentative work program. We have structured this proposal to meet the project’s objectives within the required timeframe and will work closely with County officials and key stakeholders to ensure that the timeline is adhered to, and that sufficient time is built into the schedule to enable comprehensive research and analysis as well as community engagement and education. Our ability to stay on schedule is, of course, predicated on the timely satisfaction of the project team’s data and information requests. We commit to working with all involved and affected stakeholders to ensure that is the case.

### **Milestone 1:**

*Task: Define Working Team, County Objectives and Scope of Engagement*

*Timeline: Commencing Immediately, Completion Week 1*

- Establish ARPA internal working team;
- Establish working team roles;
- Distribute working team contact list to applicable parties;
- Define County ARPA initial goals and objectives, and;
- Define scope of engagement.

### **Milestone 2:**

*Task: Commence in Programmatic Support Activities and Assist in the facilitation of the ARPA Working Committee*

*Timeline: Commencing Immediately After Kickoff Meeting (Week1/2), Then Ongoing*

- As appropriate, assist in the facilitation and development of ARPA related guidelines, guiding principles and/or written procedures;
- Prepare project team management plan;
- Coordinate, facilitate and participate in recurring team meetings;
- Prepare and distribute meeting agendas;
- Provide advice and/or information to the project team, as appropriate; and
- Prepare periodic performance and/or status reports.

### **Milestone 3:**

*Task: Conduct Strategic ARPA Research and Analysis*

*Timeline: Commencing Immediately After Kickoff Meeting (Week1/2), Then Ongoing*

- Investigate ARPA program requirements, process, constraints, reporting, funding schedule and all other applicable factors;
- Evaluate the County’s ability to meet identified ARPA parameters;
- Identify risks that may prevent funding;
- Assist in the development of accountability and reporting mechanisms;
- Assist in summarizing findings to key County officials and/or staff members;

- Work with the County to resolve disputes, if any, as they arise.
- Advise the County with respect to any amendments and/or clarifications of ARPA parameters.

**Milestone 4:**

*Task: Develop Public/Stakeholder Education and Engagement Strategies*

*Timeline: Commencing Immediately After Kickoff Meeting (Week1/2), Then Ongoing*

- If requested, develop an Interactive ARPA Information / Transparency Portal to support the County’s ARPA process (inclusive of stakeholder educational components, online stakeholder interactive engagement survey and online ARPA funding application/request);
- Educate key County officials with respect to ARPA parameters and best uses;
- Assist with public education of ARPA funds;
- Develop other public engagement strategies, and;
- Assist subrecipients to develop ARPA related internal controls, policies and procedures.

**Milestone 5:**

*Task: Development of Comprehensive Written Strategic Plan*

*Timeline: Estimated 2 to 4 Weeks (or Longer Depending on County Schedule)*

- Vision statement;
- Short-term and long-term objectives and goals;
- Previously identified ARPA rules, constraints, parameters, reporting requirements and reimbursement schedule;
- Environmental factors, including but not limited to, community needs and resources, essential workers, impacted citizens and commercial entities, property value trends, intergovernmental constraints, infrastructure (water, sewer, broadband), unfunded liabilities, pending claims and litigation;
- Organizational factors, including but not limited to, management practices, departmental structures and internal policies and procedures;
- Evaluate, as appropriate, historic and current financial and economic conditions, including but not limited to revenues, expenditures, fund balance and the corresponding fiscal and economic impact of the COVID-19 Pandemic;
- Project cash flow requirements;
- Develop strategies, initiatives and recommendations based on the County’s vision;
- Quantify the short-term and long-term estimated impact of spending decisions; and
- Performance measures to assess progression.

**Milestone 6:**

*Task: Project Management and Implementation*

*Timeline: Ongoing*

- Develop mechanisms to support the effective implementation of ARPA initiatives;
- Develop key performance metrics to measure public benefit;
- Provide necessary assistance to key County officials and departments.

**Milestone 7:**

*Task: Compliance, Reporting and Monitoring*

*Timeline: April 2022, Then Ongoing to Complete Annual Reports*

- Assist the County to ensure accountability and compliance with reporting requirements;
- Develop financial and operational internal controls, policies and/or procedures, as deemed applicable and appropriate;
- Participate in and facilitate ongoing ARPA meetings;
- Develop and distribute recurring progress reports;
- Develop compliance reporting templates to mitigate the risk of “claw backs”;
- Advise the County on problem areas and develop solutions/resolutions expeditiously for decisions by the County during the course of the engagement; and
- Assist in responding to any adverse results, if any.

***As time passes, the ARPA parameters could conceivably change. As appropriate and necessary, CMA will assist the County with additional ad-hoc strategic ARPA efforts that were not otherwise included in the scope of work.***

*(The remainder of this page has been left intentionally blank.)*

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## SECTION V – COST PROPOSAL

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*CMA's Cost Proposal should be deemed confidential and not subject to FOIL as it would give competitors and unfair advantage.*

Following is the proposed level of compensation sought by the CMA.

Since the ARPA is a new program with rules and guidelines still under review, it is difficult to accurately project how much time will be spent by CMA personnel in connection with this engagement. Accordingly, CMA proposes to be compensated in either one of the two following ways.

- 1. FIXED RATE OPTION - Compensation via Set Monthly Retainer:** CMA would be paid via a fixed monthly retainer of seven thousand, five hundred \$(7,500) dollars, payable monthly, in arrears.

**OR**

- 2. VARIABLE RATE OPTION - Compensation at an Hourly Rate by Title**

Title	Hourly Rate <sup>(1)</sup>
President/Managing Director/Senior Director	\$250.00
Vice President	\$195.00
Assistant Vice President	\$150.00
Associate	\$125.00
Analyst	\$100.00
<b>Blended Hourly Rate</b>	<b>\$205.00</b>

(1) billed in 10-minute increments

In addition, CMA would seek to be reimbursed for any required overnight delivery, document production and travel expenses incurred in connection with this engagement.

***No additional fees will be charged to the County by CMA without the prior written consent of the County. As per the Treasury's Final Rule, ARPA consultant fees are eligible to be paid from ARPA funds.***

**END OF PROPOSAL**



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**SECTION VI – MANDATORY DOCUMENTATION**

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**Mandatory  
Documents**

**ATTACHMENT "A"**  
**NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO**  
**SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW**

A. 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 organizations, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this 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 bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

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

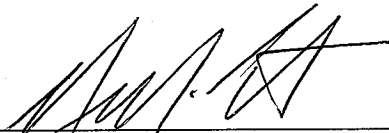
A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

3/16/22

Date

  
\_\_\_\_\_  
Signature

President

Title

Capital Markets Advisors, LLC  
Company Name

**ATTACHMENT "B"**  
**ACKNOWLEDGMENT BY PROPOSER**

If Individual or Individuals:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he (or they severally) acknowledged to me that he (or they) executed the same.

Notary Public, State of \_\_\_\_\_

Qualified in \_\_\_\_\_

Commission Expires \_\_\_\_\_

If Corporation:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.:

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known, who, being by me sworn, did say that he resides at (give address) \_\_\_\_\_; that he is the (give title) \_\_\_\_\_ of the (name of corporation) \_\_\_\_\_, the corporation described in and which executed the above instrument; that he knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he signed his name thereto by like order.

Notary Public, State of \_\_\_\_\_

Qualified in \_\_\_\_\_

Commission Expires \_\_\_\_\_

If Partnership:

STATE OF New York )  
COUNTY OF Erie ) SS.:

On the 16 day of March, 2022, before me personally came Richard Tortora, to me known to be the individual who executed the foregoing, and who, being duly sworn, did depose and say that he / she is a partner of the firm of Capital Markets Advisors, LLC and that he / she has the authority to sign the same, and acknowledged that he / she executed the same as the act and deed of said partnership.

Linda Lorentz

Notary Public, State of New York

Qualified in Erie County

Commission Expires 9/26/2025



**ATTACHMENT "C"  
ALBANY COUNTY  
VENDOR RESPONSIBILITY QUESTIONNAIRE**

1. VENDOR IS: <input type="checkbox"/> PRIME CONTRACTOR		<i>Capital Markets Advisors, LLC</i>	
2. VENDOR'S LEGAL BUSINESS NAME <i>11 Grace Avenue, Suite 308 Great Neck, NY 11021</i>		3. IDENTIFICATION NUMBERS a) FEIN # <i>02-0582108</i> b) DUNS #	
4. D/B/A - Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) <i>www.capmark.org</i>	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE		7. TELEPHONE NUMBER <i>516-487-9815</i>	8. FAX NUMBER <i>516-487-2575</i>
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THE QUESTIONNAIRE Name <i>Richard Tortora</i> Title <i>President</i> Telephone Number <i>516-487-9815</i> Fax Number <i>516-487-2575</i> e-mail <i>rtortora@capmark.org</i>			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME <i>Richard Tortora</i>	TITLE <i>President</i>	b) NAME <i>Rick Ganci</i>	TITLE <i>E.V.P. + Principal</i>
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A "YES," AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRICIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
a) An elected or appointed public official or officer? <i>List each individual's name, business title, the name of the organization and position elected or appointed to, and dates of service</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individuals name, business title or consulting capacity and the official political position held with applicable service dates.</i>		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>16. WITHIN THE PAST (5) YEARS, HAS THE VENDOR, ANY INDIVIDUALS SERVING IN MANAGERIAL OR CONSULTING CAPACITY, PRINCIPAL OWNERS, OFFICERS, MAJOR STOCKHOLDER(S) (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), AFFILIATE OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS:</p> <p>a) 1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process;</p> <p>2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease;</p> <p>3. entered into an agreement to a voluntary exclusion from bidding/contracting;</p> <p>4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles;</p> <p>5. had a low bid rejected on a local, state or federal contract for failure to meet statutory affirmative action or M/WBE requirements on a previously held contract;</p> <p>6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited;</p> <p>7. been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal government contract;</p> <p>8. been denied an award of a local, state or federal government contract, had a contract suspended or had a contract terminated for non-responsibility; or</p> <p>9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.</p> <p>b) been indicted, convicted, received a judgment against them or a grant of immunity for any business-related conduct constituting a crime under local, state or federal law including but not limited to, fraud extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct?</p> <p>c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of:</p> <p>1. federal, state or local health laws, rules or regulations.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>17. IN THE PAST THREE (3) YEARS, HAS THE VENDOR OR ITS AFFILIATES HAD ANY CLAIMS, JUDGMENTS, INJUNCTIONS, LIENS, FINES OR PENALTIES SECURED BY ANY GOVERNMENTAL AGENCY?</p> <p>Indicate if this is applicable to the submitting vendor or affiliate. State whether the situation(s) was a claim, judgment, injunction, lien or other with an explanation. Provide the name(s) and address(es) of the agency, the amount of the original obligation and outstanding balance. If any of these items are open, unsatisfied, indicate the status of each item as "open" or "unsatisfied."</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>18. DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO:</p> <p>a) file returns or pay any applicable federal, state or city taxes? <i>Identify the taxing jurisdiction, type of tax, liability year(s), and tax liability amount the vendor failed to file/pay and the current status of the liability.</i></p> <p>b) file returns or pay New York State unemployment insurance? <i>Indicate the years the vendor failed to file/pay the insurance and the current status of the liability.</i></p> <p>c) Property Tax <i>Indicate the years the vendor failed to file.</i></p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>19. HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE VENDOR OR ITS AFFILIATES WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE VENDOR OR ITS AFFILIATES REGARDLESS OF THE DATE OF FILING?</p> <p>Indicate if this is applicable to the submitting vendor or affiliate. If it is an affiliate, include the affiliate's name and FEIN. Provide the court name, address and docket number. Indicate if the proceedings have been initiated, remain pending or have been closed. If closed, provide the date closed.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>20. IS THE VENDOR CURRENTLY INSOLVENT, OR DOES VENDOR CURRENTLY HAVE REASON TO BELIEVE THAT AN INVOLUNTARY BANKRUPTCY PROCEEDING MAY BE BROUGHT AGAINST IT? Provide financial information to support the vendor's current position, for example, Current Ratio, Debt Ratio, Age of Accounts Payable, Cash Flow and any documents that will provide the agency with an understanding of the vendor's situation.</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES:

Yes  No

a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;

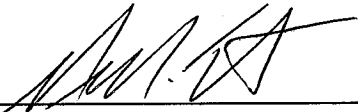
Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.

1 "Affiliate" meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity's daily operations, that entity will be an "affiliate" for purposes of this questionnaire.



**Attachment "D"**  
**Certification Pursuant to Section 103-g**  
**Of the New York State**  
**General Municipal Law**

- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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 New York State Finance Law.
- B. A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
  2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

  
\_\_\_\_\_  
Signature

*President*  
\_\_\_\_\_  
Title

*Capital Markets Advisors, LLC*  
\_\_\_\_\_  
Company Name

*3/16/22*  
\_\_\_\_\_  
Date



# **COUNTY OF ALBANY**

**REQUEST FOR PROPOSALS**

**ALBANY COUNTY EXECUTIVE**



**RFP # 2022-029**

**CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY  
FUNDS ADVISORY SERVICES**

**ALBANY COUNTY DEPARTMENT OF GENERAL SERVICES  
PURCHASING DIVISION**

**KAREN A. STORM, PURCHASING AGENT  
112 STATE STREET, ROOM 1000  
ALBANY, NY 12207**

**COUNTY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES PURCHASING DIVISION  
112 STATE STREET, ROOM 1000, ALBANY, NY 12207  
TELEPHONE: 518-447-7140/ FAX: 518-447-5588**

**TITLE: Coronavirus State and Local Fiscal Recovery Funds Advisory Services  
RFP NUMBER: 2022-029**

**Receipt Confirmation Form**

**Please complete and return this confirmation form as soon as possible:**

Karen A. Storm  
Purchasing Agent  
County of Albany  
112 State Street, Room 1000  
Albany, NY 12207

**IF YOU PLAN TO SUBMIT A PROPOSAL, YOU MUST RETURN  
THIS FORM TO ENSURE THAT YOU WILL RECEIVE ALL  
FURTHER COMMUNICATION REGARDING THIS RFP.**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_

If a Bidders/Proposers meeting has been arranged for this Bid/RFP, please indicate if you plan to attend:

**Yes** /  **No**

I authorize the County of Albany to send further correspondence that the County deems to be of an urgent nature by the following method (check):

Fax Number: \_\_\_\_\_ E-Mail \_\_\_\_\_

COUNTY OF ALBANY  
DEPARTMENT OF GENERAL SERVICES  
PURCHASING DIVISION  
112 STATE STREET, ROOM 1000  
ALBANY, NY 12207

## NON-PROPOSER RESPONSE

RFP #2022-029

The Albany County Department of General Services, Purchasing Division, is interested in the reasons why bidders/proposers fail to submit bids/proposals. Please indicate your reason(s) by checking all appropriate item(s) below and returning this form to the above address.

- Could not meet Scope of Services.
- Items or materials requested not manufactured by us or not available to our company.
- Insurance requirements too restricting.
- Bond requirements too restricting.
- Scope of Services not clearly understood or applicable (too vague, too rigid, etc.).
- Project not suited to firm.
- Quantities too small.
- Insufficient time allowed for preparation of bid/proposal.
- Other reasons; please state and define: \_\_\_\_\_

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Vendor Name: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Vendor Address: \_\_\_\_\_

Vendor Telephone: \_\_\_\_\_

**NOTICE TO PROPOSERS -- ALBANY COUNTY  
REQUEST FOR PROPOSALS #2022-029**

Sealed Proposals for **Coronavirus State and Local Fiscal Recovery Funds Advisory Services** as requested by the Office of the Albany County Executive will be received by the Albany County Purchasing Agent, Room 1000, 112 State Street, Albany, New York 12207 until 4:30 PM, local time on Friday, March 18, 2022.

Request for Proposal (RFP) documents may be obtained at the office of the Albany County Purchasing Agent, as noted above. RFP documents may be available for download from the Empire State Bid System website at <http://www.empirestatebidsystem.com>, **starting** by close of business (4:30 p.m.) on Thursday, March 3, 2022.

Karen A. Storm  
Purchasing Agent

Dated: February 24, 2022  
Albany, New York

PUBLISH ONE DAY – Thursday, March 3, 2022 -- THE EVANGELIST  
PUBLISH ONE DAY – Thursday, March 3, 2022 -- THE TIMES UNION

**COUNTY OF ALBANY**  
**REQUEST FOR PROPOSALS**  
**Coronavirus State and Local Fiscal Recovery Funds Advisory Services**  
**Office of the Albany County Executive**  
**RFP #2022-029**

**RFP DISTRIBUTION- *IMPORTANT NOTICE***

The County of Albany officially distributes RFP documents through the Purchasing Division Office or through the Empire State Bid System website at <http://www.empirestatebidsystem.com>. Copies of RFP documents obtained from any other source are not considered official documents. Only those vendors who obtain proposal documents from either the Purchasing Division Office or the Empire State Bid System are guaranteed to receive addendum information, if such information is issued.

If you have obtained this document from a source other than the Albany County Purchasing Division or the Empire State Bid System, it is strongly recommended that you obtain an official copy.

**SECTION 1: PURPOSE**

- 1.1 The County of Albany is seeking proposals for State and Local Fiscal Recovery Funds Advisory Services as requested by the Office of the Albany County Executive.
- 1.2 In 2022 the County of Albany, New York, will receive a \$29.6 million disbursement of American Recovery Plan Act State and Local Fiscal Recovery Funds “ARPA Funds”. The purpose of this request is to retain a consultant to assist Albany County in developing and implementing a plan to utilize these funds that is consistent with the guidelines set forth in the Department of the Treasury’s Final Rule for Coronavirus State and Local Fiscal Recovery Funds. Requested services include: (1) Public Engagement; (2) Project Prioritization and Determination of Eligibility; (3) Plan Development; (4) Project Management and Compliance Support.

The County has established an organizational framework to oversee the planning and implementation process that includes an Executive Committee and five Subcommittees focused on: (1) Community Outreach and Engagement; (2) County Capital and Infrastructure Projects; (3) Public Health and Human Services; (4) Community Development; and (5) Economic Development. The consultant will be expected to work with these Committees to implement the scope of services outlined in Section Four of this RFP.

**SECTION 2: RECEIPT OF PROPOSALS**

- 2.1 Five (5) copies, and (1) electronic copy on CD or flash drive, of the Proposal and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name and number of the Proposal and the name and address of the Proposer. Proposals must be received no later than **4:30 P.M. on Friday, March 18, 2022**, at the following address:

Karen A. Storm

Albany County Purchasing Agent  
112 State Street, **Room 1000**  
Albany, New York 12207

- 2.2 The Proposal submitted by the individual Proposer(s) is the document upon which Albany County will make its initial judgment regarding the Proposer's qualifications, understanding of the County's scope and objectives, methodology, and ability to complete services under the contract.
- 2.3 Those submitting Proposals do so entirely at their expense. There is no express or implied obligation by Albany County to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the County, or for participating in any selection interviews.
- 2.4 Submission of any Proposal indicates acceptance of the conditions contained in the RFP, unless clearly and specifically noted otherwise in the Proposal.
- 2.5 Albany County reserves the right to reject any and all Proposals, in whole or in part, submitted in response to its RFP.
- 2.6 Albany County reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.
- 2.7 Albany County may, at any time by written notification to all Proposers, change any portion of the RFP described and detailed herein.
- 2.8 Proposals will be examined and evaluated by **the Office of the Albany County Executive and the Albany County Legislature**
- 2.9 During the evaluation of Proposals, the County may require clarification of information or may invite Proposers to an oral presentation to amplify and or validate Proposal contents.

### **SECTION 3: QUALIFICATION OF PROPOSER**

Provide a statement of Proposer qualifications including:

- 3.1 Provide the name, a brief history and description of your firm.
- 3.2 Identify your firm's professional staff members who will be involved in the County engagement and the experience each possesses and the location of the office from which each work.
- 3.3 Name and title of person(s) authorized to bind the Proposer, together with the main office address, and telephone number (including area code).

- 3.4 Detail your firm’s experience with (1) American Recovery Plan Coronavirus State and Local Fiscal Recovery Funds planning and implementation; and (2) general experience supporting local municipalities with public engagement, needs assessment and project prioritization, grants management, and compliance support.
- 3.5 Provide at least two (2) references from similar projects including name, addresses and telephone numbers.
- 3.6 Provide any additional information that would distinguish your firm in its service to Albany County.
- 3.7 Proposer shall include a completed “Vendor Responsibility Questionnaire” (Attachment “C”) with the Proposal.
- 3.8 In addition, Albany County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.

## **SECTION 4: SCOPE OF SERVICES**

### **4.1 Financial Advisory and Plan Development Services**

4.1.1 Assist the County in developing a schedule and plan for use of ARPA funds. Activities will include, participating in ARPA Executive Committee meetings, providing support to the abovementioned subcommittees, soliciting input from key stakeholders and the public, refining priority areas of investment, and developing a framework for implementation. Activities may also include meeting facilitation and generation of meeting summaries, project oversight, compliance with project and/or grant requirements, and compliance with general federal and state guidelines related to administrative expenses, accountability, transparency, and contracting.

4.1.2 Provide expert guidance and advisory services regarding all applicable Legislation, regulation, policies, and rules related to federal recovery funds.

4.1.3 Assist the County with establishing a comprehensive recovery plan by reviewing multiple funding streams from various federal and state programs, including those identified in COVID-19 related legislation and the Infrastructure Investment and Jobs Act. When multiple funding sources may be available, advise the County on which funding source(s) will best meet the County’s needs. This will also involve development of an application process for applicable County ARPA funding capable of prioritizing funding based on access to other federal recovery funds (e.g. other ARPA funds, CARES Act PPP/EIDL funding, etc.).

4.1.4 Identify relevant funding source deadlines, including application, expenditure, and reporting deadlines and closeout requirements.

4.1.5 Assist the County with tracking outcomes of recovery spending.

#### **4.2 Public Engagement and Communications Services**

4.2.1 Work with the Executive Committee and Community Outreach and Engagement Subcommittee to develop and implement a stakeholder engagement plan to solicit input related to County expenditure of recovery funding. Potential activities include, but are not limited to, development of surveys, hosting public meetings and/or facilitating stakeholder and subcommittee meetings.

4.2.2 Attend relevant meetings with local, state, and federal agencies in conjunction with or on behalf of the City and advise the County of all notice and public hearing requirements as required by federal and state regulations.

#### **4.3 Cost Tracking, Accounting, Reporting and Auditing Services**

4.3.1 Work with the County to develop systems for the cost tracking and fiscal management of federal funds. Provide guidance in regards to the utilization of the appropriate government accounting rules for these funds. Coordinate with County staff to obtain all costs and necessary backup documentation needed to meet federal reporting requirements. Assist the County with preparing compliance reports related to federal recovery funds.

4.3.2 Assist the County with developing a process to oversee funds distributed to outside organizations, including: (1) communicating the terms and conditions of funding to relevant vendors and sub-recipients; (2) ensuring costs and/or proposed budgets for vendors or subrecipients are necessary and reasonable for the activity provided; (3) monitoring, disbursing, and financial oversight functions; and (4) devising and implementing fraud prevention and abuse practices.

### **SECTION 5: TERM OF CONTRACT:**

5.1 The contract period shall be **4/15/2022 – 4/14/2024 (Two Years)**

5.2 At the end of the initial two year contract term upon mutual agreement of the County and the Contractor, the agreement may be renewed for two (2) additional years, in two (2) consecutive one-year intervals. Renewal of multiple item bid awards shall be contingent upon renewal of all items; partial renewals shall not be accepted by the County.

5.2 The successful Proposer shall execute a contract with the County of Albany in substantial conformance with this RFP as prepared and approved by the County Attorney.

### **SECTION 6: COST PROPOSAL:**



- 6.1 Submit a cost proposal for the services described above in Section 4, Scope of Services, and on the Cost Proposal Form included herein.
- 6.2 Detail the fee structure for the Proposal. Provide hourly rates and reimbursable costs if not included in the lump sum.
- 6.3 Provide any other relevant information that will assist the County in evaluating your Proposal.

**SECTION 7: PROPOSAL SUBMISSIONS**

7.1 In order for the County to conduct a uniform review process of all proposals, proposals must be submitted in the format set forth below. Failure to follow this format may be cause for rejection of a proposal because adherence to this format is critical for the County’s evaluation process:

**SECTION I:**

Title Page - The title page should reflect the Request for Proposal subject, name of the proposer, address, telephone number and contact person.

Table of Contents - The Table of Contents must indicate the material included in the proposal by section and page number.

**SECTION II:**

Qualification / Experience - The Qualification / Experience section must address proposer’s qualifications and experience to carry out the requested service, inclusive of, but not limited to: qualification to do business in NYS, number of years in business and length of experience.

Resumes - Resumes of professional staff members who will be involved in the County engagement must be included in this section.

**SECTION III:**

References - The References section must include references from similar type projects.

**SECTION IV:**

Plan Implementation - The Plan Implementation Section must address the Scope of Services in terms of the proposer’s plan to carry out the requested service.

**SECTION V:**

Cost Proposal Section - The Cost Proposal Section must include all costs associated with the proposer’s plan to carry out the requested service. Any cost proposal forms furnished by the County must be included in this section.

**SECTION VI:**

Mandatory Documentation - The Mandatory Documentation Section must include: The Non-Collusive Bidding Certificate (Attachment “A”), Acknowledgment by Proposer (Attachment “B”), and Vendor Responsibility Questionnaire (Attachment “C”); Iranian Energy Divestment Certification (Attachment “D”).

**SECTION 8: PROPOSAL EVALUATION**

8.1 Proposals will remain valid until the execution of a contract by Albany County, unless otherwise rejected consistent with this RFP.

8.2 Proposals received will be evaluated by a committee with representation from the **Albany County Executive’s Office and County Legislature**. Proposals shall be evaluated based upon the following:

<i><b>CRITERIA</b></i>	<i><b>WEIGHT</b></i>
Proposer’s demonstrated technical capability to provide the services.	25%
Evaluation of the professional qualifications and experience to perform the proposed services.	25%
Evaluation of the proposer’s fee submission.	30%
Evaluation of the proposer’s projected approach and plans to meet the requirements of this RFP.	20%

8.3 Proposals will be examined and evaluated by **the Office of the Albany County Executive and the Albany County Legislature** with the advice of the Albany County Purchasing Agent to determine whether the requirements of this RFP are met and to make a recommendation to the Albany County Executive, the Albany County Contracts Administration Board or the County Legislature for a contract award.

8.4 A notice of contract award shall not be binding upon the County until the contract has been fully executed by both parties.

**SECTION 9: SECTION NOT IN USE**

**SECTION 10: ALTERNATIVES**

10.1 Proposer may include in its Proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the Proposal and the cost thereof must be separate and itemized.

**SECTION 11: INDEMNIFICATION**

11.1 The successful Proposer shall defend, indemnify and save harmless the County, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys’ fees) arising out of, or in consequence of, any negligent or

intentional act or omission of the successful 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 must be directed to the Albany County Purchasing Agent as follows:

Karen A. Storm  
Albany County Purchasing Agent  
112 State Street, **Room 1000**  
Albany, NY 12207  
Telephone: (518) 447-7140  
Facsimile: (518) 447-5588  
Email: [Karen.storm@albanycountyny.gov](mailto:Karen.storm@albanycountyny.gov)

12.2 All questions about the meaning or intent of the specifications must be submitted to the aforementioned designated person in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the proposal documents. Questions received less than four (4) days prior to the date of submission of Proposals will not be answered. The County will be bound only by responses given by formal written Addenda.

12.3 Other than the contact person identified in the Proposal, or their designee, prospective Proposers shall not approach County employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

## **SECTION 13: MODIFICATION AND WITHDRAWAL OF PROPOSALS**

13.1 Proposals may be modified or withdrawn at any time prior to the opening of Proposals 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.

13.2 If within twenty-four (24) hours after the Proposals are opened, any Proposer files a duly signed written notice with the County and promptly thereafter demonstrates to the reasonable satisfaction of the County 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 making a further or additional proposal on the work contemplated by this RFP.

13.3 Each proposal shall state that it is an irrevocable offer for a period of ninety (90) days from the Proposal opening date. After expiration of the irrevocable offer period, if no contract award has been made, a Proposal may be withdrawn if the Proposer does so in writing directed to the County Purchasing Agent; otherwise, Proposals remain in effect consistent with the terms of this RFP.

## **SECTION 14: PROPOSAL SECURITY**

14.1 No proposal security is requested for this Proposal.

**SECTION 15: INSURANCE AND SECURITY REQUIREMENTS**

15.1 The successful Proposer will be required to procure and maintain at its own expense, the following insurance coverage:

- (a) **Worker's Compensation and Employer's Liability Insurance:** A policy or policies providing protection for Employees in the event of job related injuries.
- (b) **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile 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 automobile.
- (c) **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

Liability For:	Combined Single Limit
Property Damage	\$1,000,000
Bodily Injury	\$1,000,000
Personal Injury	\$1,000,000

15.2 Each policy of insurance required shall be of form and content satisfactory to the Albany County Attorney:

- (a) Albany County shall be named as an additional insured on all liability policies. **Proposal number must appear on insurance certificate.**
- (b) The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to Albany County. It shall be automatically renewed upon expiration and continued in force unless Albany County is given at least thirty (30) days written notice to the contrary.

15.3 No work shall be commenced under the contract until the successful Proposer has delivered to the County Purchasing Agent or his designee proof of issuance of all policies of insurance required by the Contract to be procured by the successful Proposer. If at any time, any of said policies shall expire or become unsatisfactory to the County, the successful Proposer shall promptly obtain a new policy and submit proof of insurance of the same to the County for approval. Upon failure of the successful Proposer to furnish, deliver and maintain such insurance as above provided, the contract may, at the election of the County, be forthwith declared suspended, discontinued or terminated. Failure of the successful Proposer to procure and maintain any required insurance, shall not relieve the successful Proposer from any

liability under the contract, nor shall the insurance requirements be construed to conflict with the obligations of the successful Proposer concerning indemnification.

#### **SECTION 16: REMEDY FOR BREACH**

16.1 In the event of a breach by CONTRACTOR, CONTRACTOR shall pay to the COUNTY all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the COUNTY to procure a substitute contractor to satisfactorily complete the contract work, together with the COUNTY's own costs incurred in procuring a substitute contractor.

#### **SECTION 17: CASH DISCOUNT**

17.1 Cash discounts may be offered by a Proposer for prompt payment of bills, but such cash discounts will not be taken into consideration in determining the low Proposer.

17.2 For purposes of any applicable cash discount, the payment date shall be calculated from the receipt of invoice or final acceptance of the goods, whichever is later.

#### **SECTION 18: FREEDOM OF INFORMATION LAW**

18.1 Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission. Proposers intending to seek an exemption from disclosure of these materials under the Freedom of Information Law (New York State Public Officers Law, Sections 84-90) must request the exemption in writing, at the time of the submission of the materials, setting forth the reason for the claimed exemption. In addition, the proposer must mark each page of its submission on which there appears any material claimed to be protected as confidential or proprietary with the following legend, in bold face, capital letters at the top of each page: "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW". Acceptance of the claimed materials does not constitute a determination on the exemption request, which determination will be made in accordance with statutory procedures.

#### **SECTION 19: MACBRIDE PRINCIPLES**

19.1 Contractor/Proposer hereby represents that said contractor/proposer is in compliance with the MacBride Principles of Fair Employment as set forth in Albany County Local Law No. [3] for 1993, in that said contractor/proposer either (a) has no business operations in Northern Ireland or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Principles, and shall permit independent monitoring of their compliance with such principles. In the event of a violation of this stipulation, the County reserves all rights to take remedial measures as authorized under section 4 of Local Law No. [3] in 1993, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the contract/proposer in default and/or seeking debarment or suspension of the contractor/proposer.

19.2 In the case of a contract which must be let by competitive sealed bidding, whenever the lowest bidder has not agreed to stipulate to the conditions set forth in this section, and another bidder who has agreed to stipulate to such conditions has submitted a bid within five percent of the lowest bid for a contract to supply goods, services or construction of comparable quality, the contracting entity shall refer the contract to the County Legislature, which shall determine whether the lowest bidder is responsible. In making such determination, the County Legislature may consider, as a factor bearing on responsibility, whether the lowest bidder discriminates in employment in Northern Ireland.

19.3 As used in this section, the term “contract” shall not include contracts with government and non-profit organizations, contracts awarded pursuant to an emergency procurement procedure or contracts, resolutions, indentures, declarations of trust or other instruments of authorizing or relating to the authorization, issuance, award, sale or purchase or bonds, certificates of indebtedness, notes or other fiscal obligations of the County, provided that the policies of this section shall be considered when selecting managing underwriters in connection with such activities.

19.4 The provisions of this section shall not apply to contracts for which the County receive funds administered by the United States Department of Transportation, except to the extent Congress has directed that the Department of Transportation not withhold funds from states and localities that choose to implement selective purchasing policies based on agreement to comply with the MacBride Principles, or to the extent that such funds are not otherwise withheld by the Department of Transportation.

## **SECTION 20: SECTION NOT IN USE**

## **SECTION 21: ANTIDISCRIMINATION CLAUSE**

21.1 Pursuant to Section 220-E of the NYS Labor Law, regarding provisions in contracts prohibiting discrimination on account of race, creed, color or national origin in employment of citizens upon public works, the Contractor agrees: (a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, disability, gender, marital status, military status, sexual orientation or national origin discriminate against any citizen of the state of New York who is qualified and available to perform the work to which the employment relates; (b) That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, disability, gender, marital status, military status, sexual orientation or national origin; (c) That there may be deducted from the amount payable to the contractor by the state or municipality under this contract a penalty of fifty dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract; (d) That this contract may be cancelled or terminated by the state or municipality, and all moneys due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract; and (e) The aforesaid provisions of this section covering every

contract for or on behalf of the state or a municipality for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the state of New York.

**SECTION 22: SECTION NOT IN USE**

**SECTION 23: INTERPRETATION**

23.1 In the event of any discrepancy, disagreement or ambiguity among the documents which comprise this RFP, and/or, the Agreement (between the County and the successful Proposer) and its incorporated documents, the documents shall be given preference in the following order to interpret and to resolve such discrepancy, disagreement or ambiguity: 1) the Agreement; 2) the RFP; 3) the Contractor's proposal.

**SECTION 24: NON APPROPRIATIONS CLAUSE**

24.1 Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the County for payment under this Agreement. The County will immediately notify the Contractor of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the County of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.

**SECTION 25: IRANIAN ENERGY SECTOR DIVESTMENT**

25.1 Contractor/Proposer hereby represents that said Contractor/Proposer is in compliance with New York State General Municipal Law Section 103-g entitled "Iranian Energy Sector Divestment", in that said Contractor/Proposer has not:

- (a) Provided goods or services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or
- (b) Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person's intent was to use the credit to provide goods or services in the energy sector in Iran.

25.2 Any Contractor/Proposer who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible bidder pursuant to Section 103 of the New York State General Municipal Law.

25.3 Except as otherwise specifically provided herein, every Contractor/Proposer submitting a bid/proposal in response to this Request for Bids/Request for Proposals must certify and affirm the following under penalties of perjury:

- (a) “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 its knowledge and belief, that each bidder is not on the list created pursuant to NYS Finance Law Section 165-a (3)(b).

Albany County will accept this statement electronically in accordance with the provisions of Section 103 of the General Municipal Law.

25.4 Except as otherwise specifically provided herein, any Bid/Proposal that is submitted without having complied with subdivision (a) above, shall not be considered for award. In any case where the Bidder/Proposer cannot make the certification as set forth in subdivision (a) above, the Bidder/Proposer shall so state and shall furnish with the bid a signed statement setting forth in detail the reasons therefor. The County reserves its rights, in accordance with General Municipal Law Section 103-g to award the Bid/Proposal to any Bidder/Proposer who cannot make the certification, on a case-by-case basis under the following circumstances:

- (1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- (2) The County of Albany has made a determination that the goods or services are necessary for the County to perform its functions and that, absent such an exemption, the County of Albany would be unable to obtain the goods or services for which the Bid/Proposal is offered. Such determination shall be made by the County in writing and shall be a public document.

## **SECTION 26: LIMITATIONS ON EXECUTIVE COMPENSATION AND ADMINISTRATIVE EXPENSES FOR COVERED PROVIDERS**

26.1 Contractor (deemed a covered provider as defined at 9 NYCRR Section 6157.2 if it meets certain criteria) hereby warrants, for itself and its subcontractors, that it is familiar with and in compliance with NYS Executive Order No. 38 (<http://executiveorder38.ny.gov>) and its accompanying regulations promulgated by NYS Division of Criminal Justice Services under 9 NYCRR Part 6157 (Limits on Administrative Expenses and Executive Compensation) concerning the prevention of public funds from being diverted to excessive compensation and unnecessary administrative costs for providers of program services, as it may be applicable, if at all, to the scope of services covered under this Agreement.

## **SECTION 27: SECTION NOT IN USE**



**SECTION 28: SECTION NOT IN USE**

**ATTACHMENT "A"**  
**NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO**  
**SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW**

A. 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 organizations, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this 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 bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

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

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that 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 thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Name

**ATTACHMENT "B"**  
**ACKNOWLEDGMENT BY PROPOSER**

If Individual or Individuals:

**STATE OF** \_\_\_\_\_ )  
**COUNTY OF** \_\_\_\_\_ ) **SS.:**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he (or they severally) acknowledged to me that he (or they) executed the same.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Qualified in \_\_\_\_\_  
Commission Expires \_\_\_\_\_

If Corporation:

**STATE OF** \_\_\_\_\_ )  
**COUNTY OF** \_\_\_\_\_ ) **SS.:**

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_ to me known, who, being by me sworn, did say that he resides at (give address) \_\_\_\_\_; that he is the (give title) \_\_\_\_\_ of the (name of corporation) \_\_\_\_\_, the corporation described in and which executed the above instrument; that he knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he signed his name thereto by like order.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Qualified in \_\_\_\_\_  
Commission Expires \_\_\_\_\_

If Partnership:

**STATE OF** \_\_\_\_\_ )  
**COUNTY OF** \_\_\_\_\_ ) **SS.:**

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally came \_\_\_\_\_, to me known to be the individual who executed the foregoing, and who, being duly sworn, did depose and say that he / she is a partner of the firm of \_\_\_\_\_ and that he / she has the authority to sign the same, and acknowledged that he / she executed the same as the act and deed of said partnership.

\_\_\_\_\_  
Notary Public, State of \_\_\_\_\_  
Qualified in \_\_\_\_\_  
Commission Expires \_\_\_\_\_

**ATTACHMENT “C”  
ALBANY COUNTY  
VENDOR RESPONSIBILITY QUESTIONNAIRE**

1. VENDOR IS: <input type="checkbox"/> PRIME CONTRACTOR			
2. VENDOR’S LEGAL BUSINESS NAME		3. IDENTIFICATION NUMBERS a) FEIN # b) DUNS #	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable)	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE		7. TELEPHONE NUMBER	8. FAX NUMBER
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THE QUESTIONNAIRE Name Title Telephone Number Fax Number e-mail			
13. LIST ALL OF THE VENDOR’S PRINCIPAL OWNERS.			
a) NAME	TITLE	b) NAME	TITLE
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A “YES,” AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor.		<input type="checkbox"/> Yes	<input type="checkbox"/> No
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRICIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS:		<input type="checkbox"/> Yes	<input type="checkbox"/> No
a) An elected or appointed public official or officer? <i>List each individual’s name, business title, the name of the organization and position elected or appointed to, and dates of service</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No
b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individuals name, business title or consulting capacity and the official political position held with applicable service dates.</i>		<input type="checkbox"/> Yes	<input type="checkbox"/> No

<p>16. WITHIN THE PAST (5) YEARS, HAS THE VENDOR, ANY INDIVIDUALS SERVING IN MANAGERIAL OR CONSULTING CAPACITY, PRINCIPAL OWNERS, OFFICERS, MAJOR STOCKHOLDER(S) (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), AFFILIATE OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS:</p> <p>a) 1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process;</p> <p>2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease;</p> <p>3. entered into an agreement to a voluntary exclusion from bidding/contracting;</p> <p>4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles;</p> <p>5. had a low bid rejected on a local, state or federal contract for failure to meet statutory affirmative action or M/WBE requirements on a previously held contract;</p> <p>6. had status as a Women’s Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited;</p> <p>7. been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal government contract;</p> <p>8. been denied an award of a local, state or federal government contract, had a contract suspended or had a contract terminated for non-responsibility; or</p> <p>9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.</p> <p>b) been indicted, convicted, received a judgment against them or a grant of immunity for any business-related conduct constituting a crime under local, state or federal law including but not limited to, fraud extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct?</p> <p>c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of:</p> <p>1. federal, state or local health laws, rules or regulations.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>17. IN THE PAST THREE (3) YEARS, HAS THE VENDOR OR ITS AFFILIATES <sup>1</sup> HAD ANY CLAIMS, JUDGMENTS, INJUNCTIONS, LIENS, FINES OR PENALTIES SECURED BY ANY GOVERNMENTAL AGENCY? Indicate if this is applicable to the submitting vendor or affiliate. State whether the situation(s) was a claim, judgment, injunction, lien or other with an explanation. Provide the name(s) and address(es) of the agency, the amount of the original obligation and outstanding balance. If any of these items are open, unsatisfied, indicate the status of each item as “open” or “unsatisfied.”</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>18. DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO:</p> <p>a) file returns or pay any applicable federal, state or city taxes? <i>Identify the taxing jurisdiction, type of tax, liability year(s), and tax liability amount the vendor failed to file/pay and the current status of the liability.</i></p> <p>b) file returns or pay New York State unemployment insurance? <i>Indicate the years the vendor failed to file/pay the insurance and the current status of the liability.</i></p> <p>c) Property Tax <i>Indicate the years the vendor failed to file.</i></p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>19. HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE VENDOR OR ITS AFFILIATES <sup>1</sup> WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE VENDOR OR ITS AFFILIATES REGARDLESS OR THE DATE OF FILING? Indicate if this is applicable to the submitting vendor or affiliate. If it is an affiliate, include the affiliate’s name and FEIN. Provide the court name, address and docket number. Indicate if the proceedings have been initiated, remain pending or have been closed. If closed, provide the date closed.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>20. IS THE VENDOR CURRENTLY INSOLVENT, OR DOES VENDOR CURRENTLY HAVE REASON TO BELIEVE THAT AN INVOLUNTARY BANKRUPTCY PROCEEDING MAY BE BROUGHT AGAINST IT? Provide financial information to support the vendor’s current position, for example, Current Ration, Debt Ration, Age of Accounts Payable, Cash Flow and any documents that will provide the agency with an understanding of the vendor’s situation.</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES<sup>1</sup>:  Yes  No

a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;

Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.

<sup>1</sup> “Affiliate” meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity’s daily operations, that entity will be an “affiliate” for purposes of this questionnaire.

**ALBANY COUNTY  
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of:                    )  
                                  ) ss:  
County of:                 )

**CERTIFICATION:**

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the County of Albany in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the County may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and states that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

The undersigned certifies that he/she:

- Has not altered the content of the questions in the questionnaire in any manner;
- Has read and understands all of the items contained in the questionnaire and any pages attached by the submitting vendor;
- Has supplied full and complete responses to each item therein to the best of his/her knowledge, information ad belief;
- Is knowledgeable about the submitting vendor's business and operations;
- Understands that Albany County will rely on the information supplied in the questionnaire when entering into a contract with the vendor;
- Is under duty to notify the Albany County Purchasing Division of any material changes to the vendor's responses.

Name of Business

Signature of Owner \_\_\_\_\_

Address

Printed Name of Signatory \_\_\_\_\_

City, State, Zip

Title

Sworn before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_;

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Attachment "D"**  
**Certification Pursuant to Section 103-g**  
**Of the New York State**  
**General Municipal Law**

- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer 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 New York State Finance Law.
- B. A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
  2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Name





DANIEL P. MCCOY  
COUNTY EXECUTIVE

COUNTY OF ALBANY  
DEPARTMENT OF MANAGEMENT AND BUDGET  
112 STATE STREET, ROOM 1200  
ALBANY, NEW YORK 12207  
PHONE: (518) 447-5525 FAX: (518) 447-5589  
www.albanycounty.com

M. DAVID REILLY, JR  
COMMISSIONER

March 15, 2022

Honorable Andrew Joyce  
Chair, Albany County Legislature  
112 State St., Rm. 710  
Albany, NY 12207

Dear Chairman Joyce:

I am requesting Legislative action in two parts, to rescind the authorization granted per ABL Resolution No 419 of 2019 to transfer property located in the City of Watervliet, 601 23rd Street to The Albany County Land Bank Corporation and grant authority that will allow this property to be conveyed to the ACLB Holding, LLC

If you have any questions regarding this request I can make myself available at your earliest convenience. Thank you for your consideration.

Sincerely Yours,

M. David Reilly  
Commissioner

cc:

Hon. Dennis Feeney, Majority Leader  
Hon. Frank Mauriello, Minority Leader  
Majority Counsel  
Minority Counsel



# County of Albany

Harold L. Joyce  
Albany County Office  
Building  
112 State Street - Albany,  
NY 12207

## Legislation Text

File #: TMP-3208, Version: 1

### REQUEST FOR LEGISLATIVE ACTION

#### Description (e.g., Contract Authorization for Information Services):

Requesting Legislative action to rescind the sale of property and authorize the transfer to the ACLB Holdings, LLC

Date:	March 15, 2022
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-447-7040
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael McLaughlin

#### Purpose of Request:

- Adopting of Local Law
- Amendment of Prior Legislation
- Approval/Adoption of Plan/Procedure
- Bond Approval
- Budget Amendment
- Contract Authorization
- Countywide Services
- Environmental Impact/SEQR
- Home Rule Request
- Property Conveyance
- Other: (state if not listed) Click or tap here to enter text.

### CONCERNING BUDGET AMENDMENTS

#### Increase/decrease category (choose all that apply):

- Contractual
- Equipment
- Fringe
- Personnel
- Personnel Non-Individual

Revenue

Increase Account/Line No.: Click or tap here to enter text.  
Source of Funds: Click or tap here to enter text.  
Title Change: Click or tap here to enter text.

**CONCERNING CONTRACT AUTHORIZATIONS**

**Type of Contract:**

- Change Order/Contract Amendment
- Purchase (Equipment/Supplies)
- Lease (Equipment/Supplies)
- Requirements
- Professional Services
- Education/Training
- Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

- Settlement of a Claim
- Release of Liability
- Other: (state if not listed) Click or tap here to enter text.

**Contract Terms/Conditions:**

Party (Name/address):  
Click or tap here to enter text.

Additional Parties (Names/addresses):  
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.  
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**CONCERNING ALL REQUESTS**

Mandated Program/Service: Yes  No   
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes  No   
Anticipated in Current Budget: Yes  No

**County Budget Accounts:**

Revenue Account and Line: Click or tap here to enter text.  
Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.  
Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.  
State: Click or tap here to enter text.  
County: Click or tap here to enter text.  
Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.  
Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation Yes  No   
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.  
Date of Adoption: Click or tap here to enter text.

**Justification:** (state briefly why legislative action is requested)

Requesting legislative action to rescind the authorization to transfer property located in the City of Watervliet, 601 23rd Street (Tax Map No. 32.50-2-21) to "The Albany County Land Bank Corporation" per ABL Resolution no. 401 of 2019 and request authorization to transfer this property to the ACLB Holding, LLC.

From: Amanda Wyckoff <awyckoff@albanycountylandbank.org>

Sent: Friday, March 11, 2022 1:39 PM

To: McLaughlin, Michael <Michael.McLaughlin@albanycountyny.gov>; Adam Zaranko <azaranko@albanycountylandbank.org>

Subject: RE: 601-605 23rd

Mr. McLaughlin,

We would like to formally request that 601 23rd St in Watervliet, tax map number 32.50-2-21 be authorized to be transferred to ACLB Holdings, LLC pursuant to Land Bank and Albany County property transfer agreement.

We thank you for your continued partnership.

Please let me know if there are any additional questions.

Regards,

Amanda Wyckoff

Director of Operations

Albany County Land Bank Corporation

69 State Street, 8th Floor

Albany NY, 12207

Phone: (518) 407-0309 x202

Cell: 518.312.9342

Email: [awyckoff@albanycountylandbank.org](mailto:awyckoff@albanycountylandbank.org)

Website: [www.albanycountylandbank.org](http://www.albanycountylandbank.org)

ID	Municipality	Street #	Street Name
2328	City of Watervliet	601	23RD ST

Building/Lot	Tax Map #	AssessedValue
Building	32.50-2-21	\$ 165,000.00

**Class Code**

483-CONVERTED RESIDENCE



GP

RESOLUTION NO. 86

AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 467 ORANGE STREET (TAX MAP NO. 65.63-1-58) IN THE CITY OF ALBANY

Introduced: 3/14/22  
By Audit and Finance Committee:

↑ This is the correct SBL

2

WHEREAS, The County of Albany has acquired, through in rem foreclosure, judgement to a parcel of real property located at 467 Orange Street (Tax Map No. 65.63-1-58) in the City of Albany, and

WHEREAS, Karen Range, the immediate former owner of the property, has expressed an interest in acquiring the parcel and has offered to pay all the back taxes and fees due for the property, and

WHEREAS, The Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, implemented procedures for properties to be sold to immediate former owners, including that any and all liens extinguished as a result of the foreclosure shall be reinstated, now, therefore be it

3

RESOLVED, By the Albany County Legislature, that the County Executive is authorized to execute on behalf of the County any documents necessary to 467 Orange Street (Tax Map No. 65.63-1-58) in the City of Albany to Karen Range for the amount of all back taxes and fees due on such parcel, and, be it further

RESOLVED, That any and all liens upon the property which were previously extinguished as a result of the foreclosure action shall be deemed reinstated and restored pursuant to the Albany County Real Property Disposition Plan, adopted by Resolution No. 29 for 2019, and be it further

RESOLVED, That Karen Range shall be responsible for all closing costs, as well as any and all real estate taxes, property taxes, school taxes, water, sewer, and municipal charges or fees not in the collection process of the Albany County Division of Finance at the date of the closing, and, be it further

RESOLVED, That the County Attorney is authorized to approve said conveyance as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote - 3/14/22

State of New York  
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 14<sup>th</sup> day of March, 2022, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



**IN WITNESS THEREOF**, I have hereunto set my hand and the official seal of the County Legislature this 15<sup>th</sup> day of March, 2022.

*Necole Chambers*

Clerk, Albany County Legislature