

RESOLUTION NO. 43

DIRECTING THE ALBANY COUNTY PURCHASING AGENT TO PROVIDE FOR ADDITIONAL CONTRACTOR DISCLOSURE IN THE ALBANY COUNTY PROCUREMENT PROCESS

Introduced: 2/13/06

By Ms. Barlette:

WHEREAS, The County of Albany has an obligation to its taxpayers to hire responsible vendors and service providers (Contractors) to complete contracted work, and

WHEREAS, A determination of Contractor responsibility is made as part of the County's procurement process, and

WHEREAS, Currently Requests for Proposals (RFP) and Requests for Qualifications (RFQ) issued by Albany County do not require potential Contractors to disclose past or current investigations, findings of non-responsibility, convictions, previous or pending litigation, now, therefore be it

RESOLVED, That the Albany County Purchasing Agent shall include a Contractor Disclosure Section in any and all RFP's and RFQ's issued by Albany County. Such Contractor Disclosure Section shall include, but not be limited to the following language:

1. Has there been a finding of non-responsibility regarding the Contractor in the past 5 years?
2. If yes provide details of the findings.
3. Has the contractor in the previous ten years been involved in any investigations? If yes, explain the nature and current status of each action.
4. Has the contractor in the previous ten years ever failed to complete a project or job? If yes, identify the project or job, the party with whom the work was contracted, and the reasons why the project or work was not completed.
5. Has the contractor in the previous ten years been assessed any damages or penalties on any project or work in which it as been involved? If yes, identify the project or job, the party with whom the work was contracted, the amount and type of damages and the reason for the assessment.
6. Has the contractor or any of its managing officers been indicted and/or convicted in any jurisdiction for any misdemeanor or felony?

and, be it further

RESOLVED, That failure to provide the aforementioned Contractor Disclosure information with any bid or proposal, could result in disqualification of the Contractor from the bid or selection competition, and, be it further

RESOLVED, That this policy shall be in effect and apply to all RFP's and RFQ's issued by Albany County on the 1st day of the month following the date of passage of this Resolution by the Albany County Legislature, and, be it further

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

Referred to Law Committee. 2/13/06