

**ADVANCE ALBANY COUNTY ALLIANCE LOCAL DEVELOPMENT CORPORATION
RESOLUTION AUTHORIZING AN AWARD TO A REQUEST FOR PROPOSALS TO
PROVIDE DESIGN & BUILD SERVICES FOR AN INTERCITY BUS/TRANSIT FACILITY**

A regular meeting of the board of directors (the "Board of Directors") of the Advance Albany County Alliance Local Development Corporation (the "Alliance") was convened in public session in the offices of the Alliance located at 111 Washington Avenue in the City of Albany, Albany County, New York on Tuesday, May 12, 2026 at 8:30 am.

The meeting was called to order by the (Vice) Chairperson of the Board of Directors and the following members of the Board of Directors were:

PRESENT:

Alan Goldberg	Chairperson
Richard Rosen	Vice Chairperson
Alan Alexander	Treasurer
Michael Cassidy	Director
Jasmine Higgins	Director
Caitlin O'Brien	Ex-Officio, Designee of Chairperson of County Legislature
Michael McLaughlin	Ex-Officio, Designee of County Executive

EXCUSED:

Helen Brooks	Secretary
Michael Cinquanti	Director

ADDITIONAL PERSONS PRESENT INCLUDED THE FOLLOWING:

Kevin O'Connor	Chief Executive Officer
Amy Thompson	Chief Financial Officer
Jeremy Smith	Senior Vice President
Kevin Catalano	Senior Vice President
Thomas M. Owens, Esq.	Alliance Counsel

The following resolution was offered by Alan Alexander, seconded by Michael Cassidy, to wit:

Resolution No. 2026-05-02

**RESOLUTION AUTHORIZING AN AWARD TO A REQUEST FOR PROPOSALS TO
PROVIDE DESIGN & BUILD SERVICES FOR AN INTERCITY BUS/TRANSIT
FACILITY**

WHEREAS, pursuant to the provisions of Section 1411 of the Not-For-Profit Corporation Law of the State of New York, as amended (the "Enabling Act"), the members of the County Legislature (the "Legislature") of Albany County, New York (the "County") adopted a resolution on November 9, 2020 (A) authorizing the incorporation of Advance Albany County Alliance Local Development Corporation (the "Corporation") under the Enabling Act and (B) approving the proposed form of certificate of incorporation (the "Certificate") of the Alliance; and

WHEREAS, in November, 2020, the Certificate was filed with the New York Secretary of State's Office creating the Corporation and

WHEREAS, the Corporation is authorized and empowered by the provisions of the Enabling Act to relieve and reduce unemployment, promote and provide for additional and maximum employment, better and maintain job opportunities, and lessen the burdens of government and act in the public interest, and in carrying out the aforesaid purposes and in exercising the powers conferred in the Enabling Act, the Enabling Act declares that the Corporation will be performing essential governmental functions; and

WHEREAS, to accomplish its stated purposes, the Corporation is authorized and empowered under the Enabling Act to acquire real and personal property; to borrow money and issue negotiable bonds, notes and other obligations therefore; to lease, sell, mortgage or otherwise dispose of or encumber any of its real or personal property upon such terms as it may determine; to apply for and make grants and loans and to execute any and all documents necessary in connection therewith; and otherwise to carry out its corporate purposes in the territory in which the operations of the Corporation are principally to be conducted; and

WHEREAS, the stated mission of the Corporation is to foster economic development, promote increased employment and the development and retention of economic activity in Albany County, and to otherwise act in the public interest; and

WHEREAS, in support of its mission and pursuant to previous Board action, the Corporation acquired title to certain real property and improvements consisting of one (1) tax parcel totaling approximately 3.65 acres located at 106 South Pearl Street, Albany, New York improved by an approximately 3,148 square feet, one-story, slab on grade building (the site is formerly known as the "South End Grocery"), and issued a publicly advertised, open and competitive Request for Proposals ("RFP") in accordance with the Corporation's Procurement Policy seeking proposals ("Responses") for design and build services to construct a new intercity bus/transit facility ("Services") related to the Central Warehouse; and

WHEREAS, because the Services require the exercise of specialized professional and technical skills and experience, including firms with a combination of design, construction, engineering, and architectural skills (several of which are professional in nature) ("Special Skills"), the Corporation utilized a RFP process in which the "cost estimate" was not the sole determining factor on which to make an award, but one of five (5) weighted evaluation criteria ("Evaluation Criteria") against which Responses would be reviewed, evaluated and scored; and

WHEREAS, the Corporation organized a review committee comprised of Corporation Board Members, staff and Corporation-retained consultant (the "Review Committee") to review, analyze and score each of the Responses based on the RFP stated Evaluation Criteria contained in the RFP; and

WHEREAS, two (2) Responses were received in response to the RFP, and each of the two (2) proposers which submitted such two (2) Responses were invited to make a substantive in-person oral presentation/interview during which each such proposer responded to certain Review Committee questions, and explained and detailed their Response to the Review Committee, which then reviewed and graded each Response against the RFP Evaluation Criteria; and

WHEREAS, the Board having considered and discussed the (i) findings and evaluation/scores of the Responses of the Review Committee against the Evaluation Criteria of the RFP, and (ii) recommendation of the Review Committee and Corporation staff; and

WHEREAS, the Corporation now desires (A) to ratify the evaluation process used in the RFP including but not limited to the use of the Evaluation Criteria as a basis for an award, (B) an award of the

RFP for the Services to the Response of Wainschaf Associates, Inc. as the proposer which scored highest against the Evaluation Criteria (even if such proposal is not the lowest cost proposal due to the need for the Special Skills, including multiple professional services such as architecture and engineering), and (B) the Chief Executive Officer to negotiate, execute and enter into a contract for the Services, or similar agreement, by and between Wainschaf Associates, Inc. and the Corporation (the "Agreement") at an approximate cost of \$7 Million, and such other documents as may be necessary to obtain the Services; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CORPORATION, AS FOLLOWS:

Section 1. All action taken by the Corporation staff, counsel, Review Committee, and/or Chief Executive Officer with respect to procuring and obtaining the Services is hereby ratified and confirmed.

Section 2. In consequence of the foregoing and based on the recommendation of the Chief Executive Officer and staff, the review of the Responses and the findings, evaluation and scores of the Review Committee, the Corporation hereby determines and resolves to: (A) authorize and ratify the RFP process used by the Corporation, including but not limited to the fact that cost was not the sole determinative factor in making an award of such RFP, and approve and the adopt the use of the Evaluative Criteria (B) enter into the Agreement and any related documents thereto, and (C) to do all things necessary or appropriate for the accomplishment thereof.

Section 3. The Chairperson, Vice Chairperson, and/or Chief Executive Officer, with the assistance of the staff and counsel to the Corporation, is authorized to negotiate and approve the form and substance of the Agreement and other terms related to the Services.

Section 4. (A) The Chairperson, Vice Chairperson and/or Chief Executive Officer is hereby authorized, on behalf of the Corporation, to execute and deliver the Agreement and all related documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Corporation is hereby authorized to affix the seal of the Corporation thereto and to attest the same, all in the forms thereof as the Chairperson, Vice Chairperson, and/or Chief Executive Officer of the Corporation shall approve, the execution thereof by the Chairperson, Vice Chairperson, and/or Chief Executive Officer to constitute conclusive evidence of such approval.

(B) The Chairperson, Vice Chairperson, and/or Chief Executive Officer is hereby further authorized, on behalf of the Corporation, to designate any additional authorized representatives of the Corporation (each, an "Authorized Representative").

Section 5. The officers, employees and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required or provided for by the provisions of the Agreement, and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Corporation with all of the terms, covenants and provisions of the Agreement binding upon the Corporation.

Section 6. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote, which resulted as follows:

Alan Goldberg	VOTING	YES
Richard Rosen	VOTING	YES
Alan Alexander	VOTING	YES
Helen Brooks	VOTING	EXCUSED
Michael Cinquanti	VOTING	EXCUSED
Michael Cassidy	VOTING	YES
Jasmine Higgins	VOTING	YES

The resolution was thereupon declared duly adopted.

Dated: May 12, 2026


Secretary

Motion made by: Alan Alexander

Seconded by: Michael Cassidy

Vote: 5-0