

# **COUNTY OF ALBANY**

## **REQUEST FOR PROPOSALS**

### **MANAGEMENT AND BUDGET**



**RFP#2024-046**

#### **REQUEST FOR PROPOSALS**

**TECHNICAL AND PROFESSIONAL SERVICES CONSISTING OF PROVIDING TITLE  
SEARCHES ON PROPERTIES SUBJECT TO ALBANY COUNTY "IN REM"  
DELINQUENT REAL PROPERTY TAX LIEN FORECLOSURE PROCEEDINGS**

**ALBANY COUNTY DEPARTMENT OF GENERAL SERVICES**

**PURCHASING DIVISION**

**PAMELA O NEILL, 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: Request For Proposals Technical And Professional Services Consisting Of  
Providing Title Searches On Properties Subject To Albany County “In Rem”  
Delinquent Real Property Tax Lien Foreclosure Proceedings**  
**RFP NUMBER: 2024-046**

**Receipt Confirmation Form**

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

Pamela O Neill  
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 #2024-046

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 #2024-046**

Sealed Proposals for -- as requested by the Albany County Department of Management and Budget 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, ----- and or electronic submission Bid Net, Empire State Purchasing Group.

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 -----

Pamela O Neill  
Purchasing Agent

Dated: ***Date***  
Albany, New York

PUBLISH ONE DAY – ***Date*** -- THE EVANGELIST  
PUBLISH ONE DAY – ***Date*** -- THE TIMES UNION

# COUNTY OF ALBANY

## REQUEST FOR PROPOSALS

### TECHNICAL AND PROFESSIONAL SERVICES CONSISTING OF PROVIDING TITLE SEARCHES ON PROPERTIES SUBJECT TO ALBANY COUNTY “IN REM” DELINQUENT REAL PROPERTY TAX LIEN FORECLOSURE PROCEEDINGS INSERT REQUESTING DEPARTMENT NAME HERE RFP #2024-046

#### 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 (“COUNTY”) is seeking proposals for furnishing technical and professional services consisting of providing title searches identifying owner(s), lienors and other person(s) having an interest of public record in the below described properties which are the subject of Real Property Tax Law, Article Eleven, Title 3, “In Rem” delinquent real property tax lien foreclosure proceedings brought by the COUNTY.

#### Lien Group A

2019 City of Albany 100-999	Approximately 750
2020 City of Albany 100-999	Approximately 750

#### Lien Group B

2019 City of Cohoes 100-999	Approximately 100
2020 City of Cohoes 100-999	Approximately 100
2019 City of Watervliet 100-999	Approximately 50
2020 City of Watervliet 100-999	Approximately 50
2019 Towns 100-999	Approximately 500
2020 Towns 100-999	Approximately 500

## 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 INSERT DAY, DATE, HERE**, at the following address:

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

Or electronic submission on BidNet Empire State Purchasing Group  
<http://www.empirestatebidsystem.com>

- 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 Albany County Department of Management and Budget and Department of Law.
- 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 Proposer's professional staff members and any independent contractor title searchers ("SUBCONTRACTORS") who will be involved in the COUNTY contract 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 title searching and preparation of title abstracts for comparable projects in New York State.
- 3.5 Provide at least two (2) references from similar projects including name, addresses and telephone numbers.
- 3.6 The Proposer, to be considered under this RFP, must demonstrate the following qualifications and experience:
  - (a) Satisfactory experience in title searching and in the preparation of title abstracts for comparable projects in New York State;
  - (b) A working knowledge of the New York State Real Property Tax Law ("RPTL") and the Real Property Law as applicable to real property tax assessments, tax liens, the requirements for identifying owner(s), lienors and other person(s) having an interest of public record in parcels of real property, and "In Rem" delinquent real property tax lien foreclosure proceedings; and,
  - (c) That the Proposer has and will commit to use adequate professional and technical staff and, if utilized, SUBCONTRACTORS who are experienced in title searching for the purpose of timely and satisfactorily identifying owner(s), lienors and other person(s) having an interest of public record in parcels of real property which are the subject of Albany County "In Rem" delinquent real property tax lien foreclosure proceedings.
- 3.7 The Proposer shall indicate the address of its principal place of business and the extent of its physical presence and operations within Albany County.
- 3.8 Provide any additional information that would distinguish the Proposer in its service to the COUNTY.
- 3.9 Proposer shall include a completed "Vendor Responsibility Questionnaire" (Attachment "C") with the Proposal.

3.10 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.

3.11 Conditional Proposals will not be accepted.

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

4.1 The CONTRACTOR shall with respect to the above referenced delinquent real property tax lien groups provide to the COUNTY all of the technical and professional services and materials necessary and incidental to timely and satisfactorily accomplishing the following:

(a) Property title searches and providing mailing address information.

(1) The CONTRACTOR shall perform, report, certify in writing and deliver to the COUNTY in the format and on the time schedule hereinafter prescribed two copies of all Level I and Level II property title searches requested by the COUNTY for its use in connection with and filing by it as a part of the judgment roll of the foreclosure proceeding in which said searches were requested.

(i) A Level I Title Search shall consist of performing a search with respect to the property sufficient to determine: (i) the name(s) and address(es), recording and/or filing information, nature and, if applicable, dollar amount of the interest of each owner thereof and any other person whose right, title or interest therein is a matter of public record in connection with which said title search has been requested by the COUNTY, which right, title or interest may be affected by the termination of the redemption period therein and (ii) the name(s) and address(es) and recording and/or filing information with respect to the owner(s) of the property of public record as of the date said search was performed. In the event that the name and address of an owner or other person having a right or interest in the property which will be affected by the termination of the redemption period therein does not appear of public record, said search shall so state.

(ii) A Level II Title Search shall consist of performing a search with respect to the property covering a period of at least 40 years last past sufficient to determine: (i) the name(s) and address(es), recording and/or filing information, nature and, if applicable, dollar amount of the interest of each owner thereof and any other person whose right, title or interest therein was a matter of public record as of the date the List of Delinquent Taxes was filed in the "In Rem" delinquent tax foreclosure proceeding in connection with which said title search has been requested by the COUNTY, which right, title or interest will be affected by the termination of the redemption period therein and (ii) the name(s) and address(es) and recording and/or filing information with respect to the owner(s) of the property of public record as of the date said search was performed. In the event that the



name and address of an owner or other person having a right or interest in the property which will be affected by the termination of the redemption period therein does not appear of public record, said search shall so state.

(iii) For purposes of this Section the term “public record” shall be deemed to mean and include the books maintained by the recording officer of the County in which the property is located pursuant to Real Property Law, §315; the books kept by the Clerk of the Surrogate’s Court in the County in which the property is located pursuant to the Surrogate’s Court Procedure Act, §2502; the records of the Enforcing Officer of the County of Albany as to unexpired RPTL §1126 declarations of interest and change of address notices filed pursuant to RPTL 1125 (subd. d); the tax rolls in the possession of the Enforcing Officer of the County of Albany dated from the applicable delinquent tax lien date forward; and, the records of the New York State Department of State relating to corporations.

(2) The CONTRACTOR shall provide to the COUNTY the following mailing address information and materials in connection with said property title searches:

(i) an electronic file list of United States Postal Service mailing addresses for those persons required by RPTL 1125 to be given personal notice by mail by the COUNTY of the “In Rem” delinquent tax foreclosure proceeding in connection with which said title search was requested. Those mailing addresses shall be provided in Microsoft Excel or compatible file format for use by the COUNTY to generate Tax Enforcement Statements via WORD merge, a sample of which is attached.

(3) The COUNTY shall provide the CONTRACTOR with:

- (a) the address of the property, its current tax map number and its owner(s) name(s) and address(es) as it/they appear(s) in the COUNTY’S delinquent tax file with respect to the property;
- (b) Reconciling duplicate and/or erroneous assessments, if any, and identifying issues with assistance of local assessors to permit the COUNTY to obtain reimbursement from the appropriate assessing jurisdiction;
- (c) Certifying as a party “The People of the State of New York” in lieu of a franchise tax search and/or estate tax review;
- (d) Assistance with ownership listed as UNKNOWN or discrepancies between deed and tax mapped boundaries.

4.2 The CONTRACTOR shall be available to the Commissioner of DMB for the purpose of consultation regarding the Contract and matters related thereto. The Commissioner may require the CONTRACTOR to be available to meet with him/her on a priority basis. Such meetings shall be held at a location selected by the Commissioner during regular business hours, unless circumstances require otherwise. Request for such meetings may be by written notice or telephone message at the discretion of the COUNTY.

- 4.3 Parcels paid in full are no longer subject to “in rem” actions, thus the exact number of Level 1 and Level 2 title searches that will be requested by the COUNTY cannot be definitively determined or guaranteed.

For purposes of this RFP, it is estimated that with the COUNTY’S intended use of the Level 1 title searches, the total number of Level 1 title searches requested will be approximately 1,500 per lien year.

For purposes of this RFP, it is estimated that the total number of Level 2 title searches to be requested will not exceed 500 for the 2019 City of Albany 100-999; 50 for the 2019 City of Watervliet 100-999 proceeding; 100 for the 2019 City of Cohoes 100-999 proceeding; 500 for the 2019 Towns 100-999 proceeding; 500 for the 2020 City of Albany 100-999 proceeding; 50 for the 2020 City of Watervliet 100-999 proceeding; 100 for the 2020 City of Cohoes 100-999 proceeding; 500 for the 2020 Towns 100-999 proceeding, which numbers may decrease as the actual needs of the COUNTY dictate.

- 4.4 Title searches may be requested by the COUNTY in successive, approximately equal lots with each lot being requested upon completion of preceding one. The County is seeking to expedite mailings in 2024-2025 to address backlogs resulting from the 2020-2022 COVID ACT and Emergency Orders. It is anticipated that title searches will be return at a rate of 10 per day, beginning 30 days after the listing is provided to the vendor. Completion of each Indexed Action listing is anticipated within 4 month timeframe.
- 4.5 Completed title searches shall be delivered to Foreclosure Section, Division of Finance, Albany County Department of Budget and Management, 112 State Street, Room 1340, Albany, New York 12207.
- 4.7 The CONTRACTOR shall upon termination of the contract without additional charge: promptly provide the COUNTY with an electronic file (in standard .pdf format, IBM-compatible) containing a complete and legible copy of all of the title searches furnished to the COUNTY in connection with the contract, each identified by the COUNTY’S parcel foreclosure number. The vendor shall maintain those a copy of those files for a three year period thereafter for the purpose of enabling the COUNTY to obtain copies of them upon request.

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

- 5.1 The contract period shall be rom the date of the contract award until all obligations of the CONTRACTOR required by the Contract have been completed to the satisfaction of 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 and if utilized, all SUBCONTRACTORS 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 and a sample of a Level 1 and Level 2 search where applicable, provided to those references. References that cite NYS RPTL Article *Eleven*, Title 3 proceedings and provide sample documents are preferred.

### **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 Department of Management and Budget and Department of Law. Proposals shall be evaluated based upon the following:

<b><i>CRITERIA</i></b>	<b><i>WEIGHT</i></b>
Proposer's comprehension of and feasibility of plan for accomplishing the Work required by the Scope of Services ("Work")	25%
Professional Qualifications, Prior Experience in performing similar Work, and location of employees and, if utilized, SUBCONTRACTORS who will be utilized to perform the Work (evaluation of resumes and operational plan )	35%
Proposer's reputation and performance reliability history (client references, performance reliability history, financial condition, and general reputation in the land title abstract and insurance business)	25%
Total proposed price for performing the Work	15%

8.3 Proposals will be examined and evaluated by the Albany County's Department of Management and Budget and Department of Law 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: Not needed**

## **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:

Pamela O Neill  
Albany County Purchasing Agent  
112 State Street, **Room 1000**  
Albany, NY 12207  
Telephone: (518) 447-7140  
Facsimile: (518) 447-5588  
Email: [pamela.oneill@albanycountyny.gov](mailto:pamela.oneill@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

- (d) **Professional Liability Insurance:** A policy or policies with limits not less than \$1,000,000.

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

- (a) The insurance policies shall name the County of Albany as certificate holder and primary/non-contributory additional insured on all liability and 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: Not needed**

## **SECTION 21: ANTIDISCRIMINATION CLAUSE**

- 21.1 In accordance with Article 15 of N.Y. EXECUTIVE LAW (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor agrees that neither it nor any of its County-approved subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment

## **SECTION 22: EXTENSION OF CONTRACTS TO ALL POLITICAL SUBDIVISIONS AND AUTHORIZED DISTRICTS LOCATED IN THE STATE OF NEW YORK**

- 22.1 It is the intent of this Request For Proposals that all political subdivisions, and districts located in the State of New York, be entitled to make purchases of services from the resulting contract award.
- 22.2 No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.
- 22.3 All purchases shall be subject to audit by the other political subdivisions for which the purchase was made.
- 22.4 All orders will be placed by the participating entities. Each participating entity shall be billed by and make payment directly to the successful Bidder.
- 22.5 Upon request, participating entities must furnish the Contractor with the proper tax exemption certificates or documentation of tax exempt status.
- 22.6 The sole responsibility in regard to performance of the contract, or any obligation, covenant, condition or term thereunder by the successful Proposer and the participating entities will be borne and is expressly assumed by the successful Proposer and the participating entities and not by Albany County. In the event of a failure or breach in performance of any such contract by a participating entity or the successful Proposer, Albany County, specifically and expressly disclaims any and all liability for such defective performance or breach, or failure of either party to perform in accordance with its obligations, covenants and the terms and conditions of this Albany County centralized contract.

## **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: Not needed**

**SECTION 27: Not needed**

**SECTION 28: Not needed**

# **SAMPLE Of Petition and Notice/Tax Enforcement Statement**

STATE OF NEW YORK  
COUNTY COURT

COUNTY OF ALBANY

In the Matter of the "In Rem" Delinquent Tax Lien Foreclosure  
Proceeding brought pursuant to Article Eleven, Title 3 of the  
Real Property Tax Law

by

THE COUNTY OF ALBANY, NEW YORK, Tax District

against

Those Parcels of Real Property included in the LIST OF  
DELINQUENT TAXES filed on April 24, 2017 covering the  
CITY OF ALBANY, Albany County

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TO:

It appears you may have an ownership, lien holder or other legal interest in the parcel of real property included in the above specified List of Delinquent Taxes, which parcel is individually described at the bottom of this Statement.

The above-entitled proceeding has been commenced to foreclose upon this parcel due to the failure to pay real property taxes assessed and levied against it. Unless such taxes and other legal charges are paid in full or you interpose an Answer in this proceeding on or before **July 15, 2024, that being THE LAST DAY FOR REDEMPTION**, you will lose your ownership, lien holder or other legal interest in this parcel and title to it will be transferred to the County of Albany by means of a Court judgment. You may want to contact an attorney to protect your rights.

If you want to pay the taxes and legal charges owed on this parcel, find out the amount owed, require further information, or have any questions concerning this matter, please immediately contact the Albany County Division of Finance, Room 1340, 112 State Street, Albany, New York 12207, Telephone No. (518) 447-7082 for further information.

**DATED:** XXXXXXXXXX, 2024

## **PARCEL DESCRIPTION**

Parcel Foreclosure No.:

Owner(s) of Record on Date of Filing List of Delinquent Taxes:

Owner(s) of Record on Date of Title Search:

Parcel Location:

Parcel Tax Map No.

Class Code:

**TAX ENFORCEMENT  
STATEMENT**

Index No. 02301-17

**IMPORTANT!!  
PLEASE DO NOT  
IGNORE THIS NOTICE!!**

STATE OF NEW YORK  
COUNTY COURT \_\_\_\_\_ COUNTY OF ALBANY

**the “In Rem” Delinquent Tax Lien Foreclosure  
Proceeding brought pursuant to Article  
Eleven, Title 3 of the Real Property Tax Law**

by

THE COUNTY OF ALBANY, NEW YORK, TAX  
DISTRICT

against

PETITION AND  
NOTICE OF  
FORECLOSURE

**Index No. 02301-17**

Those Parcels of Real Property included in the  
LIST OF DELINQUENT TAXES filed on April 24,  
2017 covering the CITY OF ALBANY, Albany  
County

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PLEASE TAKE NOTICE that on XXXXXXXXXX, 2024 the Commissioner of the Albany County Department of Management and Budget as Enforcing Officer (hereinafter “Enforcing Officer”) of the Albany County, New York, Tax District (hereinafter “Tax District”) pursuant to law filed with the Clerk of Albany County this document intended to serve as both the Petition of Foreclosure and the Notice of Foreclosure in the above captioned proceeding to enforce the payment of unpaid real property taxes or other lawful charges that have accumulated and become liens against the parcels of real property included in the above specified List of Delinquent Taxes (“List”), a copy of which List was annexed to said Petition and Notice as Exhibit “A” when it was filed with said Clerk.

Effect of filing: All persons and entities having or claiming to have any right, title or interest in or lien upon any of the parcels of real property included in said List are hereby notified that the filing of this Petition and Notice of Foreclosure constitutes the commencement by the Tax District of a proceeding in the above specified Court to foreclose “in rem” the unpaid tax liens on the parcels of real property included in said List.

Nature of proceeding: This proceeding is brought only to foreclose unpaid tax liens on the parcel(s) of real property included in said List and no judgment will be entered in this proceeding against any person for taxes or other legal charges or any part thereof.

Persons affected: This notice is directed to all persons and entities having or claiming to have any right, title or interest in, or lien upon any of the parcels of real property included in said List. Such persons are hereby further notified that a duplicate of this Petition and Notice of Foreclosure and said List has been filed in the office of the Enforcing Officer of the Tax District and will remain open for public inspection up to and including the below specified last day for redemption.

Right of redemption: Any person having or claiming to have any right, title or interest in or lien upon any of the parcels of real property included in said List may on or before the last day for redemption below specified redeem the same by paying to the Tax District the amount of all of the unpaid tax liens thereon computed to and including said last day for redemption. Such payments must be made to the Albany County Commissioner of Management and Budget, 112 State Street, Room 1340, Albany, New York 12207. In the event that a person or entity other than the record owner of the parcel pays such tax liens, such person or entity is only entitled to have the tax liens satisfied of record and will not by reason of such payment acquire any ownership interest in the parcel. Personal checks will not be

accepted on or after the date of this Petition and Notice. Payment by cash, certified check, bank check or money order is required.

**Last day for redemption: The last day for redemption is hereby fixed as July 15, 2024.**

Service of an Answer: Any person or entity having or claiming to have any right, title or interest in or lien upon any of the parcels of real property included in said List may interpose a duly verified Answer setting forth in detail the nature and amount of said claim or interest and any defense or objection to the foreclosure proceeding. Such Answer must be filed in the Office of the Albany County Clerk and served upon the attorney for the Tax District, the Albany County Attorney, at the address shown below on or before the above mentioned as the last day for redemption.

Failure to redeem or answer: In the event of the failure to redeem or answer by any person or entity having the right to redeem or answer, such person or entity will be forever barred and foreclosed of any right, title and interest in or lien upon and equity of redemption had by them in the parcels of real property included in said List and a Judgment in Foreclosure by default may be taken by the Tax District.

**DATED:** XXXXXXXXXX, 2024

ENFORCING OFFICER  
COUNTY OF ALBANY, NEW YORK, TAX DISTRICT

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M. DAVID REILLY, JR., Commissioner, Albany County  
Department of Management and Budget

ATTORNEY FOR TAX DISTRICT:  
Albany County Attorney  
112 State Street, Room 600  
Albany, New York 12207  
Tel. No. (518) 447-7089

### **AFFIRMATION**

I, M. DAVID REILLY, JR., Commissioner of the Albany County Department of Management and Budget, hereby affirm under the penalties of perjury that: I am the duly designated Enforcing Officer for the County of Albany, New York, Tax District; I have read the foregoing Petition and Notice of Foreclosure signed by me and I am familiar with its contents; and the contents thereof are true to the best of my knowledge and belief.

**DATED:** XXXXXXXXXXXX, 2024

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M. DAVID REILLY, JR., Commissioner, Albany County  
Department of Management and Budget

# *Cover Sheet for Title Searches Returned to County*

## **SAMPLE OF COVER SHEET**

### **Vendor Name and Address**

Phone: xxx-xxx-xxxx & Fax: xxx-xxx-xxxx

Website Address:

## **REAL PROPERTY TAX LIEN FORECLOSURE SEARCH**

INDEX NUMBER \_\_\_\_\_ FORECLOSURE NUMBER \_\_\_\_\_

PROPERTY ADDRESS: \_\_\_\_\_

MUNICIPALITY \_\_\_\_\_

TAX MAP NUMBER: \_\_\_\_\_

DATE OF FILING OF LIST OF DELINQUENT TAXES: \_\_\_\_\_

DATE of THIS SEARCH \_\_\_\_\_

### **NUMBER OF DOCUMENTS FOUND**

Open Mortgages \_\_\_\_\_

Assignments \_\_\_\_\_

Judgments \_\_\_\_\_

Federal Tax Liens \_\_\_\_\_

UCCs \_\_\_\_\_

State Tax Warrants \_\_\_\_\_

Leases \_\_\_\_\_

Other Lienholders \_\_\_\_\_

Other Interests \_\_\_\_\_

Estate Proceedings \_\_\_\_\_

Mortgage Foreclosures \_\_\_\_\_

Special Notes/Conditions:

Parcel included on other List of Delinquent Taxes: ☐ YES ☐ NO if YES, list Index Numbers/Lien Years

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**PARTIES HAVING AN INTEREST OF RECORD  
ON THE DATE OF FILING OF THE LIST OF DELINQUENT TAXES**

**OWNERS OF RECORD**

NAME ADDRESS CITY STATE ZIP

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**ADDITIONAL ADDRESSES**

NAME ADDRESS CITY STATE ZIP

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**SOURCE DEED**

**“RECORD AND RETURN” Mailing Address** shown on most recent deed:

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**ADDITIONAL PARTIES (MORTGAGES)**

NAME ADDRESS CITY STATE ZIP

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**ASSIGNMENTS**

NAME ADDRESS CITY STATE ZIP

---

---

**JUDGMENTS**

NAME ADDRESS CITY STATE ZIP

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---

**FEDERAL TAX LIENS**

---

**UCC FILINGS**

---

**STATE TAX WARRANTS**

---

**OTHER LIENHOLDERS**

---

**OTHER INTERESTS—City of Albany, All Searches:**

1. ALBANY WATER BOARD, PO BOX 1966, ALBANY NY 12201
2. ALBANY COMMISSIONER OF WATER AND WATER SUPPLY, 35 ERIE BLVD, ALBANY NY 12204

**ESTATE PROCEEDINGS**

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**MORTGAGE FORECLOSURE PROCEEDINGS**

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**PARTIES HAVING AN INTEREST OF RECORD AS OF SEARCH DATE**  
**If different than above record at date of Filing of the List of Delinquent Taxes**

**OWNERS OF RECORD**

NAME ADDRESS CITY STATE ZIP

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**ADDITIONAL ADDRESSES**

NAME ADDRESS CITY STATE ZIP

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SOURCE DEED \_\_\_\_\_

DEED "RECORD AND RETURN" INFO \_\_\_\_\_

**ADDITIONAL PARTIES (MORTGAGES)**

NAME ADDRESS CITY STATE ZIP

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**ASSIGNMENTS**

NAME ADDRESS CITY STATE ZIP

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**JUDGMENTS**

NAME ADDRESS CITY STATE ZIP

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**FEDERAL TAX LIENS**

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UCC FILINGS \_\_\_\_\_

STATE TAX WARRANTS \_\_\_\_\_

OTHER LIENHOLDERS \_\_\_\_\_

**OTHER INTERESTS**

1. ALBANY WATER BOARD, PO BOX 1966, ALBANY NY 12201
2. ALBANY COMMISSIONER OF WATER AND WATER SUPPLY, 35 ERIE BLVD, ALBANY NY 12204

**ESTATE PROCEEDINGS**

**MORTGAGE FORECLOSURE PROCEEDINGS**

---

ATTACH COPIES OF DEEDS/MORTGAGES  
AND OTHER DOCUMENTS LISTED ABOVE  
(Must Provide Copy of Federal Tax Lien, if any exist)  
ALSO ATTACH COPY OF TAX MAP

# COUNTY OF ALBANY

## PROPOSAL FORM

### PROPOSAL IDENTIFICATION:

Title: Technical and Professional Services Consisting of Providing Title Searches on Properties Subject to Albany County "In Rem" Delinquent Real Property Tax Lien Foreclosure Proceedings  
RFP Number: 2024-046

### THIS PROPOSAL IS SUBMITTED TO:

Pamela O Neill, Purchasing Agent  
Albany County Department of General Services  
Purchasing Division  
112 State Street, Room 1000  
Albany, NY 12207

1. The undersigned Proposer proposes and agrees, if this Proposal is accepted, to enter into a Contract with the owner in the form included in the Contract Documents to complete all Work as specified or indicated in the Contract Documents for the Contract Price and within the Contract Time indicated in this Proposal and in accordance with the Contract Documents.
2. Proposer accepts all of the terms and conditions of the Instructions to Proposers, including without limitation those dealing with the Disposition of Proposal Security. This Proposal may remain open for ninety (90) days after the day of Proposal opening. Proposer will sign the Contract and submit the Contract Security and other documents required by the Contract Documents within fifteen days after the date of County's Notice of Award.
3. In submitting this Proposal, Proposer represents, as more fully set forth in this Contract, that:

- (a) Proposer has examined copies of all the Contract Documents and of the following addenda: (If none, so state)

Date

Number

(receipt of all of which is hereby acknowledges) and also copies of the Notice to Proposers and the Instructions to Proposers;

- (b) Proposer has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as Proposer deems necessary;

(c) This Proposal is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Proposer has not directly or indirectly induced or solicited any other Proposer to submit a false or sham Proposal; PROPOSER has not solicited or induced any person, firm or a corporation to refrain from Proposing; and Proposer has not sought by collusion to obtain for himself any advantage over any other Proposer or over the owner.

4. Proposer will complete the Work for the following prices(s): (Attach Proposal)
5. Proposer agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. Proposer agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.
6. The following documents are attached to and made a condition of this Proposal:
  - (a) Non-Collusive Bidding Certificate (Attachment "A")
  - (b) Acknowledgment by Bidder (Attachment "B")
  - (c) Vendor Responsibility Questionnaire (Attachment "C")
  - (d) Iranian Energy Divestment Certification (Attachment "D")
7. Communication concerning this Proposal shall be addressed to:  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
Phone: \_\_\_\_\_
8. Terms used in this Proposal have the meanings assigned to them in the Contract and General Provisions.

# COUNTY OF ALBANY

## COST PROPOSAL FORM

### PROPOSAL IDENTIFICATION:

Title: Technnical and Professional Services Consisting of Providing Title Searches on  
Properties Subject to Albany County "In Rem" Delinquent Real Property Tax Lien  
Foreclosure Proceedings  
RFP Number: 2024-046

**COMPANY:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**CITY, STATE, ZIP:** \_\_\_\_\_

**TEL. NO.:** \_\_\_\_\_

**FAX NO.:** \_\_\_\_\_

**FEDERAL TAX ID NO.:** \_\_\_\_\_

**REPRESENTATIVE:** \_\_\_\_\_

**E-MAIL:** \_\_\_\_\_

**SIGNATURE AND TITLE** \_\_\_\_\_

**DATE** \_\_\_\_\_

**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

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Signature

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Title

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Date

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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 THIS 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. <span style="float: right;"> <input type="checkbox"/> Yes    <input type="checkbox"/> No         </span>			
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRINCIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS: <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 80%;">           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> </div> <div style="width: 15%; text-align: right;"> <input type="checkbox"/> Yes    <input type="checkbox"/> No           </div> </div> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 10px;"> <div style="width: 80%;">           b) An officer of any political party organization in Albany County, whether paid or unpaid?  <i>List each individual’s name, business title or consulting capacity and the official political position held with applicable service dates.</i> </div> <div style="width: 15%; text-align: right;"> <input type="checkbox"/> Yes    <input type="checkbox"/> No           </div> </div>			

16.	<p>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; <input type="checkbox"/> Yes <input type="checkbox"/> No</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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>1. federal, state or local health laws, rules or regulations.</p>
17.	<p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</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>
18.	<p>DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>a) file returns or pay any applicable federal, state or city taxes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><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 <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><i>Indicate the years the vendor failed to file.</i></p>
19.	<p>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 OF THE DATE OF FILING? <input type="checkbox"/> Yes <input type="checkbox"/> No</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>
20.	<p>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. <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> :	<input type="checkbox"/> Yes	<input type="checkbox"/> 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