

**Section I - Colonie EMS Harm Reduction & Workforce
Development Grant**

Opioid Settlement Funded Community Grants

Grant RFP# 2024-010, Due 2024-03-08 by 1630

Submitted by:

Robbie MacCue, Assistant Chief of EMS
312 Wolf Rd
Latham, NY 12110
518-782-2655

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Section II - Describe the Problem (10%)

2.1 Describe the specific problem this project will be addressing and its impact on the community and individuals you serve

In the last 12 months Colonie paramedics have responded to 14,500 emergency 911 calls, a record number up 20% compared to pre-pandemic call volume in 2019, and simultaneously faced an increase in staff turnover and stress. This follows industry trends including costly turnover of 25-38% nationally, loss of experience and institutional knowledge, compassion fatigue, and acute stress disorders that can lead to substance use disorders and downstream quality of care issues.

According to a SAMHSA report in 2021¹, among the 43.7 million people in the US aged > 12 who needed substance use treatment, only 4.1 million (9.4 percent) received any treatment in the past year. They outlined barriers to care including: stigma, lack of perceived need, transportation and wait times, plus other social determinants of care.

Colonie EMS paramedics and EMTs (referred to as 'paramedics' or 'providers') are uniquely positioned to recognize social determinants of health, identify patients with substance use disorders through screenings or interviews, have conversations with other medical professionals, and facilitate connections/referrals to others in the healthcare continuum who can support their immediate and long-term needs.

We cannot continue to offer expanded programs that support people with substance use disorders if we cannot staff provider positions and retain qualified professionals to work in this field. Our workforce is competing for talent with the surrounding municipal fire department offering paid EMT to paramedic training, better pay and retirement opportunities.

A survey of our department was conducted that showed 68% of respondents currently have student loans, and of those repaying loans 72% state that it creates "added stress and pressure on their daily lives" – a workforce that is vastly underpaid and is already faced with challenging

¹ Connecting Communities to Substance Use Services: Practical Approaches for First Responders I Connecting Communities to Substance Use Services: Practical Approaches for First Responders Acknowledgments Connecting Communities to Substance Use Services: Practical Approaches for First Responders Acknowledgments. (n.d.). <https://store.samhsa.gov/sites/default/files/pep23-06-01-010.pdf>

situations as part of their career path. Their average highest balance of student loans was \$28,041 and their current reported balance averaged \$19,439. 94% of respondents stated they would consider pursuing higher education if there was funding available.

This proposal suggests three approaches to helping us better understand patients with substance use and co-occurring mental health issues who utilize 911 services and also support the emergency care providers who interact with them on a daily basis that are also in need of support.

2.2 When applicable, include data/statistics that describe the target population and the effect of the opioid epidemic.

Our first responders have been at the forefront of this opioid crisis treating an increase in both high-acuity critical calls stemming from drug overdoses, polysubstance use, toxic drug poisonings, as well as an underserved population that repeatedly calls 911 with chronic low-acuity complaints rather than seeking primary care.

70% of patients result in conveyance to overcrowded emergency departments that have seen increases in times to 'off-load' a patient and turn them over to hospital staff. This means our providers have an opportunity to spend more time with these populations than ever before, and are having in-depth conversations with the remaining 30% of patients that do not want to seek an emergency department or follow-up care.

2.3 Describe any previous efforts to address this problem and the reasons they were or were not successful.

In the last three years we have key personnel who have already taken on additional responsibilities and time commitments to identify those vulnerable populations and make referrals to the Albany County PSCC group after obtaining the proper Release of Information consent from repeat 911 callers. We have conducted a limited number of outreach visits and attended regular meetings to help coordinate additional care.

We wish to commit additional time by making referrals and following up on cases to ensure people in need are able to access substance use and mental health resources.

Since January of 2022 our department became an Opioid Overdose Prevention Program through the state of New York and has been able to distribute over 1,100 community naloxone kits. This includes outfitting the Colonie Police Dept patrol units, Menands Police Dept, Siena College security officers with sufficient supplies of naloxone and additionally stocked leave behind naloxone kits on every paramedic ambulance unit. Prior to that we only had enough supply of kits for the EMS supervisor units and this action alone doubled the amount of leave behind naloxone kits that were being left with patients and families at risk of another overdose.

We identified project COAST as a partner and created a 1 page flier promoting their 24/7 hotline for accessing MAT and outlining their resources, including MAT, additional family and peer support capabilities. We also partnered with the MATTERS Network (Buffalo, NY) and added Xylazine and Fentanyl test strips to every leave behind community naloxone kit as a method of harm reduction.

Working with the neighboring municipalities (Town of Guilderland and City of Cohoes) we standardized the naloxone kits, as well as presented regionally to the Hudson Mohawk Medical Advisory Committee about these efforts in order to educate more rural departments and medical directors.

We have added naloxone education to CPR + AED training, as well as encouraged school districts, businesses and other Public Access Defibrillators to attach a special naloxone kit to AEDs.

In August of 2023 we created two public distribution points for community naloxone kits that allowed self-dispensing and education at the Colonie Public Library and the Colonie Court/Public Safety Building. These two locations continue to be restocked on a regular basis.

We have worked with Colonie Police school resource officers to provide training to teachers, students, and parents.

These efforts could be sustained through additional targeted support of the EMS system being recognized as part of the greater public health continuum.

Section III - Describe the Approach(40%)

3.1 How do you propose to address this problem? Please describe in detail the initiative you will be implementing with this funding.

To address this problem and improve care across the continuum it begins with retaining our qualified providers who have institutional knowledge of navigating the healthcare system and helping our newer providers further refine their clinical approach to interacting with patients who have SUD and co-occurring mental health disorders. We propose a three-part approach to retain quality providers and build their capacity:

- A. **\$100,000 over two years in student loan tuition repayment grants** made available to our staff of 100 providers. Enhance workforce retention by supporting providers working within our system who are facing financial pressures by providing student loan tuition repayment grants to our staff. These individuals made an investment in their own education while remaining in a profession that suffers from pay inequity and needs qualified competent providers to administer care. Our department has seen turnover rates as high as 35% per year and continues to replace providers while losing institutional knowledge and experience.
- B. **\$64,000 EMT to fund Paramedic fellowship / externship** - Support one full time EMT provider in attending and completing paramedic training, without having to simultaneously work full time, complete training, and unpaid clinical time. We assert they will be more likely to maintain a healthy work-life balance, complete their advanced training, and our chances of retaining that provider will greatly improve. Other municipalities provide a similar opportunity for firefighters, and this would be the first time we are able to pilot this approach. This estimate includes fringe benefits.
- C. **\$26,000 to pilot capacity building & training for all emergency staff**, 100 providers, to support training of our providers by:
 - Reducing stigma and unconscious bias associated with SUD and mental health disorders through continuing education.

- Improving recognition of individual underlying or co-occurring issues and promoting referral pathways for those at risk. To improve care delivery of patients at-risk we propose training staff in motivational interviewing and to screen, perform brief intervention and refer to treatment (SBIRT). Evidence shows² that among emergency providers, 72% reported <10 hrs of prior professional education related to this topic.

\$ 10,000 to Fund Administrative Support - Personnel time associated with conducting QA chart reviews and referrals made by crews, analyze trends in naloxone given prior to EMS arrival (by community members or first responders), and track the number of naloxone kits being left with family members for on the spot training if they suspect a person living in the household may be at risk of SUD. This additional support will also inform future targeted outreach efforts and not overlap with the second proposed RFP.

We see this grant as a unique opportunity to improve the continuum of care for the people we serve in the community while also supporting the workforce providing the care.

3.2 How does this initiative relate to the priorities established by the New York State Opioid Settlement Task Force and by Albany County?

Our intention is to align with the top two priorities outlined by the New York State Opioid Settlement Task Force which include improving care Across the Continuum and Harm Reduction. Our provider training initiative will also focus on a third State priority, facilitating treatment pathways, especially for those patients we see that have just experienced an overdose or toxic drug poisoning. This addresses expanding access to integrated behavioral health services if co-occurring mental health issues are identified and expanding innovative practices.

² Bernstein, E., et al (2007). An evidence based alcohol screening, brief intervention and referral to treatment (SBIRT) curriculum for emergency department (ED) providers improves skills and utilization. *Substance abuse*, 28(4), 79–92. https://doi.org/10.1300/J465v28n04_01

OPIOID SETTLEMENT FUND Board Recommended Allocations FY 2025 (Ranked in %)	
Board Allocation Categories	100%
Across the Continuum	28%
Harm Reduction	17%
Recovery	11%
Housing	10%
Treatment	9%
Priority Populations	8%
Prevention	8%
Transportation	6%
Research	2%
Public Awareness	1%

According to the 2023FY Report from the Opioid Settlement Task Force:

“Throughout discussions it became clear that investments were necessary across the care continuum to stabilize community-based organizations offering care, to invest in data and technology, to stabilize and grow the workforce, and to develop and expand the service continuum into a truly integrated care delivery model.”

3.3 Is there an evidence-based or promising practice or service model that will be implemented? If so, please describe how staff will be trained and how fidelity to the model will be monitored.

A. Student Loan Tuition Reimbursement - Evidence to support student loan bonuses as a retention tool: According to a 2022 SHRM article³ McLaren Flint Hospital in Flint Michigan improved retention by offering this benefit. Their goal was for 100 people to pilot this program and on their first day announcing the program 176 (15.6%) of their 1,100 employees signed up.

B. EMT to Paramedic Fellowship / Externship - EMT students employed full time with our department are not likely to attend paramedic school full time without facing a significant burden. The time commitment to classroom, lab and clinical training reduces the chances of getting a proper amount of sleep, having time to study, and also maintaining a personal work-life balance.

The nursing profession has embraced paid clinical externships while students are obtaining their licensure. We propose a similar experience to reduce the personal burden placed on a full time EMT who wishes to become a paramedic. This is also common

³ Sammer, J. (2023, December 21). Will student loan repayment, at long last, be a Game-Changer? *SHRM*. <https://www.shrm.org/topics-tools/news/benefits-compensation/will-student-loan-repayment-long-last-game-changer>

practice in the municipal fire services, where they are able to assign a newly hired EMT to paramedic school without requiring an additional 40 hours a week of work.

- C. **Capacity Building Training of all EMS Staff** - There is evidence to suggest that non-physician care providers receive limited training⁴ to support those with SUD and co-occurring mental health issues beyond acute lifesaving interventions. We know referral to treatment is a complex process and our intention is to expand the capacity of providers to include motivational interviewing and SBRIT pathway techniques.

We will coordinate with existing providers to evaluate the best teaching models and ensure the implementation and training is carried out.

3.4 How will the project be staffed?

We have an EMS Captain, Assistant Chief, and Deputy Chief to support in further investigating and implementing the above outlined approaches. The proposed externship / fellowship opportunity for an EMT to attend paramedic training full time and complete their clinical required hours will be funded by this grant and their hours will be back-filled by part-time staff.

3.5 What grant-funded and in-kind resources will be devoted to this project?

The EMS department has one principal clerk to assist with additional administrative overhead, the EMS dept already has the technology infrastructure to support HIPAA compliant referrals from field providers, and the EMS and Police Dept public safety building for meeting space.

The department has a small union negotiated tuition reimbursement plan in place for up to \$8,000 annually across the department's EMT and paramedic field staff to be divided between any applicants requesting, that could be considered in-kind to the part A or B of the proposed plan.

⁴ Harris, B. R., & Yu, J. (2016). Attitudes, perceptions and practice of alcohol and drug screening, brief intervention and referral to treatment: a case study of New York State primary care physicians and non-physician providers. *Public health*, 139, 70–78. <https://doi.org/10.1016/j.puhe.2016.05.007>

Additionally our Office of General Services and Human Resources department will be critical to ensuring compliance with state and federal laws, union negotiations, and implementation of the proposed project.

Section IV: Experience & Expertise (30%)

4.1 Please describe the proposing agency/organization, including its location, years in business, philosophy and role in combating Albany County's opioid epidemic

The Town of Colonie's EMS department was established in 1989, and has provided 911 paramedic first response and ambulance transportation services to residents and surrounding communities when called upon. Currently the department includes nearly 100 providers, 51 full time staff. As of today: 18 full time EMTs, 23 full time paramedics, 21 part time EMTs, 25 part time paramedics, 9 full time paramedic officers, and two contracted physician medical directors to provide medical oversight.

4.2 Discuss the proposing agency's experience with the target population for this project

Our providers have consistently responded to 911 calls for help for people suffering from SUD and co-occurring mental health issues. We have provided additional information pertaining to our approach and additional efforts in section 2.3 of the proposal.

4.3 Provide brief bios for the staff members who will be implementing this project or job descriptions if this will require new hires

Robbie MacCue, Assistant Chief - Project Lead. A paramedic since 2004, employed full time by the Town of Colonie since 2008. Undergraduate degree from Rensselaer Polytechnic Institute in Information Technology and Management Information Systems (Graduated 2006). Master's Degree / MBA from Case Western Reserve University and the Cleveland Clinic's Healthcare Leadership focus (Graduated 2018).

Steven Gundrum, Assistant Chief - Assistant Project Lead. A paramedic since 2011, employed full time by the Town of Colonie since 2015. Bachelor's degree from the College at Brockport in Criminal Justice and Sociology (Graduated 2006).

Erin Kelly, Deputy Chief. A paramedic since 2005, employed full time by the Town of Colonie since 2006. Undergraduate degree from SUNY, Empire State in Studies in Public Health (Graduated 2014).

Daniel Murdock, Captain. A paramedic since 2008, employed full time by the Town of Colonie since 2011. Undergraduate degree from The State University of New York at Canton in Emergency Administration and Disaster Management (Graduated 2014).

4.4 Describe the community partnerships that will assist the proposing agency in implementing this project

References - Please include letters of support from any identified partner agencies or organizations.

Section V: Budget (10%)

Albany County Opioid Settlement Funded Community Grants

Albany County Department of Mental Health

RFP #2024-010

Budget Category	Year 1	Year 2 (if applicable)	Year 3 (If applicable)
Personnel (identify all funded positions and the percentage supported by the funding)			
EMT provider to Paramedic fellowship	50,000		
A) Personnel Subtotal	\$ 50,000		
Fringe Rate			
28% fringe rate for benefits	14,000		
B) Personnel + Fringe Subtotal	\$ 14,000		
Supplies & Equipment (please list any equipment over \$1,000)			
C) Supplies & Equipment Subtotal			
Other Expenses			
Workforce Retention Tuition Reimbursement Grants	50,000	50,000	
Training of providers to reduce stigma, improve recognition and SBRIT referrals to care	13,000	13,000	
D) Other Expenses Subtotal	\$ 63,000	\$ 63,000	
Subtotals lines B-D	\$ 77,000	63,000	
Admin (Admin is limited to no more than 5% of lines B-D)			
Administrative Support	\$ 10,000		
Totals by year			
	\$ 137,000	\$ 63,000	
Total Funding Requested			\$ 200,000

Section VI: Reporting (10%)

6.1 Please include a set of SMART objectives and measures.

A. Student Loan Tuition Reimbursement -

The department's staff members leading this grant will complete a polling of the staff, work with the department's leadership team, human resources department, and appropriate union representatives to develop an approach for the application process, selection, and reimbursement of tuition prioritizing full time staff or part time staff working full time hours. An assessment tool to gather provider feedback will be evaluated and used to measure the program's satisfaction, and the turnover rates by year throughout the three years.

B. EMT to Paramedic Fellowship / Externship -

The department's staff members leading this grant will complete a polling of the 39 EMT staff, prioritizing the 18 full time staff to identify those who are interested. They will work with the department's leadership team, human resources department, and appropriate union representatives to develop a process for selecting one staff member. The department will work to support this individual throughout their program completion. This individual will complete the program within the first year of paramedic school, which may or may not align with the first year of the grant program but shall be completed by the second year of the grant.

C. Capacity Building Training of all EMS Staff -

The department's staff members leading this grant will investigate educational opportunities and subject matter experts to assist in department wide training for SUD, co-occurring mental health disorders, and the SBRIT approach to interviewing and referring patients. Training will be completed over Year 1 and Year 2. An assessment tool to gather provider feedback will be evaluated and used to measure the training impact. Referrals and recognition of social determinants of health will be tracked.

Statement of Proposer

Name of Proposer: Town of Colonie, Department of Emergency Medical Services.

Brief History: The Town of Colonie's EMS department was established in 1989, and has provided 911 paramedic first response and ambulance transportation services to residents and surrounding communities when called upon. Currently the department includes nearly 100 providers, 51 full time staff. As of today: 18 full time EMTs, 23 full time paramedics, 21 part time EMTs, 25 part time paramedics, 9 full time paramedic officers, and two contracted physician medical directors to provide medical oversight.

Name/Title: Robbie MacCue, Assistant Chief of EMS

Direct Extension: 518-782-2655, email: maccuer@colonie.org

Main Office: 518-782-2645, **Fax:** 518-782-2656

Public Safety Department / Attn: EMS

312 Wolf Rd, Latham NY 12110

Additional information: Our department serves a population approximately 25% of Albany County and looks forward to building relationships with existing resources to improve the continuum of care, and ultimately benefit those in our community.

Section VII: 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").

01

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: **Opioid Settlement Funded Community Grants**
RFP Number: **2024-010**

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
	# 1-7

(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")

~~(e) Proposer Qualification Questionnaire (Attachment "E")~~

Deleted per addendum #7

7. Communication concerning this Proposal shall be addressed to:

Robbie MacCue

Phone: 518-782-2655 (office) 518-441-9293 (cell)

8. Terms used in this Proposal have the meanings assigned to them in the Contract and General Provisions.

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Opioid Settlement Funded Community Grants
RFP Number: 2024-010

COMPANY: Town of Colonie: EMS Dept

ADDRESS: 312 Wolf Rd

CITY, STATE, ZIP: Latham, NY 12110

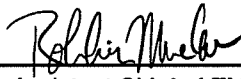
TEL. NO.: 518-782-2645

FAX NO.: 518-782-2656

FEDERAL TAX ID NO.: 146002139

REPRESENTATIVE: Robbie MacCue

E-MAIL: maccuer@colonie.org

SIGNATURE AND TITLE: 
Assistant Chief of EMS

DATE: 3/8/24

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

Town Supervisor

Title

Town of Colonie

Company Name

3/8/2024

Date

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 New York)
COUNTY OF Albany) SS.:

On this 8 day of March, 2024, before me personally appeared Peter G. Crummey to me known, who, being by me sworn, did say that he resides at (give address) 534 New Loudon Road, Town Hall, Latham, NY 12110 that he is the (give title) Town Supervisor of the (name of corporation) Town of Colonie, 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.

Veronika DeGloviné
Notary Public, State of New York
No. 02DE6342646
Qualified in Albany County
Commission Expires May 23, 2024



Notary Public, State of New York
Qualified in Albany County
Commission Expires 5/23/24

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 checked="" type="checkbox"/> PRIME CONTRACTOR			
2. VENDOR'S LEGAL BUSINESS NAME Town of Colonie		3. IDENTIFICATION NUMBERS a) FEIN # 146002139 b) DUNS # 082277575-0001	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) colonie.org	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE 534 New Loudon Road Latham, NY 12110		7. TELEPHONE NUMBER (518) 783-2700	8. FAX NUMBER (518) 786-7324
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 <u>Peter G. Crommey</u> Title <u>Town Supervisor</u> Telephone Number <u>518-783-2728</u> Fax Number <u>518-786-7324</u> e-mail <u>colonietownsupervisor@colonie.org</u>			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME <u>Peter G. Crommey</u>	TITLE <u>Supervisor</u>	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 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:			
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> Signatory is the elected Town Supervisor for Town of Colonie		<input checked="" 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 checked="" type="checkbox"/> No	

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;</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>
17.	<p>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>
18.	<p>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>
19.	<p>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>
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 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

Peter G. Crummey

Title

Town of Colonie

Company Name

3/7/2024

Date

County of Albany
Article SC19- Affirmative Action Plan

STATEMENT OF POLICY

The following is taken from Resolution No. 495 adopted by the Albany County Legislature on October 9, 2018.

Resolved, That the Albany County Legislature hereby approves and adopts the updates to the Affirmative Action Policy as reflected in the document annexed hereto, and be it further that the updated Affirmative Action Plan shall take effect immediately, and that the Commissioner of Human Resources and Director of the Division of Affirmative Action are directed to implement the policies reflected in the updated language of the Affirmative Action policy immediately and on a County-wide basis.

The following is taken from Resolution No. 26 adopted by the Albany County Legislature on June 10, 1996.

Resolved, By the Albany County Legislature that the Affirmative Action Plan so endorsed by the Albany County Executive and which is currently on file with the Clerk of the County Legislature, shall be the official plan of the County of Albany including the objectives, procedures and goals so stipulated.

It is the policy of the County of Albany that Minority Business Enterprises (MBE) and Woman Business Enterprises (WBE) are afforded the maximum opportunity to participate in the performance of contracts, in excess of \$100,000, let by the County and its several agencies and authorities. The County commits itself to a goal oriented Contract Compliance Program which assures that Minority Business Enterprises and Woman Business Enterprises are considered in awarding contracts for goods, services and construction. Furthermore, it is the policy of the County of Albany that contractors and subcontractors utilize minority and women labor to the greatest extent feasible.

In bidding on this contract, the contractor acknowledges an understanding of this policy. The contractor shall carry out the policy by making every reasonable effort to award contracts and subcontracts to MBEs and WBEs and utilizing minority and women labor in the performance of this contract.

ANTI-DISCRIMINATION CLAUSE 220-E - NYS Labor Law. Provisions in contracts prohibiting discrimination on account of race, creed, color or national origin in employment of citizens upon public works. Every contract for or on behalf of the state or a municipality for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies shall contain provisions by which the contractor with the state or municipality 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, sex 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, sex 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.

ADMINISTRATION

The County's Division of Affirmative Action is charged with the responsibility of monitoring Affirmative Action in all contracts. All County procurements will be made with an understanding that the complete participation of bona fide MBE and WBE shall be assured by balanced and equitable contract involvement.

The **subcontracting participation goals** for County public procurements are:

- to award 7% of the total dollar value of the contract to a certified MBE.
- to award 5% of the total dollar value of the contract to a certified WBE.

The **workforce goals** for County public procurements are as follows:

- 7% of the total workforce should be minorities.
- 5% of the total workforce should be women.

• CONTRACTOR'S RESPONSIBILITIES

The Contractor's responsibilities include, but are not limited to, the following. The Contractor **must**:

- 1) Submit to the Division of Affirmative Action a completed Schedule of MBE/WBE and Labor Performance or Request for Waiver within **fifteen (15) days** of receiving the Notice of Award.
- 2) Prior to being issued a Notice to Proceed, submit evidence of MBE/WBE contracts proposed to the Division of Affirmative Action.
- 3) Submit monthly utilization reports to the Division of Affirmative Action for review.
- 4) Immediately notify the Division of Affirmative Action of any changes during the project, especially if the change affects the Schedule of MBE/WBE and Labor Performance submitted for the project.
- 5) Make good faith efforts to replace an MBE/WBE subcontractor that is unable to perform successfully with another MBE/WBE.
- 6) Notify the Division of Affirmative Action of any suspected instances of companies fraudulently claiming MBE/WBE status.
- 7) If possible, provide any needed technical assistance to MBE/WBE firms under subcontract.
- 8) If possible, design payment schedules to minimize cash flow problems faced by MBEs/WBEs.
- 9) Maintain for three years such records as are necessary to determine compliance with MBE/WBE obligations and to submit regular reports to enable the Albany County MBE Officer to monitor this compliance.

• DEVELOPING A SCHEDULE OF MBE/WBE AND LABOR PERFORMANCE

The Schedule of MBE/WBE and Labor Performance must detail:

1. The contractor's name, address, phone number, federal identification number and the total dollar value of the contract.
2. Whether the contract is a joint venture.
3. The MBE and WBE goal for the contract.
4. A brief description of each proposed subcontractor, including the name, address, phone number, federal identification number and the total dollar amount of each subcontractor.
5. An estimate of the total number of hours to be worked on the project.

• COMPLIANCE

Each contractor must furnish monthly utilization reports while working on the project. The reports must detail the total number of hours worked, total minority /female labor hours and payments made to MBE and WBE firms.

- **WAIVER REQUEST FOR SUBCONTRACTING AND/OR LABOR PERFORMANCE**

Contractors which determine that the subcontracting and/or labor participation goals must cannot be achieved **must** request a waiver within **fifteen (15) days** of receiving the Notice of Award. The request must justify why the firm cannot accomplish the subcontracting and/or labor participation goals established for the project. The justification must detail actions taken to solicit MBE/WBE subcontractors, minority or female labor participation and the impediments encountered. Each waiver request will be evaluated individually. Submission of the request for waiver does **not** guarantee the requirements will be waived. Additional information or supporting documentation may be required to determine a contractor's good faith effort.

- **MBE/WBE RESPONSIBILITIES**

Each Minority Business Enterprise/Woman Business Enterprise shall:

1. Establish through certification that the company is a bona fide MBE/WBE. The Division of Affirmative Action reviews MBE/WBE eligibility status for contractors and subcontractors.
2. Exhibit an interest in bidding a particular project by attending pre-bid conferences and/or by responding timely to contract solicitations for bid quotations prior to bid date.
3. Be responsible for entering into all necessary contractual agreements.
4. Arrange for and supervise contract performance.
5. Secure equipment, materials and crew sufficient to complete their contract or subcontract.
6. Provide bonding, insurance and collateral as required for surety in contract performance.
7. Authorize payrolls, payments and reports as required for routine compliance.

The County will accept MBE/WBE Certifications made by other governmental agencies which are in compliance with our DBE policy.

SANCTIONS

SC-19.5.1

If **CONTRACTOR** cannot meet the WBE/MBE participation goals, he must document to the Albany County MBE Officer, that he has made all positive efforts to achieve it. Failure to meet the goals or to document that all positive efforts have been made to achieve it may result in the County invoking any legal or equitable remedy available to the County for breach of contract including withholding future payments under the **CONTRACT** involved; disqualification of the **CONTRACTOR** from future contracting opportunities for a period not to exceed two years; and cancellation of the contract and declaration of forfeiture of the **PERFORMANCE BOND**.

A decision by the Albany County MBE Officer to invoke the above sanctions shall be issued in writing by registered mail. The **CONTRACTOR** shall have ten (10) days from receipt of the decision to appeal the MBE Officer's decision to the Grievance committee of the Albany County Legislature. Both sides of the dispute shall have the opportunity to be heard at a meeting of the Grievance Committee to be held within ten (10) days of the receipt of an appeal, and the Committee shall send a final decision to both sides within ten (10) days by registered mail (or hand delivery in the case of the MBE Officer's copy).

STANDARDS

A **Minority Business Enterprise (MBE)** shall be any business enterprise which is at least fifty-one percent (51%) owned or in that case of a publicly-owned business, at least fifty-one percent (51%) of the common stock of which is owned, by a minority person(s), and such ownership interest is real, substantial and continuing. The minority ownership must have and exercise the authority to independently control the business decisions of the entity.

A **Woman Business Enterprise (WBE)** shall be any business enterprise which is at least fifty-one percent (51%) owned or in the case of a publicly-owned business, at least fifty-one percent (51%) of the common stock of which is owned, by a woman (women), and such ownership interest is real, substantial and continuing. The woman ownership must have and exercise the authority to independently control the business decisions of the entity. WBEs shall not be considered as MBEs unless 51% of the assets of the company is held by a minority person(s).

A Disadvantaged Business Enterprise (DBE) mean a business enterprise controlled by one or more socially or economically disadvantaged individuals and whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals who own it. Such disadvantaged may arise from cultural, racial, chronic economic circumstances or background or other similar cause. Such persons include, but are not limited to citizens of the United States (or lawfully admitted permanent residents) and who are African Americans, Puerto Ricans, Hispanic Americans, Asian-Pacific Americans, American Indians, Eskimos, Aleuts, Asian Indians and Women.

Minority: A person who is a member of one or more of the following groups:

- A) Black (not of Hispanic origin) – a person having origins in any of the Black racial group of Africa.
- B) Hispanic -- a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- C) Asian or Pacific Islander – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.
- D) Native American or Alaskan Natives – a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Woman: A person who is of the feminine gender who are not otherwise classified as a minority. For

assistance or additional information, contact
County of Albany
Division of Affirmative Action
112 State Street, Room 900, Albany, NY 12207
Phone: (518) 447-7010
Fax: (518) 447-5586