RFP # 2026-011

TITLE: Albany Port District Multiple Site Paving

ISSUE DATE: July 31, 2026

NOTICE TO BIDDERS:

The Albany Port District Commission is requesting sealed bids from qualified bidders for milling and paving of three sites located within the Albany Port District. **Bids must be received at the Port of Albany Administration Building located at 106 Smith Blvd. Albany, 12202 no later than 12:00 PM noon on September 9, 2026 at which time they will be opened and publicly read.**

The APDC places great emphasis on the experience, skill-set and long-term viability of the bidder. Full documents can be found on the Port of Albany website www.portofalbany.us

APDC Mission Statement: The APDC strives to responsibly and effectively manage the publicly owned maritime Port of Albany-Rensselaer, driving the economy of the Capital Region and beyond while emphasizing transparency and public stewardship.

Richard Hendrick, Chief Executive Officer

Please note other than the contact person identified in the proposal, or their designee, prospective proposers shall not approach APDC employees or APDC Board Members during the period of this RFP process about any matters related to this RFP or any other proposals submitted thereto. Questions about or clarifications to the technical specifications must be made in writing to the lead contact, Jessica Lansing, Procurement Compliance Manager, via email jlansing@portofalbany.us

SCHEDULE OF EVENTS	
EVENT	**DATE**
SOLICITATION OPEN	**July 31, 2026**
Mandatory Pre-Bid Meeting and Walk-Through Must Pre-Register by emailing jlansing@portofalbany.us or 518-463-8763	**August 10, 2026** 10:00 AM Meet at 106 Smith Blvd Parking Lot
WRITTEN INQUIRIES Must be emailed to jlansing@portofalbany.us	WRITTEN INQUIRY DEADLINE: No later than 5 p.m. **on August 17, 2026**
RESPONSE TO WRITTEN INQUIRIES Responses to all questions will be sent in the form of an addendum to all parties and posted to the APDC website.	APDC RESPONSES PROVIDED by No later than 5pm. on August 21, 2026
RFP DUE DATE Bids will be publicly open and read.	PROPOSALS DUE: No later than 12 noon **On September 9, 2026**

BACKGROUND/INTRODUCTION

Located on the Upper Hudson River 124 nautical miles north of New York Harbor, the Port of Albany is the largest inland Port in the Northeast United States. The Port consists of over 400 acres on the east and west sides of the Hudson River across the four municipalities of Albany, Bethlehem, Rensselaer, and East Greenbush.

The Port of Albany has been a historic transportation hub since the city was founded 400 years ago. The Hudson River provides access to the state's extensive canal system. Area roadways connect with major interstate highways. Rail lines deliver cargo in close proximity to any location in North America. The Port has dedicated maritime operations on both sides of the Hudson River and connects New York State's Capital Region to the world.

An economic impact study of the Port of Albany measured the Port's overall economic impact on New York State at more than $813 million. Primary cargo handled at the Port includes bulk and break bulk, including heavy lift/project cargo, steel, wood pulp, grain, molasses, scrap iron and petroleum products. We work together with maritime operations, the Albany Port Railroad and our tenants to ensure the efficient, reliable and safe movement of goods.

PURPOSE AND OBJECTIVES:

Purpose/Objective: The intention of this RFP is to solicit responses and formal proposals from qualified contractors and select a single organization for asphalt paving at three (3) sites within the Albany Port District.

SCOPE OF WORK: Please see Appendix D – Specifications and Additional Information for detailed scope.

There are three (3) paving sites within the Albany Port District. Kean Street, Mohawk Paper Access Rd at Smith Blvd. and Parking Lot at Smith Blvd. The work for this project is generally described as milling and paving.

METHOD OF AWARD:

The award of this solicitation will be given to the lowest responsive and responsible bidder. When evaluating responsibility the following criteria will be considered:

- Qualifications and Capabilities
- Experience with Similar Work
- Project Schedule

- ➢ In cases where two or more responsive/ responsible bidders submit identical bids as to price, the APDC may award the contract to any such bidders.
- ➢ The APDC reserves the right to request additional information from bidders for the purpose of ascertaining whether or not the qualifications, facilities, and pricing offered by each bidder meet the requirements set forth in these specifications, sufficient to ensure the proper performance under the contract.
- ➢ APDC reserves the right to conduct discussions with any bidder who submits a proposal.
- ➢ APDC reserves the right to reject any and all proposals, to waive any informality in proposals received, to accept or reject any or all of the items in the proposal, and to award the contract in whole or in part and/or negotiate any or all items with individual bidders if it is deemed in APDC's best interest. Moreover, APDC reserves the right to not make a selection if proposals are deemed to be outside the fiscal constraint or not in the best interest of APDC.

AWARD OF BID

The award, if any, will be made within (45) forty-five calendar days of the opening date. The successful bidder shall be notified by the APDC of any contracts they have been awarded. An award letter will be sent to all successful bidders.

TERM OF CONTRACT

The term of this contract shall be through project completion. This contract and any potential renewals will be executed upon approval of the APDC Board of Commissioners.

RECEIPT OF PROPOSALS: Sealed bid packages must be received by APDC, at its offices located at 106 Smith Boulevard, Albany, New York, 12202, **NO LATER THAN noon on September 9, 2026**.

1. Bid packet must be clearly labeled and include title of bid, company name, and date and time of bid opening.

2. Bidders are responsible for submitting their bids to the exact location indicated on the "Notice to Bidders" prior to the time indicated in the "Notice to Bidders". No bids will be accepted after the designated time indicated in the "Notice to Bidders". NOTE: This includes any changes listed on the latest addendum issued by the APDC, if any. Delay in mail delivery is not an exception to the deadline for receipt of bids.

3. All bids and accompanying documentation will become APDC property and will not be returned.

4. Bidders are solely responsible for all costs incurred by preparing or submitting a bid, or otherwise responding to this RFP, or any negotiations incidental to its bid acceptance thereof.

5. Submission of any bid indicates acceptance of the conditions and terms stated herein unless clearly and specifically noted otherwise. The APDC reserves the right to reject any and all bids, in whole or in part, submitted in response to this RFP.

6. An official authorized to commit the company to a contract must sign the bid and all related bid documents.

7. Emailed proposals will NOT be accepted for this bid opening. Bids shall be hand delivered or mailed to the address identified in this solicitation.

8. Three (3) copies of all bids shall be submitted, ONE SET OF WHICH MUST CONTAIN ORIGINAL SIGNATURES, including completed copies of any forms or certifications required for this RFP. Failure to respond to an RFP on any official form included in this RFP may result in disqualification of a bid as non-responsive. No bid form will be accepted which contains any additions, omissions, or erasures. Each bid shall be properly executed and signed by the bidder. Illegible, conditional bids and unsigned bids will be rejected as non-responsive.

9. Bidders must notify APDC of any omissions, contradictions, or conflicts by the written inquiry due date noted in the event schedule of this document. APDC will provide necessary corrections or additions to plans and specifications by addendum. If Bidder does not notify APDC of any such condition it will be assumed that the bidder has included the necessary items in the bid to complete the specification.

PROPOSAL RESPONSE INSTRUCTIONS: Bidders are required to prepare their proposals per the outline below. Provide a straightforward, concise description of the bidder's capabilities to satisfy the requirements of this RFP.

1. Provide the name of your company and the names of the companies in your team if you are including subcontractors or joint ventures.

2. Provide a name and title of the person(s) authorized to bind the bidder, together with the main office address and telephone number.

3. Provide a Statement of Capabilities which should include examples of how your firm has successfully managed similar projects including meeting project objectives and timelines and resolving constraint or conflict issues. List any available specialized resources and knowledge that may assist your firm in successfully managing this project.

4. Provide the locations with addresses of all of your firm's office locations.

5. Provide a scope of services which shall include a summary of the work being proposed.

6. Provide a progress schedule to perform work noting substantial completion date for the work to be performed. Lead times should be noted and included in schedule.

7. Provide a minimum of three references, including references for work similar to the work being proposed in this solicitation.

8. Provide a lump sum bid identifying the total price which shall include, but not limited to the following: equipment, fuel, travel, materials, labor, disposal of waste, all permits, insurance and bonds (e.g., the APDC will not pay any additional fees other than that provided within the bidder's proposal).

9. Provide a bid bond in the amount of 5% of the bid proposal.

10. Complete, sign and notarize all requested forms and certifications included in Exhibits and Appendices.

11. If applicable provide all MWBE and SDVOB utilization and goal forms included in Appendix C.

12. Bidders submitting alternate pricing products or services must do so as a separate bid package to be considered for award. Each bid must be submitted under separate cover and will be considered on its own merits.

13. References in the specifications to a particular trade name, manufacturer's catalog or model number are made for descriptive purposes to guide the contractor in interpreting the type and quality of materials or supplies or nature of work desired. Such descriptions should not be construed as excluding bids on other types of materials and supplies or for performing the work in a manner other than specified, providing that the materials and supplies and manner of performing the work offered are of equal quality to that specified and equally acceptable to the APDC for its purposes. Exceptions must be clearly stated. The APDC will determine equal products or services.

14. Any materials recommended within this RFP are provided as a minimum standard recommendation. However, the items proposed should be of equal value and provide material specifications that are durable and appropriate for this application.

15. The APDC is subject to New York State's Freedom of Information Law (FOIL). Should your submission to this RFP contain "trade secrets", or other information that the disclosure of which could reasonably be expected to be harmful to business interests, you must ensure that such information is clearly identified and marked as such. Identification must be specific by item or paragraph. Should marked information be the subject of a request under FOIL, you may be requested to either consent to the request or make representation explaining why the information should not be disclosed.

16. Prevailing Wage: Any work done pursuant to this contract is subject to the New York State prevailing wage requirements which can be found in Article 8 of the New York State Labor Law. The New York State Department of Labor has assigned **Prevailing Rate Case Number PRC# - 2026022601 - Paving** to the project. To access the PDF file, click or copy and paste https://apps.labor.ny.gov/wpp/publicViewProject.do?method=showIt&id=1629597 into your browser Bidders will be required to submit all required paperwork to the Department of Labor upon award of contract.

MWBE/SDVOB PARTICIPATION GOALS

Pursuant to New York State Executive Law Article 15-A, the APDC recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority- and women-owned businesses in the performance of APDC contracts. The APDC advises all potential service providers that disadvantaged, minority and women-owned business enterprises will be afforded full opportunity to submit proposals in response to this notice and there will be no discrimination on the basis of race, creed, color, sex, national origin, disability or marital status in the award of the contract or any subcontract.

The Albany Port District Commission ("APDC") has established an overall participation goal of 30% New York State Certified Minority Businesses Enterprises and for New York State Certified Women-owned Enterprises. Bidders with such certifications are requested to identify themselves in their submitted bid.

For purposes of this procurement, the APDC conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by MWBEs as subcontractors or service providers to Bidders. Nevertheless, Bidders are encouraged to make good faith efforts to promote and assist in the participation of MWBEs on the Contract.

The directory for New York State Certified MWBEs can be viewed at:
https://www.osc.ny.gov/state-vendors/resources/minority-and-women-owned-businessenterprises-mwbes
Veteran's Services Law Article 3 provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"), thereby further integrating such businesses into New York State's economy. The APDC recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of APDC contracts. In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in New York State, Bidders are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors, as protégés, or in other partnering or supporting roles.

For purposes of this procurement, the APDC conducted a comprehensive search and determined that the Contract does not offer sufficient opportunities to set specific goals for participation by New York State Certified Service-Disabled Veteran Owned Businesses. Nevertheless, Bidders are encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract.

The directory of New York State Certified SDVOBs can be viewed at: Division of Service-Disabled Veterans' Business Development

PROPOSAL COMMUNICATION, RESTRICTIVE PERIOD, LEGAL PROVISIONS FOR PROCUREMENT CONTRACTS, AND OFFERER RESPONSIBILITY:

Pursuant to New York State Finance Law §§139-j and 139-k, this request for proposals ("RFP") includes and imposes certain restrictions on communication between a Governmental Entity and an Offeror/Bidder during the procurement process. An Offeror/Bidder is restricted from making contacts from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the APDC and, if applicable, Office of the State Comptroller ("restricted period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j (3) (a). The designated staff member for this RFP is Jessica Lansing, Procurement Compliance Manager. Governmental Entity employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Offeror/Bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection of a contract award and in the event of two findings within a four-year period, the Offeror/Bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found in the appropriate statutes and on the New York State Office of General Services website under the link for the "Advisory Council on Procurement Lobbying."

Additionally, the above law requires certain affirmations to be provided to the APDC by Offerors/Bidders and that certain provisions are contained within any contract/award resulting from this RFP. Specifically, the following information is provided:

1. All bidders must complete a "Bidder Questionnaire" with a signature/notary public acknowledgement.
2. The APDC must obtain from all Offerors/Bidders the required affirmation of understanding and agreement to comply with procedures on procurement lobbying restrictions regarding permissible contacts in the restricted period for a procurement contract in accordance with New York State Finance Law §§139-j and 139-k.
3. The APDC must include a disclosure request regarding prior non-responsibility determination in accordance with New York State Finance Law §139-k in its solicitation of proposals or bid documents or specifications or contract documents, as applicable, for procurement contracts.
4. The APDC must obtain from all Offerors/Bidders a required certification that the information is complete, true, and accurate regarding any prior findings of non-responsibility, such as non-responsibility pursuant to New York State Finance Law §139-j. The Offeror/Bidder must agree to the certification and provide it to the procuring Government Entity.
5. New York State Public Authority Law § 2878 requires that all bidders on procurements involving goods and services complete a "Non-Collusive Bidding Certification."
6. New York State Law §139-k (5) provides that every procurement contract award subject to the provisions of New York State Finance Law §§139-k and 139-j shall contain a provision authorizing the Governmental Entity to terminate the contract in the event that the certification is found to be intentionally false or intentionally incomplete. An example of such language is provided below:

The APDC reserves the right to terminate this contract in the event it is found that the certification filed by the Offeror/Bidder in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, the APDC may exercise its termination right by providing written notification to the Offeror/Bidder in accordance with the written notification terms of this contract.

<u>Forms meeting the requirements of 1-6 above are provided in Exhibits. All bids submitted must contain these completed forms to be considered responsive – failure to include any of these forms will result in the bid being rejected without any further review or consideration.</u>