

REQUEST FOR QUALIFICATIONS

RFQ # 2026-07

TITLE: On Call Engineering Services

ISSUE DATE: September 21,2026

NOTICE TO PROPOSERS:

The Albany Port District (APDC) requests proposals from engineering and architectural firms to provide APDC with on-call engineering and/or architectural services from time to time as requested by APDC, for consultative services, owner's representation services, or the design of small- to medium-scale, unexpected, and/or emergency Port of Albany projects for which separate, stand-alone procurement processes and contracts would not be feasible or effective.

APDC seeks expertise and experience in a broad range of engineering and architectural services, as well as design-related consultation services, for its On-Call Projects. A non-exhaustive listing of potentially relevant engineering/design disciplines is provided below (the "On-Call Disciplines"); however, it is not essential that Proposers have expertise in all of the specified disciplines. APDC seeks Proposers who are able, through their respective in-house team members, to provide services associated with at least one (1) if not more of the On-Call Disciplines (the Proposer's "Preferred Disciplines"). The On-Call Disciplines may include, but are not limited to:

- | | | |
|--|--|--|
| ▪ Acoustic Engineering | ▪ Geological Engineering: | ▪ Power Engineering; |
| ▪ Architecture and Space Planning; | ▪ Geotechnical Engineering; | ▪ Design-Related Public Outreach Consulting; |
| ▪ Audio/Visual Technology Engineering; | ▪ Graphic Design Consulting; | ▪ Rendering Creation; |
| ▪ Building Services Engineering; | ▪ Hydraulic Engineering; | ▪ Security Consulting; |
| ▪ Civil Engineering; | ▪ Industrial Engineering; | ▪ Site and Property Boundary Surveying; |
| ▪ Code Consulting; | ▪ Interior Design; | ▪ Special Inspections; |
| ▪ Cost Estimating; | ▪ Landscape Architecture; | ▪ Structural Engineering; |
| ▪ Design Engineering; | ▪ Lighting Design; | ▪ Transport Engineering; |
| ▪ Energy Engineering; | ▪ Marine Engineering; | ▪ Water Resources Engineering. |
| ▪ Environmental Engineering; | ▪ Materials Engineering; | |
| ▪ Facilities Engineering; | ▪ Mechanical, Electrical and Plumbing (MEP) Engineering; | |
| | ▪ Peer Review; | |

A contract(s) will be awarded to one or multiple firms based on a "best value" basis. The APDC places great emphasis on the experience, expertise, skill-set and long-term viability of the proposer.

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

BACKGROUND/INTRODUCTION:

Enabled by New York State legislation in 1925, The Albany Port District Commission (APDC) is the entity charged with managing the Port of Albany-Rensselaer operations. The APDC is a local public authority governed by a five-member Board of Commissioners appointed through recommendations from the Mayors of Albany and Rensselaer and approved by the Governor of New York State. The Port of Albany, located 124 nautical miles north of the Battery in New York Harbor, is Upstate New York's largest public port and logistics hub. With an on-site U.S. Customs and Border Protection office, a fully staffed Security and Threat Assessment team, and four transport modes – ocean vessels, barges, freight railroads, interstate highways – the Port serves as a major Port of Entry. The Port is open and active year-round and includes deep-water shipping access and approximately 430 acres of land on both sides of the Hudson River in four municipalities. The existing maritime district has been in operation for over 90 years, with extensive experience handling power generating, onshore wind, heavy lift project cargo, bulk and break-bulk cargo. 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.

PURPOSE AND OBJECTIVES:

Purpose: The intention of this RFQ is to solicit proposals from qualified engineering and architecture firms to provide the APDC with a pre-qualified and pre-approved list of vendors to solicit for as-needed services to support various projects as they arise.

Objective: The APDC's primary objective is to contract with multiple engineering and architecture (E&A) firms that are able to provide consultative services, owner's representation services, or the design of small- to medium-scale, unexpected, and/or emergency Port of Albany projects for which separate, stand-alone procurement processes and contracts would not be feasible or effective.

Contract Contact: In compliance with New York State's State Finance Law sections 139-j and 139-k. Other than the contact person identified in the proposal, or their designee, prospective proposers shall not communicate with APDC employees or APDC Board Members during the period of this RFQ process about any matters related to this RFQ or any other proposals submitted thereto.

Contract Contact: Jessica Lansing, Procurement Compliance Manager, jlansing@portofalbany.us

SCHEDULE OF EVENTS	
EVENT	DATES
SOLICITATION OPEN	September 21, 2026
RFQ DUE DATE Submissions will be opened and evaluated for accuracy and eligibility. The approved list of Consultants is expected to be announced within (30) thirty days.	RESPONSE DEADLINE: Via email to jlansing@portofalbany.us No later than 12 noon on October 16, 2026
WRITTEN INQUIRIES Must be emailed to jlansing@portofalbany.us	WRITTEN INQUIRY DEADLINE: No later than 5 p.m. on October 1, 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 Response to RFI's No later than 5 p.m. on October 5, 2026

SCOPE OF WORK/ ON-CALL ENGINEERING/ARCHITECTURAL SERVICES – JOB ASSIGNMENT PROCEDURE:

I. General Scope for Job Order Work

The selected Proposers (also referred to as the “Consultants”) will provide on-call engineering and architectural services, as well as design-related consultation services, as requested by APDC, for specific engineering and architectural assignments for projects involving various locations within the Albany and Rensselaer Port Districts.

The APDC’s usage of consultants’ services is on an as-needed basis so that if the demand is not there, then the services will not be requested. For each on-call service request, the consultant and the APDC will agree upon the specific scope of work and the cost for that project. No minimum amount of work is guaranteed under these agreements. Compensation will be based on time and materials with a not-to-exceed limit agreed upon by both the consultant and the APDC.

The selected Proposer(s) shall perform all engineering and/or architectural services required to complete the On-Call Projects under APDC’s direction.

Expert engineering services may include, but are not limited to: engineering, architectural, consulting, design, assessment, inspection, and technical support services.

Services may also include the following project management assistance in support of the categories listed below:

- Provide project management and coordination with APDC staff. Prepare and provide project status updates including updates to scope status, schedule and cost.
- Preparation of grant applications. Assist APDC staff in the preparation of various State and Federal grant applications.
- Perform QA/QC.
- Submit monthly invoices conforming to APDC requirements.
- Prepare and perform presentations to APDC staff, the public and other stakeholders.
- Prepare and attend project coordination meetings with APDC staff, and other permitting agencies.
- Prepare cost estimates and project schedules.
- Provide administrative support for NYSDOT, FEMA and other NYS or Federal Government funded projects
- Prepare plans, specifications and bid packages for individual projects for competitive public bidding.
- Preparation of planning studies, land use economic and sustainability analysis and resiliency and equity plans.

PROCEDURE FOR ASSIGNMENT OF WORK

On-Call Engineering/Architectural Services – Job Assignment Procedure

A. Consultant Receipt of Job Notification

As the need for engineering and/or architectural services may arise, APDC may prepare and issue a notification (“the Job Notification”) to one or more of the Selected Proposers.

The Job Notification shall set forth the scope of work needed for an individual work assignment (hereafter, a “Job”).

A Job Notification may add to, or eliminate, any of the General Scope Requirements listed above, or any specific requirements of the Job Order Contract, as may be appropriate in APDC’s estimation for a particular Job.

B. Consultant Response to Job Notification

1. Upon receipt of a Job Notification, the Consultant shall submit a written response (the “Response”) and conduct a preliminary site visit of the On-Call Project area if deemed necessary by APDC, within forty-eight (48) hours of such Job Notification, unless (i) it is an urgent matter that requires a more immediate response, as determined by APDC; or, (ii) APDC specifically provides a longer period of time for the Consultant to prepare its response.
2. The Consultant’s Response shall constitute a proposal for the On-Call Project that shall include the following components: a) a projected work schedule; b) an estimate of the total number of projected work hours required for the assignment; c) a list of staff to be assigned to the Job, along with the actual hourly rate (or pro-rated equivalent for salaried employees) of each staff member; d) a not-to exceed total cost (i.e., a maximum price) for the performance of all work disclosed in and/or implied by the Job Notification; and e) if applicable, any other required materials requested in the Job notification.
3. As an alternative to a not-to-exceed total cost, in appropriate circumstances APDC may request that Consultants propose a fixed price or lump sum project cost. If such a cost is requested in the Job Notification, the Consultant’s Response should include a Fee Schedule for fixed price work.
4. Failure to respond to a Job Notification, to conduct a site visit, or to submit a Job Proposal within the timeframes referenced above, unless an extension is approved in advance and in writing by APDC, more than five (5) times during the course of the Consultant’s Contract term shall be grounds for removal from the list of Consultants for cause by APDC.
5. If the estimated cost for such On-Call Project is equal to or greater than \$50,000 and the projected duration of the Project is more than ten (10) workdays or if APDC specifically requests, the Consultant shall provide as part of its Response an approach plan (the “Approach Plan”). If required for an On-Call Project, the Approach Plan provided by the selected Proposer shall include the following information:
 - A detailed breakdown of proposed fees and costs to perform the On-Call Project – including, but not limited to all labor and reimbursable expenses;

- A proposed staffing plan, including the raw rates and the total number of hours for the Consultant's staff, and any sub-consultants;
- A description of the Consultant's approach to the performance of the project and the identification of any potential logistical, permitting or schedule issues or concerns, and related strategies, associated with the project.

C. APDC Selection of Consultant and Assignment of Work

1. APDC, upon receipt of one or more Job Proposals, shall assign the Job to one of the responding Consultants on a best-value basis.
2. Prior to assignment, APDC reserves the right to negotiate with one or more Consultants to obtain the best value, including making minor changes to the scope of the Job Order work, or requesting revisions to one or more Consultant's approach plans.
3. APDC shall consider the following factors in an award of a Job:
 - The expertise of the Consultant as relevant to the Job;
 - The Consultant's Rates and Multiplier, as identified in its Response to the Job Notification and the Agreement's Rate Sheet;
 - The availability and experience of the Consultant's assigned employees;
 - The amount of other APDC work assigned to the Consultant; and
 - The Consultant's proposed and historical compliance with M/WBE and SDVOB goals of the Job Order Contract.
4. APDC may utilize the Consultant's Response and Approach Plan to assess the Consultant's expertise and the experience of its assigned employees. In assigning Jobs, APDC reserves the right to take into account Consultant's prior performance or responsiveness in connection with other Job Order Services.
5. APDC further reserves the following rights with respect to the assignment of any Job under this Contract:
 - To reject any or all Job Proposals received in response to a Job Notification;
 - To issue a Job Order to any of the Consultants submitting a Job Proposal, in whole or in part;
 - To seek clarifications and/or revisions of any Job Proposal;
 - To negotiate with one or more Consultants regarding the scope and/or price of the Job;
 - To make revisions to the scope of any Job and/or Job Notification either before or following receipt of Job Proposals.
6. Upon selection of a Consultant, the APDC shall issue a Job Order to the Consultant.

APDC shall have the right, in its sole discretion, to amend, supplement, or otherwise depart from the form of Job Order as it deems appropriate for each individual On-Call Project.

D. Performance of Work

1. The Consultant shall perform all work specified in the Job Order, in accordance with the specific scope of work (including drawings and specifications, if applicable) set forth in the Job Order, and in accordance with all the requirements of the Agreement, unless expressly excluded in the Job Notification and/or Job Order.
2. Consultant's performance shall comply with all requirements contained in the On-Call Services Agreement as it relates to the Job.
3. The Consultant shall not proceed with any Job with a value in excess of fifty-thousand dollars (\$50,000) until
 - a) APDC Board of Commissioners approves the Approach Plan as submitted, or (if applicable) as revised; and
 - b) the parties have executed a "Job Order" for performance of the relevant Job

MINIMUM QUALIFICATION REQUIREMENTS:

The following are the minimum qualification requirements for this RFQ. Proposals that fail to meet these requirements will be rejected:

- 1) Proposer must have at least five (5) years of experience in providing E/A services in the Capital District of New York or surrounding areas.
- 2) Proposer must be duly licensed or authorized to provide E/A services (as applicable) in the State of New York and be able to provide evidence of such licensure or authorization.

METHOD OF AWARD:

The award of this solicitation will be given to the most responsive and responsible proposer or proposers based on best value.

The APDC reserves the right to request additional information from proposers for the purpose of ascertaining whether or not the qualifications, facilities, and pricing offered by each proposer 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 proposer 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 proposers 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.

SELECTION PROCESS:

A. Evaluation

Each timely submitted Proposal will be reviewed for compliance with the form and content requirements of this RFQ. A committee of APDC staff (the "Committee") will then review and evaluate the Proposals in accordance with the evaluation criteria set forth below.

Before final selection, APDC must determine that the proposed selected Proposer is responsible, in accordance with applicable NYS Finance law.

B. Interviews

APDC reserves the right to decide whether to interview any or all of the Proposers. The Committee may conduct interviews for many reasons, including to further assess a Proposer's ability to perform the Work or provide specific services, or to seek information related to any other evaluation criteria.

C. Evaluation Criteria

Selection will be based upon the following criteria:

CRITERIA PERCENTAGES:

1. Breadth and depth of Proposer's experience and expertise in preferred disciplines 40%
2. Relevant projects in preferred disciplines 15%
3. Relevant experience with on-call contract work 15%
4. Approach to client communication, staffing and management 15%
5. Base rate ranges, multipliers, and escalations in cost proposal 15%

AWARD OF BID

Contract (or Contracts) will be awarded to one or more Proposer(s) whose Proposal(s) is/are determined to be responsive, whose technical score(s) reflect(s) a high level of proficiency in its/their Preferred Discipline(s), and whose selection is determined to be in the best interests of the APDC.

The award, if any, will be made within (45) forty-five calendar days of the opening date. All successful proposers shall be notified by the APDC of any contracts they have been awarded. Unsuccessful proposers will be notified.

The APDC makes no representation, promise, or guarantee regarding the quantity, frequency, or duration of services that may be requested under this Agreement. Any contract award shall not be construed as a commitment by the APDC to order any minimum amount of work. The proposer acknowledges and agrees that services will be requested solely on an as-needed basis, at the sole discretion of the APDC, and that the APDC shall have no obligation to compensate the awardee except for services actually authorized in writing and satisfactorily performed.

TERM OF CONTRACT

The anticipated term(s) of the contract(s) awarded pursuant to this RFQ (the "Contract(s)") will be five years. Any Job Assignments issued under a Contract(s) shall survive the term of the Contract(s) until all assigned work is completed. APDC reserves the right to terminate the Contract(s) at any time, with or without cause, in accordance with the terms of the Contract(s). The Consultant list and any potential renewals will be executed upon approval of the APDC Board of Commissioners.

PROPOSAL CONTENT & FORMAT

- Proposers are encouraged to focus on their areas of discipline and strength and are not required to team with a large number of sub-consultants to cover all potential types of projects.
 - Proposals should include a Table of Contents, and all pages should be numbered.
 - Proposals should be saved in PDF format and sent via email to Jlansing@portofalbany.us
 - PLEASE PUT THE FOLLOWING IN THE SUBJECT LINE: Your Company Name: RFQ#2026-07
 - All Proposals should include the following:
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1. Title Page: That includes name, address, phone, email of the proposer including contact person and name(s) of the person who prepared the proposal.
 2. Table of Contents: Outlining each section
 3. Executive Summary: Brief description of the services available and highlighting the strengths and capabilities of your firm to provide the requested services.
 4. Qualifications of Proposers: Provide a description of how the proposer meets all of the qualifications in the proposer qualification section of this RFQ. Describe how the proposer meets each of the criteria in the evaluation criteria section of this RFQ.
 5. Proposed Cost of Services: Outline the hourly rates and breakdown in detail any pertinent facts or factors related.

RECEIPT OF PROPOSALS:

Submission of any proposal 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 proposals, in whole or in part, submitted in response to this RFQ. Proposals will be examined and evaluated by APDC staff.

- A. Emailed proposal packages must be received by APDC, to jlansing@portofalbany.us NO LATER THAN 12:00 PM noon on October 16, 2026. Subject Line must be clearly labeled with your company name and reference # RFQ 2026-07
- B. No bids will be accepted after the designated time indicated in the “Notice to Proposers”. NOTE: This includes any changes listed on the latest addendum issued by the APDC, if any. Delay in email delivery is not an exception to the deadline for receipt of bids.
- C. All proposals and accompanying documentation will become APDC property and will not be returned.
- D. Vendors are solely responsible for all costs incurred by preparing or submitting a bid, or otherwise responding to this RFQ, or any negotiations incidental to its bid acceptance thereof.
- E. The APDC is subject to New York State’s Freedom of Information Law (FOIL). Should your submission to this RFQ 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.
- F. An official authorized to commit the company to a contract must sign the proposal and all related proposal documents.
- G. Emailed copies of all bids shall be submitted, including completed copies of any forms or certifications required for this RFQ. Failure to respond to an RFQ on any official form included in this RFQ 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 proposer. Illegible, conditional bids and unsigned bids will be rejected as non-responsive. ELECTRONIC PROPOSALS OR BID RESPONSES ARE EXPECTED; FAX OR MAIL DOCUMENTS WILL NOT BE ACCEPTED FOR THIS BID OPENING.
- H. Vendors must notify APDC of any omissions, contradictions, or conflicts in consistency with 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 Vendor does not notify APDC of any such condition it will be assumed that the vendor has included the necessary items in the bid to complete the specification.
- I. The APDC reserves the right to any of the following:
 - 1) utilize any and all ideas submitted in the proposals received;
 - 2) negotiate with proposers responding to this RFQ to serve the best interests of the APDC;
 - 3) cancel this Request for Qualifications for any reason; and
 - 4) reject any and all bids.
- J. All proposals and accompanying documentation will become APDC property and will not be returned. The successful proposer’s proposal and a copy of this RFQ will be made part of any resulting contract. Therefore, an official authorized to commit the company to a contract must sign the proposal.

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 (MWBEs) 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.

Please note that potential job orders issued may contain goals for an individual project.

The directory for New York State Certified MWBEs can be viewed at [NEW YORK STATE CONTRACT SYSTEM](#)

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, Proposers 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.

The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/Veterans/>.

M/WBE and SDVOB proposers with certifications are encouraged to apply and are requested to identify themselves within their bid submission.

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 (“RFQ”) includes and imposes certain restrictions on communication between a Governmental Entity and an Offeror/Proposer during the procurement process. An Offeror/Proposer 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 RFQ 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/Proposer 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/Proposer 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/Proposers and that certain provisions are contained within any contract/award resulting from this RFQ. Specifically, the following information is provided:

All proposers must complete a “Proposer Questionnaire” with a signature/notary public acknowledgement.

The APDC must obtain from all Offerors/Proposers 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.

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.

The APDC must obtain from all Offerors/Proposers 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/Proposer must agree to the certification and provide it to the procuring Government Entity.

New York State Public Authority Law § 2878 requires that all proposers on procurements involving goods and services complete a “Non-Collusive Bidding Certification.”

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/Proposer 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/Proposer in accordance with the written notification terms of this contract.

Forms meeting the requirements of 1-6 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



EXHIBITS & APPENDICES

ALBANY PORT DISTRICT COMMISSION RFQ# 2026-07 On Call Engineering Services

ALL ENCLOSED FORMS MUST BE COMPLETED, SIGNED AND INCLUDED WITH THE BID PROPOSAL

Failure to Complete ALL forms and ALL Insurance Certificates may result in rejection of bid proposal.

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EXHIBIT A	Bid Proposal Response Form	
EXHIBIT B	Bidder's Questionnaire	
EXHIBIT C	Corporate Partnership Or Individual Acknowledgement	
EXHIBIT D	APDC Permissible Contacts	
EXHIBIT E	Offerer Certification	
EXHIBIT F	Non-Collusive Bidding Certification	
EXHIBIT G	Disclosure Of Prior Non-Responsibility Determination	
EXHIBIT H	Iran Energy Sector Divestment Compliance	
EXHIBIT I	Certification Regarding Sexual Harassment	
EXHIBIT J	Encouraging Use Of NYS Businesses In Contract Performance	
EXHIBIT K	EO177 Certification Harassment and Discrimination	
EXHIBIT L	Workers Compensation Insurance Certification	
APPENDIX A	NYS Clauses For Government Contracts	
APPENDIX B	APDC Construction Contract Service Standards & Project General Conditions	
APPENDIX C	NYS MWBE/SDVOB Goal Reporting Procedures And Regulations	

APDC EXHIBIT A- BID FORM

		APDC RFP/PROJECT #: _____			
Company Name:					
Company Address:					
Company's Federal ID Number or Social Security Number as applicable:				Firm's NYS SFS Vendor Identification Number:	
Company Contact:				Phone/Email:	
Is your Company? Please submit copy of certification if yes.		MWBE ☐	SDVOB ☐	SB ☐	DBE ☐
MWBE Goal % Expected to Achieve:		SDVOB Goal % Expected to Achieve:		Is a Waiver/Partial Waiver Being Requested?	
Reference #1:	Name, Title Company			Contact #:	
Reference #2:	Name, Title Company			Contact #:	
Reference #3:	Name, Title Company			Contact #:	
- The Vendor hereby declares that it has carefully examined all Bidding and Contract Documents therein, including any Addendum(s), and has satisfied itself to all conditions, and understands that in signing this Proposal, it waives all right to plead any misunderstanding regarding the same. - The Vendor further understands and agrees that it is to perform and complete all work in accordance with the Contract Documents and to accept in full compensation in the amount and rates listed in this document with no further compensation. - BID CALCULATION: Please use the attached Contract Sum Analysis form to define your lump sum proposal. - The bidder agrees that if awarded the Contract, it will commence work upon receipt of the Notice to Proceed and that it will fully complete the work by the date stated or within the duration herein, as applicable. - The bidder acknowledges the receipt of the following addenda but agrees that it is bound by all addenda whether or not listed herein. Addendum # _____ Date: _____ - JUDGEMENTS/LEGAL FINDINGS: By submitting this bid for consideration, the vendor affirms that they currently have no judgements or other legal findings nor have any pending judgements or other legal findings against the company, its executives or any other person that will be employed in any fashion as a part of this contract, with any federal, state, or local government entities that in any way could impact or have the potential to impact their ability to legally complete any contract awarded them as a result of this bid. Failure to disclose any such judgments and or findings will result in the termination of any contracts and other penalties as deemed legal and appropriate by the APDC. - The bidder certifies that all information provided or to be provided to Albany Port District Commission in connection with this procurement is, as required by Section 139-k of the State Finance Law, complete, true and accurate.					
(Legal name of person, partnership, joint venture, corporation, or LLC) (If corporation, affix corporate seal)					
Company Authorized Representative: _____				Title: _____	
SIGNATURE: _____				Date: _____	

[illegible]

APDC EXHIBIT C CORPORATE PARTNERSHIP OR INDIVIDUAL ACKNOWLEDGEMENT

CORPORATE, PARTNERSHIP OR INDIVIDUAL

ACKNOWLEDGMENT STATE OF)

) SS;

COUNTY OF)

On the _____ day of _____ in the year 20 ____, before me personally appeared:
_____, known to me to be the person who executed the
foregoing instrument, who, being duly sworn by me did depose and say that
_____ he resides at
_____, City/Town of
_____, County of _____, State of
_____; and further that:

(Check One)

☐ (If an individual): __he executed the foregoing instrument in His/her name and on his/her behalf.

☐ (If a corporation): __he is the _____ of _____, the
corporation described in said instrument; that, by authority of the Board of Directors of said
corporation, _____ he is authorized to execute the foregoing instrument on behalf of the
corporation for purpose set forth therein; and that, pursuant to that authority, __he executed the
foregoing instrument in the name of and on behalf of said corporation as the act and deed of said
corporation.

☐ (If a partnership): __he is the _____ of _____, the
corporation described in said instrument; that, by the terms of said partnership, __he is authorized
to execute the foregoing instrument on behalf of the partnership for the purpose set forth therein;
and that, pursuant to that authority, _____ he executed the foregoing instrument in the
name and on behalf of said partnership as the act and deed of said partnership.

Notary Public

APDC EXHIBIT D PERMISSIBLE CONTACTS AFFIRMATION OF UNDERSTANDING

New York State Finance Law §139-j(6)(b) provides that:

Every Governmental Entity shall seek written affirmations from all Offerers as to the Offerer's understanding of and agreement to comply with the Governmental Entity's procedures relating to permissible contacts during a Governmental Procurement pursuant to subdivision three of this section

Bidder/Vendor affirms that it understands and agrees to comply with the procedures of the APDC concerning permissible contacts as required by State Finance Law §139-j(3) and §139-j(6)(b).	
By (Signature)	Date
Name (Print)	
Title	
Bidder/Vendor Name	
Bidder/Vendor Address	

APDC EXHIBIT E OFFERER'S CERTIFICATION OF COMPLIANCE WITH STATE FINANCE LAW 139-K

New York State Finance Law §139-k(5) requires that every Procurement Contract award subject to the provisions of State Finance Law §§139-k or 139-j shall contain a certification by the Offerer that all information provided to the procuring Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

Bidder/Vendor affirms that it understands and agrees to comply with the procedures of the APDC concerning permissible contacts as required by State Finance Law §139-k	
By (Signature)	Date
Name (Print)	
Title	
Bidder/Vendor Name	
Bidder/Vendor Address	

APDC EXHIBIT F NON-COLLUSIVE BIDDING CERTIFICATION

(Reference: Public Authorities Law Section 2878)

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in 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:

1. The prices and terms 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 price and term which have been quoted in this bid have not been knowing disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly, or indirectly, to any other bidder or to any competitor; and
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 submit a bid for the purpose of restricting competition.

Signature: _____ Date: _____

Title: _____

Name of Bidder: _____

Address of Bidder: _____

APDC EXHIBIT G DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS

NAME OF INDIVIDUAL OR ENTITY SEEKING TO ENTER INTO THE PROCUREMENT CONTRACT:
ADDRESS:
CONTRACT PROCUREMENT NUMBER:

1. Has any Governmental Entity made a finding of non-responsibility pursuant to State Finance Law Section 163-(9)(f) regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years?	☐ Yes	☐ No
If you answered Yes to question number 1, please answer questions 2 and 3. If not, skip to question 4.		
2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j?	☐ Yes	☐ No
3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?	☐ Yes	☐ No
4. Has any Governmental Entity or other Government agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?	☐ Yes	☐ No
5. If you answered yes to any of the questions above, please provide the following details regarding the finding of non-responsibility, termination, or withholding of a contract.		
Government Entity: Date of Finding of Non-Responsibility, Termination or Withholding of Contract: Basis of Finding of Non-Responsibility, Termination or Withholding of Contract <u>(Add additional pages if/as necessary)</u>:		
Offerer affirms that he/she understands and agrees to comply with the New York State procedures relative to permissible contacts as required by State Finance Law §139-j. Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate. By: _____ Date: _____ (Signature)		
PRINT NAME:		
PRINT TITLE:		

APDC EXHIBIT H IRAN ENERGY SECTOR DIVESTMENT COMPLIANCE

Project Number: _____

Printed Name of Entity Seeking to Enter into the Contract: _____

Address: _____

Printed Name and Title of Person Executing _____

Pursuant to New York State Finance Law §165-a, Iran Divestment Act of 2012 (Act), the Office of General Services is required to post on its web site a list of persons who have been determined to engage in investment activities in Iran ("prohibited entities list"), as defined by the Act. New York State Public Authorities Law § 2879-c, with certain exceptions, prohibits Albany Port District Commission from entering into or awarding a Contract with persons identified on the prohibited entities list.

CERTIFICATION:

By submission of this bid or proposal, each person (as defined in paragraph (e) of subdivision one of section one hundred sixty five-a of the state finance law) and each person signing on behalf of any other party certifies, and in the case of a joint bid or proposal or partnership each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each person is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State finance law.

STATE OF _____)

)ss.:

COUNTY OF _____)

The undersigned, being duly sworn, says (a) I am duly authorized to execute this Certification and (b) I hereby certify, under penalty of perjury, that the forgoing Certification is in all respects true and accurate.

Signature of Person Executing Certification:

Subscribed and sworn to before me this _____ day of _____, 20____.

Notary Public

Submit form with original signatures

APDC EXHIBIT I Certification Regarding Sexual Harassment Prevention Policies Pursuant to State Finance Law §139-l

By submission of this proposal, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that the bidder has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of section two hundred one-g of the labor law.

I, _____, hereby affirm, under penalty of perjury, that

Printed Name of Person Executing Certification

I am _____ of the above-named bidder, that I am

Printed Title of Person Executing Certification

authorized to make this certification on behalf of such bidder, and I further certify that this certification is true, accurate and complete to the best of my knowledge and belief.

The undersigned, being duly sworn, says (a) I am duly authorized to execute this Certification and (b) I hereby certify, under penalty of perjury, that the forgoing Certification is in all respects true and accurate.

signature

STATE OF _____)

) ss.:

COUNTY OF _____)

On this _____ day of _____, 20____, before me personally came

_____, to me known and known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she executed the same.

Notary Public

Submit form with original signatures

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the vendor and its New York State business partners. New York State businesses will promote the vendor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its vendors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State Businesses be used in the performance of this contract? ☐ Yes ☐ No

Project Number: _____

If yes, identify New York State Business(es) that will be used; (list identifying information below).

Attach additional identifying information as required.

By: _____ Date: _____

Signature: _____

Print Name and Title: _____

Vendor Name: _____

Vendor Address: _____

EO 177 Certification

The New York State Human Rights Law, Article 15 of the Executive Law, prohibits discrimination and harassment based on age, race, creed, color, national origin, sex, pregnancy or pregnancy-related conditions, sexual orientation, gender identity, disability, marital status, familial status, domestic violence victim status, prior arrest or conviction record, military status or predisposing genetic characteristics.

The Human Rights Law may also require reasonable accommodation for persons with disabilities and pregnancy-related conditions. A reasonable accommodation is an adjustment to a job or work environment that enables a person with a disability to perform the essential functions of a job in a reasonable manner. The Human Rights Law may also require reasonable accommodation in employment on the basis of Sabbath observance or religious practices.

Generally, the Human Rights Law applies to:

- all employers of four or more people, employment agencies, labor organizations and apprenticeship training programs in all instances of discrimination or harassment;
- employers with fewer than four employees in all cases involving sexual harassment; and,
- any employer of domestic workers in cases involving sexual harassment or harassment based on gender, race, religion or national origin.

In accordance with Executive Order No. 177, the Bidder hereby certifies that it does not have institutional policies or practices that fail to address the harassment and discrimination of individuals on the basis of their age, race, creed, color, national origin, sex, sexual orientation, gender identity, disability, marital status, military status, or other protected status under the Human Rights Law.

Executive Order No. 177 and this certification do not affect institutional policies or practices that are protected by existing law, including but not limited to the First Amendment of the United States Constitution, Article 1, Section 3 of the New York State Constitution, and Section 296(11) of the New York State Human Rights Law.

Vendor Name: _____

Signature: _____ Date: _____

Print Name and Title: _____

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE

The Workers' Compensation Law requires that a New York State or municipal agency, department, board, commission, or office issues any permit or license, the applicant must submit to such agency or department, proof that he or she has obtained the required workers' compensation and disability benefits coverage, or that he or she is not required to provide coverage under these Laws. (See attached copies of Section 57 of the Workers' Compensation Law and Section 220, subd. 8 of the Disability Benefits Law.) These requirements also apply to the renewal of an application for a permit or license, and any and all work covered by the permit or license, whether or not a governmental agency is involved.

In addition, effective April 7, 1993, Chapter 213 amended the above Laws to require that before a New York State or municipal agency, department, board, commission, or office enters into any contract, the contractor must also submit proof that he or she has obtained the required workers' compensation and disability benefits coverage, or that he or she is not required to provide coverage. These requirements also apply to the renewal of such contracts.

This is to certify that

(Name of individual, partnership, or corporation)

is insured with

(Name of insurance provider)

under Policy No.

covering the entire obligation of this employer for workers' compensation under the New York Workers' Compensation Law with respect to the locations named in the foregoing application.

The policy term covers the period from

To _____. If said policy is changed or cancelled during its term in such manner as to affect this Certificate, thirty (30) days written notice of such change or cancellation shall be provided to the Owner, and ten (10) days written notice in the event of cancellation for non-payment of premiums.

Signature: _____

(Print, Name, Title, Date)

Telephone No.: _____

THE WORKERS' COMPENSATION BOARD EMPLOYS AND SERVES PEOPLE WITH
DISABILITIES WITHOUT DISCRIMINATION