

## **Albany Port District Commission SDVOB Master Goal Plan 2020-21**

### **AGENCY OVERVIEW**

The Albany Port District Commission (“APDC” or “Commission”) was created by an act of the New York State Legislature in 1925 and is a local public authority tasked with developing and operating port facilities in the municipalities of Albany and Rensselaer. The statutory mission provides that the APDC “shall have power over the survey, development, control and operation of port facilities and such facilities, operations or things as may be incidental or appurtenant thereto, within such port district, and the coordination of the same with existing or future agencies of transportation, with a view to the increase and efficiency of all such facilities and the furtherance of commerce and industries in the district.”

The APDC consists of five Commissioners (appointed by the Governor on recommendations from the Mayor of Albany (4 recommended Commissioners) and Rensselaer (1 recommended Commissioner)), twelve (12) professional/administrative staff members, six (6) Maintenance Department personnel, and thirty-five (35) part-time security personnel. The Port is a year-round, international seaport located on the upper Hudson River approximately 124 miles north of New York City. A variety of bulk cargoes such as grain, molasses, liquid fertilizer, ethanol, petroleum and scrap iron as well as heavy lift and project cargo, break-bulk cargo, steel and wood pulp move through the Port of Albany.

Facilities under the jurisdiction of the Commission include nearly 400 acres of land on both the east and west sides of the Hudson River, almost 4,200 linear feet of wharf on the Albany (west) side, 1,200 feet of wharf on the Rensselaer (east) side of the Hudson River (with a fresh water draft of 32 feet), 300,000 square feet of covered storage space, a 20 acre paved marine terminal, 20 mile standard gauge switching railroad operating under the Albany Port Railroad Corporation, a 13.5 million bushel capacity grain elevator, two mobile harbor cranes with a combined lifting capacity of over 280 tons and a full spectrum of marine terminal maintenance equipment.

The vast majority of APDC’s assets consist of long-term property and equipment items necessary for management and growth of the facility. Over 90% of APDC’s accumulated net worth represent those capital assets described above. Accordingly, the corresponding activity necessary to maintain and improve this capital asset portfolio may require the procurement of specialized services or equipment, particularly those items that are specific to maritime work. On an annual basis, an investment of approximately \$1.5 million to \$2 million may be required to replace the estimated value of the diminishing useful life of the APDC’s capital asset portfolio. Depending on the equipment being replaced, the universe of certified SDVOB procurement sources for the APDC to utilize is limited, however the APDC will seek every opportunity for utilization.

## **PROCUREMENT STRATEGY**

### ***Strategic Objectives Regarding Utilization of SDVOBs***

#### ***Description of Procurement Strategy***

It is the policy of the Albany Port District Commission to encourage the participation of service-disabled veterans in its procurement activities. Accordingly, the APDC requires that Service-Disabled Veteran-Owned Businesses (SDVOB) are given the opportunity to participate in the APDC procurement process. The Port seeks opportunities to utilize discretionary spending needs of less than \$200,000 to seek qualified, cost effective SDVOB firms that can fulfill the job and not cost the organization additional money.

The APDC's goal for the 2020-2021 Fiscal Year is to meet the statewide goal of 6% utilization of SDVOBs. It is the policy of the APDC to make discretionary purchases from SDVOB businesses when possible and pricing is competitive. The APDC recognizes that service and commodity procurements benefit from targeted efforts to improve the utilization of SDVOBs. Making direct awards to certified SDVOB companies, as prime contractors, whenever possible will have a significant impact on the APDC's SDVOB utilization. The APDC intends to build upon the utilization of the SDVOB market that was realized during 2019-2020.

#### ***Reflection on Previous Years' SDVOB Utilization***

The SDVOB goal for the 2019-2020 Fiscal Year was 6% or \$28,482. The spending for the last available quarter has not yet been totaled but the 2019-2020 goal will be surpassed. Reviewing the data available for FY 18-19 Q3 & Q4 and FY 19-20 Q1 & Q2, the APDC SDVOB utilization was 29%. The utilization for that four-quarter period was better than projected because the APDC staff actively searched for certified SDVOB vendors in all areas of procurement and made it clear to potential contractors that the APDC expected all responders to RFPs and other solicitations that they pursue SDVOB subcontractors if a SDVOB prime contractors was not feasible.

A large part of this success is due to the APDC's utilization of the certified list that is regularly updated by the Division of Service-Disabled Veterans' Business Development through the open communication between APDC staff and the Division. The APDC has not determined any weaknesses in our ability to attract SDVOB other than an insufficient number of SDVOB business certified in particular areas that the APDC may be able to utilize in the procurement process.

#### ***Plans to Achieve Strategic Objectives***

The General Counsel, reporting directly to the Chief Executive Officer, is the APDC's SDVOB senior staff designee establishing goals, monitoring procurements and reporting. The administrative staff responsible for day-to-day procurement utilizes the SDVOB directory, updated listings, advertising material and correspondence received

from various business enterprises when making discretionary purchases. All available resources are used to develop a mailing list when issuing an RFP or RFQ to ensure that as many bidders as possible are contacted.

The APDC continues to educate all personnel about SDVOB legislation requirements. Specific example of how this is and will be accomplished are below:

- Regular invitations to the Division of Service-Disabled Veterans' Business Development to give training presentations to Port personnel.
- Discussions regarding SDVOB procurement goals and policies occurs at regular staff meetings.
- Regularly utilizing the Division of Service-Disabled Veterans' Business Development SDVOB website.
- Utilizing the Contract Reporter to advertise Procurement Opportunities.
- Division of Service-Disabled Veterans' Business Development personnel have attended APDC events to speak to APDC employees and contractors.
- Attending the 2020 NY GovBuy and the Empire State Plaza.
- Attendance at VetCon is required. The APDC General Counsel and CFO attended both days of VetCon 2019 to discuss opportunities with certified SDVOB contractors regarding future projects at the Port of Albany and to listen to presentations regarding SDVOB for further education on the subject discussed.

The administrative staff of the APDC makes a concerted, good faith effort to attract SDVOBs to all projects and opportunities at the Port of Albany. It is the APDC's policy to solicit for SDVOB services in all public bids and Requests for Proposals. In practice, during all pre-bid meetings APDC staff makes it clear to prospective bidders that bid responses must include SDVOBs whenever possible. Bidders are encouraged to contact the DSDVBD for support and the APDC staff urges bidders to utilize the Division's website to explore opportunities. To date the APDC has not had to entertain a waiver request from a bidder. The APDC's utilization plans will be available to the public at [www.portofalbany.us](http://www.portofalbany.us).

***Projected Budget/Projected SDVOB Use***

Projected Overall Budget, FY 2020-21	\$4,608,504
Projected Exempt and Excluded Contracts and Expenditures:	\$4,099,840
Available Budget for Goals:	\$366,664
Total Goal (6%):	\$22,000

Exempted and Excluded Contracts and Expenditures include debt service, operating transfers, personal services, postage, sole source contracts, specialized services, financial and insurance services, travel reimbursements, telephones and utilities.

### ***Anticipated Challenges and Strategies to Address Them***

There are no specific challenges identified at this time. If challenges are identified the APDC staff will work with the Division of Service-Disabled Veterans' Business Development to address them.

### ***SDVOB Content on Authority's Website***

The APDC plans on updating its website to include a section that will house information about the SDVOB program and the 6% participation goal. The website will report out the SDVOB contracts/purchases at the Port of Albany. The APDC has recently contracted with a new Information Technology company to assist with the website. The SDVOB information will be located under the Public Documents section of the APDC website.

### **BOILERPLATE LANGUAGE**

The APDC intends to include the following or similar language in solicitations for the upcoming fiscal year:

Article 17-B of the New York State Executive Law 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/Contractors are strongly encouraged and expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, 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 SDVOBs as subcontractors, service providers and suppliers to Contractor. Nevertheless, Bidder/Contractor is encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at: <https://ogs.ny.gov/Veterans/>.

Bidder/Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veteran's Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss methods of maximizing participation by SDVOBs on the Contract.

## **AGENCY SDVOB OPERATIONS/ORGANIZATIONAL CHART**

The Albany Port District Commission Chair and the four Commissioners have the overall responsibility to insure compliance with the objectives of Article 17-B. The APDC Chief Executive Officer, Director of Economic Development and Procurement, Chief Financial Officer and General Counsel, are the officers tasked with the day-to-day responsibility of ensuring compliance with this Master Goal Plan.

## **OUTREACH EFFORTS**

The specialized services required by the Port (Marine Related) necessitates that an aggressive outreach program be undertaken to seek qualified SDVOB Vendors/Contractors in these areas since there exist limited pools of related vendors for these specialized industries. It is our intention to:

- Invite the Division of Service-Disabled Veterans' Business Development to give training presentations to personnel.
- Attend VetCon 2019 SDVOB and other SDVOB Trade Fairs.
- Continue having discussions regarding SDVOB procurement goals and policies at regular staff meetings to remind all staff members to engage the services of SDVOB vendors whenever possible.
- Regularly utilize the Division of Service-Disabled Veterans' Business Development SDVOB database.
- Communicate with the Division of Service-Disabled Veterans' Business Development to enumerate our needs.
- Send APDC employees to the OGS Purchasing Forum to attend the SDVOB class that is presented.
- Communicate with and share resources with other similar agencies, such as CDTA, Airport Authority, Thruway Authority and the other NYS public ports.
- Call on the expertise and experience of other procurement or SDVOB officers for advice and direction.
- Work with prime vendors to encourage opportunities for SDVOBs as subcontractors.
- Encourage and organize visits by SDVOBs to the Port to enlarge our bid base.
- Invite Division of Service-Disabled Veterans' Business Development personnel to speak to APDC contractors.
- Utilizing the Contract Reporter to advertise Procurement Opportunities.
- Build an internal and reoccurring database of SDVOB vendors.
- Internal training event – review the SDVOB Operations Guidance Document with APDC employees as a group.