

County of Albany
Department of Affirmative Action
Compliance Forms

COUNTY OF ALBANY
SCHEDULE OF MBE/WBE AND LABOR PERFORMANCE

The Division of Affirmative Action monitors subcontracting and labor participation for contracts let by agencies and authorities of Albany County. **The information requested below must be completed by the General Contractor and submitted within fifteen days of receipt of Notice of Award.** The figures represent the contractor's best estimate of workforce needs and minority/female representation of that workforce. Questions regarding completion of this form can be directed to the County of Albany, Division of Affirmative Action at 518-447-7010.

Contractor: _____ Address: _____ City/State/Zip: _____

Telephone: _____ Fax Number: _____ Federal ID No.: _____

Project Name: _____ Project Cost: _____ Completion Date: _____

Contract Description: _____

Bidder is an approved ☐ MBE ☐ WBE If yes, specify agency: _____

Joint Venture

MBE/WBE participation is broken down into Joint Ventures with Bidder, Subcontracting Construction, Trucking or Services, and Materials or Supplies. Joint ventures between the Prime Bidder and MBE/WBE firms are shown below. Joint Ventures with Bidder (check one):

☐ No MBE/WBE joint ventures with Bidder on this Contract. ☐ Bidder is joint venturing with the following firm(s)
 (attach a copy of joint venture agreements to this form)

Name: _____ Address: _____ City/State/Zip: _____

Telephone: _____ Federal ID No: _____

MBE Share of Joint Venture: _____ % x Total Bid Amount = \$ _____

WBE Share of Joint Venture: _____ % x Total Bid Amount = \$ _____

Sub-contractor Performance

MBE Goal: 7% x Total Bid Amount = \$ _____

WBE Goal: 5% x Total Bid Amount = \$ _____

Please provide the information requested for all subcontractors participating on this project (include MBE/WBE/DBE firms).

Sub-contractor Name, Address, Phone	Amount of Sub-contract & Award Date	Description of Work (Trade)	Start Date _____ Completion Date	Contracted Payment Schedule
☐ MBE ☐ WBE				
☐ MBE ☐ WBE				
☐ MBE ☐ WBE				
☐ MBE ☐ WBE				
☐ MBE ☐ WBE				

I, _____, representative of _____ declare that the
(print) (firm)
information provided is true and represents accurately my firms efforts to comply with the Affirmative Action Policy. We shall continue to make every effort to ensure that M/W/DBE firms have the maximum opportunity to compete for, and perform contracts let by the County of Albany.

Signature: _____ Date: _____

SUBMIT MONTHLY

FORM C

**County of Albany
Monthly Utilization Report**

This report must be completed by each firm working on the site and submitted to the General Contractor on a monthly basis. The General Contractor forwards the reports to the County of Albany, Division of Affirmative Action, 112 State Street, Room 670, Albany, NY 12207. Fax (518) 447-5586 For assistance call (518) 447-7010.

Contractor: _____ Address: _____ City/State/Zip: _____

Telephone: _____ Fax Number: _____ Federal ID No.: _____

Project Name: _____ Project Cost: _____ Completion Date: _____

Reporting Period: _____ **Month** _____ **Year**

Trade	Number of Hours Worked by Minorities	Number of Hours Worked by Women	Number of Hours Worked by Non-Minorities	Total Hours Worked
Total(s)				

Information provided by (please print): _____ **Date:** _____
(See over for instructions)

M/W/DBE Payments

M/W/DBE Firm (s) Participating On The Project	Payments Made This Month	Payments Made To Date

INSTRUCTIONS

This form must be completed and submitted by the Contractor/Vendor by the **10th** of each month for the duration of the contract. The form must be accompanied by copies of checks (front and back) made payable to MBE/WBE subcontractor and suppliers.

This form is required pursuant to the contract specifications. Failure to submit will result in non-compliance.

County of Albany
Department of Human Resources
Division of Affirmative Action
112 State Street, Room 670, Albany, NY 12207
Phone: (518) 447-7010

NOTE: IF THERE IS NO ACTIVITY FOR THE REPORTING PERIOD, PLEASE NOTE ACCORDINGLY.

Waiver Request for Subcontracting and/or Labor Performance

If your firm has determined that it is not feasible to meet the subcontracting and/or labor performance goals specified in the contract, complete and return this form within fifteen days of the Notice of Award. The request must identify reasons why the firm cannot reach the labor and subcontractor goals applicable. The Division of Affirmative Action will evaluate each waiver individually. Please be advised that submission of this request does not guarantee waiver of the requirements. Attach additional sheets if necessary.

Contractor: _____ Address: _____ City/State/Zip: _____

Telephone: _____ Fax Number: _____ Federal ID No.: _____

Contract Type/Number: _____ Project Cost: _____

☐ **Request Waiver of Minority/Woman Labor Participation Goal. Please explain:**

Actions taken to include minority/women labor _____

☐ **Request Waiver of Minority Subcontractor Participation Goal. Please explain:**

Actions taken to include MBE and/or WBE Subcontractor(s) _____

Name (please print)

Signature

Title

A. Joseph Scott, III
Partner
Direct Dial: 518.433.2419
ascott@hodgsonruss.com



October 20, 2020

VIA HAND DELIVERY

Ms. Karen A. Storm
Albany County Purchasing Agent
112 State Street, Room 1000
Albany, New York 12207

Re: County of Albany, New York
Response to Request for Proposals
RFP # 2020-108R Bond Counsel

Dear Ms. Storm:

The information which follows is provided in response to the Request for Proposals RFP # 2020-108R issued by the County of Albany, New York (the "County"). As requested in the Request for Proposals, we are enclosing five (5) copies of our response, together with one electronic copy formatted as a flash drive. We appreciate the opportunity to present our response to the County.

Hodgson Russ LLP is a regional law firm and has been engaged in the practice of law since 1817. We presently have approximately 200 attorneys located in six (6) offices in the eastern United States. Attorneys in the public finance group in our Albany office located in downtown Albany, New York would be responsible for providing bond counsel services to Albany County.

I am a general partner of Hodgson Russ LLP and I have the authority to bind the firm in connection with this response. We understand that this proposal is an irrevocable offer for a period of sixty (60) days from the submittal date.

Following this letter are materials describing our firm, our public finance group and other information, organized in accordance with Section 7 of the County's Request for Proposals. The undersigned, together with the project team we have assembled to handle the County's engagement, is ready to begin work immediately.

If you have any questions relative to any of the information contained herein, please feel free to contact me. We would be happy to meet with you and other County officials at any time to further discuss our qualifications.

Thank you for the opportunity to present our qualifications.

HODGSON RUSS LLP

By: 

A. Joseph Scott, III, General Partner

000160.00326 Business 20265043v1

677 Broadway • Suite 401 • Albany, New York 12207 • telephone 518.465.2333 • facsimile 518.465.1567
Albany • Buffalo • New York • Palm Beach • Sunningdale Springs • Toronto • www.hodgsonruss.com



Response to Request for Proposals

Provided to:

County of Albany, New York
RFP #2020-108R
Bond Counsel Services

Attention to:

Karen A. Storm
Albany County Purchasing Agent
112 State Street, Room 1000
Albany, New York 12207

Proposer:

Hodgson Russ LLP

Local Office: 677 Broadway, Suite 301
Albany, New York 12207
Telephone: 518.465.2333
Fax: 518.465.1567
www.hodgsonruss.com

Main Office: 140 Pearl Street, Suite 100
Buffalo, New York 14202-4040

Primary Contact: A. Joseph Scott, III
Telephone: 518.433.2419
Fax: 518.465.1567
E-Mail: ascott@hodgsonruss.com

October 20, 2020

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SECTION I.

Title Page and Table of Contents.

See attached Title Page and Table of Contents.

SECTION II. QUALIFICATION/EXPERIENCE AND RESUMES

a. Provide the name, a brief history and description of your firm. (Question 3.1.1)

Proposer: Hodgson Russ LLP

Main Office:

Hodgson Russ LLP
140 Pearl Street, Suite 100
Buffalo, New York 14202-4040
Telephone: 716.856.4000
Fax: 716.849.0349

Local Office/RFP Contact Information:

Hodgson Russ LLP
677 Broadway, Suite 301
Albany, New York 12207
Attention: A. Joseph Scott, III
Telephone: 518.465.2333 (General Office)
Telephone: 518.433.2419 (Direct Dial)
Telephone: 518.424.7749 (Mobile)
Fax: 518.465.1567
Email: ascott@hodgsonruss.com

Secondary contact: Michael T. Logan
Telephone: 518.433.2409 (direct dial)
Fax: 518.465.1567
E-Mail: mlogan@hodgsonruss.com

GENERAL DESCRIPTION OF FIRM

General

Hodgson Russ LLP (the "Firm") is a full-service U.S. law firm. It is headquartered in upstate New York, with offices in Albany, Buffalo, Saratoga, Rochester, and New York City. The Firm also maintains offices in Hackensack, New Jersey, Palm Beach, Florida and Toronto, Ontario, Canada.

There are approximately 200 attorneys in all offices. The Firm began in Buffalo in 1817 and today ranks among the 200 largest law firms in the United States. Hodgson Russ is the only law firm in the country that can count two former U.S. presidents, Millard Fillmore and Grover Cleveland, among its alumni. The Firm is comprised of approximately 200 attorneys and 300 non-attorney staff. Hodgson Russ presently has over 20 separate practice groups that provide service to clients in all major areas of law.

Hodgson Russ represents clients in both business and personal contexts. The interests of its clients are regional, national and international in scope. Business clients include closely-held as well as publicly-traded corporations, government agencies and municipalities, public foundations and general and limited partnerships, among others. In addition, the Firm is proud of its commitment to, and involvement in, a wide range of public affairs, community projects and charitable and educational institutions.

The following is a list of practice areas in which Hodgson Russ has substantial capabilities:

Administrative Law	Health Care Law
Antitrust	High Technology
Banking	Immigration
Bankruptcy	Insolvency/Creditors' Rights
Business Law	Intellectual Property Law
Canada/U.S. Cross-border	International Law
Counseling	International Tax
Computer Law	Labor and Employment
Corporate Law	Litigation
Customs	New York State Tax
Education Law	Non-Profit Organizations
Employee Benefits	Patent, Trademark, Copyright
Environmental	Pension
Estate Planning	Products Liability
Administration	Professional Corporations
Executive Compensation	Public Finance
Family and Personal Law	Public Utility Law
Federal Tax	Real Estate
Financial Services	Securities
Government Relations	Tax

The following is a description of several of the major practice groups in the firm.

Bank Regulatory Matters

We have over thirty years of experience in representing commercial and savings banks and other financial institutions with respect to a wide range of bank regulatory matters.

The services that we provide to our clients with respect to bank regulatory matters cover a wide range of deposit and consumer credit products governed by both federal and state law. The deposit products include savings and time deposit accounts (including IRA's), transaction accounts and debit cards. The consumer credit products cover the full range of open-end and closed-end credit offered by financial institutions in New York and include credit card accounts, over-draft checking, home equity and other line of credit accounts, secured and unsecured installment loans, retail installment contracts and obligations, first mortgage loans and home equity loans.

Business and Banking Law Department

The business and banking law department provides general corporate legal services in connection with the formation of businesses, their ownership structure and their ongoing operations. In addition, the attorneys in the business and banking law department are routinely involved in mergers, acquisitions, dispositions of securities and corporate assets, including real estate, and other types of reorganizations.

Members of the business and banking law department, together with attorneys in the litigation department, regularly consult with and represent clients in connection with various antitrust issues.

Environmental Practice Group

The environmental practice group of Hodgson Russ is involved with state and federal court litigation, and administrative proceedings before state and federal agencies. In addition, the environmental practice group's members work regularly with the Business and Banking Law Department in matters relating to environmental compliance, insurance, environmental audits and potential environmental liabilities.

The environmental practice group has experience in handling matters involving medical waste disposal laws, RCRA, TSCA, CERCLA, SARA, SEQRA, the Clean Water Act, the Clean Air Act, toxic torts and related insurance coverage questions.

Labor Department

The labor department of Hodgson Russ services employers in both the private and public sectors (representing both unionized and non-unionized entities). The attorneys in the labor department represent employers in all aspects of labor relations and employment. Collective bargaining, contract administration, grievance arbitration and preventive counseling in employee and union relations matters are the primary areas of the labor department's practice. Our extensive education law practice involves the representation of many public school districts. Accordingly, the labor department advises school clients on all of the legal aspects of school administration, including employee relations, civil service requirements, financing, transportation, board policies and voter referenda.

The labor department practices before the National Labor Relations Board, Equal Employment Opportunity Commission, the U.S. Department of Labor, the New York Public Employment Relations

Board, as well as before other state administrative agencies involved in employment matters. In addition, the labor department's attorneys practice in both state and federal courts.

Litigation Department

The litigation department of Hodgson Russ has a varied litigation practice handling matters in the following areas: antitrust, contract, bankruptcy, commercial, environmental, energy, corporate, product liability, personal injury, liability insurance, insurance defense and subrogation, condemnation, real property tax assessment, federal and state income taxation, state sales and use taxation, construction contract claims, securities law, transportation, white collar criminal matters and tax fraud. The lawyers in the litigation department also have experience in reimbursement litigation before the New York State Departments of Health and Social Services, the Provider Reimbursement Review Board and state and federal courts.

The litigation department practices before all courts in New York as well as those of Florida, and in the Federal District Courts, Federal Courts of Appeal, U.S. Supreme Court, U.S. Tax Court and Court of International Trade. In addition, the Litigation Department has experience before various administrative bureaus and commissions, including, among others, the New York State Public Service Commission, the Federal Energy Regulatory Commission, the New York State Department of Transportation, the Interstate Commerce Commission, the New York Tax Appeals Tribunal, the New York State Department of Environmental Conservation and the U.S. Environmental Protection Agency.

Real Estate and Project Development

The Hodgson Russ real estate practice is comprehensive and includes all aspects of modern real estate transactions. Our real estate clients include developers and major corporate enterprises which sell, purchase and lease commercial property. We are experienced in the negotiation of purchase and sale contracts, leases and construction and architects' contracts, among other instruments. Other significant related practice areas include real property tax assessment review proceedings, eminent domain and condemnation matters and mortgage foreclosure proceedings.

In addition to our involvement in new project development and expansion activities, our firm's real estate attorneys are experienced in land development matters involving some of the most challenging issues of the day, including zoning, environmental, citizen group and historic preservation issues. We regularly represent clients in proceedings before zoning, planning, preservation and municipal boards to obtain all necessary approvals.

Financing of real estate acquisitions and development projects is also a major area of activity. Typical financing vehicles include industrial revenue bonds, various types of commercial and residential mortgages and construction loan financings, sale and leaseback transactions and real estate syndications, among others.

Securities Practice Group

Hodgson Russ offers comprehensive securities law services. The securities practice group of Hodgson Russ is dedicated to providing securities counsel and provides representation in numerous private and public securities offerings on a regular basis to clients throughout the Upstate New York market. More than 20 publicly-held companies are Hodgson Russ clients.

We also provide representation with respect to mergers and acquisitions, anti-takeover defenses, trading restrictions, trust indenture act compliance, Blue Sky regulation, broker-dealer registration and

regulation, investment company registration and regulation, investment company registration and regulation, leveraged buy-outs and with 'going private' transactions as well as in preparing and guiding companies through initial public offerings.

We also represent securities clients engaged in both intrastate offerings and private placements. We are experienced with and regularly counsel clients in the following areas, among others: federal and state registration of public securities offerings; private placements and exempt securities offerings; venture capital financings; restricted stock transfers; stock exchange and NASDAQ listings; Securities Exchange Act reporting compliance; proxy statements and proxy solicitations; corporate governance and anti-takeover provisions; investment company regulations (investment advisory registration and compliance); broker/dealer registration and compliance; mergers and acquisitions; leveraged buy-outs; exchange offers; tender offers/going private transactions; trust indentures; stock option and other employee share benefit plans and securities litigation and arbitration.

State and Local Taxation

Another integral group within tax department is the New York State tax practice group. The New York State tax practice group counsels clients with respect to dealings with the State Department of Taxation and Finance on contested matters including audits, conciliation conferences, administrative hearings and appeals. The New York State tax practice group assists clients in formulating overall state tax strategies, including planning and compliance techniques.

b. *Identify your firm's professional staff members who will be involved in the County engagement and the experience that each possesses and the location of the office from which each work. Provide a resume for each of the individuals designated. (Question 3.1.2)*

The firm expects to form a Project Team to provide the services required by Albany County. The Project Team will be comprised of two attorneys (Joseph Scott and Michael Logan), with additional back-up as needed from the firm's Tax Department (Marla Waiss). The two individuals will draft the majority of the documents required by the County and attend meetings and handle County inquiries. The other individual (John Alessi) will be available if additional staff is needed.

The members of the Project Team are described as follows:

A. Joseph Scott, III	Partner	Albany	Over 37 years' experience in Public Finance
John A. Alessi	Partner	Buffalo	Over 17 years' experience in Public Finance
Marla Waiss	Partner	Buffalo	Over 18 years' experience in Federal Tax
Michael T. Logan	Senior Associate	Albany	Over 8 years' experience in Public Finance

Pamella D. Weisberg, the senior bond paralegal residing in the Albany office, will also be available to assist in the preparation of documents.

Each of the members of the Project Team is available to begin work immediately for Albany County and is ready to make a full and complete commitment to providing high quality legal services to the County. The firm is qualified to do business in New York State and each of the members of the Project Team is admitted to practice law in New York State.

The firm has had the opportunity and pleasure of being retained by the County as bond counsel for many years. In our capacity as bond counsel to the County, we bring to bear our extensive experience in public finance.

In addition, however, we also bring to bear our extensive background history of performing bond counsel services to the County. And, given the recent changes in the Comptroller's office, we have worked very hard to facilitate the transition to a new administration. The transition work has included making our files available, attending meetings and participating in numerous conference calls.

Resumes for the primary attorneys in the Project Team (Scott, Alessi, Waiss and Logan) and for Ms. Weisberg are included in Schedule A to this response.

c. *Name and title of the person(s) authorized to bind the Proposer, together with the main office address, and telephone number (including area code). (Question 3.1.3)*

The following person is authorized to bind the firm in a contract with Albany County, such contract to be an irrevocable offer for a period of sixty (60) days from the Proposal submittal date:

A. Joseph Scott, III, General Partner
Hodgson Russ LLP
Main Office:
140 Pearl Street, Suite 100
Buffalo, New York 14202-4040
Telephone: 716.856.4000
Fax: 716.849.0349

Local Office:
677 Broadway, Suite 301
Albany, New York 12207
Telephone: 518.465.2333 (General Office)
Telephone: 518.433.2419 (Direct Dial)
Telephone: 518.424.7749 (Mobile)
Fax: 518.465.1567
Email: ascott@hodgsonruss.com

d. *Detail your firm's experience with respect to municipal securities, including but not limited to, general obligation debt. (Question 3.1.4)*

GENERAL DESCRIPTION OF PUBLIC FINANCE GROUP

The Firm's Public Finance Group is co-chaired by A. Joseph Scott, III and Jeffrey W. Stone, who have specialized in tax-exempt general obligation and revenue bond financings throughout their legal careers. The public finance group includes partners A. Joseph Scott, III, Kenneth P. Friedman, Terrence M. Gilbride, Daniel A. Spitzer, Jeffrey W. Stone, Nadene E. Zeigler, John A. Alessi and Christopher C. Canada and senior associates Michael T. Logan and Emily A. Dinsmore.

Qualification Statements:

Extensive Transactional Experience in municipal and/or government, IDB issues and understanding of such bond issues, the related State laws, and related federal tax laws, rules and regulations:

The attorneys in our Public Finance Group have demonstrated commitment and innovation in the area of public finance. We rendered the approving opinion as special tax counsel in the first real estate tax-exempt lease financing by the State of New York and the bond counsel opinion for the first governmental revenue bond issue by a local power authority in New York State. The attorneys in our

Public Finance Group are licensed to practice law in New York State and the firm is listed in the Municipal Bond Attorneys section of The Bond Buyer's Municipal Marketplace (the 'Red Book').

Attorneys in our Public Finance Group are members of the National Association of Bond Lawyers ("NABL") and the Municipal and Tax Sections of the New York State Bar Association ('State Bar'). Our attorneys regularly attend and participate in seminars sponsored by NABL and are often asked to present topics at meetings of the Tax and Municipal Sections of the State Bar. We are also members of and participants in various public and municipal finance groups, such as the New York State Economic Development Council, the Government Finance Officers Association, the New York State Association of Counties, the New York Association of Towns and the Association of School Business Officials.

In the annual rankings prepared by Thomson Financial Securities, Hodgson Russ is consistently ranked in the top 10 of all New York bond firms based on number of transactions closed. Hodgson Russ is also consistently ranked as the top-ranked major upstate law firm, based on the number of transactions closed.

Note further that our Albany Public Finance attorneys were recognized by U.S. News & World Report as a "Metropolitan Tier 1" group, the only upstate law firm with such designation in the City of Albany.

Lastly, Hodgson Russ is frequently recognized for excellence in the practice of law. A small selection of these honors include being listed in American Lawyer's "AmLaw 200" and the "A-List for Female Equity Partnership", The National Law Journal's "NLJ 500", Best Lawyers/U.S. News & World Report's "Best Law Firms" and "Best Lawyers in America", Chambers USA: America's Leading Lawyers for Business and Super Lawyers.

The Firm continues to invest in the development of our municipal finance practice. Attorneys in the Public Finance Group attend and participate in seminars held throughout the United States.

The following is a more detailed description of the Firm's public finance practice:

General Obligation Bonds: The group's general obligation practice is primarily in the State of New York, where we represent cities, counties, towns, villages, school districts and other special districts in their traditional borrowings under the New York Local Finance Law. Our practice ranges from rendering opinions for small school districts issuing bond anticipation notes to finance the purchase of school buses to municipalities issuing publicly sold bonds to finance multi-million dollar capital improvement projects.

Revenue Bonds: We regularly represent industrial development agencies across New York State. In addition, we have acted as bond counsel to a number of public authorities, including the Green Island Power Authority, the Albany Municipal Water Finance Authority, the Buffalo Municipal Water Finance Authority, the Albany Parking Authority and the Albany County Airport Authority in connection with the issuance of their bonds. We have also acted as bond counsel for several 63-20 financings.

We also act as bond counsel to two (2) state agencies in connection with their financings. We are bond counsel to the New York State Environmental Facilities Corporation and the New York State Dormitory Authority.

Tax Exempt Leases: Tax-exempt leasing is a relatively new financing mechanism available to New York State municipalities. Attorneys in our Public Finance Group have acted as

special tax counsel on many tax-exempt lease financings. Such financings have included counties, school districts and BOCES.

Experience with Underwriters: Attorneys in our Public Finance Group have had significant experience with many different underwriters. In addition, our Firm has been retained by a number of underwriters as their counsel with respect to particular municipal issues. Underwriters which have retained the Firm in this capacity include Jefferies LLC and Janney Montgomery Scott, LLC.

With regard to knowledge and experience of federal tax laws, rules and regulations, the attorneys in the Project Team have the support and back-up of the Firm's Tax Practice Group.

Experience in identifying and addressing issues arising under the New York Local Finance Law:

In light of the size and breadth of the Public Finance Group's governmental bond practice, attorneys in the group have extensive experience in identifying and addressing issues arising under the New York Finance Law.

For example, many of the city school districts that we represent have either exceeded or are close to exceeding their constitutional debt limit. Under the Local Finance Law, such city school districts may exceed their constitutional debt limit by following a special procedure. We are very experienced in guiding such school districts through such procedure.

Other examples involve clients that either on their own, or with incorrect advice from other law firms have, committed violations of the Local Finance Law. We have extensive experience in taking curative steps to address such violations, including drafting special legislation to remedy the violation. In connection with preparing such legislation, we typically confer with staff from both the Assembly and the Senate in completing the legislation.

Experience in state and federal finance programs that benefit municipalities:

Attorneys in the Public Finance Group have worked with many municipalities in structuring financings to include the U.S. Department of Agriculture (through Rural Development) and the New York State Environmental Facilities Corporation. Both entities provide a vehicle for municipalities to finance infrastructure projects at subsidized interest rates.

The state and federal finance programs provide significant assistance to municipalities by reducing the debt service costs of financing capital projects. However, these programs are also more complicated than typical general obligation bond finance and we would bring our experience with these programs to bear in our representation of Albany County.

We have also been heavily involved with a number of our municipal and industrial development agency clients in the New York State Consolidated Funding program, and in particular, the Governor's Upstate Revitalization Initiative. We have provided advice on eligible projects and permitted funding streams.

Experience in public offerings, letter of credit facilities and private placements, as well as securities laws generally:

Attorneys in the Public Finance Group have had extensive experience with a variety of financing structures. We regularly act as Bond Counsel for our industrial development agency clients on financings

structured as public underwritings or private placements (whether to a tax-exempt municipal fund or other financial institution) or a direct sale to a bank. We have also participated as Bond Counsel with a variety of security features, including letters of credits, standby bond purchase agreements, negative pledges, real estate and municipal bond insurance. In our capacity as Bond Counsel, we customarily address various securities law issues including adequacy of disclosure issues and review of 15c2-12 certificates and continuing disclosure agreements.

Experience in workouts and loan restructuring:

We have worked on many workouts and loan restructurings, as bank, bond, trustee and borrower counsel, involving traditional loans and public finance transactions, both in and outside of bankruptcy. We have not only drafted documents necessary to effect the modification of bond transactions, but also have been a critical player in effectuating the credit facility substitutions, redemptions and refundings that may become necessary in workouts and restructurings. In the context of debt modifications, we are familiar with addressing the potential issues related to re-issuances under the federal tax law.

Experience in general real estate transactions, leasing and real estate taxes:

We have represented clients in a wide range of real estate transactions involving such diverse projects as office buildings, shopping centers, industrial facilities and hydroelectric projects. We have represented clients from the first step of land acquisition, through financing of construction, and after construction is complete, in connection with leasing and other ongoing issues. We have experience in obtaining regulatory approvals and handling environmental issues. We represent both lessors and lessees in a wide range of lease transactions, from shopping malls to industrial warehouses, on a regular basis.

This experience includes representing, as lead counsel, Erie County, the owner of the Ralph C. Wilson Stadium (f/k/a Rich Stadium), in connection with the negotiation of a long term lease extension with the Buffalo Bills. This engagement, which spanned thirteen months, involved not only a protracted, multi-party private and public sector negotiation and the drafting of the lease and related documents, but also the negotiation, drafting and review of various financing, design and construction documents for the \$75 million renovation of the stadium required by the Bills as a condition to the lease extension.

We also have an extensive practice representing property owners and taxing jurisdictions in real property assessment disputes. Our representation has involved some of the largest commercial and industrial properties in the State, including large power plants, shopping malls, office complexes and high-rises, warehouses, numerous national chain stores, and industrial plants. From this practice, our general real estate practice and our representation of industrial development agencies, we have developed an extensive knowledge base in the area of real estate taxes.

Experience in environmental law and understanding of the Federal and State Environmental Quality Review Acts:

Attorneys in our Firm have extensive experience with all aspects of Federal and State environmental laws. During the course of our representation of our industrial development agency clients throughout New York State, we address, confront, review and resolve environmental issues on a daily basis. With regard to knowledge and experience of these areas, the attorneys in the Project Team would have the full support and back-up of the Firm's Environmental Practice Group.

Experience in monitoring relative legislative and regulatory developments in Albany and Washington:

We actively monitor state legislative developments, particularly as they relate to tax, economic incentive and industrial development agency issues. Attorneys in our public finance group were closely involved in working on legislation that resulted in changes in the IDA Act in 1993, 1997, 2015, 2018 and 2020. We regularly collaborate with the New York State Economic Development Council on the review and comment of pending legislation. With respect to tax law changes (including tax credit and incentive programs) included in the annual budget proposals, we monitor the annual budget negotiations. Following the passage of the state budget every year, we normally send out a "Clients and Friends" letter summarizing the tax changes contained in the budget bill. In the past our attorneys have frequently registered as lobbyists for New York clients with respect to New York tax, credit and incentive issues.

The Firm also conducts an active and varied legislative and regulatory practice in Albany, which includes advocacy before virtually every agency of the state executive branch, the New York Legislature, the Office of the State Comptroller, and the New York State Attorney General's office. As part of that practice, several Firm partners maintain close working relationships with the Governor, the Secretary and Counsel to the Governor, the Director of the Division of the Budget, numerous Executive Agency Commissioners and Counsels, the Speaker of the Assembly and the Majority Leader of the State Senate and their senior staff, and many other state and local appointed and elected officials.

Familiarity with the Federal Bankruptcy Code and Bankruptcy Court procedures:

The Attorneys in the firm's Litigation Practice Group regularly appear in Bankruptcy Court in all four Federal Districts in New York State. The practice group has four partners and seven associates who devote a substantial amount of their practice to Bankruptcy Law and are fully familiar with all aspects of the United States Bankruptcy Code, Bankruptcy Rules and local Bankruptcy Rules. Two partners in the firm are past-presidents of a local Bankruptcy Bar Association.

Familiarity with needs and limitations of public or quasi-public organizations:

Attorneys in our public finance group have extensive experience with public or quasi public organizations. Such experience includes drafting legislation in creating public organizations (e.g., water authorities, parking authorities and industrial development agencies). Other experience includes using not-for-profit corporations (such as local development corporations and economic development corporations) in various financing structures.

In connection with using local development corporations for economic development purposes, we obtained a private letter ruling from the IRS that supported a structure we created to provide for the issuance of federally tax-exempt bonds to finance projects for not-for-profit corporations. We are the only law firm to obtain such a ruling and the financing structure has resulted in the issuance of hundreds of millions of dollars of bonds to benefit the undertaking of capital projects for not-for-profit corporations.

We have used this structure with Albany County, resulting in the completion of significant projects for SUNY Poly (the "Zen Building").

General understanding of governmentally-induced economic development programs:

We have a general working knowledge of governmentally-induced economic development programs. We work with both local and state-wide administrative agencies on economic development issues. Examples include the State's Industrial Access Program and other grant programs for environmental and solid waste recovery projects. We are also familiar with the various programs available, and are familiar with the various income and franchise tax credits permitted under New York's Tax Law. Our attorneys have experience in credit and incentive maximization and requesting and obtaining grants for work force development and training, among other things.

e. Provide at least two (2) references from similar projects including name, addresses and telephone numbers (Question 3.1.5)

See response to Question 3.2.3 below.

f. Provide any additional information that would distinguish your firm in its service to Albany County. (Question 3.1.6)

Attorneys in our public finance group consider ourselves the "go-to" attorneys in the Capital District for public finance matters. As noted in our response, we have the experience, the depth and the contacts to handle any public finance matter.

As an example supporting our view as "go-to" attorneys, we were recently retained by the Albany Port District Commission ("APDC") to work with them in connection with the development of the Albany Port. The APDC is working with major international wind developers to provide a supply chain of wind turbine facilities for installation off the shores of Long Island. The projects are part of the Governor's Green Deal program. We will be acting as bond counsel on projects that could exceed \$400 million in capital costs.

Another example is our work with the Capital District Regional Planning Commission over the past 5 years to develop a financing structure to provide for the financing of an approximately \$60 million project consisting of the construction of improvements to the sewer systems in six municipalities located in the Capital District. The project is described in a consent order entered into by the municipalities with the New York State Department of Environmental Conservation. More detail regarding this engagement is included in our list of transactions below.

No public finance practice can function without the back-up of a tax department. Since the late 1960's, the Federal government has taken a more active role in the regulation of tax-exempt obligations by restricting the types of municipal bonds entitled to tax-exempt status under the Internal Revenue Code. The amendments contained in the Tax Reform Act of 1986 and subsequent tax legislation continue this trend toward increased regulation of tax-exempt finance. A strong tax department is therefore a necessary component of any public finance practice. It follows that no description of our Public Finance Group and its capabilities is complete without a description of our firm's unique expertise in tax matters.

We have the largest tax department of any law firm between New York City and Chicago. The over 20 attorneys in the tax group of the Firm complement our Public Finance Group's practice by providing the depth of knowledge and experience necessary for resolving the more complex federal tax issues which arise in our public finance practice. The tax department at the Firm has been involved with a broad range of federal and state tax matters. Members of the tax department work closely with the Public Finance Group in the structuring of public finance transactions. The tax department has had a significant role in our structuring of transactions involving tax-exempt bonds and tax-exempt municipal leases.

We have had the opportunity to work with the County as Bond Counsel for the past several years. We would certainly welcome the opportunity to continue that relationship. Albany County is a significant and important client of the firm.

Our qualifications are summarized as follows:

General experience as bond counsel. Attorneys in our public finance group have acted as bond counsel to numerous bond issuers throughout New York State. We have rendered approving opinions on hundreds of millions of dollars of public financings in New York State. We have regularly been the top ranked major upstate law firm based on number of bond financings closed.

Specific Albany County finance experience. We have had the opportunity to act as bond counsel to Albany County on millions of dollars of financings since 2001. We have acted as bond counsel to the County on note financings, financings involving the New York State Environmental Facilities Corporation, refunding financings and serial bond financings.

Commitment to Project Finance. There are five (5) attorneys in the Albany office practicing exclusively in public finance, the largest group of public finance attorneys in the City of Albany. Our public finance attorneys regularly attend and lecture at conferences held by the New York State Economic Development Council, the Municipal Law Section of the New York State Bar Association and the National Association of Bond Lawyers. Further, unlike many firms, both local and national, we have hired young associate attorneys and paralegals in connection with the development of our public finance practice. Our public finance group has increased in size over the past five years.

General Capital District Finance Experience. We are periodically contacted by officials of Albany County, the City of Albany, the Albany County Industrial Development Agency, the City of Albany Industrial Development Agency, the Albany County Airport Authority, the Albany Parking Authority and the Albany Municipal Finance Water Authority to render advice or provide services on a variety of general finance issues and questions.

Commitment to the County. The firm is committed to our location in downtown Albany. Our office space is located in the 677 Broadway office building.

The combination of our general expertise as bond counsel, specific and general experience with Albany County, commitment to public finance and our location in downtown Albany distinguishes our response from any other law firm. In addition, as described in our response, we have created a project team to ensure that the legal needs of Albany County are met professionally and responsively.

g. *Include a completed "Vendor Responsibility Questionnaire" (Attachment C). (Question 3.I.7)*

See Attachment C.

SECTION III. EXPERIENCE AND REFERENCES

*LIST OF ALL GENERAL OBLIGATION BOND FINANCINGS
FOR THE LAST THREE YEARS (Question 3.2.1)*

a. *Provide a listing of all general obligation bond financings in New York State in which your firm has served as bond counsel during the last three (3) years. Please indicate the name, date and the amount of the issue. The listing should be grouped by size of issues in the following categories:*

*\$ 0 - \$ 1 Million
\$ 1 Million - \$ 9,999 Million
\$ 10 Million - \$ 49,999 Million
\$ 50 Million +*

Attached please find a list of general obligation bond financings where Hodgson Russ has acted as Bond Counsel during the last three years. The financings have been grouped by size of issue in accordance with the County's Request for Proposals.

S 0 - S 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
7/19/2019	Town of Brant	Bond Anticipation Note, 2019	\$13,000
11/6/2019	Village of Granville	Bond Anticipation Renewal Note, Series 2019GB	\$18,000
10/18/2019	Town of Andes	Bond Anticipation Renewal Note, Series 2019B	\$21,842
11/6/2019	Village of Granville	Bond Anticipation Renewal Note, Series 2019A	\$22,050
6/26/2019	Town of Herkimer	Bond Anticipation Renewal Note, Series 2019C	\$24,000
7/20/2018	Town of Brant	Bond Anticipation Note, 2018	\$26,000
11/7/2018	Village of Granville	Bond Anticipation Renewal Note, Series 2018B	\$27,000
11/7/2018	Village of Granville	Bond Anticipation Renewal Note, Series 2018A	\$29,400
5/4/2017	Town of Herkimer	Bond Anticipation Renewal Note, Series 2017A	\$33,600
7/19/2019	Town of Andes	Bond Anticipation Renewal Note, Series 2019A	\$35,618
11/8/2017	Village of Granville	Bond Anticipation Renewal Note, Series 2017B	\$36,000
6/27/2018	Town of Herkimer	Bond Anticipation Renewal Note, Series 2018C	\$36,000
11/8/2017	Village of Granville	Bond Anticipation Note, Series 2017A	\$36,750
3/6/2020	Town of Gaines	Bond Anticipation Note, 2020	\$38,360
7/21/2017	Town of Brant	Bond Anticipation Note, 2017	\$39,000
11/20/2018	Town of Olive	Bond Anticipation Renewal Note, Series 2018A	\$42,380
3/8/2019	Town of Gaines	Bond Anticipation Note, 2019	\$42,687
10/19/2018	Town of Andes	Bond Anticipation Renewal Note, Series 2018B	\$43,684
5/14/2019	Town of Herkimer	Bond Anticipation Renewal Note, Series 2019B	\$45,000
3/9/2018	Town of Gaines	Bond Anticipation Note, 2018	\$47,014
6/28/2017	Town of Herkimer	Bond Anticipation Renewal Note, Series 2017C	\$48,000
5/24/2017	Village of Granville	Tax Anticipation Note, Series 2017A	\$50,000
3/9/2017	Town of Gaines	Bond Anticipation Note, 2017	\$51,341
11/21/2017	Town of Olive	Bond Anticipation Note, Series 2017	\$52,380
9/26/2019	Town of Bovina	Bond Anticipation Renewal Note, Series 2019A	\$56,250
5/15/2018	Town of Herkimer	Bond Anticipation Renewal Note, Series 2018B	\$60,000
5/30/2019	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2019 Series A	\$60,000
1/26/2017	Village of Schoharie	Environmental Facilities Corporation Drinking Water Statutory Installment Bond - 2017	\$65,276
6/25/2020	Town of Westfield	Rural Development General Obligation Statutory Installment Bond, 2020 Series B	\$67,000
12/11/2018	Town of Franklinville	General Obligation Statutory Installment Bonds, 2018A	\$69,210
7/19/2018	Town of Andes	Bond Anticipation Renewal Note, Series 2018A	\$71,235.79
11/1/2017	Town of Herkimer	Bond Anticipation Renewal Note, Series 2017D	\$73,000
5/16/2017	Town of Herkimer	Bond Anticipation Note, Series 2017B	\$75,000
12/12/2017	Town of Franklinville	Bond Anticipation Note, 2017	\$75,000
9/27/2018	Town of Bovina	Bond Anticipation Renewal Note, Series 2018A	\$75,000
3/6/2020	Town of Herkimer	Bond Anticipation Renewal Note, Series 2020A	\$81,730
6/28/2019	Attica Central School District	Bond Anticipation Note, 2019	\$81,837
10/6/2017	Village of Medina	Bond Anticipation Note, 2017	\$85,000
7/12/2019	Town of Niagara	Bond Anticipation Note, 2019A	\$85,600
6/15/2018	Town of Ridgeway	Bond Anticipation Note, 2018	\$90,000
6/16/2017	Town of Ridgeway	Bond Anticipation Note, 2017	\$95,000
4/18/2019	Village of Palatine Bridge, New York	General Obligation (Statutory Installment) Bond, 2019	\$100,000
12/20/2018	Town of Alexander	Bond Anticipation Note, 2018A	\$105,000
9/27/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019E	\$105,080
2/20/2020	Town of Bethany	Bond Anticipation Note, 2020	\$106,000
7/12/2018	Town of Niagara	Bond Anticipation Note, 2018	\$107,000

S 0 - S 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
3/29/2019	Village of Green Island, New York	Bond Anticipation Renewal Note, Series 2019B	\$108,131
7/21/2017	Town of Andes	Bond Anticipation Renewal Note, Series 2017A	\$108,657
3/8/2019	Town of Herkimer	Bond Anticipation Renewal Note, Series 2019A	\$108,974
12/6/2019	Town of Herkimer	Bond Anticipation Renewal Note, Series 2019D	\$110,289
9/28/2018	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2018E	\$111,740
3/13/2019	Town of Wellsville	Public Improvement Serial Bonds, 2019	\$117,116
9/29/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017C	\$118,400
1/22/2019	Town of Hoosick	Bond Anticipation Renewal Note, Series 2019A	\$130,000
10/2/2020	Village of Medina	Bond Anticipation Note, 2020	\$135,000
3/9/2018	Town of Herkimer	Bond Anticipation Note, Series 2018A	\$136,217
9/26/2019	Attica Central School District	Bond Anticipation Note, 2019A	\$137,453
12/7/2018	Town of Herkimer	Bond Anticipation Note, Series 2018D	\$137,861
6/13/2018	Town of New Lisbon	General Obligation (Statutory Installment) Bond, 2018	\$140,000
3/30/2018	Village of Green Island	Bond Anticipation Note, Series 2018B	\$144,175
4/4/2018	Village of Elba	Bond Anticipation Note, 2018	\$150,000
4/23/2018	Rexford Fire District	Fire District (Statutory Installment) Bond, 2018	\$150,000
11/14/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019F	\$155,000
2/2/2017	Town of Dunkirk	Bond Anticipation Note, 2017	\$160,000
7/17/2018	Village of Arcade	Public Improvement Serial Bonds, 2018	\$160,000
9/22/2020	Town of Lancaster	Bond Anticipation Note, 2020A	\$160,000
9/25/2020	Attica Central School District	Bond Anticipation Note, 2020A	\$160,000
9/24/2019	Village of Elba	Public Improvement Serial Bonds, 2019	\$163,000
3/4/2020	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2020A	\$168,000
12/18/2019	Town of Oakfield	Public Improvement Serial Bonds, 2019A	\$168,500
12/6/2017	Town of Canadea	Statutory Installment Bond, 2017	\$169,000
12/27/2018	Town of Oakfield	Bond Anticipation Note, 2018A	\$170,500
3/5/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019B	\$180,000
11/6/2018	Town of Aurora	Serial Bonds, 2018	\$181,000
9/12/2019	Town of Batavia	Public Improvement Serial Bonds 2019	\$182,000
3/6/2018	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2018B	\$192,000
6/27/2019	Jefferson Fire District	Bond Anticipation Note, 2019	\$200,000
8/20/2019	Pleasantdale Fire District No. 5 in the Town of Schaghticoke	Fire District (Serial) Bonds, 2019	\$200,000
8/18/2020	Village of Bergen	Bond Anticipation Note, 2020A	\$200,000
12/28/2017	Town of Oakfield	Bond Anticipation Note, 2017B	\$205,500
2/21/2019	Town of Bethany	Bond Anticipation Note, 2019	\$208,000
6/25/2020	Town of Westfield	Rural Development General Obligation Statutory Installment Bond, 2020 Series A	\$212,000
8/8/2018	West Valley Central School District	Bond Anticipation Note, 2018	\$213,502
10/4/2019	Village of Medina	Bond Anticipation Note, 2019A	\$214,000
5/25/2017	Town of Kendall	Bond Anticipation Note, 2017A	\$215,000
10/6/2017	Village of Medina	Serial Bonds, 2017A	\$215,000
11/16/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017F	\$220,500
8/29/2019	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2019 Series D	\$221,890
11/28/2018	Village of Watkins Glen	Bond Anticipation Note, 2018A	\$224,000
11/29/2017	Village of Watkins Glen	Bond Anticipation Note, 2017A	\$227,500
1/23/2018	Town of Hoosick	Bond Anticipation Renewal Note, Series 2018A	\$230,000
10/5/2018	Village of Medina	Bond Anticipation Note, 2018	\$230,000
5/28/2020	Village of Wellsville	Bond Anticipation Note, 2020	\$231,000
9/13/2018	Town of Batavia	Bond Anticipation Note, 2018A	\$234,120

S 0 - \$ 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
10/10/2019	Town of Oakfield	Statutory Installment Bond, 2019	\$236,000
3/27/2018	Town of Alexander	Bond Anticipation Note, 2018	\$243,000
3/26/2019	Town of Alexander	Statutory Installment Bond, 2019	\$243,000
3/14/2018	Town of Wellsville	Bond Anticipation Note, 2018	\$245,000
2/1/2017	Town of Alexander	Public Improvement Serial Bonds, 2017	\$250,000
3/15/2017	Town of Wellsville	Bond Anticipation Note, 2017	\$250,000
5/29/2018	Village of Westfield	Bond Anticipation Note, 2018	\$250,000
4/19/2019	Mellenville Fire District	Fire District (Serial) Bonds, 2019	\$250,000
7/22/2020	City of Olean	Public Improvement Serial Bonds, 2020 (Federally Taxable)	\$250,000
9/22/2017	Town of Ridgeway	Bond Anticipation Note, 2017A	\$254,800
5/27/2020	Village of Westfield	Bond Anticipation Note, 2020	\$260,000
3/21/2019	Town of North Collins	Environmental Facility Corporation Drinking Water Facility Note - 2019A	270,000
8/15/2019	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2019 Series C (Renewals)	\$270,000
3/8/2018	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2018	\$274,760
4/18/2018	Town of Yates	Public Improvement Serial Bonds, 2018	\$275,000
9/28/2017	Pine Valley Central School District	Bond Anticipation Note, 2017	\$278,350
11/13/2019	Town of Westfield	Bond Anticipation Note, 2019	\$279,000
3/9/2017	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2017	\$279,165
4/1/2019	Town of Kendall	Public Improvement Serial Bonds, 2019	\$280,000
3/22/2017	Town of Westfield	Bond Anticipation Note, 2017	\$282,000
3/21/2018	Town of Westfield	Bond Anticipation Note, 2018	\$282,000
9/21/2018	Town of Westfield	General Obligation Statutory Installment Bonds, 2018	\$282,000
9/14/2017	Town of Batavia	Bond Anticipation Note, 2017A	\$287,220
12/13/2019	Village of Burdett	Statutory Installment Bond, 2019 SERIES B (Rural Development)	\$288,000
8/20/2020	Town of Kendall	Bond Anticipation Note, 2020A	\$288,000
3/7/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017A	\$288,440
5/28/2019	Village of Westfield	Bond Anticipation Note, 2019	\$290,000
9/16/2020	Village of Middleburgh	Bond Anticipation Renewal Note, Series 2020A	\$292,308
9/18/2018	Village of Middleburgh	Bond Anticipation Note, Series 2018A	\$300,000
1/22/2019	Town of Hoosick	Bond Anticipation Note, Series 2019B	\$300,000
5/20/2019	Jefferson Fire District	Fire District (Serial) Bonds, 2019	\$300,000
6/6/2019	Greenport Fire District	Fire District (Serial) Bonds, 2019	\$300,000
9/17/2019	Village of Middleburgh	Bond Anticipation Renewal Note, Series 2019A	\$300,000
1/21/2020	Town of Hoosick	Bond Anticipation Renewal Note, Series 2020A	\$300,000
8/7/2020	Village of Green Island	Bond Anticipation Note, Series 2020A	\$300,000
6/10/2020	Town of Ridgeway	General Obligation Statutory Installment Bond, 2020	\$305,000
2/22/2018	Town of Bethany	Bond Anticipation Note, 2018	\$310,000
1/16/2020	Village of Bergen	Bond Anticipation Note, 2020	\$310,000
1/17/2019	Village of Bergen	Bond Anticipation Note, 2019	\$320,000
6/13/2019	Town of Ridgeway	Bond Anticipation Note, 2019	\$320,000
1/19/2017	Village of Bergen	Bond Anticipation Note, 2017	\$325,000
1/18/2018	Village of Bergen	Bond Anticipation Note, 2018	\$325,000
8/12/2020	Village of Holley	Bond Anticipation Note, 2020	\$325,000
1/24/2017	Town of Hoosick	Bond Anticipation Renewal Note, Series 2017	\$330,000

S 0 - S 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
11/26/2019	Town of Ridgeway	Bond Anticipation Note, 2019A	\$334,000
9/18/2020	Town of Ridgeway	Rural Development General Obligation Statutory Installment Bond, 2020	\$334,000
4/2/2018	Town of Kendall	Bond Anticipation Note, 2018	\$335,000
11/19/2018	Town of Kendall	General Obligation Statutory Installment Bonds, 2018	\$335,000
7/8/2020	Clymer Central School District	Bond Anticipation Note, 2020	\$335,000
9/21/2018	Town of Ridgeway	Bond Anticipation Note, 2018A	\$335,300
9/27/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019D	\$340,000
10/16/2019	Glenville Fire District No. 7	Fire District (Statutory Installment) Bond, 2019	\$350,000
10/24/2019	Town of Fort Edward	General Obligation (Statutory Installment) Bond, 2019	\$350,000
7/13/2017	Clymer Central School District	School District Serial Bonds, 2017	\$355,000
8/17/2018	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2018 Series B	\$355,000
9/28/2018	Town of Rotterdam	Bond Anticipation Note, Series 2018D	\$360,000
5/14/2020	Village of Brocton	Public Improvement Refunding Serial Bonds, 2020	\$363,500
11/2/2018	Town of Niagara	Bond Anticipation Note, 2018B	\$375,000
8/3/2017	Town of Aurora	Serial Bonds, 2017	\$380,000
2/21/2018	Village of Silver Creek	Bond Anticipation Note, 2018	\$400,000
8/21/2018	Village of Alexander	Bond Anticipation Note, 2018	\$400,000
1/11/2019	Berne Fire District	Fire District (Serial) Bonds, 2019	\$400,000
8/13/2020	South Schodack Fire District	Fire District (Serial) Bonds, 2020	\$400,000
5/14/2020	Town of Portland	Bond Anticipation Note, 2020	\$400,000
2/23/2017	Town of Bethany	Bond Anticipation Note	\$411,000
9/25/2020	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2020A	\$418,420
6/25/2019	Yorkshire-Pioneer Central School District	School District Serial Bonds, 2019	\$420,000
5/26/2020	Village of Medina	Public Improvement Serial Bonds, 2020	\$420,000
5/30/2018	Village of Watkins Glen	Bond Anticipation Note, 2018	\$425,000
9/9/2020	Town of Carrollton	Bond Anticipation Note, 2020	\$430,000
9/11/2018	Town of Carrollton	Bond Anticipation Note, 2018	\$434,000
9/10/2019	Town of Carrollton	Bond Anticipation Note, 2019	\$434,000
5/10/2018	Town of Niagara	Serial Bonds, 2018	\$435,000
4/19/2017	Town of Yates	Bond Anticipation Note, 2017	\$440,000
1/29/2020	Brocton Central School District	Bond Anticipation Note, 2020	\$441,000
5/28/2020	Town of Bethany	Bond Anticipation Note, 2020A	\$448,000
11/9/2018	Village of South Dayton	Bond Anticipation Note, 2018	\$450,000
11/8/2019	Village of South Dayton	Bond Anticipation Note, 2019	\$450,000
4/10/2018	Town of Oakfield	Statutory Installment Bond, 2018	\$465,000
9/4/2019	Iroquois Central School District	School District Serial Bonds, 2019	\$465,000
12/19/2019	Village of Medina	Bond Anticipation Note, 2019B	\$465,000
4/2/2018	Town of Kendall	Bond Anticipation Note, 2018 Series B	\$468,000
1/25/2018	Pleasantdale Fire District	Bond Anticipation Notes, 2018	\$475,000
1/25/2019	Pleasantdale Fire District	Bond Anticipation Renewal Note, Series 2019A	\$475,000
2/5/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019A	\$475,000
5/12/2017	Town of Pittstown	General Obligation (Statutory Installment) Bond, 2017	\$480,000
9/22/2017	Town of Knox	General Obligation (Statutory Installment) Bond, 2017	\$480,000
7/13/2017	Clymer Central School District	Bond Anticipation Note, 2017	\$492,800
7/6/2017	East Aurora Union Free School District	Bond Anticipation Note, 2017	\$494,144

S 0 - \$ 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
5/2/2019	Town of Newfane	Public Improvement Serial Bonds, 2019	\$495,000
9/22/2017	Village of Fleischmanns	Bond Anticipation Renewal Note, Series 2017A	\$500,000
11/16/2017	Village of Arcade	Bond Anticipation Note, 2017	\$500,000
2/6/2018	Town of Rotterdam	Bond Anticipation Note, Series 2018A	\$500,000
6/14/2018	City of Olean	Serial Bonds, 2018	\$500,000
11/15/2018	Village of Arcade	Bond Anticipation Note, 2018	\$500,000
3/22/2019	Rotterdam Fire District #2	General Obligation (Statutory Installment) Bond, 2019	\$500,000
8/28/2020	Village of Granville	Bond Anticipation Note, Series 2020A	\$500,000
7/29/2020	Village of Waverly	Bond Anticipation Note, 2020	\$500,000
8/19/2020	Oakfield-Alabama Central School District	Bond Anticipation Note, 2020	\$500,000
7/16/2020	Ripley Central School District	Bond Anticipation Note, 2020	\$507,500
7/11/2019	Clymer Central School District	Bond Anticipation Note, 2019	\$512,000
6/17/2020	Belfast Central School District	Dormitory Authority of the State of New York Revenue Bond Financing, 2020	\$515,000
1/26/2017	Village of Schoharie	Environmental Facilities Corporation Clean Water Statutory Installment Bond - 2017	\$517,928
5/29/2019	Village of Watkins Glen	Bond Anticipation Note, 2019	\$520,000
7/21/2017	Town of Niagara	Bond Anticipation Note, 2017A	\$522,000
7/18/2019	Ripley Central School District	Bond Anticipation Note, 2019	\$527,000
6/8/2017	Village of Marathon	Public Improvement Serial Bonds, 2017	\$530,000
10/21/2020	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2020D	\$538,000
9/4/2019	Town of Milo	Public Improvement Refunding Serial Bonds, 2019	\$546,500
6/18/2020	City School District of the City of Tonawanda	Bond Anticipation Note, 2020	\$549,766
9/10/2020	Iroquois Central School District	School District Serial Bonds, 2020	\$555,000
8/25/2017	Iroquois Central School District	Serial Bonds, 2017	\$565,000
9/6/2017	Scotia-Glenville Central School District	School District (Serial) Bonds, 2017	\$565,000
5/3/2018	Town of Newfane	Bond Anticipation Note, 2018	\$576,000
10/22/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019E	\$576,000
6/3/2020	Town of Dunkirk	Rural Development General Obligation Statutory Installment Bond, 2020	\$577,000
6/13/2018	Town of Dunkirk	Bond Anticipation Note, 2018A	\$587,000
6/11/2019	Town of Dunkirk	Bond Anticipation Note, 2019A	\$587,000
3/27/2020	Town of Portland	Rural Development General Obligation Statutory Installment Bond, 2020	\$594,000
7/20/2017	Ripley Central School District	Bond Anticipation Note, 2017A	\$595,172
8/21/2019	Oakfield-Alabama Central School District	Bond Anticipation Note, 2019	\$595,500
6/11/2020	Cassadaga Valley Central School District	Bond Anticipation Note, 2020	\$595,600
8/2/2017	Belfast Central School District	Bond Anticipation Note, 2017A	\$599,144
11/3/2017	Village of Cobleskill	Bond Anticipation Note, Series 2017A	\$600,000
7/12/2017	Town of Barre	Bond Anticipation Note, 2017	\$604,000
6/27/2018	Town of Barre	General Obligation Statutory Installment Bonds, 2018	\$604,000
7/12/2018	Clymer Central School District	Bond Anticipation Note, 2018	\$610,123
10/23/2018	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2018F	\$624,000
4/3/2017	Town of Kendall	Bond Anticipation Note, 2017	\$625,000
4/27/2017	Elmwood Park Fire District	Fire District Refunding (Serial) Bonds, 2017	\$630,000
7/19/2018	Ripley Central School District	Bond Anticipation Note, 2018	\$630,000

S 0 - \$ 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
8/13/2020	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2020 Series B	\$634,754
8/2/2018	Bemus Point Central School District	Bond Anticipation Note, 2018	\$637,000
7/12/2018	Town of Colonie	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$640,000
10/11/2018	Albany Municipal Water Finance Authority	Second Resolution Notes (Albany and Colonie Water System Interconnect Project - EFC), Series 2018C	\$640,000
7/31/2017	Rexford Fire District	Fire District Refunding (Statutory Installment) Bond, 2017	\$640,122
5/4/2017	Town of Newfane	Bond Anticipation Note, 2017	\$651,000
10/10/2019	Village of Depew	Environmental Facilities Corporation Clean Water Statutory Installment Bond - 2019	\$654,087
3/29/2019	Village of Green Island, New York	Bond Anticipation Renewal Note, Series 2019A	\$660,000
8/1/2019	Bemus Point Central School District	Bond Anticipation Note, 2019	\$665,000
8/3/2017	Bemus Point Central School District	Bond Anticipation Note, 2017	\$666,000
3/22/2017	Town of Oakfield	Statutory Installment Bond, 2017	\$666,931
8/12/2020	Town of Corning	Bond Anticipation Note, 2020A	\$670,294
10/24/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017D	\$672,000
8/24/2018	Iroquois Central School District	Serial Bonds, 2018	\$675,000
8/16/2018	Town of Herkimer	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$680,000
5/12/2020	Village of Arcade	Bond Anticipation Note, 2020	\$681,000
11/8/2018	Town of Stark	Environmental Facilities Corporation Drinking Water Facility Note - 2018	\$694,897
6/7/2018	Waverly Barton Fire District	General Obligation (Statutory Installment) Bond, 2018	\$700,000
8/14/2020	Olean Urban Renewal Agency	Bond Anticipation Note, Series 2020 (Federally Taxable)	\$700,000
11/26/2019	Village of Watkins Glen	Public Improvements Serial Bonds, 2019	\$705,000
4/2/2020	Town of Barre	Bond Anticipation Note, 2020	\$708,000
10/26/2018	Town of Batavia	General Obligation Statutory Installment Bonds, 2018	\$710,000
7/30/2020	Bemus Point Central School District	Bond Anticipation Note, 2020	\$717,000
3/21/2019	Town of Castile	Public Improvement Serial Bonds, 2019	\$718,000
7/10/2019	Village of Mayville	Public Improvement Serial Bonds, 2019	\$725,000
3/30/2018	Village of Green Island	Bond Anticipation Renewal Note, Series 2018A	\$730,000
3/27/2018	Town of Castile	Bond Anticipation Note, 2018	\$742,000
2/8/2018	Village of Medina	Environmental Facilities Corporation Clean Water Facility Statutory Installment Bond - 2018	\$742,351
7/12/2018	Village of Williamsville	Public Improvement Serial Bonds, 2018	\$744,000
5/16/2019	Village of Speculator, Hamilton County, New York	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$748,753
8/23/2017	Oakfield-Alabama Central School District	Bond Anticipation Note, 2017A	\$750,775
1/30/2019	Town of Dunkirk	Bond Anticipation Note, 2019	\$771,000
2/1/2018	Town of Dunkirk	Bond Anticipation Note, 2018	\$772,000
6/19/2018	Town of Bethany	Bond Anticipation Note, 2018	\$785,000
4/25/2019	Town of Bethany	Statutory Installment Bond, 2019	\$785,000
8/3/2017	Orchard Park Central School District	School District Serial Bonds, 2017	\$790,000
9/19/2019	Village of Arcade	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$790,500

S 0 - \$ 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
7/6/2018	Orchard Park Central School District	Bond Anticipation Note, 2018	\$792,000
5/16/2019	Town of Portland	Bond Anticipation Note, 2019	\$794,000
8/12/2020	Orchard Park Central School District	School District Serial Bonds, 2020	\$794,000
7/12/2017	Village of Williamsville	Bond Anticipation Note, 2017	\$799,000
8/24/2017	Akron Central School District	Bond Anticipation Note, 2017	\$799,635
3/31/2017	Village of Green Island	Bond Anticipation Renewal Note, Series 2017A	\$800,000
6/13/2017	Little Flower Union Free School District	Revenue Anticipation Note, 2017	\$800,000
1/16/2019	Chautauqua Utility District	Bond Anticipation Note, 2019	\$800,000
8/28/2019	Town of North Harmony	Bond Anticipation Note, 2019	\$800,000
9/27/2019	Hurley Fire District	Fire District (Serial) Bonds, 2019	\$800,000
11/26/2019	Village of Lewiston	Bond Anticipation Note, 2019	\$800,000
1/14/2020	Chautauqua Utility District	Bond Anticipation Note, 2020	\$800,000
1/22/2020	Town of Corning	Bond Anticipation Note, 2020	\$804,650
3/27/2019	Village of Holley	Refunding Serial Bonds, 2019	\$808,500
1/23/2019	Town of Corning	Bond Anticipation Note, 2019	\$824,600
9/27/2018	Village of Fonda	Environmental Facilities Corporation Clean Water Facility Note - 2018 A	\$825,000
8/22/2018	Oakfield-Alabama Central School District	Bond Anticipation Note, 2018	\$826,000
1/25/2017	Town of Corning	Bond Anticipation Note, 2017	\$831,550
5/21/2020	Town of Kendall	Bond Anticipation Note, 2020	\$840,000
8/13/2020	Holley Central School District	Bond Anticipation Note, 2020	\$840,400
4/11/2017	Town of Oakfield	Bond Anticipation Note, 2017A	\$844,000
8/14/2019	Holley Central School District	Bond Anticipation Note, 2019	\$845,000
6/4/2020	City of Tonawanda	Public Improvement Serial Bonds, 2020	\$848,000
6/10/2020	Clarence Fire District	General Obligation Serial Bonds, 2020	\$850,000
1/24/2018	Town of Corning	Bond Anticipation Note, 2018	\$863,550
12/14/2017	Albany Municipal Water Finance Authority	Second Resolution Notes (Upper Washington Corridor Water Project - Environmental Facilities Corporation), Series 2017D	\$874,140
1/29/2020	Town of Dunkirk	Bond Anticipation Note, 2020	\$882,000
8/15/2017	Frontier Central School District	Bond Anticipation Note, 2017	\$883,701
6/12/2019	Clarence Fire District	Bond Anticipation Note, 2019	\$900,000
8/13/2020	City of Cohoes	Public Improvement (Serial) Bonds, 2020	\$900,000
8/21/2020	Village of Green Island	Bond Anticipation Note, Series 2020B	\$900,000
8/23/2018	Akron Central School District	Bond Anticipation Note, 2018	\$908,144
8/15/2019	City of Cohoes	Bond Anticipation Notes, 2019 (Renewals)	\$920,000
2/14/2019	Town of Oakfield	Bond Anticipation Note, 2019	\$927,000
6/27/2018	East Aurora Union Free School District	Bond Anticipation Note, 2018	\$939,874
8/16/2018	City of Cohoes	Bond Anticipation Renewal Note, Series 2018B	\$940,000
7/30/2019	Clarence Central School District	Bond Anticipation Note, 2019	\$940,000
8/7/2018	Village of Silver Creek	Bond Anticipation Note, 2018A	\$952,700
8/15/2018	Holley Central School District	Bond Anticipation Note, 2018	\$956,914
10/1/2020	City of Cohoes	Environmental Facilities Corporation Clean Water Facility Note - 2020	\$959,000
8/17/2017	City of Cohoes	Bond Anticipation Renewal Note, Series 2017B	\$960,000
6/13/2019	Cassadaga Valley Central School District	Bond Anticipation Note, 2019	\$968,000
6/7/2018	City of Tonawanda	Serial Bonds, 2018	\$975,000
8/16/2017	Holley Central School District	Bond Anticipation Note, 2017A	\$978,600
6/15/2017	Cassadaga Valley Central School District	Bond Anticipation Note, 2017	\$994,667

S 0 - \$ 1 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
6/1/2017	Village of Westfield	Bond Anticipation Note, 2017	\$995,000
9/20/2017	Cheektowaga Central School District	Tax Anticipation Note, 2017	\$995,000
12/17/2019	Town of Alexander	Bond Anticipation Note, 2019	\$995,000
3/28/2017	Town of Castile	Bond Anticipation Note, 2017	\$997,000
7/11/2018	Village of Mayville	Bond Anticipation Note, 2018	\$998,000
9/5/2017	Town of Oakfield	Serial Bonds, 2017	\$999,000
5/22/2018	Village of Burdett	Bond Anticipation Note, 2018	\$999,000
8/22/2019	Akron Central School District	Bond Anticipation Note, 2019	\$999,757

S 1 Million - S 9,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
6/28/2017	City School District of the City of Elmira	Bond Anticipation Notes, 2017 (Renewals)	\$1,000,000
3/3/2017	Town of New Scotland	Bond Anticipation Renewal Note, Series 2017A	\$1,013,600
6/14/2018	Cassadaga Valley Central School District	Bond Anticipation Note, 2018	\$1,073,050
11/29/2018	Village of Schoharie	Environmental Facilities Corporation Drinking Water Facility Note - 2018	\$1,100,000
8/29/2019	Cheektowaga Central School District	Tax Anticipation Note, 2019	\$1,100,000
3/21/2019	Town of Oakfield	Bond Anticipation Note, 2019	\$1,115,000
2/21/2019	Town of Broadalbin	Bond Anticipation Notes, 2019 (Renewals)	\$1,125,000
11/9/2017	Village of Silver Creek	Environmental Facilities Corporation Clean Water Statutory Installment Bond, 2017C (Leveraged Financing)	\$1,131,720
6/22/2017	City of Cohoes	Bond Anticipation Notes, Series 2017	\$1,200,000
6/13/2018	Clarence Fire District	Bond Anticipation Note, 2018	\$1,200,000
6/21/2018	City of Cohoes	Bond Anticipation Notes, 2018 (Renewals)	\$1,200,000
6/26/2019	East Aurora Union Free School District	School District Serial Bonds, 2019	\$1,210,000
6/27/2019	Randolph Academy Union Free School District	Revenue Anticipation Note, 2019	\$1,210,000
5/10/2018	Village of Westfield	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$1,235,200
3/21/2019	Village of Holley	Environmental Facility Corporation Drinking Water Facility Note - 2019A	\$1,246,000
3/14/2019	Town of Ashford	Environmental Facilities Corporation Drinking Water Statutory Installment Bond - 2019	\$1,246,890
7/24/2018	City of Olean	Bond Anticipation Note, 2018	\$1,250,000
9/20/2018	Amherst Central School District	Bond Anticipation Note, 2018A	\$1,250,000
7/23/2019	City of Olean	Bond Anticipation Note, 2019 (Federally Taxable)	\$1,250,000
5/8/2017	City School District of the City of Tonawanda	Energy Performance Contract, 2017	\$1,257,748
8/23/2018	Town of Woodhull	Amended Environmental Facilities Corporation Clean Water Facility Note - 2013A	\$1,271,721
11/30/2017	Village of Depew	Environmental Facilities Corporation Clean Water Facility Note-2017A	\$1,275,000
3/14/2019	Village of Scotia	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$1,275,000
7/25/2019	City of Dunkirk	Serial Bonds, 2019	\$1,281,636
3/2/2018	Town of New Scotland	Bond Anticipation Note, Series 2018A	\$1,283,040
12/19/2018	Village of Williamsville	Serial Bonds, 2018A	\$1,292,000
2/22/2018	Town of Broadalbin	Bond Anticipation Notes, 2018 (Renewals)	\$1,300,000
6/20/2018	Lewiston-Porter Central School District	Bond Anticipation Note, 2018	\$1,300,000
4/20/2017	Village of Cobleskill	Environmental Facilities Corporation Drinking Water Facility Note - 2017A	\$1,300,200
11/20/2019	Allegany Joint Fire District	Fire District Refunding Serial Bonds, 2019	\$1,330,000
8/3/2017	Scotia-Glenville Central School District	Energy Performance Contract, 2017	\$1,338,271

S 1 Million - S 9.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
11/19/2019	Village of Silver Creek	Bond Anticipation Note, 2019A	\$1,342,700
3/1/2019	Town of New Scotland	Bond Anticipation Note, Series 2019A	\$1,346,230
9/18/2019	City of Olean	Bond Anticipation Note, 2019A	\$1,350,000
2/20/2019	Village of Silver Creek	Bond Anticipation Note, 2019	\$1,352,700
7/6/2017	Orchard Park Central School District	Bond Anticipation Note, 2017	\$1,387,735
6/20/2019	Brighton Fire District	Bond Anticipation Note, 2019	\$1,400,000
4/14/2017	Johnsonville Fire District	Fire District Refunding (Serial) Bonds, 2017	\$1,410,000
9/27/2018	Village of Fonda	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$1,441,729
6/7/2018	Village of Depew	Environmental Facilities Corporation Clean Water Facility Note - 2018A	\$1,445,000
11/6/2019	Village of Williamsville	Public Improvement Refunding Serial Bonds, 2019	\$1,445,000
5/10/2018	Town of Niagara	Bond Anticipation Note, 2018	\$1,455,695
6/28/2018	Ripley Central School District	Bond Anticipation Note, 2018	\$1,485,000
8/24/2017	Village of Watkins Glen	General Obligation Statutory Installment Bond, 2017	\$1,495,000
6/14/2017	Clarence Fire District	Bond Anticipation Note, 2017	\$1,500,000
4/26/2019	Town of Ballston	Bond Anticipation Note, Series 2019A	\$1,500,000
7/18/2019	Cherry Valley-Springfield Central School District	Bond Anticipation Notes, 2019 Series B	\$1,500,000
10/17/2019	Village of Alfred	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$1,509,000
6/13/2017	Village of Watkins Glen	Bond Anticipation Note, 2017	\$1,510,000
6/29/2017	Ripley Central School District	Bond Anticipation Note, 2017	\$1,530,500
3/19/2019	Town of Elba	Bond Anticipation Note, 2019	\$1,570,000
9/27/2017	Village of Elba	Bond Anticipation Note, 2017	\$1,573,200
4/11/2019	Village of Alexander	Environmental Facilities Corporation Drinking Water Facility Note - 2019	\$1,588,000
9/21/2017	Town of Randolph	Environmental Facilities Corporation Drinking Water Statutory Installment Bond, 2017	\$1,593,000
6/17/2019	Laurens Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2019	\$1,595,000
2/7/2019	City School District of the City of Little Falls	Bond Anticipation Notes, 2019	\$1,600,000
6/17/2019	Ripley Central School District	Dormitory Authority of the State of New York Revenue Bonds, 2019	\$1,605,000
7/3/2019	Orchard Park Central School District	School District Serial Bonds, 2019 Series B	\$1,607,000
6/28/2019	Alden Central School District	Energy Performance Contract, 2019	\$1,613,750
3/20/2018	Town of Elba	Bond Anticipation Note, 2018	\$1,615,191
5/11/2017	Town of Niagara	Bond Anticipation Note, 2017	\$1,658,930
11/2/2017	Cobleskill-Richmondville Central School District	Bond Anticipation Notes, 2017	\$1,659,173
3/21/2017	Town of Elba	Bond Anticipation Note, 2017	\$1,662,191
10/31/2019	Cobleskill-Richmondville Central School District	Bond Anticipation Notes, 2019	\$1,677,473
6/17/2019	Herkimer Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2019	\$1,685,000

S 1 Million - S 9,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
11/1/2018	Cobleskill-Richmondville Central School District	Bond Anticipation Notes, 2018	\$1,686,895
8/17/2017	Belfast Central School District	Bond Anticipation Note, 2017A	\$1,700,000
11/30/2017	Village of Hamburg	Public Improvement Refunding Serial Bonds, 2017	\$1,705,000
5/9/2019	Town of Niagara	Bond Anticipation Note, 2019	\$1,728,202
6/28/2017	Randolph Academy Union Free School District	Revenue Anticipation Note, 2017	\$1,750,000
6/27/2018	Randolph Academy Union Free School District	Revenue Anticipation Note, 2018	\$1,750,000
5/8/2019	Village of Medina	Bond Anticipation Note, 2019	\$1,750,000
9/24/2019	Village of Elba	Bond Anticipation Note, 2019	\$1,838,650
7/13/2017	Laurens Central School District	Bond Anticipation Notes, 2017	\$1,840,000
7/12/2018	Laurens Central School District	Bond Anticipation Notes, 2018 (Renewals)	\$1,840,000
12/14/2017	Albany Municipal Water Finance Authority	Albany Municipal Water Finance Authority Second Resolution Notes (Feura Bush Project - Environmental Facilities Corporation), Series 2017C	\$1,854,160
6/8/2017	Frewsburg Central School District	Dormitory Authority of the State of New York Pooled Revenue Bond Financing, 2017	\$1,856,628
7/26/2018	City of Cohoes	Public Improvement (Serial) Bonds, 2018	\$1,900,000
10/10/2019	Village of Alfred	Environmental Facilities Corporation Drinking Water Facility Note - 2019	\$1,934,400
9/20/2018	Village of Burdett	Bond Anticipation Note, 2018A	1,970,000
11/9/2017	City School District of the City of Sherrill	School District Refunding Serial Bonds, 2017 (Dormitory Authority of the State of New York)	\$1,990,000
12/20/2017	Village of Brocton	Bond Anticipation Note, 2017	\$2,000,000
2/15/2018	Amherst Central School District	Bond Anticipation Note, 2018	\$2,000,000
6/28/2018	Cuba-Rushford Central School District	Bond Anticipation Note, 2018	\$2,000,000
2/28/2019	Southwestern Central School District	Bond Anticipation Note, 2019	\$2,000,000
6/20/2019	Village of Watkins Glen	Bond Anticipation Note, 2019	\$2,000,000
6/6/2018	Village of Kenmore	Serial Bonds, 2018	\$2,050,000
6/7/2018	Van Hornesville-Owen D. Young Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2018	\$2,055,000
11/16/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017E	\$2,067,000
9/26/2018	Village of Elba	Bond Anticipation Note, 2018A	\$2,067,150
7/31/2019	Belfast Central School District	Bond Anticipation Note, 2019	\$2,075,000
6/13/2019	City of Olean	Bond Anticipation Note, 2019	\$2,099,215
7/19/2018	Town of Rotterdam	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$2,100,000
6/29/2018	City School District of the City of Tonawanda	School District Refunding Serial Bonds, 2018	\$2,140,000
8/1/2018	Belfast Central School District	Bond Anticipation Note, 2018	\$2,184,760
11/15/2018	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2018G	\$2,201,500
7/11/2019	Clarence Central School District	Bond Anticipation Note, 2019	\$2,213,750
8/1/2018	Herkimer Central School District	Bond Anticipation Notes, 2018 (Renewals)	\$2,265,000
6/13/2018	City of Tonawanda	Environmental Facilities Corporation Clean	\$2,289,378

S 1 Million - \$ 9,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
		Water Facility Note - 2018A	
10/5/2017	Springville Griffith Institute Central School District	Bond Anticipation Note, 2017A	\$2,302,807
6/15/2017	Lewiston-Porter Central School District	School District Serial Bonds, 2017	\$2,315,000
6/29/2018	Herkimer Central School District	Bond Anticipation Notes, 2018 (Renewals)	\$2,320,503
6/26/2019	City School District of the City of Elmira	School District Refunding (Serial) Bonds, 2019	\$2,330,000
2/22/2018	Town of Concord	Serial Bonds, 2018	\$2,347,790
1/10/2019	Village of Oakfield	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$2,365,000
8/23/2019	Springville Griffith Institute Central School District	Bond Anticipation Note, 2019	\$2,395,517
6/12/2019	Roosevelt & Cross Incorporated	Village of Fredonia Public Improvement Refunding (Serial) Bonds, 2019	\$2,410,000
11/13/2019	Town of Rotterdam	Public Improvement (Serial) Bonds, 2019	\$2,410,500
7/11/2019	Village of Westfield	Environmental Facilities Corporation - Drinking Water Facility Note - 2019	\$2,442,200
7/25/2018	Village of Hamburg	Bond Anticipation Note, 2018	\$2,453,000
6/7/2018	Westfield Central School District	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$2,480,000
8/24/2018	Springville-Griffith Institute Central School District	Bond Anticipation Note, 2018	\$2,480,062
2/23/2017	Town of Concord	Bond Anticipation Note	\$2,488,750
8/30/2017	Genesee Valley Central School District	Bond Anticipation Note, 2017	\$2,500,000
12/20/2017	City of Dunkirk	Bond Anticipation Note, 2017	\$2,500,000
8/31/2018	Cheektowaga Central School District	Tax Anticipation Note, 2018	\$2,500,000
11/9/2017	Panama Central School District	Dormitory Authority of the State of New York Refunding Serial Bonds, 2017	\$2,540,000
12/13/2019	Village of Burdett	Statutory Installment Bond, 2019 SERIES A (Rural Development)	\$2,561,000
11/29/2018	City of Tonawanda	Environmental Facilities Corporation Drinking Water Facility Note - 2018	\$2,599,842
6/8/2017	Fredonia Central School District	Dormitory Authority of the State of New York Pooled Revenue Bond Financing, 2017	\$2,600,000
6/30/2017	Van Hornesville-Owen D. Young Central School District	Bond Anticipation Notes, 2017	\$2,600,000
12/5/2017	Randolph Central School District	School District Refunding Serial Bonds, 2017	\$2,610,000
2/28/2019	Town of Woodhull	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$2,616,000
8/7/2019	City School District of the City of Little Falls	School District Refunding (Serial) Bonds, 2019	\$2,620,000
6/27/2018	Orchard Park Central School District	Bond Anticipation Note, 2018 Series A	\$2,636,695
9/27/2018	Saratoga County Water Authority	Environmental Facilities Corporation Drinking Water Facility Notes - 2018A	\$2,700,000
6/17/2019	Newfane Central School District	Dormitory Authority of the State of New York Revenue Bonds, 2019	\$2,735,000
10/5/2017	Hurley Fire District	Fire District (Serial) Bonds, 2017	\$2,750,000
10/17/2019	Town of Colonie	Revenue Anticipation Note, Series 2019A	\$2,800,000
3/21/2019	Town of Oakfield	Public Improvement Serial Bonds, 2019	\$2,815,000
6/20/2017	Westfield Central School District	Bond Anticipation Note, 2017	\$2,840,000

S 1 Million - S 9.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
7/6/2017	Village of Springville	Bond Anticipation Note, 2017	\$2,869,000
1/4/2018	Town of Chautauqua	Environmental Facilities Corporation Clean Water Facility Note - 2018A	\$2,872,500
7/13/2017	Clarence Central School District	Bond Anticipation Note, 2017 Series B	\$2,890,000
5/21/2019	Village of Burdett	Bond Anticipation Note, 2019	\$2,969,000
8/10/2017	City of Dunkirk	Refunding Serial Bonds, 2017	\$2,975,000
3/21/2017	Hamburg Central School District	Bond Anticipation Note, 2017	\$3,000,000
10/9/2018	Town of Colonie	Revenue Anticipation Note, Series 2018A	\$3,000,000
12/17/2019	Village of East Aurora	Bond Anticipation Note, 2019	\$3,000,000
7/26/2017	Village of Hamburg	Bond Anticipation Note, 2017	\$3,003,000
4/5/2018	Town of Aurora	Bond Anticipation Note, 2018	\$3,065,000
6/13/2019	City of Olean	Public Improvement Serial Bonds, 2019	\$3,085,000
11/7/2017	Rotterdam Fire District #7	Fire District (Serial) Bonds, 2017	\$3,100,000
2/1/2017	Laurens Central School District	School District Refunding (Serial) Bonds, 2017	\$3,115,000
7/12/2018	Clarence Central School District	Bond Anticipation Note, 2018	\$3,122,500
4/6/2017	Town of Aurora	Bond Anticipation Note, 2017	\$3,200,000
10/5/2017	Town of Colonie	Revenue Anticipation Note, Series 2017A	\$3,200,000
4/25/2018	Burnt Hills Fire District	Fire District (Serial) Bonds, 2018	\$3,200,000
11/9/2017	City of Olean	Environmental Facilities Corporation Clean Water Statutory Installment Bond, 2017C (Leveraged Financing)	\$3,250,000
8/16/2017	Town of Corning	Bond Anticipation Note, 2017A	\$3,292,000
5/23/2017	Village of Medina	Public Improvement Serial Bonds, 2017	\$3,321,458
6/26/2019	Orchard Park Central School District	School District Serial Bonds, 2019 Series A	\$3,392,999
11/29/2018	Village of Mayville	Environmental Facilities Corporation Drinking Water Facility Note - 2018	\$3,452,000
6/27/2017	Town of Irondequoit	Public Improvement Refunding Serial Bonds, 2017	\$3,475,000
6/29/2017	Springville GI Central School District	Bond Anticipation Note, 2017	\$3,500,000
8/23/2017	Sweet Home Central School District	Tax Anticipation Note, 2017	\$3,500,000
1/24/2019	Lewiston-Porter Central School District	Bond Anticipation Note, 2019	\$3,500,000
6/24/2019	City School District of the City of Lockport	Energy Performance Contract, 2019	\$3,502,761
8/15/2018	Town of Corning	Bond Anticipation Note, 2018	\$3,512,000
8/14/2019	Town of Corning	Bond Anticipation Note, 2019A	\$3,595,743
9/13/2017	Amherst Central School District	Serial Bonds, 2017A	\$3,635,000
7/25/2018	Frontier Central School District	Bond Anticipation Note, 2018	\$3,695,111
6/20/2019	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2019C	\$3,750,300
1/5/2017	Village of Cassadaga	Environmental Facilities Corporation Drinking Water Statutory Installment Bond - 2017	\$3,780,710
7/8/2019	Canajoharie Central School District	Bond Anticipation Notes, 2019	\$3,787,152
8/8/2019	Town of Elma	Bond Anticipation Note, 2019	\$3,793,000
9/21/2017	Village of Ellicottville	Environmental Facilities Corporation Clean Water Statutory Installment Bond - 2017	\$3,834,525
1/25/2018	Village of Oneida Castle	Clean Water Facility Note - 2018A	\$3,871,000
6/21/2018	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2018C	\$3,889,200
8/9/2018	Town of Elma	Bond Anticipation Note, 2018	\$3,908,750
7/17/2017	Cassadaga Valley Central School	Bond Anticipation Note, 2017A	\$4,000,000

S 1 Million - S 9.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
	District		
3/22/2018	City School District of the City of Sherrill	Bond Anticipation Note, 2018	\$4,000,000
6/22/2017	Town of Rotterdam	Bond Anticipation Renewal Note, Series 2017B	\$4,028,100
3/22/2018	Town of Oakfield	Bond Anticipation Note, 2018	\$4,028,401
7/5/2018	Village of Springville	Bond Anticipation Note, 2018	\$4,040,000
6/15/2017	City of Olean	Bond Anticipation Note, 2017	\$4,135,000
4/11/2019	Village of Arcade	Environmental Facilities Corporation Clean Water Statutory Installment Bond - 2019	\$4,146,238
6/20/2017	Randolph Central School District	Bond Anticipation Note, 2017	\$4,250,000
2/16/2017	City School District of the City of Batavia	School District Serial Bonds, 2017	\$4,252,321
12/19/2019	Town of Aurora	Bond Anticipation Note, 2019A	\$4,400,000
7/24/2019	Village of Hamburg	Bond Anticipation Note, 2019	\$4,435,000
4/27/2017	Cheektowaga Central School District	Bond Anticipation Note, 2017	\$4,500,000
12/20/2018	Village of Waverly	Bond Anticipation Note, 2018A	\$4,538,873
12/19/2019	Village of Waverly	Bond Anticipation Note, 2019	\$4,538,873
3/23/2017	Town of Oakfield	Bond Anticipation Note, 2017	\$4,561,804
6/27/2019	Hinsdale Central School District	Bond Anticipation Note, 2019	\$4,570,000
5/17/2018	Village of Brocton	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$4,570,500
4/3/2019	County of Ontario	Public Improvement Serial Bonds, 2019	\$4,600,000
6/17/2019	Cooperstown Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2019	\$4,600,000
3/23/2017	Village of Silver Creek	Environmental Facilities Corporation CWSRF, 2017	\$4,604,148
2/28/2019	Village of Warsaw	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$4,611,500
7/3/2019	Village of Springville	Bond Anticipation Note, 2019	\$4,626,000
12/7/2017	County of Schenectady	Various Purposes Refunding Serial Bonds - 2017	\$4,640,000
4/6/2017	Albany Municipal Water Finance Authority	Second Resolution Notes (Elberon/Ryckman Project - Environmental Facilities Corporation), Series 2017B	\$4,740,652
2/23/2017	Whitesville Central School District	School District Refunding Serial Bonds, 2017	\$4,755,000
11/9/2017	Belfast Central School District	Dormitory Authority of the State of New York Refunding Serial Bonds, 2017	\$4,795,000
12/6/2019	Belfast Central School District	Bond Anticipation Note, 2019A	\$4,838,035
7/25/2018	Town of Lancaster	Bond Anticipation Note, 2018	\$4,840,000
4/4/2019	Town of Aurora	Bond Anticipation Note, 2019	\$4,840,000
12/18/2017	Alfred-Almond Central School District	School District Refunding Serial Bonds, 2017	\$4,875,000
7/26/2017	Town of Lancaster	Bond Anticipation Note, 2017	\$4,900,000
8/8/2018	City School District of the City of Lockport	Bond Anticipation Note, 2018	\$4,900,000
11/29/2017	Town of Elba	Bond Anticipation Note, 2017A	\$4,975,000
6/15/2017	City of Olean	Public Improvement Serial Bonds, 2017	\$4,984,000
9/26/2019	Allegheny-Limestone Central School District	Bond Anticipation Note, 2019	\$5,000,000

S 1 Million - S 9,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
3/29/2019	Depew Union Free School District	Bond Anticipation Note, 2019	\$5,054,184
12/14/2017	Albany Municipal Water Finance Authority	Second Resolution Notes (CSO Project), Series 2017A	\$5,083,286
3/21/2019	Village of Westfield	Environmental Facilities Corporation Clean Water Facility Note - 2019A	\$5,102,557
6/28/2017	Frewsburg Central School District	Bond Anticipation Note, 2017	\$5,131,000
6/27/2018	Frewsburg Central School District	Bond Anticipation Note, 2018	\$5,131,000
3/14/2019	Town of Batavia	Bond Anticipation Note, 2019	\$5,229,500
6/19/2019	Lewiston-Porter Central School District	Bond Anticipation Note, 2019A	\$5,250,000
8/23/2018	West Seneca Central School District	Installment Lease Purchase, 2018	\$5,287,340
3/16/2017	Town of Batavia	Bond Anticipation Note, 2017	\$5,291,190
8/13/2019	Grand Island Central School District	Bond Anticipation Note, 2019	\$5,300,000
3/15/2018	Town of Batavia	Bond Anticipation Note, 2018	\$5,476,500
9/5/2019	Cheektowaga-Maryvale Union Free School District	Bond Anticipation Note, 2019	\$5,500,000
6/28/2018	Cooperstown Central School District	Bond Anticipation Notes, 2018 (Renewals)	\$5,560,000
6/18/2018	Randolph Central School District	School District Serial Bonds, 2018	\$5,650,545
6/8/2017	City of Tonawanda	Bond Anticipation Note, 2017	\$5,817,000
12/28/2017	County of Schenectady	Various Purposes Serial Bonds - 2017B	\$5,850,000
6/29/2017	Cooperstown Central School District	Bond Anticipation Notes, 2017 (Renewals)	\$5,860,000
5/9/2017	Village of Depew	Public Improvement Serial Bonds, 2017	\$5,930,000
1/26/2017	City of Dunkirk	Environmental Facilities Corporation Drinking Water Note - 2017A	\$6,000,000
12/6/2018	City School District of the City of Sherrill	Bond Anticipation Notes, 2018 Series C	\$6,000,000
6/14/2018	City of Olean	Bond Anticipation Note, 2018	\$6,024,215
4/3/2019	Holley Central School District	School District Serial Bonds, 2019	\$6,045,000
6/6/2019	City of Tonawanda	Bond Anticipation Note, 2019	\$6,119,000
5/9/2017	City of Cortland	School District Refunding Serial Bonds, 2017	\$6,125,000
6/7/2018	City of Tonawanda	Bond Anticipation Note, 2018	\$6,144,000
7/11/2018	Holley Central School District	Bond Anticipation Note, 2018	\$6,210,000
6/17/2019	Springville Griffith Institute Central School District	Dormitory Authority of the State of New York Revenue Bonds, 2019 Series A	\$6,285,000
7/12/2017	Holley Central School District	Bond Anticipation Note, 2017	\$6,375,000
4/5/2018	Town of Hanover	Environmental Facilities Corporation Clean Water Facility Note - 2018A	\$6,478,999
7/25/2019	Town of Hanover	Amended Environmental Facilities Corporation Clean Water Facility Note - 2019	\$6,478,999
6/22/2017	Cuba-Rushford Central School District	School District Serial Bonds, 2017	\$6,536,733
10/10/2017	Friendship Central School District	Refunding Serial Bonds, 2017	\$6,585,000
12/7/2017	Village of Cooperstown	Environmental Facilities Corporation Clean Water Facility Note - 2017A	\$6,641,767
2/8/2018	City of Tonawanda	Environmental Facilities Corporation Clean Water Facility Note - 2018A	\$6,743,420
6/7/2018	Herkimer Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2018	\$6,835,000
8/1/2018	Chautauqua Utility District	Public Improvements Serial Bonds, 2018	\$6,900,000
12/20/2018	County of Schenectady	Various Purposes Serial Bonds - 2018	\$6,950,000
2/20/2019	Town of Colonie	Public Improvement Refunding Serial	\$6,995,000

S 1 Million - S 9.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
		Bonds - 2019	
6/29/2017	Southwestern Central School District	Bond Anticipation Note, 2017	\$7,000,000
3/7/2019	Town of Eden	Public Improvement Serial Bonds, 2019	\$7,143,000
6/8/2017	Akron Central School District	Dormitory Authority of the State of New York Pooled Revenue Bond Financing, 2017	\$7,170,000
7/9/2019	Wilson Central School District	Bond Anticipation Note, 2019	\$7,230,000
8/1/2017	East Aurora Union Free School District	Bond Anticipation Note, 2017A	\$7,321,971
6/17/2019	Cleveland Hill Union Free School District	Dormitory Authority of the State of New York Revenue Bonds, 2019	\$7,350,000
6/16/2017	Alden Central School District	School District Serial Bonds, 2017	\$7,352,315
8/2/2017	Yorkshire-Pioneer Central School District	Bond Anticipation Note, 2017	\$7,400,000
8/31/2018	Depew Union Free School District	Bond Anticipation Note, 2018	\$7,500,000
9/27/2018	Albany Municipal Water Finance Authority	Second Resolution Notes (CSO Phase II Project - EFC), Series 2018B	\$7,505,905
6/17/2019	Yorkshire-Pioneer Central School District	Dormitory Authority of the State of New York Revenue Bonds, 2019	\$7,590,000
7/27/2018	Cleveland Hill Union Free School District	Bond Anticipation Note, 2018	\$7,650,000
2/9/2017	Town of Ballston	Environmental Facilities Corporation Drinking Water Facility Note - 2017A	\$7,652,797
5/17/2018	Village of Wellsville	Environmental Facilities Corporation Drinking Water Facility Note - 2018A	\$7,733,250
7/10/2019	County of Ontario	General Obligation Refunding Serial Bonds, 2019	\$7,845,000
8/2/2017	Chautauqua Utility District	Bond Anticipation Note, 2017	\$8,000,000
6/19/2019	Fredonia Central School District	Bond Anticipation Note, 2019	\$8,150,000
3/23/2017	City of Dunkirk	Public Improvement Serial Bonds, 2017	\$8,170,000
7/16/2019	Yorkshire-Pioneer Central School District	Bond Anticipation Note, 2019	\$8,200,000
6/6/2019	Village of Cooperstown	Environmental Facilities Corporation Clean Water Facility Note - 2019	\$8,219,410
10/5/2017	Lewiston Porter Central School District	Refunding Serial Bonds, 2017	\$8,325,000
3/9/2017	Town of Eden	Bond Anticipation Note, 2017	\$8,440,180
7/25/2019	Southwestern Central School District	Bond Anticipation Note, 2019B	\$8,464,135
5/9/2018	Iroquois Central School District	School District Serial Bonds, 2018	\$8,600,000
7/31/2019	Salamanca City Central School District	Bond Anticipation Note, 2019	\$8,600,000
7/26/2018	City School District of the City of Sherrill	Bond Anticipation Notes, 2018 (Renewals)	\$8,750,959
8/6/2019	City School District of the City of Batavia	Bond Anticipation Note, 2019	\$8,768,813
3/8/2018	Town of Eden	Bond Anticipation Note, 2018	\$8,830,000
6/26/2019	Frewsburg Central School District	Bond Anticipation Note, 2019	\$9,077,250
12/5/2019	Village of Waverly	Amended Environmental Facilities Corporate Clean Water Facility Note - 2016A	\$9,244,758
3/14/2017	Sweet Home Central School District	School District Refunding Serial Bonds, 2017	\$9,395,000
6/27/2019	Warsaw Central School District	Bond Anticipation Note, 2019	\$9,400,000
9/24/2019	County of Albany	Refunding Serial Bonds - 2019 Series B	\$9,450,000
8/1/2018	Yorkshire-Pioneer Central School	Bond Anticipation Note, 2018	\$9,618,875

S 1 Million - \$ 9,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
	District		
12/19/2018	City School District of the City of Batavia	Bond Anticipation Note, 2018	\$9,750,000
12/18/2019	City School District of the City of Batavia	Bond Anticipation Note, 2019A	\$9,750,000
3/19/2019	Hamburg Central School District	School District Serial Bonds, 2019	\$9,775,000
6/7/2018	City School District of the City of Dunkirk	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$9,810,000
3/20/2018	Hamburg Central School District	Bond Anticipation Note, 2018	\$9,875,000
6/16/2017	Cheektowaga-Maryvale Union Free School District	School District Refunding Serial Bonds, 2017	\$9,990,000
8/10/2017	Herkimer Central School District	Bond Anticipation Notes, 2017 (Renewals)	\$9,990,000
8/17/2017	Town of Bethlehem	Public Improvement (Serial) Bonds, 2017	\$9,992,241
8/30/2017	City School District of the City of Elmira	Bond Anticipation Notes - 2017B	\$10,000,000

S 10 Million - S 49,999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
8/30/2017	City School District of the City Elmira	Bond Anticipation Notes - 2017B	\$10,000,000
10/17/2017	City School District of the City of Dunkirk	School District Refunding Serial Bonds, 2017	\$10,025,000
6/23/2020	Genesee Valley Central School District	School District Serial Bonds, 2020	\$10,220,000
6/6/2019	City School District of the City of Watervliet	School District Refunding Serial Bonds, 2019	\$10,255,000
7/23/2020	Town of Lancaster	Bond Anticipation Note, 2020	\$10,310,000
8/28/2019	Genesee Valley Central School District	Bond Anticipation Note, 2019	\$10,540,000
5/5/2020	Orchard Park Central School District	Bond Anticipation Note, 2020	\$10,700,000
8/29/2018	Genesee Valley Central School District	Bond Anticipation Note, 2018	\$10,780,000
4/12/2017	Akron Central School District	School District Refunding Serial Bonds, 2017	\$10,920,000
6/17/2020	Warsaw Central School District	Dormitory Authority of the State of New York Revenue Bond Financing, 2020	\$11,115,000
6/26/2019	Cuba-Rushford Central School District	Bond Anticipation Note, 2019	\$11,318,000
6/22/2017	Yorkshire-Pioneer Central School District	School District Refunding Serial Bonds, 2017	\$11,555,000
7/26/2017	City School District of the City of Dunkirk	Bond Anticipation Note, 2017	\$11,888,500
6/21/2018	City of Dunkirk	Environmental Facilities Corporation Clean Water Facility Note - 2018A	\$11,956,250
6/25/2020	Cuba-Rushford Central School District	Bond Anticipation Note, 2020	\$12,092,280
8/29/2019	Depew Union Free School District	Bond Anticipation Note, 2019A	\$12,554,184
3/15/2018	Town of Colonie	Bond Anticipation Notes - 2018	\$12,558,000
6/7/2018	Bemus Point Central School District	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$12,920,000
6/11/2020	Falconer Central School District	Bond Anticipation Note, 2020	\$13,000,000
6/17/2019	Springville Griffith Institute Central School District	Dormitory Authority of the State of New York Revenue Bonds, 2019 Series B	\$13,025,000
6/7/2018	Scotia-Glenville Central School District	School District (Serial-Dormitory Authority of the State of New York Pool) Bonds, 2018	\$13,265,000
6/7/2018	Oakfield-Alabama Central School District	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$13,430,000
7/22/2020	Alden Central School District	Bond Anticipation Note, 2020	\$13,500,000
11/26/2019	Town of Elba	Bond Anticipation Note, 2019A	\$13,584,000
6/28/2018	Southwestern Central School District	Bond Anticipation Note, 2018	\$13,606,933
11/28/2018	Town of Elba	Bond Anticipation Note, 2018A	\$13,658,000
6/8/2017	Eden Central School District	Bond Anticipation Note, 2017	\$13,800,000
6/17/2020	Cassadaga Valley Central School District	Bond Anticipation Note, 2020A	\$14,169,143
6/15/2017	Town of Colonie	Various Purposes Refunding (Serial) Bonds - 2017B	\$14,420,000

S 10 Million - S 49.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
7/16/2018	Cassadaga Valley Central School District	Bond Anticipation Note, 2018A	\$14,539,000
7/26/2019	Silver Creek Central School District	Bond Anticipation Note, 2019	\$14,555,000
7/23/2020	Silver Creek Central School District	Bond Anticipation Note, 2020	\$14,825,000
7/14/2020	Cheektowaga-Maryvale Union Free School District	Bond Anticipation Note, 2020	\$14,870,000
7/15/2019	Cassadaga Valley Central School District	Bond Anticipation Note, 2019A	\$15,038,903
7/27/2017	Scotia-Glenville Central School District	Bond Anticipation Notes, 2017	\$15,084,550
11/9/2017	City of Olean	Environmental Facilities Corporation Clean Water Statutory Installment Bond, 2017C (Leveraged Financing)	\$15,174,840
6/28/2017	Bemus Point Central School District	Bond Anticipation Note, 2017	\$15,430,000
6/27/2019	Southwestern Central School District	Bond Anticipation Note, 2019A	\$15,506,933
7/24/2019	Town of Lancaster	Bond Anticipation Note, 2019	\$15,655,000
7/6/2017	Oakfield-Alabama Central School District	Bond Anticipation Note, 2017	\$15,660,000
7/23/2019	Frontier Central School District	Bond Anticipation Note, 2019	\$15,726,063
2/13/2019	Amherst Central School District	Bond Anticipation Note, 2019	\$16,266,340
8/3/2017	City School District of the City of Lockport	School District Serial Bonds, 2017	\$16,760,000
8/17/2017	Ravena-Coeymans-Selkirk Central School District	Bond Anticipation Notes, 2017	\$17,119,559
8/16/2018	Ravena-Coeymans-Selkirk Central School District	Bond Anticipation Notes, 2018	\$17,220,750
5/23/2019	Town of Bethlehem	Public Improvement (Serial) Bonds, 2019	\$17,227,100
6/5/2019	Eden Central School District	School District Serial Bonds, 2019	\$17,385,000
3/19/2020	Albany Municipal Water Finance Authority	Second Resolution Notes (CSO Phase II Project - EFC), Series 2020B	\$17,604,000
8/6/2020	City School District of the City of Lockport	School District Serial Bonds, 2020	\$17,715,000
6/27/2018	Springville-Griffith Institute Central School District	School District Serial Bonds, 2018	\$17,940,000
8/13/2020	Ravena-Coeymans-Selkirk Central School District	Bond Anticipation Notes, 2020	\$18,144,404
3/15/2018	Town of Colonie	Public Improvement Serial Bonds - 2018	\$18,150,000
6/16/2020	City School District of the City of Batavia	Bond Anticipation Note, 2020	\$18,195,000
8/12/2020	Grand Island Central School District	Bond Anticipation Note, 2020	\$18,199,738
12/28/2017	County of Albany	General Obligation Refunding Serial Bonds - 2017	\$18,235,000
3/12/2020	Town of Colonie	Bond Anticipation Notes - 2020	\$18,487,000
6/21/2017	Amherst Central School District	School District Serial Bonds, 2017	\$18,495,000
8/15/2019	Ravena-Coeymans-Selkirk Central School District	Bond Anticipation Notes, 2019	\$18,512,440
3/12/2020	Town of Colonie	Public Improvement Serial Bonds - 2020	\$18,568,000
6/18/2020	West Seneca Central School District	School District Serial Bonds, 2020	\$18,835,000
6/25/2020	Southwestern Central School District	Bond Anticipation Note, 2020	\$19,065,000
3/16/2017	Town of Colonie	Bond Anticipation Notes - 2017	\$19,765,200
7/30/2019	East Aurora Union Free School District	School District Serial Bonds, 2019A	\$19,870,000

S 10 Million - \$ 49.999 Million General Obligation Bond Financings			
Date	Issuer	Title	Amount
4/25/2018	Cheektowaga Central School District	Bond Anticipation Note, 2018	\$19,910,000
8/7/2019	City School District of the City of Lockport	Bond Anticipation Note, 2019	\$20,035,000
6/7/2018	Eden Central School District	Bond Anticipation Note, 2018	\$20,150,000
10/11/2017	Town of Grand Island	Bond Anticipation Note, 2017	\$20,592,250
6/7/2018	Lewiston-Porter Central School District	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$20,725,000
6/27/2018	City School District of the City of Elmira	Bond Anticipation Notes - 2018	\$21,000,000
7/25/2019	City School District of the City of Sherrill	Bond Anticipation Notes, 2019	\$21,644,092
4/5/2018	Orchard Park Central School District	School District Serial Bonds, 2018	\$21,840,000
10/9/2019	Town of Grand Island	Bond Anticipation Note, 2019	\$22,042,000
7/22/2020	Frontier Central School District	Bond Anticipation Note, 2020	\$22,567,851
4/6/2017	Orchard Park Central School District	Bond Anticipation Note, 2017	\$22,639,874
4/24/2019	Cheektowaga Central School District	School District Serial Bonds, 2019	\$22,750,000
6/1/2017	Yorkshire-Pioneer Central School District	School District Serial Bonds, 2017	\$23,200,000
7/31/2018	East Aurora Union Free School District	Bond Anticipation Note, 2018	\$23,550,000
8/3/2020	County of Albany	Refunding Serial Bonds - 2019 Series C (Forward Delivery)	\$23,630,000
10/10/2018	Town of Grand Island	Bond Anticipation Note, 2018	\$23,775,325
6/6/2017	Frontier Central School District	School District Serial Bonds, 2017	\$23,935,000
3/14/2019	Town of Colonie	Bond Anticipation Notes - 2019	\$24,187,000
6/25/2020	City School District of the City of Sherrill	Bond Anticipation Notes, 2020	\$24,549,558
2/12/2020	Amherst Central School District	School District Serial Bonds, 2020	\$24,925,000
6/15/2017	Lewiston-Porter Central School District	Bond Anticipation Note, 2017	\$24,970,000
6/7/2018	Clarence Central School District	Dormitory Authority of the State of New York Revenue Serial Bond Financing, 2018	\$25,780,000
10/8/2020	Town of Grand Island	Bond Anticipation Note, 2020	\$27,192,000
7/13/2017	Clarence Central School District	Bond Anticipation Note, 2017 Series A	\$28,780,000
6/25/2020	City School District of the City of Elmira	Bond Anticipation Notes - 2020	\$35,555,000
6/6/2019	County of Albany	Public Improvement Bond Anticipation Notes - 2019 Series A	\$37,388,690
6/26/2019	City School District of the City of Elmira	Bond Anticipation Notes - 2019	\$38,245,000
6/12/2019	Kenmore-Town of Tonawanda Union Free School District	School District Serial Bonds, 2019	\$39,495,000
6/13/2018	Kenmore-Town of Tonawanda Union Free School District	Bond Anticipation Note, 2018	\$44,372,716
6/14/2017	Kenmore-Town of Tonawanda Union Free School District	Bond Anticipation Note, 2017	\$45,301,158
6/15/2017	Town of Colonie	Various Purposes Refunding Serial Bonds - 2017A (Federally Taxable)	\$45,500,000

\$ 50 Million + General Obligation Bond Financings			
Date	Issuer	Title	Amount
9/24/2019	County of Albany	Various Purposes Serial Bonds - 2019 Series A	\$72,440,000
6/25/2020	County of Erie	Revenue Anticipation Note Series 2020	\$125,000,000
5/24/2017	County of Albany	Public Improvement Bond Anticipation Notes - 2017	\$134,279,450
4/12/2018	County of Albany	Various Purposes Serial Bonds - 2018	\$140,740,000

b. Summarize five (5) transactions in the last three (3) years in which you were bond counsel that demonstrates your qualifications to fulfill the duties of this RFP. Please include at least one transaction for a New York issuer (state, locality or public authority). Please provide the issuers name, the amount, the date of issue and the exact role played by your firm. (Question 3.2.2)

SUMMARY OF CERTAIN TRANSACTIONS

In response to the inquiry contained in Section 3.2.2 of the Request for Proposals, the following are summaries of five (5) transactions completed in the last three (3) years that demonstrate our qualifications to fulfill the duties of bond counsel to Albany County. In each of the summaries, we explain why we selected the particular transaction for review by Albany County.

1. **Albany Municipal Water Finance Authority**
\$4,603,744 Second Resolution Notes
(Elberon/Hansen/Rykman Project – EFC), Series 2020
Closing Date: February 5, 2020

We were retained by the Albany Municipal Water Finance Authority pursuant to a competitive RFP in 2015 to act as Bond Counsel to the Authority. This financing is one of many that we have handled for the Authority in connection with the financing of various sewer projects by municipalities located along the Hudson River to address the consolidated sewer overflow problem.

The total amount of the various financings will approach \$60 million. The financings by the Authority are being done in concert with financings by the Cities of Cohoes, Watervliet, Rensselaer, and Troy and the Village of Green Island.

The efforts by the six municipalities to address the consolidated sewer overflow problem were coordinated by the Capital District Regional Planning Commission. We were retained by the Commission, again by a competitive RFP, to provide advice on how to structure financings by multiple jurisdictions to fund capital projects that cross municipal boundaries. We were able to develop a solution, and reach agreement with the New York Environmental Facilities Corporation (“EFC”) on our structure. The agreement by EFC was critical because EFC is providing much of the funding through grants and low interest bond/note financing.

In summary, the reasons we selected this project for listing in our response were the following: (a) the need to address significant state law issues in structuring the financing, (b) the need to coordinate the efforts of 6 municipalities, (c) we represent several of the municipalities directly and we are acting as bond counsel for their component financings, and (d) the need to work with EFC to gain their confidence and approval. So while the project noted above is relatively small, the overall financing is very large and very complicated.

2. **Albany County Capital Resource Corporation**
\$7,723,011 Tax-Exempt Revenue Bonds
(CIDC Colonie, LLC Project), Series 2019A
Closing Date: September 5, 2019

The Albany County Capital Resource Corporation (“CRC”) is a local development corporation that we created on behalf of Albany County to assist in economic development in the County. The CRC issued the revenue bonds to provide financing for a training center for the Capital District BOCES.

The project financing was so successful that the Capital District BOCES has come back to the CRC for a \$55 million financing to close later this year.

We selected this transaction as one for consideration by Albany County because of the significant state law and federal tax work we did to create the issuer of the bonds. The first financing by the CRC was the ZEN Building in the amount of nearly \$200 million. As noted in our response, we secured an IRS private letter ruling that supported the conclusion that the local development corporation was a governmental issuer for federal tax purposes.

3. Schenectady County, New York
\$9,015,000 Various Purposes Serial Bonds – 2020
Closing Date: May 15, 2020

We selected this transaction because it describes our role as bond counsel to a New York State county in financing a multi-phase/multi-year capital project.

We assisted the municipality in undertaking all the tasks described in Section 4 of the Request for Proposals. In connection with our role as bond counsel, we handled all the tasks regularly handled by bond counsel, including the following matters:

- a. Conducted tax due diligence on the various elements of the capital projects.
- b. Reviewed with the financial advisor the status of continuing disclosure obligations of the municipality.

4. Town of Colonie, New York
\$18,568,000 Public Improvement Serial Bonds – 2020
Closing Date: March 12, 2020

We selected this transaction because it describes our role as bond counsel to a New York State municipality on a variety of financings over an extended period of time. This financing, like many of the financings of the County, involved multi-purpose projects. We worked with Town officials in calculating PPUs and addressing SEQR issues. Further, we coordinated with the Town's financial advisor and the Town CFO on capital budgets and the structuring and timing of financings.

We have had the opportunity to represent the Town for a period of over 20 years. In our capacity as bond counsel, we have performed all the services described in Section 4 of the Request for Proposals.

Projects that we have assisted the Town in financing include the following: municipal offices, landfill improvements, roads, sewer and water infrastructure projects and various equipment acquisitions. We have also worked with the Town on multiple financings involving the New York State Environmental Facilities Corporation. Lastly, we have also assisted the Town in issuing refunding bonds, both to refinance bonds issued by the Town and to refinance EFC supported bond financings.

During the last 10 years of our representation of the Town as bond counsel, we have handled over \$200,000,000 of note and bond financings.

5. Albany County Airport Authority
\$4,390,000 Airport Revenue Refunding Bonds,
Series 2020A (Non-AMT)(Forward Delivery)
\$30,220,000 Airport Revenue Refunding Bonds,
Series 2020A (Non-AMT)(Forward Delivery)
Closing Date: March 18, 2020

We selected this transaction as it demonstrated our role as Bond Counsel on a complicated public authority financing where we had significant tax issues and the sale of refunding bonds using a forward purchase agreement. The tax issues related to governmental use and private activity, and we addressed the issue in part by dividing the bond sale into Non-AMT bonds and AMT bonds. And, as the financing was intended to be an advance refunding, but because of the recent tax act advance refundings have been prohibited, we structured the financing using a forward purchase agreement. As you are well aware, the County recently closed on a refunding using a forward delivery structure.

6. Other matters

As noted above, we have selected 5 transactions that we believe provide a good representation of our public finance qualifications. Please note that we could have included a number of other transactions. For example, we were recently retained by the Albany Port District Commission in connection with their work to provide for development relating to the Governor's Green Deal initiative and the construction of supply chain facilities. The supply chain facilities will facilitate the construction of wind turbines off the shores of Long Island for the purpose of generating electricity. The construction projects may result in taxable and tax-exempt financings in amounts in excess of \$400 million. We will be bond counsel on those financings. This engagement was secured by a competitive process.

c. Provide the names of three (3) references from recent financings, including contact names, address and telephone numbers. For each reference, please identify the financing(s) in which your firm was involved by issuer name, date of issue, and the role played by your firm. (Question 3.2.3)

REFERENCES

The following are three (3) references from recent financings:

- Thomas Dufresne, Chief Fiscal Officer, Albany Water Board, 10 North Enterprise Drive, Albany, New York 12204, Telephone – (518) 434-5321

Project: Second Resolution Notes – multiple series over the past 5 years
Role: Bond Counsel
- P. Christopher Kelsey, Acting Comptroller, Town of Colonie, Memorial Town Hall, 534 New Loudon Road, Latham, New York 12110, Telephone - (518) 783-2708

Project: \$18,568,000 Town of Colonie, New York
Albany County, New York
Bond anticipation Notes 2020
Role: Bond Counsel

- John P. McPhillips, Jr., Commissioner of Finance, Schenectady County, 620 State Street, Third Floor, Schenectady, New York 12305, Telephone – (518) 388-4260

Project: \$9,015,000 Various Purposes Serial Bonds - 2020
Role: Bond Counsel

[Additional References are Available on Request]

d. List all malpractice claims against any of the attorneys in your firm who are listed in response to Sections 3.1.2 and 3.1.3 above, within the last ten (10) years. Briefly describe any action which relates to the duties proposed under this RFP, including but not limited to the identity of claiming entity, amount of claim and nature of claim. (Question 3.2.4)

None.

SECTION IV. PLAN IMPLEMENTATION

The Plan Implementation Section must address the Scope of Services in terms of the vendor's plan to carry out the requested service.

PLAN IMPLEMENTATION

Hodgson Russ is fully prepared to continue work on County financings. We understand and have experience in performing each of the services described in Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7 of the County's Request for Proposal.

As you are aware, we have had the opportunity to work with Albany County as bond counsel for the past several years. In light of the change in leadership in the County Comptroller's office, we are fully prepared to work with the new Comptroller and her staff in implementing new procedures and document forms. We have already begun that process in our discussions with the Comptroller regarding the form of bond resolutions.

As the County's Bond Counsel, we have implemented several procedural steps which have enhanced the efficiency of the financing process for the County:

1. Provided for electronic transmission of Bond Resolutions to the Majority Counsel of the County Legislature.
2. Coordinated with Majority Counsel on the review and completion of the SEQR Process.
3. Conducted tax due diligence pursuant to a written questionnaire and a telephone conference with staff in the County Comptroller's office.
4. Prepared and reviewed IRS Post Compliance Policies with staff of the County Comptroller.
5. Arranged for pre-closings of financings to take place at the County Office Building, with Bond Counsel organizing the documents and the securing of necessary signatures.

Over the past five (5) years, there has been increased scrutiny of tax-exempt financings by IRS and SEC officials. We continue to monitor these actions and advise the County when necessary.

If retained by the County pursuant to this RFP, we would suggest scheduling a meeting with the appropriate staff to continue the process of transitioning various bond procedures.

A simple and very cost effective suggestion regarding process that we would offer to the County is that under the Local Finance Law in order to comply with the Section 81.00 estoppel procedures, the County is obligated to undertake certain publications following the adoption of a bond resolution. The history of the County is to publish the full bond resolution in the official newspapers of the County. Under the Local Finance Law, the County needs only to publish a summary of the resolution, thereby saving publication costs. We would be happy to discuss this alternative in more detail with staff.

SECTION V. COST PROPOSAL SECTION

a. *Submit a cost proposal for the services described in Section 4, Scope of Services, and on the Cost Proposal Form invadated herein. (Questions 6.2.1, 6.2.2, 6.2.3)*

As to the matter of our fees, it is customary for the Firm to reach an agreement with our clients as to the fees applicable to various services for which we are retained prior to performing such services. The amount of our fees is dependent on, among other things, our fee structure, the amount of time and effort it would take to complete the transaction, the amount of responsibility assumed by us, and the complexities and number of parties to the transaction. For example, the use of credit enhancement, whether in the form of a letter of credit or bond insurance, will affect the complexity of the financing. We are prepared to offer the County three (3) alternative fee arrangements for bond counsel services. In addition, we are willing to discuss with the County any alternative mutually agreeable formula for the payment of services.

Hourly Billing Basis

As is traditional for law firms, we have established a system of hourly charges which are posted to each client account for internal control purposes. Different billing rates are assigned to each member of the professional staff (including paraprofessionals). These rates are adjusted from time to time in order to give effect to changes in experience and responsibility.

The current standard rates for the individuals expected to be assigned to the County are described as follows:

<u>Attorney</u>	<u>Standard Hourly Rate</u>
A. Joseph Scott, III	\$490.00
John A. Alessi	\$330.00
Marla Waiss	\$390.00
Michael T. Logan	\$290.00

<u>Paralegal</u>	<u>Standard Hourly Rate</u>
Pamella D. Weisberg	\$220.00

As described in the section of this Proposal entitled Project Team, we would expect a team approach of Mr. Scott, Mr. Alessi, Ms. Waiss and Mr. Logan to be the attorneys assigned to the County.

Ms. Weisberg would also be part of the Project Team and available to assist in providing services to the County.

We will offer the County two (2) hourly fee options. If the County was to select one of the hourly fee options, we would provide the County with detailed monthly accounting reports showing the amount of charges posted to the County's account and a description of services performed. Bills for both services and expenses would be delivered when the obligations are issued. The Project Team would be responsible to keep the County informed of the amount of charges posted to the County account.

The discounted hourly fee options we are prepared to offer to the County are as follows:

Option One. Hourly based on Blended Rate. While the above table sets forth our standard current hourly rates, we have also utilized and are willing to utilize, at the option of the County, a blended rate or rates for all attorneys. We propose a single blended rate of \$375/hr for all attorneys, including senior partners and junior partners. We fully expect the proportion of senior partners' time invested in this engagement to be substantial and this rate represents a discount of partners' normal billing rates. This proposed blended rate would increase during the term of the engagement as follows:

Year 1:	\$395.00 / hr.
Year 2:	\$415.00 / hr.
Year 3:	\$425.00 / hr.
Year 4:	\$440.00 / hr.

Option Two. Hourly based on Discounted Rate. Another variation from our standard rates listed above, which we are willing to utilize, would be negotiated discounted rates for attorneys' and paralegals' time. The Firm would be compensated on an hourly discounted basis for all attorneys' and paralegals' services. We propose a discounted rate of 10% of our standard billing rates. Our standard billing rates would be subject to normal adjustment during the term of our engagement.

Fixed Fee Basis

A primary objective of the Firm in connection with the services which we perform as bond counsel is to provide issuers with a reasonable degree of certainty as to the expected fee for an issue. We understand the importance to the County of having a reasonable degree of certainty as to the fee for its financings. Accordingly, we are also prepared to offer the County a fixed fee arrangement for the proposed bond and note issues based on the amount of bonds and notes issued.

The fixed fee arrangements described below are based on several assumptions. These assumptions include that the Firm will not be responsible for legal work involving real estate and environmental issues. The additional assumption is that, except as hereafter provided, our duties as bond counsel to the County would consist of the tasks described in Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6 and 4.7 of the County's Request for Proposal. Our fixed fee arrangement would not include the preparation of disclosure material (e.g., an official statement) or the rendering of advice and opinions regarding extensive or unusual arbitrage, rebate or other tax issues. Our fixed fee arrangement would include the review of disclosure material (e.g., an official statement) and the rendering of advice and opinions regarding arbitrage, rebate or other tax issues that customarily or typically arise in the course of a typical municipal financial transaction. We would propose to bill for any such additional services at our normal hourly rates. We would in all cases discuss with you any extraordinary services to be performed by us prior to our performing them. The fixed fee schedule described below would remain unchanged during the term of our engagement.

The fixed fee option we are prepared to offer to the County is as follows:

- Fees for preparation of bond authorization resolutions:

No charge

- Fees for Bond Anticipation Note issue ("BANs"):

\$0 -	Base Fee
\$.50 -	for each issue of BANs \$1,000 principal amount up to \$3,999,999
\$.40 -	per \$1,000 on each issue of BANs \$4,000,000 principal amount and above

No minimum fee

- Fees for Tax Anticipation Note ("TAN's") and Revenue Anticipation Note ("RANs") issues:

\$0 -	Base Fee
\$.60 -	for each issue of TANs/RANs \$1,000 principal amount up to \$3,999,999
\$.50 -	per \$1,000 on each issue of TANs/RANs \$4,000,000 principal amount and above

No minimum fee

- Fees for each Serial Bond issue ("Bonds")¹:

\$0 -	Base Fee	
First \$4,999,000		\$1.00 per thousand
Amount from \$5,000,000 to \$5,999,000		.50 per thousand
Amount over \$6,000,000		.40 per thousand

No minimum fee

- Fees for each Refunding Bond issue ("Refunding Bonds"):

\$15,000	Base Fee	
First \$4,999,000		\$1.00 per thousand
Amount from \$5,000,000 to \$5,999,000		.50 per thousand
Amount over \$6,000,000		.40 per thousand

No minimum fee

Additional Charge for EFC Financings

In connection with any water or sewer infrastructure project, Albany County may consider financing the project by participation in financing programs offered by the New York State

¹ Please note that this fee schedule represents no change in our current fee schedule (despite the general increase in costs throughout the legal industry), and represents a significant discount under our original fee arrangement (provided in 2002).

Environmental Facilities Corporation ("EFC"). If the County was to finance any capital project with EFC, our fees would be increased to reflect the additional work related to the EFC financing program. Our additional fees would be determined based on our normal hourly rates. We would agree to cap our additional legal fees for services as Bond Counsel to \$7,500.

Disbursements

The above fees are net of disbursements, and we would expect to bill the County for reimbursement of disbursements based on our Disbursement Policy, a copy of which is attached hereto. It is our practice to bill for reimbursement of disbursements by detailed computerized lists which are distributed to our clients as part of the bill. The actual amount of disbursements for a particular financing is difficult to predict. The typical total amount of disbursements for a private sale by a municipality of bond anticipation notes would equal approximately \$100.00 (representing disbursements for photocopying, telephone, overnight courier and postage). The typical charge for disbursements for a public sale of bonds would equal approximately \$300-\$500.

HODGSON RUSS LLP
Statement of Firm Policy with respect
to Client Disbursements

Firm Policy With Respect to Client Disbursements

In the course of providing legal services to its clients, the Firm will from time to time incur various expenses on their behalf. These expenses are generally invoiced to the client in addition to the fees for legal services rendered. It is the policy of the Firm to attempt to keep these charges as low as possible, consistent with the timely performance of high quality legal services. Further, the Firm reserves the right to adjust the various charges for client disbursements on an annual basis, in the course of the Firm's customary review of attorney hourly rates and charges. Any adjustments in such charges will be made available to the client at the client's request.

The client is entitled to establish certain parameters in an attempt to limit disbursement charges, but it must be recognized that certain charges may be inevitable due to the nature of the transaction or legal services involved. Clients who desire to establish parameters for disbursements should contact the attorney-in-charge of the specific matter.

Certain of the disbursements described below are increased by a multiplier to compensate the Firm for various costs not identifiable to a particular client.

Set forth below are summary descriptions of the categories of disbursements commonly incurred on behalf of our clients. This list is by no means exhaustive, and other charges not described below will be invoiced to the client in an appropriate manner. Furthermore, the charges for certain of the items described below are imposed by third parties and may be increased without notice to us or to our clients:

1. **BINDING:** The entire cost of binding transcripts for circulation to various financing participants is invoiced to the Client. The total cost is a function on the number and size of the transcripts to be bound and the charges for photocopies (see below).
2. **COMPUTER TIME SHARING:** The actual cost of computer time sharing for access to legal and other data bases will be passed through to the Client. These charges are generally incurred in the course of performing legal research.
3. **FILING AND RECORDING FEES AND CERTIFICATE CHARGES:** The cost of various filings and recordings with federal, state and local agencies is borne by the Client. Charges for obtaining certified copies of documents from federal, state and local agencies are also invoiced to the Client. Occasionally, due to the nature and timing of the transaction involved, filings or requests for certified copies will be handled through service companies which may charge a premium rate.
4. **PUBLICATION:** Certain transactions require the publication of legal notices. The charges for such publication are established by the respective newspaper or periodical, and it is our policy to forward invoices to the client for direct payment to the vendor.
5. **STAFF OVERTIME:** When secretarial or other support staff are required to work overtime with respect to the Transaction, the cost is invoiced to the Client at the rate of \$32.00 per hour. In addition, all employees who work 10.5 consecutive hours or more are entitled to receive either lunch or dinner. These meal costs will be charged to the Client.
6. **PHOTOCOPIES:** Photocopies are charged at a rate of 10 cents per page. For large quantities of photocopying which do not require immediate turnaround, we will use a local photocopying service if it can provide copies at a lower rate.
7. **SHIPPING AND LOCAL DELIVERY:** The cost of shipment by Federal Express, United Parcel Service, Express Mail, U.S. Mail or other delivery service at the retail price charged for such service is invoiced

directly to the Client. The actual amount of the charges will depend upon the number, weight, and carrier of packages and letters sent. The Client will also be charged for local delivery by outside couriers at their normal rates, and for our in house courier (\$7.50 per delivery or package).

8. TELEPHONE: The Firm's telephone system allows for the attribution of long distance charges to the appropriate client and file. These charges include long distance charges for telecopies, as well as conference calls arranged through Soundpath Conferencing Services. Most of our long distance calls are placed through RCI Long Distance Service at rates approximately the same as AT&T rates.

9. TELECOPY: Telecopies are charged at \$.50 per page. The charge is designed to amortize the cost of acquiring and maintaining our telecopiers, as well as to cover the cost of administrative expenses associated with telecopy charges, the cost of collection and the time value of money.

10. TRAVEL: The actual cost of travel, including charges for mileage for firm-owned or attorney-owned automobiles at 57.5 cents per mile, parking, plane or train fares, taxi, hotel, meals, etc., will be invoiced to the Client.

b. Provide any other relevant information that will assist the County in evaluating your Proposal. (Question 6.3)

See our response to Question 3.1.6 above.

ATTACHMENT A
NON-COLLUSIVE BIDDING CERTIFICATE

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

General Partner
Title

October 20, 2020

Date

Hodgson Russ LLP

Company Name

ATTACHMENT B
ACKNOWLEDGMENT BY PROPOSER

ATTACHMENT "B"
ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he (or they severally) acknowledged to me that he (or they) executed the same.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____ to me known, who, being by me sworn, did say that he resides at (give address) _____; that he is the (give title) _____ of the (name of corporation) _____, the corporation described in and which executed the above instrument; that he knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he signed his name thereto by like order.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Partnership:

STATE OF NEW YORK)
COUNTY OF ALBANY) SS.:

On the 20th day of October, 2020, before me personally came A. JOSEPH SCOTT, III, 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 HODGSON RUSS LLP 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.

Nicole H. Brown
Notary Public, State of New York
Qualified in Schenectady County
No. 01BR6381468
Commission Expires October 1, 2022

Nicole H. Brown

Notary Public, State of New York

Qualified in Schenectady County

Commission Expires October 1, 2022

ATTACHMENT C
VENDOR RESPONSIBILITY QUESTIONNAIRE

ATTACHMENT "C"
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE

1. VENDOR IS: ☒ PRIME CONTRACTOR			
2. VENDOR'S LEGAL BUSINESS NAME Hodgson Russ LLP		3. IDENTIFICATION NUMBERS a) FEIN # 16-0708550 b) DUNS #	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) www.hodgsonruss.com	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE 140 Pearl Street, Suite 100 Buffalo, New York 14202-4040		7. TELEPHONE NUMBER (518) 465-2333	8. FAX NUMBER (518) 465-1567
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 A. Joseph Scott, III Title Partner Telephone Number (518) 465-2333 Fax Number (518) 465-1567 e-mail ascott@hodgsonruss.com			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME	TITLE	b) NAME	TITLE
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A "YES," AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor. ☐ Yes ☒ No			
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRINCIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS: ☐ Yes ☒ No			
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> ☐ Yes ☒ 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> ☐ Yes ☒ No			

16.	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:	
	a) 1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process; 2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease; 3. entered into an agreement to a voluntary exclusion from bidding/contracting; 4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles; 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; 6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited; 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; 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 9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract. 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? c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of: 1. federal, state or local health laws, rules or regulations.	☐ Yes ☒ No ☐ Yes ☒ No ☐ Yes ☒ No
17.	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? 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."	☐ Yes ☒ No
18.	DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO: 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> 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> c) Property Tax <i>Indicate the years the vendor failed to file.</i>	☐ Yes ☒ No ☐ Yes ☒ No ☐ Yes ☒ No
19.	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? 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.	☐ Yes ☒ No None by the vendor and affiliates.
20.	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.	☐ Yes ☒ No

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES: 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.	☐ Yes ☒ No
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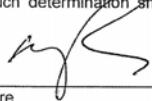
1 "Affiliate" meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, 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.

FEIN # 16-0708550

ATTACHMENT D
IRANIAN ENERGY DIVESTMENT CERTIFICATION

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

General Partner

Title

October 20, 2020

Date

Hodgson Russ LLP

Company Name

ATTACHMENT E
COST PROPOSAL FORM

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Bond Counsel
RFP Number: 2020-108R

THIS PROPOSAL IS SUBMITTED TO:

Karen A. Storm, Purchasing Agent
Albany County Department of General Services
Purchasing Division
112 State Street, Room 1000
Albany, NY 12207

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

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

Date

Number

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

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

CPI

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

4. Proposer will complete the Work for the following prices(s): (Attach Proposal)

5. Proposer agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. Proposer agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.

6. The following documents are attached to and made a condition of this Proposal:

(a) Non-Collusive Bidding Certificate (Attachment "A")

(b) Acknowledgment by Bidder (Attachment "B")

(c) Vendor Responsibility Questionnaire (Attachment "C")

(d) Iranian Energy Divestment Certification (Attachment "D")

7. Communication concerning this Proposal shall be addressed to:

A. Joseph Scott, III Hodgson Russ LLP

677 Broadway, Suite 301

Albany, New York 12207 e-mail: ascott@hodgsonruss.com

Phone: 518-433-2419

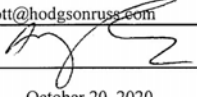
8. Terms used in this Proposal have the meanings assigned to them in the Contract and General Provisions.

COUNTY OF ALBANY

COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Bond Counsel
RFP Number: 2020-108R

COMPANY:	<u>Hodgson Russ LLP</u>
ADDRESS:	<u>677 Broadway, Suite 301</u>
CITY, STATE, ZIP:	<u>Albany, New York 12207</u>
TEL. NO.:	<u>518-465-2333</u>
FAX NO.:	<u>518-465-1567</u>
FEDERAL TAX ID NO.:	<u>16-0708550</u>
REPRESENTATIVE:	<u>A. Joseph Scott, III</u>
E-MAIL:	<u>ascott@hodgsonruss.com</u>
SIGNATURE AND TITLE:	 <u>Partner</u>
DATE:	<u>October 20, 2020</u>

SCHEDULE A
RESUMES



A. JOSEPH SCOTT, III
Partner, Real Estate & Finance Practice Area Leader,
Bond Counsel Practice Co-Leader, Public Authority
Practice Leader

ascott@hodgsonruss.com 518.433.2419

Joe has practiced exclusively in the areas of industrial development agency finance, public authority finance, and municipal and school district finance since graduating from law school in 1983.

Joe has acted as issuer's counsel, bond counsel, and underwriter's counsel on a variety of industrial development agency and public authority projects. Examples of industrial development agency projects handled by Joe include commercial, solid waste, manufacturing, co-generation, nonprofit, and recreational projects. Examples of public authority projects handled by Joe include housing projects, electrical distribution, hydro-electric, parking, water and sewer systems, airport, and residential mortgage projects.

In connection with municipal and school district finance, Joe has acted as bond counsel and underwriter's counsel.

Over the past five years, Joe has been involved in the development and structuring of a number of capital projects with emphasis on creating a regional approach to the financing structure and on connecting public and private entities (i.e., private/public partnerships) to provide a regional public/private solution. Each situation has required an understanding of benefits and limitations of public finance under New York State law and the federal tax law, together with an awareness of what the private sector and private capital markets can provide.

Examples of techniques that Joe has used to address these situations include the creation of local development corporations, adoption of local laws or special legislation, preparation of inter-municipal cooperation agreements, and use of industrial development agencies.

Projects that have benefited from these techniques include industrial parks, incubator buildings, infrastructure projects, and a variety of large manufacturing and distribution facilities.

277 Third Street
Suite 800
Albany, NY 12202

Practices & Industries

Municipal
Municipal Finance & Special Districts
Education
College & University
Arts and Sports Facilities
Bond Counsel
Gaming
Land Use & Economic Development
Opportunity Zones
Public Authority

Admissions

New York
U.S. District Court, Northern District of New York

Education

Hamilton College, B.A., With Honors
Boston University School of Law, J.D.



A. JOSEPH SCOTT, III

Honors

- Listed, *Best Lawyers in America* (Public Finance Law) 2018 - 2021

Experience

The following representative matters demonstrate capital projects handled by Joe and his fellow Hodgson Russ attorneys. Each matter presented financing challenges that required innovative and creative legal strategies.

On behalf of a client acting as the underwriter, Hodgson Russ attorneys reviewed and provided commentary analysis of the preliminary and official statements for a \$20 million charter school bond issuance a New York State charter school. We prepared the due diligence questionnaire, drafted the bond purchase agreement, and worked on finalization of the documents required for the transcript verifying the transaction.

Hodgson Russ has represented a variety of public authorities in the undertaking of various capital projects. Projects include parking garages, airports, hydroelectric facilities, and water and sewer systems. In connection with such representations, we drafted state legislation to create the public authorities and amend their enabling legislation. Related financings include refundings and financings to fund the termination payments of guaranteed investment contracts/hedge agreements.

Following the expiration of the provisions of the New York State General Municipal Law authorizing industrial development agencies to issue bonds to assist nonprofit corporations in financing capital projects, attorneys at Hodgson Russ developed a financing structure using locally created local development corporations (LDCs) to fill the void. As part of the LDC structure developed by the Hodgson Russ attorneys, we were successful in obtaining a private letter ruling from the Internal Revenue Service confirming our structure and providing that bonds issued by the LDCs would be eligible for exemption from federal income taxation.

Hodgson Russ represents an industrial development agency in a significant development involving a major hospital in the financing of a \$60 million office tower that will be occupied by nonprofit tenants and for-profit tenants. The project presents a number of issues, including the allocation of tax-exempt financing for the project and the use of a payment in lieu of taxes (PILOT) agreement relating to the for-profit portions of the office tower.

Hodgson Russ is representing a local development corporation in the financing of a \$200 million building related to the College of Nanoscale Science and Engineering. The project presents a number of issues, including the determination of portions of the building that qualify for financing with the proceeds of tax-exempt bonds.

After GE closed its Lukin operations in Wellsville, N.Y., a HR team led by Daniel Spitzer helped the Allegany County Industrial Development Agency acquire the building and bring in as a replacement an advanced manufacturing firm. Elizabeth Holden undertook aspects of the real estate transaction, including negotiating the terms of the transfer from GE and the new lease. Michael Hecker directed the environmental review and drafting of the environmental covenant governing the transfer and reuse of the building, and protecting the IDA from any preexisting site concerns. Joseph Scott assisted the IDA in arranging financial incentives to bring about the expansion of a local hi-tech manufacturer, including a PILOT which deviated from the IDA's Uniform Tax Exemption Policy.

www.hodgsonruss.com



A. JOSEPH SCOTT, III

Hodgson Russ represents an industrial development agency in the \$50 million relocation of a manufacturing facility to address local flooding issues. The industrial development agency acted as a conduit for a variety of federal, state, and local grants and loans, and acted to assemble the real estate comprising the new site through condemnation and negotiation. The agency is also acting as the lead entity in addressing State Environmental Quality Review Act (SEQRA) and federal wetland issues.

Hodgson Russ represented an industrial development agency (IDA) in the undertaking of a downtown incubator project for a historically significant building to be occupied by transience tenants. Our work on the project included the commencement of a condemnation proceeding to acquire the site and the structuring of a payment in lieu of taxes (PILOT) agreement.

Hodgson Russ has represented counties and local industrial development agencies in the restructuring of the provision of public nursing home services. In several situations, the restructuring involved the transfer of the nursing home from the local county to a private owner and operator. In one situation, we formed a local development corporation controlled by the local county to operate the local nursing home.

Hodgson Russ represents a regional planning commission in the structuring of a solution to the combined sewer outflow issue involving six municipalities along the Hudson River. The total cost of the capital project is in excess of \$80 million and is expected to take place over a 15-year period. The municipalities are entering into an intermunicipal cooperation agreement, and our role is to design the financing structure to provide for the financing.

Hodgson Russ represented an industrial development agency relating to the issuance of more than \$7 million worth of payment in lieu of taxes (PILOT) revenue bonds to finance the development of a technology park for the siting of high-tech industries. The proceeds of the revenue bonds were used to finance roads, water and sewer lines, drainage improvements, and lighting infrastructure. This financing is an example of a private-public partnership in the development of a technology park.

Several Hodgson Russ municipal clients have asked us to consider the legal issues relating to the conveyance of municipality-owned capital projects. One such project involved the conveyance of a large municipally owned landfill to a private owner and operator. Issues addressed included the treatment and use of the sale proceeds and status of the tax-exempt bonds previously issued by the municipality to acquire and improve the landfill.

Hodgson Russ's bond counsel, real estate, environment and energy, and education law attorneys work together to assist school districts in capital improvement projects, including school districts' evaluation of environmental impacts under the State Environmental Quality Review Act (SEQRA). The dozens of projects we have worked on include improvements such as new school buildings and sports facilities, additions to existing campuses, roadways, and reconstruction and renovation work.

Hodgson Russ represented an industrial development agency in the siting of a \$120 million manufacturing facility. The payment in lieu of taxes (PILOT) agreement was structured to finance grants provided by Empire State Development for site improvements and other costs related to the project. Other elements of the project included a claw-back provision in the PILOT agreement.



A. JOSEPH SCOTT, III

In the News

Industry Roundtable: Economic Development
Albany Business Review, October 18, 2019
Peak Resorts Completes Acquisition Of Hunter Mountain For \$36.8 Million
The Street, January 7, 2016

Press Releases

Fifty-Five Hodgson Russ Attorneys Ranked in 2021 *Best Lawyers in America*
Hodgson Russ Press Release, August 20, 2020
52 Hodgson Russ Attorneys Named to Various *Best Lawyers* Listings
Hodgson Russ Press Release, August 20, 2019
Forty-Eight Hodgson Russ Attorneys Named to Various *Best Lawyers* Listings
Press Release, August 15, 2018
Fifty-two Hodgson Russ Attorneys Named to 2018 *Best Lawyers* Listing, Five Included in "Lawyer of the Year" Categories
Press Release, August 15, 2017
2017 *Best Lawyers* Names Fifty-four Hodgson Russ Attorneys From Multiple Offices
Hodgson Russ Press Release, August 18, 2016
Fifty-Five Hodgson Russ Attorneys Named to *Best Lawyers* 2016, Five Honored as Buffalo "Lawyers of the Year"
Press Release, August 17, 2015

Publications

New State Legislation Provides Financial Flexibility to Local Governments and School Districts
Hodgson Russ Bond Counsel Alert, August 31, 2020
Industrial Development Agencies in New York State
Tax Notes State, August 17, 2020
Governor Cuomo Extends Executive Order Permitting Remote Public Meetings Another 30 Days
Hodgson Russ Municipal and Education Alert, August 7, 2020
Update on CARES Act: Emergency Financial Aid Grants to Higher Education Students
Hodgson Russ College & University Alert, July 31, 2020
Municipalities Hit with Deluge of FOIL Requests After Repeal of Section 50-a of the Civil Rights Law
Hodgson Russ Municipal Alert, June 22, 2020



A. JOSEPH SOXYTT, III

COVID-19 Response Update for Industrial Development Agencies
Hodgson Russ Public Authority Alert, June 9, 2020

Governor Cuomo's Latest Executive Order Extends Deadlines to Submit Absentee Ballots for School Vote
Hodgson Russ Education Alert, June 8, 2020

Guidance on Upcoming Budget Vote and Board Member Election
Hodgson Russ Education Alert, June 5, 2020

Department of Education Releases Final Title IX Regulations
Hodgson Russ Education Alert, May 13, 2020

New York Executive Order Modifies Real Property Tax Deadlines
Hodgson Russ Municipal Alert, May 5, 2020

Presentations & Events

Legal Compliance for IDA Loans and Grants
NYSEDC, July 8, 2020

2020-2021 State Budget and Active IDA Legislation
NYS Economic Development Council IDA Academy, June 24, 2020

NYSEDC IDA Academy
Melville Marriott, Long Island, New York, November 14, 2019

New Legislation and Its Impact on IDAs
New York State Economic Development Council, Batavia, New York, September 10, 2019

Association of School Business Officials of New York - Capital Region Chapter Meeting
Albany, NY, March 1, 2019

Preparing for IRS and SEC Scrutiny: Procedures and Training
Hodgson Russ, 140 Pearl St, Buffalo, NY 14202, April 24, 2018

Preparing for IRS and SEC Scrutiny: Procedures and Training
Albany, NY, May 11, 2017

Municipal Law Seminar
Hilton Garden Inn, 30 Clifton Country Road, Clifton Park, NY, September 27, 2016

Municipal Law Seminar: IRS and Securities
Clifton Park, NY, June 9, 2015

ALBANY BUFFALO CHICAGO CINCINNATI NEW YORK CITY PALM BEACH SAN FRANCISCO WASHINGTON YORKVILLE www.hodgsonruss.com



A. JOSEPH SCOTT, III

15th Annual Town Finance School: Municipal Lease Purchasing
Association of Towns of the State of New York and the NYS Office of the State Comptroller, Saratoga Springs, NY, May 7,
2015

Professional Affiliations

- National Association of Bond Lawyers
- New York State Economic Development Council
- New York State Bar Association Municipal Law and Tax Sections
- Co-chair, New York State Bar Association Municipal Law Section Legislation Committee
- New York State Bar Association Municipal Law Section Executive Committee
- New York State Government Finance Officers Association
- New York State Association of School Business Officials
- Panelist, Annual Bond Attorneys Workshop, sponsored by the National Association of Bond Lawyers

Community & Pro Bono

- Co-chair, Parks & Trails New York board of directors
- Local Planning Committee (LPC) for the City of Albany Downtown Revitalization Initiative (DRI)



JOHN A. ALESSI

Partner, Municipal Finance & Special Districts Practice
Leader

jalessi@hodgsonruss.com 716.848.1567

John represents counties, cities, towns, villages, school districts, fire districts, utility districts, underwriters, and trustees on a wide range of general obligation bond financings. He has worked on complex refunding matters, tax and revenue note financings, and large capital project financings. He is also heavily involved in the planning of school and municipal projects and works closely with municipal advisors, architects and engineers, bond insurers, verification agents, escrow agents, and other market professionals.

John carries on the tradition of the public finance practice started by his father, Richard D. Alessi, who represented a large number of municipal issuers in Western New York for 40 years.

Honors

- 2013 *Upstate New York Super Lawyers* Rising Stars
- Leadership Buffalo Class of 2011

Experience

Hodgson Russ's bond counsel, real estate, environment and energy, and education law attorneys work together to assist school districts in capital improvement projects, including school districts' evaluation of environmental impacts under the State Environmental Quality Review Act (SEQRA). The dozens of projects we have worked on include improvements such as new school buildings and sports facilities, additions to existing campuses, roadways, and reconstruction and renovation work.

The County of Hamilton
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Buffalo, NY 14202

Albany
677 Broadway
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Albany, NY 12207
518.465.2333

New York City
605 Third Avenue
Suite 2300
New York City, NY 10158
212.751.4300

Practices & Industries

Municipal Finance & Special
Districts
Education
Municipal
Bond Counsel
Public Authority

Admissions

New York

Education

Canisius College, B.S., Magna Cum
Laude

ALBANY BUFFALO HICKORY CREEK NEW YORK CITY PALM BEACH SARASOTA SPRINGFIELD TORONTO www.hodgsonruss.com



JOHN A. ALESSI

University at Buffalo School of Law,
J.D.

In the News

Hodgson Russ Announces New Partners
January 1, 2011

Press Releases

Seventy Hodgson Russ Attorneys Named to Super Lawyers Listing
August 2013

Publications

New State Legislation Provides Financial Flexibility to Local Governments and School Districts
Hodgson Russ Bond Counsel Alert, August 31, 2020

Governor Cuomo Extends Executive Order Permitting Remote Public Meetings Another 30 Days
Hodgson Russ Municipal and Education Alert, August 7, 2020

Municipalities Hit with Deluge of FOIL Requests After Repeal of Section 50-a of the Civil Rights Law
Hodgson Russ Municipal Alert, June 22, 2020

COVID-19 Response Update for Industrial Development Agencies
Hodgson Russ Public Authority Alert, June 9, 2020

Governor Cuomo's Latest Executive Order Extends Deadlines to Submit Absentee Ballots for School Vote
Hodgson Russ Education Alert, June 8, 2020

Guidance on Upcoming Budget Vote and Board Member Election
Hodgson Russ Education Alert, June 5, 2020

Department of Education Releases Final Title IX Regulations
Hodgson Russ Education Alert, May 13, 2020

New York Executive Order Modifies Real Property Tax Deadlines
Hodgson Russ Municipal Alert, May 5, 2020

School Votes Set for June 9 Under Substantially Revamped Procedures
Hodgson Russ Education Alert, May 2, 2020



JOHN A. ALESSI

Proposed Legislation to Aid Local Governments and Schools in the Wake of COVID-19
Hodgson Russ Bond Counsel Alert, April 27, 2020

Presentations & Events

Review of New 2020 School Budget Vote and Board Election Procedures and Timelines
May 7, 2020

35th Annual School Client Conference
Millennium Hotel, 2040 Walden Avenue, Buffalo NY 14225, January 17, 2020

2019 Municipal Law Seminar
Millennium Hotel, 2040 Walden Avenue, Cheektowaga, NY 14225, May 16, 2019

34th Annual School Client Conference
Millennium Hotel Buffalo, January 18, 2019

Exempt Organizations Conference
Amherst, New York, November 15, 2018

Municipal Law Seminar
Millennium Hotel, 2040 Walden Avenue, Cheektowaga, NY 14225, May 17, 2018

Preparing for IRS and SEC Scrutiny: Procedures and Training
Hodgson Russ, 140 Pearl St, Buffalo, NY 14202, April 24, 2018

Capital Asset Management Through The Issuance Of General Obligation Notes And Bonds--An Overview
April 16, 2018

33rd Annual School Client Conference
Millennium Hotel Buffalo, 2040 Walden Ave, Buffalo, NY, January 12, 2018

2017 Capital Project Workshop Series
Erie 1 BOCES, October 25, 2017

Professional Affiliations

- National Association of Bond Lawyers
- Government Finance Officers Association
- New York State Association of School Business Officials
- Association of Towns of the State of New York
- American Bar Association
- New York State Bar Association



JOHN A. ALESSI

- Bar Association of Erie County: Municipal Committee and School Law Committee (former Secretary)



MARLA WAISS
Partner



mwaiss@hodgsonruss.com 716.848.1201

Marla focuses her practice on federal and international tax matters, including tax controversy matters with the IRS and federal tax matters related to tax-exempt organizations and bond financings. She has extensive experience advising international clients on business expansion into the United States, structuring considerations in purchasing U.S. real estate, cross-border mergers and acquisitions, tax implications of relinquishing U.S. citizenship or residency status, trust and estate planning for individuals resident abroad, and the application of the U.S. anti-deferral regimes. Marla also has extensive experience working on tax controversy matters, including advising clients on voluntary disclosure options, large IRS audits, and U.S. Tax Court matters. Marla also regularly advises clients on federal tax issues related to bond financings, including post-issuance compliance matters, private business use, IRS remedial actions for maintaining the tax-exempt status of bonds and the IRS Voluntary Closing Agreement Program. She also works with a variety of tax-exempt organizations and private foundations on obtaining and maintaining tax-exempt status and the unrelated business income tax rules. Marla's practice also involves advising high-net-worth clients on charitable giving, including the formation of private foundations and drafting pledge agreements.

Marla exclusively practices U.S. law and is admitted to practice in New York.

Honors

- Listed, 2013 *Upstate New York Super Lawyers* Rising Stars
- Best Brief Award, Muel National Tax Moot Court Competition
- Former assistant executive editor, *Buffalo Law Review* (2001-2002)
- Phi Beta Kappa
- *Buffalo Business First/Buffalo Law Journal's* Legal Elite of Western New York, 2015

The Corporate Foundation
180 East Street
Suite 1100
Buffalo, NY 14203

Toronto
Practice restricted to U.S. law
22 Adelaide Street West, Suite 2050
Toronto, ON M5H 4E3
416.595.5100

Practices & Industries

Business Tax
International Tax
Tax Dispute Resolution
Trusts & Estates
International-U.S. Cross-Border
Canada-U.S. Cross-Border
Education
Municipal
Bond Counsel
Tax-Exempt Organizations

Admissions

New York
U.S. Tax Court

Education

University at Buffalo, B.A., Magna



MARLA WAISS

Experience

Hodgson Russ assisted a client with a \$50 million pledge to a university for a charitable purpose. The work involved drafting and negotiating various provisions of the gift agreement with the university and advising on the federal tax material restriction rules for donors, including the level of involvement a donor may have with respect to the gifted funds for purposes of the charitable deduction rules under Internal Revenue Code Section 170.

Since 2012, a Hodgson Russ team led by Mr. Gilbride has represented the Buffalo Sabres and its affiliate, HARBORCENTER, in conjunction with the development of HARBORCENTER, an approximately \$200 million, 600,000-square-foot sports, retail, entertainment, parking, and hospitality complex. This first-of-its-kind mixed-used facility includes two ice rinks; a 19-story, full-service Marriott hotel; a sports-themed nightclub and restaurant; retail space; and an 800-car parking facility, all of which are connected to the existing Key Bank Center via skywalk. Hodgson Russ has worked with the Sabres on all aspects of this project from its inception, including environmental review, contract negotiations, permitting, construction, economic development incentives, financing, and tax planning.

Hodgson Russ assisted a Canadian client with the purchase and sale of U.S. vacation property and advised on the federal and state tax considerations for nonresidents owning U.S. real property, including the reporting of U.S. source rental income and the implications of the Foreign Investment in Real Property Tax Act (FIRPTA) upon a sale of the property. Our services also involved U.S. estate planning with respect to the ownership of the property.

Hodgson Russ advised an educational institution with respect to the federal tax issues upon the sale of a building with outstanding tax-exempt bonds. The advice involved an analysis of available IRS remedial actions to preserve the tax-exempt status of the bonds, including a redemption of the bonds and use of the disposition proceeds for an alternative qualifying use.

Hodgson Russ advised a Canadian client of the IRS voluntary disclosure options available for U.S. citizens living abroad, including the 2012 Offshore Voluntary Disclosure Program and the IRS Streamlined Program. The advice involved a discussion as to whether the client was a U.S. citizen. The advice also involved discussion of U.S. tax compliance requirements applicable to U.S. citizens, including the Foreign Bank Account Report (FBAR) filing rules.

Curt Louie
University at Buffalo School of Law,
J.D., Curt Louie



MARLA WAJSS

In the News

Thought Leaders: The Community Benefits
Buffalo Business First, May 22, 2020

IRS Ramping Up Foreign Tax Demands
Buffalo Law Journal, December 21, 2015

Hodgson Russ Announces New Partners
January 1, 2011

Marla Waiss Accepted to Leadership Buffalo Rising Leaders Program
January 24, 2006

Press Releases

Seventy Hodgson Russ Attorneys Named to Super Lawyers Listing
August 2013

Publications

New State Legislation Provides Financial Flexibility to Local Governments and School Districts
Hodgson Russ Bond Counsel Alert, August 31, 2020

Governor Cuomo Extends Executive Order Permitting Remote Public Meetings Another 30 Days
Hodgson Russ Municipal and Education Alert, August 7, 2020

Remote Notarization and Witnessing Extended in New York
Hodgson Russ Trusts & Estates Alert, July 21, 2020

Municipalities Hit with Deluge of FOIL Requests After Repeal of Section 50-a of the Civil Rights Law
Hodgson Russ Municipal Alert, June 22, 2020

Governor Cuomo's Latest Executive Order Extends Deadlines to Submit Absentee Ballots for School Vote
Hodgson Russ Education Alert, June 8, 2020

Guidance on Upcoming Budget Vote and Board Member Election
Hodgson Russ Education Alert, June 5, 2020

Department of Education Releases Final Title IX Regulations
Hodgson Russ Education Alert, May 13, 2020

IRS Issues Additional Guidance on Employee Retention Tax Credit; Consistency with Congressional Intent Again Questioned
Hodgson Russ Federal-International Tax Alert, May 5, 2020

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MARLA WAISS

New York Executive Order Modifies Real Property Tax Deadlines
Hodgson Russ Municipal Alert, May 5, 2020
School Votes Set for June 9 Under Substantially Revamped Procedures
Hodgson Russ Education Alert, May 2, 2020

Presentations & Events

35th Annual School Client Conference
Millennium Hotel, 2040 Walden Avenue, Buffalo NY 14225, January 17, 2020
2019 Summer Tax Series
Understanding New York State Tax Issues of 2019
The Harvard Club 35 W. 44th Street, New York, NY, June 12 - August 7, 2019
34th Annual School Client Conference
Millennium Hotel Buffalo, January 18, 2019
Hodgson Russ Seminar: Current Trends in IRS and New York State Enforcement Efforts for Tax-Exempt Organizations
Hodgson Russ, The Guaranty Building, 140 Pearl Street, Buffalo, NY, November 13, 2018
New York State Bar Association, Local and State Government Law Section Fall Meeting
Buffalo, New York, September 28-29
Hodgson Russ Seminar: Current Trends and Legal Updates for Tax-Exempt Organizations
Hodgson Russ, The Guaranty Building, 140 Pearl Street, Buffalo, NY, July 11, 2018
Preparing for IRS and SEC Scrutiny: Procedures and Training
Hodgson Russ, 140 Pearl St, Buffalo, NY 14202, April 24, 2018
33rd Annual School Client Conference
Millennium Hotel Buffalo, 2040 Walden Ave, Buffalo, NY, January 12, 2018
Preparing for IRS and SEC Scrutiny: Procedures and Training
Buffalo, NY, May 11, 2017
32nd Annual School Client Conference
Cheekowaga, New York, January 13, 2017

Professional Affiliations

- American Bar Association
- New York State Bar Association
- Bar Association of Erie County

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MARLA WAISS

- National Association of Bond Lawyers
- Ontario Bar Association

Community & Pro Bono

- Configuration Dance Theatre board of directors



MICHAEL T. LOGAN
Senior Associate

mlogan@hodgsonruss.com 518.433.2409

Michael focuses his practice on various forms of financings for municipalities, school districts, municipal authorities, for-profit corporations, and nonprofit corporations. His financing work includes general obligation debt, sewer and water revenue bond issues, and industrial development agency financings.

Michael has performed or supported the role of issuer's counsel and bond counsel on a variety of industrial development agency and public authority projects. Examples of such industrial development projects include commercial, manufacturing, nonprofit, and recreational projects. Examples of such public authority projects include parking, water and sewer systems, and airport projects. In connection with municipal and school district finance, Michael has performed or supported the role of bond counsel and underwriter's counsel.

Since joining Hodgson Russ, Michael has been involved in the development and structuring of a number of capital projects with emphasis on creating a regional approach to the financing structure and on connecting public and private entities (i.e., private/public partnerships) to provide a regional public/private solution. Each situation has required an understanding of benefits and limitations of public finance under New York State law and the federal tax law, together with an awareness of what the private sector and private capital markets can provide.

Honors

- Listed, *Upstate New York Super Lawyers Rising Stars*, (Government Finance) 2018 - 2020
- Leadership Tech Valley, Class of 2020
- Order of the Coif
- Former articles editor, *Buffalo Law Review*
- Frederic L. Ballard Jr. Memorial Scholar – National Association of Bond Lawyers

1275 Broadway
Suite 101
Buffalo, NY 14203

Practices & Industries

Bond Counsel
College & University
Education
Land Use & Economic Development
Municipal
Municipal Finance & Special Districts
Public Authority
Renewable Energy

Admissions

New York

Education

State University College at Buffalo,
B.A., Summa Cum Laude
Niagara University, M.S.
University at Buffalo, M.B.A., With
Distinction
University at Buffalo School of Law,
J.D., Magna Cum Laude

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MICHAEL T. LOGAN

- Western New York Prosperity Fellow
- Phi Alpha Theta National History Honor Society
- Kappa Delta Pi International Education Honor Society

Experience

On behalf of a client acting as the underwriter, Hodgson Russ attorneys reviewed and provided commentary analysis of the preliminary and official statements for a \$20 million charter school bond issuance a New York State charter school. We prepared the due diligence questionnaire, drafted the bond purchase agreement, and worked on finalization of the documents required for the transcript verifying the transaction.

Hodgson Russ has represented a variety of public authorities in the undertaking of various capital projects. Projects include parking garages, airports, hydroelectric facilities, and water and sewer systems. In connection with such representations, we drafted state legislation to create the public authorities and amend their enabling legislation. Related financings include refundings and financings to fund the termination payments of guaranteed investment contracts/hedge agreements.

Following the expiration of the provisions of the New York State General Municipal Law authorizing industrial development agencies to issue bonds to assist nonprofit corporations in financing capital projects, attorneys at Hodgson Russ developed a financing structure using locally created local development corporations (LDCs) to fill the void. As part of the LDC structure developed by the Hodgson Russ attorneys, we were successful in obtaining a private letter ruling from the Internal Revenue Service confirming our structure and providing that bonds issued by the LDCs would be eligible for exemption from federal income taxation.

Hodgson Russ attorneys drafted the documents required for and worked on finalization of the transcript documenting an industrial development revenue bond issuance for an industrial development agency in New York State. The industrial development revenue bond was issued to a manufacturer of paper and packaging goods.

Hodgson Russ is representing a local development corporation in the financing of a \$200 million building related to the College of Nanoscale Science and Engineering. The project presents a number of issues, including the determination of portions of the building that qualify for financing with the proceeds of tax-exempt bonds.

Hodgson Russ has represented counties and local industrial development agencies in the restructuring of the provision of public nursing home services. In several situations, the restructuring involved the transfer of the nursing home from the local county to a private owner and operator. In one situation, we formed a local development corporation controlled by the local county to operate the local nursing home.

Hodgson Russ represents a regional planning commission in the structuring of a solution to the combined sewer outflow issue involving six municipalities along the Hudson River. The total cost of the capital project is in excess of \$80 million and is expected to take place over a 15-year period. The municipalities are entering into an intermunicipal cooperation agreement, and our role is to design the financing structure to provide for the financing.



MICHAEL T. LOGAN

Hodgson Russ's bond counsel, real estate, environment and energy, and education law attorneys work together to assist school districts in capital improvement projects, including school districts' evaluation of environmental impacts under the State Environmental Quality Review Act (SEQRA). The dozens of projects we have worked on include improvements such as new school buildings and sports facilities, additions to existing campuses, roadways, and reconstruction and renovation work.

In the News

Hodgson Russ Attorney Michael T. Logan Newly Admitted to New York State Bar
January 28, 2013

Press Releases

Sixty-Two Hodgson Russ Attorneys Named to 2020 Upstate New York Super Lawyers
Hodgson Russ Press Release, September 8, 2020

Sixty Hodgson Russ Attorneys Named to 2019 Upstate New York Super Lawyers
Press Release, August 12, 2019

Sixty-One Hodgson Russ Attorneys Named to 2018 Upstate New York Super Lawyers
Press Release, August 20, 2018

Hodgson Russ Announces Five Newly Elected Partners, Nine Attorneys Promoted to Senior Associate
Press Release, January 2, 2018

Publications

New York State Further Expands its Renewable Energy Buildout: Clean Energy Standard 2.0 Approved
Hodgson Russ Renewable Energy Alert, October 16, 2020

New York Appellate Court Decision Stops Short of Settling Solar Property Tax Issues
Hodgson Russ Renewable Energy Alert, September 22, 2020

Top 10 Things to Know About New York State's New Proposed Large-Scale Renewable Project Siting Regulations
Hodgson Russ Renewable Energy Alert, September 17, 2020

Latest Decision from FERC Highlights Potential for State Action on Resource Adequacy
Hodgson Russ Renewable Energy Alert, September 10, 2020

New State Legislation Provides Financial Flexibility to Local Governments and School Districts
Hodgson Russ Bond Counsel Alert, August 31, 2020

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MICHAEL T. LOGAN

Industrial Development Agencies in New York State
Tax Notes State, August 17, 2020

Governor Cuomo Extends Executive Order Permitting Remote Public Meetings Another 30 Days
Hodgson Russ Municipal and Education Alert, August 7, 2020

Beneath the Waves: New York State and Local Tax and Regulatory Landscape For Offshore Wind Projects
Hodgson Russ Renewable Energy Alert, August 6, 2020

Update on CARES Act Emergency Financial Aid Grants to Higher Education Students
Hodgson Russ College & University Alert, July 31, 2020

New York Announces Solicitations for Over 1,500 MW of On-Shore Renewable Energy: What's New and Noteworthy
about the NYPA and NYSEDA Large Scale Renewables Procurements
Hodgson Russ Renewable Energy Alert, July 24, 2020

Presentations & Events

Bond Financing Disclosure: Procedures & Training
Association of School Business Officials of NY, March 12, 2020

NYGFOA: Northeast Holiday Seminar
New York Government Finance Officers Association, Troy, New York, December 11, 2019

Association of School Business Officials of New York - Capital Region Chapter Meeting
Albany, NY, March 1, 2019

Steps to Forming an LLC: General Formation Information and Advantages over Sole Proprietorships/DBAs
Schuylerville, New York, September 13, 2018

Preparing for IRS and SEC Scrutiny: Procedures and Training
Hodgson Russ, 140 Pearl St, Buffalo, NY 14202, April 24, 2018

Preparing for IRS and SEC Scrutiny: Procedures and Training
Albany, NY, May 11, 2017

Municipal Law Seminar
Hilton Garden Inn, 30 Clifton Country Road, Clifton Park, NY, September 27, 2016

Municipal Law Seminar: IRS and Securities
Clifton Park, NY, June 9, 2015



MICHAEL T. LOGAN

15th Annual Town Finance School: Municipal Lease Purchasing
Association of Towns of the State of New York and the NYS Office of the State Comptroller, Saratoga Springs, NY, May 7,
2015

Professional Affiliations

- National Association of Bond Lawyers
- New York Bar Association Municipal Law Section
- New York State Government Finance Officers Association
- New York State Association of School Business Officials
- New York State Economic Development Council
- Hodgson Russ Committee on Attorney Recruiting, Development & Diversity

Community & Pro Bono

- Prentice Family Foundation's Western New York (WNY) Prosperity Fellowship Program alumni advisory board
- Member, Woodland Hill Montessori School Board of Trustees, Rensselaer County, New York
- Member, Leadership Tech Valley Steering Committee, Capital Region Chamber, New York



PAMELLA D. WEISSBERG
Paralegal

pweissber@hodgsonruss.com 518.433.2426

Pamella has 20 years of experience in municipal finance. Her experience includes all types of general obligation bond and note financings, IDA bond transactions, and straight lease transactions. Pamella handles public and negotiated structuring for governmental bond and note sales and drafts offering documents for general obligation bond issuers.

677 Broadway
Suite 301
Albany, NY 12207

Practices & Industries
Bond Counsel
Municipal Finance & Special
Districts

In the News

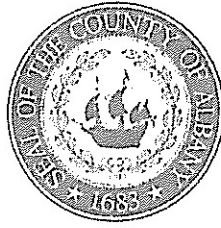
Area law practice helps revitalize buildings and grounds at Yaddo
The Saratogian, October 13, 2020

Law firm volunteers to spiff up Yaddo
Times-Union, October 9, 2020

Professional Affiliations

- National Association of Bond Lawyers for Legal Assistants
- Capital District Paralegal Association, Inc.
- Empire State Alliance of Paralegal Associations
- National Association of Paralegal Associations

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COUNTY OF ALBANY OFFICE OF THE COMPTROLLER
112 STATE STREET, ROOM 1030, ALBANY, NEW YORK 12207-2021
(518) 447-7130 | susan.rizzo@albanycountyny.gov

SUSAN A. RIZZO
COUNTY COMPTROLLER

October 5, 2020

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State Street – Suite 710
Albany, New York 12207

RE: RLA – Auditing Services – RFP #2020-106

Dear Hon. Andrew Joyce,

The Department of Audit and Control is requesting approval to execute a professional services contract with BST & Co. CPAs, LLP. This agreement provides auditing services for Albany County's financial statements. The RLA, RFP #2020-106, RFP response, RFP proposal ratings worksheets, Purchasing Department Approval Letter and Resolution 2015-507 are included for your review.

Should you have any questions, please contact me at (518) 447-7130.

Sincerely,

Susan A. Rizzo
County Comptroller

cc: Patrick Collins, Counsel to the Chair
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel

REQUEST FOR LEGISLATIVE ACTION

Contract Authorization for Auditing Services:

Date: 10/05/2020
Submitted By: Susan A. Rizzo
Department: Department of Audit and Control
Title: County Comptroller
Phone: (518) 447-7130
Department Rep.:
Attending Meeting: Susan A. Rizzo

Purpose of Request:

- ☐ Adopting of Local Law
 - ☐ Amendment of Prior Legislation
 - ☐ Approval/Adoption of Plan/Procedure
 - ☐ Bond Approval
 - ☐ Budget Amendment
 - ☒ Contract Authorization
 - ☐ Countywide Services
 - ☐ Environmental Impact/SEQR
 - ☐ Home Rule Request
 - ☐ Property Conveyance
 - ☐ Other: (state if not listed) _____
-

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.:

Source of Funds:

Title Change: _____

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

- ☐ Change Order/Contract Amendment
- ☐ Purchase (Equipment/Supplies)
- ☐ Lease (Equipment/Supplies)
- ☐ Requirements
- ☒ Professional Services
- ☐ Education/Training
- ☐ Grant

Choose an item.

Submission Date Deadline

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) _____

Contract Terms/Conditions:

Party (Name/address):

BST & Co. CPAs, LLP
26 Computer Drive West
Albany, NY 12205

Additional Parties (Names/addresses):

Amount/Raise Schedule/Fee: \$139,000
Scope of Services: Auditing Services

Bond Res. No.:
Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority:

Is there a Fiscal Impact: Yes ☒ No ☐
Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line:

Revenue Amount:

Appropriation Account and Line:

Appropriation Amount:

Source of Funding – (Percentages)

Federal:
State:
County: 100%
Local:

Term

Term: (Start and end date) 01/01/2021 – 12/31/2023
Length of Contract: 3 years with two optional 1 year extensions

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain:

Previous requests for Identical or Similar Action:

Resolution/Law Number: Res. 2015-507
Date of Adoption: 12/07/2015

Justification: (state briefly why legislative action is requested)

Albany County requires an outside auditor to audit its annual financial statements. The most recent contract for auditing services expires December 31, 2020.

COUNTY OF ALBANY

REQUEST FOR PROPOSALS

ALBANY COUNTY COMPTROLLER



RFP # 2020-106

**Technical and Professional Services to provide Auditing Services for
Albany County's Financial Statements for the Fiscal Years 2020, 2021
and 2022**

**ALBANY COUNTY DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
KAREN A. STORM, PURCHASING AGENT
112 STATE STREET, ROOM 1000
ALBANY, NY 12207**

**COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES PURCHASING DIVISION
112 STATE STREET, ROOM 1000, ALBANY, NY 12207
TELEPHONE: 518-447-7140/ FAX: 518-447-5588**

TITLE: Technical and Professional Services to provide Auditing Services for Albany County's Financial Statements, for the Fiscal Years 2020, 2021 and 2022

RFP NUMBER: 2020-106

Receipt Confirmation Form

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

Karen A. Storm
Purchasing Agent
County of Albany
112 State Street, Room 1000
Albany, NY 12207

**IF YOU PLAN TO SUBMIT A PROPOSAL, YOU MUST RETURN
THIS FORM TO ENSURE THAT YOU WILL RECEIVE ALL
FURTHER COMMUNICATION REGARDING THIS RFP.**

Company Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____

Title: _____

Phone Number: _____ Fax Number: _____ E-Mail: _____

If a Bidders/Proposers meeting has been arranged for this Bid/RFP, please indicate if you plan to attend:

☐ Yes / ☐ No

I authorize the County of Albany to send further correspondence that the County deems to be of an urgent nature by the following method (check):

Fax Number: _____ E-Mail _____

COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
112 STATE STREET, ROOM 1000
ALBANY, NY 12207

NON-PROPOSER RESPONSE

RFP #2020-106

The Albany County Department of General Services, Purchasing Division, is interested in the reasons why bidders/proposers fail to submit bids/proposals. Please indicate your reason(s) by checking all appropriate item(s) below and returning this form to the above address.

- ☐ Could not meet Scope of Services.
- ☐ Items or materials requested not manufactured by us or not available to our company.
- ☐ Insurance requirements too restricting.
- ☐ Bond requirements too restricting.
- ☐ Scope of Services not clearly understood or applicable (too vague, too rigid, etc.).
- ☐ Project not suited to firm.
- ☐ Quantities too small.
- ☐ Insufficient time allowed for preparation of bid/proposal.
- ☐ Other reasons; please state and define: _____

Vendor Name: _____
Contact Person: _____
Vendor Address: _____
Vendor Telephone: _____

NOTICE TO PROPOSERS -- ALBANY COUNTY
REQUEST FOR PROPOSALS #2020-106

Sealed Proposals for Technical and Professional Services to provide Auditing Services for Albany County's Financial Statements, for the Fiscal Years 2020, 2021 and 2022 as requested by the Albany County Comptroller will be received by the Albany County Purchasing Agent, Room 1000, 112 State Street, Albany, New York 12207 until 4:30 PM, local time on Friday, Friday, September 25, 2020.

Request for Proposal (RFP) documents may be obtained at the office of the Albany County Purchasing Agent, as noted above. RFP documents may be available for download from the Empire State Bid System website at <http://www.empirestatebidsystem.com>, **starting** by close of business (4:30 p.m.) on Thursday, September 10, 2020.

Karen A. Storm
Purchasing Agent

Dated: August 31, 2020
Albany, New York

PUBLISH ONE DAY – Thursday, September 10, 2020 -- THE EVANGELIST
PUBLISH ONE DAY – Thursday, September 10, 2020 -- THE TIMES UNION

COUNTY OF ALBANY
REQUEST FOR PROPOSALS
TECHNICAL AND PROFESSIONAL SERVICES TO PROVIDE AUDITING SERVICES
FOR ALBANY COUNTY'S FINANCIAL STATEMENTS, FOR THE FISCAL YEARS
2020, 2021 AND 2022
ALBANY COUNTY COMPTROLLER
RFP #2020-106

RFP DISTRIBUTION- *IMPORTANT NOTICE*

The County of Albany officially distributes RFP documents through the Purchasing Division Office or through the Empire State Bid System website at <http://www.empirestatebidsystem.com>. Copies of RFP documents obtained from any other source are not considered official documents. Only those vendors who obtain proposal documents from either the Purchasing Division Office or the Empire State Bid System are guaranteed to receive addendum information, if such information is issued.

If you have obtained this document from a source other than the Albany County Purchasing Division or the Empire State Bid System, it is strongly recommended that you obtain an official copy.

SECTION 1: PURPOSE

- 1.1 The County of Albany is seeking proposals for Technical and Professional Services to provide Auditing Services for Albany County's Financial Statements, for the Fiscal Years 2020, 2021 and 2022 from qualified firms of certified public accountants to audit financial statements for all funds and account groups and a separate audit for the Albany County Health Department, Albany County Mental Health Department, Times Union Arena, and Albany County Nursing Home, for the fiscal years ending December 31, 2020, December 31, 2021 and December 31, 2022 as requested by the Albany County Comptroller
- 1.2 Minority Business Enterprises and Women's Business Enterprises are encouraged to apply.
- 1.3 In addition to the above audit services, management consulting services may be required on an as needed basis. Such Services may include, but will not be limited to, consultations regarding accounting principles and method of application and suggestions for improving internal control.

SECTION 2: RECEIPT OF PROPOSALS

2.1 Five (5) copies, and (1) electronic copy on CD or flash drive, of the Proposal and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name and number of the Proposal and the name and address of the Proposer. Proposals must be received no later than **4:30 P.M. on Friday, September 25, 2020**, at the following address:

Karen A. Storm
Albany County Purchasing Agent
112 State Street, **Room 1000**
Albany, New York 12207

- 2.2 The Proposal submitted by the individual Proposer(s) is the document upon which Albany County will make its initial judgment regarding the Proposer's qualifications, understanding of the County's scope and objectives, methodology, and ability to complete services under the contract.
- 2.3 Those submitting Proposals do so entirely at their expense. There is no express or implied obligation by Albany County to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the County, or for participating in any selection interviews.
- 2.4 Submission of any Proposal indicates acceptance of the conditions contained in the RFP, unless clearly and specifically noted otherwise in the Proposal.
- 2.5 Albany County reserves the right to reject any and all Proposals, in whole or in part, submitted in response to its RFP.
- 2.6 Albany County reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.
- 2.7 Albany County may, at any time by written notification to all Proposers, change any portion of the RFP described and detailed herein.
- 2.8 Proposals will be examined and evaluated by the **Albany County Comptroller**.
- 2.9 During the evaluation of Proposals, the County may require clarification of information or may invite Proposers to an oral presentation to amplify and or validate Proposal contents.

SECTION 3: QUALIFICATION OF PROPOSER

Provide a statement of Proposer qualifications including:

- 3.1 The County may make such investigations, as it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County within five (5) days of request, all such information and data for this purpose as may be requested. The County reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional proposals will not be accepted.
- 3.2 Organizational chart and staff experience.
- 3.3 References of clients attesting to the expertise of the firm and satisfaction of the client.
- 3.4 Resumes covering the qualifications of proposed staff, including Partners, Managers/ Supervisors and Senior Accountants who are anticipated to be assigned to this engagement, whether they are full-time or per-diem employees, education accomplishments and years and types of experience. The resumes must also show date, state of issuance and certificate number if all certified public accountants (Resumes of Staff Accountants are not required). Experience in resumes should be limited to the audit of the same type of organizations, but may include other government experience (Federal, State and Local), non-profit organizations and commercial entities. It is important that the experience be identified within some time period. This can be accomplished by stating the date of the audit, or by giving a period of time ("Since joining our firm..." "In the past five years...").
- 3.5 A signed cover letter from a person within the firm who is authorized to make representations and bind the firms.
- 3.6 A statement of your understanding of the work, description of the audit approach and procedures to be employed.
- 3.7 The approximate date the audit will begin and end, as well as the approximate date for the delivery of the Financial Statements (Albany County submits NYSOSC Annual Financial Report on May 1st).
- 3.8 The location of the office from which persons assigned to this engagement will be deployed.
- 3.9 Familiarity with County Government and range of experience of the firm in performance of similar projects. Name, Title, Address and Telephone Number of persons who may be contacted for references. Particularly important are any governmental references, specifically counties in New York.

SECTION 4: SCOPE OF SERVICES

- 4.1 The audit shall include an examination of the County's general purpose financial statements for all funds and account groups.
- 4.2 A separate audit of the Consolidated Fiscal Report in conformance with the guidelines provided by the NYS Office for People with Developmental Disabilities, NYS Office of Mental Health, and NYS Office of Alcoholism and Substance Abuse.
- 4.3 A separate audit of the Consolidated Fiscal Report in conformance with the guidelines provided by the NYS Office of Mental Health.
- 4.4 An audit of the Times Union Center managed by SMG, a Pennsylvania General Partnership. The financial statements are prepared for the purpose of complying with the terms of the Development and Operations Agreement with the NYS Urban Development Corporation. An audit of the records of Aramark, Inc. An audit of "Albany Project Income" and "other site Development Income" as defined in the repayment agreement with the Director of the Budget of the State of New York. Management advisory services including but not limited to, consultations regarding accounting principles and method of application and suggestions for improving internal control.
- 4.5 An audit of the Albany County Nursing Home (Shaker Place), a 250 bed nursing facility, a separate enterprise fund. An audit of the facility's financial statements and Medicaid report for the purpose of expressing an opinion thereon. Observations and recommendations on internal control at the facility. Field work should begin April 15th with draft financial statements no later than May 5th. Review of the Medicaid Cost Report by May 15th. The final financial statements should be completed by May 20th.
- 4.6 These audits are to be performed in accordance with Generally Accepted Auditing Standards, the standards set forth for financial audits in the General Accounting Office's Government Auditing Standards (1988) the provisions of the Federal Single Audit Act of 1984, U.S. Office of Management and Budget (OMB) Circular A 133 Audits of State and Local Government, the NYS Dept. of Transportation Single Audit report whose standards are based on Government Auditing Standards issued by the Comptroller General of the United States; and Draft Part 43 of NYCRR, the NYS Uniform System of Accounts for Counties, Governmental Accounting, Auditing and Financial Reporting (GAAFR) standards issued by the Government Finance Officers Association, and Statements on Auditing Standards (SAS) issued by the Auditing Standards Board of the American Institute of Certified Public Accountants (AICPA).
- 4.7 Work papers developed in conjunction with these audits must be retained by the firm for a period of no less than six years and be available upon request for examination by County, State and Federal Agencies.
- 4.8 Copies of previous years' financial statements and reports are available on request for reference and information.

SECTION 5: TERM OF CONTRACT:

- 5.1 The contract period shall be Three Years. When presenting costs for your services, please itemize separate costs for the audits of Fiscal years, 2020, 2021, 2022, as well as two additional one year options.
- 5.2 At the end of the initial one year contract term upon mutual agreement of the County and the Contractor, the agreement may be renewed for two (2) additional years, in two (2) consecutive one-year intervals. Renewal of multiple item bid awards shall be contingent upon renewal of all items; partial renewals shall not be accepted by the County.
- 5.2 The successful Proposer shall execute a contract with the County of Albany in substantial conformance with this RFP as prepared and approved by the County Attorney.

SECTION 6: COST PROPOSAL:

- 6.1 Submit a cost proposal for the services described above in Section 4, Scope of Services.
- 6.2 The total not to exceed fee for performing the engagement, including out of pocket expenses. This fee should be itemized with annual amounts for three years, plus the two additional one year options, in the manner described in the "Contract Period" section of the request for proposals. A guarantee must be provided that no additional fees will be levied upon the County without the prior express written consent of the County.
- 6.3 It should be noted that due to the uncertain scope of services related to Section 1.3, costs for this section should be quoted as an hourly rate. The proposed rate should be itemized as to the level of professionalism (i.e., Partner, Manager, Senior, Staff, etc.) within the firm.
- 6.4 Provide any other relevant information that will assist the County in evaluating your Proposal.

SECTION 7: PROPOSAL SUBMISSIONS

- 7.1 In order for the County to conduct a uniform review process of all proposals, proposals must be submitted in the format set forth below. Failure to follow this format may be cause for rejection of a proposal because adherence to this format is critical for the County's evaluation process:

SECTION I:

Title Page - The title page should reflect the Request for Proposal subject, name of the proposer, address, telephone number and contact person.

Table of Contents - The Table of Contents must indicate the material included in the proposal by section and page number.

SECTION II:

Qualification / Experience - The Qualification / Experience section must address proposer's qualifications and experience to carry out the requested service, inclusive of, but not limited to: qualification to do business in NYS, number of years in business and length of experience.

Resumes - Resumes of professional staff members who will be involved in the County engagement must be included in this section.

SECTION III:

References - The References section must include references from similar type projects.

SECTION IV:

Plan Implementation - The Plan Implementation Section must address the Scope of Services in terms of the proposer's plan to carry out the requested service.

SECTION V:

Cost Proposal Section - The Cost Proposal Section must include all costs associated with the proposer's plan to carry out the requested service.

SECTION VI:

Mandatory Documentation - The Mandatory Documentation Section must include: The Non-Collusive Bidding Certificate (Attachment "A"), Acknowledgment by Proposer (Attachment "B"), and Vendor Responsibility Questionnaire (Attachment "C"); Iranian Energy Divestment Certification (Attachment "D").

SECTION 8: PROPOSAL EVALUATION

8.1 Proposals will remain valid until the execution of a contract by Albany County, unless otherwise rejected consistent with this RFP.

8.2 Proposals received will be evaluated by a committee with representation from the Albany County Comptroller. Proposals shall be evaluated based upon the following:

<i>CRITERIA</i>	<i>WEIGHT</i>
Proposer's comprehension of the required (work) Scope of Services	15%
Prior experience in similar projects	15%
Familiarity to Albany County's accounting processes and procedures	15%
Proposer's demonstrated capabilities (equipment, financial solvency, location)	15%
Total proposed price	15%

Professional Qualifications	10%
Client References	5%
Completeness of proposal	5%
Staffing- (Evaluation of Employees' Resumes)	5%

8.3 Proposals will be examined and evaluated by the Albany County Comptroller with the advice of the Albany County Purchasing Agent to determine whether the requirements of this RFP are met and to make a recommendation to the Albany County Executive, the Albany County Contracts Administration Board or the County Legislature for a contract award.

8.4 A notice of contract award shall not be binding upon the County until the contract has been fully executed by both parties

SECTION 9: Not needed

SECTION 10: ALTERNATIVES

10.1 Proposer may include in its Proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the Proposal and the cost thereof must be separate and itemized.

SECTION 11: INDEMNIFICATION

11.1 The successful Proposer shall defend, indemnify and save harmless the County, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful Proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

SECTION 12: SPECIFICATION CLARIFICATION

12.1 All inquiries with respect to this Request for Proposals must be directed to the Albany County Purchasing Agent as follows:

Karen A. Storm
Albany County Purchasing Agent
112 State Street, **Room 1000**
Albany, NY 12207
Telephone: (518) 447-7140
Facsimile: (518) 447-5588
Email: Karen.storm@albanycountynv.gov

12.2 All questions about the meaning or intent of the specifications must be submitted to the aforementioned designated person in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the proposal documents. Questions received less than four (4) days prior to the date of submission of Proposals will not be answered. The County will be bound only by responses given by formal written Addenda.

12.3 Other than the contact person identified in the Proposal, or their designee, prospective Proposers shall not approach County employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

SECTION 13: MODIFICATION AND WITHDRAWAL OF PROPOSALS

13.1 Proposals may be modified or withdrawn at any time prior to the opening of Proposals by an appropriate document duly executed (in the manner that a Proposal must be executed) and delivered to the place where Proposals are to be submitted.

13.2 If within twenty-four (24) hours after the Proposals are opened, any Proposer files a duly signed written notice with the County and promptly thereafter demonstrates to the reasonable satisfaction of the County that there was a material and substantial mistake in the preparation of its Proposal, that Proposer may withdraw its Proposal and the Proposal Security will be returned. Thereafter, that Proposer will be disqualified from making a further or additional proposal on the work contemplated by this RFP.

13.3 Each proposal shall state that it is an irrevocable offer for a period of ninety (90) days from the Proposal opening date. After expiration of the irrevocable offer period, if no contract award has been made, a Proposal may be withdrawn if the Proposer does so in writing directed to the County Purchasing Agent; otherwise, Proposals remain in effect consistent with the terms of this RFP.

SECTION 14: PROPOSAL SECURITY

14.1 No proposal security is requested for this Proposal.

SECTION 15: INSURANCE AND SECURITY REQUIREMENTS

15.1 The successful Proposer will be required to procure and maintain at its own expense, the following insurance coverage:

- (a) **Worker's Compensation and Employer's Liability Insurance:** A policy or policies providing protection for Employees in the event of job related injuries.
- (b) **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of

property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.

- (c) **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

Liability For:	Combined Single Limit
Property Damage	\$1,000,000
Bodily Injury	\$1,000,000
Personal Injury	\$1,000,000

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

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

- (a) Albany County shall be named as an additional insured on all liability policies. **Proposal number must appear on insurance certificate.**
- (b) The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to Albany County. It shall be automatically renewed upon expiration and continued in force unless Albany County is given at least thirty (30) days written notice to the contrary.

15.3 No work shall be commenced under the contract until the successful Proposer has delivered to the County Purchasing Agent or his designee proof of issuance of all policies of insurance required by the Contract to be procured by the successful Proposer. If at any time, any of said policies shall expire or become unsatisfactory to the County, the successful Proposer shall promptly obtain a new policy and submit proof of insurance of the same to the County for approval. Upon failure of the successful Proposer to furnish, deliver and maintain such insurance as above provided, the contract may, at the election of the County, be forthwith declared suspended, discontinued or terminated. Failure of the successful Proposer to procure and maintain any required insurance, shall not relieve the successful Proposer from any liability under the contract, nor shall the insurance requirements be construed to conflict with the obligations of the successful Proposer concerning indemnification.

SECTION 16: REMEDY FOR BREACH

16.1 In the event of a breach by CONTRACTOR, CONTRACTOR shall pay to the COUNTY all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the COUNTY to procure a substitute contractor to satisfactorily complete the contract work, together with the COUNTY's own costs incurred in procuring a substitute contractor.

SECTION 17: CASH DISCOUNT

- 17.1 Cash discounts may be offered by a Proposer for prompt payment of bills, but such cash discounts will not be taken into consideration in determining the low Proposer.
- 17.2 For purposes of any applicable cash discount, the payment date shall be calculated from the receipt of invoice or final acceptance of the goods, whichever is later.

SECTION 18: FREEDOM OF INFORMATION LAW

- 18.1 Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission. Proposers intending to seek an exemption from disclosure of these materials under the Freedom of Information Law (New York State Public Officers Law, Sections 84-90) must request the exemption in writing, at the time of the submission of the materials, setting forth the reason for the claimed exemption. In addition, the proposer must mark each page of its submission on which there appears any material claimed to be protected as confidential or proprietary with the following legend, in bold face, capital letters at the top of each page: "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW". Acceptance of the claimed materials does not constitute a determination on the exemption request, which determination will be made in accordance with statutory procedures.

SECTION 19: MACBRIDE PRINCIPLES

- 19.1 Contractor/Proposer hereby represents that said contractor/proposer is in compliance with the MacBride Principles of Fair Employment as set forth in Albany County Local Law No. [3] for 1993, in that said contractor/proposer either (a) has no business operations in Northern Ireland or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Principles, and shall permit independent monitoring of their compliance with such principles. In the event of a violation of this stipulation, the County reserves all rights to take remedial measures as authorized under section 4 of Local Law No. [3] in 1993, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the contract/proposer in default and/or seeking debarment or suspension of the contractor/proposer.
- 19.2 In the case of a contract which must be let by competitive sealed bidding, whenever the lowest bidder has not agreed to stipulate to the conditions set forth in this section, and another bidder who has agreed to stipulate to such conditions has submitted a bid within five percent of the lowest bid for a contract to supply goods, services or construction of comparable quality, the contracting entity shall refer the contract to the County Legislature, which shall determine whether the lowest bidder is responsible. In making such determination, the County Legislature may consider, as a factor bearing on responsibility, whether the lowest bidder discriminates in employment in Northern Ireland.

19.3 As used in this section, the term “contract” shall not include contracts with government and non-profit organizations, contracts awarded pursuant to an emergency procurement procedure or contracts, resolutions, indentures, declarations of trust or other instruments of authorizing or relating to the authorization, issuance, award, sale or purchase or bonds, certificates of indebtedness, notes or other fiscal obligations of the County, provided that the policies of this section shall be considered when selecting managing underwriters in connection with such activities.

19.4 The provisions of this section shall not apply to contracts for which the County receive funds administered by the United States Department of Transportation, except to the extent Congress has directed that the Department of Transportation not withhold funds from states and localities that choose to implement selective purchasing policies based on agreement to comply with the MacBride Principles, or to the extent that such funds are not otherwise withheld by the Department of Transportation.

SECTION 20: Not needed

SECTION 21: AFFIRMATIVE ACTION REQUIREMENTS

21.1 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/proposers and subcontractors utilize minority and women labor to the greatest extent feasible.

21.2 In proposing on this contract, the Proposer acknowledges an understanding of this policy. The contractor/proposer 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.

21.3 In an effort to assist Proposers with compliance attached you will find the following:
Article SC19-Affirmative Action Plan and Department of Affirmative Action Compliance Forms.

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

22.1 It is the intent of this Request For Proposals that all political subdivisions, and districts located in the State of New York, be entitled to make purchases of services from the resulting contract award.

22.2 No officer, board or agency of a county, town, village, or school district shall make any purchase through the County when bids have been received for such purchase by such

officer, board or agency, unless such purchase may be made upon the same terms, conditions and specifications at a lower price through the County.

- 22.3 All purchases shall be subject to audit by the other political subdivisions for which the purchase was made.
- 22.4 All orders will be placed by the participating entities. Each participating entity shall be billed by and make payment directly to the successful Bidder.
- 22.5 Upon request, participating entities must furnish the Contractor with the proper tax exemption certificates or documentation of tax exempt status.
- 22.6 The sole responsibility in regard to performance of the contract, or any obligation, covenant, condition or term thereunder by the successful Proposer and the participating entities will be borne and is expressly assumed by the successful Proposer and the participating entities and not by Albany County. In the event of a failure or breach in performance of any such contract by a participating entity or the successful Proposer, Albany County, specifically and expressly disclaims any and all liability for such defective performance or breach, or failure of either party to perform in accordance with its obligations, covenants and the terms and conditions of this Albany County centralized contract.

SECTION 23: INTERPRETATION

- 23.1 In the event of any discrepancy, disagreement or ambiguity among the documents which comprise this RFP, and/or, the Agreement (between the County and the successful Proposer) and its incorporated documents, the documents shall be given preference in the following order to interpret and to resolve such discrepancy, disagreement or ambiguity: 1) the Agreement; 2) the RFP; 3) the Contractor's proposal.

SECTION 24: NON APPROPRIATIONS CLAUSE

- 24.1 Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the County for payment under this Agreement. The County will immediately notify the Contractor of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the County of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.

SECTION 25: IRANIAN ENERGY SECTOR DIVESTMENT

- 25.1 Contractor/Proposer hereby represents that said Contractor/Proposer is in compliance with New York State General Municipal Law Section 103-g entitled "Iranian Energy Sector Divestment", in that said Contractor/Proposer has not:
- (a) Provided goods or services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or

products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or

- (b) Acted as a financial institution and extended \$20 Million or more in credit to another person for forty-five days or more, if that person's intent was to use the credit to provide goods or services in the energy sector in Iran.

25.2 Any Contractor/Proposer who has undertaken any of the above and is identified on a list created pursuant to Section 165-a (3)(b) of the New York State Finance Law as a person engaging in investment activities in Iran, shall not be deemed a responsible bidder pursuant to Section 103 of the New York State General Municipal Law.

25.3 Except as otherwise specifically provided herein, every Contractor/Proposer submitting a bid/proposal in response to this Request for Bids/Request for Proposals must certify and affirm the following under penalties of perjury:

- (a) "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief, that each bidder is not on the list created pursuant to NYS Finance Law Section 165-a (3)(b).

Albany County will accept this statement electronically in accordance with the provisions of Section 103 of the General Municipal Law.

25.4 Except as otherwise specifically provided herein, any Bid/Proposal that is submitted without having complied with subdivision (a) above, shall not be considered for award. In any case where the Bidder/Proposer cannot make the certification as set forth in subdivision (a) above, the Bidder/Proposer shall so state and shall furnish with the bid a signed statement setting forth in detail the reasons therefor. The County reserves its rights, in accordance with General Municipal Law Section 103-g to award the Bid/Proposal to any Bidder/Proposer who cannot make the certification, on a case-by-case basis under the following circumstances:

- (1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- (2) The County of Albany has made a determination that the goods or services are necessary for the County to perform its functions and that, absent such an exemption, the County of Albany would be unable to obtain the goods or services for which the Bid/Proposal is offered. Such determination shall be made by the County in writing and shall be a public document.

SECTION 26: Not needed

SECTION 27: Not needed

SECTION 28: Not needed

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Technical and Professional Services to provide Auditing Services for Albany County's Financial Statements, for the Fiscal Years 2020, 2021, and 2022

RFP Number: 2020-106

THIS PROPOSAL IS SUBMITTED TO:

Karen A. Storm, Purchasing Agent
Albany County Department of General Services
Purchasing Division
112 State Street, Room 1000
Albany, NY 12207

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

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

Date

Number

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

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

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

4. Proposer will complete the Work for the following prices(s): (Attach Proposal)

5. Proposer agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. Proposer agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.

6. The following documents are attached to and made a condition of this Proposal:

(a) Non-Collusive Bidding Certificate (Attachment "A")

(b) Acknowledgment by Bidder (Attachment "B")

(c) Vendor Responsibility Questionnaire (Attachment "C")

(d) Iranian Energy Divestment Certification (Attachment "D")

7. Communication concerning this Proposal shall be addressed to:

Phone: _____

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

COUNTY OF ALBANY

COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Technical and Professional Services to provide Auditing Services for Albany County's
Financial Statements, for the Fiscal Years 2020, 2021, and 2022
RFP Number: 2020-106

COMPANY:

ADDRESS:

CITY, STATE, ZIP:

TEL. NO.:

FAX NO.:

FEDERAL TAX ID NO.:

REPRESENTATIVE:

E-MAIL:

SIGNATURE AND TITLE

DATE

ATTACHMENT "A"
NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO
SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

(3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

Signature

Title

Date

Company Name

ATTACHMENT "B"
ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____ to me known and known to me to be the same person(s) described in and who executed the within instrument, and he (or they severally) acknowledged to me that he (or they) executed the same.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 20____, before me personally appeared _____ to me known, who, being by me sworn, did say that he resides at (give address) _____; that he is the (give title) _____ of the (name of corporation) _____, the corporation described in and which executed the above instrument; that he knows the seal of the corporation, and that the seal affixed to the instrument is such corporate seal; that it was so affixed by order of the board of directors of the corporation, and that he signed his name thereto by like order.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

On the _____ day of _____, 20____, before me personally came _____, to me known to be the individual who executed the foregoing, and who, being duly sworn, did depose and say that he / she is a partner of the firm of _____ and that he / she has the authority to sign the same, and acknowledged that he / she executed the same as the act and deed of said partnership.

Notary Public, State of _____

Qualified in _____

Commission Expires _____

ATTACHMENT "C"
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE

1. VENDOR IS: ☐ PRIME CONTRACTOR			
2. VENDOR'S LEGAL BUSINESS NAME		3. IDENTIFICATION NUMBERS a) FEIN # b) DUNS #	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable)	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE		7. TELEPHONE NUMBER	8. FAX NUMBER
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE Name Title Telephone Number Fax Number e-mail			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS.			
a) NAME	TITLE	b) NAME	TITLE
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A "YES," AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor. ☐ Yes ☐ 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> ☐ Yes ☐ 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> ☐ Yes ☐ No			

16.	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:	
a)	1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process; 2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease; 3. entered into an agreement to a voluntary exclusion from bidding/contracting; 4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles; 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; 6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited; 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; 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 9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.	☐ Yes ☐ No
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?	☐ Yes ☐ No
c)	been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of: 1. federal, state or local health laws, rules or regulations.	☐ Yes ☐ No
17.	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? 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."	☐ Yes ☐ No
18.	DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO: 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> 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> c) Property Tax <i>Indicate the years the vendor failed to file.</i>	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No
19.	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? 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.	☐ Yes ☐ No
20.	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.	☐ Yes ☐ No

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.

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of:)
) ss:
County of:)

CERTIFICATION:

The undersigned: recognizes that this questionnaire is submitted for the express purpose of assisting the County of Albany in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the County may in its discretion, by means which it may choose, verify the truth and accuracy of all statements made herein; acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law Section 210.40 or a misdemeanor under Penal Law Section 210.35 or Section 210.45, and may also be punishable by a fine and/or imprisonment of up to five years under 18 USC Section 1001 and may result in contract termination; and states that the information submitted in this questionnaire and any attached pages is true, accurate and complete.

The undersigned certifies that he/she:

- Has not altered the content of the questions in the questionnaire in any manner;
- Has read and understands all of the items contained in the questionnaire and any pages attached by the submitting vendor;
- Has supplied full and complete responses to each item therein to the best of his/her knowledge, information ad belief;
- Is knowledgeable about the submitting vendor's business and operations;
- Understands that Albany County will rely on the information supplied in the questionnaire when entering into a contract with the vendor;
- Is under duty to notify the Albany County Purchasing Division of any material changes to the vendor's responses.

Name of Business

Signature of Owner _____

Address

Printed Name of Signatory _____

City, State, Zip

Title

Sworn before me this ____ day of _____, 20 ____;

Notary Public

Printed Name

Signature

Date

Attachment "D"
Certification Pursuant to Section 103-g
Of the New York State
General Municipal Law

- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of Section 165-a of the New York State Finance Law.
- B. A Bid/Proposal shall not be considered for award, nor shall any award be made where the condition set forth in Paragraph A above has not been complied with; provided, however, that in any case the bidder/proposer cannot make the foregoing certification set forth in Paragraph A above, the bidder/proposer shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where Paragraph A above cannot be complied with, the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid/proposal is made, or his designee, may award a bid/proposal, on a case by case business under the following circumstances:
1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
 2. The political subdivision makes a determination that the goods or services are necessary for the political subdivision to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

Signature

Title

Date

Company Name

County of Albany
Article SC19- Affirmative Action Plan

STATEMENT OF POLICY

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 670, Albany, NY 12207
Phone: (518) 447-7010
Fax: (518) 447-5586

County Of Albany
Criteria for Establishing Good Faith Effort

The following list of the good faith efforts criteria complies with NYS Executive Law, Article 15-A which should be considered for determining whether a contractor has documented good faith efforts:

1. Was a completed, acceptable utilization plan submitted in accordance with applicable requirements to meet goals for participation of certified minority and women-owned business enterprises established in the same contract?
2. Were advertisements placed in appropriate trade, general circulation and minority and women-oriented publications in a timely fashion?
3. Were written solicitations made in a timely fashion of certified minority and women-owned business enterprises listed in the directory of certified business?
4. Were timely responses to any such advertisements and solicitations provided by certified minority and women-owned business enterprises?
5. Did the contractor attend pre-bid, pre-award, or other meetings, if any, scheduled by the agency awarding the contract, with certified minority or women-owned business enterprises which the State or County agency determined were capable of performing the contract scope of work, for purposes of complying with goal requirements?
6. What efforts were undertaken by the contractor to reasonably structure the contract scope of work for purposes of subcontracting with certified minority and women-owned business enterprises?
7. How many minority and women-owned business enterprises in the directories of certified businesses could perform work required by the contract scope of work in your region?
8. What actions were taken to contact and assess the financial ability of certified minority and women-owned businesses enterprises to participation on the contract, and which enterprises are located outside of the region in which the contract scope of work was or will be performed?
9. Were relevant plans, specification or terms and conditions of the contract, necessary to prepare an informed response to a contractor solicitation, provided in a timely fashion to certified minority or women-owned business enterprises?
10. What subcontract terms and conditions were offered to certified minority and women-owned business enterprises, and how do those subcontract terms and conditions compare to those offered in the ordinary course of the contractor's business and to other subcontractors of the contractor?
11. Has the contractor made payments for work performed by certified minority and women-owned business enterprises in a timely fashion so as to facilitate continued performance by certified minority or women-owned business enterprises?
12. Has the contractor offered to make up any inability to comply with the minority and women-owned business enterprise goals established in a contract, in other contracts being performed or to be awarded to the contractor?