



DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
www.albanycountyny.gov

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

March 23, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

The Department of Public Works is requesting the Legislature's approval to enter into a contract with Tracey Road Equipment Inc. for the purchase of three (3) Hyundai HL940A Wheel Loaders. The Wheel Loaders will be purchased using Sourcewell Contract #032119-HCE. The total cost will be for an amount not to exceed \$398,023.80.

This equipment will be for our Berne, New Scotland and Rensselaerville Divisions. The Wheel Loaders are used during our snow removal season to load salt/sand and to push back snow on County and State Roads. This equipment is also used for the remainder of the year for loading materials and grading roadways.

If there are any questions or further information is needed, please feel free to contact my office.

Sincerely,

Lisa M. Ramundo
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2403, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for the Purchase of Three (3) Wheel Loaders from Tracey Road Equipment, Inc.

Date: March 25, 2021
Submitted By: Lisa M. Ramundo
Department: Public Works
Title: Commissioner
Phone: 518-765-2055
Department Rep.
Attending Meeting: Lisa M. Ramundo

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

- ☐ Personnel Non-Individual
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Tracey Road Equipment, Inc.
6803 Manlius Center Rd.
East Syracuse, NY 13057

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$398,023.80
Scope of Services: Purchase of Three Wheel Loaders

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: HHT75197.22000E

Appropriation Amount: \$398,023.80

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100%

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 6/1/21-11/30/21

Length of Contract: 6 Months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

The Department of Public Works is requesting the Legislature's approval to enter into a contract with Tracey Road Equipment Inc. for the purchase of three (3) Hyundai HL940A Wheel Loaders. The Wheel Loaders will be purchased using Sourcewell Contract #032119-HCE. The total cost will be for an amount not to exceed \$398,023.80.

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DANIEL P. McCOY
COUNTY EXECUTIVE

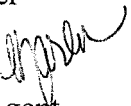
COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
112 STATE STREET, ROOM 1000
ALBANY, NEW YORK 12207-2021
(518) 447-7140 - FAX (518) 447-5588

DAVID M. LATINA
COMMISSIONER OF GENERAL SERVICES

KAREN A. STORM
PURCHASING AGENT

MEMORANDUM

TO: Lisa Ramundo
Commissioner

FROM: Karen Storm 
Purchasing Agent

DATE: March 24, 2021

RE: Sourcewell Contract #032119-HCE

I am in receipt of your recommendation to purchase 3 Hyundai HL940A Wheel Loaders from the Sourcewell Contract #032119-HCE in the amount of \$398,023.80.

As Sourcewell is a national purchasing cooperative that we have used in the past, and the pricing is lower than New York State contract, I concur with your recommendation.

Please obtain the necessary contract approval from the County Legislature, so that we may issue a purchase order.



DANIEL P. McCOY
COUNTY EXECUTIVE

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DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
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(518) 765-2055 - FAX (518) 447-7047
WWW.ALBANYCOUNTY.COM

LISA M. RAMUNDO
COMMISSIONER

MEMO

TO: Karen Storm, Purchasing Agent

FROM: Lisa M. Ramundo, Commissioner

DATE: March 19, 2021

RE: Purchase of Three (3) Hyundai HL940A Wheel Loaders
Sourcewell Contract #032119-HCE

Public Works would like to purchase three (3) Hyundai HL940A Wheel Loaders with an attachment from Tracey Road Equipment using the Sourcewell Contract #032119-HCE.

I have attached the supporting documents for your review.

If you have any questions, please feel free to contact my office.

LMR:ct

SALES ORDER

Date 3/25/21Purchaser Albany Co.Address 449 New Salem Rd.City Voorheesville State NY Zip Code 12186County Albany Co. Phone 518-655-7906Contact Name Scott Duncan

Cust No. _____

6803 Manlius Center Rd., East Syracuse NY 13057

Tracey Road Equipment Facility Numbers:

- ☐ East Syracuse: 4340816 (315) 437-1471
☐ Kirkwood: 7079332 (607) 775-5010
☐ Watertown: 7083886 (315) 788-0200
☒ Albany: 7076202 (518) 438-1100
☐ Rochester: 7101647 (585) 334-5120
☐ Batavia: 7122000 (585) 343-2860
☐ Queensbury: 7122340 (518) 793-9688

THE PURCHASER OFFERS TO PURCHASE FROM THE DEALER/SELLER FOR THE STATED PRICE THE VEHICLE AND/OR EQUIPMENT AS DESCRIBED BELOW

PO #	TERMS OF SALE: Net 30	FOB Albany	STANDARD WARRANTY:	SALESMAN # 1875
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INVENTORY #	DESCRIPTION	PRICE
	(3) Hyundai HL940A Wheel Loader @ 128,034.60 EA.	384,103.80
	3.0 Yd. Bucket, H.D. Counter Weight, Front Diff Lock, ISO Quick Coupler	
	20.5 R25 L3 Radial Tires, Ride Control, Rear View Camera, Heater Air Suspension, Beacon Light	
	Sourcewell Contract #032119-HCE	
	Sourcewell Pricing: List Less 51%	
	List Price: \$253,540.00 Less 51% = \$124,234.60	
	Freight In: \$2,200.00	
	P.D.I. : \$1,300.00	
	Freight Out: \$ 300.00	
	Total Customer Price: \$128,034.60	
	(3) 60" Forks @ \$4,640.00 EA.	13,920.00
THE MILEAGE ON THE ODOMETER IS <u>7</u> AND / IS NOT ACCURATE, REFER TO THE FEDERAL MILEAGE STATEMENT FOR DISCLOSURE IF THIS MOTOR VEHICLE IS CLASSIFIED AS A USED MOTOR VEHICLE, THE DEALER NAMED ABOVE CERTIFIES THAT THE ENTIRE VEHICLE IS IN CONDITION AND REPAIR TO RENDER, UNDER NORMAL USE, SATISFACTORY AND ADEQUATE SERVICE UPON THE PUBLIC HIGHWAY AT TIME OF DELIVERY.		
Purchaser Accepts Optional EQUIPMENT SERVICE CONTRACT PowerTrain \$ <u>N/A</u> PowerTrain Plus Hydraulics \$ <u>N/A</u> Full Machine \$ _____ Terms and Conditions per the attached contract. PURCHASER'S INITIALS <u>N/A</u>		Purchaser Declines Optional EQUIPMENT SERVICE CONTRACT PURCHASER'S INITIALS <u>N/A</u>
TRADE-IN ALLOWANCE:		SUBTOTAL 398,023.80
BALANCE OWED TO:		NET TRADE-IN ALLOWANCE N/A
NET TRADE ALLOWANCE (EQUITY)		(EXEMPT) SALES TAX Exempt
TRADE: TRADE INV. # _____		FEDERAL EXCISE TAX Exempt
YEAR _____ MAKE _____ MODEL _____		WASTE MANAGEMENT TIRE TAX Exempt
ENG. _____ SERIAL # _____		TOTAL PRICE 398,023.80
SERVICE METER READING (if applicable) _____		RECEIPT NO. _____ DEPOSIT N/A
THE MILEAGE ON THE ODOMETER IS <u>7</u> AND IS/IS NOT ACCURATE. REFER TO THE FEDERAL MILEAGE STATEMENT FOR FULL DISCLOSURE. CONDITION OF TRADE _____ PURCHASER'S SIGNATURE _____		BALANCE DUE 398,023.80

ONLY THE MANUFACTURER OR SUPPLIER AND NOT TRACEY ROAD EQUIPMENT, INC. (DEALER/SELLER) SHALL BE LIABLE FOR PERFORMANCE UNDER ANY AND ALL WARRANTIES MADE BY SUCH MANUFACTURER OR SUPPLIER. UNLESS DEALER/SELLER, ON ITS OWN BEHALF, FURNISHES PURCHASER WITH A SEPARATE WRITTEN WARRANTY, OR ENTERS INTO A SERVICE CONTRACT WITH PURCHASER, DEALER/SELLER HEREBY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY, OR FITNESS FOR A PARTICULAR PURPOSE ON ALL GOODS AND SERVICES, AND ALL USED CONSTRUCTION EQUIPMENT SOLD BY DEALER/SELLER, WHICH PURCHASER UNDERSTANDS AND AGREES IS BEING SOLD BY DEALER/SELLER "AS IS - NOT EXPRESSLY WARRANTED OR GUARANTEED".

IF THIS ORDER IS FOR A USED VEHICLE THAT BY LAW REQUIRES A FEDERAL TRADE COMMISSION WINDOW FORM, THE INFORMATION YOU SEE ON THE WINDOW FORM IS PART OF THIS ORDER. INFORMATION ON THE WINDOW FORM OVERRIDES ANY CONTRARY PROVISION IN THE CONTRACT OF SALE.

The front and back of this Order, the attached Written Warranty/Coverage Acknowledgement (the "Acknowledgement"), if signed by Purchaser and Dealer or Seller, and/or any financing and security agreement (a "Financing Agreement") entered into by Purchaser in connection with this Order comprise the entire agreement affecting this purchase and no other agreement or understanding of any nature concerning Financing Agreement and any other agreement specified in this Order shall be referred to herein as the "Order". Purchaser hereby certifies that no credit has been extended to him/her for the purchase of the motor vehicle(s) or construction equipment described in this Order except as is stated in this Order. Purchaser hereby acknowledges that he/she has read the Terms and Conditions that are printed on the back of this Order and agrees that said Terms and Conditions are part of this Order the same as if they were printed on the front hereof above Purchaser's signature. Purchaser or, if purchaser is not an individual, Purchaser's representative, hereby certifies that he/she is of legal age and acknowledges that he/she has received a copy of this Order and all other documents referred to in this Order.

PURCHASER Albany Co.SALESMAN 1875

BY _____

ACCEPTED BY SALES MANAGER _____

TERMS AND CONDITIONS OF SALE

These Terms and Conditions of Sale (these "Terms"), together with the Sales Order (the "Order") (including any applicable documents or agreements referenced in the Order), are the exclusive terms and conditions that apply to any Order made by the Purchaser identified on the Order ("Buyer") and Tracey Road Equipment, Inc. ("Seller").

1. The Order (and any modification thereto) shall not become binding upon the parties hereto until and upon such time as both Seller and an authorized Sales Manager or Officer of Seller indicates in writing the approval and acceptance of the Order on behalf of Seller. Once accepted, the Order shall become a binding contract between the parties. Seller shall not be obligated to accept any Orders.

2. All sales by Seller to Buyer with respect to Orders approved by Seller are expressly limited to the terms set forth on the Order (including any applicable documents or agreements referenced in the Order) and these Terms. Any additional, different or conflicting terms or conditions contained in Buyer's standard terms and conditions of purchase, procurement documents, purchase orders, acknowledgements, or other instruments or instructions requesting quotes or to order products, or other responses hereto are hereby objected to and rejected by Seller without need of further notice of objection or rejection and shall be of no effect and not binding on Seller in any circumstances unless and only to the extent accepted in writing by Seller. Buyer will be deemed to have assented to these Terms by submitting an Order or otherwise agreeing to purchase vehicles and/or equipment (collectively "Vehicles"), unless otherwise agreed in writing by the parties. The Order (including any applicable documents or agreements referenced in the Order) and these Terms constitute the entire and only agreement between the parties hereto; and any representation (oral or in writing), affirmation of fact, course of prior dealings or performance, promise or condition in connection therewith or usage of trade not expressly incorporated herein shall not be binding on either party.

3. Seller's prices are subject to change at any time without notice except to the extent set forth in an Order accepted by Seller. Prices are exclusive of any property, sales, use, excise, and value-added taxes, insurance, shipping, handling, special packaging instructions, fuel surcharges, charges and import and export duties, all of which shall be the responsibility of Buyer. Any taxes and duties, when applicable, shall be paid by Buyer unless Buyer supplies an acceptable exemption certificate.

4. Unless otherwise agreed in the Order or in writing by Seller, payment for all Vehicles is due at time of delivery. Payments shall be made in U.S. Dollars without setoff or deduction. All past due amounts are subject to a late charge equal to the lesser of 1.5% per month or the maximum amount allowable under law. Accrued collection costs, such as legal fees and expenses, are payable by Buyer as accrued.

5. The title and right of possession to any Vehicles set forth in an Order shall remain vested in Seller until all sums due or that become due from Buyer and all indebtedness of Buyer to Seller, no matter how evidenced, has been fully paid to Seller. Upon payment in full, ownership of such Vehicles shall transfer to Buyer. In the event Buyer breaches the Order or these Terms, including, but not limited to, the obligation to make timely payment of the purchase price and all other amounts that are or may become due to Seller, Seller may accelerate the payment and declare the whole amount of the purchase price, together with all other amounts to which Seller is or may be entitled, immediately due and payable in full. In addition, and without limiting any of Seller's other rights or remedies, upon Buyer's breach, or if Seller at any time deems itself insecure, unsafe or at risk with respect to Buyer's payment or other obligations, Buyer agrees to promptly cause Seller and/or its representative(s) to have access to, and agrees that Seller and/or its representatives may enter, the premises where the Vehicle is located, take possession of and/or remove such Vehicles, and sell the same at public or private sale, retaining from the proceeds all amounts then due and owing by Buyer to Seller, together with any and all costs and expenses of repossession and sale, including, but not limited to, attorneys' fees, and Seller agrees to pay over any excess, if any, to Buyer. If the proceeds from the sale fail to satisfy the amount due, interest, expenses and any other amounts to which Seller is entitled under these Terms or applicable law, Buyer shall remain responsible for and shall pay to Seller the deficiency on demand of Seller. Seller may bid on and/or purchase the Vehicles at any sale held under this provision.

6. In addition to Seller's rights and remedies as otherwise described herein, upon any breach or default by Buyer of the Order or these Terms, Seller shall be entitled to exercise any or all remedies available to it under these Terms and under applicable law, including, but not limited to: (a) suspending performance of the subject Order or any other order by Buyer and/or its affiliated and/or related persons or entities; (b) canceling pending orders and refusing to accept future orders from Buyer and/or its affiliated and/or related persons or entities; (c) acceleration of any amounts due by Buyer to Seller; (d) recovering damages, including, but not limited to, consequential and incidental damages; (e) exercising all rights and remedies available to it under the Uniform Commercial Code ("UCC") and other applicable law; and (f) being entitled to indemnification from Buyer for any claims, damages, losses, liabilities, and costs and expenses (including reasonable attorneys' fees).

7. Until such time as title to said Vehicle shall pass to Buyer, Buyer agrees to maintain insurance on said Vehicle against all hazards in an amount not less than the unpaid balance of the purchase price, and to provide public liability insurance in an amount which may reasonably be required by Seller. Such insurance must name Seller as a party in interest/additional insured and be available for examination by Seller upon demand.

8. Buyer hereby grants to Seller a first-priority security interest in all Vehicles purchased by Buyer which shall continue until the Vehicles are paid for in full. Buyer agrees that Seller may execute and file one or more Financing Statements under the UCC or other similar laws, in any and all relevant jurisdictions, without Buyer's signature thereon to evidence its security interest.

9. Unless otherwise agreed in writing, Vehicles to be shipped by Seller will be shipped FOB Seller's warehouse by transportation mode selected by Seller and using packaging, if applicable, selected by Seller. Risk of loss or damage passes to Buyer upon tender of the Vehicles to the carrier. Claims for products damaged or lost in transit after risk of loss or damage has transferred are to be made by Buyer directly with carrier. Buyer shall remain responsible for payment in full notwithstanding any loss or damage once risk of loss or damage has transferred. All shipping dates are approximate unless Seller has agreed to a guaranteed shipping date in writing. Seller shall not be liable for any delays in shipment or early shipment, however caused, provided that Seller has used reasonable efforts to provide for timely delivery. Seller reserves the right to make deliveries in installments and to modify orders based on product availability.

10. Buyer shall notify Seller in writing of any visible defects, quantity shortages or incorrect product shipments prior to first use of the applicable Vehicle and in any event no later than (5) days from Buyer's receipt of shipment. Thereafter, Buyer shall have no right to reject the products for any reason or revoke acceptance, and shall be deemed to have conclusively accepted the products.

11. Seller shall not be liable or responsible for any claims, losses, liabilities or damages, including, but not limited to, personal injuries or property damage, suffered or sustained in the operation or use of the Vehicles purchased by Buyer under the Order regardless of the nature of the claim, loss, liability or damage, nor for any damages by reason of

any delays or any alleged failure of said Vehicles to operate. The liability of Seller, if any, shall be limited to the standard warranty offered by the manufacturer, if any. TO THE FULLEST EXTENT PERMITTED BY LAW, SELLER MAKES NO, AND EXPRESSLY DISCLAIMS ALL, EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO ANY VEHICLE OR EQUIPMENT OR ITS USE OR OPERATION, INCLUDING, BUT NOT LIMITED TO, THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Seller shall not be bound by any representations, warranties or other terms made by any agent relative to the transactions contemplated under the Order unless the same are expressly included in these Terms. Buyer acknowledges that the manufacturer's warranty, if any, does not obligate the manufacturer or Seller to bear the cost of the labor or other similar costs or expenses necessary to repair or replace any defective parts.

12. Buyer shall not use or operate any Vehicle which is considered to be defective, without first notifying Seller in writing of its intention to do so, and any such use or operation by Buyer will be at Buyer's sole risk and liability, whether before or after notifying Seller of its intent to use or operate the same.

13. Buyer agrees that this Order and these Terms shall not be countermanded by Buyer, and when the Order is accepted by Seller in writing, it will apply with respect to all agreements between the parties relative to the transactions contemplated under the Order, except as the same may be amended or supplemented by the terms of a written Security Agreement, if any.

14. For any and all vehicles or equipment traded-in by Buyer, Buyer represents and warrants that (a) it owns such vehicles and/or equipment being transferred to Seller, (b) the vehicles and/or equipment are free and clear from all liens, claims and encumbrances, and (c) the vehicles and/or equipment are in good working order and Buyer is aware of no defects, faults or damage with respect to the same not disclosed in writing to Seller. Buyer agrees to indemnify, defend and hold harmless Seller from and against any breach or inaccuracy by Buyer of the foregoing.

15. SELLER SHALL NOT BE LIABLE FOR ANY INDIRECT, SPECIAL, EXEMPLARY, INCIDENTAL OR CONSEQUENTIAL DAMAGES, INCLUDING, BUT NOT LIMITED TO, LOST PROFITS OR LOSS OF GOOD WILL, ARISING OUT OF THE PURCHASE FROM SELLER OF ANY VEHICLE OR ITS USE OR OPERATION, EVEN IF SELLER WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES. IF FOR ANY REASON THE ABOVE DISCLAIMER OF CLAIMS, LOSSES, LIABILITIES OR DAMAGES IS DEEMED UNENFORCEABLE BY A COURT OF COMPETENT JURISDICTION, BUYER AGREES THAT AS A MATERIAL INDUCEMENT TO SELLER TO SELL THE VEHICLES TO BUYER, THAT UNDER NO CIRCUMSTANCES SHALL SELLER'S TOTAL, AGGREGATE LIABILITY ARISING OUT OF OR RELATING TO THE SALE, USE OR OPERATION OF THE VEHICLES OR THE ORDER OR THESE TERMS, WHETHER BASED ON CONTRACT, TORT, STRICT LIABILITY OR OTHERWISE (INCLUDING, BUT NOT LIMITED TO, CLAIMS BASED UPON BREACH OF WARRANTY), EXCEED THE TOTAL AMOUNT PAID BY BUYER TO SELLER FOR THE VEHICLE AND/OR EQUIPMENT THAT GAVE RISE TO THE CLAIM.

16. Seller shall be entitled to offset any amounts owed by it to Buyer against any payment or compensation that is owing and unpaid by Buyer to Seller.

17. The Order and these Terms, and the underlying obligations of the parties relating to the sale of Vehicles to Buyer, shall be governed by and construed in accordance with the laws of New York State, without regard to conflicts of laws. The U.N. Convention on Contracts for the International Sale of Goods shall not apply to any sale of Vehicles by Seller to Buyer. Any dispute regarding any Order or these Terms shall be resolved in a court located within Onondaga County, New York, and Buyer consents to the personal jurisdiction of any such court. THE PARTIES WAIVE, TO THE MAXIMUM EXTENT PERMITTED BY LAW, ANY RIGHT TO A JURY TRIAL WITH RESPECT TO ANY LEGAL DISPUTE.

18. Buyer shall be liable for any and all costs and expenses, including attorneys' fees and disbursements, incurred by Seller in the exercise of any right or remedy granted or mentioned herein or otherwise available to Seller under applicable law.

19. Seller shall not be liable for any failure or delay in the performance of any of its obligations or any damages resulting therefrom, if such delay or failure is caused by act of God, embargo, governmental action or regulation, fire, strike, lockout or other labor strife, war, riot, terrorism (or threat thereof), accident, equipment failure, delay in the manufacture, transportation or delivery of materials, shortage and/or increase in prices of raw materials or supplies, communications failures, and other any other causes beyond the reasonable control of Seller.

20. Buyer agrees, to the maximum extent permitted by law, that any claim Buyer may have against Seller or any of its directors, officers, agents or employees must be filed within one (1) year of the date on which the claim arose.

21. In addition to all other remedies available to Seller under these Terms, at law or in equity, Seller shall be entitled to seek injunctive relief without the posting of any bond or security to obtain the entry of temporary and permanent injunctions and orders of specific performance enforcing these Terms. Buyer acknowledges that failure to comply with these Terms will result in irreparable harm to Seller.

22. The relationship of Seller and Buyer as created by the Order and these Terms is that of independent contractors. Neither party shall have, or hold itself out as having, the power or authority to bind or create liability for the other party.

23. No waiver, alteration, or modification of any of the provisions of the Order or these Terms shall be binding unless in writing and signed by Seller. No delay or failure by Seller in exercising any right, privilege, remedy or option hereunder shall operate as a waiver of such or of any right, privilege, remedy or option.

24. If any provision of the Order or these Terms is determined to be invalid or unenforceable, such provision shall be invalid or unenforceable only to the minimum extent required, and all other provisions shall remain in force and effect.

25. The Order and these Terms are not intended to benefit any third party.

26. Buyer shall not delegate any duties or assign any rights or claims under the Order or these Terms without Seller's written consent. Any attempted or purported delegation or assignment by Buyer in violation of the foregoing is void.

27. If applicable, the Equal Employment Opportunity and Affirmative Action Clause, as set forth by the Department of Labor, 41 C.F.R. Sections 60-1.4(a) is hereby incorporated by reference herein insofar as it is required by such regulations and unless exempted by applicable statutes, rules, regulations or orders. Buyer agrees, unless exempted, to incorporate by reference and abide by Executive Order 11246. This contractor and subcontractor shall abide by the requirements of 41 CFR 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals on the basis of protected veteran status or disability, and require affirmative action by covered prime contractors and subcontractors to employ and advance in employment qualified protected veterans and individuals with disabilities.

28. The provisions of these Terms which by their nature should survive shall remain in effect and survive any termination or completion of any order.

FORM E**CONTRACT ACCEPTANCE AND AWARD**

(Top portion of this form will be completed by Sourcewell if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

Sourcewell Contract #: 032119-HCE

Proposer's full legal name: Hyundai Construction Equipment Americas, Inc.

Based on Sourcewell's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by Sourcewell.

The effective date of the Contract will be May 13, 2019 and will expire on May 13, 2023 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the Sourcewell Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at Sourcewell's discretion.

Sourcewell Authorized Signatures:

DocuSigned by:

Jeremy Schwartz

CPED2A139D08489
SOURCEWELL DIRECTOR OF OPERATIONS AND
PROCUREMENT/CPO SIGNATURE

DocuSigned by:

Chad Coauette

7E42B8F817A84CC...
SOURCEWELL EXECUTIVE DIRECTOR/CEO SIGNATURE

Jeremy Schwartz
(NAME PRINTED OR TYPED)

Chad Coauette
(NAME PRINTED OR TYPED)

Awarded on May 10, 2019

Sourcewell Contract # 032119-HCE

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Hyundai Construction Equipment Americas, Inc.

Authorized Signatory's Title Vice President CE National Sales

Thomas E. Owen

VENDOR AUTHORIZED SIGNATURE

Thomas E. OWEN

(NAME PRINTED OR TYPED)

Executed on May 10, 2019

Sourcewell Contract # 032119-HCE

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: Hyundai Construction Equipment Americas, Inc.

Address: 6100 Atlantic Blvd.

City/State/Zip: Norcross, Georgia 30071

Telephone Number: 678-823-7777

E-mail Address: Thomas.owen@hyundaiamericas.com

Authorized Signature:



Authorized Name (printed): Thomas E. Owen

Title: Vice President National CE Sales

Date: March 18, 2019

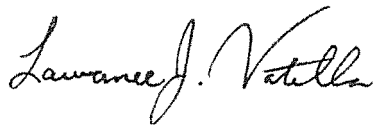
Notarized

Subscribed and sworn to before me this 18th day of March, 2019

Notary Public in and for the County of Shelby, State of Alabama

My commission expires: 02/02/2021

Signature:



APPENDIX A

SOURCEWELL PROCUREMENT DEPARTMENT
BOARD ITEMS - June 2019

CONSENT AGENDA ITEMS

Requesting Board permission to Solicit the following categories:

Education and Professional Development Training , Curriculum, and Content Development Solutions with Related Equipment & Supplies

Requesting Board permission to Re-Solicit the following categories:

Agricultural Tractors with Related Equipment and Accessories

Instructional and Leadership Training Development as Related to Systems Solutions

NEW CONTRACTS

BOMAG Americas	032119-BAI	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Caterpillar Inc.	032119-CAT	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
CNH Industrial America LLC	032119-CNH	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Grove US (Manitowoc)	032119-GUS	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Hyundai Construction Equipment	032119-HCE	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
John Deere Construction	032119-JDC	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Komatsu America Corp.	032119-KOM	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Link Belt Cranes	032119-LIN	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Volvo Construction Equipment	032119-VCE	"Heavy Construction Equipment with Related Accessories, Attachments and Supplies"
Clark Equipment Company dba Bobcat Company	040319-CEC	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
Gradall Industries, Inc.	040319-GRD	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
Hyundai Construction Equipment Americas, Inc.	040319-HCE	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
JCB, Inc.	040319-JCB	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
Kubota Tractor Corporation	040319-KBA	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
Wacker Neuson	040319-WAC	"Medium Duty and Compact Construction Equipment with Related Attachments, Accessories and Supplies"
Carolina Biological	042419-CBS	"Laboratory and Science Equipment and Supplies with Related Accessories and Services"
Eppendorf North America	042419-EPP	"Laboratory and Science Equipment and Supplies with Related Accessories and Services"

5th YEAR RENEWALS (CONTRACT EXTENSIONS)

Woods Equipment Company	042815-WDE	"Medium Duty and Compact Construction and Maintenance Equipment with Related Attachments, Accessories and Supplies"
Doosan Portable Power	052015-CEC	"Portable Construction and Maintenance Equipment and Trailers with Related Accessories, Attachments and Supplies"
Blue Bird Bus	102115-BBB	"School Buses with Related Parts and Services"
Rush Truck Centers of GA Inc. dba Rush Bus Centers of GA	102115-RTG	"School Buses with Related Parts and Services"
Yancey Bus Sales and Service	102115-YBS	"School Buses with Related Parts and Services"
Tyler Technologies, Inc.	110515-TTI	"Public Sector Administrative-Related Software Solutions & Technology Services"
Computer Aid, Inc.	020817-CAI	"Managed Service Provider (MSP) for Information Technology and I.T. Staff Augmentation"



Central Maine Equipment Company	Prime Vendor Inc.
Central Power Systems and Services	Princeton Planning & Project Management, PLLC
ConstructConnect	Prinoth Ltd
Construction Industry Center	RDO Equipment
CSS, Inc.	Reclaim Asphalt
Cutting Edge Excavation	Road Widener LLC
Deltek	Roadtec Inc
Diesel Machinery Inc	Royal Truck & Equipment
Doggett Machinery	RSC Bio Solutions
Doosan Portable Power	SmartProcure
Dynapac North America	Stan Houston Equipment
Earthworks equipment Corporation	State of Oregon
EKA	Suffolk County Brake Service Inc.
Evergreen Specialty Services	Sunbelt Rentals Canada
Federal Contracts Corporation	Technology International, Inc
Franssen Motors Dubai Jet City Equipment	Terex/Genie
FST Canada Inc. o/a Joe Johnson Equipment	Terramac LLC
Government Solutions Team, LLC	Thompson Pump
Green Climber NA	Titan Machinery
H.O. Penn Machinery Company	Toromont Cat
Hartford Truck Equipment Inc	Tracey Road Equipment Inc
HilBilt Sales	Tri-State Truck & Equipment
Hi-Line Rental, LLC	United Rentals
Holt Co	Volvo
Hyundai Construction Equipment Americas	Wacker Neuson Corporation
J.Gross Equipment	Washington State Department of Enterprise Services
JCB	Western Material Handling
John Deere	Wirtgen
Kleis Equipment	XCMG North America Corp.
Kobelco Construction Machinery, U.S.A.	Yeager Enterprises LLC

Proposals were opened on March 22, 2019, at Sourcewell, formerly the National Joint Powers Alliance (NJPA) offices located at 202 12th Street Northeast in Staples, Minnesota 56479, from the following:

BOMAG Americas, Inc.
 Caterpillar Inc.
 CNH Industrial America LLC
 Doggett Heavy Machinery
 Doosan Infracore North America, LLC
 Dynapac North America LLC
 Grove U.S. L.L.C. (dba Manitowac)
 Hyundai Construction Equipment Americas, Inc.
 John Deere Construction Retail Sales

RESOLUTION NO. 470

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, ADOPTED DECEMBER 7, 2020, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$12,721,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$12,721,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 12/7/20

By Audit and Finance Committee and Mr. Miller:

THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The County of Albany, New York (the "County") is hereby authorized to construct and reconstruct various roads in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$4,160,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$4,160,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$4,160,000 to pay the cost of the capital projects.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$4,160,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(20)(b) or (c) of the New York Local Finance Law (the "Law"), is at least ten (10) years.

Section 2. The County is hereby authorized to construct and reconstruct various bridges in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$6,941,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$6,941,000 of serial bonds (and bond anticipation notes in

anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$6,941,000 to pay the cost of the capital projects.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$6,941,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(10) of the Law, is twenty (20) years.

Section 3. The County is hereby authorized to acquire heavy duty trucks and various other equipment. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$1,270,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,270,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$1,270,000.

The periods of probable usefulness of the class of objects or purposes herein authorized and for which \$1,270,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(28) of the Law, are described as follows: (a) for equipment having a cost greater than or equal to \$30,000, fifteen (15) years and (b) for equipment having a cost in excess of \$15,000 but less than \$30,000, ten (10) years.

Section 4. The County is hereby authorized to undertake the fuel leak remediation project at the Voorheesville Department of Public Works facility located in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$350,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$350,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$350,000 to pay the cost of the capital project.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$350,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(32) of the Law, is five (5) years.

Section 5. Serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in the aggregate principal amount not to exceed

\$12,721,000 to finance said appropriations are hereby authorized to be issued pursuant to the provisions of the Law.

Section 6. The following additional matters are hereby determined and stated:

(a) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the serial bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 of the Law.

(b) The proposed maturity of a portion of the bonds authorized by this resolution will exceed five (5) years.

Section 7. The serial bonds authorized by this resolution and any notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 23.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Law, the powers and duties of the County Legislature pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 9. The County Comptroller is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The County Comptroller is further authorized to enter into a continuing disclosure undertaking with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the County must satisfy the requirements contained in SEQRA prior to making a final determination whether to proceed with the above referenced projects.

(a) (1) Except as provided below, based upon an examination of the projects and memoranda from the Albany County Department of Economic Development, Conservation and Planning, the County hereby makes the following determination: The various road projects authorized by this resolution described in Section 1 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(5); and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(2) (A) Notwithstanding the foregoing, the Knox Cave Rd. Highway Rehabilitation Project and CR311 and CR303 Highway Rehabilitation Project described in Section 1 constitute an "Unlisted action" (as said quoted term is defined in the Regulations) and therefore coordinated review and notification of other involved agencies is strictly optional. The County hereby determines not to undertake a coordinated review of the projects, and therefore will not seek lead agency status with respect to the projects;

(B) The projects will result in no major impacts and, therefore, are ones that will not cause significant damage to the environment. Therefore, the County hereby determines that the projects will not have a significant effect on the environment, and the County will not require the preparation of an environmental impact statement with respect to either project; and

(C) As a consequence of the foregoing, the County has decided to prepare a negative declaration with respect to each project.

(3) Notwithstanding the foregoing, the design phase of the New Karner Road Corridor Improvements Project described in Section 1 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(24) and (27); and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(b) (1) Except as provided below, based upon an examination of the projects and memoranda from the Albany County Department of Economic

Development, Conservation and Planning, the County hereby makes the following determination: The projects authorized by this resolution described in Section 2 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(2); and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(2) Notwithstanding the foregoing, by separate resolution, the County has complied with the provisions of SEQRA with respect to the Helderberg-Hudson Rail Trail Bridge Project described in Section 2 by issuing a negative declaration determining that the capital project described in this resolution will not have a significant effect on the environment.

(c) Based upon an examination of the project and a memorandum from the Albany County Department of Economic Development, Conservation and Planning, the County hereby makes the following determination: The project authorized by this resolution described in Section 3 constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(31); and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to that project.

(d) The project authorized by this resolution described in Section 4 will be conducted pursuant to a corrective action plan under a Stipulation Agreement with the Department of Environmental Conservation of the State of New York; and therefore, the project is exempt from SEQRA.

Section 12. The County may initially use funds from the General Fund or such other funds that may be available to pay the cost of the specific objects or purposes authorized by this resolution, pursuant to Section 165.10 of the Law. The County then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 5 of this resolution. This resolution shall constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by Sections 1, 2, 3, and 4 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 13. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) (1) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(2) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(b) such obligations are authorized in violation of the provisions of the constitution.

Section 14. This bond resolution shall take effect immediately and the Clerk of the County Legislature is hereby authorized and directed to publish the foregoing resolution in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the newspaper(s) designated as the official newspaper(s) of the County for such publication.

On long roll call vote the following members voted in favor: Messrs. Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Ethier, Feeney, Fein, Grimm, A. Joyce, R. Joyce, Kuhn, Langdon, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, O'Brien, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Simpson, Tunny, Ward, Mss. Whalen and Willingham – 38

Those opposed – 0

Resolution was adopted – 12/7/20

RESOLUTION NO. 139

AUTHORIZING AN AGREEMENT WITH TRACEY ROAD EQUIPMENT, INC. REGARDING THE PURCHASE OF THREE HYUNDAI HL940A WHEEL LOADERS

Introduced: 5/10/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Tracey Road Equipment, Inc. regarding the purchase and delivery of three Hyundai HL940A Wheel Loaders in an amount not to exceed \$398,024 for a term commencing June 1, 2021 and ending November 30, 2021, and

WHEREAS, The Department, using the Sourcewell national purchasing cooperative contract, has recommended Tracey Road Equipment, Inc. for the purchase and delivery of three Hyundai HL940A Wheel Loaders and any warranty work, service and parts for the vehicles, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tracey Road Equipment, Inc., East Syracuse, NY, 13057, regarding the purchase and delivery of three Hyundai HL940A Wheel Loaders in an amount not to exceed \$398,024 for a term commencing June 1, 2021 and ending November 30, 2021 and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
www.albanycountyny.gov

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

March 29, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

The Department of Public Works is requesting the Legislature's approval to enter into an agreement with New Castle Paving, LLC for the hauling and placing of asphalt concrete on various County roads. This proposed contract is with the successful low bidder, and is the annual contract for paving which is funded by the New York State Consolidated Local Street and Highway Improvements Program (CHIPS) Capital Program.

As part of Albany County's DPW Highway Maintenance Plan, we will pave 7.56 miles of Cold-In-Place Recycled Roads and Mill and Fill 17.83 additional miles, for a total of 25.39 miles of County roadways. The Mill and Fill process includes milling off 2" of existing top course asphalt and repaving with 2" of new top course asphalt. The following roads are scheduled for Mill/Fill:

- CR6 (Ravine Rd.) from NY85 to CR1 (Towns of Berne and Rensselaerville) ≈5.8 miles
- CR11 (Case Hill Rd.) from rebate past Flood Rd. to CR412 (Town of Berne) ≈0.6 miles
plus 400' of CR11 (North Rd.)
- CR154 (Osborne Rd.) from CR152 to NY9 (Town of Colonie) ≈500 Ft.
- CR204 (Krumkill Rd./Russell Rd.) from CR204 to Albany City Line (Town of Bethlehem)
≈1.3 miles
- CR259 (Beebe Rd.) from CR255 to CR252 (Town of Knox) ≈3.3 miles
- CR307 (Picard Rd.) from NY85A to NY156 (Town of New Scotland) ≈2.33 miles
- CR404 (Bear Swamp Rd.) from NY32 to CR402 (Town of Westerlo) ≈4.4 miles

The following Roads are scheduled for Cold in Place recycling under a separate contract. They will be paved under the hauling and placing contract:

- CR12 (Rapp Rd.) from CR10 to CR10 (Towns of Berne and Rensselaerville) ≈2.42 miles
- CR256 (Ketchum Rd.) from NY157 to NY157 (Town of Knox) ≈1.7 miles
- CR303 (Pinnacle Rd.) from CR311 to NY443 (Towns of Berne and New Scotland) ≈3.44 miles

The entire Hauling & Placing Contract will be paid for by the State's CHIPS Program. The County fronts the money and then submits to the State for reimbursement.

The County Purchasing Agent received three (3) bids for this project. Our engineering staff reviewed the bids and recommended the award of this contract to the low bidder, New Castle Paving, LLC in the amount not to exceed \$2,673,054.76.

We have included copies of all correspondence along with the bid tabulation sheet. If you have any questions regarding this request, please feel free to contact my office.

Sincerely,

Lisa M. Ramundo
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2409, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization with New Castle Paving, LLC for Hauling and Placing

Date: March 29, 2021
Submitted By: Lisa M. Ramundo
Department: Public Works
Title: Commissioner
Phone: 518-765-2055
Department Rep.
Attending Meeting: Lisa M. Ramundo

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New Castle Paving, LLC
1 Madison St., Suite 100
Troy, NY 12180

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$2,673,054.76

Scope of Services: Hauling and Placing of Asphalt Concrete

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: D95112.4075

Appropriation Amount: \$2,673,054.76

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 100%

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 7/1/21-11/30/21

Length of Contract: 5 Months

Impact on Pending LitigationYes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

The Department of Public Works is requesting the Legislature's approval to enter into an agreement with New Castle Paving, LLC for the hauling and placing of asphalt concrete on various County roads. This proposed contract is with the successful low bidder, and is the annual contract for paving which is funded by the New York State Consolidated Local Street and Highway Improvements Program (CHIPS) Capital Program.

As part of Albany County's DPW Highway Maintenance Plan, we will pave 7.56 miles of Cold-In-Place Recycled Roads and Mill and Fill 17.83 additional miles, for a total of 25.39 miles of County roadways. The Mill and Fill process includes milling off 2" of existing top course asphalt and repaving with 2" of new top course asphalt. The following roads are scheduled for Mill/Fill:

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The entire Hauling & Placing Contract will be paid for by the State's CHIPS Program. The County fronts the money and then submits to the State for reimbursement.

The County Purchasing Agent received three (3) bids for this project. Our engineering staff reviewed the bids and recommended the award of this contract to the low bidder, New Castle Paving, LLC in the amount not to exceed \$2,673,054.76.



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
112 STATE STREET, ROOM 1000
ALBANY, NEW YORK 12207-2021
(518) 447-7140 - FAX (518) 447-5588

DAVID M. LATINA
COMMISSIONER OF GENERAL SERVICES

KAREN A. STORM
PURCHASING AGENT

MEMORANDUM

TO: Lisa Ramundo
Public Works

FROM: Karen Storm
Purchasing Agent

DATE: March 29, 2021

RE: RFB #2021-014 Hauling & Placing of Asphalt Concrete on Various County Roads

I am in receipt of your recommendation to award the aforementioned Request for Bids to New Castle Paving, LLC for a total bid price of \$2,673,054.76.

As New Castle Paving, LLC is the low responsive and responsible bidder, I concur with your recommendation.

Please obtain the necessary contract approval of the County Legislature, so that we may issue a Notice of Award to the successful bidder.



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 765-7047
WWW.ALBANYCOUNTY.COM

LISA M. RAMUNDO, P.E.
COMMISSIONER

RECOMMENDATION NOTICE

TO: Karen Storm, Purchasing Agent

FROM: Lisa Ramundo, Commissioner

DATE: March 26, 2021

RE: Project #21-C568
RFB #2021-014
2021 Hauling & Placing of Asphalt Concrete on Various County Roads

I have reviewed the bid results for Bid #2021-014 for 2021 Hauling & Placing of Asphalt Concrete on Various County Roads. I would like to recommend the low bidder, New Castle Paving, LLC be awarded the bid for a total bid price of \$2,673,054.76.

If you have any questions, please feel free to contact my office.

LR:ct



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
WWW.ALBANYCOUNTY.COM

LISA M. RAMUNDO, PE
COMMISSIONER

Memorandum

TO: *Lisa Ramundo, Commissioner*

FROM: *Bill Anslow, Civil Engineer*

DATE: *March 26, 2021*

RE: *Project #21-C568 (RFB#2021-014)
2021 Hauling and Placing of Asphalt Concrete
on Various County Roads*

Having reviewed the three (3) proposals that were received regarding the subject project, Albany County DPW Engineering Division recommends the contract be awarded to New Castle Paving, LLC who has the lowest total bid price of \$2,673,054.76.

Please let me know if you have any questions.

WA:ct

ALBANY COUNTY DEPARTMENT OF PUBLIC WORKS
PROJECT 21-C568
BID NO. 2021-014
2021 HAULING PLACING - BID RESULTS

ALBANY COUNTY DEPT. OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186

3/25/2021

ITEM NUMBER	DESCRIPTION	QUANTITIES	ENGINEER'S ESTIMATE		New Castle Paving, LLC		Collanan Industries, Inc.		Cobleskill Stone Products, Inc.	
			UNIT PRICE	AMT BID	UNIT PRICE	AMT BID	UNIT PRICE	AMT BID	UNIT PRICE	AMT BID
402.058903	HOT MIX ASPHALT, F9 SHIM COURSE	250 TON	\$62.00	\$15,500.00	\$45.00	\$11,250.00	\$50.00	\$12,500.00	\$72.00	\$18,000.00
402.128202	HOT MIX ASPHALT, 12-5, F2 TOP COURSE, 80 SERIES	39,514 TON	\$56.00	\$2,212,784.00	\$52.17	\$2,061,445.38	\$52.90	\$2,090,290.60	\$58.75	\$2,321,447.50
402.198902	HOT MIX ASPHALT, 19, F9 BINDER COURSE	1,350 TON	\$50.00	\$67,500.00	\$45.00	\$60,750.00	\$50.00	\$67,500.00	\$57.50	\$77,625.00
402.378902	HOT MIX ASPHALT, 37.5, F9 BASE COURSE, 80 SERIES	1,570 TON	\$50.00	\$78,500.00	\$41.00	\$64,370.00	\$46.00	\$72,220.00	\$55.00	\$86,350.00
407.0101	TACK COAT	24,000 GAL	\$3.80	\$91,200.00	\$2.30	\$55,200.00	\$3.25	\$78,000.00	\$3.75	\$90,000.00
490.10	PRODUCTION COLD MILLING OF BITUMINOUS CONCRETE	255,735 SY	\$0.75	\$191,801.25	\$0.78	\$199,473.30	\$0.55	\$140,654.25	\$1.00	\$255,735.00
490.30	MISCELLANEOUS COLD MILLING OF BITUMINOUS CONCRETE	1,968 SY	\$4.25	\$8,364.00	\$2.00	\$3,936.00	\$2.00	\$3,936.00	\$5.00	\$9,840.00
604.07	ALTERING DRAINAGE STRUCTURES, LEACHING BASIN & MANHOL	1 EA	\$1,500.00	\$1,500.00	\$300.00	\$300.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
604.10	PREPARATED ADJUSTMENT RINGS FOR MANHOLES	1 EA	\$950.00	\$950.00	\$100.00	\$100.00	\$950.00	\$950.00	\$500.00	\$500.00
608.020102	HOT MIX ASPHALT HANDWORK FOR DRIVEWAYS	60 TON	\$160.00	\$9,600.00	\$140.00	\$8,400.00	\$150.00	\$9,000.00	\$165.00	\$9,900.00
619.0101	BASIC MAINTENANCE AND PROTECTION OF TRAFFIC, CONTRACTOR TO PROVIDE BASIC MP&T FOR CR 154, OSBORNE RD. ONLY	1 LS	\$20,000.00	\$20,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$9,000.00	\$9,000.00
AC 637.40	ASPHALT CONCRETE TESTING SERVICES	1 LS	\$15,000.00	\$15,000.00	1	\$15,000.00	1	\$15,000.00	1	\$15,000.00
640.20	WHITE PAINT REFLECTORIZED PAVEMENT STRIPES - 20 MIL	263.072 FT	\$0.10	\$26,307.20	\$0.07	\$18,415.04	\$0.08	\$21,045.76	\$0.10	\$26,307.20
640.21	YELLOW PAINT REFLECTORIZED PAVEMENT STRIPES - 20 MIL	263.072 FT	\$0.10	\$26,307.20	\$0.07	\$18,415.04	\$0.08	\$21,045.76	\$0.10	\$26,307.20
685.13	WHITE EPOXY REFLECTORIZED PAVEMENT LETTERS	8 EA	\$45.00	\$360.00	\$200.00	\$1,600.00	\$200.00	\$1,600.00	\$225.00	\$1,800.00
685.14	WHITE EPOXY REFLECTORIZED PAVEMENT SYMBOLS	2 EA	\$152.00	\$304.00	\$200.00	\$400.00	\$200.00	\$400.00	\$225.00	\$450.00
697.01	INTERIM PAYMENT	1 FPLS	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00	\$150,000.00
699.04	MOBILIZATION (4%)	1 LS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	TOTAL			\$2,915,977.65		\$2,673,054.76		\$2,689,642.37		\$3,100,261.90
		RANK			1		2		3	

RFB-2021-014 Tabulation

Vendor	Cobleskill Stone	Callanan Ind	New Castle
Bid Security	Bond	Bond	Bond
Total Bid Amount	\$3,100,261.90	\$ 2,689,642.37	\$ 2,673,054.76

**NOTICE TO BIDDERS - ALBANY COUNTY
REQUEST FOR BIDS #2021-014**

Sealed bids for Hauling & Placing Asphalt Concrete on Various County Roads, Highway Improvement Project, will be received by the Albany County Purchasing Agent, 112 State Street, Room 1000, Albany, New York 12207 until 11:00 a.m. on Thursday, March 25, 2021.

Request for bid (RFB) documents may be obtained at the office of the Albany County Purchasing Agent, as noted above.

The work site is located at: Various County roads in Albany County

The work includes: Hauling and placing asphalt concrete on County roads in various towns throughout Albany County, or as directed by the Commissioner of Public Works, or her representative.

Plans, specifications and bid proposal forms will be provided on a CD in PDF format (ADOBE version 9) and may be obtained at the office of the Albany County Purchasing Agent listed above.

This is a UNIT PRICE BID. Each proposal must be made on an official Bid Form and must be accompanied by a certified check or bid bond in the amount of 5% of the base bid as security.

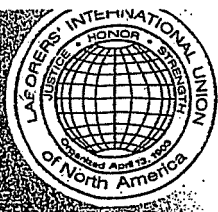
Successful bidder will be required to furnish a Faithful Performance Bond and a Labor and Material Bond each in the full amount of the contract price.

The County of Albany reserves the right to reject any or all bids received and to waive any informalities discovered therein.

County of Albany, New York
County Purchasing Agent

PUBLISH ONE DAY (3/5/21)

THE EVANGELIST
TIMES UNION



LABORERS
LOCAL
UNION
190

LiUNA!

237

April 26, 2017

To Whom It May Concern:

Please be advised that New Castle Paving, LLC has signed a full Agreement with Laborers' Local Union 190, and as such, they are a participant in our New York State approved Apprenticeship Program. If you have any further questions regarding this matter, please feel free to contact our office at (518) 465-1254.

Thank you.

Sincerely,

Anthony Fresina
Business Manager

LABORERS' LOCAL
UNION 190
668 WEMPLE ROAD
GLENYON, NY 12077
PHONE: (518) 465-1254
FAX: (518) 465-1257



Feel the Power

JANE THOMPSON
Director of Apprenticeship Training

New York State Department of Labor
W. Averell Harriman State Office Campus
Building 12, Room 455/459, Albany, NY 12240
www.labor.ny.gov

RECEIVED JAN 28 2019

January 15, 2019

Dale Swartwout
Manager
New Castle Paving, LLC
1 Madison Street, Suite 100
Troy, New York 12180

Sponsor Code: 22242/ATP Code: 18285

Dear Mr. Swartwout:

I am pleased to inform you that your Operating Engineer (Universal Equipment) apprenticeship training program has successfully completed its two-year probationary period. Assisting sponsors with successful operation of a program is important to the New York State Department of Labor (Department). The following are important aspects regarding successful continuation of your program:

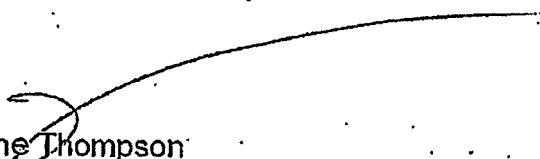
- The Department will continue to conduct bi-annual visits to ensure that your program remains in compliance. These visits will include a review of the overall progress of the program, including worksite training, related instruction, program operation and administration, Equal Employment Opportunity/Affirmation Action efforts, and a review of the program's completion/graduation rates. Apprentice program completions are an important part of all programs' performance and will continue to be monitored closely. The reviews will monitor compliance with the provisions on the Apprentice Training Program Registration Agreement (AT 10 Form), Labor Law Article 23, Apprenticeship Regulations Parts 600 and 601, and other Department requirements. These laws and regulations can be found on the Apprenticeship Training website at the following link:
<https://www.labor.ny.gov/apprenticeship/general/lawsandregs.shtm>.
- The Regulations provide that all apprenticeship training programs will undergo a recertification review which involves a complete evaluation and approval of your program. This recertification review will occur at or about the time that the program completes its first training cycle and subsequently at least every five years thereafter.



Department
of Labor

If you have any questions, please contact your Apprentice Training Representative, Dan Paris, at (518)457-7745.

Sincerely,


Jane Thompson
Director,
Apprenticeship Training

cc: D. Paris



RESOLUTION NO. 175

AUTHORIZING AN AGREEMENT WITH CALLANAN INDUSTRIES, INC.
FOR HAULING AND PLACING OF ASPHALT CONCRETE ON VARIOUS
ROADS IN ALBANY COUNTY

Introduced: 5/13/19

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into a five-month agreement with Callanan Industries, Inc. as the lowest responsible bidder in the amount of \$3,037,753 for Hauling and Placing of Asphalt Concrete on various County roads in Albany County for the term commencing July 1, 2019 and ending November 30, 2019, and

WHEREAS, The Department of Public Works through the County Purchasing Agent issued a request for bids and three bids were received for Hauling and Placing of Asphalt Concrete on various County roads, and

WHEREAS, The Department and the Purchasing Agent reviewed said bids and recommended awarding the contract to Callanan Industries, Inc. as the lowest responsible bidder, and

WHEREAS, The Commissioner has indicated the contract cost to the County will be fully reimbursed through the New York State Consolidated Local Street and Highway Improvements Program ("CHIPS"), now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a five-month agreement with Callanan Industries, Inc., Albany, NY 12212 in an amount not to exceed \$3,037,753 for Hauling and Placing of Asphalt Concrete on various County roads in Albany County for the term commencing July 1, 2019 and ending November 30, 2019, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote - 5/13/19

RESOLUTION NO. 140

AUTHORIZING AN AGREEMENT WITH NEW CASTLE PAVING, LLC FOR HAULING AND PLACING OF ASPHALT CONCRETE ON VARIOUS ROADS IN ALBANY COUNTY

Introduced: 5/10/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into a five-month agreement with New Castle Paving, LLC in the amount of \$2,673,055 for Hauling and Placing of Asphalt Concrete on various County roads in Albany County for the term commencing July 1, 2021 and ending November 30, 2021, and

WHEREAS, The Department of Public Works through the County Purchasing Agent issued a request for bids and three bids were received for Hauling and Placing of Asphalt Concrete on various County roads, and

WHEREAS, The Department and the Purchasing Agent reviewed said bids and recommended awarding the contract to New Castle Paving, LLC as the lowest responsible bidder, and

WHEREAS, The Commissioner has indicated that the contract cost to the County will be fully reimbursed through the New York State Consolidated Local Street and Highway Improvements Program ("CHIPS"), now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a five-month agreement with New Castle Paving, LLC, Troy, NY 12180 in the amount of \$2,673,055 for Hauling and Placing of Asphalt Concrete on various County roads in Albany County for the term commencing July 1, 2021 and ending November 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
www.albanycountyny.gov

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

March 30, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

The Department of Public Works is requesting the Legislature's approval to enter into a contract with Tiger Corporation for the purchase of a Hydraulic Boom/Hyd. Driven Side Shift Rear Flail Tractor. This piece of equipment will be purchased using Sourcewell Contract #052417-TGR. The total cost will be for an amount not to exceed \$124,422.00.

This piece of equipment will be used to remove brush and grass from behind guiderail on County roads and on the Rail Trail.

If there are any questions or further information is needed, please feel free to contact my office.

Sincerely,

Lisa M. Ramundo
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2411, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization to Purchase a Hydraulic Boom Tractor from Tiger Corporation

Date: March 30, 2021
Submitted By: Lisa M. Ramundo
Department: Public Works
Title: Commissioner
Phone: 518-765-2055
Department Rep.
Attending Meeting: Lisa M. Ramundo

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Tiger Corporation
3301 N. Louise Ave.
Sioux Falls, SD 57107

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$124,422.00

Scope of Services: Purchase of a Hyd. Boom Tractor

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line:

Click or tap here to enter text.

Revenue Amount:

Click or tap here to enter text.

Appropriation Account and Line:

HHT75197.22000E

Appropriation Amount:

\$124,422.00

Source of Funding - (Percentages)

Federal:

Click or tap here to enter text.

State:

Click or tap here to enter text.

County:

100%

Local:

Click or tap here to enter text.

Term

Term: (Start and end date)

6/1/21-8/31/21

Length of Contract:

3 Months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain:

Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number:

Click or tap here to enter text.

Date of Adoption:

Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

The Department of Public Works is requesting the Legislature's approval to enter into a contract with Tiger Corporation for the purchase of a Hydraulic Boom/Hyd. Driven Side Shift Rear Flail Tractor. This piece of equipment will be purchased using Sourcewell Contract #052417-TGR. The total cost will be for an amount not to exceed \$124,422.00.

This piece of equipment will be used to remove brush and grass from behind guiderail on County roads and on the Rail Trail.



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
112 STATE STREET, ROOM 1000
ALBANY, NEW YORK 12207-2021
(518) 447-7140 - FAX (518) 447-5588

DAVID M. LATINA
COMMISSIONER OF GENERAL SERVICES

KAREN A. STORM
PURCHASING AGENT

MEMORANDUM

TO: Lisa Ramundo
Commissioner

FROM: Karen Storm
Purchasing Agent

DATE: March 30, 2021

RE: Sourcewell Contract #052417-TGR

I am in receipt of your recommendation to purchase one (1) Hydraulic Boom/Hyd. Driven Side Shift Rear Flail Tractor from the Sourcewell Contract #052417-TGR in the amount of \$124,422.00.

Sourcewell is a national purchasing cooperative that we have used in the past.

Please obtain the necessary contract approval from the County Legislature, so that we may issue a purchase order.



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
WWW.ALBANYCOUNTY.COM

LISA M. RAMUNDO
COMMISSIONER

MEMO

TO: Karen Storm, Purchasing Agent

FROM: Lisa M. Ramundo, Commissioner 

DATE: March 30, 2021

RE: Purchase of a Hydraulic Boom/Hyd. Driven Side Shift Rear
Flail Tractor
Sourcewell Contract #052417-TGR

Public Works would like to purchase one (1) Hydraulic Boom/Hyd. Driven Side Shift Rear Flail Tractor from Tiger Corporation using the Sourcewell Contract #052417-TGR.

I have attached the supporting documents for your review.

If you have any questions, please feel free to contact my office.

LMR:ct

PRICE LIST A

SOURCEWELL QUOTE SHEET

1-Jan-2021

Bill to	Albany County		
Ship to	Albany County		
End User	Albany County		
End User Contact	Scott Duncan	PO#	
Quote#		Order Date	
Dealer Contact	Justin Huners	Quote Date	3/18/2021
DLR Phone / Fax	518-460-3540	Requested ship date	
Dealer Email	jhuners@triusonline.com	State contract order	Sourcewell # 062417-1 GR
		Sourcewell Member #	
		Quote valid for 30 days	

Shipping Instructions:

WILDKAT

SIDE SHIFT - Rotary or Flail

Hydraulic Boom/HYD Driven Side Shift Rear Flail

HOW TO ORDER: You must select one item from Section 1, 2 & 3 for a complete Side Mower.

Qty	Order Code	Description	Approx. lbs	List Price	Disc	Sourcewell Price
Add tractor on next line when required						
1	6105E	MFWD 24F x 12R		\$ 84,750	20%	\$ 67,800.00
SECTION 1 - Choose a Base Unit						
1	AR - 12	Mid-mount Side Shift Mower	3550	\$ 26,213	20%	\$ 20,970.40
INCLUDES: Tractor Mount Kit, Mower Hydraulic Drive System, Travel Safety Lock, Stow System, Mower On/Off Switch box, Operator Safety Screen/Polys, 500 Lb Wheel Weight						
SECTION 2 - Choose a Cutter Head						
1	ARRT-60B	60" Rotary Head with Blade Bar/Brush Knives & Hydraulic Door	910	\$ 19,321	20%	\$ 15,456.80
	ARRT-60D	60" Rotary Head with Disk/Grass Knives & Hydraulic Door	985	\$ 19,540	20%	\$ -
	ARFL-75SD	75" Flail Head with Standard Cut Knives	945	\$ 19,067	20%	\$ -
	ARFL-75SDG	75" Flail Head with Smooth Cut Knives	945	\$ 19,153	20%	\$ -
SECTION 3 - Choose a Hydraulic Controls Option						
	CBL	Cable Controls and Lift Valve Kit	78	\$ 5,988	20%	\$ -
1	W-JSTK	Joystick, Electro-hydraulic and Valve Kit with EFS (Easy Float System) Float Functions	60	\$ 17,031	20%	\$ 13,624.80
SECTION 4 - Installation Charge						
1	Factory Mnt	Installation of complete mower system at factory		\$ 7,035	20%	\$ 5,628.00
	Field Mnt	Installation of complete mower system by Dealer		\$ 7,035	20%	\$ -
SECTION 5 - WILDKAT BOOM MOWER OPTIONS						
		Wheel Weight - up charge 500 to 1500 lbs of counter balance	600	\$ 1,938	20%	\$ -
	06200670	60" Blade Bar Kit (bar, knives bolts nuts) BRUSH	85	\$ 1,025	20%	\$ -
	06744040	60" Rotary Blade Bar Parts Kit (knives, bolts, nuts, filter, grease) BRUSH	36	\$ 275	20%	\$ -
	06744001	60" Rotary Disk Parts Kit (knives, bolts, nuts, filter, grease) GRASS	39	\$ 212	20%	\$ -
	BPS-WLDK	Electronic Boom Positioning System	12	\$ 1,375	20%	\$ -
	06744055	Knife Kit, 75" Flail (knives, bolts, nuts, clevis) STANDARD CUT	47	\$ 363	20%	\$ -
	06770114	Kit, Deck Extension, 60" Rotary - 1.0" (extensions, rear flap, hardware)	22	\$ 815	20%	\$ -
	06770115	Kit, Deck Extension, 60" Rotary - 2.0" (extensions, rear flap, hardware)	26	\$ 835	20%	\$ -
	06200210	Paint, non-standard	-	\$ 1,581	20%	\$ -

SECTION 6 - HYDRAULIC DRIVEN HYDRAULIC SHIFT REAR FLAILS

RF-90SDHSHSS	Flail, Rear Mount 90", STANDARD CUT - Hyd Driven & Hyd Side Shift	1410	\$ 24,298	20%	\$ -
RF-90SDGHDHSS	Flail, Rear Mount 90", SMOOTH CUT - Hyd Driven & Hyd Side Shift	1405	\$ 24,377	20%	\$ -
RF-96SDHSHSS	Flail, Rear Mount 96", STANDARD CUT - Hyd Driven & Hyd Side Shift	1485	\$ 24,796	20%	\$ -
RF-96SDGHDHSS	Flail, Rear Mount 96", SMOOTH CUT - Hyd Driven & Hyd Side Shift	1480	\$ 24,874	20%	\$ -

**Hydraulic Rear Flails need to be used in conjunction with a Boom Or Side Mower. Kit includes twin pump operation & mower hydraulic system, Cat II 3 Pt Mount

ADDITIONAL OPTIONS FROM PRICE LIST

1	AM/FM RADIO	\$ 385	20%	\$ 308.00
1	STROBE LIGHT	\$ 680	20%	\$ 544.00
1	PDI	\$ 90		\$ 90.00
				\$ -
				\$ -
				\$ -

Freight is an estimate only, may change at time of shipment

Totals

\$ 124,422.00

TRACTOR INFORMATION REQUIRED:

Make/Model	Transmission	
Tire size	Cab Type	
	2WD or MFWD	

All prices are FOB Destination
Prices are subject to change without notice

ARCH-10SH



Please direct questions to:

Ph: 800-843-6849 EXT 3
email all quotes in excel format
to orders@tigermowers.com

This one is

FORM E
CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

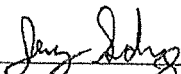
NJPA Contract #: 052417-TGR

Proposer's full legal name: Tiger Corporation

Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.

The effective date of the Contract will be October 2, 2017 and will expire on October 2, 2021 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

NJPA Authorized Signatures:


 NJPA DIRECTOR OF COOPERATIVE CONTRACTS
 AND PROCUREMENT/CPO SIGNATURE

Jeremy Schwartz
 (NAME PRINTED OR TYPED)


 NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Chad Coauette
 (NAME PRINTED OR TYPED)

Awarded on September 29, 2017

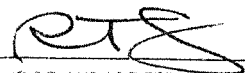
NJPA Contract # 052417-TGR

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Tiger Corporation

Authorized Signatory's Title President


 VENDOR AUTHORIZED SIGNATURE

SHAWN Cleary
 (NAME PRINTED OR TYPED)

Executed on 9/29, 2017

NJPA Contract # 052417-TGR

Form CEXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS,
AND SOLUTIONS REQUESTCompany Name: **Tiger Corporation**

Any exceptions to the terms, conditions, specifications, or proposal forms contained in this RFP must be noted in writing and included with the Proposer's response. The Proposer acknowledges that the exceptions listed may or may not be accepted by NJPA or included in the final contract. NJPA will make reasonable efforts to accommodate the listed exceptions and may clarify the exceptions in the appropriate section below.

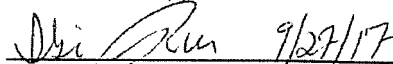
Section/page	Term, Condition, or Specification	Exception	NJPA ACCEPTS
		NO EXCEPTIONS	

Proposer's Signature: *Shawn T. Cleary*

Date: May 19, 2017

NJPA's clarification on exceptions listed above:

Review and Approved:


 NJPA Legal Department

Contract Award
RFP #052417

FORM D



Formal Offering of Proposal
(To be completed only by the Proposer)

ROADWAY MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, MATERIALS, AND SUPPLIES

In compliance with the Request for Proposal (RFP) for ROADWAY MAINTENANCE EQUIPMENT WITH RELATED ACCESSORIES, ATTACHMENTS, MATERIALS, AND SUPPLIES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical specifications, sales and service expectations, and any special terms, agrees to furnish the defined products and related services in full compliance with all terms and conditions of this RFP, any applicable amendments of this RFP, and all Proposer's response documentation. The Proposer further understands that it accepts the full responsibility as the sole source of solutions proposed in this RFP response and that the Proposer accepts responsibility for any subcontractors used to fulfill this proposal.

Company Name: Tiger Corporation Date: MAY 19, 2017

Company Address: 3301 N. Louise Avenue

City: Sioux Falls State: SD Zip: 57107

Contact Person: SHAWN Cleary Title: President

Authorized Signature:  SHAWN T. CLEARY
(Name printed or typed)

Form FPROPOSER ASSURANCE OF COMPLIANCE

Proposal Affidavit Signature Page

PROPOSER'S AFFIDAVIT

The undersigned, authorized representative of the entity submitting the foregoing proposal (the "Proposer"), swears that the following statements are true to the best of his or her knowledge.

1. The Proposer is submitting its proposal under its true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, the Proposer possesses, or will possess before delivering any products and related services, all applicable licenses necessary for such delivery to NJPA members agencies. The undersigned affirms that he or she is authorized to act on behalf of, and to legally bind the Proposer to the terms in this Contract.
2. The Proposer, or any person representing the Proposer, has not directly or indirectly entered into any agreement or arrangement with any other vendor or supplier, any official or employee of NJPA, or any person, firm, or corporation under contract with NJPA, in an effort to influence the pricing, terms, or conditions relating to this RFP in any way that adversely affects the free and open competition for a Contract award under this RFP.
3. The Proposer has examined and understands the terms, conditions, scope, contract opportunity, specifications request, and other documents in this solicitation and affirms that any and all exceptions have been noted in writing and have been included with the Proposer's RFP response.
4. The Proposer will, if awarded a Contract, provide to NJPA Members the /products and services in accordance with the terms, conditions, and scope of this RFP, with the Proposer-offered specifications, and with the other documents in this solicitation.
5. The Proposer agrees to deliver products and services through valid contracts, purchase orders, or means that are acceptable to NJPA Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to NJPA Members under an awarded Contract.
6. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
7. The Proposer understands that NJPA will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statute §13.591, Subd. 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals generally become public data. Minnesota Statute §13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
8. The Proposer understands that it is the Proposer's duty to protect information that it considers nonpublic, and it agrees to defend and indemnify NJPA for reasonable measures that NJPA takes to uphold such-a data designation.

[The rest of this page has been left intentionally blank. Signature page below]

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: Tiger Corporation

Address: 3301 N. Louise Avenue

City/State/Zip: SIOUX FALLS, SD 57107

Telephone Number: 605.731.0404

E-mail Address: scleary@tiger-mowers.com

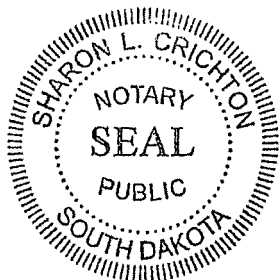
Authorized Signature: [Signature]

Authorized Name (printed): SHAWN CLEARY

Title: President

Date: MAY 19, 2017

Notarized



Subscribed and sworn to before me this 19 day of May, 2017

Notary Public in and for the County of Minnehaha State of South Dakota

My commission expires: 02/08/2022

Signature: [Signature]

Form P**PROPOSER QUESTIONNAIRE**

Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: **Tiger Corporation**

Questionnaire completed by: **Shawn Cleary**

Payment Terms and Financing Options

- 1) What are your payment terms (e.g., net 10, net 30)?
Tiger policy allows Net 30 day payment terms. Exceptions can be made to this for special circumstances prior of acceptance of order.
- 2) Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?
Yes. Tiger Corporation through Alamo Group Inc., has a relationship with KeyBank which offers governmental and educational institutions a capital goods leasing program.
- 3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to NJPA. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the NJPA Members' purchase orders.
All orders will be sent to Tiger Corporation by either the Tiger dealer or purchasing entity by email or fax. Tiger will process the order through our sales office, which is part of the Tiger Sales Team. Orders transferred from Tiger quote and order forms to our Company manufacturing processing software. Tiger assigns a contract code to orders sold on a contract. We would create a NJPA code to enter into Tiger CRM system to assure all orders are tracked accordingly and quarter reports can be processed in a timely manner for NJPA sales tracking. Once the orders are placed in the system our team is able to track and/or update the order if any changes are required along with tracking the order from entry to completion and ship date. Tiger's accounting team with direction from Tiger management will track all NJPA orders and accrue the fees accordingly. The accounting office will submit the required quarterly reports. Currently Tiger's accounting team processes many states as well as GSA orders. Per Company policy the customer cannot be billed until the competed unit is delivered and accepted by the customer. Tiger's Authorized Dealer network is educated in the delivery of contract sales and aids in the order process as well as the delivery and payment process, working directly with the customer.
- 4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to NJPA Members for using this process?
Tiger currently does not accept P-cards, only because we have not had the need to do so. Tiger can certainly set-up and receive P-cards, and would not charge any additional costs to the NJPA Members. Tiger can and routinely accepts wire transfers for ease of payment.

Warranty

- 5) Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may include in your response a copy of your warranties, but at a minimum please also answer the following questions.

One (1) year standard warranty on all products. This covers any failure that happens under normal conditions. Customer will take products to Authorized dealer for review, and repairs are completed. Dealer will submit warranty claim through our "online" warranty claim service and determination is processed within 24 hours. The warranty start date is when the customer has received the product and places the product into service. Tiger does offer extended warranty for purchase. Warranty policy attached.

- Do your warranties cover all products, parts, and labor?
Yes, as outlined in the Tiger Standard Warranty Policy (included)
- Do your warranties impose usage restrictions or other limitations that adversely affect coverage?
No, there are not hour limitations.
- Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?
Yes, as outlined in the Tiger Standard Warranty Policy.
- Are there any geographic regions of the United States for which you cannot provide a certified technician to perform warranty repairs? How will NJPA Members in these regions be provided service for warranty repair?
Every region in North America will be serviced by a Tiger Authorized dealer. Service as well as warranty repair will be provided through the Tiger Authorized Dealer.
- Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?
All warranties will be covered by Tiger Corporation with the exception of the tractor warranties. As a business partner with both New Holland and John Deere, their authorized dealer network will provide warranty and service for all tractor related repairs.
- What are your proposed exchange and return programs and policies?
Depending upon the situation the customer will work directly with the Tiger Authorized Dealer for exchanges and return items. Tiger provides a limited number of rebuilt components and Dealers may return parts and whole goods in new and unused condition for full credit.

- 6) Describe any service contract options for the items included in your proposal.

Tiger currently does not offer service contracts. Tiger has a large network of Tiger Authorized Dealers, which maintain contracts with both service and parts to customers in localities for the US and Canada.

Pricing, Delivery, Audits, and Administrative Fee

- 7) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.

Tiger manufactures and sells Tractor/Mower turnkey mowing units and tractor mowing attachments as well as truck mounted mowers that are offered to municipalities and governmental entities needing equipment for vegetation management control. Tiger has a complete service department to handle all service issues, and training programs that can be modified to fit the customer's needs.

- 8) Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the NJPA discounted price) on all of the items that you want NJPA to consider as part of your RFP response. Provide a SKU for each item in your proposal. (Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract. See the body of the RFP and the Price and Product Change Request Form for more detail.)

The NJPA Member will be offered a 20% discount on each line item from Tiger listed MSRP prices. Prices are FOB destination. Tiger will supply NJPA, the Tiger Authorized Dealers and Customers with an interactive work sheet to order products and a copy of Tiger/NJPA Price List. Suggested NJPA Price List included in proposal.

- 9) Please quantify the discount range presented in this response. For example, indicate that the pricing in your response represents is a 50% percent discount from the MSRP or your published list.
Tiger will offer a 20% discount on MSRP. An interactive quote and order work book will be provided for easy of ordering. Suggested Price List included in proposal.

- 10) The pricing offered in this proposal is

- _____ a. the same as the Proposer typically offers to an individual municipality, university, or school district.
- _____ b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- X c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- _____ d. other than what the Proposer typically offers (please describe).

- 11) Describe any quantity or volume discounts or rebate programs that you offer.

Based upon order quantities of three (3) units or more on the same order, Tiger would offer an additional 2% discount.

- 12) Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.

Tiger will offer cost plus 12% on material costs and any additional labor charges for any 'sourced' or 'open market' or non-standard options.

- 13) Identify any total cost of acquisition costs that are **NOT** included in the pricing submitted with your response. This cost includes all additional charges that are not directly identified as freight or shipping charges. For example, list costs for items like installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.

All costs of acquisition are included in the price book submitted. Tiger offers a complete unit with few options to allow the customer a quality product that they do not need to "option up" to assure they have the right machine for their vegetation issues. All labor and delivery are included in the price.

- 14) If delivery or shipping is an additional cost to the NJPA Member, describe in detail the complete shipping and delivery program.

All pricing is stated in FOB Destination, thus allowing customer to know total cost of acquisition. Ocean freight charges will be added to sales to Alaska and Hawaii, and determined at time of order submittal.

- 15) Specifically describe those shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery.

Tiger would quote the products FOB Sioux Falls, SD and would assist in arranging freight and documentation to Alaska, Hawaii and offshore. Tiger would honor the FOB Destination prices for shipments to Canada.

- 16) Describe any unique distribution and/or delivery methods or options offered in your proposal.

Tiger ships all its products from their facility in Sioux Falls, SD. Delivery can be made to the nearest dealer location or to the customer's location. If Tiger Dealer receives the goods, they will prep the equipment for delivery and deliver to customer location. If goods are shipped to the customer location, the Tiger Dealer will visit the location and prep the equipment for in-service. We are very flexible in our delivery abilities and can accommodate any customer requirements.

- 17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with NJPA. This process includes ensuring that NJPA Members obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to NJPA.

As a public company, Tiger is very attune to the importance of audit and process control. All NJPA Member orders will be audited at the order process by Tiger's Sales Order team member for compliance to pricing and fit and functionality of the product ordered. After the sales order is reviewed, the Tiger accounting department will monitor until ship/invoice is complete and reconcile all payments to dealer and the NJPA fees. Reports are written by IT department to accumulate all contract sales, and NJPA contract sales would be added to this report. Submittal of fees are usually paid after invoice is paid by customer. We engage in a monthly meeting to discuss what orders were under contract and were all conditions met and abided to. Alamo Group has an internal audit team that assists Tiger with this procedure to assure validity and adherence to contract specifics are handled correctly.

- 18) Identify a proposed administrative fee that you will pay to NJPA for facilitating, managing, and promoting the NJPA Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See RFP Section 6.29 and following for details.)

Tiger Corporation would propose a 2% fee that would be paid to NJPA for facilitating, managing, education and promoting this contract.

Industry-Specific Questions

- 19) Identify the required subcategory or subcategories that best describe your solutions: Subcategory A) Roadway Surface Maintenance and Repair Equipment; Subcategory B) Roadway Surface Marking Equipment and Paint; Subcategory C) Road Right-of-Way Management Equipment and Chemicals; and/or Subcategory D) Equipment and Products in Support of Roadway Maintenance and Repair.

The subcategory that would best describe Tiger's product line would be Sub Category C) Road Right-of-Way Management Equipment and Chemicals: Our product line includes all equipment that a customer needs for vegetation and road side maintenance equipment solutions.

- 20) Describe the features of your proposed solution(s) that address serviceability (parts availability, maintenance, repairs, support, etc.) and which you believe are "vendor differentiators."

Tiger's Authorized Dealer network is extensive covering the entire North American Continent. Tiger's 88 Dealers with 241 locations have instant access to the local markets. Additionally Tiger's Authorized Dealer network is supported by a Tiger Customer Service Team that has over 97 years of combined experience to handle even the toughest parts and service problems a member might incur. We ship parts in an expedient manner with over a 98% average of same day shipments on our 'A' parts.

21) Describe any manufacturing processes or material specification attributes that differentiate your offered solutions.

Tiger has embraced the manufacturing processes of "Lean Manufacturing". Tiger's product design and manufacturing teams streamline the processes to assure speed to market and short lead-times to its customers. Our evaluation of the correct use of materials, evaluated by the engineering team, and reviewed by a Professional Engineer (PE) on staff, assures the safest, most productive equipment is being made available. What differentiates Tiger is the adherence to this Lean philosophy, the solution for the customer is what dictates the path through this whole process. When the customer's solution is foremost in the minds of the manufacturer it is a win for all internal and external customers.

Signature: *Shawn T. Cleary*

Date: *May 19, 2017*



Form P

SIGNATURE PAGE

PROPOSER QUESTIONNAIRE

Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: **Tiger Corporation**

Questionnaire completed by: **Shawn Cleary**

Signature: _____

A handwritten signature, likely of Shawn Cleary, is written over a horizontal line. The signature is stylized, with the first letters of the first and last names being prominent.

Date: _____

MAY 19, 2017

RESOLUTION NO. 470

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, ADOPTED DECEMBER 7, 2020, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$12,721,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$12,721,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 12/7/20

By Audit and Finance Committee and Mr. Miller:

THE COUNTY LEGISLATURE OF THE COUNTY OF ALBANY, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The County of Albany, New York (the "County") is hereby authorized to construct and reconstruct various roads in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$4,160,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$4,160,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$4,160,000 to pay the cost of the capital projects.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$4,160,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(20)(b) or (c) of the New York Local Finance Law (the "Law"), is at least ten (10) years.

Section 2. The County is hereby authorized to construct and reconstruct various bridges in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$6,941,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$6,941,000 of serial bonds (and bond anticipation notes in

anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$6,941,000 to pay the cost of the capital projects.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$6,941,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(10) of the Law, is twenty (20) years.

Section 3. The County is hereby authorized to acquire heavy duty trucks and various other equipment. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$1,270,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,270,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$1,270,000.

The periods of probable usefulness of the class of objects or purposes herein authorized and for which \$1,270,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(28) of the Law, are described as follows: (a) for equipment having a cost greater than or equal to \$30,000, fifteen (15) years and (b) for equipment having a cost in excess of \$15,000 but less than \$30,000, ten (10) years.

Section 4. The County is hereby authorized to undertake the fuel leak remediation project at the Voorheesville Department of Public Works facility located in Albany County, New York, together with any necessary site work and the acquisition and installation of furnishings, equipment, machinery and apparatus for the foregoing purposes, together with the preparation of planning, engineering and feasibility studies and review. The estimated maximum cost of said class of objects or purposes, including preliminary costs and costs incidental thereto and the financing thereof (including costs relating to the issuance of the obligations authorized by this resolution), is an amount not to exceed \$350,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$350,000 of serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in such series and amounts as may be necessary to pay the cost thereof, but in no event in excess of \$350,000 to pay the cost of the capital project.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$350,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(32) of the Law, is five (5) years.

Section 5. Serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in the aggregate principal amount not to exceed

\$12,721,000 to finance said appropriations are hereby authorized to be issued pursuant to the provisions of the Law.

Section 6. The following additional matters are hereby determined and stated:

(a) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the serial bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof in accordance with Section 107.00 of the Law.

(b) The proposed maturity of a portion of the bonds authorized by this resolution will exceed five (5) years.

Section 7. The serial bonds authorized by this resolution and any notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the taxable real property within the County without limitation of rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 23.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 63.00 and Section 164.00 of the Law, the powers and duties of the County Legislature pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the County Comptroller, the chief fiscal officer of the County.

Section 9. The County Comptroller is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The County Comptroller is further authorized to enter into a continuing disclosure undertaking with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. Pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations" and collectively with the SEQR Act, "SEQRA"), the County must satisfy the requirements contained in SEQRA prior to making a final determination whether to proceed with the above referenced projects.

(a) (1) Except as provided below, based upon an examination of the projects and memoranda from the Albany County Department of Economic Development, Conservation and Planning, the County hereby makes the following determination: The various road projects authorized by this resolution described in Section 1 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(5); and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(2) (A) Notwithstanding the foregoing, the Knox Cave Rd. Highway Rehabilitation Project and CR311 and CR303 Highway Rehabilitation Project described in Section 1 constitute an "Unlisted action" (as said quoted term is defined in the Regulations) and therefore coordinated review and notification of other involved agencies is strictly optional. The County hereby determines not to undertake a coordinated review of the projects, and therefore will not seek lead agency status with respect to the projects;

(B) The projects will result in no major impacts and, therefore, are ones that will not cause significant damage to the environment. Therefore, the County hereby determines that the projects will not have a significant effect on the environment, and the County will not require the preparation of an environmental impact statement with respect to either project; and

(C) As a consequence of the foregoing, the County has decided to prepare a negative declaration with respect to each project.

(3) Notwithstanding the foregoing, the design phase of the New Karner Road Corridor Improvements Project described in Section 1 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(24) and (27); and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(b) (1) Except as provided below, based upon an examination of the projects and memoranda from the Albany County Department of Economic

Development, Conservation and Planning, the County hereby makes the following determination: The projects authorized by this resolution described in Section 2 constitute a "Type II action" pursuant to 6 NYCRR 617.5(c)(2); and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to those projects.

(2) Notwithstanding the foregoing, by separate resolution, the County has complied with the provisions of SEQRA with respect to the Helderberg-Hudson Rail Trail Bridge Project described in Section 2 by issuing a negative declaration determining that the capital project described in this resolution will not have a significant effect on the environment.

(c) Based upon an examination of the project and a memorandum from the Albany County Department of Economic Development, Conservation and Planning, the County hereby makes the following determination: The project authorized by this resolution described in Section 3 constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(31); and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to that project.

(d) The project authorized by this resolution described in Section 4 will be conducted pursuant to a corrective action plan under a Stipulation Agreement with the Department of Environmental Conservation of the State of New York; and therefore, the project is exempt from SEQRA.

Section 12. The County may initially use funds from the General Fund or such other funds that may be available to pay the cost of the specific objects or purposes authorized by this resolution, pursuant to Section 165.10 of the Law. The County then reasonably expects to reimburse such expenditure with the proceeds of the bonds or bond anticipation notes authorized by Section 5 of this resolution. This resolution shall constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by Sections 1, 2, 3, and 4 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 13. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) (1) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or

(2) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(b) such obligations are authorized in violation of the provisions of the constitution.

Section 14. This bond resolution shall take effect immediately and the Clerk of the County Legislature is hereby authorized and directed to publish the foregoing resolution in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the newspaper(s) designated as the official newspaper(s) of the County for such publication.

On long roll call vote the following members voted in favor: Messrs. Beston, Bruschi, Burgdorf, Ms. Chapman, Messrs. Clay, Cleary, Commisso, Ms. Cunningham, Messrs. Domalewicz, Drake, Efekoro, Ethier, Feeney, Fein, Grimm, A. Joyce, R. Joyce, Kuhn, Langdon, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McLaughlin, McLean Lane, Messrs. Miller, O'Brien, Perlee, Peter, Ms. Plotsky, Messrs. Reidy, Reinhardt, Ricard, Simpson, Tunny, Ward, Mss. Whalen and Willingham – 38

Those opposed – 0

Resolution was adopted – 12/7/20

RESOLUTION NO. 141

**AUTHORIZING AN AGREEMENT WITH TIGER CORPORATION
REGARDING THE PURCHASE OF A HYDRAULIC BOOM**

Introduced: 5/10/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into an agreement with Tiger Corporation regarding the purchase and delivery of a Hydraulic Boom/HYD Driven Side Shift Rear Flail in the amount of \$124,422 for a term commencing June 1, 2021 and ending August 31, 2021, and

WHEREAS, The Department, using the Sourcewell national purchasing cooperative contract, has recommended Tiger Corporation for the purchase and delivery of a Hydraulic Boom/HYD Driven Side Shift Rear Flail and any warranty work, service and parts for the vehicles, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Tiger Corporation, Sioux Falls, SD 57107 regarding the purchase and delivery of a Hydraulic Boom/HYD Driven Side Shift Rear Flail in the amount of \$124,422 for a term commencing June 1, 2021 and ending August 31, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF PUBLIC WORKS
449 NEW SALEM ROAD
VOORHEESVILLE, NEW YORK 12186-4826
(518) 765-2055 - FAX (518) 447-7047
www.albanycountyny.gov

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

March 31, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

We request the Legislature's approval to enter into an agreement with Capital District Transportation Authority (CDTA), acting on behalf of the Capital District Transportation Committee (CDTC) which is the Metropolitan Planning Organization (MPO) for the Capital District, for Professional Transportation Engineering and Planning Services. This agreement will be for a three year period beginning on April 1, 2021 through March 31, 2024. The cost per year is \$30,000.00 for a three year total of \$90,000.00.

The CDTC provides technical planning services regarding traffic impact studies and collects transportation related data. Each year CDTC provides the Department of Public Works with pavement ratings for the County's non-federal-aid roads which assist in selecting roads to be paved each year. CDTC will also provide The Department of Public Works with a Trail Loop Feasibility Study along State Farm Road and New Karner Rd. within Albany County.

If there are any questions or further information is needed, please feel free to contact my office.

Sincerely,

Lisa M. Ramundo
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2415, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for an Agreement with Capital District Transportation Authority

Date: April 1, 2021
Submitted By: Lisa M. Ramundo
Department: Public Works
Title: Commissioner
Phone: 518-765-2055
Department Rep.
Attending Meeting: Lisa M. Ramundo

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Capital District Transportation Committee

1 Park Place

Albany, NY 12205

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$90,000.00

Scope of Services: Professional Transportation Engineering and Planning Services

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: D95020.4003

Appropriation Amount: \$30,000.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100%

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 4/1/2021-3/31/2024

Length of Contract: 36 Months

Impact on Pending LitigationYes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

We request the Legislature's approval to enter into an agreement with Capital District Transportation Authority (CDTA), acting on behalf of the Capital District Transportation Committee (CDTC) which is the Metropolitan Planning Organization (MPO) for the Capital District, for Professional Transportation Engineering and Planning Services. This agreement will be for a three year period beginning on April 1, 2021 through March 31, 2024. The cost per year is \$30,000.00 for a three year total of \$90,000.00.

The CDTC provides technical planning services regarding traffic impact studies and collects transportation related data. Each year CDTC provides the Department of Public Works with pavement ratings for the County's non-federal-aid roads which assist in selecting roads to be paved each year. CDTC will also provide The Department of Public Works with a Trail Loop Feasibility Study along State Farm Road and New Karner Rd. within Albany County.

RESOLUTION NO. 89**AUTHORIZING AN AGREEMENT WITH THE CAPITAL DISTRICT
TRANSPORTATION AUTHORITY REGARDING PROFESSIONAL
TRANSPORTATION ENGINEERING AND PLANNING SERVICES**

Introduced: 3/12/18

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into a three year agreement with the Capital District Transportation Authority regarding professional transportation engineering and planning services for the term commencing April 1, 2018 and ending March 31, 2021 in an amount not to exceed \$90,000, and

WHEREAS, The agreement provides the County with preliminary review of the traffic impact of proposed land development in the vicinity of the Albany County International Airport, including review and assistance with the airport area Final Generic Environmental Impact Statement (FGEIS) of findings, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a three year agreement with the Capital District Transportation Authority regarding professional transportation engineering and planning services for the term commencing April 1, 2018 and ending March 31, 2021 in an amount not to exceed \$90,000, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 3/12/18

RESOLUTION NO. 142

AUTHORIZING AN AGREEMENT WITH THE CAPITAL DISTRICT TRANSPORTATION COMMITTEE REGARDING PROFESSIONAL TRANSPORTATION ENGINEERING AND PLANNING SERVICES

Introduced: 5/10/21

By Public Works Committee:

WHEREAS, The Commissioner of the Department of Public Works has requested authorization to enter into a three year agreement with the Capital District Transportation Committee (CDTC) regarding professional transportation engineering and planning services for the term commencing April 1, 2021 and ending March 31, 2024 in an amount not to exceed \$90,000, and

WHEREAS, The Commissioner has indicated that the CDTC provides the County with technical planning services regarding traffic impact studies and collects transportation related data such as pavement ratings for the County's non-federal-aid roads which assists in selecting roads to be paved each year, and

WHEREAS, The Commissioner has also indicated that the CDTC will provide the Department with a Trail Loop Feasibility Study along State Farm Rd. and New Karner Rd. in Albany County, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a three year agreement with the Capital District Transportation Committee regarding professional transportation engineering and planning services for the term commencing April 1, 2021 and ending March 31, 2024 in an amount not to exceed \$90,000, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF SOCIAL SERVICES
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12210-2304
(518) 447-7300
WWW.ALBANYCOUNTY.COM

MICHELE G. MCCLAVE
COMMISSIONER

ERIN M. STACHEWICZ
EXECUTIVE DEPUTY
COMMISSIONER

VALERIE SACKS
DEPUTY COMMISSIONER

April, 7, 2021

Hon. Andrew Joyce, Chairman
Legislative Clerk's Office
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

The Department of Social Services respectfully requests legislative approval for the following:

Authorization is requested to amend an agreement with Salient Corp. to provide access to their database and annual maintenance as well as five user licenses for software used to data mine NYS Medicaid provider patterns as directed by the NYS Office of Medicaid Inspector General.

A three year term is requested to reduce costs. Additionally Salient Corp is a sole source provider and this will reduce administrative time rather than submitting multiple requests over this period.

Sincerely,

Michele G. McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2410, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Social Services (Salient)

Date: 3/30/2021
Submitted By: Joseph DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.
Attending Meeting: Michele G. McClave

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Salient Corporation

203 Colonial Drive, Horseheads, NY 14845

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: 125,820

Scope of Services: Maintenance and user license costs for a three year period for data mining software to assist in identifying patterns of use and sources of potential misuse and/or abuse within the Medicaid system.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: AA6010 03610 AA6010 04610

Revenue Amount: \$62,910.00 \$62,910.00

Appropriation Account and Line: AA6010 44056

Appropriation Amount: \$125,820

Source of Funding - (Percentages)

Federal: 50%

State: 50%

County:

Local:

Term

Term: (Start and end date) 9/1/2021-8/31/2024

Length of Contract: 36 months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 156, 272, 181, 199

Date of Adoption: 5/8/06, 8/13/12, 5/11/15, 5/14/18

Justification: (state briefly why legislative action is requested)

Authorization is requested to amend an agreement with Salient Corp. to provide for access to this data base and annual maintenance as well as five user licenses, over the next three years, for software used to data mine NYS Medicaid provider patterns as directed by OMIG. A three year term is requested to reduce costs. Additionally Salient Corp is a sole source provider and this will reduce administrative time rather than submitting multiple requests over this period.

Albany County has successfully utilized this software solution for the identification of Medicaid providers as part of the NYS Department of Health's Medicaid Provider Fraud Demonstration Project. The Department also intends to utilize this software to capitalize on the clinical and financial opportunities that exist when claims data is continually monitored and analyzed. In addition, Salient has provided Albany County Department of Social Services, at no cost, an add-on software module that will enhance our ability to analyze payments in the Temporary Assistance and SNAP Programs.

Salient is also critical in identifying potential audit targets in a variety of high use fields including medical transportation, pharmacy and home health care.

Salient software makes it possible to sort through hundreds of thousands of transactions in a short time frame, allowing the agency to determine which providers may be overbilling for Medicaid reimbursement.

Fifth Amendment to Agreement

THIS FIFTH AMENDMENT is effective as of the date executed by both parties (the "Effective Date") between the County of Albany (the "County"), acting by and through the Albany County Department of Social Services, having its principal office at 112 State Street, Albany, New York 12207, and Salient Corporation ("Salient"), having its principal office at 203 Colonial Drive, Horseheads, NY 14845.

WHEREAS, by Agreement dated July 18, 2006, pursuant to Resolution 156 adopted May 8, 2006 (the "Agreement"), the County has licensed certain software (the "System") from Salient;

WHEREAS, pursuant to the Agreement and amendments thereto dated August 10, 2009 (the "First Amendment"), August 26, 2011 (the "Second Amendment"), August 31, 2012 (the "Third Amendment"), and June 15, 2015 (the "Fourth Amendment"), the term during which support and maintenance services and Premium Services (as defined by the First Amendment) will be provided (the "Services Term") continues through August 31, 2018;

WHEREAS, the County wishes to extend the Services Term;

WHEREAS, Salient reduced the annual fees for Premium Services from Eight Thousand Four Hundred Eighty-Five Dollars (\$8,485) to Eight Thousand Dollars (\$8,000) as of September 1, 2010, but failed to document the reduction contractually;

WHEREAS, the Fourth Amendment reduced the number of concurrent user licenses the County owned from six (6) to five (5) as of September 1, 2015 in order to provide the County a reduction in its annual fees for support and maintenance;

WHEREAS, Salient failed to adjust the County's license by removing the concurrent user license as of September 1, 2015, potentially causing the County to overuse its license; and

WHEREAS, in order to remedy the potential overuse of the County's license since September 1, 2015, the parties wish to delay the effective date of the reduction to September 1, 2018;

NOW, THEREFORE, for a good and valuable consideration, Salient and the County amend the Agreement as follows:

- I. The Services Term is hereby extended through August 31, 2021.
- II. The County's annual fees for Premium Services are reduced from Eight Thousand Four Hundred Eighty-Five Dollars (\$8,485) to Eight Thousand Dollars (\$8,000) retroactively as of September 1, 2010.
- III. There will be no change to the fees for annual support and maintenance or Premium Services for the period September 1, 2018 – August 31, 2021, but rather the annual fees for support and maintenance will remain fixed at Thirty-Three Thousand Nine Hundred Forty Dollars (\$33,940) and the annual fees for Premium Services will remain fixed at Eight Thousand Dollars (\$8,000).
- IV. By way of clarification, the maximum amount of fees that will come due to Salient from the County for annual support and maintenance and Premium Services pursuant to the Agreement and this Amendment during the period September 1, 2018 – August 31, 2021, in the absence of any further amendment, is One Hundred Twenty-Five Thousand Eight Hundred Twenty Dollars (\$125,820). This Section IV shall serve solely as a statement of total fees and not as a limit of any contractual remedy either party may have under the Agreement.



Fifth Amendment to Agreement

- V. The reference to "September 1, 2015" in Section 2 of the Fourth Amendment is hereby replaced with a reference to "September 1, 2018."
- VI. Except as otherwise herein amended, all provisions of the Agreement shall remain in full force and effect.
- VII. This Agreement shall be void and of no effect if not executed by both parties on or before August 31, 2018.

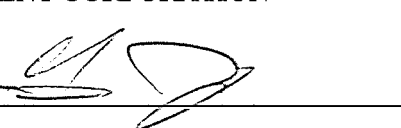
In witness whereof, the parties have caused this Amendment to be executed.

INTENDING TO BE BOUND:

COUNTY

SALIENT CORPORATION

By: 

By: 

Name: Philip F. Calderone

Name: Guy Anderson

Title: Deputy County Executive

Title: General Counsel

Date: 7/10/18

Date: 7-19-2018

RESOLUTION NO. 156

AUTHORIZING AN AGREEMENT WITH SALIENT CORPORATION REGARDING THE PURCHASE OF MEDICAID FRAUD, WASTE AND ABUSE CONTROL SOFTWARE AND SUPPORT

Introduced: 5/8/06

By Audit and Finance Committee, Messrs. Domalewicz, Gordon, Morse, Collins and Ms. McKnight:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with Salient Corporation in the amount of \$240,830 for the purchase of data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program, and

WHEREAS, The Commissioner through the Purchasing Agent issued a Request for Proposals and recommended contracting with Salient Corporation of Horseheads, NY based on a review giving the company the highest rating of responses submitted by four eligible vendors, and

WHEREAS, The Commissioner has indicated that the cost of the agreement will be fully reimbursed by the federal and state governments, and

WHEREAS, The Commissioner indicated that the agreement includes the license for 10 named users to operate Salient's Muni Minder Medicaid Module, interface development, implementation support, hardware server, five days of onsite training, travel expenses and support and maintenance for three years beginning July 1, 2006 and ending June 30, 2009, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Salient Corporation, 203 Colonial Drive, Horseheads, NY 14845 in an amount not to exceed \$240,830 regarding the purchase of data mining software to assist in identifying sources of potential misuse and abuse within the Medicaid system, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 5/8/06

RESOLUTION NO. 272

AUTHORIZING AN AGREEMENT WITH SALIENT CORPORATION REGARDING SOFTWARE MAINTENANCE AND USAGE FOR MEDICAID RECORDS

Introduced: 8/13/12

By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with Salient Corporation in the amount of \$154,824 regarding the maintenance and user license costs for data mining software to assist in identifying sources of potential misuse and/or abuse within the Medicaid system, and

WHEREAS, The Purchasing Agent has determined that the Salient Corporation is the sole source provider for the Muni-Minder Medicaid Module as there is no other compatible software and indicated no bidding would be required, and

WHEREAS, The Commissioner indicated that the agreement includes the license for 10 named users to operate Salient's Muni-Minder Medicaid Module software used to data mine NYS Medicaid billing records for three years beginning September 1, 2012 and ending August 31, 2015, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Salient Corporation, 203 Colonial Drive, Horseheads, NY 14845 in an amount not to exceed \$154,824 regarding the maintenance and user license costs for data mining software records for three years beginning September 1, 2012 and ending August 31, 2015, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 8/13/12

RESOLUTION NO. 181

AUTHORIZING AN AGREEMENT WITH SALIENT CORPORATION REGARDING THE PURCHASE OF MEDICAID FRAUD, WASTE AND ABUSE CONTROL SOFTWARE AND SUPPORT

Introduced: 5/11/15

By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into three year agreement with Salient Corporation in an amount of \$125,820 for the period September 1, 2015 to August 31, 2018 for the purchase of data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program, and

WHEREAS, The Purchasing Agent indicated Salient Corporation is the sole source for the purchase of the software, its upgrades and maintenance and therefore no bidding was required, and

WHEREAS, The Commissioner has indicated that the cost of the agreement will be fully reimbursed by the federal and state governments, and

WHEREAS, The Commissioner indicated that the agreement includes the license for 5 named users to operate Salient's Muni Minder Medicaid Module, interface development, implementation support, hardware server, five days of onsite training, travel expenses and support and maintenance for three years, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a three year agreement with Salient Corporation, 203 Colonial Drive, Horseheads, NY 14845 in an amount not to exceed \$125,820 for the term September 1, 2015 to August 31, 2018 regarding the purchase of data mining software to assist in identifying sources of potential misuse and abuse within the Medicaid program, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 5/11/15

RESOLUTION NO. 199

AUTHORIZING AN AGREEMENT WITH SALIENT CORPORATION
REGARDING ANNUAL MAINTENANCE AND USER LICENSING COSTS
ASSOCIATED WITH SALIENT DATA MINING SOFTWARE

Introduced: 5/14/18

By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into a three year agreement with Salient Corporation in an amount not to exceed \$125,820 regarding annual maintenance and user licensing costs associated with Salient data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program for the term commencing September 1, 2018 and ending August 31, 2021, and

WHEREAS, The Purchasing Agent indicated Salient Corporation is the sole source for the annual maintenance of the software and its upgrades, therefore no bidding was required, and

WHEREAS, The Commissioner has indicated that the cost of the agreement will be fully reimbursed by the federal and state governments, and

WHEREAS, The Commissioner indicated that the agreement includes the licenses for six named users to operate Salient's Muni Minder Medicaid Module, interface development, implementation support, hardware server, five days of onsite training, travel expenses and support and maintenance for three years, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a three year agreement with Salient Corporation, Horseheads, NY 14845 in an amount not to exceed \$125,820 regarding annual maintenance and user licensing costs associated with Salient data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program for the term commencing September 1, 2018 and ending August 31, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote - 5/14/18

RESOLUTION NO. 143

AUTHORIZING AN AGREEMENT WITH SALIENT CORPORATION REGARDING ANNUAL MAINTENANCE AND USER LICENSING COSTS ASSOCIATED WITH SALIENT DATA MINING SOFTWARE

Introduced: 5/10/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into a three year agreement with Salient Corporation in the amount of \$125,820 regarding annual maintenance and user licensing costs associated with Salient data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program for the term commencing September 1, 2021 and ending August 31, 2024, and

WHEREAS, The Purchasing Agent indicated Salient Corporation is the sole source for the annual maintenance of the software and its upgrades, therefore no bidding was required, and

WHEREAS, The Commissioner indicated that the cost of the agreement will be fully reimbursed by the federal and state governments, and

WHEREAS, The Commissioner indicated that the agreement includes the licenses for five named users to operate Salient's Muni Minder Medicaid Module, interface development, implementation support, hardware server, five days of onsite training, travel expenses and support and maintenance for three years, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into a three year agreement with Salient Corporation, Horseheads, NY 14845 in the amount of \$125,820 regarding annual maintenance and user licensing costs associated with Salient data mining software to assist the Department in analyzing data and identifying sources of potential fraud, waste and abuse within the Medicaid program for the term commencing September 1, 2021 and ending August 31, 2024, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES
112 STATE STREET – SUITE 300
ALBANY, NEW YORK 12207
(518) 447-7324 - FAX (518) 447-7578
www.albanycounty.com

MOIRA E. MANNING
COMMISSIONER

NICOLE WARD
Deputy Commissioner

April 1, 2021

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew a grant with NYS Office of Children and Family Services for the Children's Advocacy Center- Child Fatality Review Team.

The requested grant is for the term of February 1, 2021 – January 31, 2022 for \$69,637 and involves amending the 2021 Departmental Budget to accept and utilize these funds.

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-2014.

Sincerely,

Moir Manning, LCSW-R
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2345, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Authorization of Grant Acceptance from the New York State Office of Children and Family Services (NYSOCFS) for Children's Advocacy Center (CAC), Child Fatality Review Team (CFRT), Contract Authorization with SIDS of Pennsylvania Cribs for Kids and to Amend 2021 Budget

Date: March 2, 2021
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep.
Attending Meeting: Moira Manning, Commissioner

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)

Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

Increase Account/Line No.: 6119 03407 / 6119 44020, 44039, 44042, 44046
Source of Funds: NYSOCFS
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Renewal

Submission Date Deadline Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New York State OCFS
52 Washington Street
Rensselaer, NY 12144

Additional Parties (Names/addresses):

SIDS of Pennsylvania
Cribs for Kids
5450 Second Avenue
Pittsburgh, PA 15207

Amount/Raise Schedule/Fee: \$69,637
Scope of Services: Child Advocacy Center Services

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

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

County Budget Accounts:

Revenue Account and Line: 6119 03407

Revenue Amount: \$69,637

Appropriation Account and Line: 6119 44020 44039 44042 44046

Appropriation Amount: 1,697 6,850 50,140.00 10,950.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 100

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) February 1, 2021 to January 31, 2022

Length of Contract: 12 Months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 20-100, 19-135, 18-26, 17-347, 16-327, 15-351, 15-64

Date of Adoption: 3/9/20, 4/8/19, 2/12/18, 9/11/17, 8/8/16, 9/14/15, 2/9/15

Justification: (state briefly why legislative action is requested)

Please see attached

Department for Children, Youth and Families

Backup Material for Authorization of Grant Acceptance from the New York State Office of Children and Family Services For the Children's Advocacy Center - Child Fatality Review Team, Contract Authorization with SIDS of Pennsylvania Cribs for Kids, and to Amend the 2021 Adopted Budget

The Department respectfully requests Legislative authorization to accept grant funding from the New York State Office of Children and Family Services (NYS OCFS) for the Children's Advocacy Center – Child Fatality Review Team (CFRT) and amend the 2019 Adopted Department for Children, Youth and Families budget. The grant award is a five year award for the contract term of February 1, 2019 to January 31, 2024, with a total value of \$348,185 with no County share for the term.

The Department requests authorization to accept the annual award amount of \$69,637 for the period of February 1, 2021 to January 31, 2022 and to amend the 2021 Adopted Department for Children, Youth and Families budget accordingly. The Department also respectfully requests contract authorization with SIDS of Pennsylvania Cribs for Kids, through this grant award, in the amount of \$10,950.00, for the term of February 1, 2021 to January 31, 2022.

The Albany County Child Fatality Review Team is a collaboration of professionals from various disciplines. The Albany County Child Fatality Review Team purpose and goals are to prevent future deaths and promote child safety. The Team reviews child fatalities, addresses systems issues, makes recommendations for improved practice for those agencies involved in child fatality investigations, and recommends measures to prevent future child fatalities and promote overall safety and well-being of children, especially surviving siblings.

The grant funds for the contract will be used to: 1) ensure educational information is made available to the public and professionals about risk factors that contribute to preventable child deaths such as unsafe sleeping practices for infants, pedestrian safety, bicycle safety, hyperthermia, pool safety and abusive head trauma (shaken baby syndrome) using an array of educational and media approaches; 2) continue a local chapter of the national Cribs for Kids organization and distribute cribs directly to those children in need; and 3) provide training to support continued improved practices and approaches of the multi-disciplinary team members.

The Team is currently comprised of representatives from the Child Protective Service of the Albany County Department for Children, Youth and Families (ACDCYF); the New York State Office of Children and Family Services (NYS OCFS); the Albany County Department of Health (DOH); the Albany County Coroner's office (Coroner); the Office of the Albany County District Attorney (District Attorney); the Office of the Albany County Attorney (County Attorney); a representative of local police department(s)--Albany, Altamont, Bethlehem, Cohoes, Colonie, and Guilderland--in ALBANY County; a representative of the New York State Police; a representative of the Albany County Department of Emergency Services (EMS); and Albany County Sheriff's Office; a pediatrician with expertise in the area of child abuse and maltreatment.

The Department for Children, Youth and Families – Children's Advocacy Center has received funding in the past from NYS OCFS specifically for the Child Fatality Review Team. This funding has allowed, and will continue to support, the Albany County collaborative to increase public awareness and advocacy for the issues that affect the health and safety of children, as well as the team's other stated purpose and goals.

Child Advocacy Center -
Child Fatality Review Team Grant Budget Amendment

APPROPRIATIONS

	ACCOUNT	RESOLUTION DESCRIPTION	INCREASE	DECREASE	DEPARTMENT NAME	ANNUAL
AA 6119	4 4020	Office Supplies	1,697.00		DCYF	
AA 6119	4 4039	Conferences, Training, Tuition	6,850.00		DCYF	
AA 6119	4 4042	Printing and Advertising	50,140.00		DCYF	
AA 6119	4 4046	Fees for Services	10,950.00		DCYF	
		TOTAL APPROPRIATIONS	69,637.00	0.00		

ESTIMATED REVENUES

	ACCOUNT	RESOLUTION DESCRIPTION	DECREASE	INCREASE	DEPARTMENT NAME
AA 6119	0 3407	Child Advocacy Center	0.00	69,637.00	DCYF
		TOTAL ESTIMATED REVENUES	0.00	69,637.00	
		GRAND TOTALS	69,637.00	69,637.00	



Office of Children and Family Services

ANDREW M. CUOMO
Governor

SHEILA J. POOLE
Commissioner

January 14, 2020

Ms. Gail Geohagen-Pratt, Commissioner
Albany County Department for Children, Youth & Families
112 State Street, Suite 300
Albany, NY 12207

RE: Contract #C028477

Dear Ms. Geohagen-Pratt:

This letter is to inform you the NYS Office of Children and Family Services (OCFS) is adding the second year of the funding in the amount of \$69,637.00 to the already approved multiyear Albany County Department for Children, Youth & Families Child Fatality Review Team (CFRT) contract. The funding being added is for the period 2/1/2020-1/31/2021.

If you have any questions, feel free to contact your OCFS Program Manager, Michael Miller at (518) 473-4285 or Michael.Miller@ocfs.ny.gov.

I want to wish you continued success in providing services to the children and families of New York State.

Sincerely,

A handwritten signature in cursive script that reads "Margaret Bissell".

Margaret Bissell
Director of Child Fatality Review and Prevention

cc: John Lockwood, OCFS Regional Director
Michael Miller, OCFS Program Manager

RESOLUTION NO. 135

AUTHORIZING AGREEMENTS WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR THE CHILDREN'S ADVOCACY CENTER AND SIDS OF PENNSYLVANIA CRIBS FOR KIDS AND AMENDING THE 2019 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Introduced: 4/8/19

By Social Services and Audit and Finance Committees:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with the NYS Office of Children and Family Services and SIDS of Pennsylvania Cribs for Kids regarding the Children's Advocacy Center-Child Fatality Review Team in the amount of \$69,637 for the term commencing February 1, 2019 and ending January 31, 2020, and

WHEREAS, The Commissioner has also requested a budget amendment in order to incorporate a portion of the aforementioned funding into the 2019 DCYF budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the NYS Office of Children and Family Services to accept funding regarding the Children's Advocacy Center-Child Fatality Review Team in the amount of \$69,637 for the term commencing February 1, 2019 and ending January 31, 2020, and, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with SIDS of Pennsylvania Cribs for Kids regarding the distribution of cribs directly to those children in need for the amount of \$10,950 for the term commencing February 1, 2019 and ending January 31, 2020, and, be it further

RESOLVED, That the 2019 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3407 Child Advocacy Center by \$69,637

Increase Appropriation Account A6119.4 by \$69,637 by increasing the following Line Items:

Increase Line Item A6119 4 4020 Office Supplies by \$1,697

Increase Line Item A6119 4 4039 Conferences, Training, Tuition \$6,850

Increase Line Item A6119 4 4042 Printing and Advertising by \$50,140

Increase Line Item A6119 4 4046 Fees for Services \$10,950

and, be it further

RESOLUTION NO. 144

AUTHORIZING AGREEMENTS WITH THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES FOR THE CHILDREN'S ADVOCACY CENTER AND SIDS OF PENNSYLVANIA CRIBS FOR KIDS AND AMENDING THE 2021 DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES BUDGET

Introduced: 5/10/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with the NYS Office of Children and Family Services and SIDS of Pennsylvania Cribs for Kids regarding the Children's Advocacy Center-Child Fatality Review Team in the amount of \$69,637 for the term commencing February 1, 2021 and ending January 31, 2022, and

WHEREAS, The Commissioner has also requested a budget amendment in order to incorporate a portion of the aforementioned funding into the 2021 DCYF budget, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the NYS Office of Children and Family Services to accept funding regarding the Children's Advocacy Center-Child Fatality Review Team in the amount of \$69,637 for the term commencing February 1, 2021 and ending January 31, 2022, and, be it further

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with SIDS of Pennsylvania Cribs for Kids regarding the distribution of cribs directly to those children in need for the amount of \$10,950 for the term commencing February 1, 2021 and ending January 31, 2022, and, be it further

RESOLVED, That the 2021 Department for Children, Youth and Families Budget is amended as follows:

Increase Revenue Account A3407 Child Advocacy Center by \$69,637

Increase Appropriation Account A6119.4 by \$69,637 by increasing the following Line Items:

Increase Line Item A6119 4 4020 Office Supplies by \$1,697

Increase Line Item A6119 4 4039 Conferences, Training, Tuition by \$6,850

Increase Line Item A6119 4 4042 Printing and Advertising by \$50,140

Increase Line Item A6119 4 4046 Fees for Services by \$10,950

and, be it further

RESOLVED, That the Albany County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



COUNTY OF ALBANY

DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES

112 STATE STREET – SUITE 300

ALBANY, NEW YORK 12207

(518) 447-7324 - FAX (518) 447-7578

www.albanycounty.com

DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

MOIRA E. MANNING
COMMISSIONER

NICOLE WARD
Deputy Commissioner

April 1, 2021

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew contractual agreements with service providers who have been approved by the Board of Education as having an appropriate, structured program capable of offering mandated preschool education to children with disabilities.

The combined agreements have an anticipated cost of approximately \$13,678,263.00, based on rates not to exceed the New York State established rates for the term of July 1, 2021 – June 30, 2022

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-2014.

Sincerely,

Moira Manning, LCSW-R
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2387, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for DCYF Preschool Services Program

Date: April 1, 2021
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep.
Attending Meeting: Moira Manning, Commissioner

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) [Click or tap here to enter text.](#)

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe

- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Please see attached spreadsheet

Additional Parties (Names/addresses):
Please see attached spreadsheet

Amount/Raise Schedule/Fee: \$13,678,263.
Scope of Services: Mandated Preschool Services for children with disabilities

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: NYS Education Law Sections 4401 and 4410

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: AA2960 01605 AA2960 03277

Revenue Amount: \$820,695.78 \$7,523,044.65

Appropriation Account and Line: AA2960 44039 AA2960 44046

Appropriation Amount: \$13,414,273 \$263,990

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 55%

County: 39%

Local: 6%

Term

Term: (Start and end date) 7/1/2021 - 6/30/2022

Length of Contract: 12 Months

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 20-199,19-182, 18-204, 17-185, 16-198, 15-187, 14-165

Date of Adoption: 6/8/20, 5/13/19, 5/14/18, 5/8/17, 5/9/16, 5/11/15, 5/12/14

Justification: (state briefly why legislative action is requested)

Please see attached

Albany County Department of Children Youth and Families
Justification and Backup Material for
Contractual Agreements between Albany County and Various Center Based
Providers for Preschool Children with Special Needs

The New York State Education Law (Section 4410) requires that the New York State Education Department (NYSED) meet the physical and educational needs of children with disabilities.

NYSED administers, through local school districts, preschool special education programs and services for preschool students with disabilities, ages 3 to 5 years of age. The board of education or trustees of each school district are required, by regulation (Part 200.2(a)), to identify all students with disabilities who reside in the school district and establish a register of children who are entitled to attend public schools in the district or to attend a preschool program during the next school year.

Municipalities are required to provide an approved preschool special education program for children age three to five, who have been evaluated and determined by the school district to have a disabling condition. Albany County contracts with service providers who have been approved by the board as having an appropriate, structured program capable of offering preschool education to children with disabilities. These providers deliver therapy as prescribed by individual education plans (IEPs) which are developed by school district based Committees on Preschool Special Education (CPSE).

The Department for Children, Youth and Families is requesting authorization to enter into a contractual agreement with those providers contained on the attached list for the term of July 1, 2021 – June 30, 2022. The Department is seeking authorization from the County Executive and the Contract Administration Board for those vendors with contractual amounts that fall within their request parameters.

The rates for these providers are set by New York State based on an entity's certified financial report. These interim rates are not available to either the vendor or the County until the early fall of a given year and may change an additional two times before being officially reconciled. The contract amounts for the 2021-2022 contract year assumes an increase of five (5) percent which will hopefully offset any rate increase or changes in utilization. However, in no instance will the County pay more than the State approved and authorized rate for a provider.

New York State reimburses Albany County 59.5% for costs incurred in the delivery of these services after backing out Medicaid reimbursement for the related services component of center based programs.

A child with special needs may be placed in an integrated class that contains children with and/or without other children with special needs. A Special Education Teacher and assistants are involved with the children throughout their educational program as well as a regular preschool or daycare teacher. A child may also be placed in a special class in which there are no more than twelve (12) children all of whom have special needs.

The Special Education teacher works directly with the child, the child's family and the child's regular teacher to help adapt an educational program to the child's needs. Some children in this model also receive related services therapies.

SEIT / Center Based Providers

Legislative Requests

07/01/2021 - 06/30/2022

PROVIDER	ADDRESS	DISCIPLINE	PAYMENTS 2020	ESTIMATED PAYMENTS 7/01/21 - 6/30/22
Achievements	623 New London Road Ste 100 Latham, NY 12110	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$1,872,343	\$1,965,960
Advanced Therapy	One Rapp Road Albany, NY 12203	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$766,852	\$805,195
AlbanyCity School District	1 Academy Park Albany, NY 12207	EVALUATIONS	\$0	\$20,000
Capital District Beginnings	673 Columbia Turnpike E Greenbush, NY 12061	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$1,706,205	\$1,791,515
Center For Disability Services	314 South Manning Blvd Albany, NY 12208	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$1,108,217	\$1,163,628
Circle of Friends	14379 Route 9W Ravena, NY 12143	EVALS/ INTEGRATED	\$989,199	\$1,038,659
Crossroads Center for Children	1136 North Westcott Road, Suite 100 Schenectady, New York 12306	EVALS/ INTEGRATED	\$402,917	\$423,063
EarlyChildhood Education Center	230 Washington Ave Ext Albany, NY 12203	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$2,012,192	\$2,112,802
Helping Hands	4 Fairchild Square Clifton Park, NY 12065	EVALS/ INTEGRATED / SELF CONTAINED	\$166,721	\$175,057
Newmeadow Inc.	23 Sitterly Road Clifton Park, NY 12065	EVALS/ INTEGRATED / SELF CONTAINED	\$356,377	\$374,196
Parsons Child and Family Center	60 Academy Road Albany, NY 12208	SEIT / INTEGRATED / SELF CONTAINED	\$360,794	\$378,834
Saint Anne's Preschool	160 N. Main Ave Albany, NY 12206	INTEGRATED / SELF CONTAINED	\$316,109	\$331,914
Spotted Zebra Learning Ctr	26 Computer Drive East Albany, NY 12205	EVALS/ INTEGRATED	\$871,661	\$915,244
Unity House of Troy dba A Child's Place	435 Forth Street Troy, NY 12180	SEIT / EVALS/ INTEGRATED / SELF CONTAINED	\$1,918,777	\$2,014,716
Whispering Pines	2841 Thousand Acre Rd Delanson, NY 12053	SEIT / INTEGRATED	\$178,553	\$187,481
			\$13,026,917	\$13,678,263

RESOLUTION NO. 199

AUTHORIZING PRESCHOOL EDUCATION SERVICE AGREEMENTS FOR CHILDREN WITH SPECIAL NEEDS AGES 3-5

Introduced: 6/8/20

By Social Services Committee:

WHEREAS, The County Department for Children, Youth and Families is required to provide an approved preschool special education program for children ages three to five years old who have been evaluated and determined by the Board of Education to have a disabling condition, and

WHEREAS, The Commissioner has requested authorization to enter into agreements with those preschool special education programs determined to be appropriate for each individual child, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements with the following preschool special education program providers for children ages three to five years old who have been evaluated and determined by the Board of Education to have a disabling condition for sums not to exceed the New York State established rates for said services for the term commencing July 1, 2020 and ending June 30, 2021:

Achievements
623 New Loudon Road, Suite 100
Latham, NY 12110

Parsons Child and Family Center
60 Academy Road
Albany, NY 12208

Capital District Beginnings
673 Columbia Turnpike
East Greenbush, NY 12061

Advanced Therapy
One Rapp Road
Albany, NY 12203

Center For Disability Services
314 South Manning Blvd.
Albany, NY 12208

Crossroads Center for Children
1136 North Westcott Rd.
Suite 100
Schenectady, NY 12306

Albany City School District
1 Academy Park
Albany, NY 12207

Helping Hands
4 Fairchild Square
Clifton Park, NY 12065

Newmeadow Inc.
23 Sitterly Rd.
Clifton Park, NY 12065

Circle of Friends
14379 Route 9W
Ravena, NY 12143

Unity House of Troy
435 Fourth Street
Troy, NY 12180

Saint Anne's Preschool
160 N. Main Avenue
Albany, NY 12206

Early Childhood Education Center
230 Washington Ave. Ext.
Albany, NY 12203

Whispering Pines
2841 Thousand Acre Road
Delanson, NY 12053

Spotted Zebra Learning Center
26 Computer Drive East
Albany, NY 12205

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements as to form and content, and, be it further

RESOLUTION NO. 145

AUTHORIZING PRESCHOOL EDUCATION SERVICE AGREEMENTS FOR CHILDREN WITH SPECIAL NEEDS AGES 3-5

Introduced: 5/10/21

By Social Services Committee:

WHEREAS, The Albany County Department for Children, Youth and Families is required to provide an approved preschool special education program for children ages 3 - 5 years old who have been evaluated and determined by the Board of Education to have a disabling condition, and

WHEREAS, The Commissioner has requested authorization to enter into agreements with those preschool special education programs determined to be appropriate for each individual child, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into agreements with the following preschool special education program providers for children ages 3 – 5 years old who have been evaluated and determined by the Board of Education to have a disabling condition for sums not to exceed the New York State established rates for said services for the term commencing July 1, 2021 and ending June 30, 2022:

Achievements
623 New Loudon Road, Suite 100
Latham, NY 12110

Parsons Child and Family Center
60 Academy Road
Albany, NY 12208

Capital District Beginnings
673 Columbia Turnpike
East Greenbush, NY 12061

Advanced Therapy
One Rapp Road
Albany, NY 12203

Center For Disability Services
314 South Manning Blvd.
Albany, NY 12208

Crossroads Center for Children
1136 North Westcott Rd.
Suite 100
Schenectady, NY 12306

Albany City School District
1 Academy Park
Albany, NY 12207

Helping Hands
4 Fairchild Square
Clifton Park, NY 12065

Newmeadow Inc.
23 Sitterly Rd.
Clifton Park, NY 12065

Circle of Friends
14379 Route 9W
Ravena, NY 12143

Unity House of Troy
435 Fourth Street
Troy, NY 12180

Saint Anne's Preschool
160 N. Main Avenue
Albany, NY 12206

Early Childhood Education Center
230 Washington Ave. Ext.
Albany, NY 12203

Whispering Pines
2841 Thousand Acre Road
Delanson, NY 12053

Spotted Zebra Learning Center
26 Computer Drive East
Albany, NY 12205

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreements as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



COUNTY OF ALBANY

DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES

112 STATE STREET – SUITE 300

ALBANY, NEW YORK 12207

(518) 447-7324 - FAX (518) 447-7578

www.albanycounty.com

DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

MOIRA E. MANNING
COMMISSIONER

NICOLE WARD
Deputy Commissioner

April 1, 2021

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew a contractual agreement with Spotted Zebra Learning Center. Spotted Zebra Learning Center is a service provider approved by the Board of Education to provide mandated Individualized Education Programs through Related Services, to meet the physical and educational needs of children ages 3 -5 years old with disabilities.

The agreement has an anticipated cost of \$160,822.20 based on rates not to exceed the New York State approved rates for the term of July 1, 2021 – June 30, 2022

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-2014.

Sincerely,

Moiria Manning, LCSW-R
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2393, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for DCYF with The Spotted Zebra Learning Center for the Related Services Program

Date: April 1, 2021
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep.
Attending Meeting: Moira Manning, Commissioner

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) [Click or tap here to enter text.](#)

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe

- ☐ Personnel
- ☐ Personnel Non-Individual
- ☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

- ☐ Settlement of a Claim
- ☐ Release of Liability
- ☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Spotted Zebra Learning Center
26 Computer Drive East
Albany NY 12205

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$160,822.20
Scope of Services: Mandated Related Services for children with disabilities

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: NYS Education Law Sections 4401 and 4410

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: AA2960 01605 AA2960 03277

Revenue Amount: \$9,649.33 \$88,452.21

Appropriation Account and Line: AA2960 44252

Appropriation Amount: \$160,822.20

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 55%

County: 39%

Local: 6%

Term

Term: (Start and end date) 7/1/2021 - 6/30/2022

Length of Contract: 12 Months

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 20-200, 19-183, 18-205, 17-186, 16-197, 15-186, 14-164

Date of Adoption: 6/8/20, 5/13/19, 5/14/18, 5/8/17, 5/9/16, 5/11/15, 5/12/14

Justification: (state briefly why legislative action is requested)

Please see attached

Albany County Department of Children Youth and Families
Justification and Backup Material for Contract Authorization with
Spotted Zebra Learning Center for the Preschool
Related Services Program

The Commissioner of the Department for Children, Youth and Families is requesting authorization for Albany County to enter into agreements with Spotted Zebra Learning Center for the term July 01, 2021 to June 30, 2022 in the amount of \$160,822.20

The State Education Law requires the State Education Department (SED) to meet the physical and educational needs of children with disabilities. The Individualized Education Programs (IEP's) of many special education children prescribe instruction by Special Education Itinerant Teachers, as well as Related Services, such as Speech Pathology, Physical or Occupational therapies, to name a few, to help them attain their educational goals. Municipalities contract with private service providers to obtain Related Services, in which the providers deliver in 30-60 minute sessions.

This option provides a child with the services of one or more therapists to meet his/her special needs. The therapist works with the child a specified number of times each week, and also interacts with the family and the staff of any typical program the child might attend. The therapy(ies) can be provided at any site, including the child's home, decided at the Committee on Preschool Special Education (CPSE) meeting.

The rates for providers are set by New York State. Albany County is reimbursed 59.5% by the State for costs incurred in the delivery of these services, after backing out Medicaid reimbursements. The contract amount for the 2021-2022 contract years assumes an increase of five (5) percent which will hopefully offset any rate increase or changes in utilization.

Spotted Zebra Learning Center is the only agency this year to meet the threshold for Legislative authorization.

Related Service Providers				
Legislative Requests				
07/01/2021 - 06/30/2022				
PROVIDER	ADDRESS	DISCIPLINE	PAYMENTS 2020	ESTIMATED PAYMENTS 7/01/21 - 6/30/22
Spotted Zebra Learning Ctr	26 Computer Dr East Albany, NY 12205	OT, PT, Psych, Speech Language Pathology	\$153,164.00	\$160,822.20
			\$153,164.00	\$160,822.20

RESOLUTION NO. 200**AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH SPOTTED ZEBRA LEARNING CENTER REGARDING INDIVIDUALIZED EDUCATION PROGRAMS FOR CHILDREN AGES 3-5**

Introduced: 6/8/20

By Social Services Committee:

WHEREAS, The County Department for Children, Youth and Families is required to provide an approved preschool special education program for children ages 3-5 years old who have been evaluated and determined by the Board of Education to have a disabling condition, and

WHEREAS, The Commissioner has requested authorization to enter into an agreement with Spotted Zebra Learning Center which has been approved by the Board of Education to provide mandated Individualized Education Programs through Related Services to meet the physical and educational needs of children ages 3-5 years old with disabilities, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Spotted Zebra Learning Center, Albany, NY 12205 regarding preschool special education program providers in regards to mandated Individualized Education Programs through Related Services to meet the physical and educational needs of children ages 3-5 years old with disabilities for a sum not to exceed the New York State established rates for said services for the term commencing July 1, 2020 and ending June 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 6/8/20

RESOLUTION NO. 146

AUTHORIZING AN AGREEMENT WITH SPOTTED ZEBRA LEARNING CENTER REGARDING INDIVIDUALIZED EDUCATION PROGRAMS FOR CHILDREN AGES 3-5

Introduced: 5/10/21

By Social Services Committee:

WHEREAS, The Albany County Department for Children, Youth and Families is required to provide an approved preschool special education program for children ages 3-5 years old who have been evaluated and determined by the Board of Education to have a disabling condition, and

WHEREAS, The Commissioner has requested authorization to enter into an agreement with Spotted Zebra Learning Center which has been approved by the Board of Education to provide mandated Individualized Education Programs through Related Services to meet the physical and educational needs of children ages 3-5 years old with disabilities, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with Spotted Zebra Learning Center, Albany, NY 12205 regarding preschool special education program providers in regards to mandated Individualized Education Programs through Related Services to meet the physical and educational needs of children ages 3-5 years old with disabilities for an amount not to exceed the New York State established rates for said services for the term commencing July 1, 2021 and ending June 30, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



COUNTY OF ALBANY

DEPARTMENT FOR CHILDREN, YOUTH AND FAMILIES

112 STATE STREET – SUITE 300

ALBANY, NEW YORK 12207

(518) 447-7324 - FAX (518) 447-7578

www.albanycounty.com

DANIEL P. MCCOY
COUNTY EXECUTIVE

DANIEL C. LYNCH
DEPUTY COUNTY EXECUTIVE

MOIRA E. MANNING
COMMISSIONER

NICOLE WARD
Deputy Commissioner

April 1, 2021

Hon. Andrew C. Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Enclosed is our Request for Legislative Action from the Department for Children, Youth and Families for permission to renew a contractual agreement with Schenectady County to provide Evaluation Services under the Preschool Special Education Program for children ages 3 -5 years old with disabilities.

The requested agreement is anticipated to generate \$5,000 for the term of July 1, 2021–June 30, 2022.

The Department respectfully requests consideration in this matter. If you have any questions or need additional information, please do not hesitate to contact me directly at 447-2014.

Sincerely,

Moira Manning, LCSW-R
Commissioner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2394, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization with Schenectady County for Preschool Evaluation Services

Date: April 1, 2021
Submitted By: Scott McNelis
Department: Children, Youth and Families
Title: Contract Administrator
Phone: 7306
Department Rep.
Attending Meeting: Moira Manning, Commissioner

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Schenectady County Public Health Services

Children with Special Needs Program

107 Nott Terrace Room 306

Schenectady, NY 12308

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$5000 (approx.)

Scope of Services: Provision of Preschool Evaluation Services

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: AA4059 03449

Revenue Amount: \$5000 (approx.)

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: 100%

Term

Term: (Start and end date) 7/1/2021 - 6/30/2022

Length of Contract: 12 months

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 20-197, 19-181, 18-201, 17-187, 16-196

Date of Adoption: 6/8/20, 5/13/19, 5/14/18, 5/8/17, 5/9/16

Justification: (state briefly why legislative action is requested)

Please See Attached

Department for Children, Youth and Families

Backup Material for Contract Authorization with the Schenectady County Public Health Services Children with Special Needs Program for Evaluation Team Services

The Albany County Department for Children, Youth and Families respectfully request legislative authorization to renew a contractual arrangement with the County of Schenectady to provide Evaluation Team services to the Schenectady County Children with Special Needs program. The Term of this agreement is July 01, 2021 to June 30, 2022. Reimbursement under this agreement shall be at the applicable rates established or approved by the New York State Education Department.

Schenectady County does not have their own Children with Special Needs evaluation team and are interested in extending their agreement with Albany County for these services. The Early Intervention program evaluations will be provided under the currently enacted contract with the New York State Department of Health. The requested approval covers those evaluations provided under the Preschool Special Education program, serving children ages three to five years old who are approved by the school district Committee on Preschool Special Education (CPSE). The Albany County Department for Children, Youth and Families Evaluation Team is an approved provider of service by both the New York State Department of Health and the New York State Education Department, to conduct both comprehensive and supplemental evaluations for early intervention and preschool services.

The contract revenue is anticipated in the current budget and the Albany County Department for Children, Youth and Families will utilize existing staff and resources within the Albany County Department for Children, Youth and Families budget to provide the services. Renewed contracting with Schenectady County for Preschool Evaluation Services would generate approximately \$5,000 in revenue for the Albany County Department for Children, Youth and Families while providing an additional service to a neighboring county.

RESOLUTION NO. 197**AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH
SCHENECTADY COUNTY REGARDING THE PROVISION OF PRESCHOOL
EVALUATION SERVICES**

Introduced: 6/8/20

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with Schenectady County regarding the provision of Preschool Evaluation Services through the Albany County Evaluation Team for the term commencing July 1, 2020 and ending June 30, 2021, and

WHEREAS, The Albany County Evaluation Team is an approved provider of services by both the New York State Department of Health (NYSDOH) and the New York State Education Department (NYSED) to conduct both comprehensive and supplemental evaluations for early intervention and preschool services, and

WHEREAS, The reimbursements under this agreement will be at the applicable rates established by NYSED and Albany County will be reimbursed 100% by Schenectady County for all Preschool Evaluation Services rendered by the Albany County Evaluation Team, and

WHEREAS, The Department anticipates approximately \$5,000 in revenue over the term of the agreement, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the Schenectady County regarding the provision of Preschool Evaluation Services at the applicable rates established by NYSED for the term commencing July 1, 2020 and ending June 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 6/8/20

RESOLUTION NO. 147

AUTHORIZING AN AGREEMENT WITH SCHENECTADY COUNTY REGARDING THE PROVISION OF PRESCHOOL EVALUATION SERVICES

Introduced: 5/10/21

By Social Services Committee:

WHEREAS, The Commissioner of the Department for Children, Youth and Families (DCYF) has requested authorization to enter into an agreement with Schenectady County regarding the provision of Preschool Evaluation Services through the Albany County Evaluation Team for the term commencing July 1, 2021 and ending June 30, 2022, and

WHEREAS, The Albany County Evaluation Team is an approved provider of services by both the New York State Department of Health (NYSDOH) and the New York State Education Department (NYSED) to conduct both comprehensive and supplemental evaluations for early intervention and preschool services, and

WHEREAS, The reimbursements under this agreement will be at the applicable rates established by NYSED and Albany County will be reimbursed 100% by Schenectady County for all Preschool Evaluation Services rendered by the Albany County Evaluation Team, and

WHEREAS, The Department anticipates approximately \$5,000 in revenue over the term of the agreement, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the Schenectady County regarding the provision of Preschool Evaluation Services at the applicable rates established by NYSED for the term commencing July 1, 2021 and ending June 30, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF SOCIAL SERVICES
162 WASHINGTON AVENUE
ALBANY, NEW YORK 12210-2304
(518) 447-7300
WWW.ALBANYCOUNTY.COM

MICHELE G. MCCLAVE
COMMISSIONER

ERIN M. STACHEWICZ
EXECUTIVE DEPUTY
COMMISSIONER

VALERIE SACKS
DEPUTY COMMISSIONER

April 13, 2021

Hon. Andrew Joyce, Chairman
Legislative Clerk's Office
112 State St., Room 710
Albany, NY 12207

Dear Chairman Joyce,

The Department of Social Services respectfully requests legislative approval for the following:

Via Resolution 22 Adopted 2/8/2021 authorization was granted to accept a federal allocation in the amount of \$9,061,753.20 to provide rental and utility assistance including rental and utility arrears to eligible households. This is a federal assistance program to prevent eviction of households with financial hardship due to the Covid pandemic.

Subsequent to this approval it was determined that it is beneficial to Albany County to participate in the ERAP program managed by the NYS Office of Temporary and Disability Assistance (OTDA). OTDA will be responsible for creating an application portal, receiving and managing applications for assistance, verifying certain eligibility criteria, determining eligibility and providing financial assistance directly to landlords for this Program. Therefore, approval is requested to transfer this federal allocation to NYS Office of Temporary and Disability Assistance and contract with a Treasury approved agreement signed by NYS and Albany County. Note that the total allocation minus up to 10% administrative reimbursement, will be set aside exclusively for Albany County tenants meeting ERAP eligibility requirements; the Albany County Department of Social Services will receive an administrative amount, up to 10%, to conduct outreach and engagement activities to enroll eligible Albany County residents in the program. Participation in the program with NYS will allow Albany County to access additional ERAP resources paid by Treasury to NYS once our direct allocation funds are expended.

An eligible household is defined as a renter household in which at least one or more individuals meets the following criteria:

- Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19;
- Demonstrates a risk of experiencing homelessness or housing instability; and
- Has a household income at or below 80 percent of area median income.

Eligible households may receive up to 12 months of rental arrears assistance, plus an additional three months if there is a determination of need to ensure housing stability should sufficient funds remain available. The payment of existing housing related arrears that could result in eviction of an eligible household will be prioritized.

Sincerely,

Michele G. McClave
Commissioner

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2428, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Contract Authorization for Social Services (ERAP)

Date: 4/13/2021
Submitted By: Joseph DeAngelis
Department: Social Services
Title: Contract Administrator
Phone: 518-447-7583
Department Rep.
Attending Meeting: Michele McClave

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Office of Temporary and Disability Assistance

40 N Pearl St., Albany NY 12207

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$9,061,753.20

Scope of Services: This grant is made available to assist households that are unable to pay rental and/or utility arrears and up to 12 months of rent due to COVID-19 pandemic.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: A 6010.4612
Revenue Amount: \$9,061,753.20

Appropriation Account and Line: A 6010.4086
Appropriation Amount: \$9,061,753.20

Source of Funding - (Percentages)

Federal: 100%
State:
County:
Local:

Term

Term: (Start and end date) 1/1/2021 -9/30/2022
Length of Contract: 21 months

Impact on Pending LitigationYes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 22
Date of Adoption: 2/8/2021

Justification: (state briefly why legislative action is requested)

Via Resolution 22 Adopted 2/8/2021 authorization was granted to accept a federal allocation in the amount of \$9,061,553.20 to provide rental and utility assistance including rental and utility arrears to eligible households. This is a federal assistance program to prevent eviction of households with financial hardship due to the Covid pandemic. Subsequent to this approval it was determined that it is beneficial to Albany County to participate in the ERAP program managed by the NYS Office of Temporary and Disability Assistance (OTDA). OTDA will be responsible for creating an application portal, receiving and managing applications for assistance, verifying certain eligibility criteria, determining eligibility and providing financial assistance directly to landlords for this Program. Therefore, approval is requested to transfer this federal allocation to NYS Office of Temporary and Disability Assistance and contract with a Treasury Approved agreement signed by NYS and Albany County. Note that the total allocation minus up to 10% administrative reimbursement, will be set aside exclusively for Albany County tenants meeting ERAP eligibility requirements; the Albany County Department of Social Services will receive an administrative amount, up to 10%, to conduct outreach and engagement activities to enroll eligible Albany County residents in the program. Participation in the program with NYS will allow Albany County to access additional ERAP resources paid by Treasury to NYS once our direct allocation funds are expended.

An eligible household is defined as a renter household in which at least one or more individuals meets the following criteria:

1. Qualifies for unemployment or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19;
2. Demonstrates a risk of experiencing homelessness or housing instability; and

3. Has a household income at or below 80 percent of Area Median Income.

Eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance; households with income at or below 50 percent of Area Median Income will be prioritized for assistance.

Eligible households may receive up to 12 months of assistance for rent, rent arrears, utility and home energy costs, utility or home energy arrears, plus an additional three months of future rent if there is a determination the additional months are needed to ensure housing stability and there are sufficient funds available. The payment of existing housing related arrears that could result in eviction of an eligible household will be prioritized. Assistance will be provided to reduce an eligible household's rental arrears before the household may receive assistance for future rent payments. Once an eligible household's rental arrears has been reduced future rental assistance will only be approved at three month intervals. Not less than 90% of awarded funds must be used for direct financial assistance, including rent, rental arrears, utilities and home energy costs, utilities and home energy arrears and other expenses related to housing.

An application for rental assistance may be submitted by either an eligible household or by a landlord on behalf of that eligible household. In general, funds will be paid to the landlord or utility service provider.



Office of Temporary and Disability Assistance

ANDREW M. CUOMO
Governor

MICHAEL P. HEIN
Commissioner

BARBARA C. GUINN
Executive Deputy Commissioner

April 13, 2021

Daniel P. McCoy
Albany County Executive
Harold L. Joyce Albany County Office Building
112 State St., Room 1200
Albany, NY 12207

Dear County Executive McCoy:

The New York State Office of Temporary and Disability Assistance (OTDA) is administering the Emergency Rental Assistance Program (ERAP) funded as part of the federal Consolidated Appropriations Act, 2021 and the American Rescue Plan of 2021. As a result of these acts, New York is expected to receive a total of approximately \$2.3 billion from the U.S. Department of Treasury (the "Treasury") with \$1.4 billion directly allocated to New York State, \$442.9 million directly allocated to New York City, and \$419.7 million directly allocated to 13 counties and 10 other municipalities. OTDA is seeking to partner with the counties, cities, and towns ("localities") that are receiving direct allocations from Treasury in an effort to streamline the program statewide, maximize the dollars available to serve needy residents, and reduce fraud.

OTDA is establishing a program that will use a standard application portal and uniform program rules. Participation in the State-administered program would provide the following services on behalf of participating local governments:

- An on-line application portal where tenants and landlords can initiate applications;
- Applications and application assistance in multiple languages;
- Application processing to determine eligibility for rent arrears, prospective rent, and utility arrears;
- Notification to applicants of application approvals and denials;
- Resolution of appeals from those whose applications are denied;
- Processing of rent arrears and prospective rent to landlords/property owners;
- Processing of utility arrears to utility providers;
- Provision of a toll-free telephone help line for those with questions about the application process, to assist applicants' complete applications, and to respond to inquiries regarding the status of applications; and
- Regular reporting to each locality on the numbers of applications received from residents of the locality, the number of applications approved and denied, and payments made on behalf of residents of the locality.

A unified statewide program will reduce tenant and landlord confusion, establish consistent eligibility standards regardless of where applicants reside, maximize the funding available for direct service to locality residents, and reduce the possibility of duplicative payments and fraud.

If your locality agrees to partner with OTDA, the direct allocation made by the Treasury to your locality will be used to support your locality's residents. OTDA will provide the above listed services at no expense to your locality, and residents of your locality also will be eligible to receive assistance funded from the additional estimated \$1.4 billion allocated to New York State, apart from the direct allocation made by the Treasury to your locality.

To partner with OTDA, your locality would need to immediately sign and return to OTDA the enclosed Intergovernmental Agreement. OTDA would then send the fully executed Agreement back to your locality along with OTDA's banking information. At that point, your locality would need to immediately effectuate an Automated Clearing House (ACH) or wire transfer of the funds that have been directly allocated to it by the Treasury under the Consolidated Appropriations Act, 2021 to OTDA.

Your locality then would complete an Office of Management and Budget (OMB) Redirected Funds Form (OMB Form No. 1505-0266) (copy attached), and submit the form to OTDA along with a copy of the ACH or wire transfer evidencing the transfer of the funds to the State. OTDA will countersign the Redirected Funds Form and submit it to the Treasury. After the funds are redirected to the State and OMB Redirected Funds Form is signed, your locality will have no further legal obligation to the Treasury relating to the funds and the State will become legally obligated to the Treasury for the redirected amounts and for all mandated reporting. Additionally, as required by the Intergovernmental Agreement, your locality must agree to have OTDA administer any funds allocated to your locality by the Treasury pursuant to the American Rescue Plan of 2021.

OTDA will set aside 10% of the funds allocated by the Treasury to your locality to pay administrative costs including, but not limited to, any costs your locality incurs engaging in community-based outreach and application assistance. The locality would be responsible to plan for, monitor and implement outreach and provide application assistance to locality residents and ensure that sufficient approvable applications are received by OTDA. In particular, your locality would be expected to provide outreach and direct application assistance to low-income residents, residents residing in communities disproportionately impacted by COVID-19 infection and resulting economic distress, smaller landlords, and tenants who are parties to eviction proceedings. OTDA anticipates that your locality would hire or contract for these outreach and application assistance services. Your locality would be required to submit an outreach plan to OTDA, using the enclosed template, detailing how you intend to spend these funds. If the plan is approved, OTDA will provide these funds to your locality pursuant to a contract to be entered into by OTDA and the locality. OTDA also would expect your locality to participate in data matches and otherwise support OTDA efforts to prevent duplication of any locally issued rental arrears since March 13, 2020.

To affirm that your locality wishes to partner with OTDA and participate in the statewide program, OTDA asks that you sign and return the enclosed Intergovernmental Agreement as soon as possible, **but no later than April 27, 2021** to the attention of Renee Nowicki at Renee.Nowicki@otda.ny.gov. If your area does not intend to join the statewide program, please let us know as soon as possible, via email to Renee Nowicki at that same email address.

OTDA is excited about the opportunity to collaborate with your locality and provide much needed relief for residents and property owners throughout the State of New York. Working together we can deliver this critical assistance in an efficient and effective manner.

Sincerely,



Michael P. Hein
Commissioner

Enclosures

cc: Michele McClave
Barbara C. Guinn
Renee Nowicki
Alison Maura
Kenneth Crannell

Emergency Rental Assistance Program

Redirected Funds Form

The Emergency Rental Assistance (ERA) Program (established by section 501 of Division N of the consolidated Appropriations Act, 2021, Pub. L. No. 116-260 (Dec. 27, 2020)) has disbursed award funds to all eligible grantees. After further review of the ERA program, some local governments have decided to cancel their ERA awards and request that their award funds be redirected to their respective states. For purposes of tracking, documenting the de-obligation of the funds obligated to the local government, recording a modification to the state's obligation, and auditability of the funds that were redirected from the local governments to their respective states, the information below must be completed and returned to Treasury via the email address, Eraapplications@treasury.gov.

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden associated with this collection of information is 1 hour per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. DO NOT send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

Redirected Information:

On _____ (date), _____ (Name of local government transferring award funds) transferred all of its award funds allocated under the ERA program in the amount of \$ _____ (dollar amount) to _____ (Name of State), which received the transferred award funds on _____ (date). _____ (Name of local government) understands that transfer of all funds issued under this award to _____ (Name of State), completing and submitting this Redirected Funds form to Treasury, and attaching a copy of the ACH or wire transfer as evidence of the transfer effectively cancels ERA award listed as Award number, _____ and FAIN number, _____ and there is no further legal obligation to Treasury under the ERA award. _____ (Name of State) understands that receipt of the award funds from _____ (Name of local government) on _____ (date) effectively modified its ERA award amount listed as Award number, _____ and FAIN number, _____ and _____ (Name of State) is now legally obligated to Treasury for the additional ERA award funds of \$ _____ (dollar amount), and the completion of all legally mandated reporting.

I certify under penalty of perjury to the U.S. Department of the Treasury ("Treasury") that the information provided above are true and correct.

Signature of Chief Executive Officer of the local government
Print Name: _____

Title: _____

Date: _____

Signature of Authorized Official of the State

Print Name: _____

Title: _____

Date: _____

RESOLUTION NO. 22

AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TREASURY REGARDING RENTAL ASSISTANCE DURING COVID-19 AND AMENDING THE 2021 DEPARTMENT OF SOCIAL SERVICES BUDGET

Introduced: 2/8/21

By Social Services and Audit & Finance Committees, Messrs. A. Joyce, Feeney, Fein, Simpson, Ms. McLaughlin, Messrs. Domalewicz, Miller, Ward, Ms. Chapman, Messrs. Cleary, Commisso, Ethier and Peter:

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to submit a grant application to the United States Department of Treasury (US Treasury) regarding rental and utility assistance in the amount of \$9,061,754, and

WHEREAS, The Commissioner has also requested authorization to enter into an agreement with the US Treasury regarding the acceptance of grant funding in the amount of \$9,061,754 for a term commencing January 1, 2021 and ending March 31, 2022, and

WHEREAS, The Commissioner has indicated that eligible households may receive up to 12 months of rental arrears assistance, plus an additional three months, if there is a determination of need to ensure housing stability should sufficient funds remain available, and

WHEREAS, The Commissioner has also indicated that a budget amendment is necessary to incorporate said funding into the 2021 Social Services Budget, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the US Treasury to accept grant funding in the amount of \$9,061,754 regarding rental and utility assistance during COVID-19 for a term commencing January 1, 2021 and ending March 31, 2022, and, be it further

RESOLVED, By the Albany County Legislature, that the 2021 Social Services Budget is amended as follows:

Increase Revenue Account A4612 Emergency Rental Assis. Prog. by \$9,061,754

Increase Appropriation Account A6010.4 by \$9,061,754 by increasing Line Item A6010 4 4086 Emergency Rental Assis. Prog. by \$9,061,754

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 2/8/21

Messrs. Clay, Efekoro, Drake, Domalewicz, R. Joyce, Mss. Lekakis, McLean Lane, Messrs. Perlee, Reinhardt, Ricard, Smith and Ms. Whalen abstained.

RESOLUTION NO. 148

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE REGARDING THE EMERGENCY RENTAL ASSISTANCE PROGRAM

Introduced: 5/10/21

By Social Services Committee and Audit & Finance Committees:

WHEREAS, By Resolution 22 for 2021, this Honorable Body authorized an agreement with the US Treasury to accept grant funding in the amount of \$9,061,754 regarding rental and utility assistance during COVID-19 for a term commencing January 1, 2021 and ending March 31, 2021, and

WHEREAS, The Commissioner of the Department of Social Services has requested authorization to enter into an agreement with the New York State Office of Temporary Disability Assistance (OTDA) regarding the administration of the Emergency Rental Assistance Program (ERAP) for a term commencing January 1, 2021 and ending September 30, 2022, and

WHEREAS, The Commissioner has also requested a transfer of the aforementioned grant funding to OTDA for the purpose of the ERAP, and

WHEREAS, OTDA will be responsible for creating an application portal, receiving and managing applications for assistance, verifying certain eligibility criteria, determining eligibility and providing financial assistance directly to landlords for this program, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Office of Temporary Disability Assistance regarding the administration of ERAP in the amount of \$9,061,754, for a term commencing January 1, 2021 and ending September 30, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

DANIEL P. MCCOY
COUNTY EXECUTIVE



COUNTY OF ALBANY
ECONOMIC DEVELOPMENT, CONSERVATION AND PLANNING
112 STATE STREET ROOM 810
ALBANY, NEW YORK 12207-2021
(518) 447-5670 - FAX (518) 447-5662

March 18, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Please find enclosed a Request for Legislative Action to be considered at the April 2021 Conservation, Sustainability and Green Initiatives Committee meeting.

In accordance with NYS Agriculture and Markets Law, a public hearing on the proposed annual additions to Albany County Agricultural Districts must be held in order to receive comments on the recommended modifications.

If you have any questions, please feel free to contact me at 447-5670.

Sincerely,

Laura DeGaetano
Sr. Natural Resource Planner

cc: Dennis Feeney, Majority Leader
Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2376, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Request public hearing on annual Agricultural District Review

Date: 03/18/21
Submitted By: Laura DeGaetano
Department: Economic Development, Conservation and Planning
Title: Sr. Natural Resource Planner
Phone: 518-447-5670
Department Rep.
Attending Meeting: Laura DeGaetano

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) Set public hearing

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

- ☐ Personnel Non-Individual
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):
Click or tap here to enter text.

Additional Parties (Names/addresses):
Click or tap here to enter text.

Amount/Raise Schedule/Fee: Click or tap here to enter text.
Scope of Services: Click or tap here to enter text.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: Click or tap here to enter text.

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

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: Click or tap here to enter text.

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) Click or tap here to enter text.

Length of Contract: Click or tap here to enter text.

Impact on Pending Litigation

Yes ☐ No ☐

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: 209

Date of Adoption: 5/13/2019

Justification: (state briefly why legislative action is requested)

The Albany County Legislature has established an annual thirty-day period beginning February 1, during which, landowners can request inclusion of lands in an Agricultural District. In accordance with NYS Agriculture and Markets Law, a public hearing on proposed annual additions to a District must be held to receive comment.



Albany County Agricultural and Farmland Protection Board

Recommendations of the Albany County Agricultural and Farmland Protection Board Annual Agricultural District Review 2021

Prepared by Laura DeGaetano – Albany County Department of Economic Development, Conservation and Planning March 2021

Pursuant to Article 25-AA section 303-b of NYS Agricultural and Markets Law, the Albany County Legislature established an annual review period beginning on February 1 during which property owners may apply to add land to any of the County's three Agricultural Districts. On behalf of the County Legislature, the County Office of Natural Resource Conservation conducted a review of all landowner applications for inclusion in a District. The findings of this review, which relied on information provided by the landowner, analysis of aerial photos, and in some cases, a field assessment of the subject parcels, have been reviewed by the Agricultural and Farmland Protection Board. Based on this review, the following report and recommendations are submitted for consideration by the County Legislature.

A total of three (3) parcels were submitted for consideration to be included in Albany County Agricultural Districts during the 30-day annual review period beginning February 1, 2021. Of the parcels submitted, all were found to be consistent with the intent of agricultural districting and are recommended for inclusion in the appropriate Agricultural District.

TOWN	PARCEL	# OF ACRES	AG DISTRICT	Recommendation Of AFPB	Principal Enterprise
Guilderland	62.00-2-65.1 62.00-2-65.2	4.10 7.80	3	ADD RA3	Vegetables
New Scotland	84.-1-15.2	5	3	ADD Commercial	Vegetables/ Greenhouse
Knox	35.-2-7	3.9	1	ADD Agricultural District	Garlic/vegetables
Total Acres Added		20.8			

Tom DellaRocco – Chairman / Michael McGuire / Laura DeGaetano / Harold E. Hahn / Tom Gallagher / Gary Kleppel / John O’Pezio /
Chris Smith / Mark Stanton / Michael Zakens

**NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS**

**State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only**

PART I – PROJECT INFORMATION

1. The proposed action is located in the County of Albany
and the Town(s) of Knox, Guilderland, New Scotland
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the County Legislative Body of Albany County.
3. The name and address for the Clerk of the above named County is Hon. Bruce A. Hidley – Albany County Court House Room 128, 16 Eagle Street, Albany NY 12207-1077
4. Is this an application to modify an existing agricultural district? ☒ Yes ☐ No
 - If yes, what is the total number of acres comprising the district as it exists prior to modification?
N/A acres
5. If this application involves a modification, will such modification result in a change in the size of the district? ☒ Yes ☐ No
 - If yes, how many acres are involved in the change? **20.8** acres
 - Does this represent an ☒ increase or ☐ decrease?
6. Zoning and Planning Information
 - Does the agricultural district correspond with a town(s) zoning district(s)?
X Yes No

If Yes, please cite the applicable zoning district(s):
Guilderland – Residential/Agriculture (RA 3)
New Scotland – Commercial
Knox- Agricultural District
 - Is/are the zoned district(s) within the modified agricultural district compatible with the goals and objectives of the Agricultural Districts Law, as set forth in Article 25-AA of the Agriculture and Markets Law? **X** Yes No
 - If Yes, please cite the applicable language: Agriculture allowed by right.
7. What is present land use in the vicinity of the proposed modification?
☒ Residential Industrial Commercial ☒ Agriculture ☒ Park/Forest/Open Space ☐ Other

Describe: _____

8. Is there a public controversy related to this district proposal? ☐ Yes ☒ No If yes, describe below:

(Attach additional sheets if necessary.)

9. Attach any additional information as may be needed to clarify the proposed action.

I CERTIFY THAT THE INFORMATION PROVIDED
ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Authorized signature: _____

Date: _____

PART II- ENVIRONMENTAL ASSESSMENT

General Information

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification or termination of an agricultural district or districts. The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management action that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

- A. Does action exceed any Type I threshold in 6 NYCRR, Part 617.4 ? ☐ Yes ☒ No

If Yes, coordinate the review process and use the FULL EAF.

- B. Will action receive coordinated review as provided for Unlisted actions in 6 NYCRR, Part 617.5 ?

☐ Yes ☒ No

If No, a negative declaration may be superseded by another involved agency.

- C. Could action result in any adverse effects associated with the following:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems?
Explain briefly:

NO

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

NO _____

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:
NO _____

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:
NO _____

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:
NO _____

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:
NO _____

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:
NO _____

D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA? ☐ Yes ☒ No

E. Is there, or is there likely to be, controversy related to potential adverse environmental impacts?
☐ Yes ☒ No If Yes, explain briefly:

PART III– DESIGNATION OF LEAD AGENCY

Please indicate desire for lead agency status by checking the appropriate box below:

- ☒ Since the proposed action will be undertaken by this County Legislative Body and since any adverse environmental impacts will be primarily of local significance, it is hereby recommended that this County Legislative Body serve as lead agency to ensure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.

☐ The County Legislative Body does not choose to nominate itself to serve as lead agency.

PART IV - DETERMINATION OF SIGNIFICANCE

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Albany County Legislature

Name of Lead Agency

Hon. Andrew Joyce

Print or Type Name of Responsible Officer in Lead Agency

Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from Responsible Officer)

Date

RESOLUTION NO. 209

**PUBLIC HEARING ON PROPOSED MODIFICATIONS TO
AGRICULTURAL DISTRICT NOS. 1, 2 AND 3**

Introduced: 5/13/19

By Mr. A. Joyce:

WHEREAS, Section 303-b of the Agriculture and Markets Law mandates an annual thirty-day review period, when landowners can request inclusion of land in an agricultural district prior to the County established review period, and

WHEREAS, Such review has been conducted and modifications are proposed regarding the inclusion of actively viable farm land into the agricultural districts located in the Towns of Bethlehem, Guilderland, Knox, New Scotland, and Rensselaerville, and

WHEREAS, In connection with such review, a proposal for the modification of Albany County Agricultural Districts has been submitted, and

WHEREAS, In conducting such review, Section 303-b of the Agriculture and Markets Law requires this Honorable Body to hold a public hearing on the additions to Agricultural Districts upon notice as prescribed therein, now, therefore be it

RESOLVED, By the Albany County Legislature, that a public hearing be held in the William J. Conboy II Legislative Chambers, Albany County Courthouse, Albany, New York at 7:15 p.m. on Tuesday, May 28, 2019, for the purpose of receiving the comments of any interested persons regarding the proposed modifications to Agricultural District Nos. 1, 2 and 3 within Albany County, and, be it further

RESOLVED, That notice of said public hearing be given in accordance with the requirements of the Agriculture and Markets Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

RESOLUTION NO. 149

PUBLIC HEARING ON PROPOSED MODIFICATIONS TO AGRICULTURAL DISTRICT NOS. 1 AND 3

Introduced: 5/10/21

By Conservation, Sustainability, and Green Initiatives Committee:

WHEREAS, Section 303-b of the Agriculture and Markets Law mandates an annual thirty-day review period, when landowners can request inclusion of land in an agricultural district prior to the County established review period, and

WHEREAS, Such review has been conducted and modifications are proposed regarding the inclusion of actively viable farm land into the agricultural districts located in the Towns of Guilderland, Knox, and New Scotland, and

WHEREAS, In connection with such review, a proposal for the modification of Albany County Agricultural Districts has been submitted, and

WHEREAS, In conducting such review, Section 303-b of the Agriculture and Markets Law requires this Honorable Body to hold a public hearing on the additions to Agricultural Districts upon notice as prescribed therein, now, therefore, be it

RESOLVED, By the Albany County Legislature, that a public hearing be held remotely, with participation instructions available on the Albany County website, at 7:15 p.m. on Tuesday, May 25, 2021, for the purpose of receiving the comments of any interested persons regarding the proposed modifications to Agricultural District Nos. 1 and 3 within Albany County, and, be it further

RESOLVED, That notice of said public hearing be given in accordance with the requirements of the Agriculture and Markets Law, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

March 31, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

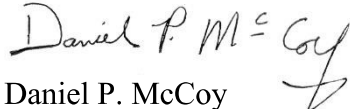
Dear Chairman Joyce:

On behalf of the Albany County Public Defender, Alternate Public Defender, and Assigned Counsel Program, I am requesting authorization to amend a contract with New York Office of Indigent Legal Services (ILS) for implementation of the Statewide Expansion of the Hurrell-Harring settlement. Since taking office I have been a strong advocate for reforms to the indigent legal services program and have pushed for Counties to receive additional funding from New York State. In 2017, NYS committed to expanding the Hurrell-Harring settlement to all counties in the state by providing \$250 million over five years to bring indigent defense services up to the standards set in the 2014 settlement. The key provisions of statewide expansion include ensuring defendants are represented by counsel at arraignments, establishing caseload standards for providers, and improving quality of representation via training, supervision, and access to experts.

To meet the standards established in Hurrell-Harring, Albany County will be receiving \$26,264,402.19, beginning with \$1,750,920.29 in 2019 and increasing on an annual basis. Funding is shared between the Public Defender, Alternate Public Defender, and Assigned Counsel Program based on caseload data submitted by each provider. Albany County's third-year plan was recently approved by the NYS Office of Indigent Legal Services (ILS), and authorization is needed to amend our contract to reflect the finalized year three budget. Funding will support added personnel (attorneys, support staff, and experts), contractual expert services, onboarding expenses, training, mentoring, IT and software improvements, attorney resources, and other investments that help the County meet the standards discussed above. Reimbursement for all expenses included in the County's annual work plans will be provided on a quarterly basis. Statewide Expansion is 100 percent state funded, there is no County share.

If you should have any questions, please do not hesitate to contact me.

Sincerely


Daniel P. McCoy
Albany County Executive

cc: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2413, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Amendment - Year Three of Hurrell-Harring Statewide Implementation

Date: 3/31/2021
Submitted By: Lucas Rogers
Department: Office of the County Executive
Title: Policy Analyst
Phone: 518-447-5566
Department Rep.
Attending Meeting: Lucas Rogers

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New York State Office of Indigent Legal Services
Alfred E Smith Building
80 South Swan Street
11th Floor
Albany, NY 12210

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$5,252,880.44 (Five year total = 26,264,402.19)

Scope of Services: Funding to facilitate the implementation of programs focused on quality improvement of services, caseload relief, and counsel at arraignment as per the Hurrell-Harring settlement reforms.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐

If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line: \$5,252,880.44

Revenue Amount: Various

Appropriation Account and Line: \$5,252,880.44

Appropriation Amount: Various

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: 100%

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

Term: (Start and end date) April 1, 2018 - March 31, 2023

Length of Contract: 5 Years

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution 220 for 2020

Date of Adoption: 7/13/2020

Justification: (state briefly why legislative action is requested)

On behalf of the Albany County Public Defender, Alternate Public Defender, and Assigned Counsel Program, I am requesting authorization to amend a contract with New York Office of Indigent Legal Services (ILS) for implementation of the Statewide Expansion of the Hurrell-Harring settlement. Since taking office I have been a strong advocate for reforms to the indigent legal services program and have pushed for Counties to receive additional funding from New York State. In 2017, NYS committed to expanding the Hurrell-Harring settlement to all counties in the state by providing \$250 million over five years to bring indigent defense services up to the standards set in the 2014 settlement. The key provisions of statewide expansion include ensuring defendants are represented by counsel at arraignments, establishing caseload standards for providers, and improving quality of representation via training, supervision, and access to experts.

To meet the standards established in Hurrell-Harring, Albany County will be receiving \$26,264,402.19, beginning with \$1,750,920.29 in 2019 and increasing on an annual basis. Funding is shared between the Public Defender, Alternate Public Defender, and Assigned Counsel Program based on caseload data submitted by

each provider. Albany County's third- year plan was recently approved by the NYS Office of Indigent Legal Services (ILS).and authorization is needed to amend our contract to reflect the finalized year three budget. Funding will support added personnel (attorneys, support staff, and experts), contractual expert services, onboarding expenses, training, mentoring, IT and software improvements, attorney resources, and other investments that help the County meet the standards discussed above. Reimbursement for all expenses included in the County's annual work plans will be provided on a quarterly basis. Statewide Expansion is 100 percent state funded, there is no County share.

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

STATE AGENCY (Name & Address): NYS Office of Indigent Legal Services A. E. Smith Building, 11th Floor 80 South Swan Street Albany, NY 12210	BUSINESS UNIT/DEPT. ID: OLS01 1350200 CONTRACT NUMBER: CSTWIDEHH01 CONTRACT TYPE: ☒ Multi-Year Agreement ☐ Simplified Renewal Agreement ☐ Fixed Term Agreement
CONTRACTOR SFS PAYEE NAME: Albany, County of	TRANSACTION TYPE: ☐ New ☐ Renewal ☒ Amendment
CONTRACTOR DOS INCORPORATED NAME:	PROJECT NAME: Statewide Expansion of Hurrell-Harring
CONTRACTOR IDENTIFICATION NUMBERS: NYS Vendor ID Number: 1000002428 Federal Tax ID Number: 14-6002563 DUNS Number (if applicable):	AGENCY IDENTIFIER: CFDA NUMBER (Federally funded grants only):
CONTRACTOR PRIMARY MAILING ADDRESS: County of Albany Public Defender's Office 60 South Pearl Street, 4th Floor Albany, NY 12207 CONTRACTOR PAYMENT ADDRESS: ☐ Check if same as primary mailing address County of Albany Dept. of Management and Budget 112 State Street, Suite 900 Albany, NY 12207 CONTRACTOR MAILING ADDRESS: ☒ Check if same as primary mailing address	CONTRACTOR STATUS: ☐ For Profit ☒ Municipality, Code: 010100000000 ☐ Tribal Nation ☐ Individual ☐ Not-for-Profit Charities Registration Number: Exemption Status/Code: ☐ Sectarian Entity

Contract Number: CSTWIDEHH01

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Master Grant Contract, Face Page

STATE OF NEW YORK MASTER CONTRACT FOR GRANTS FACE PAGE

CURRENT CONTRACT TERM: From: April 1, 2018 To: March 31, 2023 CURRENT CONTRACT PERIOD: AMENDED TERM: From: To: AMENDED PERIOD: From: To:	CONTRACT FUNDING AMOUNT (<i>Multi-year</i> – enter total projected amount of the contract; <i>Fixed Term/Simplified Renewal</i> – enter current period amount): CURRENT: \$26,264,402.19 AMENDED: FUNDING SOURCE(S): ☒ State ☐ Federal ☐ Other																														
FOR MULTI-YEAR AGREEMENTS ONLY – CONTRACT PERIOD AND FUNDING AMOUNT: (Out years represent projected funding amounts)																															
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ATTACHMENTS PART OF THIS AGREEMENT: ☐ Attachment A: ☐ A-1 Program-Specific Terms and Conditions ☐ A-2 Federally Funded Grants and Requirement Mandated by Federal Laws ☒ Attachment B: ☒ B-1 Expenditure Based Budget ☐ B-2 Performance Based Budget ☐ B-3 Capital Budget ☐ B-4-Net Deficit Budget ☐ B-1(A) Expenditure Based Budget (Amendment) ☐ B-2(A) Performance Based Budget (Amendment) ☐ B-3(A) Capital Budget (Amendment) ☐ B-4(A) Net Deficit Budget (Amendment) ☒ Attachment C: Work Plan ☐ Attachment D: Payment and Reporting Schedule ☐ Other:																															

Contract Number: CSTWIDEHH01

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Master Grant Contract, Face Page

IN WITNESS THEREOF, the parties hereto have executed or approved this Master Contract on the dates below their signatures.

CONTRACTOR:

By: _____

Printed Name

Title: _____

Date: _____

STATE AGENCY:

NYS Office of Indigent Legal Services

By: William J. Leahy

William J. Leahy

Printed Name

Title: Director – Office of Indigent Legal Services

Date: 3/10/21

STATE OF NEW YORK

County of _____

On the _____ day of _____, _____, before me personally appeared _____, to me known, who being by me duly sworn, did depose and say that he/she resides at _____, that he/she is the _____ of the _____, the contractor described herein which executed the foregoing instrument; and that he/she signed his/her name thereto as authorized by the contractor named on the face page of this Master Contract.

(Notary) _____

ATTORNEY GENERAL'S SIGNATURE

N/A

Printed Name

Title: _____

Date: _____

STATE COMPTROLLER'S SIGNATURE

N/A

Printed Name

Title: _____

Date: _____

Contract Number: CSTWIDEHH01

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Master Grant Contract, Face Page

ATTACHMENT A

PROGRAM SPECIFIC TERMS AND CONDITIONS

STATEWIDE EXPANSION OF HURRELL-HARRING

I. Notices

All written notices made pursuant to this Agreement shall be delivered to the addresses set forth below.

Notification to the Office of Indigent Legal Services (ILS):

Office of Indigent Legal Services
A. E. Smith Office Building, 11th Floor
80 South Swan Street
Albany, NY 12210

Notification to County and New York City ("County"):

Daniel P. McCoy
Albany County Executive
112 State Street, Suite 200
Albany, NY 12207
(518) 447-7040
Daniel.McCoy@albanycounty.com

II. Supplanting Funds.

The amounts paid to County by ILS pursuant to this Agreement shall be used to supplement and not supplant any state or local funds, as defined in paragraph (c) of subdivision 2 of section 98-b of the State Finance Law, which such County would otherwise have had to expend for the provision of counsel and expert, investigative and other services pursuant to article eighteen-B of the County Law. In the event funds are used to supplant local funds, such funds actually provided by ILS shall be returned to ILS by County.

III. Collect and Report Data.

County will be required to collect and report data to ILS on an annual basis, or as otherwise specified by ILS, in written form, as determined by ILS, which data will be used to analyze and measure implementation, compliance and outcomes under the three statewide plans (counsel at arraignment, quality improvement and caseload relief).

IV. Extensions.

The terms of this Agreement may be extended only by mutual written consent of the parties and approval of the Office of the State Comptroller for a period of not more than 24 months.

ATTACHMENT B-1**BUDGET**

**Office of Indigent Legal Services
STATEWIDE EXPANSION OF HURRELL-HARRING
April 1, 2018 - March 31, 2023**

COUNTY OF ALBANY

Total Contract Amount: \$26,264,402.19

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
PUBLIC DEFENDER'S OFFICE					
CASELOAD RELIEF					
Personnel:					
Local Court Supervisor	\$85,000.00	\$86,700.00	\$88,434.00		
Assistant Public Defender I	\$65,000.00	\$66,300.00	\$67,626.00		
Assistant Public Defender II	\$72,828.00	\$74,284.56	\$75,770.25		
Assistant Public Defender II	\$72,828.00	\$74,284.56	\$75,770.25		
Assistant Public Defender III	\$78,030.00	\$79,590.60	\$81,182.41		
Assistant Public Defender IV	\$83,232.00	\$84,896.64	\$86,594.57		
Assistant Public Defender V	\$90,000.00	\$91,800.00	\$93,636.00		
Paralegal	\$44,737.00	\$45,631.74	\$46,544.37		
Social Services Coordinator	\$55,000.00	\$56,100.00	\$57,222.00		
Legal Secretary	\$41,616.00	\$42,448.32	\$43,297.29		
Receptionist	\$35,000.00	\$35,700.00	\$36,414.00		
Assistant Public Defender II	\$0.00	\$74,284.00	\$75,769.68		
Assistant Public Defender II	\$0.00	\$74,284.00	\$75,769.68		
Assistant Public Defender III	\$0.00	\$79,590.00	\$81,181.80		
Assistant Public Defender III	\$0.00	\$79,590.00	\$81,181.80		
Assistant Public Defender III	\$0.00	\$79,590.00	\$81,181.80		
Assistant Public Defender IV	\$0.00	\$84,897.00	\$86,594.94		
Director of Training	\$0.00	\$85,000.00	\$86,700.00		
Felony Supervisor	\$0.00	\$85,000.00	\$86,700.00		
Clerk II	\$0.00	\$45,500.00	\$46,410.00		
Clerk II	\$0.00	\$45,500.00	\$46,410.00		
Legal Secretary	\$0.00	\$46,500.00	\$47,430.00		
Legal Secretary	\$0.00	\$46,500.00	\$47,430.00		
Assistant Public Defender III	\$0.00	\$0.00	\$81,181.90		
Assistant Public Defender III	\$0.00	\$0.00	\$81,181.90		
Assistant Public Defender III	\$0.00	\$0.00	\$81,181.90		
Assistant Public Defender IV	\$0.00	\$0.00	\$86,594.94		

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
Assistant Public Defender IV	\$0.00	\$0.00	\$86,594.94		
Assistant Public Defender IV	\$0.00	\$0.00	\$86,594.94		
Assistant Public Defender V	\$0.00	\$0.00	\$93,636.00		
Assistant Public Defender V	\$0.00	\$0.00	\$93,636.00		
Assistant Public Defender V	\$0.00	\$0.00	\$93,636.00		
Paralegal/Data Specialist	\$0.00	\$0.00	\$60,000.00		
Fringe Benefits for positions noted above	\$383,334.00	\$842,340.00	\$1,314,555.80		
Data Officer (Stipend)	\$20,000.00	\$0.00	\$0.00		
Subtotal Personnel	\$1,126,605.00	\$2,406,311.42	\$3,754,045.16	\$0.00	\$0.00
OTPS:					
Onboarding cost for new positions	\$46,200.00	\$50,400.00	\$42,000.00		
Subtotal OTPS	\$46,200.00	\$50,400.00	\$42,000.00	\$0.00	\$0.00
Caseload Relief - Subtotal	\$1,172,805.00	\$2,456,711.42	\$3,796,045.16	\$0.00	\$0.00
QUALITY IMPROVEMENT					
Personnel:					
Salary Increase for entry level positions - Parity	\$74,688.48	\$37,344.24	\$38,091.12		
Salary Increase - Confidential Secretary	\$0.00	\$4,884.00	\$4,981.68		
Salary Increase - Criminal Investigator	\$0.00	\$8,238.00	\$8,402.76		
Salary Increase - Criminal Investigator	\$0.00	\$4,402.00	\$4,490.04		
CAFA Arraignment Attorney Salary Supplement	\$0.00	\$15,000.00	\$15,000.00		
Law Intern Program	\$0.00	\$10,000.00	\$15,000.00		
Fringe Benefits for positions noted above	\$0.00	\$37,030.17	\$37,611.00		
Subtotal Personnel	\$74,688.48	\$116,898.41	\$123,576.60	\$0.00	\$0.00
Contracted/Consultant:					
Specialized Services (Expert Services)/ Transcription Services	\$26,702.67	\$35,000.00	\$40,000.00		
Subtotal Contracted/Consultant	\$26,702.67	\$35,000.00	\$40,000.00	\$0.00	\$0.00
OTPS:					
Computer Equipment	\$35,441.00	\$20,000.00	\$20,000.00		
Legal Reference Material/Books/Subscriptions	\$25,000.00	\$20,000.00	\$20,000.00		
Office Supplies	\$0.00	\$4,300.00	\$4,000.00		
Smartphones/Cell Phones/Tablets (service fees/ software/hardware)	\$0.00	\$25,000.00	\$27,500.00		
Photocopier (leasing/maintenance)	\$0.00	\$5,000.00	\$5,000.00		
Professional/Organization Memberships	\$0.00	\$5,000.00	\$5,000.00		
Conferences/CLE Trainings/Trainings	\$0.00	\$20,000.00	\$25,000.00		
Client Related Expenses	\$0.00	\$0.00	\$2,000.00		
Subtotal OTPS	\$60,441.00	\$99,300.00	\$108,500.00	\$0.00	\$0.00
Quality Improvement - Subtotal	\$161,832.15	\$251,198.41	\$272,076.60	\$0.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
OTPS:					
Tablets/Computer Software/Wi-Fi	\$23,068.00	\$2,500.00	\$0.00		
Mileage/Travel	\$0.00	\$5,000.00	\$5,000.00		

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
Counsel at First Appearance - Subtotal	\$23,068.00	\$7,500.00	\$5,000.00	\$0.00	\$0.00
PUBLIC DEFENDER'S OFFICE - TOTAL	\$1,357,705.15	\$2,715,409.83	\$4,073,121.76	\$0.00	\$0.00

CONFLICT DEFENDER'S OFFICE**CASELOAD RELIEF****Personnel:**

Supervision Administrator - Salary	\$45,000.00	\$45,900.00	\$46,818.00		
Supervision Administrator - Fringe	\$23,850.00	\$0.00	\$0.00		
Mitigation Specialist Attorney Appellate Attorney	\$0.00	\$73,370.00	\$98,000.00		
Legal Secretary	\$0.00	\$45,000.00	\$45,900.00		
Salary Increase for Staff Attorney	\$0.00	\$2,027.00	\$2,067.54		
Fringe Benefits for positions noted above	\$0.00	\$88,137.41	\$102,176.35		
Subtotal Personnel	\$68,850.00	\$254,434.41	\$294,961.89	\$0.00	\$0.00
Caseload Relief - Subtotal	\$68,850.00	\$254,434.41	\$294,961.89	\$0.00	\$0.00

QUALITY IMPROVEMENT**Personnel:**

Salary increase for AAPDs - Parity	\$0.00	\$0.00	\$44,467.00		
Fringe Benefits for AAPDs Parity (@ 53%)	\$0.00	\$0.00	\$23,567.51		
Subtotal Personnel	\$0.00	\$0.00	\$68,034.51	\$0.00	\$0.00

Contracted/Consultant:

Investigator Services	\$32,319.00	\$25,819.00	\$16,000.00		
Specialized Services (Expert Services)/ Transcription Services	\$30,000.00	\$20,000.00	\$16,000.00		
Subtotal Contracted/Consultant	\$62,319.00	\$45,819.00	\$32,000.00	\$0.00	\$0.00

OTPS:

Office Supplies/Computer Equipment	\$8,580.00	\$8,580.00	\$12,000.00		
Conferences/CLE Trainings/Trainings/Tuition	\$4,381.00	\$4,382.00	\$8,250.00		
Professional/Organization Memberships	\$0.00	\$6,500.00	\$8,500.00		
Office Furniture	\$0.00	\$0.00	\$3,000.00		
Legal References/Books/Subscriptions	\$0.00	\$0.00	\$29,249.01		
Phones/Fees/Service/Software/hardware	\$0.00	\$0.00	\$5,750.00		
Photocopier/Printing/Copying (Leasing/Maintenance)	\$0.00	\$0.00	\$2,100.00		
Subtotal OTPS	\$12,961.00	\$19,462.00	\$68,849.01	\$0.00	\$0.00
Quality Improvement - Subtotal	\$75,280.00	\$65,281.00	\$168,883.52	\$0.00	\$0.00

COUNSEL AT FIRST APPEARANCE**Personnel/Contracted/Consultant/OTPS:**

	\$0.00	\$0.00	\$0.00		
Counsel at First Appearance - Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
CONFLICT DEFENDER'S OFFICE - TOTAL	\$144,130.00	\$319,715.41	\$463,845.41	\$0.00	\$0.00

Budget Expenditure Item	Year 1 4/1/18 - 3/31/19	Year 2 4/1/19 - 3/31/20	Year 3 4/1/20 - 3/31/21	Year 4 4/1/21 - 3/31/22	Year 5 4/1/22 - 3/31/23
ASSIGNED COUNSEL PLAN					
CASELOAD RELIEF					
Personnel:					
Supervising Attorney - Salary	\$85,000.00	\$90,000.00	\$91,800.00		
Supervising Attorney - Fringe Benefits	\$45,050.00	\$0.00	\$0.00		
Secretary	\$0.00	\$45,000.00	\$45,900.00		
Data Officer/Grants Manager	\$0.00	\$60,000.00	\$61,200.00		
Fringe Benefits for positions noted above	\$0.00	\$103,350.00	\$122,247.00		
Longevity Pay and Insurance Buyout	\$0.00	\$0.00	\$3,152.00		
Caseload Relief - Subtotal	\$130,050.00	\$298,350.00	\$324,299.00	\$0.00	\$0.00
QUALITY IMPROVEMENT					
Contracted/Consultant:					
Mentoring Programs/Services	\$28,800.00	\$28,800.00	\$40,000.00		
Specialized Services (Expert Services)	\$50,000.00	\$50,000.00	\$90,000.00		
Second Chair Program	\$0.00	\$29,370.05	\$40,000.00		
Subtotal Contracted/Consultant	\$78,800.00	\$108,170.05	\$170,000.00	\$0.00	\$0.00
OTPS:					
Continuing Legal Education (CLE) Trgs/Trainings	\$30,000.00	\$30,000.00	\$48,655.27		
Office Supplies/Furniture	\$4,000.00	\$4,000.00	\$42,000.00		
Legal Reference Material/Books/Subscriptions	\$4,275.00	\$4,275.00	\$8,000.00		
Mileage/Travel for ACP staff	\$2,000.00	\$2,000.00	\$3,000.00		
Computer Equipment (hardware & software)	\$0.00	\$20,000.00	\$60,000.00		
Postage	\$0.00	\$0.00	\$2,000.00		
Printing for Training Materials	\$0.00	\$0.00	\$3,000.00		
Copier Lease	\$0.00	\$0.00	\$3,500.00		
Desk/Cell Phones/Cell Phone Data and Service Plans	\$0.00	\$0.00	\$2,000.00		
Shared Services provided by DGS	\$0.00	\$0.00	\$14,459.00		
Property Rental/Additional Space and Repair	\$0.00	\$0.00	\$35,000.00		
Subtotal OTPS	\$40,275.00	\$60,275.00	\$221,614.27	\$0.00	\$0.00
Quality Improvement - Subtotal	\$119,075.00	\$168,445.05	\$391,614.27	\$0.00	\$0.00
COUNSEL AT FIRST APPEARANCE					
Personnel/Contracted/Consultant/OTPS:					
	\$0.00	\$0.00	\$0.00		
Counsel at First Appearance - Subtotal	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
ASSIGNED COUNSEL PLAN - TOTAL	\$249,125.00	\$466,795.05	\$715,913.27	\$0.00	\$0.00
Total	\$1,750,960.15	\$3,501,920.29	\$5,252,880.44	\$7,003,840.58	\$8,754,800.73
FIVE-YEAR TOTAL	\$26,264,402.19				

ATTACHMENT C
WORK PLAN
OFFICE OF INDIGENT LEGAL SERVICES
STATEWIDE EXPANSION OF HURRELL-HARRING
APRIL 1, 2018 – MARCH 31, 2023
COUNTY OF ALBANY

Goals, Objectives, and Performance Measures

On a semi-annual basis, each grantee/contractor shall provide the Office of Indigent Legal Services with a written progress report summarizing the work performed during each such semi-annual period. The reports shall detail the grantee/contractor's progress toward attaining the specific goals, objectives and key performance measures as outlined below along with any additional information that may be required by the Office. These program progress reports must be submitted October 31st for the period starting April 1st and ending September 30th and April 30th for the period starting October 1st and ending March 31st.

Program progress reports will continue until such time as the funds subject to this contract are no longer available, have been accounted for, and/or throughout the contract period. The first progress report may be waived if the final approval of the grantee/contractor's contract by the Office of the State Comptroller is within two months of the date such progress report would be due. **(See Attachment D ["Payment and Reporting Schedule"] for written progress report reporting requirements in their entirety.)**

Goal

Implement the provisions of Chapter 59 of the Laws of 2017, Part VVV, sections 11-13, providing that the Office of Indigent Legal Services shall implement a plan to extend statewide the benefits of the Hurrell-Harring settlement reforms.

First Objective

Ensure all eligible criminal defendants are represented by counsel at arraignment, provided that timely arraignment with counsel is not delayed pending a determination of a defendant's eligibility.

Key Performance Measures

1. The number of attorneys hired with this funding who provide representation at arraignment;
2. The number of arraignments handled by each attorney compensated with this funding; and
3. A brief description of all activities funded by this grant under this objective and how those activities have improved the provision of counsel at first appearance.

Second Objective

Full compliance with the caseload standards issued by the Office of Indigent Legal Services.

Key Performance Measures

1. The number of attorneys hired with this funding and the dates of such hires;
2. The number of new cases opened by attorneys compensated with this funding;
3. The number of non-attorneys hired with this funding and the dates of such hires;
4. The name, and date of appointment, of the Data Officer or a description of progress toward appointment of a Data Officer; and
5. A brief description of all activities funded by this grant under this objective and how those activities have reduced caseloads.

Third Objective

Implement initiatives to improve the quality of indigent defense such that attorneys receive effective supervision and training, have access to and appropriately utilize investigators, interpreters and expert witnesses on behalf of clients, communicate effectively with their clients, have the necessary qualifications and experience, and, in the case of assigned counsel attorneys, are assigned to cases in accordance with article 18-b of the county law and in a manner that accounts for the attorney's level of experience and caseload/workload.

Key Performance Measures

1. The number of training events supported by this funding;
2. The number of attorneys whose attendance at training events was supported by this funding;
3. The number of cases in which expert services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services;
4. The number of cases where investigative services supported by this funding was used, and the dollar amount, both total and hourly rate, spent on such services; and
5. A brief description of all activities funded by this grant under this objective and how those activities have improved the quality of representation provided to clients.

YEAR 1 BUDGET

Public Defender's Office

Personnel:

- **Add a full-time Local Court Supervisor position.** This new position will be responsible for providing representation, supervising and mentoring attorneys, and providing training for trial development skills in criminal cases.
- **Add a full-time Assistant Public Defender I position.** This new, entry-level position will be responsible for handling misdemeanor cases in City Court.
- **Add two (2) full-time Assistant Public Defender II positions.** These new positions will be responsible for handling misdemeanor and felony cases.
- **Add a full-time Assistant Public Defender III position.** This new position will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Add a full-time Assistant Public Defender IV position.** This new position will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Add a full-time Assistant Public Defender V position.** This new position will be responsible for serious and violent felony cases.
- **Add a full-time Paralegal position.** This new position will be responsible for drafting motions and performing legal research in criminal cases.
- **Add a full-time Social Services Coordinator position.** This new position will be responsible for assisting clients in criminal cases with various needs, connecting with social workers and case managers, assisting with program eligibility, and other resources.
- **Add a full-time Legal Secretary position.** This new position will be responsible for assisting attorneys with administrative tasks, including opening and closing files, Case Management System data entry, among other tasks in criminal cases.
- **Add a full-time Receptionist position.** This new position will be responsible for addressing inquiries from clients, the court, and the general public in criminal cases.
- **Provide a salary increase for eight (8) attorney positions.** The salary increase will raise the lowest salaried attorney positions to the new entry-level amount of \$65,000.00 to be able to retain current employees and attract high-quality candidates.

- **Provide a stipend for the Data Officer position.** An existing employee will assume the additional responsibility of liaising with ILS on behalf of the County for all providers and operationalizing the data requirements; current responsibilities of this employee will be shifted to other staff.

Contracted/Consultant:

- **Enhance the availability of expert services.** Expert services at an hourly rate ranging from \$50-\$750, plus travel/mileage, will be used in criminal cases to improve the quality of representation.
- **Enhance the availability of transcription services.** Services will be provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Onboarding expenses for 11 new positions include office furniture; computers, tablets, equipment and software; Wi-Fi internet connection; and legal reference material.

Conflict Defender's Office

Personnel:

- **Add a full-time Supervising Administrator position.** This new position will support the criminal defense attorneys, open and close files, assist with data collection and perform data entry on behalf of the attorneys.

Contracted/Consultant:

- **Enhance availability of investigative and expert services.** These services will assist attorneys with criminal defense preparation. Investigative services will be provided at an hourly rate ranging from \$75-\$125. Expert services will be provided at an hourly rate ranging from \$250-\$750, plus travel/mileage.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include computer equipment; office supplies; conferences, training, and tuition.

Assigned Counsel Plan

Personnel:

- **Add a full-time Supervising Attorney position.** This new position will be responsible for supervising and mentoring panel attorneys.

Contracted/Consultant:

- **Provide funding for mentoring services for attorneys.** Experienced attorneys will provide mentoring services and second-chair programs at an hourly rate of \$150.00 to train less experienced attorneys to improve skills for criminal court representation.
- **Provide supplemental funding of specialized services.** Services will include experts at hourly rates of \$100-\$750, plus travel/mileage; investigators at hourly rates of \$50-\$150; interpreters at hourly rates of \$50-\$150; social workers at hourly rates of \$50-\$150; and transcription services at a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include supplies; computers; office furniture; Continuing Legal Education (CLE)/training; books, trial manuals, and Westlaw; and travel/mileage.

YEAR 2 BUDGET

Public Defender's Office

Personnel:

- **Continue the full-time Local Court Supervisor position.** This position is responsible for providing representation, supervising and mentoring attorneys, and providing training for trial development skills in criminal cases.
- **Continue the full-time Assistant Public Defender I.** This entry-level position is responsible for handling misdemeanor cases in City Court.
- **Continue the two (2) full-time Assistant Public Defender II positions added in year 1 and add two (2) new Assistant Public Defender II positions in Year 2.** These positions will be responsible for handling misdemeanor and felony cases.

- **Continue the full-time Assistant Public Defender III position added in Year 1 and add three (3) new Assistant Public Defender III positions in Year 2.** These positions will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the full-time Assistant Public Defender IV position added in Year 1 and add one (1) new Assistant Public Defender IV position in Year 2.** These positions will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the full-time Assistant Public Defender V position.** This position is responsible for serious and violent felony cases.
- **Continue the full-time Paralegal position.** This position is responsible for drafting motions and performing legal research in criminal cases.
- **Continue the full-time Social Services Coordinator position.** This position is responsible for assisting clients in criminal cases with various needs, connecting with social workers and case managers, assisting with program eligibility, and other resources.
- **Continue the full-time Legal Secretary position added in Year 1 and add two (2) full-time Legal Secretary positions in Year 2.** These positions are responsible for assisting attorneys with administrative tasks, including opening and closing files, Case Management System data entry, among other tasks in criminal cases.
- **Continue the full-time Receptionist position.** This position is responsible for addressing inquiries from clients, the court, and the general public in criminal cases.
- **Continue the salary increase for the Assistant Public Defender I attorney positions.** The salary increase will raise the lowest salaried attorney positions to the new entry-level amount of \$65,000.00 to be able to retain current employees and attract high-quality candidates.
- **Data Officer position.** In Year 2, this will transition from a stipend position in the PD Office to a full-time position in the Assigned Counsel Program (see below).
- **Add a full-time Director of Training position.** This senior staff level position will be responsible for implementing the Public Defender Office’s plan to become a CLE certified agency, providing quality training programs to staff and others including the Alternate Public Defender and 18-b Assigned Counsel, delivering individual and group presentations, and providing “one-on-one” mentoring.
- **Add a full-time Felony Supervisor position.** This position will report directly to the Chief Assistant and Public Defender and will be responsible for supervising the attorneys handling felony-level cases.

- **Add two (2) full-time Clerk II positions.** These positions will assist attorneys in data collection, data entry, file management, and file maintenance, thereby allowing the attorneys to spend more time in case preparation, client communication, and other case-related activities.
- **Provide salary increases for the Confidential Secretary and two (2) Criminal Investigators.** These salary increases reflect the increased responsibilities for these positions, recognizes their experience and skills, and establishes salary parity, thereby promoting staff retention.
- **Provide funding to enhance the salary of the attorney who provides representation at first appearance (CAFA attorney).** This funding will enhance the \$50,000 in salary per year available in the ILS Counsel at First Appearance grant for a full-time attorney to provide CAFA representation. This salary is too low to recruit a qualified applicant. The salary will be increased by \$15,000, allowing the PD Office to hire a qualified entry-level attorney.
- **Provide funding for student interns.** This funding will bolster the PD Office's current student intern program, which reduces the caseloads of PD Office attorneys and serves as a valuable recruitment mechanism for the PD Office. Student interns are paid \$15 to \$30 per hour, depending on their education experience and skills.

Contracted/Consultant:

- **Enhance the availability of experts and other specialized services.** This funding is used to retain experts and other non-attorney professionals, including social workers, interpreters, mitigation specialists, investigators, etc. These experts and specialized services are paid an hourly rate ranging from \$50-\$750 depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding also includes transcription services (for court transcripts) which are provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** These expenses include the following:
 - Onboarding expenses for new positions, including office furniture, cubicles, desktop computers, and a water cooler for staff
 - Computer equipment/laptops
 - Legal reference materials, including print material, books, periodicals, and on-line legal research materials
 - Office Supplies
 - Smartphones and cell phones, including hardware, software, user fees/service agreements, and "hotspots" (i.e. Wi-Fi internet connection)
 - Photocopier (leasing, service agreement/maintenance, and cartridges/toner)

- Professional Organization/Association Membership dues/fees
- Tablets/Cell phones, including all associated hardware and service fees
- Mileage rate/travel expenses at the standard IRS rate for client meetings and to courts
- **Provide funding for Continuing Legal Education (CLE) Trainings and other professional trainings.** This funding will be used for the PD Office to host CLE's and other professional trainings (including refreshments, print materials, training space and travel expenses for speakers), as well as for PD Office staff to attend CLE trainings, other professional trainings, meetings, and convenings hosted by other organizations registration fees and travel expenses, including mileage, lodging, meals, etc.

Conflict Defender's Office

Personnel:

- **Continue the full-time Supervising Administrator position.** This position supports the criminal defense attorneys, open and close files, assist with data collection and perform data entry on behalf of the attorneys.
- **Add a full-time Mitigation Specialist Attorney position.** This position will engage in sentencing advocacy by conducting life-history investigations that identify clients' personal and mitigating circumstances and, where appropriate, also identify behavioral health needs and connect clients to services. This position will also handle post-sentencing matters, such a CPL 440 motions, CPL 180.85 hearings, restitution and probation resentencing proceedings, etc.
- **Add a full-time Legal Secretary position.** This position will support attorneys by handling legal documents, scheduling case-related matters in accord with statutory timeframes, drafting legal correspondence and templates, and conducting legal research.
- **Provide funding for a salary increase for the Alternate Assistant Public Defender.** The salary increase will establish parity between this position and other attorneys in the office and promote retention.

Contracted/Consultant:

- **Enhance availability of investigative, expert, and specialized services.** These services will assist attorneys with criminal defense preparation. Investigative services will be provided at an hourly rate ranging from \$75-\$125. Experts and other specialized services are paid an hourly rate ranging from \$50-\$750, depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding can also be used for transcription services (for court transcripts) which are provided a rate of \$1.75-\$7.50 per page.

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include:
 - Office Supplies
 - Computer Equipment
 - CLE Trainings, other professional trainings, meetings and convenings, including costs associated with the Conflict Defender Office hosting CLE Trainings and other trainings (refreshments, training space, and travel expenses for speakers), and for CD Office staff to attend CLE Trainings, other professional trainings, meetings, and convenings hosted by others (registration fees and associated travel expenses)
 - Professional Organization/Association Membership dues/fees

Assigned Counsel Plan

Personnel:

- **Continue the full-time Supervising Attorney position.** This position is responsible for supervising and mentoring panel attorneys. The increased salary is to attract a high-quality, experienced applicant.
- **Add a full-time Secretary position.** This position will perform administrative and secretary duties and will assist in processing panel attorney vouchers.
- **Add a full-time Data Officer/Grants Manager position.** This position will work closely with the three Albany County providers of mandated representation to ensure they are collecting, maintaining, and reporting on all ILS data requirements. This position will also assist in the fiscal management of ILS competitive and non-competitive grants.

Contracted/Consultant:

- **Continue funding for mentoring services for attorneys.** Experienced attorneys will provide mentoring services at an hourly rate of \$150.00 to train less experienced attorneys to improve skills for criminal court representation.
- **Continue funding for specialized services.** Services will include experts at hourly rates of \$100-\$750, plus travel/mileage; investigators at hourly rates of \$50-\$150; interpreters at hourly rates of \$50-\$150; social workers at hourly rates of \$50-\$150; and transcription services at a rate of \$1.75-\$7.50 per page.
- **Provide funding for a Second Chair Program.** This funding will support the assignment of panel attorneys to serve as second-chairs in more complex cases or as a means of training for less experienced attorneys. Second chair attorneys will be paid the statutory rate (currently \$60/hr. for misdemeanors and \$75/hr. for felonies).

OTPS:

- **Provide funding for incidental and operational expenses.** Expenses include:
 - CLE Trainings, other professional trainings, meetings, convenings, and seminars (registration fees and associated travel expenses)
 - Office supplies and furniture
 - Legal reference materials, books, trial manuals, and on-line research materials (Westlaw and Lexis)
 - Travel/mileage reimbursement for ACP staff
 - Computers/equipment and smart devices for new staff, associated software and data plans/subscription fees (including specialized software for Data Officer)

YEAR 3 BUDGET

Public Defender's Office

Personnel:

- **Continue the full-time Local Court Supervisor position.** Funding for this position will continue in Year 3 with a COLA increase. This position is responsible for providing representation, supervising, and mentoring attorneys, and providing training for trial development skills in criminal cases.
- **Continue the full-time Assistant Public Defender I.** This entry-level position will continue in Year 3 with a COLA increase and is responsible for handling misdemeanor cases in City Court.
- **Continue the four (4) full-time Assistant Public Defender II positions.** These positions will continue in Year 3, each with a COLA increase, and will be responsible for handling misdemeanor and felony cases.
- **Continue the four (4) full-time Assistant Public Defender III positions.** These positions will continue in Year 3, each with a COLA increase, and will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Add three (3) full-time Assistant Public Defender III positions.** Funding is available in Year 3 for these positions that will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the two (2) full-time Assistant Public Defender IV positions.** Funding for these positions will continue in Year 3 with a COLA increase. These positions will be responsible for handling misdemeanor and felony cases and have trial experience.

- **Add three (3) full-time Assistant Public Defender IV positions.** Funding is available in Year 3 for these positions that will be responsible for handling misdemeanor and felony cases and have trial experience.
- **Continue the full-time Assistant Public Defender V position.** This position will continue in Year 3 with a COLA increase and is responsible for serious and violent felony cases.
- **Add three (3) full-time Assistant Public Defender V positions.** Year 3 funding will support the addition of these three positions that are responsible for serious and violent felony cases.
- **Continue the full-time Paralegal position.** Funding will continue in Year 3 for this position with a COLA increase. This position is responsible for drafting motions and performing legal research in criminal cases.
- **Add a full-time Paralegal/Data Specialist position.** Funding is available in Year 3 to support a Paralegal/Data Specialist position. This position combines the training and criminal procedure of a paralegal and the additional skills necessary to collect and report the data required by the County and New York State (ILS).
- **Continue the full-time Social Services Coordinator position.** This position will continue in Year 3 with a COLA increase and is responsible for assisting clients in criminal cases with various needs, connecting with social workers and case managers, assisting with program eligibility, and other resources.
- **Continue the three (3) full-time Legal Secretary positions.** These positions are responsible for assisting attorneys with administrative tasks, including opening and closing files, Case Management System data entry, among other tasks in criminal cases. Funding will continue in Year 3 with COLA increases.
- **Continue the full-time Receptionist position.** This position will continue in Year 3 with a COLA increase and is responsible for addressing inquiries from clients, the court, and the general public in criminal cases.
- **Continue the full-time Director of Training position.** This position will continue in Year 3 with a COLA increase. This senior staff level position will be responsible for implementing the Public Defender Office's plan to become a CLE certified agency, providing quality training programs to staff and others including the Alternate Public Defender and 18-b Assigned Counsel, delivering individual and group presentations, and providing "one-on-one" mentoring.
- **Continue the full-time Felony Supervisor position.** This position will continue in Year 3 with a COLA increase and will continue to report directly to the Chief Assistant and

Public Defender and will be responsible for supervising the attorneys handling felony-level cases.

- **Continue two (2) full-time Clerk II positions.** These positions will continue in Year 3 with COLA increases and will assist attorneys in data collection, data entry, file management, and file maintenance, thereby allowing the attorneys to spend more time in case preparation, client communication, and other case-related activities.
- **Continue the Salary Increase for the Assistant Public Defender I Attorney positions.** Year 3 will continue to support pay parity for the lowest salaried attorney positions in the Public Defender's Office with a slight increase in an effort to retain current employees and attract high-quality candidates.
- **Continue the Salary Increases for the Confidential Secretary and two (2) Criminal Investigator positions.** Year 3 will continue to support the salary increases of these positions to reflect increased responsibilities and establishes salary parity, thereby promoting staff retention.
- **Continue funding to Enhance the Salary of the Attorney who Provides Representation at First Appearance (CAFA attorney).** Funding in Year 3 will continue to enhance the \$50,000 in salary per year available in the ILS Counsel at First Appearance grant for a full-time attorney to provide CAFA representation. The salary will be increased by \$15,000.
- **Continue funding for Student Interns.** This funding will continue in Year 3 with a \$5,000 increase to bolster the PD Office's current student law intern program, which reduces the caseloads of PD Office attorneys and serves as a valuable recruitment mechanism for the PD Office. Student interns are paid \$15 to \$30 per hour, depending on their education, experience, and skills.

Contracted/Consultant:

- **Continue funding to Enhance the availability of Experts and Other Specialized Services.** This funding is continued and increased in Year 3 to be used to retain experts and other non-attorney professionals, including social workers, interpreters, mitigation specialists, investigators, etc. These experts and specialized services are paid an hourly rate ranging from \$50 to \$750 depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding also includes transcription services (for court transcripts) which are provided a rate of \$1.75 to \$5.25 per page.

OTPS:

- **Continue to provide funding for Incidental and Operational Expenses.** These expenses include the following:

- Onboarding expenses for new positions, including office furniture, cubicles, desktop computers, and a water cooler for staff
 - Computer equipment/laptops
 - Legal reference materials, including print material, books, periodicals, and on-line legal research materials
 - Office Supplies
 - Tablets and cell phones, including hardware, software, user fees/service agreements, and “hotspots” (i.e. Wi-Fi internet connection)
 - Photocopier (leasing, service agreement/maintenance, and cartridges/toner)
 - Professional Organization/Association Membership dues/fees
 - Mileage rate/travel expenses at the standard IRS rate for client meetings and to courts
- **Continue to provide funding to Host and Attend Continuing Legal Education (CLE) Trainings and Other Professional Trainings.** Funding will increase and continue in Year 3 to be used for the PD Office to host CLE’s and other professional trainings (including refreshments, print materials, training space and travel expenses for speakers), as well as for PD Office staff to attend CLE trainings, other professional trainings, meetings, and convenings hosted by other organizations including registration fees and associated travel expenses.
 - **Provide funding for Client Related Expenses.** Funding will support a clothing loan closet for court appearances, and maintenance and cleaning of worn clothing, as well as transportation expenses for clients to get to and from court appearances. These expenses may only be used when the Albany Public Defender’s Office determines that a client otherwise lacks the resources needed to pay for clothing or travel.

Conflict Defender’s Office

Personnel:

- **Continue the full-time Supervising Administrator position.** This position supports the criminal defense attorneys, open and close files, assist with data collection and perform data entry on behalf of the attorneys.
- **Continue funding for and changing title of the full-time Mitigation Specialist Attorney to Appellate Attorney position.** This position will continue to be funded in Year 3 with an increase in base salary and a title change to Appellate Attorney. The position will engage in sentencing advocacy by conducting life-history investigations that identify clients’ personal and mitigating circumstances and, where appropriate, also identify behavioral health needs and connect clients to services. This position will also handle post-sentencing matters, such a CPL 440 motions, CPL 180.85 hearings, restitution, and probation resentencing proceedings, etc.

- **Continue the full-time Legal Secretary position.** This position will continue in Year 3 with a COLA increase and will support attorneys by handling legal documents, scheduling case-related matters in accord with statutory timeframes, drafting legal correspondence and templates, and conducting legal research.
- **Continue funding for a Salary Increase for the Staff Attorney.** The salary increase will establish parity between this position and other attorneys in the office and promote retention. Funding will continue in Year 3 with a small increase.
- **Provide Salary Increases for the Alternate Assistant Public Defenders.** Attorneys in the Conflict Defender's Office currently receive the same salary regardless of their level of experience (which is comparable to the salary of an attorney with just a year or two of experience at the PD's office). With funding in Year 3, a two-tiered salary system will be created: attorneys with more experience would have a salary of \$86,594, and newer attorneys would have a salary of \$75,770. This funding would augment the salaries of three more-experienced attorney positions, and two less-experienced attorney positions. The increase will promote employee retention with a goal of achieving full parity with the PD office.

Contracted/Consultant:

- **Continue to provide funding to Enhance availability of Investigative, Expert, and Specialized Services.** Year 3 funding will continue to support these services that assist attorneys with criminal defense preparation. Investigative services will be provided at an hourly rate ranging from \$75 to \$125. Experts and other specialized services are paid an hourly rate ranging from \$50 to \$750, depending on the expert's experience, specialty, and level of expertise. The funding includes travel/mileage reimbursement. The funding can also be used for transcription services (for court transcripts) which are provided a rate of \$1.75 to \$5.25 per page.

OTPS:

- **Continue to provide funding for Incidental and Operational Expenses.** Support will continue in Year 3 for expenses including:
 - Office Supplies
 - Computer Equipment
 - Professional Organization/Association Membership dues/fees
- **Provide funding for additional Incidental and Operational Expenses.** New funding will support the following expenses:
 - Office Furniture
 - Legal References/Books/Subscriptions – funding will support, in part, Westlaw subscriptions for ten positions and the County will continue to pay for one Westlaw account

- Cell phones including service plans, fees, software/hardware for all attorneys in the Conflict Defender's Office
 - Photocopier leasing, service agreement/maintenance, printing (images), and cartridges/toner for a new copier. The County will continue to pay \$2,400 per year toward the cost of a new copier lease.
- **Continue to provide funding to Host and Attend Continuing Legal Education (CLE) Trainings and Other Professional Trainings.** Funding will increase and continue in Year 3 to be used for the Conflict Defender's Office to host CLE's and other professional trainings (including refreshments, print materials, training space and travel expenses for speakers), as well as for Conflict Defender's Office staff to attend CLE trainings, other professional trainings, meetings, and convenings hosted by other organizations including registration fees and associated travel expenses.

Assigned Counsel Plan

Personnel:

- **Continue the full-time Supervising Attorney position.** This position will continue with Year 3 funding with a COLA increase and is responsible for supervising and mentoring panel attorneys.
- **Continue the full-time Secretary position.** This position will continue in Year 3 with a COLA increase and will perform administrative and secretary duties and will assist in processing panel attorney vouchers.
- **Continue the full-time Data Officer/Grants Manager position.** This position will continue in Year 3 with a COLA increase and will work closely with the three Albany County providers of mandated representation to ensure they are collecting, maintaining, and reporting on all ILS data requirements. This position will also assist in the fiscal management of ILS competitive and non-competitive grants.
- **Provide funding for Longevity Pay and Insurance Buyout.** Every County Department is required to have funds in their budget to accommodate for an insurance buyout should one of its employees request one; this funding covers three current employees on this grant (Supervising Attorney, Secretary and Data Officer). The longevity amount is a county benefit that applies after an individual has been employed by the County for three years (this benefit applies to the incumbent Supervising Attorney). Both the Longevity Pay and Health Insurance buyout are necessary costs to the County pursuant to the Rules and Regulations for Albany County Employees.

Contracted/Consultant:

- **Continue funding for Mentoring Services for Attorneys.** Year 3 funding will continue to support experienced attorneys who will provide mentoring services at an hourly rate of \$150.00 to train less experienced attorneys to improve skills for criminal court representation.
- **Continue funding for Specialized Services.** Services will include experts at hourly rates of \$100 to \$750, plus travel/mileage; investigators at hourly rates of \$50 to \$150; interpreters at hourly rates of \$50 to \$150; social workers at hourly rates of \$50 to \$150; and transcription services at a rate of \$1.75 to \$5.25 per page.
- **Provide funding for a Second Chair Program.** Year 3 funding will continue to support the assignment of panel attorneys to serve as second chairs in more complex cases or as a means of training for less experienced attorneys. Second chair attorneys will be paid the statutory rate of \$60 per hour for misdemeanors and \$75 per hour for felonies.

OTPS:

- **Continue to provide funding for Incidental and Operational Expenses.** Year 3 funding will support expenses including:
 - Attend CLE Trainings, other professional trainings, meetings, convenings, and seminars (registration fees and associated travel expenses)
 - Office supplies and furniture
 - Legal reference materials, books, trial manuals, and on-line research materials (Westlaw and Lexis)
 - Travel/mileage reimbursement for ACP staff when required as part of their job duties
 - Computers/equipment (including remote access equipment) and smart devices for new staff, associated software (including specialized software for Data Officer), and data plans/subscription fees
- **Provide funding for additional Incidental and Operational Expenses.** New funding will support the following expenses:
 - Postage
 - Printing for materials related to workshops and CLE trainings
 - Copier lease
 - Desk and cell phones, including data and service plans for ACP staff
- **Provide funding for Shared Services.** Each County Department has an amount in its budget for “shared services” related to current space located at 112 State Street, Albany, NY of maintenance, repairs, and facilitation services to office space provided by the Department of General Services (DGS). This is a new expense for the ACP, which became its own county department to further the goals of this contract. The amount is calculated based on the amount of space and the number of employees.

- **Provide funding for Property Rental and Repair.** This funding will be used for the increased space needs of the ACP resulting from implementation of the initiatives set forth in Executive Law 832(4). The ACP agrees that prior to entering into any agreement for rental/additional space to be funded fully or partially by this contract, the County will consult with ILS about the costs and appropriateness of the agreement.

RESOLUTION NO. 220

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT AND AMENDING THE 2020 ALBANY COUNTY BUDGET

Introduced: 7/13/20

By Law and Audit and Finance Committees:

WHEREAS, By Resolution No. 151, this Honorable Body authorized a five-year agreement with the New York State Office of Indigent Legal Services regarding the statewide expansion of the Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending March 31, 2023, and

WHEREAS, The Albany County Executive, on behalf of the Public Defender, Alternate Public Defender, and Assigned Counsel Program, has requested authorization to amend the aforementioned agreement to reflect the finalized second year plan as approved by the New York State Office of Indigent Legal Services, and

WHEREAS, The Albany County Executive, on behalf of the Public Defender, Alternate Public Defender, and Assigned Counsel Program has also requested a budget amendment to reflect changes made during finalization process, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to amend the five-year agreement with the New York State Office of Indigent Legal services to reflect the finalized second year plan, and, be it further

RESOLVED, That the 2020 Albany County Budget is hereby amended as follows:

Decrease Appropriation Account A1170.4 by \$10,000 by decreasing Line Item A1170 4 4038 Travel Mileage Freight by \$10,000

Increase Appropriation Account A1170.4 by \$10,000 by increasing the following line items:

Increase Line Item A1170 4 4040 Books/Transcripts/Subscripts by \$5,000

Increase Line Item A1170 4 4300 Association Dues by \$5,000

Decrease Appropriation Account A1171.4 by \$6,500 by decreasing Line Item A1171 4 4046 Fees for Services by \$6,500

Increase Appropriation Account A1171.4 by \$6,500 by increasing Line Item A1171 4 4300 Association Dues by \$6,500

Decrease Appropriation Account A1172.1 by \$28,800 by decreasing Line Item A1172 1 9935 Law Intern Program by \$28,800

Decrease Appropriation Account A1172.4 by \$29,371 by decreasing Line Item A1172 4 4071 Property Repair and Rental by \$29,371

Increase Appropriation Account A1172.4 by \$58,171 by increasing the following line items:

Increase Line Item A1172 4 4306 Mentor Program by \$28,800

Increase Line Item A1172 4 4310 Second Chair Program by \$29,371

and, be it further

RESOLVED, That the County Attorney is authorized to approve said amendment as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote – 7/13/20

RESOLUTION NO. 150

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE OF INDIGENT LEGAL SERVICES REGARDING THE STATEWIDE EXPANSION OF THE HURRELL-HARRING SETTLEMENT

Introduced: 5/10/21

By Law and Audit and Finance Committees:

WHEREAS, By Resolution No. 151 for 2019, this Honorable Body authorized a five-year agreement with the New York State Office of Indigent Legal Services regarding the statewide expansion of the Hurrell-Harring settlement in the amount of \$26,264,402 for the term commencing April 1, 2018 and ending March 31, 2023, and

WHEREAS, The Albany County Executive, on behalf of the Public Defender, Alternate Public Defender, and Assigned Counsel Program, has requested authorization to amend the aforementioned agreement to reflect the finalized third year plan as approved by the New York State Office of Indigent Legal Services, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to amend the five-year agreement with the New York State Office of Indigent Legal Services to reflect the finalized third year plan, and, be it further

RESOLVED, That the County Attorney is authorized to approve said amendment as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Albany County

Department of **HUMAN RESOURCES**

Daniel P. McCoy, Albany County Executive

Jennifer Skelly Clement, Commissioner

MEMORANDUM

TO: Hon. Andrew Joyce, Chairman, Albany County Legislature

CC: Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel

FROM: Jennifer Skelly Clement, Commissioner of Human Resources

DATE: 03/29/2021

RE: RLA: Excess Workers' Compensation Insurance Contract Approval

Attached please find the RLA to approve the Excess Insurance Policy with Midwest Employers Casualty Company for an annual premium of \$310,291. As a result of the rate increase, I request to move \$20,531 from CS 9040 89040 to CS1722 44999.

The policy is brokered by Arthur J. Gallagher Risk Management Services. Excess Insurance covers claims for Albany County's self-insured workers' compensation claims that exceed the specified cost limits. The premium provides an \$800,000 retention, a \$1,000,000 retention per occurrence for Police Officers, and an Employer's Liability Limit of \$2,000,000.

Please feel free to contact me with any additional questions you may have.



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2372, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization and Budget Amendment for Excess Insurance Policy

Date: 3/30/2021
Submitted By: Jennifer Clement
Department: Human Resources
Title: Commissioner
Phone: 518-447-5690
Department Rep.
Attending Meeting: Jennifer Clement

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: CS 1722 44999
Source of Funds: CS 9040 89040
Title Change: Click or tap here to enter text.

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 Click or tap to enter a date.

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

Arthur J. Gallagher Risk Management Services, Inc.
30 Century Hill Drive
Suite 200
Latham, NY 12110

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$310,291.00
Scope of Services: Excess Insurance Coverage for Workers' Compensation Claims

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

Revenue Account and Line: Click or tap here to enter text.

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: CS 9040 89040

Appropriation Amount: \$20,531.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: 100%

Local: Click or tap here to enter text.

Term

Term: (Start and end date) 1/1/2021-12/31/2021

Length of Contract: 12 months

Impact on Pending Litigation Yes ☐ No ☒

If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

Justification: (state briefly why legislative action is requested)

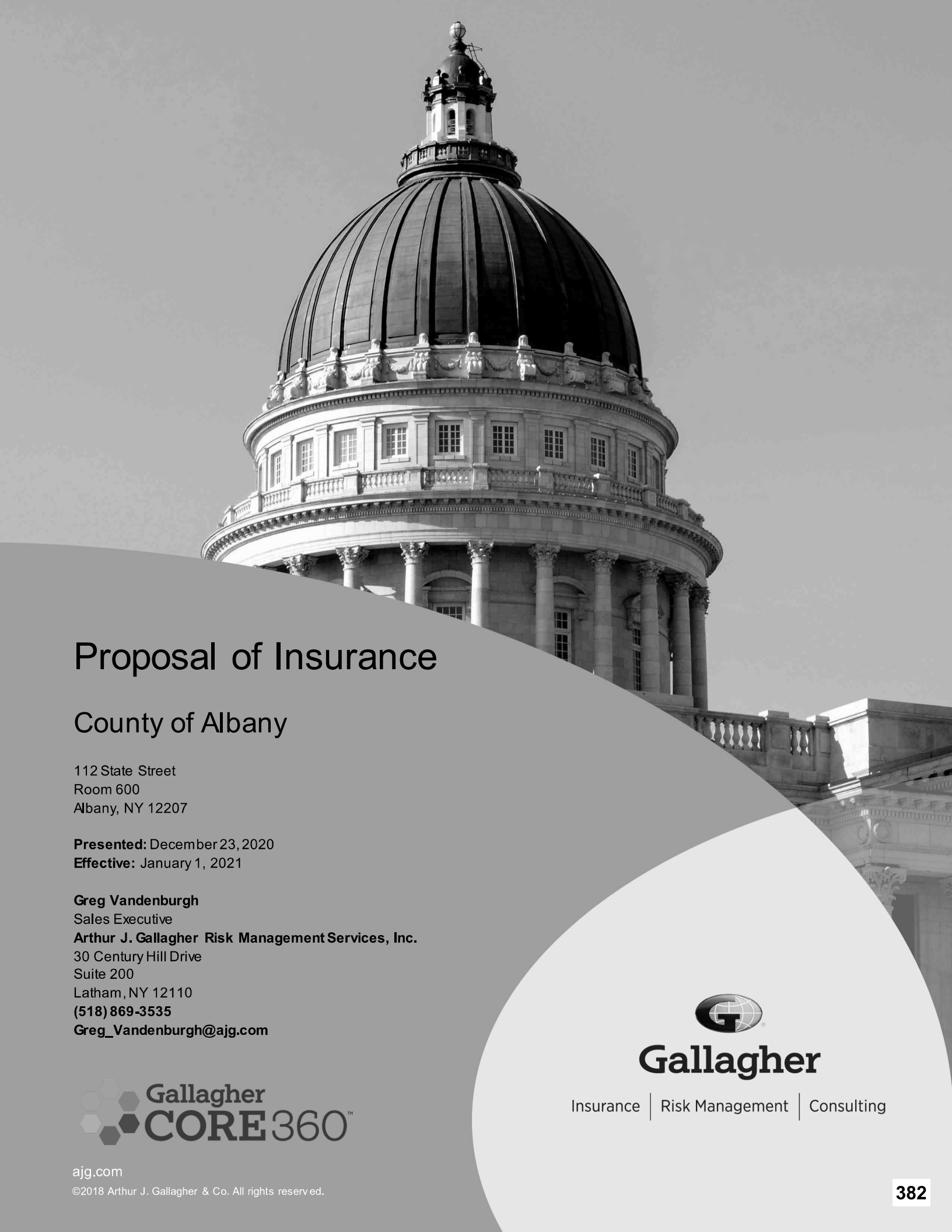
The Department of Human Resources respectfully requests authorization to approve the Excess Insurance Policy with Midwest Employers Casualty Company for an annual premium of \$310,291. As a result of the rate increase, the Department of Human Resources requests to move \$20,531 from CS 9040 89040 to CS 1722 44999.

The policy is brokered by Arthur J. Gallagher Risk Management Services. Excess Insurance covers claims for Albany County's self-insured workers' compensation claims that exceed the specified cost limits. The premium provides an \$800,000 retention, a \$1,000,000 retention per occurrence for Police Officers, and an Employer's Liability Limit of \$2,000,000.

APPROPRIATIONS				
ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST
CS 9040	Workers' Compensation		20,531.00	
CS 1722	Excess Insurance	20,531.00		
TOTAL APPROPRIATIONS		20,531.00	20,531.00	
ESTIMATED REVENUES				
ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST
TOTAL ESTIMATED REVENUES		0.00	0.00	
GRAND TOTALS		20,531.00	20,531.00	

DEPARTMENT NAME

DEPARTMENT NAME



Proposal of Insurance

County of Albany

112 State Street
Room 600
Albany, NY 12207

Presented: December 23, 2020

Effective: January 1, 2021

Greg Vandenburg

Sales Executive

Arthur J. Gallagher Risk Management Services, Inc.

30 Century Hill Drive

Suite 200

Latham, NY 12110

(518) 869-3535

Greg_Vandenburg@ajg.com



ajg.com

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Gallagher

Insurance | Risk Management | Consulting

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Service Team

Jacqueline Patrick has primary service responsibility for your company. We operate using a team approach. Your Service Team consists of:

NAME / TITLE	PHONE / ALT. PHONE	EMAIL	ROLE
Greg Vandenburg Sales Executive	(518) 533-6813	Greg_Vandenburg@ajg.com	Producer
Jacqueline Patrick Client Service Manager, Senior	(518) 463-3181	Jacqueline_Patrick@ajg.com	Client Service Manager
Alison Wood Account Manager	(518) 533-6840	Alison_Wood@ajg.com	Client Service Associate
Tom Lynch, AIM Area Vice President, Claims Advocate Senior	(315) 928-4980	Tom_Lynch@ajg.com	Claims Advocate (P&C)

Arthur J. Gallagher Risk Management Services, Inc.

Main Office Phone Number: (518) 869-3535

Program Structure

Named Insured

Named Insured Schedule:

Add / Change / Delete	Named Insured	Excess Workers Comp
	County Of Albany	X

Note: Any entity not named in this proposal, maynot be an insured entity. This may include affiliates, subsidiaries, LLC's, partnerships and joint ventures.

Market Review

We approached the following carriers in an effort to provide the most comprehensive and cost effective insurance program.

INSURANCE COMPANY	LINE OF COVERAGE	RESPONSE	PREMIUM
Midwest Employers Casualty Company	Excess Workers Comp	Quoted	\$310,291.00
Safety National Group	Excess Workers Comp	Declined to Quote - Pricing not Competitive / Estimated composite rate of .25	

Location Schedule

LINE OF COVERAGE	LOC # / BLDG #	LOCATION ADDRESS
Excess Workers' Compensation	1	112 State St, Room 600 Albany, NY 12207-2005

Program Details

Coverage: Excess Workers Comp

Carrier: Midwest Employers Casualty Company

Policy Period: 1/1/2021 to 1/1/2022

Coverage:

DESCRIPTION	LIMIT TYPE	AMOUNT	BASIS
Coverage A - Workers' Compensation		Statutory	
Employers' Liability Limits: Bodily Injury by Accident	Limit	\$2,000,000	Each Accident
Employers' Liability Limits: Bodily Injury by Disease	Limit	\$2,000,000	Per Employee
Employers' Liability Limits: Bodily Injury by Disease	Limit	\$2,000,000	Policy Limit

Deductibles / Self-Insured Retention

TYPE	COVERAGE	AMOUNT
Deductible	Specific Retention	\$800,000
Deductible	Specific Retention - Police	\$1,000,000

Experience Modification Factor(s):

DESCRIPTION	FACTOR
NY	1
NY	1

States:

DESCRIPTION	STATE
States Covered:	NY
States Excluded:	OH, ND, WA, WY

Endorsements include, but are not limited to:

DESCRIPTION
Amendment to Schedule Item 6 (0231696, 0231820) - CMB-6-CLS
Amendment to Schedule Item 11 - CMB-11
Foreign - CMB-160
Change in Notification Time Required for Cancellation - Insured NOC 30 Days; MECC NOC 90 Days - CMB-184-NY
Policyholder Disclosure Notice of Terrorism Insurance - CMB-199

Endorsements include, but are not limited to:

DESCRIPTION
Voluntary Compensation - ISI-261
Endemic Disease and Repatriation - ISI-266
Limited Longshore and Harbor Workers' Compensation Act - ISI-282
New York - CMB-NY
New York Acknowledgement - CMB-NY-ACK
Notice to Policyholder - CMB-NY-NOT
Notice to Policyholder - CMB-NY-NOT-SXS

Exclusions include, but are not limited to:

DESCRIPTION
Voluntary Compensation
Longshore & Harbor Workers' Act
Owners or Officers
Bodily Injury to an Employee While Employed in Violation of Law
Bodily Injury Intentionally Caused by Insured
Federal Employers' Liability Act
Assumptions under Contract
Aircraft Exclusion - ISI-254-EXC

Binding Requirements:

DESCRIPTION
Subject to -
- Signed Application Must be Received Prior to Policy Issuance
Completed Employee Concentration by Location worksheet

Other Significant Terms and Conditions/Restrictions:

DESCRIPTION
Deposit Premium \$310,291
Total Premium Includes Terrorism Risk Ins Act of 2002 \$9,309
MECC must be notified of any aircraft changes occurring during the policy period

Premium	\$310,291.00
ESTIMATED PROGRAM COST	\$310,291.00
Minimum Premium -	\$279,262.00
TRIPRA PREMIUM (+ Additional Surcharges, Taxes and Fees as applicable)	INCLUDED

Optional Coverages:

DESCRIPTION	NEW	AMOUNT	DEDUCTIBLE / SELF-INSURED RETENTION	OTHER	PREMIUM	TAX
Workers' Compensation	No	--	Specific Retention \$900,000, Specific Retention - Police \$1,000,000	Rate : 0.2052, Minimum Premium \$265,791, Deposit Premium \$295,323, Terrorism \$8,860	\$295,323.00	
Workers' Compensation	No	--	Specific Retention \$1,000,000	Rate : 0.1946, Minimum Premium \$252,061, Deposit Premium \$280,068, Terrorism \$8,402	\$280,068.00	

Subject to Audit: Annually**Auditable Exposures:**

STATE	CLASS CODE	DESCRIPTION	EXPOSURE	RATE PER \$100
NY	-	Total Payroll	\$143,919,818 - Payroll	0.2156

Premium Summary

The estimated program cost for the options are outlined in the following table:

LINE OF COVERAGE		EXPIRING PROGRAM		PROPOSED PROGRAM	
Excess Workers Comp	Premium	CARRIER	EXPIRING COST	CARRIER	ESTIMATED COST
	Estimated Cost Annualized Cost TRIA Premium	Midwest Employers Casualty Company (W. R. Berkley Group)	- \$288,415.00 - -	Midwest Employers Casualty Company (W. R. Berkley Group)	\$310,291.00 \$310,291.00 - Included
Total Estimated Program Cost			\$288,415.00		\$310,291.00

Quote from Midwest Employers Casualty Company (W. R. Berkley Group) is valid until 1/11/2021

Gallagher is responsible for the placement of the following lines of coverage:

Excess Workers Comp

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

Premium Financing

Arthur J. Gallagher is pleased to offer Premium Financing for our clients.

What is Premium Financing?

Premium financing is a short-term loan that provides premium payment flexibility. By financing, you have the option to spread out your premium payments instead of paying in full at the time of policy purchase or renewal.

Why Premium Financing May be Good for Your Business?

- May improve **capital and cash flow management** by spreading out premium payments over the policy period.
- Allows for **consolidation of** multiple policies into one premium finance agreement with a single monthly or quarterly payment.
- Provides automated **ACH options and flexible payment** terms.

Want to Learn More?

If you are interested in learning more or obtaining a quote, contact your Client Service Manager.

Payment Plans

CARRIER / PAYABLE CARRIER	LINE OF COVERAGE	PAYMENT SCHEDULE	PAYMENT METHOD
Midwest Employers Casualty Company (W. R. Berkley Group)	Excess Workers Comp	Deposit Premium \$310,291	Agency Bill

Carrier Ratings and Admitted Status

PROPOSED INSURANCE COMPANIES	A.M. BEST'S RATING & FINANCIAL SIZE CATEGORY *	ADMITTED/NON-ADMITTED **
Midwest Employers Casualty Company	A+ XV	Admitted

*Gallagher companies use A.M. Best rated insurers and the rating listed above was verified on the date the proposal document was created.

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A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. Best's Credit Ratings™ are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings™ and Guide to Best's Credit Ratings, visit the A.M. Best website at <http://www.ambest.com/ratings>.

**If coverage placed with a non-admitted carrier, it is doing business in the state as a surplus lines or non-admitted carrier, and is neither subject to the same regulations as an admitted carrier nor do they participate in any state insurance guarantee fund.

Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

Proposal Disclosures

Proposal Disclosures

The following disclosures are hereby made a part of this proposal. Please review these disclosures prior to signing the Client Authorization to Bind or e-mail confirmation.

Proposal Disclaimer

IMPORTANT: The proposal and/or any executive summaries outline certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. The insurance policies themselves must be read to fully understand the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract of insurance. Policy forms will be made available upon request. We make no warranties with respect to policy limits or coverage considerations of the carrier.

Compensation Disclosure

1. Gallagher Companies are primarily compensated from the usual and customary commissions, fees or, where permitted, a combination of both, for brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary based on market conditions and the insurance product placed for the client.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies that provide for additional compensation if certain underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company, not on an individual policy basis. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. If you do not wish to have your commercial insurance placement included in consideration for additional compensation, contact your producer or service team for an Opt-out form.
3. Gallagher Companies may receive investment income on fiduciary funds temporarily held by them, or from obtaining or generating premium finance quotes, unless prohibited by law.
4. Gallagher Companies may also access or have an ownership interest in other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace some of which may earn and retain customary brokerage commission and fees for their work.

If you have specific questions about any compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third-parties, please contact Gallagher via e-mail at Compensation_Complaints@ajg.com or by regular mail at:

Chief Compliance Officer
Gallagher Global Brokerage
Arthur J. Gallagher & Co.
2850 Golf Rd.
Rolling Meadows, IL 60008

TRIA/TRIPRA Disclaimer

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

The TRIPRA program increases the amount needed in total losses by \$20 million each calendar year before the TRIPRA program responds from the 2015 trigger of \$100 million to \$200 million by the year 2020.

TRIPRA is set to expire on December 31, 2020. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2020. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.

Client Signature Requirements

Coverages for Consideration

Overview

- A proposal for any of the coverages can be provided.
- The recommendations and considerations summarized in this section are not intended to identify all exposures.
- Since Gallagher does not handle your complete insurance program, these recommendations only reflect items within our scope of responsibility.

Other Coverage Considerations

- Higher Umbrella Liability Limits

Client Authorization to Bind Coverage

After careful consideration of Gallagher's proposal dated 12/23/2020, we accept the following coverage(s). Please check the desired coverage(s) and note any coverage amendments below:

	COVERAGE/CARRIER
☐ Accept ☐ Reject	Excess Workers Comp
☐ Option # 1	Midwest Employers Casualty Company- \$800K/\$1M SIR
☐ Option # 2	Midwest Employers Casualty Company- \$900K/\$1M SIR
☐ Option # 3	Midwest Employers Casualty Company- \$1M SIR
<i>TRIA Cannot Be Rejected</i>	

The above coverage may not necessarily represent the entirety of available insurance products. If you are interested in pursuing additional coverages other than those addressed in the coverage considerations included in this proposal, please list below:

Producer/ Insured Coverage Amendments and Notes:

Exposures and Values

We confirm the payroll, values, schedules, and other data contained in the proposal, and submitted to the underwriters, are compiled from information provided by you and we acknowledge it is our responsibility to see that such information is updated and maintained accurately. For renewal policies, if no updates were provided to Gallagher, the values, exposures and operations used were based on the expiring policies.

Provide Quotations or Additional Information on the Following Coverage Considerations:

Gallagher recommends that you purchase the following additional coverages for which you have exposure. By rejecting a quotation for this valuable coverage, you understand that there will be no coverage and agree to hold Gallagher harmless in the event of a loss.

Other Coverages to Consider

☐ Yes ☐ No – Higher Umbrella Liability Limits

Other Services to Consider

☐ Yes ☐ No – CORE360™ Loss Control Portal

☐ Yes ☐ No – eRiskHub

Gallagher's liability to Client arising from any acts or omissions of Gallagher shall not exceed \$20 million in the aggregate. Gallagher shall only be liable for actual damages incurred by Client, and shall not be liable for any indirect, consequential or punitive damages or attorneys' fees. No claim or cause of action, regardless of form (tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with this Agreement or any Services provided hereunder may be brought by either party any later than two (2) years after the accrual of such claim or cause of action.

Gallagher has established security controls to protect Client confidential information from unauthorized use or disclosure. For additional information, please review Gallagher's Privacy Policy located at <https://www.ajg.com/privacy-policy/>.

I have read, understand and agree that the above information is correct and has been disclosed to us prior to authorizing Gallagher to bind coverage and/or provide services to us.

By: _____
Print Name (Specify Title)

Company

Signature

Date: _____

Appendix

Bindable Quotations & Compensation Disclosure Schedule

Client Name: County of Albany

COVERAGE(S)	CARRIER NAME(S)	WHOLESALE, MGA, OR INTERMEDIARY NAME ¹	EST. ANNUAL PREMIUM ²	COMM.% OR FEE ³	GALLAGHER U.S. OWNED WHOLESALE, MGA, OR INTERMEDIARY %
Excess Workers Comp	Midwest Employers Casualty Company (W. R. Berkley Group)	N/A	\$310,291.00	12 %	

¹ We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

² If the premium is shown as an indication: The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

* A verbal quotation was received from this carrier. We are awaiting a quotation in writing.

³ The commission rate is a percentage of annual premium excluding taxes & fees.

* Gallagher is receiving ___% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.

Binding Requirements

COVERAGE (ISSUING CARRIER)	BINDING REQUIREMENT
Excess Workers Comp Midwest Employers Casualty Company	Subject to -
	- Signed Application Must be Received Prior to Policy Issuance
	Completed Employee Concentration by Location Worksheet

Claims Reporting By Policy

Reporting Options:

- Email: NortheastRegion.BSD.ClaimsReporting@ajg.com
- Phone: 800.770.0001
- Phone: 856.675.1301 (Direct & International)
- Fax: 856.675.1302
- After hours emergencyreportservice: 877.458.0288

Mailing Address:

Attn: Claims Service Manager
Arthur J. Gallagher
4000 Midlantic Drive
Suite 200
Mt. Laurel, NJ 08054

For all claims reported directly to Gallagher the following services will be provided:

- Preparation of loss notice and delivery to insurance carrier(s).
- Promptly provide claim acknowledgement including claim number and adjuster contact information once the claim is assigned.
- Initiate assignment to Gallagher Claims Advocate when required for continued customer service and management of claims.

CORE360™

Loss Control Portal



Insurance | Risk Management | Consulting



Reduce Your Risk and Simplify Training

Safety training programs and educational materials for employees are critical for reducing accidents, increasing retention and minimizing your total cost of risk now and in the future.

Gallagher's **CORE360™ Loss Control Portal** is our proprietary Learning Management System (LMS) that supports your safety program, provides real time access to your loss control plans and keeps employees up to date with the latest safety standards.

Key benefits of CORE360™ Loss Control Portal:

- **Access** up to 10 modules of your choice from a library of over 100 training and safety shorts. In addition, monthly bulletins are available covering topics such as General and Environmental Safety, Human Resources, and Health and Wellness.
- **Save** valuable time by assigning employee training and monitoring their latest progress and completion.
- **Simplify** the process of training to stay in compliance and avoid costly penalties.
- **Onboard** and train an unlimited number of users while enhancing your overall risk control program.
- **Customize** your platform with your company's logo, training content and modules tailored to your business, and personalized procedures and forms for an added fee.

Most Popular Training Modules:

- Sexual Harassment and Discrimination
- Slip, Trip and Fall Training
- Electrical Safety Training
- Back Safety Training
- Bloodborne Pathogens
- Safe Lifting Practices
- Defensive Driving Basics
- Fire Prevention Basics
- Personal Protective Equipment
- GHS Hazard Communication



Please visit
ajg.com/LossControlPortal to learn more.

Gallagher CORE360™ is our unique, comprehensive approach of evaluating your risk management program that leverages our analytical tools and diverse resources for customized, maximum impact on six cost drivers of your total cost of risk.



To access the Gallagher | eRiskHub® now:

1. Navigate to <https://eriskhub.com/gallagher>
2. Complete the new user registration at the bottom of the page. Choose your own user ID and password. The access code is 447597.
3. After registering, you can access the hub immediately using your newly created credentials in the member login box located at the top right of the page.

The Gallagher Way. Since 1927.

The information contained herein is offered as insurance industry guidance and provided as an overview of current market risks and available coverages and is intended for discussion purposes only. This publication is not intended to offer legal advice or client-specific risk management advice. Any description of insurance coverages is not meant to interpret specific coverages that your company may already have in place or that may be generally available. General insurance descriptions contained herein do not include complete insurance policy definitions, terms, and/or conditions, and should not be relied on for coverage interpretation. Actual insurance policies must always be consulted for full coverage details and analysis.

Insurance brokerage and related services to be provided by Arthur J. Gallagher Risk Management Services, Inc. (License No. 0D69293) and/or its affiliate Arthur J. Gallagher & Co. Insurance Brokers of California, Inc. (License No. 0726293).

Cyber Liability

eRiskHub® Overview and Login Information

The evolution of the cyber risk landscape has brought with it broad, sweeping regulations to address cybersecurity exposures. This digital transformation also presents new risks, including financial losses, for every industry. Gallagher's Cyber Practice delivers expertise alongside cyber risk management and insurance placement services, as well as a better way to construct risk management solutions. CORE360™ — our comprehensive approach of evaluating our client's risk management program — leverages our analytical tools and diverse resources for customized, maximum impact on six cost drivers of their total cost of risk. First, we consult with you to understand all of your actual and potential costs, then find the best options to reallocate these costs based on strategic actionable insights empowering you to know, control and minimize your total costs increasing profitability. Additionally, our data-driven CORE360™ approach allows us to implement programs for your business that will increase safety, minimize losses, mitigate claims and proactively analyze your cyber risk posture.

Key Features of the Gallagher | eRiskHub®

- Gallagher Cyber Risk Due Diligence — A six-step process designed to walk clients through a simple, thought-provoking framework to encourage organizational communication, establish clear direction and highlight priorities to better understand your cyber risk profile.
- Risk Manager Tools — A collection of tools with many different purposes such as researching known breach events, calculating your potential cost of a breach event and downloading free sample policies your organization can use as templates.
- News Center — Keeps you up to date on what is going on in the world of cyber risk through handpicked articles, feeds and blogs.
- Learning Center — An extensive collection of white papers, articles, webinars, videos and blog posts on a variety of topics. (Looking for something specific? Try the search box at the top right of the page to search the entire Gallagher | eRiskHub®).
- Security & Privacy Training — An overview of best practices for creating an effective security training program for employees.
- Strategic Third-Party Relationships and Partner Resources — Information on third-party vendors that can assist your organization with improving your overall cyber risk.

As cyber risk evolves, so does our commitment to thought leadership. Our global cyber teams focus exclusively on cyber risk, and uniquely position Gallagher to share our knowledge, expertise and experience for the benefit of our clients.

If you have any questions about the Gallagher | eRiskHub®, please reach out to your broker.

RESOLUTION NO. 151

AUTHORIZING AN AGREEMENT REGARDING EXCESS INSURANCE COVERAGE AND AMENDING THE 2021 ALBANY COUNTY BUDGET

Introduced: 5/10/21

By Law and Audit and Finance Committees:

WHEREAS, The Commissioner of the Albany County Department of Human Resources has requested authorization to enter into an agreement through Arthur J. Gallagher Risk Management Services, Inc. for excess insurance coverage with Midwest Employers Casualty Company at an annual premium of \$310,291 for the term commencing January 1, 2021 and ending December 31, 2021, and

WHEREAS, The Commissioner has also requested a budget amendment to appropriate funds to cover the increased premium rate, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement through Arthur J. Gallagher Risk Management Services, Inc. with Midwest Employers Casualty Company, Chesterfield, MO 63017 for excess insurance coverage at an annual premium not to exceed \$310,291 for the term commencing January 1, 2021 and ending December 31, 2021, and, be it further

RESOLVED, That the 2021 Albany County Budget is hereby amended as follows:

Decrease Appropriation Account CS9040.8 by \$20,531 by decreasing Line Item CS9040 8 9040 Workers Compensation by \$20,531

Increase Appropriation Account CS1722.4 by increasing Line Item CS1722 4 4999 Misc. Contractual Expense by \$20,531

and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

DANIEL P. MCCOY
County Executive



**COUNTY OF ALBANY
PROBATION DEPARTMENT
60 SOUTH PEARL STREET
ALBANY, NEW YORK 12207**
PHONE: (518) 487-5200
FAX: (518) 487-5204
www.albanycountyny.com

WILLIAM CONNORS
Director

Lori Haggerty
Deputy Director

Michael OConnor
Principal Probation Officer

March 23, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, NY 12207

Re: Gun Involved Violence Elimination
(GIVE) Grant Renewal

Dear Chairman Joyce:

Enclosed is a request for Legislative Action for permission to renew The Probation Department's contract with the New York State Division of Criminal Justice Services (DCJS) regarding Gun Involved Violence Elimination (GIVE) grant. The total award remains at \$137,005. The grant pays limited overtime, GPS monitoring, and for one full time Probation Officer and ½ Probation Officer. This is a partnership with the Albany County District, and the Albany Police, and NYS Division of Criminal Justice Services.

It is respectfully requested this be considered. If you have any questions or need additional information, please do not hesitate to contact me directly at (518) 487-5194.

Sincerely,

William Connors
Probation Director

WC/km
Enc.

cc: Honorable Dennis Feeney, Majority Leader
Honorable Frank Mauriello, Minority Leader
Rebekah Kennedy, Esq., Majority Counsel
Arnis Zilgme, Esq., Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2396, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract Authorization for Gun Involved Violence Elimination (GIVE) Grant with NYS DCJS

Date: March 23, 2021
Submitted By: William Connors
Department: Probation Department
Title: Probation Director
Phone: 518-487-5194
Department Rep.
Attending Meeting: William Connors

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.

Source of Funds: Click or tap here to enter text.

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☒ Grant

Renewal

Submission Date Deadline 7/1/2021

☐ Settlement of a Claim

☐ Release of Liability

☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

New York State Division of Criminal Justices Services

80 South Swan Street

Albany, NY 12110

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: 137,005.

Scope of Services: The Probation department is a partner with the Albany County District Attorney Office, the Albany Police, and NYS DCJS to reduce gun violence in Albany County by participating in the Gun Violence Elimination GIVE Grant. The grant remains the same as last year for 137,005. The grant funds monitoring persons sentenced to Probation having been convicted of gun related crimes. It pays for ½ salary of a Probation Officer who is assigned as a Field Intelligence Officer (FIO) to the Capital Region Crime Analysis Center. The FIO assists the GIVE strategy by providing intelligence regarding Probationers. The grant also funds the salary of another Probation Officer who works directly with the Albany Police Enhanced Supervision unit monitoring Probationers who maybe engaged in activities that are likely to lead to gun violence. The GIVE Probation Officer provides enhanced probation supervision. This may include special details where probationers may attend, curfew checks, increased reporting and GPS monitoring. Other funding includes limited Overtime and GPS monitoring.

Bond Res. No.: Click or tap here to enter text.

Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒
If Mandated Cite Authority: Click or tap here to enter text.

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

County Budget Accounts:

Revenue Account and Line: A3140.03334
Revenue Amount: 137,005.

Appropriation Account and Line: Click or tap here to enter text.
Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: 100%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term

Term: (Start and end date) 07.01.2021-06.30.2022
Length of Contract: 12 months

Impact on Pending Litigation

If yes, explain: Yes ☐ No ☒
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution No. 300
Date of Adoption: 09/14/2020

Justification: (state briefly why legislative action is requested)

Requesting permission to renew the Probation Department's contract with the New York State Division of Criminal Justice Services (DCJS) regarding Gun Involved Violence Elimination (GIVE). This is a partnership with the Albany County District Attorney, Albany Police, and NYS Division of Criminal Justice Services.



Division of Criminal Justice Services

ANDREW M. CUOMO
Governor

MICHAEL C. GREEN
Executive Deputy Commissioner

March 22, 2021

The Honorable David Soares
Albany County District Attorney
6 Lodge Street, 4th Floor
Albany, NY 12207

Chief Eric Hawkins
Albany Police Department
170 Henry Johnson Blvd.
Albany, NY 12201

Re: Gun Involved Violence Elimination (GIVE) SFY 2021-22

Dear District Attorney Soares and Chief Hawkins,

Thank you for your continued partnership with the NYS Division of Criminal Justice Services (DCJS) in administering the Gun Involved Violence Elimination (GIVE) Initiative. GIVE continues to be a critical component of New York's shooting and homicide reduction strategy, and DCJS continuously strives to strengthen our programs and partnerships with GIVE jurisdictions.

Subject to available appropriation from the enacted state budget for Fiscal Year 2021-22, approximately \$13.3 million dollars is expected to be made available to support the statewide GIVE Initiative in the coming year. As such, participating GIVE agencies in Albany County are eligible to receive a total of up to \$759,829 in awards for the contract period July 1, 2021 to June 30, 2022.

We recognize that the tumultuous events of this past year have been extraordinarily challenging for local public safety agencies. In order to provide funding for the grant contract term beginning July 1, 2021 as efficiently and effectively as possible, we have streamlined the administrative requirements of the annual GIVE Comprehensive Plan. Funding will be provided to jurisdictions for GIVE programs and services and will be distributed to all partner agencies within the county in the same manner and amounts as in the current contract. Please see *Gun Involved Violence Elimination (GIVE) Award Amounts 2020-21 and 2021-22* below for award amounts being made available to each participating partner in your jurisdiction.

As you know, DCJS utilizes a deliberate process to make GIVE funding allocations, with a focus on awarding funds to support the successful implementation of evidence-based crime reduction strategies. Prior to the execution of grant contracts, DCJS is requiring existing GIVE jurisdictions to submit answers to the questions found below in *GIVE 2021-22 Funding Requirements* and to complete and submit one updated budget (see Attachment: 2021-2022 GIVE Initiative Budget Worksheet) and complete a narrative justification response that includes all funded partnership agencies receiving an award in your jurisdiction.

Responses to questions and the budget worksheet and narrative justification must be submitted to DCJS via email at GIVE@dcjs.ny.gov by 4/15/2021. It is important to include the name



Division of Criminal Justice Services

of your jurisdiction and indicate the partner agency in the subject line of the email. Submissions from jurisdictions should be the result of a collaboration among community stakeholders. Responses will be reviewed and if necessary, DCJS will contact you with questions or return the documents to grantees for any recommended revisions.

Individual award notices will be sent to your partner agencies following enactment of the SFY 2021-22 budget. All grantees are expected to adhere to existing GIVE strategies as detailed in the attached reference document *SFY 2020-21 GIVE Guidance and Funding*, and to comply with GIVE contract requirements for the contract term July 1, 2021 through June 30, 2022. If you would like a copy of your GIVE Strategy submitted last year to DCJS for reference, please email the DCJS Office of Public Safety (OPS) at GIVE@dcjs.ny.gov.

As always, DCJS staff are available to answer any questions you may have regarding the GIVE initiative and funding. Please contact the DCJS Office of Public Safety (OPS) at GIVE@dcjs.ny.gov for information and assistance regarding the GIVE program. If you have any contract or funding related questions, please contact David Martin in the DCJS Office of Program Development and Funding (OPDF) at (518) 485-9607, or by e-mail at David.Martin@dcjs.ny.gov.

Thank you for all you do to enhance public safety. DCJS remains committed to working with you in our continued efforts to safeguard the health and safety of all New York residents and visitors.

Very truly yours,

A handwritten signature in black ink, appearing to read "Michael C. Green". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael C. Green
Executive Deputy Commissioner

Enclosures (2):

- *GIVE Award Amounts 2020-21 and 2021-22*
- *GIVE 2021-22 Funding Requirements*

Attachments (2):

- #1 - *GIVE Budget Worksheet*
- #2 - *SFY 2020-21 GIVE Guidance and Funding Document* – Provided for reference and information

cc: Dave Martin, DCJS
Raymond Neves, DCJS
Craig Apple, Albany County Sheriff's Office
William Connors, Albany County Probation



Gun Involved Violence Elimination (GIVE) Award Amounts 2020-21 and 2021-22

Implementing Agency		Award Amount
Albany		\$759,829
	Albany PD	\$386,084
	District Attorney	\$236,740
	Probation	\$137,005
Broome		\$391,243
	Binghamton PD	\$231,285
	District Attorney	\$83,881
	Sheriff's Office	\$76,077
Chautauqua		\$193,463
	Jamestown PD	\$72,221
	District Attorney	\$83,306
	Probation	\$10,500
	Sheriff's Office	\$27,436
Dutchess		\$343,669
	City of Poughkeepsie PD	\$168,367
	District Attorney	\$150,302
	Sheriff's Office	\$15,000
	Probation	\$10,000
Erie		\$1,958,847
	Buffalo PD	\$623,844
	District Attorney	\$927,556
	Sheriff's Office	\$176,245
	Probation	\$231,202
Monroe		\$1,789,755
	Rochester PD	\$676,146
	District Attorney	\$570,997
	Sheriff's Office	\$257,000
	Probation	\$285,612



Nassau		\$861,743
	Nassau County PD	\$306,533
	District Attorney	\$109,326
	Sheriff's Office	\$22,000
	Probation	\$192,084
	Hempstead PD	\$231,800
Niagara		\$647,376
	Niagara Falls PD	\$326,202
	District Attorney	\$167,405
	Sheriff's Office	\$87,049
	Probation	\$66,720
Oneida		\$645,955
	Utica PD	\$282,585
	District Attorney	\$338,350
	Sheriff's Office	\$500
	Probation	\$24,520
Onondaga		\$1,240,831
	Syracuse PD	\$500,000
	District Attorney	\$323,782
	Sheriff's Office	\$277,241
	Probation	\$139,808
Orange		\$848,513
	City of Newburgh PD	\$364,284
	District Attorney	\$300,318
	Sheriff's Office	\$62,975
	Middletown PD	\$15,250
	Probation	\$105,686
Rensselaer		\$422,587
	Troy PD	\$197,027
	District Attorney	\$139,453
	Probation	\$86,107
Rockland		\$107,146
	Spring Valley PD	\$71,146
	District Attorney	\$25,500
	Probation	\$10,500



Schenectady		\$785,275
	Schenectady PD	\$354,142
	District Attorney	\$257,348
	Sheriff's Office	\$83,120
	Probation	\$90,665
Suffolk		\$993,861
	Suffolk County PD	\$361,964
	District Attorney	\$511,787
	Sheriff's Office	\$65,959
	Probation	\$54,151
Ulster		\$240,320
	Kingston PD	\$82,500
	District Attorney	\$80,525
	Sheriff's Office	\$25,295
	Probation	\$52,000
Westchester		\$1,080,968
	Yonkers PD	\$307,721
	Mount Vernon PD	\$192,260
	District Attorney	\$425,255
	Dept of Public Safety	\$69,972
	Probation	\$85,760
TOTAL		\$13,311,381



2021-22 Gun Involved Violence Elimination (GIVE) Requirements for Funding

To provide funding for the grant contract term beginning July 1, 2021 as efficiently and effectively as possible, we have streamlined the administrative requirements of the annual GIVE Comprehensive Plan for 2021-22. To receive funding, GIVE grantees will be required to: 1) submit answers to questions pertaining to the implementation of GIVE during 2020-21 and plans for 2021-22; and 2) Complete and submit one Budget Worksheet and narrative justification that includes each partnership agency. Instructions are provided below:

INSTRUCTIONS:

Responses to questions below for your jurisdiction and a budget worksheet (see Attachment: GIVE Budget Worksheet) including each partnership agency must be submitted to DCJS via email at GIVE@dcjs.ny.gov by 4/15/2021. Please prepare answers to questions in a Word Document and include the name of the County and Contact Information at the top of the page.

It is important that the email submission(s) include the name of your jurisdiction and indicate the partner agency in the subject line of the email. Responses will be reviewed and if necessary, DCJS will contact you with questions and return documents to grantees for any recommended revisions.

Narrative Questions:

1. Describe the underlying issues that contributed to your jurisdiction's shooting or aggravated assault problem in GIVE VII (July 1, 2020 through July 1, 2021) and provide data to support your claims.
2. Provide an analysis of the challenges faced in implementing your jurisdiction's GIVE VII (July 1, 2020 through June 30, 2021) Comprehensive plan. Specifically describe how COVID and other factors affected implementation and provide relevant data to support your assessment.
3. Describe how you will update your comprehensive GIVE VIII plan to address both the underlying issues identified in Question #1 and the factors that affected implementation of your GIVE VII plan identified in Question #2.
4. Describe how you will include all appropriate community stakeholders into your comprehensive GIVE plan for GIVE VIII (July 1, 2021 through June 30, 2022).

Jurisdictions where Probation Departments are an existing partner, Probation Directors must also respond to Question #5:



Division of Criminal Justice Services

5. Describe the strategies and techniques which your probation department will utilize in the investigation and supervision of GIVE probationers. These strategies may include, but not be limited to:

- Cognitive Behavioral Intervention
- Employment Readiness Programs
- Client Dosage/Engagement
- GPS or other Electronic Monitoring
- Collaboration with GIVE partner agencies
- Community Engagement/Procedural Justice
- Other

Probation Director's should refer to State Director's Memorandum #2020-1 "Supervision Strategies to Manage the High-Risk Probationer" for further information.

Budget Worksheet and Narrative Justification Preparation:

Use the attached GIVE Budget Worksheet to complete the budgets for each participating agency within the jurisdiction. In addition to completing the Budget Worksheet, please submit a narrative justification in a Word Document, in the name of County at the top of the page.

Note: One GIVE Initiative Budget worksheet (See Attachment 1: *GIVE Budget Worksheet*) and a narrative justification response, must be submitted for each jurisdiction requesting funding. Each agency is required to complete the appropriate section of the budget spreadsheet that references their agency, and must outline the specific budget requested to support each one of the evidence-based strategy categories listed in the budget spreadsheet with appropriate justification for each in a required budget narrative. Any requests for funded personnel must also be detailed in the "personnel" section of the budget spreadsheet, including salary and fringe costs.

When developing their budget narratives, jurisdictions are encouraged to use the below budget checklist to ensure that all information has been submitted to support the budget request. See attached SFY 2020-21 *GIVE Guidance and Funding* Document for allowable expenses and information.

- Does the budget request(s) comply with the funding restrictions set forth in the GIVE Plan Proposal Guidance document?
- Did each agency within the eligible jurisdiction complete the individual agency budget section on the combined county budget worksheet for the 12-month budget cycle?
- Are budget lines directly related to program institutionalization and sufficiently justified?
- Is there a clear relationship between the budgeted items and resource requirements identified in the submitted responses for your GIVE 2021-22 plan?
- Are the roles of budgeted personnel well defined and essential to the strategy to reduce shootings and homicides, or aggravated assaults where applicable?



- Is the time allotment specified for proposed personnel commensurate with the amount of funding requested for that position?
- Are non-personnel service items essential and directly related to the GIVE Strategy?
- Are budgeted amounts reasonable and calculated based on adequate supporting detail (e.g., number of hours worked, hourly rates, percent-of-effort (FTEs), fringe rates, unit costs, etc.)?
- Is there sufficient detail about requests for overtime to conduct operations?

As stated above, one GIVE Initiative Budget worksheet (see Attachment) along with a complete narrative justification budget response, must be submitted for each jurisdiction requesting funding. Each agency is required to complete the appropriate section of the budget spreadsheet that references their agency, and must outline the specific budget requested to support each one of the evidence-based strategy categories listed in the budget spreadsheet with appropriate justification for each in a required budget narrative.

Attachment #1: SFY 2020-21 *GIVE Guidance and Funding* Document for reference and information

Attachment #2: *GIVE Budget Worksheet* (Note: Also, submit a separate narrative justification document to accompany this Worksheet)

Albany County Probation Department - \$137,005.00

½ Time Field Intelligence Officer: \$36,735.00 (\$26,268.00 Salary + \$10,467.00 Fringe)

One ½ time Probation Officer will be assigned as a Field Intelligence Officer to the Capital Region Crime Analysis Center. The FIO will focus on probationers and enhance gun related intelligence for all GIVE partners. The FIO attends all weekly crime meetings and assists with the GVI strategy by providing intelligence regarding individuals who may be involved in a GVI enforcement action.

Probation Officer: \$73,270.00 (\$52,336.00 Salary + \$20,934.00 Fringe)

One Full- time Probation Officer is assigned to GIVE related strategies and initiatives. The officer works directly with the Albany Police Department's Enhanced Supervision and TRaC units to oversee probationers identified through VOID. The Probation Officer also assists in the monitoring of group members that may be engaged in activities that are likely to lead to gun violence, but have not yet scored high enough for inclusion on the VOID list. The Probation Officer is also instrumental to the GVI strategy by assisting in the selection of individuals who attend the Call-In, participating in Custom Notifications, and assisting in carrying out Probation-related sanctions for individuals who are the target of GVI enforcement actions. The Probation Officer participates in the GVI Operational Group and attends all weekly crime meetings. Enhanced supervision of these offenders includes, field contacts, special details (ie. concerts and basketball games), home visits, curfew checks, increased reporting, GPS monitoring, routine searches, school dismissal and a variety of other site visits. The Probation Officer assists those threatened by gun violence to ensure safety while maintaining accountability.

Overtime: \$15,000.00

Hot-Spot Policing - \$10,000.00 – Albany County Probation in coordination with the Albany Police Department conducts home visits weekly for high-risk probationers, probationers on the VOID list, and group-involved probationers. These visits assure that all partners have the most current information regarding addresses, that probationers are abiding by all conditions, and also provide intelligence regarding who probationers are spending their free time with. Warrant sweeps are conducted jointly with APD, particularly in hotspots when Conflict Analysis is showing a hot area and when there is a rise in gun violence.

Focused Deterrence - \$5,000.00 – Albany County Probation participates in the GVI strategy. Overtime funds will be used for participation in Call-ins and Custom Notifications.

Ankle Bracelet Activation and Monitoring: \$12,000.00

At times it becomes necessary for individuals on the VOID list, or individuals who are identified members of a group who are also under the supervision of Probation to be monitored

via GPS ankle bracelets. An increasingly common practice for Albany County Probation, when used it allows for more stringent compliance with terms of probation and subsequent investigations. The GIVE funded Probation Officer offers recommendations for conditions relating to GPS for enhanced supervision and monitoring so that zero tolerance actions may be taken when offenders violate such conditions.

RESOLUTION NO. 300**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE GUN INVOLVED VIOLENCE ELIMINATION GRANT**

Introduced: 9/14/20

By Law Committee, Messrs. A. Joyce and Ward:

WHEREAS, The Director of the Albany County Probation Department has requested authorization to enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination (GIVE) grant in the amount of \$137,005 for the term commencing July 1, 2020 and ending June 30, 2021, and

WHEREAS, The Director has indicated that GIVE is a partnership between the Probation Department, New York State Division of Criminal Justice Services, the Albany County District Attorney's Office, and the City of Albany Police Department and that funding will be used to support limited overtime, GPS monitoring, one full-time Probation Officer, and one part-time Probation Officer, now, therefore be it.

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination (GIVE) grant in the amount of \$137,005 for a term commencing July 1, 2020 and ending June 30, 2021, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

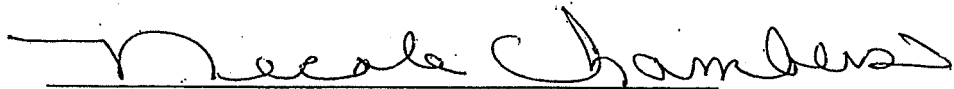
Adopted by unanimous vote – 9/14/20

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 14th day of September, 2020, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 16th day of September, 2020.



Clerk, Albany County Legislature

RESOLUTION NO. 152

AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES REGARDING THE GUN INVOLVED VIOLENCE ELIMINATION GRANT

Introduced: 5/10/21

By Law Committee:

WHEREAS, The Director of the Albany County Probation Department has requested authorization to enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination (GIVE) grant in the amount of \$137,005 for the term commencing July 1, 2021 and ending June 30, 2022, and

WHEREAS, The Director has indicated that GIVE is a partnership between the Probation Department, New York State Division of Criminal Justice Services, the Albany County District Attorney's Office, and the City of Albany Police Department and that funding will be used to support limited overtime, GPS monitoring, one full-time Probation Officer, and one part-time Probation Officer, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Division of Criminal Justice Services regarding the Gun Involved Violence Elimination (GIVE) grant in the amount of \$137,005 for a term commencing July 1, 2021 and ending June 30, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY of ALBANY
CRIME VICTIM and SEXUAL VIOLENCE CENTER
112 State Street, Room 1010
Albany, New York 12207-2077
Office: (518) 447-7100 Fax: (518) 447-7102
24-Hour Sexual Assault Hotline: (518) 447-7716
www.albanycounty.com/cvsvc
e-mail: cvsvc@albanycounty.com

KAREN ZIEGLER
DIRECTOR

April 2, 2021

Hon. Andrew Joyce, Chairman
Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

I am requesting permission to accept a grant award from NYS Office for the Prevention of Domestic Violence (NYS OPDV) for one year in the amount of \$142,856.00. This year, NYS is transferring this funding from NYS Department of Health to NYS OPDV. Under this Enough is Enough grant, CVSVC will continue to implement policies and procedures to respond and prevent sexual assault, domestic violence, dating violence and stalking on college and university campuses in New York State included funding for sexual assault prevention and assistance programs. The funding will support programs' efforts in providing prevention, education and direct victim services on campuses across the State. CVSVC will work with the colleges and universities in Albany County to provide services to all victims as well as prevention activities with the whole campus community. This funding is for the period May 1, 2021 through April 30, 2022.

Additional documentation is attached for your review.

I appreciate your consideration this matter.

Sincerely,

Karen Ziegler

cc: Dennis A. Feeney, Majority Leader
Frank A. Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Esq. Minority Counsel



County of Albany

Harold L. Joyce
Albany County Office
Building
112 State Street - Albany,
NY 12207

Legislation Text

File #: TMP-2388, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):

Contract between NYS Office for the Prevention of Domestic Violence and CVSVC for Enough is Enough funding

Date: April 2, 2021
Submitted By: K Ziegler
Department: CVSVC
Title: Director
Phone: 518-447-7100
Department Rep.
Attending Meeting: K Ziegler

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) Click or tap here to enter text.

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment
- ☐ Fringe
- ☐ Personnel

- ☐ Personnel Non-Individual
☐ Revenue

Increase Account/Line No.: Click or tap here to enter text.
Source of Funds: Click or tap here to enter text.
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Renewal

Submission Date Deadline 5/1/2021

- ☐ Settlement of a Claim
☐ Release of Liability
☐ Other: (state if not listed) Click or tap here to enter text.

Contract Terms/Conditions:

Party (Name/address):

NYS Office for the Prevention of Domestic Violence
80 South Swan Street
Albany, NY 12210

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$142,856.00

Scope of Services: A one year award to work with colleges and universities in Albany County to fulfill Enough is Enough efforts to prevent and respond to sexual assault on campuses. This grant supports the commitment to work together to provide trauma informed services to student and employee victims of sexual assault and to improve the overall response to sexual assault at colleges and universities in Albany County. The parties share the goal of preventing sexual assault on campus and in the community and responding appropriately to students and employees who have been victimized.

Bond Res. No.: Click or tap here to enter text.
Date of Adoption: Click or tap here to enter text.

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: NYS Enough is Enough legislation

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

County Budget Accounts:
Revenue Account and Line: A4610 03495
Revenue Amount: 142,856.00

Appropriation Account and Line: see attached spreadsheet
Appropriation Amount: 142,856.00

Source of Funding - (Percentages)
Federal: Click or tap here to enter text.
State: 100%
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term
Term: (Start and end date) 5/1/2021 - 4/30/2022
Length of Contract: 12 months

Impact on Pending Litigation Yes ☐ No ☒
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:
Resolution/Law Number: 433
Date of Adoption: 11/13/2017

Justification: (state briefly why legislative action is requested)

The Governor's Enough is Enough legislation requires institutions of higher learning to work closely with local sexual assault programs. CVSVC will work with the colleges and universities in Albany County to provide services to all victims as well as prevention activities with the whole campus community. The request is to accept the award, contracting with NYS OPDV immediately.

Good Morning:

I hope this note finds you well. As you know, the Enough is Enough (EiE) program is transferring from DOH to OPDV as of April 1, 2021. As a result of this transition, OPDV is in the process of developing new one-year contracts for all current vendors under the EiE program. These contracts will start on 5/01/2021 and will end on 4/30/2022. In order to ensure we are accurately reflecting the current landscape of programming for your agency, we would like you to submit a one-year budget that will be used to structure these new contracts.

Using the template attached, please outline a one-year budget for the contract period 5/01/21 – 4/30/22 for a total amount of **\$142,856.00**. Your budget cannot exceed this amount. Please submit your budget by **COB 3/31/21**.

We appreciate your responsiveness to this request and look forward to working with you as we move forward with this transition.

If you have any questions, please feel free to reach out.

Best,

Máire Cunningham

Pronouns: she/her/hers

Performance and Operations Administrator / Bureau of Finance & Administration

maire.cunningham@opdv.ny.gov / 518-457-5987

New York State Office for the Prevention of Domestic Violence

Alfred E. Smith Building, 80 S. Swan Street, Room 1157, Albany, NY 12210

Main: 518-457-5800

www.opdv.ny.gov



Personnel		% of cost
A 4610 11028 001 450001	Director	10
A 4610 11128 001 450002	Deputy Director	6
A 4610 12232 001 450003	Clinical Supervisor	10
A4610 12233 001 450025	CV Therapist Child	10
A 4610 12235 001 450005	CV Therapist 1	10
A4610 12233 001 450006	CV Therapist 2	10
A4610 12272 001 450026	Campus SA Services Coordinator	95
A 4610 12243 001 450029	Coordinator of Community Education	20
A 4610 12254 001 450020	Volunteer Coordinator	10
A 4610 12238 001 450018	Supervising CV Caseworker	10
A 4610 16401 002 450017	Confidential Secretary	10
A 4610 19982	On Call Pay	25
Contractual Expenses 44020 - 44903		
A4610 44020	Office Supplies	2
A4610 44021	Computer Supplies	2
A4610 44038	Travel	4
A4610 44039	Conferences	5
A4610 44042	Printing	10
A 4610 44041	Computer Fees	10
A410 44903	DGS Shared Services	10
Fringe 89010 - 89060		
A 4610 89010	State Retirement	18
A 4610 89030	FICA/Social Security	18
A 4610 89060	Health & Medical Insurance	18

RESOLUTION NO. 433

AUTHORIZING THE ACCEPTANCE OF GRANT FUNDING AND AN AGREEMENT WITH THE NEW YORK STATE DEPARTMENT OF HEALTH REGARDING THE NEW YORK STATE ENOUGH IS ENOUGH PROGRAM

Introduced: 11/13/17

By Law Committee and Mr. Clenahan:

WHEREAS, The Director of the Crime Victim And Sexual Violence Center (CVSVC) has requested authorization to enter into a three (3) year agreement with the NYS Department of Health regarding the Enough is Enough program in the amount of \$102,041 per year, for the period commencing May 1, 2018 and ending April 30, 2021, and

WHEREAS, The Director indicated that funding will be used to implement policies and procedures to respond and prevent sexual assault, domestic violence and stalking on college and university campuses, as well as sexual assault prevention and assistance programs, education, and direct victim services on campuses, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to execute a three (3) year agreement to accept funding from the NYS Department of Health regarding the Enough is Enough program in Albany County for the period commencing May 1, 2018 and ending April 30, 2021 in an amount not to exceed \$102,041 per year, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.

Adopted by unanimous vote. 11/13/17

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 13th day of November, 2017, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the
official seal of the County Legislature this 14th day of November, 2017.

A handwritten signature in dark ink, appearing to read "Paul J. Deane", is written over a horizontal line.

Clerk, Albany County Legislature

RESOLUTION NO. 153

**AUTHORIZING AN AGREEMENT WITH THE NEW YORK STATE OFFICE
FOR THE PREVENTION OF DOMESTIC VIOLENCE REGARDING THE
ENOUGH IS ENOUGH GRANT PROGRAM**

Introduced: 5/10/21

By Law Committee:

WHEREAS, The Director of the Albany County Crime Victim and Sexual Violence Center (CVSVC) has requested authorization to enter into an agreement with the New York State Office for the Prevention of Domestic Violence regarding the Enough is Enough grant program in the amount of \$142,856 for the term commencing May 1, 2021 and ending April 30, 2022, and

WHEREAS, The Director has indicated that the funding will allow CVSVC to continue partnering with colleges and universities in Albany County to provide prevention activities and direct victim services to students and employees, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with the New York State Office for the Prevention of Domestic Violence regarding the Enough is Enough grant program in the amount of \$142,856 for the term commencing May 1, 2021 and ending April 30, 2022, and, be it further

RESOLVED, That the County Attorney is authorized to approve said agreement as to form and content, and, be it further

RESOLVED, That the Clerk of the County Legislature is directed to forward certified copies of this resolution to the appropriate County Officials.