

Request for Contract Approval	
Request ID #	6393
Contract #	6493
Contract Type	B) CAB Contracts
Contract Action	A) New
Contract Action Type	
Department	D5110 - Maintenance Roads Buildings;#72;#3140 - Probation
Date submitted	8/2/21
Contact person	Ramundo, Lisa
Contact Phone	518-765-2055
Vendor	Creighton Manning Engineering, LLP
Estimated Amount	\$82,500
Estimated Term	10/1/21-11/30/22 (14 months)
Scope of Services	Design and Construction Inspection of Cr352 (Fox Creek Rd.) over Fox Creek in the Town of Rensselaerville. Bond HHT6 (Res. 519 11/12/19)
Budget Line Item	N/A
Fiscal Impact	County 100.00%
	State 0.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	Yes - RFP

Budget Analyst

Date

For Contract Board Use:

Date Approved

Daniel P. McCoy
Albany County Executive

Bruce A. Hidley
Albany County Clerk

Andrew Joyce, Chairman
Albany County Legislature



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.ALBANYCOUNTY.COM

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

MEMORANDUM

To: Hon. Daniel P. McCoy, County Executive
Hon. Andrew Joyce, Chairman of the Legislature
Hon. Bruce Hidley, County Clerk

From: Lisa M. Ramundo, Commissioner

Date: August 6, 2021

Re: Contract Request
For Design Services for CR352

The Public Works Department is requesting the approval to enter into a contract with Creighton Manning Engineering, LLP for the Design and Construction Inspection of CR352 (Fox Creek Rd.) over Fox Creek in the Town of Rensselaerville. The County Purchasing Agent received nine (9) proposals for this project. Our engineering staff reviewed the bids and recommended the award of this contract to the low bidder, Creighton Manning Engineering, LLP. The total contract amount shall not exceed \$82,500.00 (includes 10% contingency). We have decided to only award Design and Construction Support and bundle Construction Inspection in a separate contract with other projects.

The term of this contract will be from October 1, 2021 through November 30, 2022 (14 months). Bond HHT6 (Res. 519 11/12/19) will be used.

Please contact this office if further information is needed. Thank you.



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
Department of Public Works

FROM: Karen Storm *Karen*
Purchasing Agent

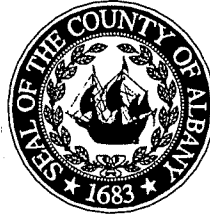
DATE: July 28, 2021

RE: RFP#221-084 Project 21-C570 CR352 Fox Creek road Over Fox Creek Bridge
Replacement Project Design and Construction Support Services

I am in receipt of your recommendation to award the aforementioned Request for Proposals to Creighton Manning Engineering, LLP in the amount of \$82,500.00.

I have reviewed your scoring sheets and believe that you have performed a thorough evaluation of the proposal(s) submitted. I have no objection to the selection of Creighton Manning Engineering, LLP for an award.

Please obtain the necessary contract approval of the Contract Administration Board so that we may issue a Notice of Award to the successful proposer.



DANIEL P. MCCOY
COUNTY EXECUTIVE

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LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

MEMORANDUM

To: Lisa M. Ramundo, Commissioner

From: Bill Anslow, Civil Engineer 

Date: July 27, 2021

RE: RFP #2021-084
Project #21-C570
CR352 (Fox Creek Road) over Fox Creek (BIN 3301400)
Bridge Replacement Project
Design & Construction Support Services

Attached please find the rating tally sheet for the subject project. After reviewing all nine (9) of the RFP's, we recommend the project be awarded to Creighton Manning Engineering, LLP on the basis of the best understanding of the scope of the project. We have decided to only award Design & Construction Support and bundle Construction Inspection in a separate contract with other projects. Total contract amount not to exceed \$82,500.00 (includes 10% contingency).

Please let me know if you have any questions.

WA:ld



DANIEL P. MCCOY
COUNTY EXECUTIVE

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DEPARTMENT OF PUBLIC WORKS
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LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

RECOMMENDATION NOTICE

To: Karen Storm, Purchasing Agent

From: Lisa Ramundo, Commissioner 

Date: July 27, 2021

RE: RFP #2021-084
Project #21-C570
CR352 (Fox Creek Road) over Fox Creek (BIN 3301400)
Bridge Replacement Project
Design & Construction Support Services

Upon review of the nine (9) proposals that were received regarding the aforementioned project, I would like to recommend Creighton Manning Engineering, LLP, for the award in the amount not to exceed \$82,500.00 (includes 10% contingency). We have decided to only award Design & Construction Support and bundle Construction Inspection in a separate contract with other projects.

I have attached a copy of our Engineering Divisions recommendation along with the rating sheets.

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

LMR:ld

RATING SHEET
RFP 2021-084
CR 352 (Fox Creek Rd) over Fox Creek
(BIN 3301400) Bridge Replacement Project

	COLLIERS ENGINEERING & DESIGN	GREGG HON MANNING ENGINEERING	ROIT-ALBERT ASSOCIATES	GPI	ME ENGINEERING & LAND SURVEYING	Barton and Loguidice	JMT	KSE	G&S
Bill	8.125	9.175	8.200	9.150	9.200	8.95	7.45	8.525	8.4
Lisa	8.475	9.325	7.550	8.800	9.050	8.1	7.6	8.825	7.85
Tony	8.625	9.075	8.400	8.250	8.400	8.65	7.85	8.375	8.2
Totals	25.225	27.575	24.150	26.200	26.650	25.700	22.900	25.725	24.450
Average	8.408	9.192	8.050	8.733	8.883	8.567	7.633	8.575	8.150
Rank	6	1	8	3	2	5	9	4	7

EVALUATION SCORE SHEET
RFP 2021-084

Design + Inspection Services
CR 352 (Fox CreekRd) over Fox Creek (BIN 3301400) Bridge Replacement Project

PROPOSER	Criteria	Galliers Engineering	Greighton Manning	Fritz/Albert	GPI	MU ENGINEERING	Barton and Loguidice	JMT	KSE	G&S									
	Weight																		
Proposer's Comprehension of required work; Scope of Services	20%	8.5	1.700	8.5	1.700	9.5	1.900	9	1.800	9	1.800	10	2.000	10	2.000				
	Prior Experience in similar projects	20%	7	1.400	8.5	1.700	10	2.000	10	2.000	8	1.600	9	1.800	9	1.800			
Total Proposed Price	25%	8.5	2.125	9.5	2.375	4	1.000	9	2.250	10	2.500	7	1.750	5	1.250	7.5	1.875	6	1.500
Ability to keep project on schedule and within budget (Include examples and a proposed schedule)	20%	7	1.400	10	2.000	9	1.800	8	1.600	9	1.800	10	2.000	6	1.200	8	1.600	8	1.600
Proposed Project Staffing (Evaluation of Employee's Resumes)	10%	10	1.000	9	0.900	10	1.000	10	1.000	10	1.000	10	1.000	10	1.000	10	1.000	10	1.000
Client References	5%	10	0.500	10	0.500	10	0.500	10	0.500	10	0.500	10	0.500	10	0.500	10	0.500	10	0.500
		8.125	9.175	8.200	9.150	9.200	8.950	7.450	8.575	8.400									

BA

Name: Bill Auslow Date: 7/22/21

EVALUATION SCORE SHEET
RFP 2021-084
Design + Inspection Services
CR 352 (Fox CreekRd) over Fox Creek (BIN 3301400) Bridge Replacement Project

PROPOSER	Weight	Colliers Engineering	Greif Bros Manning	For Allert	GPI	MTJ ENGINEERING	Brown and Leggett	JWT	KSE	C&S					
Criteria															
Proposer's Comprehension of required work's Scope of Services	20%	7	1,400	10	2,000	8	1,600	8	1,600	7	1,400	10	2,000	9	1,800
Prior Experience in similar projects	20%	9	1,800	9	1,800	9	1,800	9	1,800	9	1,800	9	1,800	9	1,800
Total Proposed Price	25%	8.5	2,125	9.5	2,375	4	1,000	9	2,250	10	2,500	7	1,750	5	1,500
Ability to keep project on schedule and within budget (include examples and a proposed schedule)	20%	9	1,800	9	1,800	9	1,800	9	1,800	9	1,800	9	1,800	7	1,400
Proposed Project Staffing (Evaluation of Employee's Resumes)	10%	9	0,900	9	0,900	9	0,900	9	0,900	9	0,900	9	0,900	9	0,900
Client References	5%	9	0,450	9	0,450	9	0,450	9	0,450	9	0,450	9	0,450	9	0,450
		8,475	9,325	7,550	8,800	9,050	8,100	7,600	8,825	7,850					

Name: LISA RAMUNO Date: 7/22/21

RFP #2021-084

CR 352 (Fox Creek Road) over Fox Creek (BIN 3301400) Bridge Replacement Project

Design Construction and Inspection

Vendor	FA	Collier	B & L	GPI	JMT
Design	\$242,000.00	\$82,000.00	\$89,900.00	\$78,500.00	\$122,500.00
10%	\$24,200.00	\$8,200.00	\$9,000.00	\$7,850.00	\$12,250.00
Construction Inspection	\$84,600.00	\$110,000.00	\$125,000.00	\$130,000.00	\$121,900.00
Testing	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
TOTAL PROJECT COST	\$358,800.00	\$208,200.00	\$231,900.00	\$224,350.00	\$264,650.00

(Continued on page 2)

Vendor	CME	C & S	KSE	MJ
Design	\$75,000.00	\$112,000.00	\$88,822.00	\$73,000.00
10%	\$7,500.00	\$11,200.00	\$8,882.00	\$7,300.00
Construction Inspection	\$125,000.00	\$118,500.00	\$100,000.00	\$99,000.00
Testing	\$8,000.00	\$8,000.00	NO TESTING INCLUDED	\$8,000.00
TOTAL PROJECT COST	\$215,500.00	\$249,700.00	\$197,704.00	\$187,300.00

**NOTICE TO PROPOSERS -- ALBANY COUNTY
REQUEST FOR PROPOSALS #2021-084**

Sealed Proposals for Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project as requested by Albany County Department of Public Works, will be received by the Albany County Purchasing Agent, Room 1000, 112 State Street, Albany, New York 12207 until 4:30 PM, local time on Thursday, July 8, 2021.

Request for Proposal (RFP) documents may be obtained at the office of the Albany County Purchasing Agent, as noted above. RFP documents may be available for download from the Empire State Bid System website at <http://www.empirestatebidsystem.com>, starting by close of business (4:30 p.m.) on (June 10, 2021).

Karen A. Storm
Purchasing Agent

Dated: June 4, 2021
Albany, New York

PUBLISH ONE DAY – JUNE 10, 2021 -- THE EVANGELIST
PUBLISH ONE DAY – JUNE 10, 2021 -- THE TIMES UNION

COUNTY OF ALBANY

Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project

RFP#2021-084

ADDENDUM #1

June 21, 2021

The following Addendum No. 1 consisting of two (2) pages (including this cover page) is hereby issued on the 21st day of June 2021, in connection with the Request for Bids#2021-084 Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project as requested by the Albany County Department of Public Works.

COUNTY OF ALBANY

RFB #2021-084

Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN
3301400) Bridge Replacement Project

ADDENDUM #1

The following information is provided as a result of a question(s) posed by vendor(s):

ITEM #1: The subject RFP refers to an attached site location map however no such map was attached to the RFP. Can the map be made available via addendum?

Answer: Yes, please see attached map that was omitted from the original Request for Proposal.

End of Addendum #1

COUNTY OF ALBANY

Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project

RFP#2021-084

ADDENDUM #2

June 23, 2021

The following Addendum No. 2 consisting of two (2) pages (including this cover page) is hereby issued on the 23rd day of June 2021, in connection with the Request for Bids#2021-084 Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project as requested by the Albany County Department of Public Works.

COUNTY OF ALBANY

RFP #2021-084

Design and Construction Inspection Services for CR352 (Fox Creek Rd.) over Fox Creek (BIN 3301400) Bridge Replacement Project

ADDENDUM #2

The following information is provided as a result of a question(s) posed by vendor(s):

ITEM #1: Question: What is the funding source for this project?

Answer: This project is 100% County Funded..

ITEM#2: Question: Is it the intent of the County, that the consultant provide for the preparation of a NYSDOT Design Report?

Answer: The consultant shall provide a design report document, not to the level of a full blown NYSDOT design report that would be required for a federally funded project.

ITEM#3: Question: Is the latest bridge inspection report available for review? If so, how may we obtain a copy?

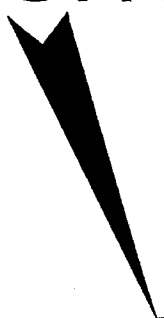
Answer: The most recent inspection report from 2019 is available to view by appointment at the Albany County Department of Public Works.

End of Addendum #2

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SITE



352

PRESTON
HOLLOW

145

Fox Creek Rd

Fox Creek Rd

352

SITE LOCATION

N 42.445451

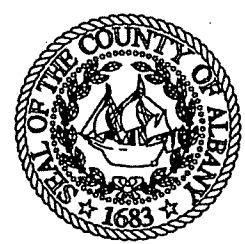
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(NOT TO SCALE)

ALBANY COUNTY
DEPT. OF PUBLIC WORKS
HIGHWAY ENGINEERING DIVISION

CR 352 BIN. 3301400

TOWN OF RENSSELAERVILLE



RESOLUTION NO. 519

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,920,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,920,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 11/12/19

By Audit and Finance Committee:

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, as further described in the 2020 Capital Plan in the County's 2020-2024 Capital Program, as amended and supplemented (hereinafter referred to as the "Capital Program"). 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 \$950,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$950,000 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 \$950,000 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 \$950,000 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$1,282,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,282,000 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 \$1,282,000 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 \$1,282,000 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$1,255,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,255,000 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 \$1,255,000.

The periods of probable usefulness of the class of objects or purposes herein authorized and for which \$1,255,000 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 in excess of \$30,000, fifteen (15) years and (b) for equipment having a cost in excess of \$15,000, but less than or equal to \$30,000, ten (10) years.

Section 4. The County is hereby authorized to construct and reconstruct Watervliet-Shaker Road 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$433,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$433,000 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 \$433,000 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 \$433,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(62) 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 \$3,920,000 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) 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.

(b) 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.

(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) 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 4 constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(24) and (27), and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to that project.

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, Bullock, Burgdorf, Cahill, Ms. Chapman, Messrs. Clay, Commisso, Crouse, Ms. Cunningham, Messrs. Dawson, Domalewicz, Drake, Ethier, Feeney, Fein, Frainier, Grimm, Hogan, A. Joyce, R. Joyce, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McKnight, McLean Lane, Messrs. Miller, Peter, Ms. Plotsky, Messrs. Reinhardt, Simpson, Smith, Stevens, Tunny, Ward and Ms. Willingham - 36

Those opposed - 0

Resolution was adopted - 11/12/19

Request for Contract Approval	
Request ID #	6383
Contract #	6483
Contract Type	B) CAB Contracts
Contract Action	A) New
Contract Action Type	
Department	D5110 - Maintenance Roads Buildings
Date submitted	7/19/21
Contact person	Ramundo, Lisa
Contact Phone	518-765-2055
Vendor	JC Smith, Inc.
Estimated Amount	\$45,580
Estimated Term	8/1/21-8/1/22 (1 year)
Scope of Services	The purchase of Reflective Roll Up Signs Bond HHT35197 (Res. 565 12/5/13)
Budget Line Item	N/A
Fiscal Impact	County 100.00%
	State 0.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	Yes - BID

Budget Analyst

Date

For Contract Board Use:

Date Approved

Daniel P. McCoy
Albany County Executive

Bruce A. Hidley
Albany County Clerk

Andrew Joyce, Chairman
Albany County Legislature



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.ALBANYCOUNTY.COM

LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

MEMORANDUM

To: Hon. Daniel P. McCoy, County Executive
Hon. Andrew Joyce, Chairman of the Legislature
Hon. Bruce Hidley, County Clerk

From: Lisa M. Ramundo, Commissioner 

Date: July 16, 2021

Re: Contract Request
RFB#2021-100 Reflective Rollup Signs

The Public Works Department respectfully requests approval for the purchase of various Reflective Rollup Signs from JC Smith Inc. for a total amount not to exceed \$45,580.00. JC Smith was low bidder for RFB#2021-10 put out by the Albany County Purchasing Dept. Bond HHT35197 (Resolution 565 12/5/2013) will be used for the cost of this project.

The Reflective Rollup Signs are used on jobsites throughout the County to warn motorists of work being done, road conditions and for flagging.

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



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 M. RAMUNDO, PE
Department

FROM: Karen Storm - *K Storm*
Purchasing Agent

DATE: July 16, 2021

RE: RFB #2021-100

I am in receipt of your recommendation to award the aforementioned Request for Bids to JC Smith Inc. in the amount of \$45,580.00.

As JC Smith Inc. is the low responsive and responsible bidder, I concur with your recommendation.

Please obtain the necessary contract approval of the Contract Administration Board, 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) 447-7047
WWW.ALBANYCOUNTY.COM

LISA M. RAMUNDO, PE
COMMISSIONER

Recommendation

TO: Karen Storm, Purchasing Agent
FROM: Lisa M. Ramundo, Commissioner
DATE: July 16, 2021
RE: RFB #2021-100
Reflective Roll Up Signs

I have reviewed the three (3) results of the above referenced bid and would like to recommend the low bidder, JC Smith Inc. be awarded this bid.

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

Thank you.

RFB#2021-100			JC Smith Inc	
Reflective Roll Up Signs		Estimated Quantities	Price Each	JC Smith Inc Total
Milled Roadway	72		\$48.50	\$3,492.00
Bump	72		\$48.50	\$3,492.00
No Center Line	72		\$48.50	\$3,492.00
Uneven Lanes	72		\$48.50	\$3,492.00
W8-17 (Symbol) sholder drop off	72		\$48.50	\$3,492.00
#TDZRS Zephyr Rubber Base Stands	380		\$74.00	\$28,120.00

RFB#2021-100				
Reflective Roll Up Signs			<u>Garden State</u>	<u>Garden State</u>
		Estimated Quantities	Price Each	Total
Milled Roadway		72	\$135.25	\$9,738.00
Bump		72	\$135.25	\$9,738.00
No Center Line		72	\$135.25	\$9,738.00
Uneven Lanes		72	\$135.25	\$9,738.00
W8-17 (Symbol) sholder drop off		72	\$135.25	\$9,738.00
#TDZRS Zephyr Rubber Base Stands		380	\$214.93	\$81,673.40

RFB#2021-100				
Reflective Roll Up Signs			<u>Safety Zone</u>	<u>Safety Zone</u>
		<u>Estimated Quantities</u>	<u>Price Each</u>	<u>Total</u>
Milled Roadway	72		\$86.50	\$6,228.00
Bump	72		\$86.50	\$6,228.00
No Center Line	72		\$86.50	\$6,228.00
Uneven Lanes	72		\$86.50	\$6,228.00
W8-17 (Symbol) sholder drop off	72		\$86.50	\$6,228.00
#TDZRS Zephyr Rubber Base Stands	380		\$112.00	\$42,560.00

RESOLUTION NO. 565

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, ADOPTED DECEMBER 5, 2013, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$11,858,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$11,858,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 12/5/13

By Audit and Finance Committee:

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 in fiscal year 2014, 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, as further described in the County's Capital Program, as amended and supplemented (hereinafter referred to as the "Capital Program"). 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 \$11,010,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$11,010,000 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 \$11,010,000 to pay the cost of the capital project. As described in the Capital Plan, the plan of financing also includes the receipt by the County of funding from federal, state and local sources to pay the balance of any costs of the capital project and/or to reimburse the County of such costs initially financed by the County.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$11,010,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00 a. 20 (d) and (e) of the New York Local Finance Law (the "Law"), is fifteen (15) years.

Section 2. The County is hereby authorized to construct and reconstruct various bridges in Albany County, New York in fiscal year 2014, 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, as further described in the County's Capital Program. 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 \$77,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$77,000 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 \$77,000 to pay the cost of the capital project. As described in the Capital Plan, the plan of financing also includes the receipt by the County of funding from federal, state and local sources to pay the balance of any costs of the capital project and/or to reimburse the County of such costs initially financed by the County.

The period of probable usefulness of the class of objects or purposes herein authorized and for which \$77,000 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-trucks, light trucks and various other equipment in fiscal year 2014, as further described in the County's Capital Program. The estimated maximum cost of said specific object or purpose, 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 \$771,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$771,000 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 \$771,000.

The periods of probable usefulness of the class of objects or purposes herein authorized and for which \$771,000 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 in excess of \$30,000, fifteen (15) years, and (b) for equipment having a cost in excess of \$15,000, but less than or equal to \$30,000, ten (10) years.

Section 4. Serial bonds (and bond anticipation notes in anticipation of the issuance of such serial bonds) in the aggregate principal amount not to exceed \$11,858,000 to finance said appropriation are hereby authorized to be issued pursuant to the provisions of the Law.

Section 5. 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 the bonds authorized by this resolution will exceed five (5) years.

Section 6. 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 7. 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 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 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 8. 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 9. 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 10. By separate resolution or resolutions, the County has complied with the provisions of the State Environmental Quality Review Act ("SEQRA") with respect to each portion of the capital project described in this resolution as follows: the County has, as the case may be, (a) issued a negative declaration (or declarations) determining that such portions of the capital project described in this resolution will not have a significant effect on the environment, or (b) determined that such portions of the capital project described in this resolution are either exempt actions or Type II actions under SEQRA.

Section 11. 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 4 of this resolution. This resolution shall constitute the declaration of the County's "official intent" to reimburse the expenditures authorized by Sections 1, 2 and 3 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

Section 12. 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) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) 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
- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 13. 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 Evangelist and the Times Union, newspapers designated as the official newspapers of the County for such publication.

On roll call vote the following voted in favor: Ms. Benedict, Messrs. Beston, Bullock, Ms. Busch, Mr. Carman, Ms. Chapman, Messrs. Clay, Clenahan, Commisso, Ms. Connolly, Messrs. Corcoran, Cotrofeld, Crouse, Dawson, Domalewicz, Feeney, Higgins, Hogan, Jacobson, Joyce, Mss. Kinsch, Lockart, Mr. Mackey, Ms. Maffia-Tobler, Mr. Mayo, Mss. McKnight, McLean Lane, Messrs. Mendick, Morse, Nichols, O'Brien, Rahm, Reilly, Stevens, Tunny and Ward – 36.

Those opposed: - 0.

Resolution was adopted. 12/5/13

Request for Contract Approval	
Request ID #	6382
Contract #	6482
Contract Type	B) CAB Contracts
Contract Action	B) Amendment
Contract Action Type	
Department	D5110 - Maintenance Roads Buildings
Date submitted	7/16/21
Contact person	Ramundo, Lisa
Contact Phone	518-765-2055
Vendor	KS Engineers, PC
Estimated Amount	\$6,605
Estimated Term	8/1/2020-11/30/2021 (16 months)
Scope of Services	Supplemental Agreement to Contract 5692 for additional work to complete the replacement of the culvert on CR412 (Airport Rd.). The Supplemental will add an additional cost of \$6,605.00 to the original contract for a new contract amount of \$61,310.00. Bond HHT6 will be used for this project.
Budget Line Item	N/A
Fiscal Impact	County 100.00%
	State 0.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	N/A

Budget Analyst

Date

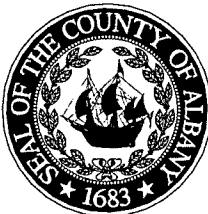
For Contract Board Use:

Date Approved

Daniel P. McCoy
Albany County Executive

Bruce A. Hidley
Albany County Clerk

Andrew Joyce, Chairman
Albany County Legislature



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
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LISA M. RAMUNDO
COMMISSIONER

SCOTT D. DUNCAN
DEPUTY COMMISSIONER

MEMORANDUM

To: Hon. Daniel P. McCoy, County Executive
Hon. Andrew Joyce, Chairman of the Legislature
Hon. Bruce Hidley, County Clerk

From: Lisa M. Ramundo, Commissioner *LR*

Date: July 13, 2021

Re: Contract Request -For a Supplemental Agreement with KS Engineers for Additional Design Work on CR412 (Airport Rd.) over Hannacrois Creek Culvert Replacement

The Public Works Department respectfully requests approval to for a Supplemental Agreement to Contract 5692 for additional work to complete the hydraulic analysis for the replacement of culvert #2 on CR412 (Airport Rd.) over Hannacrois Creek due to the need to upsize the existing culvert to a bridge. This is a change in scope that requires a HEC-RAS hydraulic model and scour assessment and countermeasure design for said culvert.

KS Engineers has obtained a price for this proposed work from Shumaker Consulting Engineering & Land Surveying D.P.C. the cost is a lump sum fee of \$6,605.00. The new contract amount will be \$61,310.00. The work is necessary in order to proceed with the design of the new bridge.

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



July 1, 2021

SCE Project No.: 20123

Mr. Ajay Kumar
Senior Project Manager
KS Engineers, P.C.
1279 Route 300, Suite 3
Newburg, NY 12550

**Re: CR412 (Airport Rd.) Over Hannacrois Creek 2 Sites: Culvert Replacement Project
Supplemental No. 1**

Dear Mr. Kumar:

Shumaker Consulting Engineering and Land Surveying, D.P.C., (SCE) is pleased to present this Supplemental Agreement No. 1 to KS Engineers for revisions to the Hydrologic and Hydraulic (H&H) task for Culvert #2 based on the need to design the crossing as a bridge opening.

I. JUSTIFICATION

Additional work will be required to complete the H&H analysis for the replacement of Culvert #2 on CR412 (Airport Rd.) over Hannacrois Creek located in the Town of Westerlo due to the need to upsize the culvert to a bridge. The original scope of work included HY-8 hydraulic analysis for both crossings. However, HY-8 analysis is not an acceptable modeling approach for a bridge opening. As such, a HEC-RAS hydraulic model and scour assessment and countermeasure design is required for Culvert #2.

II. SCOPE OF SERVICES

TASK 1 – H&H ANALYSIS

SCE will complete the hydraulic analysis for proposed conditions using the US Army Corps of Engineers HEC-RAS, Version 6.0 computer model to develop 50-, 100-, and 500-year water surface profiles. The project is not located within a FEMA studied reach, as such SCE will establish an existing conditions model and calibrate water surface elevations with observed data, as available. SCE will analyze no more than two (2) rudimentary alternative bridge designs to achieve compliance with the hydraulic design criteria as noted in the NYSDOT Bridge Manual. Only those proposed alternatives that meet these requirements will be considered for final design. The stated hydraulic design criteria are:

- The proposed structure shall not raise the water surface elevations anywhere when compared to the existing conditions for both the 50-year and 100-year flows.
- The proposed low chord shall not be lower than the existing low chord.
- A minimum of 2 feet of freeboard for the projected 50-year is required for the proposed structure.

- A minimum of 0 feet of freeboard for the projected 100-year is required for the proposed structure.
- The maximum skew of the pier (if any) to the flow shall not exceed 10 degrees.

The existing conditions model will be altered to incorporate the proposed rudimentary alternative design and the results compared to the existing model to determine compliance with stated hydraulic design criteria. When a final bridge design is selected, the proposed HEC-RAS model will be finalized to show compliance with stated hydraulic design criteria.

SCE will prepare a brief, one page summary of the H&H analysis and scour assessment.

TASK 2 – SCOUR ASSESSMENT AND COUNTERMEASURE DESIGN

SCE will complete a detailed scour assessment and countermeasure design using results of the HEC-RAS 1D analysis and procedures recommended in FHWA's HEC-18 *Evaluating Scour at Bridges*, latest edition. Scour calculations will be automated using the NYSDOT excel scour spreadsheet, if appropriate. Geotechnical boring logs and reports will be provided to support the calculation of scour depths. Scour depths and stone fill size recommendations are included in the scope of work.

III. TECHNICAL ASSUMPTIONS

1. Geotechnical data required for the scour assessment will be provided by others.
2. A Hydraulic Justification Report is not included.
3. A NYSDOT Hydraulic Data Table is not included.

IV. COMPENSATION FOR SCOPE OF SERVICES

The compensation for the Scope of Services described in Section II of this proposal is a lump sum fee of **\$6,605** (including project expenses).

Additional services beyond the Scope of Services will be considered extra work and will necessitate additional compensation. Payment of the work completed will be due monthly on the basis of percentage complete statements submitted by SCE for the work performed during the period of service.

V. TIME OF COMPLETION

The scope of services will be completed within a mutually agreed upon period of time.

VI. STANDARD TERMS AND CONDITIONS

Terms and conditions from the original agreement will apply.

If this offer of services is acceptable, please sign this letter in the space provided and return to Shumaker Consulting Engineering and Land Surveying, D.P.C. This offer will be open for acceptance until December 31, 2021.

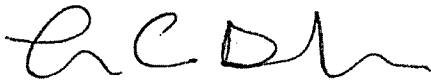
CR 412 (Airport Rd.) Over Hannacrois Creek 2 Sites:
Culvert Replacement Project Supplemental No. 1

July 1, 2021
Page 3 of 3

We appreciate the opportunity to submit this proposal. If there are any questions or you need additional information, please contact us at (607) 798-8081.

Very truly yours,

**SHUMAKER CONSULTING ENGINEERING
AND LAND SURVEYING, D.P.C.**



Lisa C. Dolphin, P.E.
Senior Managing Engineer

ACCEPTED AND APPROVED

Signature

Name (Printed)

Title

Date

PROFESSIONAL SERVICE AGREEMENT
BETWEEN THE COUNTY OF ALBANY
AND KS ENGINEERS, PC
FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES
FOR CR412 (AIRPORT ROAD) OVER HANNACROIS CREEK
CULVERT REPLACEMENT PROJECT (AT TWO SITES)

CONTRACT NO. 5692 FOR 2020

This Agreement is made by and between the County of Albany, a municipal corporation, acting by and through its County Executive, with its principal place of business located at the Albany County Office Building, 112 State Street, Albany, New York 12207-2021 (hereinafter called the "County") and KS Engineers, P.C., a New Jersey professional corporation, with its principal place of business located at Route 300, Suite 3, Newburgh, NY 12550 (hereinafter called the "Consultant," and, together with the County, may be referred to as the "[P]arties").

WHEREAS, the County has issued a request for proposals for design and construction inspection services for CR412 (Airport Rd.) over Hannacrois Creek Culvert Replacement Project for the Albany County Department of Public Works (hereinafter called "DPW"), said request having been denominated as RFP #2020-062, and having been issued by the Albany County Purchasing Division (hereinafter called the "Purchasing Division") on April 24, 2020, and published on April 30, 2020 and May 7, 2020 (hereinafter called the "RFP"); and

WHEREAS, The County issued an Addendum to the RFP on May 15, 2020 (hereinafter called the "Addendum"); and

WHEREAS, the Consultant has submitted a proposal dated May 21, 2020 to provide the aforesaid design and construction administration services (hereinafter called the "Proposal"); and

WHEREAS, the County has accepted the proposal of the Consultant to provide the aforesaid design and construction administration services; and

WHEREAS, this Agreement sets forth the understanding reached by the parties herein; and

NOW, THEREFORE THE PARTIES HERETO DO MUTUALLY COVENANT AND AGREE AS FOLLOWS:

ARTICLE 1. THE CONTRACT DOCUMENTS: INTERPRETATION

- 1.1 The Contract Documents consist of the following: this Agreement; the RFP, which is incorporated by reference and made a part hereof; the Addendum, which is incorporated by reference and made part hereof; and the Proposal, which is incorporated by reference and made a part hereof (collectively called "the Agreement").
- 1.2 In the event of any discrepancy, disagreement or ambiguity among the contract documents, the documents shall be given preference in the following order to interpret and to resolve such discrepancy, disagreement or ambiguity: 1) this Agreement; 2) the RFP; 3) the Addendum; 4) the Proposal.

ARTICLE 2. SCOPE OF SERVICES

- 2.1 The project is the CR412 (Airport Road) over Hannacrois Creek Culvert Replacement Project (hereinafter called the "[p]roject").
- 2.2 The Consultant shall provide complete design and construction inspection services for the project as described in the RFP at SECTION 4: SCOPE OF SERVICES, pages RFP-3 through RFP-6. The Consultant shall comply with all of the provisions contained in the RFP, including, but not limited to, those at Subsection 4.24 (PROPOSAL CONDITIONS AND ASSUMPTIONS), on pages RFP-5 and RFP-6.
- 2.3 In addition to the services described in Paragraph 2.2, above, the Consultant shall also provide the services described in the proposal, in a manner consistent with the terms, conditions and assumptions described in the RFP.
- 2.4 While providing any of the services described above at/on the project site, the Consultant and its employees, agents, etc., shall follow all Covid-19 and Social Distancing requirements of the County; the State of New York, including, but not limited to, the Governor's executive orders and the Empire State Development Corporation's guidelines and requirements; and the federal government, and the Consultant shall be subject to the provisions of the County's Local Emergency Order re Covid-19 and all supplements/renewals to said order.
- 2.5 The Consultant shall render all services in a professional manner.

ARTICLE 3. COMPENSATION

- 3.1 In consideration of the terms and obligations of this Agreement, the County agrees to pay, and the Consultant agrees to accept, FIFTY FOUR THOUSAND SEVEN HUNDRED FIVE AND 00/100 DOLLARS (\$54,705.00) as full compensation for all services rendered under this Agreement.
- 3.2 The parties agree that the dollar amount identified in Paragraph 3.1 of this Agreement includes all expenses incurred providing the services and all travel costs, parking fees, overhead costs, profit and any other ancillary fees and costs including, but not limited to, permits, licenses and insurance.

ARTICLE 4. PAYMENT

Payment shall be made to the Consultant by the County on a monthly basis upon the Consultant's submission of a properly executed invoice, plus all supporting documentation, to the Commissioner for DPW.

ARTICLE 5. TERM OF AGREEMENT

The term of this Agreement shall commence on August 31, 2020 and continue in effect until November 30, 2021.

ARTICLE 6. TERMINATION OF AGREEMENT; REMEDY FOR BREACH

- 6.1 This Agreement may be terminated by the County or the Consultant as follows:

6.1.1 The County may terminate this Agreement if the Consultant refuses or fails to supply enough properly skilled workers or proper materials to meet any of its requirements, if the Consultant fails to make payment to County-approved subcontractors for materials or labor, or disregards laws, ordinances or rules and regulations or orders of a public entity having jurisdiction over the work, or if the Consultant is substantially in breach of any of its provisions. Additionally, the County may, without cause, order the Consultant in writing, to suspend, delay or interrupt the work in whole or in part for such period of time as the County may determine.

6.1.2 The Consultant may terminate this Agreement if the County is substantially in breach of it.

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

ARTICLE 7. ASSIGNMENT

7.1 The Consultant specifically agrees as required by Section 109 of the N.Y. General Municipal Law that the Consultant is prohibited from assigning, transferring, conveying, subcontracting or otherwise disposing of this Agreement, or of the Consultant's right, title, or interest therein, without the prior written consent of the County.

7.2 The Consultant shall not subcontract for any portion of the services required under this Agreement without the prior written approval of the County. Any such subcontractor shall be subject to the terms and conditions of this Agreement and any additional terms and conditions the County may deem necessary or appropriate.

ARTICLE 8. AVAILABLE DATA

All technical or other data relative to this Agreement in the possession of the County or in the possession of the Consultant shall be made available to the other party to this Agreement without expense to the other party.

ARTICLE 9. COOPERATION

The Consultant shall cooperate with representatives, agents and employees of the County and the County shall cooperate with representatives, agents and employees of the Consultant to the end that work may proceed expeditiously and economically.

ARTICLE 10. NON-DISCRIMINATION

In accordance with Article 15 of N.Y. Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Consultant agrees that neither it nor any of its County-approved subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics or marital status refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

ARTICLE 11. RELATIONSHIP

The Consultant is, and shall function as, an independent consultant under the terms of this Agreement and shall not be considered an agent or employee of the County for any purpose. The employees and agents of the Consultant shall not in any manner be, or be held out to be, agents or employees of the County.

ARTICLE 12. INDEMNIFICATION

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

ARTICLE 13. NON-APPROPRIATIONS

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

ARTICLE 14. APPLICABLE LAW

The laws of the State of New York shall govern this Agreement. The designated venue is Albany, New York.

ARTICLE 15. RECORDS

- 15.1 The Consultant shall maintain complete and proper accounting records that shall clearly identify all costs associated with and revenue derived from the work performed under this Agreement.
- 15.2 The Consultant shall provide the County and authorized State and/or Federal personnel access to any and all books, documents, records, charts, software or any other information relevant to performance under this Agreement, immediately upon request.
- 15.3 The Consultant shall retain all of the above information for six (6) years after final payment or the termination of this Agreement, and shall make such information available to the County, and authorized State and/or Federal personnel during such period.

ARTICLE 16. INSURANCE

- 16.1 The Consultant shall procure and maintain for the entire term of this Agreement, without additional expense to the County, insurance policies of the kinds and in the amounts provided in the Schedule A attached hereto and made a part hereof. The insurance policies shall name the County as an additional insured. Such policies may only be changed upon 30 days prior written approval by the County.
- 16.2 The Consultant shall, prior to commencing any of the services outlined herein, furnish the

County with Certificates of Insurance showing that the requirements of this article have been met. The Consultant shall also provide the County with updated Certificates of Insurance prior to the expiration of any previously-issued certificate. No work shall be commenced under this Agreement until the Consultant has delivered the Certificates of Insurance to the County. Upon failure of the Consultant to furnish, deliver and maintain such insurance certificates as provided above, the County may declare this Agreement suspended, discontinued or terminated.

16.3 As required by Section 108 of the N.Y. General Municipal Law, this Agreement shall be of no force and effect unless the Consultant shall secure compensation for the benefit of, and keep insured during the life of this Agreement, all employees engaged thereon in compliance with the provisions of the N.Y. Workers' Compensation Law. The Consultant shall require any subcontractor authorized by the County to do likewise for all of their employees engaged thereon, all in compliance with the provisions of the N.Y. Workers' Compensation Law and of Schedule (A) of this Agreement.

ARTICLE 17. NO WAIVER OF PERFORMANCE

Failure of the County to insist upon strict and prompt performance of the provisions of this Agreement, or any of them, and the acceptance of such performance thereafter shall not constitute or be construed as a waiver or relinquishment of the County's right thereafter to enforce the same strictly according to the tenor thereof in the event of a continuous or subsequent default on the part of the Consultant.

ARTICLE 18. MODIFICATION

This Agreement may only be modified by a formal written amendment executed by the parties.

ARTICLE 19. EXECUTION OF DOCUMENTS

This Agreement may be executed in one or more counterparts, each of which shall constitute an original Agreement, but all of which together shall constitute one and the same instrument.

ARTICLE 20. HEADINGS - CONSTRUCTION

The headings appearing in this Agreement are for the purpose of easy reference only and shall not be considered a part of this Agreement or in any way to modify, amend or affect the provisions hereof.

ARTICLE 21. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement between the parties and no representations or promises have been made except as herein expressly set forth.

ARTICLE 22. COMPLIANCE WITH MacBRIDE PRINCIPLES

The Consultant hereby represents that it is in compliance with the MacBride Principles of Fair Employment as set forth in Albany County Local Law No. 3 for 1993, in that the Consultant either (a) has no business operations in Northern Ireland or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Principles, and shall permit independent monitoring of its compliance with such principles. In the event of a violation of this stipulation, the County reserves all rights to take remedial measures as authorized under section 4 of Local Law No. 3 in 1993, including, but not limited to, imposing

sanctions, seeking compliance, recovering damages, declaring the Consultant in default and/or seeking debarment or suspension of the Consultant.

ARTICLE 23. NON-INTERRUPTION OF WORK

The Consultant agrees that it will not intentionally engage in any course of conduct or activity, or employ for the purposes of performing the public work, any subcontractors, employees, labor or materials which will or may result in the interruption of the performance of the public work due to labor strife or unrest by workmen employed by the Consultant or by any of the trades working in or about the public works and/or premises where the work is being performed.

ARTICLE 24. EXTRA SERVICES/WORK

If the Consultant is of the opinion that any services/work it has been directed to perform is beyond the scope of this Agreement and constitutes extra services/work, the Consultant shall promptly notify the County of that opinion. The County shall be the sole judge as to whether or not such services/work is in fact beyond the scope of this Agreement and whether or not it constitutes extra services/work. In the event the County determines such services/work does constitute extra work, it shall provide extra compensation to the Consultant on a negotiated basis.

ARTICLE 25. IRANIAN ENERGY SECTOR DIVESTMENT

The Consultant hereby represents that said consultant is in compliance with New York State General Municipal Law Section 103-g entitled "Iranian Energy Sector Divestment," in that said consultant has not:

- a) Provided goods or services of \$20 Million or more in the energy sector of Iran including but not limited to the provision of oil or liquefied natural gas tankers or products used to construct or maintain pipelines used to transport oil or liquefied natural gas for the energy sector of Iran; or
- b) Acted as a financial institution and extended \$20 Million or more in credit to another person for 45 days or more, if that person's intent was to use the credit to provide goods or services in the energy sector in Iran.

ARTICLE 26. STORMWATER MANAGEMENT PROGRAM

- 26.1 The Consultant understands that Albany County is a regulated entity subject to the SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003), and must comply with the terms and conditions of the aforementioned Permit. Proposer further understands that under the New York State Environmental Conservation Law, it is unlawful for any person to directly or indirectly cause or contribute to a violation of water quality standards, and that Albany County adopted Local Law 7 of 2007 enabling the County to take action against any discharges that cause or contribute to a violation of water quality standards. The Consultant agrees to comply with the terms and conditions of the SPDEC General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (GP-0-15-003) as well as Albany County Local Law No. 7 for 2007 and any Best Management Practices developed pursuant to the foregoing, as established in Albany County's Stormwater Management Program Plan. The Consultant also agrees to implement any corrective actions identified by Albany County or a representative pursuant to the above regulations, and further understands that any non-compliance by the County will not diminish, eliminate, or lessen Proposer's own liability.

- 26.2 The Consultant shall execute and deliver to the County a certification statement acknowledging the above provisions prior to providing any services and/or commencing any work.

ARTICLE 27. MISCELLANEOUS PROVISIONS

- 27.1 In addition to the policies and procedures described above, the Consultant also acknowledges that it shall follow the Non Interruption of Work Agreement (per Res. No. 298 for 1986), the Iranian Energy Sector Divestment (per N.Y. Gen. Mun. Law § 103-9), and all other policies and procedures described in the RFP.
- 27.2 During the term of this Agreement, the Consultant agrees that, in the event of its reorganization or dissolution as a business entity or change in business, the Consultant shall give the County 30 days written notice in advance of such event.
- 27.3 The Consultant shall at all times obtain and maintain all licenses and/or certifications required by New York State, or other relevant regulating body, to perform the services required under this Agreement.
- 27.4 If any term, part, provision, section, subdivision or paragraph of this Agreement shall be held to be unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to invalidate the remaining terms, parts, provisions, sections, subdivisions or paragraphs.
- 27.5 The County shall bear no responsibility other than that set forth in this Agreement.
- 27.6 All notices, consents, waivers, directions, requests or other instruments or communications provided for under this Agreement shall be deemed properly given if, and only if, delivered personally, sent by registered or certified United States mail, postage prepaid, or, with the prior consent of the receiving party, dispatched via facsimile transmission.

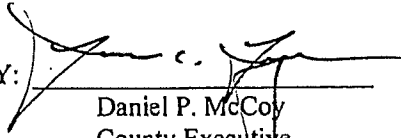
THIS SPACE LEFT BLANK INTENTIONALLY.

SIGNATURE PAGE FOLLOWS.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed the day and year first indicated below.

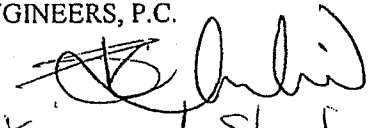
COUNTY OF ALBANY

DATED: 9/29/2020

BY: 
Daniel P. McCoy
County Executive
or
Daniel C. Lynch
Deputy County Executive

KS ENGINEERS, P.C.

DATED: 9/17/2020

BY: 
Kamal Shalvi
Name
President
Title

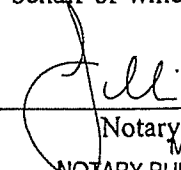
STATE OF NEW YORK)
COUNTY OF ALBANY) SS:

On the _____ day of _____, 2020, before me, the undersigned, personally appeared Daniel P. McCoy, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

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

On the 29 day of September, 2020, before me, the undersigned, personally appeared Daniel C. Lynch, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

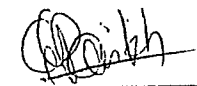


Notary Public
MICHAEL A. LALLI
NOTARY PUBLIC - STATE OF NEW JERSEY
No. 01LA6322012
Qualified in Albany County
My Commission Expires March 30, 2023

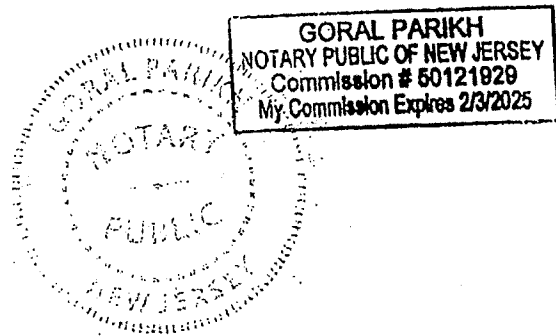
New Jersey

STATE OF ~~NEW YORK~~)
COUNTY OF Middlesex) SS.:

On the th17 day of September, 2020, before me, the undersigned, personally appeared Kamal Skahid, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public



**SCHEDULE A
INSURANCE COVERAGE**

The kinds and amounts of insurance to be provided are as follows:

1. **Workers' Compensation and Employers Liability Insurance:** A policy or policies providing protection for employees in the event of job related injuries or a waiver of the requirements of this insurance with such waiver to be issued by New York State.
2. **Automobile Liability Insurance:** A policy or policies with the limits of not less than \$500,000 for each accident because of bodily injury, sickness or disease, including death at any time, resulting therefrom, sustained by any person caused by accident, and arising out of the ownership, maintenance or use of any automobiles; and with the limits of \$500,000 for damage because of injury to or destruction of property, including the loss of the use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobiles.
3. **General Liability Insurance:** A policy or policies of comprehensive all-risk insurance including coverage for demolition of structures with limits of not less than:

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

4. **Professional Liability Insurance:** A policy or policies of professional liability insurance with limits of not less than \$1,000,000.

RESOLUTION NO. 519

BOND RESOLUTION OF THE COUNTY OF ALBANY, NEW YORK, AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS FOR THE DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,920,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$3,920,000 OF SERIAL BONDS OF SAID COUNTY TO FINANCE SAID APPROPRIATION

Introduced: 11/12/19

By Audit and Finance Committee:

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, as further described in the 2020 Capital Plan in the County's 2020-2024 Capital Program, as amended and supplemented (hereinafter referred to as the "Capital Program"). 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 \$950,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$950,000 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 \$950,000 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 \$950,000 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$1,282,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,282,000 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 \$1,282,000 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 \$1,282,000 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$1,255,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$1,255,000 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 \$1,255,000.

The periods of probable usefulness of the class of objects or purposes herein authorized and for which \$1,255,000 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 in excess of \$30,000, fifteen (15) years and (b) for equipment having a cost in excess of \$15,000, but less than or equal to \$30,000, ten (10) years.

Section 4. The County is hereby authorized to construct and reconstruct Watervliet-Shaker Road 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, as further described in the 2020 Capital Plan in the County's Capital Program. 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 \$433,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of an amount not to exceed \$433,000 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 \$433,000 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 \$433,000 of said serial bonds are herein authorized to be issued, within the limitations of Section 11.00(a)(62) 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 \$3,920,000 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) 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.

(b) 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.

(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) 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 4 constitutes a "Type II action" pursuant to 6 NYCRR 617.5(c)(24) and (27), and therefore, pursuant to 6 NYCRR 617.6(a)(1)(i), the County has no further responsibilities under SEQRA with respect to that project.

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, Bullock, Burgdorf, Cahill, Ms. Chapman, Messrs. Clay, Commisso, Crouse, Ms. Cunningham, Messrs. Dawson, Domalewicz, Drake, Ethier, Feeney, Fein, Frainier, Grimm, Hogan, A. Joyce, R. Joyce, Mss. Lekakis, Lockart, Messrs. Mauriello, Mayo, Mss. McKnight, McLean Lane, Messrs. Miller, Peter, Ms. Plotsky, Messrs. Reinhardt, Simpson, Smith, Stevens, Tunny, Ward and Ms. Willingham - 36

Those opposed - 0

Resolution was adopted - 11/12/19

Request for Contract Approval	
Request ID #	6376
Contract #	6476
Contract Type	B) CAB Contracts
Contract Action	A) New
Contract Action Type	N) None
Department	G8130 - Sewage Treatment
Date submitted	7/12/21
Contact person	Gaudio, Angelo
Contact Phone	518 447-1611
Vendor	Koester Associates
Estimated Amount	\$61,133
Estimated Term	9/1/2021 through 12/31/2023
Scope of Services	In place gas cleaning of ceramic aeration discs at both the North and South Plants
Budget Line Item	GG8130
Fiscal Impact	County 100.00%
	State 0.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	Yes - BID

Budget Analyst

Date

For Contract Board Use:

Date Approved

Daniel P. McCoy
Albany County Executive

Bruce A. Hidley
Albany County Clerk

Andrew Joyce, Chairman
Albany County Legislature



DANIEL P. MC COY
COUNTY EXECUTIVE

COUNTY OF ALBANY
WATER PURIFICATION DISTRICT
1 CANAL ROAD SOUTH
ALBANY, NEW YORK 12204
REMITTANCE: 112 STATE ST., BASEMENT, ALBANY, NY 12207
PHONE: (518) 447-1611 FAX: (518) 433-0369
www.albanycounty.com

COMMISSION
JOHN R. ADAIR, JR.
CHAIRMAN
JOHN W. BISHOP, JR.
NICHOLAS W. FOGLIA
DENNIS RIGOSU
SEAN WARD

ANGELO GAUDIO, P.E.
EXECUTIVE DIRECTOR

July 12, 2021

Hon. Daniel P. McCoy
County Executive
112 State Street
Albany, NY 12207

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

Hon. Bruce Hidley
County Clerk
112 State Street
Albany, NY 12207

**Re: RFB-2021-090-In Place Ceramic Disc Aeration Gas Cleaning
Koester Associates**

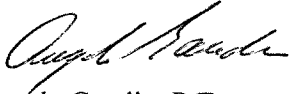
Dear Messrs. McCoy, Joyce, Hidley:

The Water Purification District (District) is requesting authorization to award the above subject contract to Koester Associates for a total not to exceed amount of 61,133.17 for a contract term of 3 years which is scheduled to run from September 1, 2021 through December, 2023. Work shall include the in-place gas cleaning of ceramic aeration discs at both the North and South treatment plants.

Only one bid was received and Koester Associates is considered a responsible bidder as they have performed this work in the past. The bid tabulation, District's recommendation memo and Purchasing Division's concurrence memo are attached herein.

Should you have any questions please feel free to contact me at 518-447-1617.

Sincerely,

A handwritten signature in black ink, appearing to read "Angelo Gaudio". The signature is fluid and cursive, with the first name "Angelo" being more prominent than the last name "Gaudio".

Angelo Gaudio, P.E.
Executive Director

Enc: District Recommendation Memo
Bid Tabulation & Scoring Sheet
Purchasing Division Concurrence Memo

Cc: Lucas Rogers, Policy Analyst
Sameer Modasra, Budget Analyst



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
WATER PURIFICATION DISTRICT
1 CANAL ROAD, SOUTH
ALBANY, NEW YORK 12204

REMITTANCE: 112 STATE ST., BASEMENT, ALBANY, NY 12207
PHONE: (518) 447-1611 FAX: (518) 433-0369
www.albanycounty.com

COMMISSION

JOHN R. ADAIR, JR.
CHAIRMAN

JOHN W. BISHOP, JR.
NICHOLAS W. FOGLIA
DENNIS RIGOSU
SEAN E. WARD

ANGELOS. GAUDIO, P.E.
EXECUTIVE DIRECTOR

MEMORANDUM

To: Karen Storm, Purchasing Agent
From: Angelo Gaudio, Executive Director. *AG*
Subject: RFB-2021-090 In Place Ceramic Disc Aeration Gas Cleaning
Date: July 12, 2021

The Water Purification District recommends award RFB-2021-090 In Place Ceramic Disc Aeration Gas Cleaning to Koester Associates for a total not to exceed amount of \$61,133.17 for the contract term of three years. Please return a notice of Concurrence so that I may submit an award request to the Contract Management Board.

If you have any questions, please feel free to contact me at 447-1617.

RFB-2021-090 Tabulation

Bidder	Koester Associates
2021 North Plant	\$ 15,875.34
2022 North & South Plant	\$ 29,382.49
2023 North Plant	\$ 15,875.34
Total Cost 3 Years	\$ 61,133.17



DANIEL P. McCOY
COUNTY EXECUTIVE

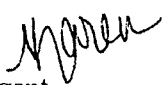
COUNTY OF ALBANY
DEPARTMENT OF GENERAL SERVICES
PURCHASING DIVISION
112 STATE STREET, ROOM 1000
ALBANY, NEW YORK 12207-2021
(518) 447-7140 - FAX (518) 447-5588

DAVID M. LATINA
COMMISSIONER OF GENERAL SERVICES

KAREN A. STORM
PURCHASING AGENT

MEMORANDUM

TO: Angelo Gaudio, Executive Director
Water Purification District

FROM: Karen Storm 
Purchasing Agent

DATE: July 12, 2021

RE: RFB-2021-090 In Place Ceramic Disc Aeration Gas Cleaning

I am in receipt of your recommendation to award the aforementioned Request for Bids to Koester Associates in the amount of \$61,133.17.

As Koester Associates is the low responsive and responsible bidder, I concur with your recommendation.

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

Request for Contract Approval	
Request ID #	6385
Contract #	6485
Contract Type	B) CAB Contracts
Contract Action	A) New
Contract Action Type	N) None
Department	G8130 - Sewage Treatment
Date submitted	7/22/21
Contact person	Gaudio, Angelo
Contact Phone	518 447-1611
Vendor	WSG Solutions, Inc.
Estimated Amount	\$90,000
Estimated Term	8/9/2021 - 8/9/2022
Scope of Services	Purchase and delivery of replacement grit buckets and stirring flights for our Rex Velocity Grit Chambers. Amount of contract award will allow the purchase of materials for two grit chambers
Budget Line Item	GG8130
Fiscal Impact	County 100.00%
	State 0.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	Yes - BID

Budget Analyst

Date

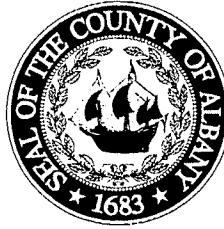
For Contract Board Use:

Date Approved

 Daniel P. McCoy
 Albany County Executive

 Bruce A. Hidley
 Albany County Clerk

 Andrew Joyce, Chairman
 Albany County Legislature



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
WATER PURIFICATION DISTRICT
1 CANAL ROAD, SOUTH
ALBANY, NEW YORK 12204

REMITTANCE: 112 STATE ST., BASEMENT, ALBANY, NY 12207
PHONE: (518) 447-1611 FAX: (518) 433-0369
www.albanycounty.com

COMMISSION

JOHN R. ADAIR, JR.
CHAIRMAN

JOHN W. BISHOP, JR.
NICHOLAS W. FOGLIA
DENNIS RIGOSU
SEAN E. WARD

ANGELO GAUDIO, P.E.
EXECUTIVE DIRECTOR

July 22, 2021

Hon. Daniel P. McCoy
County Executive
112 State Street
Albany, NY 12207

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

Hon. Bruce Hidley
County Clerk
112 State Street
Albany, NY 12207

Re: RFB 2021-102
Replacement Buckets and Stirring Flights for Grit Chambers

Dear Messrs, McCoy, Joyce, Hidley

The Water Purification District in response to the above subject RFB is requesting contract authorization to purchase replacement grit collector bucket and stirring flights from WSG & Solutions Inc. (WSG), in the amount not to exceed of \$90,000. The contract term will be for a one year term with an option for an additional one year renewal. This equipment is essential for the proper operation of the District's velocity grit chambers.

WSG, was the sole response bidder. I have included a concurrence letter from the Purchasing Agent to award the purchase to WSG.

The requested amount of \$90,000 will allow for the purchase of materials for two grit chambers. This purchase will be executed by a purchase order with funds available in line G98130.4.4070, Equipment Repair and Rental.

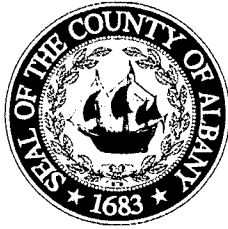
If you have any questions, I can be reached at 447-1617.

Sincerely,

A handwritten signature in cursive script, appearing to read "Angelo Gaudio".

Angelo Gaudio, P.E.
Executive Director

Enc. Purchasing Agent Concurrence Letter
Bid Results



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
WATER PURIFICATION DISTRICT
1 CANAL ROAD, SOUTH
ALBANY, NEW YORK 12204
REMITTANCE: 112 STATE ST., BASEMENT, ALBANY, NY 12207
PHONE: (518) 447-1611 FAX: (518) 433-0369
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DENNIS RIGOSU
SEAN E. WARD

ANGELOS. GAUDIO, P.E.
EXECUTIVE DIRECTOR

MEMORANDUM

To: Karen Storm, Purchasing Agent

From: Angelo Gaudio, Executive Director *AG*

Subject: RFB-2021-102 Replacement Grit Buckets & Stirring Flights for Rex Velocity Grit Chambers

Date: July 22, 2021

The Water Purification District recommends award RFB-2021-102 Replacement Grit Buckets & Stirring Flights for Rex Velocity Grit Chambers to WSG Solutions, Inc. for a total not to exceed amount of \$90,000.00.

Please return a Notice of Concurrence so that I may submit and award request to the Contract Management Board.

If you have any questions, please feel free to contact me at 447-1617.

RFB-2021-102 Tabulation Grit Buckets and Stirring Flights

	WSG Solutions
Item # 1: 23 ea Bucket Assembly 5' – 11 ½" wide	\$25,070.00
Item #2 - 22 each Stirring Flight Assembly	\$19,184.00
Total Item #1 & Item #2	\$44,254.00

Estimated Delivery Date	8 to 10 Weeks A.R.O
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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: Angelo Gaudio
Water Purification District

FROM: Karen Storm *Karen Storm*
Purchasing Agent

DATE: July 22, 2021

RE: RFB #2021-102, Replacement Grit Buckets & Stirring Flights for Rex Velocity
Grit Chambers

I am in receipt of your recommendation to award the aforementioned Request for Bids to WSG Solutions in the amount of \$90,000.00.

As WSG Solutions is the sole responsive and responsible bidder, I concur with your recommendation.

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

Request for Contract Approval	
Request ID #	6391
Contract #	6491
Contract Type	B) CAB Contracts
Contract Action	A) New
Contract Action Type	
Department	A4010 - Health
Date submitted	7/30/21
Contact person	Witherspoon, Shanna
Contact Phone	518-447-4584
Vendor	St. Peter's Hospital/SPARC
Estimated Amount	\$32,000
Estimated Term	May 1, 2021 - December 31, 2021
Scope of Services	To assist providers to become more comfortable managing patients with opioid use disorder and other substance use disorders in their practices. Purchasing has approved this as a sole source contract.
Budget Line Item	AA4010
Fiscal Impact	County 0.00%
	State 100.00%
	Federal 0.00%
BID,RFP,RFQ Completed?	N/A

Budget Analyst

Date

For Contract Board Use:

Date Approved

Daniel P. McCoy
Albany County Executive

Bruce A. Hidley
Albany County Clerk

Andrew Joyce, Chairman
Albany County Legislature



DANIEL P. McCOY
County Executive

ELIZABETH F. WHALEN, MD, MPH
Commissioner of Health

DEPARTMENT OF HEALTH
COUNTY OF ALBANY
175 GREEN STREET
ALBANY, NEW YORK 12202

The Dr. John J.A. Lyons
ALBANY COUNTY HEALTH FACILITY
(518) 447-4580 FAX (518) 447-4698
www.albanycounty.com

MARIBETH MILLER, BSN, MS
Assistant Commissioner for Public Health

SHANNA F. WITHERSPOON, MPA
Assistant Commissioner Finance and Administration

MEMORANDUM

TO: Honorable Daniel P. McCoy, County Executive
Honorable Bruce A. Hidley, County Clerk
Honorable Andrew Joyce, Chairman, County Legislature

FROM: Elizabeth F. Whalen MD, MPH, Commissioner of Health

DATE: July 30, 2021

RE: St. Peter's Hospital

Albany County DOH is requesting to contract with St. Peter's Hospital to assist providers to become more comfortable managing patients with opioid use disorder and other substance use disorders in their practices including Project ECHO® professional services.

Project ECHO® (Extension for Community Healthcare Outcomes) trains and mentors primary care providers (PCPs) in the care of patients with complex conditions. ECHO is a distance education model that connects specialists with numerous PCPs via simultaneous video link for the purpose of facilitating case-based learning.

St. Peter's Hospital / SPARC has specific subject area expertise to design, provide and evaluate technical assistance supports for appropriate prescribing of MAT and is the exclusive provider of Project ECHO® MAT cohorts in the Capital District Region.

If you have any questions or are in need of additional information, please do not hesitate to contact me directly at 447-4695.

Thank you for your consideration of this request.



Albany County Department of Health is nationally accredited and meets rigorous public health standards set forth to best meet the needs of our community.

St. Peter's Hospital / SPARC has specific subject area expertise to design, provide and evaluate technical assistance supports for appropriate prescribing of MAT and is the exclusive provider of Project ECHO® MAT cohorts in the Capital District Region.

Vendor Name: St. Peter's Hospital / SPARC
Vendor Address: 3 Mercy Care Lane, Guilderland, New York 12084

Phone: (518) 708-3648
Fax:

Product needed by date: Term of agreement May 1, 2021 – December 31, 2021

Estimated Total Dollars for this procurement: \$ (not to exceed) \$32,000

Funding Source: <i>Albany County awarded contract from HRI per Centers for Disease Control and Prevention</i>

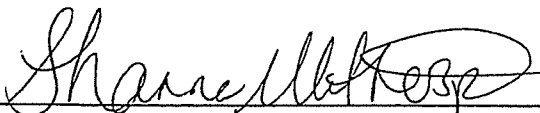
County of Albany
Department of General Services – Purchasing Division
Sole Source Justification

Attach a detailed explanation of Vendor Sole Source Status, i.e., what is the basis for your identifying this vendor as a sole source? Check any that apply.

- ☐ The vendor is the manufacturer of the product and has no distributors.
(Attach manufacturer's letter as documentation.)
- ☐ The vendor is the only reseller of the manufacturer's product in this geographic region.
(Attach manufacturer's letter as documentation.)
- ☐ Item to be purchased is a supply for equipment which is under warranty,
and use of any product other than specified will void the warranty.
(Attach copy of warranty with such requirement highlighted).
- ☐ Item is proprietary and is additional product or software which must work
with an existing system.
(Provide letter of documentation from system manufacturer.)
- ☐ Product has been standardized for use in Albany County through the
Albany County legislative process.
(Attach copy of Resolution.)
- ☒ Other
(Provide a statement on a separate page with detailed documentation.)

Department Head or Designee: Shanna Witherspoon, Assistant Commissioner of Finance

Signature:



SOLE SOURCE DOCUMENTATION

- *Overdose Data to Action program requires Albany County Department of Health to coordinate / provide technical assistance supports for appropriate prescribing of MAT (e.g. Project ECHO®, academic detailing, toolkits).*
- *Project ECHO® (Extension for Community Healthcare Outcomes) trains and mentors primary care providers (PCPs) in the care of patients with complex conditions. ECHO is a distance education model that connects specialists with numerous PCPs via simultaneous video link for the purpose of facilitating case-based learning.*
- *St. Peter's Medical Associates has specific subject area expertise to design, provide and evaluate technical assistance supports for appropriate prescribing of MAT and is the exclusive provider of Project ECHO® MAT cohorts in the Capital District Region.*

From: Girolami, Elizabeth A (HEALTH) <elizabeth.girolami@health.ny.gov>
Sent: Tuesday, July 6, 2021 2:32 PM
To: Welge, Charles <Charles.Welge@albanycountyny.gov>
Cc: Salmon-Gordon, Shelleisha <Shelleisha.Salmon-Gordon@albanycountyny.gov>; Witherspoon, Shanna <Shanna.Witherspoon@albanycountyny.gov>
Subject: RE: Albany County, Contract # 6160-02, 2020-2021 OD2A Carry Forward Budget Modification Clarification Needed

Hi Charles,

If you followed Albany County's internal procurement procedure, then NYSDOH/HRI has no issues with a single source.

Thanks,

Liz

From: Welge, Charles <Charles.Welge@albanycountyny.gov>
Sent: Tuesday, July 6, 2021 10:19 AM
To: Girolami, Elizabeth A (HEALTH) <elizabeth.girolami@health.ny.gov>
Cc: Salmon-Gordon, Shelleisha <Shelleisha.Salmon-Gordon@albanycountyny.gov>; Shanna.Witherspoon@albanycountyny.gov
Subject: RE: Albany County, Contract # 6160-02, 2020-2021 OD2A Carry Forward Budget Modification Clarification Needed

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Liz,

Yes, we need such a statement asap to proceed with Division of Purchasing.

Best,

*Charles H. Welge, MBA
Director of Public Health Planning and Education*