

County of Albany

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



Meeting Agenda

Thursday, August 26, 2021

6:30 PM

**Harold L. Joyce Albany County Office Building
Cahill Room, 1st Floor**

Audit and Finance Committee

PREVIOUS BUSINESS:

1. APPROVING PREVIOUS MEETING MINUTES
2. AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

CURRENT BUSINESS:

3. AUTHORIZING AN AGREEMENT WITH M & T BANK FOR BANKING SERVICES
4. AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: ADMINISTRATIVE ADJUSTMENTS
5. AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: NURSING ASSISTANTS
6. AMENDING THE 2021 STORMWATER COALITION BUDGET: ADMINISTRATIVE ADJUSTMENTS
7. AUTHORIZING CORRECTION OF THE TAX ROLL FOR THE CITY OF ALBANY
8. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 65 FIRST STREET (TAX MAP NO. 65.82-1-62) IN THE CITY OF ALBANY
9. AUTHORIZING THE ALBANY COUNTY EXECUTIVE TO SUBMIT MULTIPLE APPLICATIONS FOR VARIOUS PROJECTS THROUGH THE NEW YORK STATE 2021 CONSOLIDATED FUNDING APPLICATION (CFA) PROCESS
10. PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT MICROENTERPRISE PROGRAM

County of Albany

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



Meeting Minutes

Thursday, July 29, 2021

6:30 PM

**Harold L. Joyce Albany County Office Building
Room 730**

Audit and Finance Committee

PREVIOUS BUSINESS:

Present: Legislator Wanda F. Willingham, William M. Clay, David B. Mayo, Joseph E. O'Brien, Lynne Lekakis and Paul J. Burgdorf

Excused: Legislator Matthew T. Peter, Raymond F. Joyce and Mark E. Grimm

1. APPROVING PREVIOUS MEETING MINUTES

A motion was made that the previous meeting minutes be approved. The motion carried by a unanimous vote.

2. AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

This proposal was tabled at the request of the Sponsor.

3. ADOPTING THE PROPOSED 2022-2026 ALBANY COUNTY CAPITAL PROGRAM

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

CURRENT BUSINESS:**4. AUTHORIZING A CORRECTION TO THE TAX ROLL FOR THE CITY OF COHOES**

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

5. AUTHORIZING AN AGREEMENT WITH HORAN, MARTELLO AND MORRONE, CPAS, LLP REGARDING ONGOING ACCOUNTING AND CONSULTING SERVICES AT THE SHAKER PLACE REHABILITATION AND NURSING CENTER

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

6. AUTHORIZING AN AGREEMENT WITH RONCO SPECIALIZED SYSTEMS REGARDING A NURSE CALL INTEGRATION SYSTEM FOR SHAKER PLACE REHABILITATION AND NURSING CENTER

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

7. AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: SECURITY GUARDS

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

8. AMENDING THE 2021 DEPARTMENT OF RESIDENTIAL HEALTH CARE FACILITIES BUDGET: ADMINISTRATIVE ADJUSTMENTS

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

9. RESCINDING AUTHORIZATION TO CONVEY REAL PROPERTY PURSUANT TO RESOLUTION NO. 439 FOR 2020 AND AUTHORIZING THE CONVEYANCE OF 8 DELAWARE STREET (TAX MAP NO. 76.65-1-54) IN THE CITY OF ALBANY

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

10. AUTHORIZING THE CONVEYANCE OF REAL PROPERTY LOCATED AT 4092 ALBANY STREET (TAX MAP NO. 16.4-6-35) IN THE TOWN OF COLONIE

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

11. PUBLIC HEARING REGARDING MULTIPLE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATIONS

A motion was made to move the proposal forward with a positive recommendation as amended. The motion amended by a unanimous vote.

RESOLUTION NO. 216

AUTHORIZING A ONE-TIME AMNESTY PERIOD FOR REDUCTION OF INTEREST CHARGED ON DELINQUENT PROPERTY TAXES

Introduced: 6/8/20

By Mr. Commisso:

WHEREAS, The ongoing coronavirus pandemic has greatly impacted the expected revenues for the 2020 Fiscal Year for the County of Albany, which are necessary in order to maintain the functions and services of government that many rely upon, and

WHEREAS, In an effort to reduce the budget deficit facing Albany County, this Honorable Body has proposed to offer a one-time amnesty period to provide taxpayers a brief 90 day period to clear past-due taxes at a lowered interest rate, and

WHEREAS, During the proposed amnesty period, intended to motivate payments, the interest rate on unpaid delinquent taxes will be reduced by half from 1% added per month to .5% added, and

WHEREAS, There is proposed a handling fee of \$100 per property for all properties in which more than \$1,000 is owed in taxes, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to implement a one-time amnesty period from August 1, 2020 to October 31, 2020 for the reduction of interest charged on delinquent property taxes, and, be it further

RESOLVED, That the County Attorney is authorized to approve as to form and content agreements and documents necessary for the implementation of the aforementioned amnesty program, and, be it further

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

Referred to Audit and Finance Committee – 6/8/20



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

SUSAN A. RIZZO
COUNTY COMPTROLLER

August 4, 2021

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

RE: RLA – Banking Services – RFP #2021-44

Dear Hon. Andrew Joyce,

The Department of Audit and Control is requesting approval to execute a professional services contract for banking services for Albany County. The RLA, RFP #2021-44, RFP response, RFP review materials, Purchasing Department Approval Letter and Resolution 2016-401 are included for your review.

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

Sincerely,

Susan A. Rizzo
County Comptroller

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

REQUEST FOR LEGISLATIVE ACTION

Contract Authorization for Banking Services:

Date: 08/04/2021
Submitted By: Susan A. Rizzo
Department: Department of Audit and Control
Title: County Comptroller
Phone: (518) 447-7130
Department Rep.
Attending Meeting: Susan A. Rizzo

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

Increase Account/Line No.:
Source of Funds:
Title Change: _____

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline

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

Contract Terms/Conditions:

Party (Name/address):

M&T Bank
80 State Street
Albany, NY 12207

Additional Parties (Names/addresses):

Amount/Raise Schedule/Fee:

See attached supporting documentation

Scope of Services:

Banking Services

Bond Res. No.:

Date of Adoption:

CONCERNING ALL REQUESTS

Mandated Program/Service:

Yes ☐ No ☒

If Mandated Cite Authority:

Is there a Fiscal Impact:

Yes ☒ No ☐

Anticipated in Current Budget:

Yes ☒ No ☐

County Budget Accounts:

Revenue Account and Line:

Revenue Amount:

Appropriation Account and Line:

Appropriation Amount:

Source of Funding – (Percentages)

Federal:

State:

County: 100%

Local:

Term

Term: (Start and end date)

11/15/2021 – 12/31/2024

Length of Contract:

3 years with two optional 1 year extensions

Impact on Pending Litigation

Yes ☐ No ☒

If yes, explain:

Previous requests for Identical or Similar Action:

Resolution/Law Number:

Resolution 16-401

Date of Adoption:

09/12/2016

Justification: (state briefly why legislative action is requested)

The contract is necessary to retain banking services for Albany County's daily operations by the County Comptroller.

April 30, 2021

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

Dear Ms. Storm,

We appreciate your continued business and the opportunity to expand our relationship with the enclosed proposal.

As one of the country's most highly regarded and steadfast financial institutions, M&T has more than 160 years of experience to help the County navigate the complexities of today's financial markets. We have assembled a highly specialized, locally based team of professionals who are dedicated to meeting the changing needs of government entities.

- **M&T is proud to have a division devoted exclusively to Government Banking.** Our government clients include counties, cities, housing authorities, towns, villages, public-utility authorities, public-school systems, and many others, and they comprise a significant portion of our portfolio
- The individuals in M&T's Government Banking Group offer **an extensive experience in government banking** and in the banking industry
- We remain a **consistent, stable bank** – in terms of both our personnel, and our balance sheet. Government Banking is a sector we're committed to now and in the future

As your Relationship Manager, I already have a deep understanding of how the County's day-to-day banking works today – and how it can work better tomorrow. I have 17 years of Treasury Management and Merchant Services experience, and your dedicated Treasury Management Consultant, Vicki Valenti, has over 15 years of Treasury Management experience working with local municipalities and housing authorities.

Our experience in government banking, paired with our individualized approach to customer service, make M&T the right strategic partner to help the County achieve your financial goals. We look forward to continuing our relationship with the County, and to helping you meet the growing challenges of public finance.

Sincerely,

Elizabeth Peters

Senior Relationship Manager, Government Banking
Vice President
518-426-6371
epeters@mtb.com

SECTION I: TITLE PAGE

M&T's BANKING SERVICES PROPOSAL FOR THE COUNTY OF ALBANY

Response to RFP #2021-044

Presented by:

ELIZABETH PETERS
80 STATE STREET
ALBANY, NY 12207
518-426-6371

APRIL 30, 2021

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SECTION III: QUALIFICATION/EXPERIENCE

Qualification / Experience - The Qualification / Experience section must address proposer's qualifications and experience to carry out the requested service, inclusive of, but not limited to: qualification to do business in NYS, number of years in business and length of experience. Resumes of professional staff members who may be involved in the County engagement must be included in this section.

For more than 160 years, M&T has pursued a course of well-managed growth by building our business through a tradition of reliability, consistency, and responsiveness to the needs of our customers. Through our many years of experience, we have refined our relationship approach to banking and have demonstrated the importance of offering highly qualified financial professionals.

Your Experienced Partner: Looking to the Future

Since becoming the County's banking provider, we've greatly valued our relationship with you, providing you with valuable support, enhancements in technology, and the products you need to accomplish your day-to-day business.

We have supported you in the past, and we are investing time and energy into ways to best support you in the future. M&T has been undertaking many new challenges and making shifts in the way we do business, with our focus consistently centered around the most important piece of our business: the customer.

A Bank for Communities

In April 2021, M&T's chairman and CEO René Jones delivered his annual Message to the Shareholders, remarking on what has been a tumultuous and unprecedented year. Jones highlighted M&T's corporate culture of customer-centricity, which he said "includes a deeply internalized sense of purpose to serve our communities. We think of ourselves not as a community bank, but as a bank for communities — and we strive that our stakeholders experience the difference."

"M&T is a hub at the center of our communities."

—
*René Jones,
Chairman and CEO*

We have created a new division, **Voice of the Customer**, within our Office of the Customer Experience, as a way to help the bank listen and develop the interactions that are most meaningful to its customers and communities.

"[M&T is] a forum to bring people together for the betterment of the places we live," Jones told shareholders. "In other words, M&T is a hub at the center of our communities."

A Focus on Technology

Even through the economic uncertainty of 2020, M&T continued to advance on creating its **\$37 million Tech Hub** in downtown Buffalo, which will be unveiled in the first half of 2021. The new hub is based in Buffalo's Seneca One Tower, a revitalized local landmark, and will be the centerpiece of M&T's downtown corridor.

M&T has focused on growing our technology talent, working with numerous public- and private-sector partners to offer free virtual trainings on high-demand tech skills. Our **Z Development Program (ZDP) Mainframe Apprenticeship** will expand opportunities in technical positions for candidates from non-traditional backgrounds and underserved communities.

Moving into the future of technology, our teams have embraced Agile methodologies and forward-thinking practices, continuing the focus on the customer and our communities.

Our technology investments are already showing success: In 2020, M&T tech employees were able to quickly respond to the U.S. Small Business Administration's Paycheck Protection Program (PPP), setting up a complete

online portal for applications within 72 hours. By the end of 2020, **M&T was able to deliver \$7 billion in emergency PPP funding to 35,000 local businesses, protecting more than 765,000 jobs.**

In December of 2020, M&T was named a **Greenwich CX (Customer Experience) Leader by Greenwich Associates**, for our high level of service to commercial and middle market customers during the pandemic. M&T was also recognized as a "Standout" among commercial banks in its support of small business customers in 2020.

Commercial Banking Enhancements

For our Commercial clients, including Albany County, we rolled out the following Treasury Center enhancements in Q1 2021:

- Full rollout of our **Mobile Token**, a mobile app that services as an alternative to our physical tokens
- Added new account types to our **Client 360 View**, including Commercial Loans, Certificate of Deposits, Escrow Accounts, Loan Sweeps and Investment Sweeps
- **Extended cutoff times** for our ACH, Wire and Account Transfer services
- Refreshed all of our **PDF reports**, including layout, text size and formatting
- Added **Transaction Summary** to Previous Day Detail view, which users can hide or display
- Added the ability for users to **display or hide filters** for saved data table views
- Updated the **Payment History** default view, based on client feedback
- Added **Account Transfer Reference Text** on Previous Day Detail reporting and Statements for faster reconciliation

We will continue adding enhancements to Treasury Center through 2021 and beyond. The following are planned for 2021:

- Mobile App for Apple and Android devices allowing **biometric authentication**
- **Self Service capabilities** to turn on services, order supplies and make bank inquiries
- New **Online Statements** experience with improved user provision and the ability to bulk download up to 250 statements at one time
- Allow clients to choose between User Centric or Role Based **user administration**
- Business **Loan Reporting** Payments and Advances (Commercial loans already available)
- Ability for clients to **import wire payments using a File Map**
- **QuickBooks Direct Connect** for QuickBooks desktop

Expanding Our Footprint

In February 2021, M&T Bank and People's United Financial, Inc. announced a definitive agreement under which M&T will acquire People's United in an all-stock transaction. The acquisition process is now underway.

The combined company will create a diversified, community-focused banking franchise with approximately \$200 billion in assets and a network of more than 1,100 branches and over 2,000 ATMs that spans 12 states from Maine to Virginia and the District of Columbia. The two companies have a complementary top-tier deposit share in core markets with a top three share in most of their respective top 10 markets. **The merger will create the leading community-focused commercial bank in the Northeast and Mid-Atlantic regions.**

Our Government Banking Expertise

Demonstrating a commitment to our public sector clients, M&T is proud to have a division devoted exclusively to Government Banking. By working closely with municipal entities, our experienced personnel have cultivated the insight necessary to deliver value to the County. Comprising a significant portion of M&T's portfolio, our government clients include community colleges and their foundations, state universities, public school systems, state agencies, counties, cities, towns, villages, fire districts, public utility authorities, housing authorities and transportation authorities.

M&T's Government Banking Group brings an unrivalled level of expertise to the County, and this expertise translates into meaningful recommendations that generate real efficiencies for you as our client. When this approach is combined with our hallmark of hands-on customer service, the result is a better banking solution for you – one that will allow your staff to spend less time on problem resolution and more time on operational activities.

A Wealth of Experience

The individuals in M&T's Government Banking Group offer decades of experience. Our experience translates into an ability to devise a combination of products and services that maximize value for you. Our specialized Government Banking Relationship Liaisons — your regular service providers — bring an average of over 20 years of experience each to the service of your account. Consistency of Approach

As an established provider in the government banking sector, we have over 50 years of experience to add value to your banking solution. While other providers may drop in and out of the field, M&T has a track record as a consistent player. Demonstrating our focus on government banking, we have upgraded our team and capabilities at a consistent pace over the past few years. Our business decisions confirm that we will remain an established presence going forward.

M&T's Relationship Model: High-touch Customer Service

In today's rapidly-changing economic environment, the County needs to maximize value in every area of your business – including the value you get from your banking partner. In the long run, the County can realize greater financial and operational benefits by continuing its partnership with M&T.

That's because M&T will continue to provide the County with accessible, engaged personnel. Our relationship model provides the County with a team that delivers the level of personal attention crucial to maintaining the quality of your solution. Your team, will still be composed of your Relationship Manager **Elizabeth Peters**, Group Manager **Mike Whalen**, Treasury Management Consultant **Vicki Valenti**, and your Relationship Liaison **Patty Cleveland**. They will stay in routine contact with you to ensure that your solution is consistently delivering value.

Community Involvement

At M&T Bank, we firmly believe that the vitality of the communities in which we do business is crucial to our continued success. Every year, M&T donates millions of dollars through the M&T Charitable Foundation to a wide variety of community-based cultural, educational, civic, healthcare, youth, and human services organizations.

As an extension of our charitable activities, every year since 1989, M&T Bank has received an "Outstanding" Community Reinvestment Act rating from the Federal Reserve Bank of New York. An "Outstanding" rating is given only to those institutions that are deemed to be leaders in meeting the credit needs of their communities, including low and moderate income neighborhoods, through the provision of loans, investments, and services.

However, our community involvement exceeds financial support. The personal efforts of Bank employees at all levels are played out in various roles to promote the community's objectives. In fact, support for organizations such as United Way allows M&T employees to serve in a variety of ways, from coaching youth sports and participating on local boards to providing expertise and leadership to not-for-profit and charitable organizations. It is through this type of commitment that M&T and its employees have earned a well-deserved reputation as community leaders and responsible citizens.

The Value of M&T's Philosophy for the County

M&T's financial performance is a direct reflection of the long-term approach we take with each client. Our in-depth due diligence is meant to protect not only M&T, but also our customers like the County, through all business cycles. By taking the time to understand your organization and make recommendations that are in your long-term best interest, M&T maintains a consistent approach to doing business that allows us to support our customers – regardless of the economic environment.

M&T's Community Reinvestment Act (CRA) performance is subject to review by the Federal Reserve Bank of New York and the New York State Banking Department. Since 1989, M&T has received the highest ratings from both regulatory agencies. An "outstanding" rating is given only to those institutions that are deemed to be leaders in meeting the credit needs of their communities, including low- and moderate-income neighborhoods, through the provision of loans, investments and services.

In 2020, **M&T brought \$126 million in community support to the Capital Region/Albany market.** Throughout the year, we provided \$554,650 in charitable support to 145 nonprofit organizations through the M&T Charitable Foundation, including **\$425,000 to 141 organizations in the Hudson Valley.**

In 2020, M&T lent \$123.9 million in community development loans in support of affordable housing, community services, economic development and revitalization activities in the 4-county Albany market, and over \$1.6 billion bank-wide, including \$21 million in the Hudson Valley.

Additionally, we secured \$2 million in Federal Home Loan Bank of NY affordable housing program grant support for the construction of 224 affordable apartments, including \$511,775 for 116 units in the Hudson Valley.

Over the past three years (2018-2020) M&T has invested \$54.6 million in low-income housing tax credit equity in the Cities of Albany and Schenectady.

Customer Service Philosophy

Client service is an essential part of M&T's commitment to the County. Our dedication to customer service differentiates us from our competitors and has contributed to our success as an organization. The County will benefit from the following components of our relationship approach to banking.

Single Point of Contact

M&T makes banking easy and convenient by providing you with a single point of contact for all of your banking needs. Liz Peters, your Relationship Manager, will coordinate a team of product specialists and experts to work on the County's behalf. The County will have the ease of knowing whom to call and the assurance that the point person will access any and all areas of the Bank as necessary.

Commercial Service Team

In addition to the County's relationship banking team, M&T offers a Commercial Service Team to answer any questions and to resolve any issues that the County may have. As members of the Commercial Service Team, our representatives have a broad range of expertise in customer service issues.

The team also has access to a specialist, who can assist with complex research and escalated issues. Representatives use electronic forms to communicate research issues to the appropriate back-office operations departments and technical support teams.

Representatives can also escalate issues to the Commercial Service Team supervisor. The supervisor communicates with managers in all parts of the Bank, including operations, sales, product, branch and relationship management, as well as customer service representatives in the field. This access enables the supervisor to contact the appropriate associates needed to resolve an issue quickly and cohesively.

Convenient Branch Locations

M&T has an extensive network branches that provides the County with convenient locations and premium customer service. With M&T's emphasis on customer service, you can expect the same level of service and attention at any of our branch locations. M&T proudly offers five branches within the County of Albany, including one located less than 100 yards from the County's office.

M&T Bank Branches in Albany County	
Albany 80 State Street Albany, NY 12207	
Westgate 911 Central Avenue Westgate Shopping Plaza Albany, NY 12206	
Wolf Road 125 Wolf Road Albany, NY 12205	
Guilderland 2080 Western Avenue Hamilton Square Guilderland, NY 12084	
Latham 595 New Loudon Road Latham, NY 12110	

RESPONSE TO RFP SECTION 3: QUALIFICATION OF PROPOSER

3.1 Description of proposing organization including but not limited to size, years of operation, areas of specialization, current credit rating and name of the rating service, and any other pertinent information. Proposer should submit ratings for the bank and/or bank holding company from two of the following agencies: Standard & Poor's, Moody's, Fitch, Thomson BankWatch, Sheshunoff, or Laclede. If the proposer is not rated by two of these rating organizations, provide other evidence of the institution's credit quality.

The purpose of this description is to help the evaluation committee formulate an opinion regarding the stability and financial strength of the proposer.

M&T maintains strong credit ratings from the leading agencies, as evidenced by the following chart:

	Moody's Investors Service	Standard & Poor's	Fitch Ratings	Dominion Bond
M&T Bank Corporation				
Long-term Issuer/Senior debt rating	A3	A-	A	A (high)
Subordinated Debt Rating	A3	BBB+	A-	A
Cumulative Trust Preferred Stock	Baa1	BBB-	BBB-	A
Non-cumulative Trust Preferred Stock	Baa2	BBB-	BBB-	A (low)
Non-cumulative Perpetual Preferred stock	Baa2	BBB-	BBB-	BBB (high)
Wilmington Trust Company				
Long-term Issuer/Senior debt rating	A3	A	A	A (high)
Manufacturers & Traders Trust Company				
Long Term Deposit Rating	Aa3	A	A+	AA (low)
Short Term Deposit Rating	P-1	A-1	F1	R-1 (middle)
Long-term Issuer/Senior debt rating	A3	A	A	AA (low)
Subordinated Debt Rating	A3	A-	A-	A (low)
Long-Term Counterparty Risk Rating	A2	--	--	--
Short-Term Counterparty Risk Rating	P-1	--	--	--
Long-term counterparty risk assessment	A1(cr)	--	--	--
Short-term counterparty risk assessment	P-1(cr)	--	--	--
Wilmington Trust, N.A. (f/k/a M&T Bank, N.A.)				
Long Term Deposit Rating	Aa3	A	A+	AA (low)
Short Term Deposit Rating	P-1	A-1	F1	R-1 (middle)
Long-Term Counterparty Risk Rating	A2	--	--	--
Short-Term Counterparty Risk Rating	P-1	--	--	--
Outlook	Stable	Negative	Negative	Negative
Ratings Watch	No	No	No	No

Ratings were last updated on August 19, 2020

3.2 Include copies or Internet links to the two (2) most recent audited annual financial statements. If not included therein, please provide an acquisition and merger history since 2007. Any acquisition of assets from distressed financial institutions within the past 3 years must be provided. Also provide a listing of any recently acquired financial institutions designated by the FDIC as “distressed” prior to that acquisition.

M&T invites you to review our most recent annual report, which included audited financial statements, as well as historical reports at the following link: <http://ir.mandtbank.com/annuals-proxies.cfm>.

3.3 Contract Performance – If the proposer has had a banking services contract terminated during the past five years, all such incidents must be described. Submit full details of all terminations experienced by the proposer during the last five years including the terminating party’s name, address, and telephone number. Present the proposer’s position on the matter. If no such terminations for default have been experienced by the proposer in the past five years, the proposer must state such.

In the past five years, we have not experienced a termination of any banking services contract with a government client due to fault of M&T Bank.

3.4 Identify proposer’s professional staff members who would be involved in the County Engagement, the experience each possesses and the location of the office from which each work. Provide the name and title of person(s) authorized to bind the Proposer, together with the main office address, email address(es), telephone number (including area code) and fax number for contact.

M&T makes banking easy and convenient by providing the County with a single point of contact for its banking needs. As Relationship Manager, Liz Peters will coordinate a team of experienced product specialists so the County will know whom to call, and will have the assurance that this contact can access any areas of the bank as necessary.

See the following chart for info on your key personnel:

Key Personnel	Primary Responsibilities
Overall Relationship Responsibility	
Elizabeth Peters 80 State Street Albany, NY 12207 518-426-6371 epeters@mtb.com	Relationship Manager - Assesses borrowing, investment and treasury management needs, organizing solutions on behalf of the Bank - Establishes regular check-in meetings with the County to maintain high level satisfaction of the banking relationship - Re-evaluates banking services based on business developments, and keeps the County informed of new ideas
Patty Cleveland 300 Great Oaks Blvd Albany, NY 12203 518-464-6150 pmack@mtb.com	Relationship Liaison - Provides concierge-style service on a daily basis to ensure consistent and reliable service to your accounts - Collaborates with Relationship Manager and Treasury Management Consultant to perform day-to-day operational and administrative duties on behalf of the the County relationship
Michael Whalen 80 State Street Albany, NY 12207 518-426-6373 mwhalen@mtb.com	Group Manager Available as a secondary contact for the overall County relationship

Key Personnel	Primary Responsibilities
Vicki Valenti 300 Great Oaks Blvd Albany, NY 12203 518-464-6124 vvalenti@mtb.com	Treasury Management Consultant - Manages the County's transition to new or enhanced products and services - Monitors performance of treasury services, and provides recommendations as your organization and available technology changes
Gary Bukeavich 1 South Market Square Harrisburg, PA 717-237-6370 gbukeavich@mtb.com	Treasury Management Regional Sales Manager - Overall responsibility for Treasury Management in the region - Available as a backup contact for all Treasury Management products and services

3.4 (cont.) Please provide biographical information on senior staff that will be directly involved in the management of the County's account, and what, if any, experience these employees have in working with public agencies. Describe the proposed role of each with regard to the County's account. For each key person, show the number of years of experience in this field and the number of years with your firm.

Liz Peters, Vice President

Senior Relationship Manager, Government Banking

Elizabeth (Liz) Peters is a Vice President with M&T Bank. Liz joined M&T in 2001 and spent 16 years in Merchant Operations and Sales as well as a Treasury Management Consultant for the Capital District and Massachusetts markets. In 2017, Liz was promoted to Relationship Manager in M&T's Government Banking Division. Liz is responsible for all aspects of the customer experience including working effectively with subject matter expert partners to deliver the full complement of M&T products and services that are critical in delivering our value proposition. During her tenure at M&T, Liz has contributed to several committees in the bank designed to enhance customer satisfaction, efficiency, and technical enhancement.

Liz has earned her MBA at the University of Albany and is a member of M&T's President's Council for outstanding sales and service. She has served as a Vice Chair of the Board of Directors of the Northeast New York Chapter of the Red Cross and still serves as a volunteer.

Vicki Valenti, Vice President

Treasury Management Consultant

Vicki Valenti is a Vice President at M&T Bank providing treasury management consultative services. She works with clients to determine ways to create efficiencies and add security and value. Vicki, along with her team, oversee the implementation of treasury services and work with customers from start to finish to ensure satisfaction. Vicki has been in banking over 25 years and has been a Certified Treasury Professional (CTP) for 15 plus years. She has worked with customers across all lines of business including municipal, commercial, healthcare, education, financial institutions, and auto floor plan. Vicki earned her Bachelor Degree from SUNY Albany.

Michael Whalen, Vice President

Group Manager

Michael Whalen is based in Albany's Capital Region and joined M&T Bank's Government Banking group more than 14 years ago. He currently manages a group of relationship managers with responsibility for M&T's Government banking efforts in Eastern New York State, Long Island, Connecticut, New Jersey and Massachusetts. His banking career follows 17 years of working in the not-for-profit and government sectors.

Michael brings a unique skill set to banking, with a highly developed understanding of local, state and federal governments.

Michael serves on a number of boards of directors and volunteers extensively for a host of organizations. His community service and work in managerial levels of government and not-for-profits gives him a unique perspective on the financial needs and responsibilities of government entities. Michael was appointed to the City of Albany Housing Authority Board of Commissioners, where he serves as board chair. Additionally, he is Co-Chair of the City of Albany's COVID Economic Recovery Task Force, serves on M&T's Regional Charitable Committee, and has been a volunteer youth sports coach for more than 27 years.

Michael has a Master of Public Administration degree with a concentration in public finance. He is a fifth-generation resident of Albany, where he currently resides with his family.

Gary Bukeavich, Administrative Vice President, CTP

Regional Sales Manager

Gary Bukeavich is the Regional Sales Manager for the Central, Northern and Western PA regions of M&T Bank's Treasury Management and Merchant Services Division. The Treasury Management team provides consultative relationship support for all commercial clients and prospects focusing on treasury management, commercial card, and merchant services.

Gary has over 25 years of banking and treasury management experience. He also has his Certified Treasury Professional (CTP) certification and is a member of MAAFP (Mid-Atlantic Association for Financial Professionals). Prior to joining M&T Bank, Gary was a Treasury Management Consultant with PNC Bank. He's a graduate of King's College, where he earned a Bachelor of Science degree in Business Administration and earned a Master's degree in Finance from Wilkes University. Gary's actively involved with the Pennsylvania Economy League and volunteers with Junior Achievement.

3.5 Detail proposer's overall experience with municipal Banking Services, or comparably sized private interests. Include available fraud detection and account security measures presently available for use. Detail any costs for training courses, software or hardware purchases needed for implementation of these account security measures.

Our Government Banking Expertise

Demonstrating a commitment to our public sector clients, M&T is proud to have a division devoted exclusively to Government Banking. **By working closely with municipal entities, our experienced personnel have cultivated the insight necessary to deliver value to the County.** Comprising a significant portion of M&T's portfolio, our government clients include community colleges and their foundations, state universities, public school systems, state agencies, counties, cities, towns, villages, fire districts, public utility authorities, housing authorities and transportation authorities.

M&T's Government Banking Group brings an unrivalled level of expertise to the County, and this expertise translates into meaningful recommendations that generate real efficiencies for you as our client. When this approach is combined with our hallmark of hands-on customer service, the result is a better banking solution for you – one that will allow your staff to spend less time on problem resolution and more time on operational activities. Consider the benefits of M&T's Government Banking Group, which we have outlined on the following page.

Consistency of Approach

As an established provider in the government banking sector, **we have over 50 years of experience to add value to your banking solution.** While other providers may drop in and out of the field, M&T has a track record as a consistent player

Demonstrating our focus on government banking, we have upgraded our team and capabilities at a consistent pace over the past few years. Our business decisions confirm that we will remain an established presence going forward

Fraud Protection and Cybersecurity

At M&T, we treat your information as an asset, and we take the protection of that information very seriously.

To that end, we have a robust, Board-approved **Information Security Program** in place. The fundamental purpose of our Information Security Program is to provide direction to each operating unit of the Bank, its subsidiaries and affiliates as to the requirements of information security, as well as to provide commercially reasonable practices so that each unit can efficiently implement and execute administrative, technical and physical security measures.

To fulfill this objective, M&T has several core security principles. For example, M&T follows the **Principle of Least Privilege**, whereby information is only disclosed on a “need-to-know” basis. M&T also follows the security principle of **Segregation of Duties**, which has as its primary objective the prevention of fraud and errors. We pursue this objective by disseminating the tasks and associated privileges for a specific business process among multiple users. Every employee is responsible for properly safeguarding all company information according to its criticality and confidentiality.

M&T’s Information Security Program is built on a strong foundation of policies and procedures that help protect customer and corporate information. In this way, our Information Security Program helps M&T strive for compliance with government and industry regulations while leveraging proven tools, technologies and practices that make sense for the business.

Again, M&T recognizes the critical importance of safeguarding our customers’ information and, with our robust Information Security Program, that objective is simply part of the day-to-day life at M&T.

A Changing Landscape

These days, businesses of all sizes are vulnerable to an ever-growing variety of threats from cyber attackers, and M&T understands the importance of keeping up with these developments.

Our **Cybersecurity Governance Policy** is approved by management and included in the Information Security program. The Cybersecurity Governance Policy forms the basis for our policy program and requires a comprehensive body of cybersecurity policies that collectively form our information security policy.

Cybercrime is always evolving, and as the threats evolve, so does our approach. Our Cybersecurity Governance Policy – like all our security policies – is reviewed on an annual basis.

Executive Impersonation

As an example, one recent trend is that of Executive Impersonation, when a criminal will impersonate a company’s executive to infiltrate the company’s payment mechanisms. The criminal may send an email to an employee using the executive’s name and request that funds be transferred or wired to a certain account. The criminal may also engage in Vendor Impersonation, taking on the persona of an executive at one of the company’s suppliers or vendors and sending an email requesting funds.

M&T has developed several recommended ways to help our clients avoid Executive Impersonation, such as **requiring dual approval** for wire and other transactions. We provide **wire callbacks** as an extra verification step for wire transactions. We also recommend our clients **separate duties** and use **dependable verification channels**, such as a telephone number from an employee directory, to validate wire payment instructions.

Malware, Ransomware and Phishing

Cybercriminals are constantly adapting new technologies and tactics. The practice of “phishing,” for example, has been around for decades, but cybercriminals now use more sophisticated approaches, often using information found on the web to target specific individuals or companies.

A basic web search can now reveal valuable information to a criminal about a company's structure, including email addresses, office locations and current projects. This information can be used to conduct Executive or Vendor Impersonation, or to target specific individuals to attack. Malware – software containing viruses – can be embedded into emails masquerading as a legitimate download. And ransomware – a form of malware which can lock all files on a computer or network until a “ransom” is paid to the criminal – made news as recently as May 2017, with hackers using a ransomware called “WannaCry” to attack more than 200,000 computers in over 150 countries.

Because of this ever-changing landscape of threats, vigilance is key. M&T has its eye on trends and on the latest threats from cybercriminals. With our Cybersecurity Governance Policy and other security measures, we make it a priority to help keep our customer's accounts and information secure.

Ongoing Customer Education

M&T Bank recognizes the importance of keeping customers informed on industry trends and news relevant to your business, including the latest threats from cybercriminals. **We therefore conduct free on-site customer seminars and online webinars** – on topics such as fraud prevention and security – to provide continuing education and training to clients. These meetings provide additional value because it allows M&T to communicate with clients and gather important customer feedback.

M&T offers these free seminars and webinars in our footprint throughout the year.

Additionally, the **Help Center** at our main web site, www.mtb.com, has a section entitled **Banking Security** (<https://www.mtb.com/help-center/banking-security>) which provides valuable information to our customers about bank security protocols and fraud prevention tools.

Cybersecurity Staff

M&T has a dedicated staff of Cybersecurity professionals. Each member of our staff has an individual development plan that encourages them to continue to enhance their knowledge through ongoing training and certification. Many of our staff members hold top industry recognized certifications, such as Certified Information Systems Security Professional (CISSP), Certified Information Security Manager (CISM), Certified Information Systems Auditor (CISA), Certified in Risk and Information Systems Control (CRISC), Certified Information Privacy Professional (CIPP), Certified Ethical Hacker (CEH), and Certified Fraud Examiner (CFE), to name a few.

Staff members are also encouraged to participate in various industry, government and community organizations to further their knowledge, expertise and experience and to share best practices with other professionals in the field.

Some of these organizations include Financial Services Information Sharing and Analysis Center (FS-ISAC), Center for Excellence in IS Research Assurance and Education (CEISARE), International Information Systems Security Certification Consortium (ISC²), Information Systems Audit and Control Association (ISACA) and InfraGard. Some staff members also serve as board members for these and other organizations.

Human Resource and Facility Security

M&T's Information Security Program clearly defines security roles and responsibilities for our employees. We require background, credit and drug screening checks for staff members. The Human Resources department performs prior employment, professional, academic and reference checks. Staff members also undergo fingerprint verification. Employees are required to successfully complete Enterprise Security and privacy training on an annual basis.

The Physical Security team of Enterprise Security consists of Corporate Physical Security Managers, Specialists, as well as contracted security officers across the M&T footprint. This area is charged with the management of all physical security programs ensuring protection of M&T's people, assets and property.

In addition to professional security personnel onsite, M&T facilities use other physical controls such as access card/PIN readers, mantraps and multiple internal layers of security access. Visitor access to M&T sites is tightly monitored and controlled.

Protecting Customer Data

To guard against viruses and malware, M&T utilizes an industry-proven endpoint protection solution provided by a leading security vendor. This ensures consistent updates, mitigation of malware replication and centralized alerting and reporting.

Access to target data or processing facilities is permitted only on a need-to-know basis, and only when there is a valid business justification. Wireless technology is utilized for authorized business systems only, and the wireless network is constantly monitored for unauthorized activity. We have established standards that govern the use of removable media (i.e. USB drives or CD-ROMs) in the environment.

M&T has established information security policies and procedures to respond to reported potential or actual privacy breaches. The response program includes:

- A standardized, repeatable and documented process for responding to unauthorized access, use or disclosure of nonpublic personal information
- Coordinated communications among groups addressing the incident
- A pre-approved escalation process
- Standardized customer communications
- Notification of regulators and law enforcement when warranted
- Customer notifications when warranted
- Post-incident analysis
- Periodic historical incident reporting to identify potential trends and/or themes

Enterprise Risk Framework

M&T's Enterprise Risk Framework is the structure through which it identifies, assesses, monitors, controls, communicates and escalates risk. It represents M&T's overall risk management approach, including the policies, processes, controls and systems through which risk is managed on a daily basis.

At the core of this Framework is a **"Three Lines of Defense"** control structure. Under this structure, each Line of Defense provides a level of independent oversight to ensure thorough and effective identification, assessment, monitoring and control of risk.

- The **First Line of Defense** consists primarily of the front-line business and operational support areas that participate in the delivery of products or services to customers, as well as related servicing and technology
- The **Second Line of Defense** includes the independent Risk Management and Regulatory Affairs Division ("Risk Management Division") which reports to the Chief Risk Officer
- The **Third Line of Defense** is Internal Audit. The Third Line is independent from the First and Second Lines, and provides assurance to senior management and the Board of the effectiveness of risk management programs, policies, processes, practices and controls, as well as adherence to regulatory standards

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

Reference	Name/Title	Address	Contact Information
Erie County, NY	Barb Lipka, Supplier Pay Supervisor	95 Franklin Street Office of the Comptroller Buffalo, NY 14202	716-858-7277 Barbara.Lipka@erie.gov
State of New York Comptroller's Office	David Richter, Assistant Manager, Cash Management	Bureau of State Accounting Operations 110 State Street, 9th Floor Albany, NY 12236	Tel. 518-486-1222 Fax. 518-473-6836

3.7 Provide any additional information that would distinguish your firm in its service to Albany County including whole dollar investment in the local economy via existing company payroll, 2020 total amount issued of residential mortgages, 2020 total amount of issued commercial mortgages, non-profit donations. A copy of the proposer's most recent Community Reinvestment Report (CRA) must be included.

We have included a copy of our most recent Community Reinvestment Act (CRA) Report with this proposal.

M&T is a visible and invested member of the Albany County community. The following are some numbers that highlight our economic activity in the region:

Home Purchase Lending

In 2020, M&T Bank originated 182 home purchase loans in the four-county Capital District. Of these 78 (43 percent) were in Albany County for a **total of \$10.5 million in home purchase lending**.

In Albany County, 38 percent of families earn low- to moderate-income (LMI), while over 51 percent of M&T's home purchase lending in the county was to LMI borrowers. Similarly, while only 16 percent of Albany County's owner-occupied housing is in located in LMI census tracts, 49 percent of M&T's home purchase lending was in LMI census tracts.

M&T Bank is the **#1 SONYMA lender statewide** and a recognized leader in home repair financing and specially products for first-time homebuyers. We work closely with nonprofit partners to support revitalization activities and expand homeownership opportunities.

Community Development Lending

Over the past five years, M&T Bank originated or renewed \$243 million in Albany County credit that supports affordable housing, community services, economic development for small business or revitalization activities:

	Albany County Community Development Loans
2016	\$43,950,000
2017	\$14,053,000
2018	\$68,571,000
2019	\$32,688,000
2020	\$86,896,000
5-Year Total	\$243,158,000

Small Business Lending

In 2020, M&T made 672 small business loans in the four-county Capital District totaling \$104.7 million. Of these 319 (47 percent) were in Albany County totaling \$55.2 million.

In Albany County, 32 percent of M&T's small business loans are to very small business with less than \$1 million in gross annual receipts. As we detailed in **Section III: Qualification/Experience**, M&T is a top SBA Paycheck Protection Program (PPP) lender nationally, helping small business mitigate the impacts of the pandemic on their operations. **In Albany County zip codes, M&T assisted 300 business with 410 PPP loans during the first and second round totaling \$87.35 million in PPP assistance.**

Community Development Investments

M&T Bank is an active investor in the Low-Income Housing Tax Credit (LIHTC) program making new investments of roughly \$170 million annually in affordable housing developments. Recent LIHTC equity investments in Albany County include \$5.8 million in 2017 and \$37.7 million in 2018. These combined investments of **\$43.5 million** supported the preservation of 96 affordable units in Latham and 177 units in the City of Albany.

In addition, M&T renewed and increased a \$250,000 investment in the Community Loan Fund of the Capital Region which serves the capital needs of minority and women-owned micro-enterprises and nonprofits.

FHLBNY Affordable Housing Program (AHP) Grants

Over the last decade, M&T Bank has sponsored more successful Affordable Housing Program (AHP) grants through the Federal Home Loan Bank of NY than any other institution.

In Albany County alone, M&T has leveraged **\$3.19 million** through this program supporting the renovation or construction of 306 affordable housing units over the last five years.

3.8 Please confirm that the proposer has been designated by the County governing body as a depository eligible to receive County funds. Banks that are not already designated depositories should send a written request to the Commissioner of Management and Budget, Room 1210, 112 State Street, Albany NY 12207 with a statement of qualifications to serve in this capacity.

All financial institutions and brokers/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- **Audited financial statements**
 - **Proof of Financial Industry Regulatory Authority (FINRA) certification**
 - **Proof of New York State registration**
 - **Certification of having received and understood, and agreeing to comply with, Albany County's investment policy**
-

Manufacturers and Traders Trust Company ("M&T Bank") is a New York State chartered bank registered or otherwise authorized to transact business in the State of New York. Our headquarters are located in Buffalo, New York, and we have offices in New York, Maryland, Pennsylvania, Washington, D.C., Virginia, West Virginia, Delaware, New Jersey, Connecticut, and Ontario, Canada.

As an institution that provides these services to the County at present, M&T Bank has already been designated by the County governing body as a depository eligible to receive County funds.

3.9 Proposer shall include a completed "Vendor Responsibility Questionnaire" (Attachment "C") with the Proposal.

M&T has completed and attached the Vendor Responsibility Questionnaire in the **Mandatory Documentation** section of this proposal.

3.10 In addition, Albany County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.

M&T agrees to this requirement.

RESPONSE TO RFP SECTION 4: SCOPE OF SERVICES

4.1 Qualified banks must meet the following required conditions in order to receive an award:

A. All deposits in excess of those insured by the Federal Deposit Insurance Corporation must be fully collateralized each and every day of operation. Fully collateralized will be defined as the market value including possible securities haircuts at the rate of one hundred two percent of the uninsured amount. A description of the collateral system to monitor the County's daily balances for collateral sufficiency must be included, as well as a description of the possible use of a surety bond for collateralizations.

Since 2011, M&T has successfully ensured that the County's public deposits have been sufficiently and expertly Collateralized.

M&T Bank will secure all of the County's uninsured deposits with Eligible Securities, a Surety Bond, or an Irrevocable Letter of Credit (LOC) issued by the Federal Home Loan Bank of New York. In most cases, more than one of these methods will be used. All of these methods are approved by the State Comptroller. Currently M&T Bank is not utilizing a Surety Bond as one of the collateralized methods. M&T may in the future revisit the use of Surety Bonds and if so adhere to the stated comptroller guidelines as to use and required ratings.

In all cases, your collateral will continue to be held by a Third Party Custodian, the Bank of New York Mellon. As your balances increase, your collateral will be adjusted automatically. Most importantly, these adjustments will take place not just at the end of each month, but on a daily basis. To confirm that your accounts are properly collateralized, the Bank of New York Mellon will send, when collateral is issued, on a weekly basis, a report detailing your daily collateralized deposit levels, a confirmation of the Market Value and a description of the collateral being held in your name. At the end of each month, a summary statement will provide you with an easy-to-read record of your collateralized deposits as well. If you prefer to monitor your collateral levels on a daily basis, you may do so via the web by logging into your Bank of New York Mellon custodial account. If Eligible Securities are used to collateralize your deposits, the Market Value of the Securities will be 102% of your uninsured deposits. If an Eligible Surety Bond or an Irrevocable Letter of Credit (LOC) issued by the FHLB is used, the Bond or LOC pledged will be at 100% of your uninsured deposits.

In developing this new Tri-Party Agreement, we closely followed the "Model Agreement" developed by the State Comptroller's office that was sent to all Local Governments shortly after legislation governing collateralization was approved by the State Legislature several years ago.

While we realize that the State of New York recently enacted legislation permitting a bank to hold pooled collateral securing its own municipal deposits, we do not recommend this method because we do not believe it is as safe and secure as our system. In M&T's collateral system an independent Third-Party Custodian, The Bank of New York Mellon, will hold securities or other collateral in your name. This method ensures that you will always have a perfected security interest in your collateral.

In addition, recent policy changes made by the Federal Deposit Insurance Corporation have provided additional coverage to depositors. Both non-interest bearing accounts and interest-bearing are separately insured by the FDIC up to \$250,000. This policy of providing additional FDIC coverage has changed several times over the past few years and M&T keeps abreast of these changes and is available as a resource to either you or your accountant. M&T Bank is proud of our automated Collateral system because we think it is the best in the business. Most importantly, it will allow us to provide you the highest level of safety and security possible.

B. Monthly statements of collateral should be provided to the County within fifteen days of the close of each month. Please include examples of daily confirmations and monthly statements.

At the end of each month, the Bank of New York Mellon will send a summary statement with an easy-to-read record of your collateralized deposits. As our current client, you will continue to receive the same monthly statements you receive today.

With M&T's collateral program, the County will continue to receive weekly confirmations as opposed to daily confirmations.

Although our collateral program does not ordinarily provide daily confirmations, M&T would like to point out that, should the County prefer to receive your collateral information daily, we will help you to sign up for a service that gives your access to view daily information via the internet.

Please note, a weekly and monthly collateral statement will only be generated when daily deposits go above what the FDIC limit allows and therefore additional collateral would be required.

C. A full computerized reconciliation of General Fund checking and Trust Fund checking accounts must be made available on a monthly basis. This is to include General Fund checking, Payroll and Social Services. Electronic images of paid checks for all checking accounts and must be returned on a regular monthly basis to the County. Please include an example of monthly/daily reconciliation statements.

Full Account Reconciliation

M&T will continue to offer the required reconciliations reports that the County needs to reduce administrative costs, provide more efficient record keeping, and reduce internal fraud risk. You will receive the same reconciliation statements you receive today.

The County's account reconciliation report package will include:

- **Consolidated Report**, which lists all paid checks, issues, stop payments and cancels posted during the reconciliation period
- **Diagnostic Summary Report**, which lists all matched and unmatched exception items
- **Stop Reconciliation Report**, which lists all stop payments on file as of the reconciliation date
- **Miscellaneous Credits Reconciliation Report**, which lists all miscellaneous credits such as a deposit or other credit to the account
- **Miscellaneous Debits Reconciliation Report**, which lists all miscellaneous debits such as wires or service charges to the account
- **Paid No Issue Reconciliation Report**, which lists all paid checks not included on the check issue list as of the report date
- **Outstanding Settlement Reconcilement Report**, which includes an automated settlement report of unpaid items
- **Recap Report**, which lists by transaction date, the total dollar amount and count of paid checks, issues, stop payment, stops removed and cancels
- **Custom reports**, which can be added such as Paid Only or Unpaid Only

Account reconciliation reports are available online through M&T's balance reporting platform (Treasury Center), on paper, or on CD-ROM. M&T can also provide the County with data transmissions of Paid Checks, Unpaid/Outstanding Checks, Stopped Checks or Canceled Checks in .txt format.

Report Timing

The County has two delivery options to choose from:

- **Priority Delivery:** Reconciliation reports are mailed within five business days after the statement cutoff date or receipt of the customer's final check (whichever is later) for customers subscribing to priority service
- **Standard Delivery:** Reconciliation reports are mailed within nine business days after the statement cutoff date or receipt of the customer's final check (whichever is later) for customers subscribing to the standard service

D. The County currently utilizes controlled disbursement accounts for the County's General Fund, Trust Fund, Payroll and Social Services. Please describe your controlled disbursement system and disclose any minimum balances that are required to maintain these accounts.

M&T will continue to provide controlled disbursement services and the appropriate reporting necessary. Following is a description of our Controlled Disbursement service.

Controlled Disbursement

Increase the timeliness of your funding decisions with M&T's **Controlled Disbursement service**. Subscribing to Controlled Disbursement will notify the County each business day of all checks and ACH payments clearing against your M&T account that day. Using this information will enable you to calculate the amount of money that needs to be transferred into the County's checking account to fund the transactions, as well as understand the amount of money you have available for short-term investments and loan payments.

Benefits to the County

Maximized Working Capital

M&T's Controlled Disbursement services can dramatically enhance the County's working capital by helping to maintain the highest level of available cash for as long as possible. By taking the uncertainty out of your cash flow forecasting, the County can reduce excess borrowing, invest idle funds and eliminate costly overdraft fees.

Reduced Fraud Risk

With the optional Treasury Center Cash Position Detail service, the County can review individual check information before each check is paid. This allows you to place stop payments on any unauthorized checks that you may discover through our reports. As a result, the County has the assurance of funding only legitimate checks.

Optimized Investment Opportunities

With this service, you will know precisely what transactions will clear against the County's account by 10am ET every business day. This allows you to fund the County's account only as required, and to take full advantage of short-term investment opportunities available in the early morning.

Product Features

- Provides current and prior day summary information and, for an additional cost, current and prior day detail information for the County's account
- Summary and Detail information is available daily Monday through Friday by 10am ET
- ACH processing is available from a Controlled Disbursement account
- Intraday ACH transactions and checks received over the counter at M&T are not posted until the following evening to maintain reporting integrity. These transactions are only reported to the County the day they will post to the County's account
- **Option:** Ability to link two Master accounts to a single Controlled Disbursement account. With this functionality, you can establish a secondary funding account that provides additional protection against overdrafts on the County's Controlled Disbursement account

E. The proposer must provide cash management services via personal computer access in order to allow the County to initiate internal transfers between accounts, to obtain account balances, online statements and to initiate stop payments, etc. Please explain if your cash management system is capable of working in Windows software environment.

M&T will continue to provide the County with the reporting and payment initiation tool, Treasury Center. This will enable the County to complete the following tasks from a personal computer online:

- View and/or download account activity including the status of cleared checks, deposits, and withdrawals
- Transfer funds between accounts
- Upload or manually enter Positive Pay files and decision suspect items
- Process wire transfers
- Initiate ACH transactions
- Issue stop payments
- View paid check and deposited item images
- Receive alerts when certain events occur in Treasury Center, such as payments pending approval and incoming wire notifications
- Access account information from multiple desktops
- View, make payments and request advances on your commercial loan

Technology Requirements

The following are the requirements for operating Treasury Center on your computer:

- PC with Windows Vista™ or Windows® 7 (Macintosh computers are not compatible)
- Microsoft Internet Explorer® version 8.0 or higher
- Cookies must be activated within your Internet Browser. Treasury Center uses temporary cookies that are automatically deleted after exiting your session
- Adobe® Acrobat® software current version is required to view and save reports
- 128 bit encryption
- Recommend minimum screen resolution display setting of 1024 x 768

M&T's eStatements Service

M&T will continue to offer commercial **eStatements** as an option to receive deposit statements online in addition to the traditional paper statement, if needed.

F. The County maintains trust funds for residents of the County's Nursing Home and Health Related Facilities. The bank must be capable of accepting individual direct deposits for Social Security, SSI, pensions and providing detailed information on these accounts. Please provide examples of those system processes and reporting.

M&T is pleased to continue to maintain the trust funds for residents of the County's Nursing Home and Health Related Facilities. M&T is capable of accepting individual direct deposits and provide detail on the accounts.

G. The bank must provide a variety of short term and long term investment products to the County. Please provide a description of your bank's investment products and services. Please provide examples of statements.

M&T will continue to provide interest rates that comply with all rules and regulations for the benefit of the County. We constantly monitor these rates and will be able to make recommendations to the County when market

conditions change and render alternate options more favorable. M&T will be happy to meet with the County on a quarterly basis to review investable balances and investment options.

M&T is pleased to offer the County the following account options:

- **Municipal (MUNI) Money Market Savings account:** The MUNI Money Market Savings account is an attractive way to earn interest on your investments, especially if you do not want to tie up your funds in a CD. Per Federal Law, the County is limited to conducting six transactions per month with a MUNI Money Market Savings account.
M&T recognizes that the investment of public monies is an important part of a public officer's responsibilities. Our Treasury Management services will make it easy for the County to transfer funds between banks where the County does business.
- **Demand Deposit Accounts (DDA):** A DDA checking account is a basic operating account that can be grouped with other accounts and allows you to conveniently transfer funds between accounts. Used in conjunction with other Treasury Management Services, a DDA checking account helps you collect and manage your money efficiently.
- **Certificates of Deposit:** Certificates of Deposit (CDs) are intended for customers who have excess funds and want to lock in at a specific interest rate. M&T offers a wide range of CDs with various terms and maturities available. Maturities range from seven days to a year or more, and rates depend on the maturity selected.
- **The M&T Securities Investment Solutions Group:** Fixed Income Strategies Customized short- and intermediate-term fixed income strategies to intelligently manage cash reserves with a focus on preservation of capital and liquidity. Investment options include, but not limited to, US. Treasury, bills, notes and bonds, U.S. Agency discount notes and bonds and Municipal bonds.

H. Proposals must state capabilities in assisting the County in future issuance of debt, notes or bonds, and whether they have the ability to handle non bank-qualified debt.

M&T Bank is willing and capable of supporting most debt issuance of Albany County.

I. banks submitting proposals must state their capabilities to process payments made to Albany County via internet or other electronic means. These services should include credit card payment processing, check by phone services, debit card payments and any other services that may be available for this purpose. Cost per transaction to both County and customer must be clearly identified.

M&T, together with Hamer Enterprises (Hamer), is pleased to offer the County a payment processing solution that will give the County and its constituents a consistent, unified system using Hamer's eNETPAY solution, integrated with the County's systems through custom Application Programming Interfaces (APIs).

M&T and Hamer realize that the County can accomplish its goal in a multitude of ways, and we are willing to work with the County to provide the best overall solution to meet its needs. The County knows its operations and workflow processes best, and therefore, **we offer two options for the County to choose from. Portions of each option may be implemented – meaning, each option is *not* mutually exclusive, so the best functionality is provided in each payment processing method.**

We have created such a menu of options because we know there is a trade-off for the County between processing options. When the County pays no merchant fees via a service-fee structure, payers are less likely to choose this payment method. Instead payers are likely to pay via check – an option that has its own processing and reconciliation costs. However, from a reconciliation standpoint for the County, electronic payments (Card or ACH) with a service fee are the most cost-effective option. Therefore, using an integrated bill-to-reconciliation system while still paying some merchant fees may be a more cost-effective method of processing payments for the County, due to the efficiencies gained in the reconciliation process. Therefore, we have detailed the below menu of merchant processing options for the County.

- **Option A: Standard Merchant Processing (with or without Gateway)**

For those times when it isn't necessary to update internal systems with payment information –for certain types of parking transactions, for instance – the County may prefer to continue processing a subset of its transactions without charging the customer a fee and without passing additional information.

- **Option B: Merchant Portal with Service Fee (Online)**

By using a Merchant Portal with a service fee, the County will be able to integrate its internal systems with its online website, process payments, and reconcile transactions back into its 5 system via an API. This would ideally be utilized to accept delinquent tax payments online. It could also be expanded to include other methods of online payments like paying Health Permit Fees, Registrar Fees, Auto Bureau transactions, and more. The County would also be able to process electronic payments online, including ACH and eChecks with a convenience/service fee to the payor.

Solution Overview - eNETPAY

eNETPAY, a secure, browser-based system, and provides a mechanism for online payments through a majority of Internet-connected devices. The eNETPAY System is hosted by Hamer in a cluster of secured web servers, giving the County instant online transaction processing for approval of Visa, MasterCard, American Express, Discover, debit cards bearing the Visa, MasterCard, American Express, or Discover logo, ACH, and electronic checks.

eNETPAY may prove to become the County's virtual online cashier 24 hours a day, 7 days a week. It is capable of processing transactions while instantly posting payments to the County's billing and collection system with little or no staff intervention. Hamer will provide processing through a PCI-compliant gateway with a real-time posting into the County's backend system via Hamer's Credit Card API. eNETPAY's Transaction Site provides real-time transaction reports with receipting, while also providing an emailed confirmation to the cardholder. Also, eNETPAY's Settlement Site is updated for batched transactions, which allows for easy reconciliation. Funds are settled into a designated bank account within 48 banking hours for Card, ACH, and eCheck transactions.

The secure eNETPAY System will clearly display the transaction amount and service fee (if applicable) to the cardholder at the time of the transaction, prior to the payer's approval/acceptance and again upon acceptance. Further, the payer has the option to decline or back out of the transaction prior to completing the transaction. The eNETPAY System will provide the payer with instant notification of authorized transactions. The eNETPAY System will present an online approved transaction receipt of the transaction detail for display, printing, and archive upon each authorized transaction. The receipt detail provides the payer with an auto-generated receipt number, authorization number, unique transaction ID, date and time stamp, District/Department receipt header, transaction amount and service fee amount (if applicable). Payments approved through eNETPAY's public access payment gateway receive an e-mailed confirmation to further assist payers. In the event of a non-authorized/approved transaction, the system will display "Declined."

Also, eNETPAY instantly presents approved transaction receipts for cashiers or clerks. The County's administrative staff and authorized cashiers have access to on-demand receipts with detailed account information of approved payments for their own use. Finally, eNETPAY displays Hamer's live helpdesk phone number on all receipting, e-mail confirmations, and customers' bank statements who opt to use the eNETPAY System. eNETPAY makes bank reconciliation easy with its Online Payment Settlement Site. It provides ACH batch totals that match the settlement of bank transactions/deposits, including drill-down detail such as transaction date, account number, tender type, and settlement date. The application allows the County to:

- Accept credit and debit cards bearing a Visa, MasterCard, American Express, or Discover logo
- Accept electronic check payments
- Accept IVR payment processing
- Provide your customer service representatives access to payment processing, reports, or instant receipts on-demand. eNETPAY will display the County cashier's location and cashier's identification number within reports and on each receipt

More About Hamer Enterprises' eNETPAY

eNETPAY is designed and supported by professionals with years of experience in government processing. It is designed to engage the citizen with government, thus allowing the citizen to interact directly with a specific governmental department via the web by providing both the citizen and government with an enhanced workflow. Any governmental office with Internet access can use this browser-based system to directly interact with its constituents and deliver customized reporting back to each department. The proposed eNETPAY services solution provides a secure mechanism that is natively constructed for credit card, ACH, and eCheck payment processing through a unified electronic payment processing center. At the forefront of this interaction is a fully secured system which uses SSL with 128-bit encryption.

A yearly on-site independent audit, along with continued monthly and quarterly updates, ensures that the system meets all of the latest security standards for PCI-DSS Compliance. Moreover, eNETPAY is a credit card processing solution that has received the coveted **PCI-DSS (Payment Card Industry – Data Security Standard) – Level 1 security certification for seven years running**. This highly secure computing environmental certification is singularly the top certification for security that a credit card processor can receive.

Lastly, IBM has certified that eNETPAY meets the requirements of the “IBM Industry Frameworks for Government,” which is the basis for government to work smarter and more efficiently.

Reporting and Administrator Functionality

From a high-level design perspective, eNETPAY incorporates the functionality of user-defined tables (through a Real-time Administrator Module) for identifying all current and future chargeable tasks – for example processing credit card payments for such monthly utility bills, property tax payments, motor vehicle registration, fees for special license plates & more. Moreover, these individual user-defined tasks can be individually assigned control by specific users, and all of this control resides with the County and its designated Administrator. Additionally, the proposed eNETPAY service is a software services solution that incorporates the use of comprehensive audit reports as well as ad-hoc reports. Based upon the fields that are currently utilized by eNETPAY, the designated Administrator can generate reports in various permutational forms. For example, the Administrator can generate reports by:

- Daily transactions by unique task (i.e., Property Tax payment, motor vehicle fee, court fines, etc.)
- On-demand duplicate receipts
- All transactions by a specific date
- All transactions by week, month, or real-time on a daily interim basis
- All transactions by location
- All transactions by unique employee identifier
- All transactions by specific department
- Querying a specific Credit Card Processing Center Authorization Code
- By any combination or permutation of the above report forms

Real-time transaction reporting and next-day settlement reports are available to all individual clients' departments. These settlement reports are unique because they can distinguish between Counter payments and on-line payments, which can be directly interfaced with a client's existing backend system. Moreover, the eNETPAY offering will also provide the ancillary service of “Live” credit card or eCommerce.

Transaction reports are available via robust reporting capabilities built into Hamer's eNETPAY solution. Hamer has the ability to customize transaction data in most formats required via FTP. **Hamer can customize the County's reports at no additional cost.** Additionally, the County may choose to view transaction data through on-demand data downloads by date range in multiple formats:

- eNETPAY's Data Extract Utility (DXU) allows data to be downloaded in customizable formats by an administrator with export rights via eNETPAY's Administration Console
- On demand, real-time transaction reports are available through eNETPAY's Transaction Site for cashiers
- eNETPAY's Online Settlement Reports are available for reconciliation for audit or finance departments regarding ACH bank settlements

Beyond the obvious positive effects to cash and workflow, API-supported automated transaction-processing services may also provide relief to these types of work demands that would typically be relegated to client staff, thereby allowing the County's staff to perform their primary tasks in a more efficient manner.

Finally, it is important to note that eNETPAY is a native application solution that is designed from the ground up specifically for the Internet. This is an important factor when evaluating a solution such as eNETPAY. Many applications are merely legacy applications that have been retrofitted to operate in the realm of the Internet. As a result, the solution was not constructed based on industry standards for the Internet as well as the rapidly changing national security standards that must be kept in mind when designing and constructing a native system. As a result, performance, functional expandability, and security can be seriously constrained. The use of eNETPAY provides a highly secure mechanism for Credit Card holders to actually pay for such things as utility bills, City Taxes, court fines and fees, motor vehicle registration fees and more, directly over the Internet in a proven and redundantly tested secure manner.

Reporting – M&T

Providing your credit card transaction activity is a valuable function that M&T Bank Merchant Services provides to the County. M&T will provide the County with monthly statements and reports summarizing your credit card transaction activity. All reports have multiple sort options. Your monthly Merchant Account Statement is cut off at the calendar month end, and is designed to make your account reconciliation fast and simple. The sample M&T Merchant Statement provided in **Appendix V** is for demonstration purposes only. It includes:

- Total card volume for the month
- An itemized listing of processing fees, if applicable
- A listing of daily batch totals
- A listing of daily deposit amounts

Chargebacks will be listed by date, showing dollar amount and original transaction date only. Individual transaction detail will not be shown on this report. This statement will be received via mail, usually by the 10th day of the month. Monthly reports will be sent to the County.

Costs are dependent upon services chosen, estimated dollar volume and ticket volume.

J. Banks submitting proposals must provide length of time the County would be able to view records of its accounts and account transactions instantly on line.

M&T makes information available for varying numbers of days via Treasury Center:

- **Cash Position (Current Day) reports** are available for 7 days
- **Previous Day reports** are available for 180 days
- **Bank Reports** (M&T generated reports delivered via Bank Reports Module) are available for 95 days
- **Treasury Center Originated Payments reports** are available for 95 days

If the County needs a longer history period, your users can easily download Cash Position and Previous Day data in BAI2, CSV, and TSV formats and save them on your computer for future reference. Bank Reports can be saved in PDF format.

K. The County needs access to banking data throughout the day for purposes of transferring funds into or from interest bearing accounts to maximize investment income. Banks submitting proposals must provide online access for transfers and reporting on current day and previous day balances.

Treasury Center will continue to give the County the functionality to transfer funds into or from accounts with M&T Bank, along with the ability to report on current and previous day balances. Treasury Center provides the following reports to the County:

Prior Day Reporting

Previous Day Summary

Previous day summary information includes

- Account Type
- Closing Available Balance
- Available Balance + 1 Day Float
- Total Dollar of Credits
- Account # / Name
- Closing Ledger Balance
- 1, 2+ Day Float
- Total Number of Credits

Previous Day Detail

Previous day detail information includes all debit and credit activity, such as deposits, withdrawals, and cleared checks – including check number and amount

Expanded detail

M&T offers expanded detail for wire transfers and ACH transactions that allows additional beneficiary and remittance invoice information to be included

Cash Position (intra-day) Reports

Cash Position Summary

Cash Position Summary provides information on the number of credits, value or credits, number of debits, value of debits and the forecasted impact to ledger and available balances.

Cash Position Detail

Cash Position Detail provides additional information on the transaction activity. The level of detail reported varies by Payment/Report Type.

Payment/Report Type	Detail Information
ACH	Individual debits and credits with detail (e.g. amount and details including: company name, company ID, entry description, individual name and individual ID)
AAI	Deposit amount and float information (0D, 1D, 2D and 3+D)
Internal Account Transfer	Amount of Transfer
Controlled Disbursement	Individual checks paid (i.e. check number and amount)
Lockbox	Deposit amount (batch level) and number of items in the batch

Payment/Report Type	Detail Information
Returned Deposited Items	Individual RDI transactions with detail • Standard: Date of Original Deposit, Amount of Returned Item, Return Reason, Check Number, Return Item Account Number • Optional: Maker Name, Location Number (Returns Special Handling required)
Wire	Individual Wire transactions with detail • Standard: Sender & Sending Bank Info, Bank to Bank Info, Value Date, Time Stamp, Currency, Fed or CHIPS Reference Number • Expanded: Includes all of the above plus Additional Reference Information (such as invoice numbers and reason for payment)

L. Proposals must include a plan for the conversion of existing accounts in no more than 30 days. All costs and opening balances needed must be specified.

As your incumbent bank, this question is not applicable.

M. Proposers must hold custodial agreements in a secured location (vault, safe deposit box etc.) as required by HUD, that a third party bank hold the paperwork for these grants.

M&T Bank's practice is to request three original custodial agreements. The Bank of New York Mellon, our third-party holder, maintains an original executed copy of the custodial agreement. M&T Bank archives an electronic copy of the executed agreement in our TMMH Agreement Housing System.

Effective as of June 2012, BNY Mellon started electronically archiving all of its client agreements and amendments. All older documentation is physically archived within their storage vault onsite in their Woodland Park, NJ office.

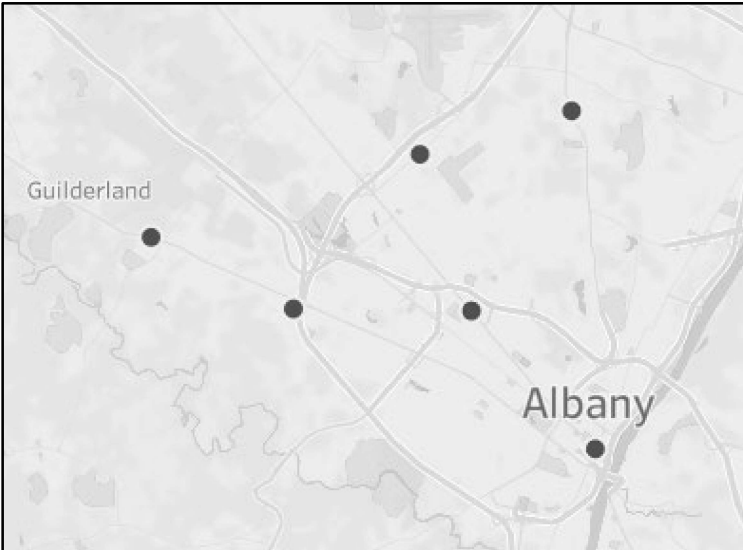
Our customer, in this case the County of Albany, will hold the third original custodial agreement. If the County chooses to give us one original agreement when signing up, Bank of New York Mellon will keep the original and copies will be returned to the County and M&T Bank.

N. Proposers must be able to cash County issued checks at local branches. Provide a listing or link to a map showing the location of the bank's branches and ATMs located within Albany County.

As a New York State corporately headquartered bank, M&T proudly offers five branches within the County of Albany.

We recommend that the County utilize our 80 State Street branch, **located less than 100 yards from the County's office**. It is the most convenient of all six M&T branches within the County for your cash deposit purposes. The location provides an ATM, safe deposit box, and 24-hour depository.

The following table shows the five M&T branches located within the County of Albany:

M&T Bank Branches in Albany County	
Albany 80 State Street Albany, NY 12207	
Westgate 911 Central Avenue Westgate Shopping Plaza Albany, NY 12206	
Wolf Road 125 Wolf Road Albany, NY 12205	
Guilderland 2080 Western Avenue Hamilton Square Guilderland, NY 12084	
Latham 595 New Loudon Road Latham, NY 12110	

*Note: The Great Oaks Boulevard branch is a commercial center; deposits cannot be made here.

O. Proposers must state if there will be a check cashing fee to vendors, DSS recipients, payroll checks and other recipients should the person not have an account at your branch for Albany County issued checks.

M&T will continue to waive any fees as we have done in the past.

P. Please provide a list of the proposer's legal holidays when offices will be closed for business.

M&T has established our holiday schedule to coincide with that of the Federal Reserve. We do not observe any non-federal holidays, and our offices and processing centers are open all other days of the year.

M&T's observed holidays for 2021 are listed below.

Holiday	Date
New Year's Day	Friday, January 1, 2021
Martin Luther King, Jr. Day	Monday, January 18, 2021
Presidents' Day	Monday, February 15, 2021
Memorial Day	Monday, May 31, 2021
Independence Day	Monday, July 5, 2021
Labor Day	Monday, September 6, 2021
Columbus Day	Monday, October 11, 2021
Veterans' Day	Thursday, November 11, 2021
Thanksgiving	Thursday, November 25, 2021
Christmas	Saturday, December 25, 2021

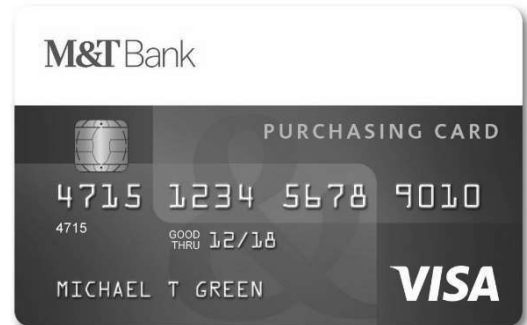
Q. Please provide details regarding available purchase card programs, either physical cards or digital purchase card services, which would be an option for the County.

M&T Visa® Purchasing Card

M&T's **Visa Purchasing Card** program can provide the County with a non-revolving charge card designed for medium to large companies, school districts, universities and government agencies. **Our program is designed around one overarching goal: to reduce our clients' expenses and increase efficiency associated with business purchases.**

The M&T Way: What makes our solution the best?

The most successful organizations find ways to make their money work harder and go farther.



Knowing the value at stake, it makes sense for the County to ensure that your current solution is maximizing your financial returns. During our 20+ years as a purchasing and travel card provider, M&T has fine-tuned its program to promote that end goal. Today, through our deeply involved personnel, technology, and service support, we offer a comprehensive approach that can help drive growth in program spend.

The Building Blocks of Value

M&T provides a variety of tools to the County that help you achieve our promise of helping to drive maximum value. The following elements of our program are the building blocks of our comprehensive solution.

Dedicated Consultant

You will have the benefit of working with your dedicated program consultant, who will drive value for your organization. Your consultant will work closely with you to:

- Define program goals
- Design practices to maximize spend
- Develop program policies and deploy training to ensure that all employees understand your goals and how to use the card

Exceptional Service Levels

The high-touch relationship that your M&T Commercial Card team delivers will drive value for the County. You will continue to have the expertise of dedicated support personnel in the following areas to promote a successful solution:

Support Personnel	Area	Role
Commercial Card Consultant	Program planning and development	Design an effective program that is tailored to your particular needs, and launch into a successful implementation
Supplier Enrollment Specialist	Supplier Enrollment	Provide support, materials and coordination of your supplier enrollment efforts
Implementation Specialist	Program implementation and training	Lead system setup, employee training and centralized communication – all within established timeframes

Support Personnel	Area	Role
Commercial Card Account Manager	Problem resolution and optimization	Meet day-to-day servicing needs and perform regular program assessments to benchmark and ultimately improve program effectiveness

Access to Technology and Tools to Support Growth

M&T offers a robust suite of technology differentiators. The following tools support the efforts of our talented, hands-on team as they strive to grow the County's program:

- **Supplier Enablement Services:** You will receive one-on-one support from our experienced Supplier Enablement Specialist, alleviating the amount of resources you need to invest in program implementation and growth. Our proven approach helps you increase card acceptance among your vendors
- **Payables Automation:** M&T's Payables Automation solutions will enable the County to automate your business accounts payable process, providing:
 - **Increased security** through single-use account numbers
 - **Increased personnel capacity** as your staff is free to focus on enrolling new vendors, rather than on contacting existing vendors for payments
 - **Increased control over payments**, and thus reduced exposure
- **Real-time Program Management through CentreSuite:** Our web-based card management tool, CentreSuite, offers the County 24/7 real-time access to program data and administrative functions. When you make important changes to account rules through CentreSuite – for example, spend limits – those changes apply to the Card *immediately*
- **Program Optimization through PerformSource:** Visa's PerformSource tools are a strong driver of Card program success. The technology will enable us to improve the County's procure-to-pay operations to increase savings. M&T will:
 - Benchmark your company's operations against best practices in your industry
 - Introduce process efficiencies that help you realize hard and soft dollar savings

Robust Data Services and Reporting

M&T understands how important data is to our customers. Having clear data regarding your purchases is useful in many tasks that drive efficiency, cost savings and productivity. M&T's solution provides the County with robust data services and reporting options to enhance growth and improve program management.

Advanced Fraud Solutions

M&T's focus on fraud mitigation is also a source of value to the County. Our solution offers tight control over card usage. Your Commercial Card Consultant will help the County define a variety of usage parameters. In addition, several tools will improve your ability to fight fraud:

- M&T uses **CardGuard**, a neural network technology – in other words, a system that has the ability to learn patterns – to identify transactions that exhibit industry fraud trends
- M&T's **Financial Crimes Unit** monitors Card transactions 24 hours a day, seven days a week, for suspicious activity

The Results: Maximized Value for the County

Our approach puts us in sharp contrast with many other providers, who sell on rebate rate only. Those providers tend to supply the Cards, implement the program, and then step out of the picture, whereas M&T understands

that a successful program goes beyond the initial implementation. We remain closely involved with your program and will focus on helping you to:

- **Drive soft dollar savings** through purchasing process efficiency
- **Minimize costs** through insight into organizational spend
- **Maximize** the County's rebate

The end product is a reflection of M&T's motto, "Understanding what's important." Our promise is that, for as long as you align with M&T, we will work closely with you to ensure that your Card program is meeting your goals – and exceeding your expectations.

SECTION IV: REFERENCES

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

Reference	Name/Title	Address	Contact Information
Erie County, NY	Barb Lipka, Supplier Pay Supervisor	95 Franklin Street Office of the Comptroller Buffalo, NY 14202	716-858-7277 Barbara.Lipka@erie.gov
State of New York Comptroller's Office	David Richter, Assistant Manager, Cash Management	Bureau of State Accounting Operations 110 State Street, 9th Floor Albany, NY 12236	Tel. 518-486-1222 Fax. 518-473-6836

SECTION V: PLAN IMPLEMENTATION

Plan implementation – The Plan Implementation section must address the Scope of Services in terms of the proposer’s plan to carry out the requested service.

Experience a Seamless Path Forward

By continuing to partner with M&T Bank, the County will **avoid the difficulties and costs often associated with transitioning to a new provider**. M&T Bank already provides your current banking services, and as a result, you will not need to worry about implementing existing services or face the challenges associated with this process, such as allocating time to train employees on new software.

Instead, your transition with M&T will be focused on implementing any new or enhanced services, if desired. If you decide to implement any new M&T products, we will actively engage your employees in the process. We will meet with the County regularly to develop a schedule that meets your needs and helps ensure a smooth, error-free transition in a timely matter. Our goal is to keep you aware of our progress and to resolve any questions or concerns you might have throughout the process. Further, we will solicit your feedback to ensure that your solution is implemented to your specifications.

Throughout your relationship with M&T, your M&T Relationship Team has worked side-by-side with the County to add beneficial and innovative services, such as ones that reduce the potential for fraud while containing costs and streamlining operations.

As you know from experience, your Relationship Team embraces M&T’s client-centric approach to banking. They are available to answer your day-to-day questions to ensure that you are easily able to manage your finances. They conduct annual reviews to analyze your operations and product suite to look for opportunities to save you money and help you work more efficiently.

By continuing to partner with M&T, you will have ongoing access to this dedicated team to maintain your accounts. This team will be able to draw on our existing knowledge of your operations and structure to look for opportunities to add value to your solution.

Court and Trust Accounts

According to New York Codes, Rules and Regulations (NYCRR) and N.Y. Banking Law, the Court Escrow Account must be migrated to a traditional escrow account so that court orders are accompanied with transactions such as deposits and withdraws. Details of the Regulations and a description of the traditional escrow account are available and can be discussed further after award of contract.

SECTION VI: SAMPLE TERMS AND CONDITIONS

Sample terms and conditions should be presented for review.

M&T affirms Section 5: Term of Contract from the RFP, as follows:

SECTION 5: TERM OF CONTRACT:

5.1 It is the intent to award the contract for an initial three-year period with the option to renew it for two, one-year periods for a possible total contract term of five (5) years. The decision to renew the contract will be at the sole discretion of the County.

5.2 The successful Proposer shall execute a contract with the County of Albany in substantial conformance with this RFP as prepared and approved by the County Attorney.

5.3 By submitting this proposal, proposers agree that in the event of an acquisition by another Bank during the term of this Banking Services Agreement, this Agreement will remain in effect "as-is" until the term of the contract expires.

5.4 By submitting this proposal, proposers agree to absorb the costs associated with any changes to the checks. Examples include Check 21 alterations, changes to account numbers and/or changes to Bank name upon acquisition. They will also provide check stock for any accounts that are not being produced via the County's financial system.

Terms and Conditions

M&T Bank is pleased to submit this proposal for your consideration and selection. This proposal has been prepared exclusively for the benefit and internal use of the party to whom it is directly addressed and delivered ("you") in order to assist you in evaluating certain products and services that may be provided by M&T. This proposal is subject to and conditioned upon a mutually agreeable contract/s being entered into between you and M&T. We have attached to this proposal our standard M&T agreements and documents that govern the provision of our products and services. M&T takes a general exception to the application of any contract terms and conditions included in your RFP, including any most favored nation/pricing provision. If awarded the bid, we will negotiate mutually agreeable contract/s for the provision of our products and services. Negotiation shall be based on our attached M&T standard agreements and documents. The terms and conditions applicable to the provision of our products and services will be those reflected in those final signed agreements and documents. The provision of any products or services to you, including the opening of any new account, is subject to the satisfaction of legal, compliance, tax and/or credit due diligence in M&T's sole discretion.

Confidentiality

M&T Bank hereby requests that you give (i) this proposal and any information provided with it and (ii) any agreements and election forms entered into between M&T and you arising from this proposal or the type of services described herein (in each case, including any pricing/fee information) (together, the "Confidential Information") confidential treatment pursuant to the New York Freedom of Information Law §87(2), Subsections (c) and (d). The Confidential Information is information that is proprietary to M&T, the disclosure of which would reveal material nonpublic information and trade secrets that would cause substantial injury to the competitive position of M&T and/or its affiliates. Prior to any decision by you to publicly release any of the Confidential Information, you must contact M&T so that it may take appropriate steps to protect the Confidential Information from disclosure. You agree to fully cooperate with M&T (at M&T's expense) to protect the Confidential Information. Your obligations under this section are in addition to and not in lieu of any other confidentiality obligations required of you that may be included in this proposal or imposed by law.

Any non-public information contained in our proposal (and provided to you in connection with our proposal), such as our pricing/fee information, is strictly confidential in nature and is proprietary information of M&T, our third party vendors, and/or our affiliated entities. Such information may be disclosed only to your employees and agents on a need-to-know basis for the sole purpose of evaluating our proposal, and provided such persons agree, in writing, to maintain the confidentiality of such information. No such information may be copied, published, used for any other purpose or shared with any other persons, in whole or in part, without the written approval of M&T. Any unauthorized use or disclosure of such information is strictly prohibited. After use or upon reasonable request, such information must be returned to us or destroyed.

Recommendations

You are responsible for your own independent assessment as to the suitability and appropriateness of the products and services hereunder for the needs and requirements of your business. Any recommendation or suggestion that M&T Bank or any of its representatives makes to you (whether orally or in writing in this proposal or otherwise) relating to the type or scope of services (or service features) that you may wish to purchase are made in good faith to assist you in your decision to purchase services. However, M&T provides no guarantee or representation regarding any such recommendation or suggestion. The decision to purchase (or not to purchase) a particular product or service (or service feature) is your sole decision, and M&T shall not be held responsible or liable in connection therewith or in connection with any of its recommendations or suggestions.

Fees

Our proposal and pricing/fees set forth herein are based upon our current understanding of the scope and type of services, volumes, balances and other specifications outlined in your RFP. We reserve the right to amend elements of our proposal and/or pricing/fees set forth herein if (i) subsequent discussions with you reveal additional and/or changed information which, in our sole opinion, affects the scope or type of services, volumes, balances or other specifications, or (ii) the scope or type of services, volumes, balances or other specifications change materially, in our sole opinion, while M&T is providing any services to you.

Without limiting the above, we reserve the right to modify any of the fees or pricing set forth herein, and to charge any additional or different fees or pricing, at any time, in our sole discretion. We also reserve the right to change the name, description and/or disclosures associated with any of the fees or pricing set forth herein. M&T's fees and pricing are exclusive of any taxes (including sales, value-added and use taxes), duties and other governmental charges imposed on any service provided by M&T (and not based on M&T's net income). Any such taxes, duties and charges are payable by you.

Commercial Card Documents

You will be required to sign M&T's standard Visa Charge Cards and Card Products Agreement, which is comprised of an Application, Election and Pricing Form, Resolution, Incumbency and Signature Page, Visa Charge Card Agreement, and applicable Schedules that you elect (the "Card Agreement"). Unless the parties agree to a longer term, the Card Agreement has a month-to-month term that is automatically renewed until either party terminates the Card Agreement, unless sooner terminated due to a default. The Card Agreement shall be incorporated into any final signed agreement entered into between you and M&T for Visa charge card and card products and shall take precedence over any inconsistent provisions therein.

TM/Depository Documents

You will be required to sign M&T's standard depository and treasury management agreements for any such services that will be provided to you by M&T, including the Commercial Deposit Account Agreement, M&T's Master Treasury Management Services Agreement, Client Election Form, TM Resolution, System Administrator Form/s, Multiple Client Authorization Agreement (if applicable), applicable Product Terms & Conditions and such other depository and treasury management disclosures or documents as required by M&T for the applicable services (the "TM/Depository Documents"). The TM/Depository Documents shall be incorporated into any final signed agreement entered into between you and M&T for depository or treasury management services and shall take precedence over any inconsistent provisions therein.

Proposal Information and Service Descriptions

Information included in this proposal, including descriptions of our products and services and the features of those products and services, is current as of the date of this proposal. However, such information is subject to change by M&T in its sole discretion, including, but not limited to, if there are any operational, procedural, technical or other changes in the products or services after the date of this proposal. Any such information shall be as set forth in and subject to the MS Contract, TM/Depository Documents, Card Agreement and/or any other agreements or documents entered into between you and M&T. Information included in this proposal concerning personnel is also current as of the date of this proposal, but is subject to change by M&T in its sole discretion as personnel may change.

Projected Benefits or Improvements

Any statements made by M&T Bank in the proposal regarding any projected benefits or improvements over your current situation from M&T's products, services, or relationship are statements of possible or potential benefits or improvements that you may receive or experience from such products, services, or relationship. M&T cannot, and does not, guarantee that you will in fact receive or experience such benefits or improvements.

Products or Services Offered to Third Parties

To the extent M&T refers to or describes a product or service that may be offered by M&T to a third party, M&T reserves the right to decide, in its sole discretion, whether to provide those products or services to a particular third party. Eligibility requirements may apply, in which case the products or services will only be provided to eligible third parties. The terms and conditions applicable to the provision of M&T's products and services to such third parties will be those reflected in final signed agreements or documents entered into between M&T and the third party.

Products or Services Provided by Third Party Vendors

To the extent M&T refers to or describes a product or service that may be provided to you by a third party vendor, the provision of such product or service is subject to the approval of the third party vendor, which approval may be given or withheld in the vendor's sole discretion. Eligibility requirements may apply, in which case the product or service will only be provided to you if you satisfy such requirements to the satisfaction of the third party vendor. The provision of such product or service may be conditioned upon you entering into a suitable agreement or other document with the third party vendor, in which case the terms and conditions applicable to the provision of the third party's products and services to you will be those reflected in final signed agreements or documents entered into between you and the third party. All such agreements or documents are separate and apart from any contract you may enter into with M&T. Pursuant to the agreements or other documents between you and the third party vendor, the third party vendor may agree to provide you with certain equipment, which equipment you will be responsible for maintaining or upgrading as required by the applicable agreements or documents. It may be a prerequisite of or precondition to M&T providing you with certain products or services, such as those to be provided by M&T in conjunction with a third party vendor, that you enter into an agreement or other document with the third party vendor and that such agreement or other document remain in full force and effect, and M&T reserves the right to decide not to provide you with a product or service or to terminate the provision of such product or service in the event you fail to enter into or remain bound by a suitable agreement or other document with the third party vendor.

Investments in Money Market Funds

An investment in money market funds is neither insured nor guaranteed by the Federal Deposit Insurance Corporation (FDIC) or any other government agency, is not a deposit or other obligation of, or guaranteed by, any bank, and is subject to investment risks, including possible loss of the principal amount invested. Although money market funds seek to preserve the value of your investment at \$1 per share, it is possible to lose money by investing in these funds. You should consider the fund's investment objectives, risks, charges and expenses carefully before you invest. You may wish to consult with your own tax advisor regarding an investment in a tax-free fund.

Member FDIC.

SECTION VII: COST PROPOSAL SECTION

Cost Proposal Section - The Cost Proposal Section must include all costs associated with the proposer's plan to carry out the requested service. Any cost proposal forms furnished by the County must be included in this section.

1. Direct payment of fees according to an itemized fee schedule;

See attached itemized fee schedule for direct payment based on a fixed compensating balance of \$35MM (Fee Schedule #1) and another fee schedule based on ECR with a minimum of 200bps (Fee Schedule #2).

2. A fixed compensating balance amount, subject to a quarterly review to compare with market interest rates;

M&T Bank is proud to offer a fixed compensating balance of \$35MM (average collected balance) in an interest bearing account(s) for the current services rendered. **M&T will also provide 0.02% on the \$35MM required balance.** We will be happy to meet with the County on a quarterly basis to review this balance and market rates.

3. Earnings Credit Rate (ECR), subject to a quarterly review;

M&T Bank can meet your ECR option and agree to the formula provided including the minimum of 200bps. This will require a different fee schedule which we have attached as Fee Schedule #2. We will be happy to meet with the County on a quarterly basis to review the ECR and fee schedule. The 0.02% interest will not be offered on the checking accounts with this option.

4. Any combination of the above; or

M&T is offering option 2 and option 3 with both options having a direct payment option. However, there are 2 different fee schedules if the County would like to pay a direct payment.

5. The County will also entertain proposed alternative compensation methods not set forth above.

Our partnership with Albany County is one of mutual agreement and we will continue to embrace this philosophy.

6.1 Submit a cost proposal for the services described above in Section 4, Scope of Services, and detail the fee schedule on the tabulation included in this section.

Please see above for available pricing options and fee schedules below.

6.2 Detail the fee structure for the Proposal. Provide hourly rates and reimbursable costs if not included in the lump sum.

Not applicable.

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

M&T is committed to providing the County with transparency along with the pricing options they desire. We will also continue to provide the County with competitive rates on the MMK Savings accounts. We are also committed to meeting with the County quarterly to review rates and evaluate the best options for investments in accordance with the County's investment policy. During these quarterly meetings, we will also bring in solution partners to provide innovative technology options, investment options and industry changes.

6.4 Please detail the cost and conditions of a Letter of Credit (LOC), if needed by the County in the range of \$5 million to \$10 million.

M&T Bank is pleased to offer the County a Letter of Credit, as needed, at an annual rate of 1.25% as it has in years past.

6.5 Provide your banks interest rate for CD'S, checking accounts and money market savings accounts for the month of January 2021. If the interest rate fluctuated throughout the month list the date and rate change.

M&T Bank has provided the County with a rate of 0.10% on Muni MMK Savings accounts for the month of January 2021. The current rate is 0.08% as of April 1, 2021. This is currently above the standard rate M&T is offering. CDs are below the 0.08% currently but we will continue to keep the County updated as rates fluctuate. We will continue to offer competitive market rates on your investments and excess balances.

Again, we are offering 0.02% on your required balance of \$35MM, if that pricing option is chosen.

6.6 Proposer must provide confirmation that system technology will be capable of importing and processing financial data from the County's Integrated Financial System, currently MUNIS from Tyler Technologies. Any County costs related to proposer-required modifications to the files or file format must be specified.

As the incumbent, we are familiar with MUNIS and will continue to deliver solutions that are compatible.

6.7 Listed below are the services currently provided to Albany County. Indicate the unit price for each item, service charge and balance required. If you do not provide any of the services listed please indicate N/A. Include any additional services you provide and the unit price.

Additionally, the County has provided an Excel file that summarizes its December 2020 account service statements. Please complete both the checking account and money market account worksheets with corresponding itemized pricing. A third worksheet in the file lists the 2020 monthly account balances.

Please see our response below in "Fee Schedule #1" and "Fee Schedule #2".

6.8 At the present time, Finance does not use lockbox services. This was included to cover potential changes in County processes or procedures.

Lockbox service has many options and pricing depends on the amount of items processed. When the County is ready, M&T Bank will be happy to demonstrate all the capabilities available and provide pricing accordingly.

6.9 Presently there are eight (8) remote check deposit scanners supplied by the County's current bank and being utilized at multiple County locations.

M&T Bank will continue to provide Remote Check Scanners at no cost to the County.

At present Albany County does not accept payments via credit card nor does the County accept electronic payments.

M&T will continue to deliver Merchant Services to the Ice Rink Facility at the current cost and will be happy to consult and provide additional Merchant Services to other areas of the County as they see fit.

County of Albany
112 State St Rm 1030
Albany, NY 12207

Fee Schedule #1

Number of Checking Accounts

39

Service Description	Volume	Unit Price	Total Price	Code
<u>Balance Compensated Services:</u>				
GENERAL DEPOSIT SERVICES				
Electronic & Paper Statement Delivery	39	\$ -	-	010000
Account Maintenance	39	\$ 7.000	273.00	010000
Deposit Tickets	264	\$ 0.750	198.00	010101
Check/Savings Estmt & Paper - per user	556	\$ -	-	010320
Branch Deposited Currency	136,006	\$ 0.002	272.01	10001Z
Branch Furnished Currency	100	\$ 0.002	0.20	10014A
Encoded Checks Deposited Balt Other	26	\$ 0.170	4.42	100214
Encoded Checks Deposited Balt RCPC	10	\$ 0.170	1.70	100215
Checks Deposited	371	\$ 0.200	74.20	10022Z
Encoded Checks Dep - Other dist.	1,839	\$ 0.170	312.63	10022Z
Encoded Checks Dep - On US	342	\$ 0.170	58.14	100220
Encoded Checks DEP - Oth. 5th Dist	38	\$ 0.170	6.46	100222
Encoded Checks Dep - 2nd Dist.	3,566	\$ 0.170	606.22	100222
Encoded Checks Deposited - Fed Govt	240	\$ 0.170	40.80	100223
Encoded Checks Dep - 3rd Dist.	77	\$ 0.170	13.09	100223
Returns - Maker Captured	3	\$ 0.250	0.75	100430
Account Fraud Protection Check Block	5	\$ 15.000	75.00	159999
Checks Paid Summary	35	\$ 4.000	140.00	159999
Subtotal			2,076.62	
ACCOUNT RECONCILIATION SERVICES				
ARP/DRP Report - Per Recon	1	\$ 10.000	10.00	100700
Full Recon W/POS Pay - Monthly Maint	21	\$ 50.000	1,050.00	150030
Positive Pay Service - Monthly Maint	11	\$ 50.000	550.00	150030
Payee Positive Pay - Monthly Maint	10	\$ 30.000	300.00	150030
Positive Pay/Payee Pos Pay Suspects	50	\$ -	-	150122
Positive Pay/Payee Pos Pay Suspects	11	\$ -	-	150122
Stale Date Service - Monthly Maint	32	\$ 20.000	640.00	150230
Full Recon -Monthly Maintenance	1	\$ 75.000	75.00	200010
Recon or POS Pay Truncated - Per item	1,259	\$ 0.080	100.72	200120
Payee Pos Pay Truncated - Per item	4,239	\$ 0.070	296.73	200120
ARP Output Transaction - Per Item	4,316	\$ 0.080	345.28	200201
Electronic Chk Issue Input - Per item	5,907	\$ 0.030	177.21	200201
ARP Output Trans File - Monthly Maint	12	\$ 15.000	180.00	200201
ARP Paper Reports - Per Recon Cycle	1	\$ 45.000	45.00	200310
ARP Postage - UPS		\$ 1.000	-	209999
Subtotal			3,769.94	
ACH SERVICES				
ACH Origination - Monthly Maintenance	1	\$ 27.000	27.00	250000
ACH Credits Received - Per Item	253	\$ 0.200	50.60	250101
ACH PPD Credits Originated - Per item	12,068	\$ 0.170	2,051.56	250107
ACH PPD Debits Originated - per item	1	\$ 0.170	0.17	250200

ACH Debits Received - Per Item	50	\$ 1.000	50.00	250302
ACH Returns - Per Electronic Item	1	\$ 3.000	3.00	250302
ACH NOC - Per Electronic Item	2	\$ 3.000	6.00	250400
ACH Activity Report Mo Maint	1	\$ 35.000	35.00	250501
ACH File Handling - ACH Monitor Totals	8	\$ 15.000	120.00	250501
ACH Debit Review - Monthly Maintenance	1	\$ 10.000	10.00	251050
ACH Monitor Fraud Review - Mo Maint	38	\$ 10.000	380.00	251053
ACH Manual Item Reversal/Deletion	1	\$ -	-	251060
ACH Monitor Transmission - Mo Maint	1	\$ 30.000	30.00	259999
EDI Reporting - Monthly Maint	1	\$ 35.000	35.00	300522
Subtotal			2,798.33	

CHECK IMAGE SERVICES

Deposit Image SVC - Mo Maint	19	\$ 15.000	285.00	109999
Check Image SVC - Mo Maint	40	\$ 15.000	600.00	151350
CD-ROM Ck Paid Images - Monthly Maint	38	\$ 20.000	760.00	151350
CD-ROM / Trans Ck Paid Images - Per Item	5,513	\$ 0.050	275.65	151351
CD-ROM Check Paid Images - Per CD	1	\$ 25.000	25.00	151353
Subtotal			1,945.65	

CHECK PAYMENT SERVICES

Checks Paid - Truncated	803	\$ 0.210	168.63	150102
Excess Checks Paid Rejects >1%	11	\$ -	-	150300
Excess Checks Paid Rejects >3%	18	\$ 2.500	45.00	150300
Subtotal			213.63	

CONTROLLED DISBURSEMENT SERVICES

Controlled Disb - Monthly Maintenance	1	\$ 240.000	240.00	150000
Controlled Disb Add'l Account - Mo Maint	3	\$ 125.000	375.00	150000
Controlled Dis Checks Paid - Truncated	4,710	\$ 0.210	989.10	150112
Deferred Item Offset		\$ 1.000	-	159999
Subtotal			1,604.10	

INFORMATION REPORTING SERVICES

Book Transfers - Per Item	205	\$ -	-	010102
Book Transfer Service	1	\$ -	-	019999
Stop Pmt Service - Mo Maint	1	\$ -	-	150410
Stop Pmt Orders - Per Item	132	\$ 7.000	924.00	150410
Ach Intraday Sum - Mo Per Acct	1	\$ 30.000	30.00	250702
Expand Wire Rpt - Mo Per Acct	2	\$ 85.000	170.00	359999
Prev Day Summ - Mo Per Acct	77	\$ 5.000	385.00	400000
Prev Day Summ - Mo Per Acct	4	\$ 25.000	100.00	400000
Prev Day Summ - Mo Per Acct	1	\$ 36.000	36.00	400000
Pre Day Detail - Mo Per Acct	73	\$ 5.000	365.00	400001
Pre Day Detail - Mo Per Acct	4	\$ 35.000	140.00	400001
Pre Day Detail - Mo Per Acct	1	\$ 50.000	50.00	400001
Cash POS Summ - Mo Per Acct	82	\$ 10.000	820.00	400003
Cash POS Detail - Mo Per Acct	82	\$ 10.000	820.00	400054
Mobile User Access - Mo Maint	4	\$ -	-	400210
Pre Day Detail - Per Item	7,340	\$ 0.050	367.00	400222
Cash POS Detail - Per Item	6,432	\$ 0.050	321.60	400225
Subtotal			4,528.60	

REMOTE CHECK DEPOSIT SERVICES

RCD Deposit Transmission - Per Deposit	165	\$ 0.350	57.75	109999
Remote Check Deposit - Monthly maint	1	\$ 125.000	125.00	109999

Remote Check Deposit - Per Item	6,138	\$ 0.110	675.18	109999
Subtotal			857.93	
RETURN DEPOSITED ITEMS SPECIAL HANDLING SERVICES				
Deposited Items Returned - Per Item	4	\$ 10.000	40.00	100400
Returns Special Handling - Mo maint	32	\$ 25.000	800.00	100401
Subtotal			840.00	
FUNDS TRANSFER SERVICES				
Wire Transfer Service	1	\$ 20.000	20.00	350000
Wire - Out Auto Dom Rep - Per Item	36	\$ 12.500	450.00	350101
Wire - Internal Auto Out - Per item	7	\$ 8.000	56.00	350120
Wire-Out Tele/Draw Domestic - Per item	2	\$ 30.000	60.00	350202
Wire Incoming Domestic - Per Item	2	\$ 17.000	34.00	350300
Wire Profile Storage - Per Item	33	\$ 1.000	33.00	350551
Subtotal			653.00	
ZBA				
ZBA Master - Montly Maintenance	3	\$ 44.000	132.00	010020
ZBA Transfer - Debit - Per Item	88	\$ 0.500	44.00	010110
ZBA Credit Posting Cntld - per item	88	\$ 0.100	8.80	010111
Subtotal			184.80	
Total Balance Compensated Charges			<u>\$ 19,472.60</u>	

County of Albany
 112 State St Rm 1030
 Albany, NY 12207

Number of Money Market Accounts

47

Service Description	Volume	Unit Price	Total Price	Code
<u>Balance Compensated Services:</u>				
GENERAL DEPOSIT SERVICES				
Electronic & Paper Statement Delivery	34	-	-	010000
Electronic Statement Delivery	13	-	-	010000
Account Maintenance	10	-	-	010000
Deposit Tickets	40	0.7500	30.00	010101
Checking/Savings Estmt only - per user	134	-	-	010307
CheckSavings Estmt & Paper - per user	363	-	-	010320
Branch Deposited Currency	5,345	0.0020	10.69	10001Z
24 Hour Deposit	8	2.5000	20.00	100200
Checks Deposited	134	0.2000	26.80	10022Z
Encoded Checks Dep - On US	1	0.1700	0.17	100220
Account Fraud Protection Check Block	38	15.0000	570.00	159999
Checks Paid Summary	8	4.0000	32.00	159999
Subtotal			689.66	
ACH SERVICES				
ACH Credits Received - per item	898	0.2000	179.60	250101
ACH Addenda Received - Per Line	872	0.0300	26.16	250220
ACH Debit Block - Monthly Maintenance	15	25.0000	375.00	251052
ACH Monitor Fraud Review - Mo Maint	26	10.0000	260.00	251053
Subtotal			840.76	
Check IMAGE SERVICES				
CD-ROM CK Paid Images - Monthly Maint	1	20.0000	20.00	151350
Subtotal			20.00	
EDI SERVICES				
EDI Reporting Service - Monthly Maint	2	25.0000	50.00	300010
EDI Advices - Per Info Reporting Item	907	1.0000	907.00	300222
Subtotal			957.00	
REMOTE CHECK DEPOSIT SERVICES				
RCD Deposit Transmission - Per Deposit	1	0.3500	0.35	109999
Remote Check Deposit - Per Item	1	0.1100	0.11	109999
Subtotal			0.46	
Total Balance Compensated Charges			\$ 2,507.88	

Average Positive Collected Balance

Checking + Money Market

Jan-20	\$	193,344,691
Feb-20	\$	119,879,907
Mar-20	\$	153,767,327
Apr-20	\$	198,705,943
May-20	\$	112,290,356
Jun-20	\$	78,598,827
Jul-20	\$	116,947,018
Aug-20	\$	177,162,866
Sep-20	\$	177,293,554
Oct-20	\$	173,945,495
Nov-20	\$	156,654,198
Dec-20	\$	164,510,381
2020 Average	\$	151,925,047

County of Albany
112 State St Rm 1030
Albany, NY 12207

Fee Schedule #2

Number of Checking Accounts

39

Service Description	Volume	Unit Price	Total Price	Code
<u>Balance Compensated Services:</u>				
GENERAL DEPOSIT SERVICES				
Electronic & Paper Statement Delivery	39	\$ 7.0000	273.00	010000
Account Maintenance	39	\$ 28.0000	1,092.00	010000
Deposit Tickets	264	\$ 1.1000	290.40	010101
Check/Savings Estmt & Paper - per user	556	\$ 6.0000	3,336.00	010320
Branch Deposited Currency	136,006	\$ 0.0025	340.02	10001Z
Branch Furnished Currency	100	\$ 0.0025	0.25	10014A
Encoded Checks Deposited Balt Other	26	\$ 0.1700	4.42	100214
Encoded Checks Deposited Balt RCPC	10	\$ 0.1700	1.70	100215
Checks Deposited	371	\$ 0.2200	81.62	10022Z
Encoded Checks Dep - Other dist.	1,839	\$ 0.1700	312.63	10022Z
Encoded Checks Dep - On US	342	\$ 0.1700	58.14	100220
Encoded Checks DEP - Oth. 5th Dist	38	\$ 0.1700	6.46	100222
Encoded Checks Dep - 2nd Dist.	3,566	\$ 0.1700	606.22	100222
Encoded Checks Deposited - Fed Govt	240	\$ 0.1700	40.80	100223
Encoded Checks Dep - 3rd Dist.	77	\$ 0.1700	13.09	100223
Returns - Maker Captured	3	\$ 0.2500	0.75	100430
Account Fraud Protection Check Block	5	\$ 30.0000	150.00	159999
Checks Paid Summary	35	\$ 7.5000	262.50	159999
Subtotal			6,870.00	
ACCOUNT RECONCILIATION SERVICES				
ARP/DRP Report - Per Recon	1	\$ 15.0000	15.00	100700
Full Recon W/POS Pay - Monthly Maint	21	\$ 100.0000	2,100.00	150030
Positive Pay Service - Monthly Maint	11	\$ 50.0000	550.00	150030
Payee Positive Pay - Monthly Maint	10	\$ 30.0000	300.00	150030
Positive Pay/Payee Pos Pay Suspects	50	\$ 1.0000	50.00	150122
Positive Pay/Payee Pos Pay Suspects	11	\$ -	-	150122
Stale Date Service - Monthly Maint	32	\$ 30.0000	960.00	150230
Full Recon -Monthly Maintenance	1	\$ 95.0000	95.00	200010
Recon or POS Pay Truncated - Per item	1,259	\$ 0.0800	100.72	200120
Payee Pos Pay Truncated - Per item	4,239	\$ 0.1000	423.90	200120
ARP Output Transaction - Per Item	4,316	\$ 0.0800	345.28	200201
Electronic Chk Issue Input - Per item	5,907	\$ 0.0300	177.21	200201
ARP Output Trans File - Monthly Maint	12	\$ 20.0000	240.00	200201
ARP Paper Reports - Per Recon Cycle	1	\$ 45.0000	45.00	200310
ARP Postage - UPS		\$ 1.0000	-	209999
Subtotal			5,402.11	
ACH SERVICES				
ACH Origination - Monthly Maintenance	1	\$ 30.0000	30.00	250000
ACH Credits Received - Per Item	253	\$ 0.2000	50.60	250101
ACH PPD Credits Originated - Per item	12,068	\$ 0.1875	2,262.75	250107
ACH PPD Debits Originated - per item	1	\$ 0.1875	0.19	250200

ACH Debits Received - Per Item	50	\$ 1.0000	50.00	250302
ACH Returns - Per Electronic Item	1	\$ 4.5000	4.50	250302
ACH NOC - Per Electronic Item	2	\$ 4.5000	9.00	250400
ACH Activity Report Mo Maint	1	\$ 35.0000	35.00	250501
ACH File Handling - ACH Monitor Totals	8	\$ 20.0000	160.00	250501
ACH Debit Review - Monthly Maintenance	1	\$ 30.0000	30.00	251050
ACH Monitor Fraud Review - Mo Maint	38	\$ 35.0000	1,330.00	251053
ACH Manual Item Reversal/Deletion	1	\$ 40.0000	40.00	251060
ACH Monitor Transmission - Mo Maint	1	\$ 30.0000	30.00	259999
EDI Reporting - Monthly Maint	1	\$ 30.0000	30.00	300522
Subtotal			4,062.04	

CHECK IMAGE SERVICES

Deposit Image SVC - Mo Maint	19	\$ 50.0000	950.00	109999
Check Image SVC - Mo Maint	40	\$ 50.0000	2,000.00	151350
CD-ROM Ck Paid Images - Monthly Maint	38	\$ 60.0000	2,280.00	151350
CD-ROM / Trans Ck Paid Images - Per Item	5,513	\$ 0.0600	330.78	151351
CD-ROM Check Paid Images - Per CD	1	\$ 30.0000	30.00	151353
Subtotal			5,590.78	

CHECK PAYMENT SERVICES

Checks Paid - Truncated	803	\$ 0.2100	168.63	150102
Excess Checks Paid Rejects >1%	11	\$ 2.0000	22.00	150300
Excess Checks Paid Rejects >3%	18	\$ 3.0000	54.00	150300
Subtotal			244.63	

CONTROLLED DISBURSEMENT SERVICES

Controlled Disb - Monthly Maintenance	1	\$ 240.0000	240.00	150000
Controlled Disb Add'l Account - Mo Maint	3	\$ 135.0000	405.00	150000
Controlled Dis Checks Paid - Truncated	4,710	\$ 0.2300	1,083.30	150112
Deferred Item Offset		\$ 1.0000	-	159999
Subtotal			1,728.30	

INFORMATION REPORTING SERVICES

Book Transfers - Per Item	205	\$ -	-	010102
Book Transfer Service	1	\$ -	-	019999
Stop Pmt Service - Mo Maint	1	\$ -	-	150410
Stop Pmt Orders - Per Item	132	\$ 20.0000	2,640.00	150410
Ach Intraday Sum - Mo Per Acct	1	\$ 30.0000	30.00	250702
Expand Wire Rpt - Mo Per Acct	2	\$ 85.0000	170.00	359999
Prev Day Summ - Mo Per Acct	77	\$ 15.0000	1,155.00	400000
Prev Day Summ - Mo Per Acct	4	\$ 25.0000	100.00	400000
Prev Day Summ - Mo Per Acct	1	\$ 40.0000	40.00	400000
Pre Day Detail - Mo Per Acct	73	\$ 23.0000	1,679.00	400001
Pre Day Detail - Mo Per Acct	4	\$ 38.0000	152.00	400001
Pre Day Detail - Mo Per Acct	1	\$ 55.0000	55.00	400001
Cash POS Summ - Mo Per Acct	82	\$ 37.0000	3,034.00	400003
Cash POS Detail - Mo Per Acct	82	\$ 48.0000	3,936.00	400054
Mobile User Access - Mo Maint	4	\$ -	-	400210
Pre Day Detail - Per Item	7,340	\$ 0.1500	1,101.00	400222
Cash POS Detail - Per Item	6,432	\$ 0.1300	836.16	400225
Subtotal			14,928.16	

REMOTE CHECK DEPOSIT SERVICES

RCD Deposit Transmission - Per Deposit	165	\$ 0.4000	66.00	109999
Remote Check Deposit - Monthly maint	1	\$ 135.0000	135.00	109999

Remote Check Deposit - Per Item	6,138	\$ 0.1400	859.32	109999
Subtotal			1,060.32	
RETURN DEPOSITED ITEMS SPECIAL HANDLING SERVICES				
Deposited Items Returned - Per Item	4	\$ 16.0000	64.00	100400
Returns Special Handling - Mo maint	32	\$ 25.0000	800.00	100401
Subtotal			864.00	
FUNDS TRANSFER SERVICES				
Wire Transfer Service	1	\$ 25.0000	25.00	350000
Wire - Out Auto Dom Rep - Per Item	36	\$ 14.0000	504.00	350101
Wire - Internal Auto Out - Per item	7	\$ 11.0000	77.00	350120
Wire-Out Tele/Draw Domestic - Per item	2	\$ 35.0000	70.00	350202
Wire Incoming Domestic - Per Item	2	\$ 17.0000	34.00	350300
Wire Profile Storage - Per Item	33	\$ 1.0000	33.00	350551
Subtotal			743.00	
ZBA				
ZBA Master - Montly Maintenance	3	\$ 45.0000	135.00	010020
ZBA Transfer - Debit - Per Item	88	\$ 0.5000	44.00	010110
ZBA Credit Posting Cntld - per item	88	\$ 0.1500	13.20	010111
Subtotal			192.20	
Total Balance Compensated Charges			<u>\$ 41,685.53</u>	

County of Albany
 112 State St Rm 1030
 Albany, NY 12207

Number of Money Market Accounts

47

Service Description	Volume	Unit Price	Total Price	Code
<u>Balance Compensated Services:</u>				
GENERAL DEPOSIT SERVICES				
Electronic & Paper Statement Delivery	34	7.0000	238.00	010000
Electronic Statement Delivery	13	-	-	010000
Account Maintenance	10	-	-	010000
Deposit Tickets	40	1.1000	44.00	010101
Checking/Savings Estmt only - per user	134	-	-	010307
CheckSavings Estmt & Paper - per user	363	6.0000	2,178.00	010320
Branch Deposited Currency	5,345	0.0025	13.36	10001Z
24 Hour Deposit	8	2.5000	20.00	100200
Checks Deposited	134	0.2200	29.48	10022Z
Encoded Checks Dep - On US	1	0.1700	0.17	100220
Account Fraud Protection Check Block	38	30.0000	1,140.00	159999
Checks Paid Summary	8	7.5000	60.00	159999
Subtotal			3,723.01	
ACH SERVICES				
ACH Credits Received - per item	898	0.2000	179.60	250101
ACH Addenda Received - Per Line	872	0.0300	26.16	250220
ACH Debit Block - Monthly Maintenance	15	30.0000	450.00	251052
ACH Monitor Fraud Review - Mo Maint	26	35.0000	910.00	251053
Subtotal			1,565.76	
Check IMAGE SERVICES				
CD-ROM CK Paid Images - Monthly Maint	1	32.0000	32.00	151350
Subtotal			32.00	
EDI SERVICES				
EDI Reporting Service - Monthly Maint	2	30.0000	60.00	300010
EDI Advices - Per Info Reporting Item	907	1.0000	907.00	300222
Subtotal			967.00	
REMOTE CHECK DEPOSIT SERVICES				
RCD Deposit Transmission - Per Deposit	1	0.4000	0.40	109999
Remote Check Deposit - Per Item	1	0.1400	0.14	109999
Subtotal			0.54	
Total Balance Compensated Charges			\$ 6,288.31	

Average Positive Collected Balance

Checking + Money Market

Jan-20	\$	193,344,691
Feb-20	\$	119,879,907
Mar-20	\$	153,767,327
Apr-20	\$	198,705,943
May-20	\$	112,290,356
Jun-20	\$	78,598,827
Jul-20	\$	116,947,018
Aug-20	\$	177,162,866
Sep-20	\$	177,293,554
Oct-20	\$	173,945,495
Nov-20	\$	156,654,198
Dec-20	\$	164,510,381
2020 Average	\$	151,925,047

SECTION VIII: MANDATORY DOCUMENTATION

Mandatory Documentation - The Mandatory Documentation Section must include:

The Non-Collusive Bidding Certificate (Attachment “A”)

Acknowledgment by Proposer (Attachment “B”)

Vendor Responsibility Questionnaire (Attachment “C”)

Iranian Energy Divestment Certification (Attachment “D”).

Please provide any other additional proposals or potential cost savings in Appendices.

In this section, we have provided the mandatory documentation:

- The Non-Collusive Bidding Certificate (Attachment “A”)
- Acknowledgment by Proposer (Attachment “B”)
- Vendor Responsibility Questionnaire (Attachment “C”)
- Iranian Energy Divestment Certification (Attachment “D”).

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Banking Services

RFP Number: 2021-044

THIS PROPOSAL IS SUBMITTED TO:

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

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

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

Date	Number
3/29/21	1
3/30/21	2
4/2/21	3
4/9/21	4
4/12/21	5
4/20/21	6
4/22/21	7

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

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

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

- 4. Proposer will complete the Work for the following prices(s): (Attach Proposal)
- 5. Proposer agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. Proposer agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.
- 6. The following documents are attached to and made a condition of this Proposal:
 - (a) Non-Collusive Bidding Certificate (Attachment “A”)
 - (b) Acknowledgment by Bidder (Attachment “B”)
 - (c) Vendor Responsibility Questionnaire (Attachment “C”)
 - (d) Iranian Energy Divestment Certification (Attachment “D”)
- 7. Communication concerning this Proposal shall be addressed to:
 - Elizabeth Peters
 - _____
 - 80 State Street
 - _____
 - Albany, NY 12207
 - _____
 - Phone: 518-426-6371
 - _____
- 8. Terms used in this Proposal have the meanings assigned to them in the Contract and General Provisions.

COUNTY OF ALBANY

COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Banking Services
RFP Number: 2021-044

COMPANY:	M&T Bank
ADDRESS:	80 State Street
CITY, STATE, ZIP:	Albany, NY 12207
TEL. NO.:	518-426-6371
FAX NO.:	(518)426-2339
FEDERAL TAX ID NO.:	16-0538020
REPRESENTATIVE:	Elizabeth Peters
E-MAIL:	epeters@mtb.com
SIGNATURE AND TITLE	
DATE	4/30/21

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

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

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

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

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

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

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

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

Signature

Vice President

Title

M&T Bank

Company Name

4/30/21

Date

ATTACHMENT "B"
ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

**ATTACHMENT “C”
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

1. VENDOR IS: ☐ PRIME CONTRACTOR			
2. VENDOR’S LEGAL BUSINESS NAME M&T Bank		3. IDENTIFICATION NUMBERS a) FEIN # 16-0968385 b) DUNS # 00-697-6724	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable) www.mtb.com	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE One M&T Plaza, 345 Main Street, Buffalo, NY 14203		7. TELEPHONE NUMBER 518-426-6371	8. FAX NUMBER 518-426-2339
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE Name Elizabeth Peters Title Vice President, Commercial Senior Relationship Manager Telephone Number 518-426-6371 Fax Number 518-426-2339 e-mail epeters@mtb.com			
13. LIST ALL OF THE VENDOR’S PRINCIPAL OWNERS.			
a) NAME	TITLE	b) NAME	TITLE
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A “YES,” AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor. ☐ Yes ☒ No 			
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRINCIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS: ☐ Yes ☒ No a) An elected or appointed public official or officer? <i>List each individual's name, business title, the name of the organization and position elected or appointed to, and dates of service</i> ☐ Yes ☒ No b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individual's name, business title or consulting capacity and the official political position held with applicable service dates.</i> ☐ Yes ☒ No			

21.	IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES ¹ :	☐ Yes	☒ No
	a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;		
Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.			

1 “Affiliate” meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity’s daily operations, that entity will be an “affiliate” for purposes of this questionnaire.

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of:)
) ss:
County of:)

CERTIFICATION:

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

The undersigned certifies that he/she:

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

Name of Business M&T Bank

Signature of Owner _____

Address 80 State Street

Printed Name of Signatory _____

City, State, Zip Albany, NY 12207

Title

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

Notary Public

Elizabeth Peters

Printed Name

Signature

4/30/21

Date

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

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

4-30-21

Date

Signature

Vice President

Title

M&T Bank

Company Name

SECTION IX: ALTERNATIVES

In this section, we have provided alternative banking solutions based on our history with the County and our review of your accounts and needs. We believe these solutions will provide value to the County, and would welcome the opportunity to discuss these further with you.

Invoice & Pay

M&T Invoice & Pay service is a comprehensive, configurable electronic billing and payment solution that gives businesses more control over how they get paid, automate receivables and streamline operations. Give customers the flexibility and convenience to view and pay their bills online. A secure payment portal with your branding can be linked to or fully integrated with your existing website.

The M&T Advantage

M&T's Invoice & Pay service is a secure, low cost way to streamline your receivables process, allowing your employees to focus more on running your core business. Invoices are loaded into an M&T hosted website, branded to your needs, via an electronic file containing either summary, detail or PDF images of your customer's invoice.

- **Highly configurable integrated bill presentment or payment only option.** Choose to offer full integrated bill presentment and payment site, or a simplified payment only portal, that is branded based on your company's needs.
- **Easily customized with point and click provisioning.** Reduce or limit technology cost to implement Invoice & Pay service with its point and click design to configure based on clients needs.
- **Multiple payment methods & channels.** Accept ACH and/or Credit Card Payments and offer payers multiple payment options including single one-time payments or recurring payments.
- **Responsive design.** Single website that is accessible via desktop or mobile devices.
- **API support.** Advanced integration options available via established APIs that allow business control the user experience via their existing website, while taking advantage of Invoice and Pay's functionality

M&T @Work

M&T @Work is a worksite banking benefits program. By teaming up with M&T, the County has the opportunity to offer your employees banking perks while also enjoying benefits as an institution.

M&T will allow your employees to choose a checking account to fit their financial needs. Your employees will also receive preferred rates and discounts on specific products and services, as well as access to financial education workshops.

Savings and Discounts

A variety of savings and discounts are available to the County's employees through M&T @Work:

- No M&T fee for first order of standard checks¹
- Preferred rate offers on selected savings products
- Discounted loan rates² and mortgage closing costs³

Financial Education

As part of the M&T @Work program, M&T will conduct financial education workshops for employees as desired.

¹ Offer applies to one standard check order per household

² Offers subject to credit approval and are for new accounts only. Offers available only if a new personal checking account is opened in connection with the M&T @Work program.

³ Limit one mortgage closing discount per loan. Certain other restrictions may apply. Customers must apply with an M&T Mortgage Division loan officer. Loans subject to credit and property approval

M&T makes banking more convenient⁴

- M&T Online Banking® and M&T Mobile Banking
- Web and Mobile Bill Pay
- M&T Bank Alerts
- Account access to M&T ATMs and branches across the footprint
- 24-hour Telephone Banking Automated System Access

M&T @Work offers your employees the perks of a worksite banking program, provided by a bank that's committed to the community. With M&T, your employees get to choose banking options based on their needs, not a 'one size fits all' approach. Combined with competitive checking accounts, preferred rates and financial education workshops, M&T @Work provides valuable benefits for your employees, which ultimately benefits the County as well.

⁴ Use of these features and services requires internet and/or data access through a computer or mobile device. Subject to availability and the same limitations as any service available through the internet. M&T Bank is not responsible for matters that are outside of its reasonable control that might impact availability and functionality. M&T Bank reserves the right to suspend service for any reason at any time. Your mobile carrier's text messaging and data charges may apply.

Unless otherwise specified, all advertised offers and terms and conditions of accounts and services are subject to change at any time without notice. After an account is opened or service begins, it is subject to its features, conditions, and terms, which are subject to change at any time in accordance with applicable laws and agreements. Please contact an M&T representative for full details.

DISCLOSURES

Terms and Conditions

M&T Bank is pleased to submit this proposal for your consideration and selection. This proposal has been prepared exclusively for the benefit and internal use of the party to whom it is directly addressed and delivered ("you") in order to assist you in evaluating certain products and services that may be provided by M&T. This proposal is subject to and conditioned upon a mutually agreeable contract/s being entered into between you and M&T. We have attached to this proposal our standard M&T agreements and documents that govern the provision of our products and services. If this proposal is being provided in response to an RFP, M&T takes a general exception to the application of any contract terms and conditions included in your RFP, including any most favored nation/pricing provision. If awarded the bid, we will negotiate mutually agreeable contract/s for the provision of our products and services. Negotiation shall be based on our attached M&T standard agreements and documents. The terms and conditions applicable to the provision of our products and services will be those reflected in those final signed agreements and documents. The provision of any products or services to you, including the opening of any new account, is subject to the satisfaction of legal, compliance, tax and/or credit due diligence in M&T's sole discretion.

Confidentiality

M&T Bank hereby requests that you give (i) this proposal and any information provided with it and (ii) any agreements and election forms entered into between M&T and you arising from this proposal or the type of services described herein (in each case, including any pricing/fee information) (together, the "Confidential Information") confidential treatment pursuant to the New York Freedom of Information Law §87(2), Subsections (c) and (d). The Confidential Information is information that is proprietary to M&T, the disclosure of which would reveal material nonpublic information and trade secrets that would cause substantial injury to the competitive position of M&T and/or its affiliates. Prior to any decision by you to publicly release any of the Confidential Information, you must contact M&T so that it may take appropriate steps to protect the Confidential Information from disclosure. You agree to fully cooperate with M&T (at M&T's expense) to protect the Confidential Information. Your obligations under this section are in addition to and not in lieu of any other confidentiality obligations required of you that may be included in this proposal or imposed by law.

Any non-public information contained in our proposal (and provided to you in connection with our proposal), such as our pricing/fee information, is strictly confidential in nature and is proprietary information of M&T, our third party vendors, and/or our affiliated entities. Such information may be disclosed only to your employees and agents on a need-to-know basis for the sole purpose of evaluating our proposal, and provided such persons agree, in writing, to maintain the confidentiality of such information. No such information may be copied, published, used for any other purpose or shared with any other persons, in whole or in part, without the written approval of M&T. Any unauthorized use or disclosure of such information is strictly prohibited. After use or upon reasonable request, such information must be returned to us or destroyed.

Recommendations

You are responsible for your own independent assessment as to the suitability and appropriateness of the products and services hereunder for the needs and requirements of your business. Any recommendation or suggestion that M&T Bank or any of its representatives makes to you (whether orally or in writing in this proposal or otherwise) relating to the type or scope of services (or service features) that you may wish to purchase are made in good faith to assist you in your decision to purchase services. However, M&T provides no guarantee or representation regarding any such recommendation or suggestion. The decision to purchase (or not to purchase) a particular product or service (or service feature) is your sole decision, and M&T shall not be held responsible or liable in connection therewith or in connection with any of its recommendations or suggestions.

Proposal Information and Service Descriptions

Information included in this proposal, including descriptions of our products and services and the features of those products and services, is current as of the date of this proposal. However, such information is subject to change by M&T in its sole discretion, including, but not limited to, if there are any operational, procedural, technical or other changes in the products or services after the date of this proposal. Any such information shall be as set forth in and subject to the MS Contract, TM/Depository Documents, Card Agreement and/or any other agreements or documents entered into between you and M&T. Information included in this proposal concerning personnel is also current as of the date of this proposal, but is subject to change by M&T in its sole discretion as personnel may change.

Projected Benefits or Improvements

Any statements made by M&T Bank in the proposal regarding any projected benefits or improvements over your current situation from M&T's products, services, or relationship are statements of possible or potential benefits or improvements that you may receive or experience from such products, services, or relationship. M&T cannot, and does not, guarantee that you will in fact receive or experience such benefits or improvements.

Products or Services Offered to Third Parties

To the extent M&T refers to or describes a product or service that may be offered by M&T to a third party, M&T reserves the right to decide, in its sole discretion, whether to provide those products or services to a particular third party. Eligibility requirements may apply, in which case the products or services will only be provided to eligible third parties. The terms and conditions applicable to the provision of M&T's products and services to such third parties will be those reflected in final signed agreements or documents entered into between M&T and the third party.

Products or Services Provided by Third Party Vendors

To the extent M&T refers to or describes a product or service that may be provided to you by a third party vendor, the provision of such product or service is subject to the approval of the third party vendor, which approval may be given or withheld in the vendor's sole discretion. Eligibility requirements may apply, in which case the product or service will only be provided to you if you satisfy such requirements to the

satisfaction of the third party vendor. The provision of such product or service may be conditioned upon you entering into a suitable agreement or other document with the third party vendor, in which case the terms and conditions applicable to the provision of the third party's products and services to you will be those reflected in final signed agreements or documents entered into between you and the third party. All such agreements or documents are separate and apart from any contract you may enter into with M&T. Pursuant to the agreements or other documents between you and the third party vendor, the third party vendor may agree to provide you with certain equipment, which equipment you will be responsible for maintaining or upgrading as required by the applicable agreements or documents. It may be a prerequisite of or precondition to M&T providing you with certain products or services, such as those to be provided by M&T in conjunction with a third party vendor, that you enter into an agreement or other document with the third party vendor and that such agreement or other document remain in full force and effect, and M&T reserves the right to decide not to provide you with a product or service or to terminate the provision of such product or service in the event you fail to enter into or remain bound by a suitable agreement or other document with the third party vendor.

TM/Depository Documents

You will be required to sign M&T's standard depository and treasury management agreements for any such services that will be provided to you by M&T, including the Commercial Deposit Account Agreement, M&T's Master Treasury Management Services Agreement, Client Election Form, TM Resolution, System Administrator Form/s, Multiple Client Authorization Agreement (if applicable), applicable Product Terms & Conditions and such other depository and treasury management disclosures or documents as required by M&T for the applicable services (the "TM/Depository Documents"). The TM/Depository Documents shall be incorporated into any final signed agreement entered into between you and M&T for depository or treasury management services and shall take precedence over any inconsistent provisions therein.



Equal Housing Lender. © 2021 M&T Bank. Member FDIC. All rights reserved.

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M&T Bank

COUNTY OF ALBANY

REQUEST FOR PROPOSALS

**ALBANY COUNTY COMPTROLLER'S OFFICE
& ALBANY COUNTY OFFICE OF MANAGEMENT & BUDGET**



RFP # 2021-044

BANKING SERVICES

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

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

TITLE: Banking Services RFP NUMBER: 2021-044

Receipt Confirmation Form

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

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

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

Company Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Contact Person: _____

Title: _____

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

If a Bidders/Proposers meeting has been arranged for this Bid/RFP, please indicate if you plan to attend:
☐ **Yes** / ☐ **No**

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

Fax Number: _____ E-Mail: _____

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

NON-PROPOSER RESPONSE

RFP #2021-044

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

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

Vendor Name: _____

Contact Person: _____

Vendor Address: _____

Vendor Telephone: _____

NOTICE TO PROPOSERS -- ALBANY COUNTY
REQUEST FOR PROPOSALS #2021-044

Sealed Proposals for **Banking Services** as requested by the Albany County Comptroller's Office and Albany County Office of Management & Budget will be received by the Albany County Purchasing Agent, Room 1000, 112 State Street, Albany, New York 12207 until 4:30 PM, local time on Friday, April 23, 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 Thursday, March 25, 2021.

Karen A. Storm
Purchasing Agent

Dated: March 19, 2021
Albany, New York

PUBLISH ONE DAY – Thursday, March 25, 2021 -- THE EVANGELIST
PUBLISH ONE DAY – Thursday, March 25, 2021 -- THE TIMES UNION

COUNTY OF ALBANY
REQUEST FOR PROPOSALS
BANKING SERVICES
ALBANY COUNTY COMPTROLLER'S OFFICE
&
ALBANY COUNTY OFFICE OF MANAGEMENT & BUDGET
RFP-2021-044

INTRODUCTION:

GENERAL

Albany County was incorporated in 1683. Situated on the west bank of the Hudson River, the County is approximately 135 miles directly north of New York City and has an area of approximately 540 square miles. The County budget is approximately \$720 million and contains almost 2,700 employees including the County owned Nursing Home and County Jail. The Annual Budget is posted to www.albanycounty.com if additional information is needed.

GOVERNMENT ORGANIZATION

The County is governed by the provisions of its Charter. The Charter, adopted in 1973, became effective January 1, 1976. In November of 1993, Albany County adopted a new County Charter. Under the Charter, Albany County is a home rule municipality and functions consistently with those provisions of the State Constitution and laws uniformly applicable to all New York State municipalities.

POPULATION

Albany County has a population of 304,204, as reported by the United States Department of Commerce in the 2010 Census. Of that total, 97,856 people reside in the City of Albany, which is the County seat and State Capital.

ECONOMY

The economy of the County is diversified, with significant activity in the areas of industry, commerce, and government. Industrial establishments are engaged in such diverse operations as paper making, printing, and the manufacturing of clothing, automobile accessories, chemical products, pharmaceuticals, and machine tools. Albany County also houses many retail stores, wholesale establishments, shopping centers, and several regional shopping malls.

EMPLOYMENT

A major portion of non-agricultural workers have historically been employed by federal, state, or local government. State government remains the largest employer in the County.

RFP DISTRIBUTION- *IMPORTANT NOTICE*

The County of Albany officially distributes RFP documents through the Purchasing Division Office or through the Capital Region Purchasing Group (CRPG) bid notification system (<http://www.empirestatebidsystem.com>) Copies of RFP documents obtained from any other source are not considered official documents. Only those vendors who obtain bidding documents from either the

Purchasing Division Office or the CRPG are guaranteed to receive addendum information, if such information is issued.

If you have obtained this document from a source other than the Albany County Purchasing Division or the CRPG bid notification system, it is strongly recommended that you obtain an official copy.

Albany County will only contract with firms that do not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation or citizenship status.

SECTION 1: PURPOSE

1.1 The County of Albany is seeking proposals to provide banking, investment custody services and merchant card processing from authorized depositories to provide Banking Services for an initial three-year period with the option to renew it for two, one-year periods for a possible total contract term of five years.

1.2 All banks must be FDIC Insured. Albany County maintains approximately eighty six (86) checking and municipal money market savings accounts. The County currently has thirty nine (39) checking accounts (four of which are controlled disbursement accounts) and forty seven (47) municipal money market accounts. These Accounts provide the basic receipt and disbursements capabilities for all County funds. Also, the County maintains in excess of 50 individual accounts or sub-accounts related to Nursing Home Patients and Court and Trust Accounts.

The majority of the account activity is concentrated into approximately twenty five (25) core accounts. These accounts handle 80% of the yearly activity for County disbursements and deposits. For the purposes of the Banking Services submissions, be advised that the County disburses approximately 35,000 checks from the core accounts yearly.

1.3 Definitions: the following definitions are applicable to this Request for Proposals.

Banking Services—services provided by a banking institution in maintaining a bank account, including, but not limited to: (i) the acceptance of deposits, (ii) the payment of checks; (iii) electronic funds transfers; (iv) lockbox services, (v) armored car services; (vi) stop payment services, and (vii) reconciliation services.

Direct Fee -- The method by which the County compensates banking institutions for the provision of banking services by check or electronic payment generated from a voucher submitted by the state agency.

Compensating Balance -- The method by which the County compensates banking institutions for the provision of banking services by retaining deposits with the bank, which are credited with interest pursuant to a formula prescribed by the attached proposal. These earnings are used to compensate the bank for services provided.

SECTION 2: RECEIPT OF PROPOSALS

Each proposal shall be prepared simply and economically avoiding the use of elaborate promotional materials beyond what is sufficient to provide a complete, accurate, and reliable presentation. For ease of review, the proposals must follow the outline in Section 7 of this RFP. Each response should be clearly numbered with the full question listed.

- 2.1 Five (5) copies of the Proposal and (1) electronic copy on CD or flash drive, and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name and number of the Proposal and the name and address of the Proposer. Proposals must be received no later than **4:30 P.M. on Friday, April 23, 2021**, at the following address:

Karen A. Storm
Albany County Purchasing Agent
112 State Street, ***Room 1000 (PLEASE NOTE CHANGE OF ROOM #)***
Albany, New York 12207

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

SECTION 3: QUALIFICATION OF PROPOSER

Provide a statement of Proposer qualifications including:

- 3.1 Description of proposing organization including but not limited to size, years of operation, areas of specialization, current credit rating and name of the rating service, and any other pertinent information. Proposer should submit ratings for the bank and/or bank holding company from two of the following agencies: Standard & Poor's, Moody's, Fitch, Thomson BankWatch, Sheshunoff, or Lace. If the proposer is not rated by two of these rating organizations, provide other evidence of the institution's credit quality.

The purpose of this description is to help the evaluation committee formulate an opinion regarding the stability and financial strength of the proposer.

- 3.2 Include copies or Internet links to the two (2) most recent audited annual financial statements. If not included therein, please provide an acquisition and merger history since 2007. Any acquisition of assets from distressed financial institutions within the past 3 years must be provided. Also provide a listing of any recently acquired financial institutions designated by the FDIC as "distressed" prior to that acquisition.
- 3.3 Contract Performance – If the proposer has had a banking services contract terminated during the past five years, all such incidents must be described. Submit full details of all terminations experienced by the proposer during the last five years including the terminating party's name, address, and telephone number. Present the proposer's position on the matter. If no such terminations for default have been experienced by the proposer in the past five years, the proposer must state such.
- 3.4 Identify proposer's professional staff members who would be involved in the County Engagement, the experience each possesses and the location of the office from which each work. Provide the name and title of person(s) authorized to bind the Proposer, together with the main office address, email address(es), telephone number (including area code) and fax number for contact.

Please provide biographical information on senior staff that will be directly involved in the management of the County's account, and what, if any, experience these employees have in working with public agencies. Describe the proposed role of each with regard to the County's account. For each key person, show the number of years of experience in this field and the number of years with your firm.

- 3.5 Detail proposer's overall experience with municipal Banking Services, or comparably sized private interests. Include available fraud detection and account security measures presently available for use. Detail any costs for training courses, software or hardware purchases needed for implementation of these account security measures.
- 3.6 Provide at least two (2) references from similar projects including name, addresses and telephone numbers.

- 3.7 Provide any additional information that would distinguish your firm in its service to Albany County including whole dollar investment in the local economy via existing company payroll, 2020 total amount issued of residential mortgages, 2020 total amount of issued commercial mortgages, non-profit donations. A copy of the proposer's most recent Community Reinvestment Report (CRA) must be included.
- 3.8 Please confirm that the proposer has been designated by the County governing body as a depository eligible to receive County funds. Banks that are not already designated depositories should send a written request to the Commissioner of Management and Budget, Room 1210, 112 State Street, Albany NY 12207 with a statement of qualifications to serve in this capacity.

All financial institutions and brokers/dealers who desire to become qualified for investment transactions must supply the following as appropriate:

- Audited financial statements
- Proof of Financial Industry Regulatory Authority (FINRA) certification
- Proof of New York State registration
- Certification of having received and understood, and agreeing to comply with, Albany County's investment policy

- 3.9 Proposer shall include a completed "Vendor Responsibility Questionnaire" (Attachment "C") with the Proposal.
- 3.10 In addition, Albany County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.

SECTION 4: SCOPE OF SERVICES

- 4.1 Qualified banks must meet the following required conditions in order to receive an award:
- A. All deposits in excess of those insured by the Federal Deposit Insurance Corporation must be fully collateralized each and every day of operation. Fully collateralized will be defined as the market value including possible securities haircuts at the rate of one hundred two percent of the uninsured amount. A description of the collateral system to monitor the County's daily balances for collateral sufficiency must be included, as well as a description of the possible use of a surety bond for collateralizations.
- B. Monthly statements of collateral should be provided to the County within fifteen days of the close of each month. Please include examples of daily confirmations and monthly statements.

- C. A full computerized reconciliation of General Fund checking and Trust Fund checking accounts must be made available on a monthly basis. This is to include General Fund checking, Payroll and Social Services. Electronic images of paid checks for all checking accounts and must be returned on a regular monthly basis to the County. Please include an example of monthly/daily reconciliation statements.
- D. The County currently utilizes controlled disbursement accounts for the County's General Fund, Trust Fund, Payroll and Social Services. Please describe your controlled disbursement system and disclose any minimum balances that are required to maintain these accounts.
- E. The proposer must provide cash management services via personal computer access in order to allow the County to initiate internal transfers between accounts, to obtain account balances, online statements and to initiate stop payments, etc. Please explain if your cash management system is capable of working in Windows software environment.
- F. The County maintains trust funds for residents of the County's Nursing Home and Health Related Facilities. The bank must be capable of accepting individual direct deposits for Social Security, SSI, pensions and providing detailed information on these accounts. Please provide examples of those system processes and reporting.
- G. The bank must provide a variety of short term and long term investment products to the County. Please provide a description of your bank's investment products and services. Please provide examples of statements.
- H. Proposals must state capabilities in assisting the County in future issuance of debt, notes or bonds, and whether they have the ability to handle non bank-qualified debt.
- I. Banks submitting proposals must state their capabilities to process payments made to Albany County via internet or other electronic means. These services should include credit card payment processing, check by phone services, debit card payments and any other services that may be available for this purpose. Cost per transaction to both County and customer must be clearly identified.
- J. Banks submitting proposals must provide length of time the County would be able to view records of its accounts and account transactions instantly on line.
- K. The County needs access to banking data throughout the day for purposes of transferring funds into or from interest bearing accounts to maximize investment income. Banks submitting proposals must provide online access for transfers and reporting on current day and previous day balances.
- L. Proposals must include a plan for the conversion of existing accounts in no more than 30 days. All costs and opening balances needed must be specified.

- M. Proposers must hold custodial agreements in a secured location (vault, safe deposit box etc.) as required by HUD, that a third party bank hold the paperwork for these grants.
- N. Proposers must be able to cash County issued checks at local branches. Provide a listing or link to a map showing the location of the bank's branches and ATMs located within Albany County.
- O. Proposers must state if there will be a check cashing fee to vendors, DSS recipients, payroll checks and other recipients should the person not have an account at your branch for Albany County issued checks.
- P. Please provide a list of the proposer's legal holidays when offices will be closed for business.
- Q. Please provide details regarding available purchase card programs, either physical cards or digital purchase card services, which would be an option for the County.

SECTION 5: TERM OF CONTRACT:

- 5.1 It is the intent to award the contract for an initial three-year period with the option to renew it for two, one-year periods for a possible total contract term of five (5) years. The decision to renew the contract will be at the sole discretion of the County.
- 5.2 The successful Proposer shall execute a contract with the County of Albany in substantial conformance with this RFP as prepared and approved by the County Attorney.
- 5.3 By submitting this proposal, proposers agree that in the event of an acquisition by another Bank during the term of this Banking Services Agreement, this Agreement will remain in effect "as-is" until the term of the contract expires.
- 5.4 By submitting this proposal, proposers agree to absorb the costs associated with any changes to the checks. Examples include Check 21 alterations, changes to account numbers and/or changes to Bank name upon acquisition. They will also provide check stock for any accounts that are not being produced via the County's financial system.

SECTION 6: COST PROPOSAL:

The County desires flexibility in the payment of bank services based on per item charges. **Both the Direct Fee and Compensating Balance methods of payment must be quoted.** Specify the formula that will be used to set the interest rate for the Compensating Balance account, including any guaranteed minimum rates to hold the County taxpayer harmless where calculated compensating balance rates drop below 200 basis points. Any costs associated with quarterly settlements of balance/fee deficiencies must be noted. Any additional services that result in a charge to the County must be identified.

The County is willing to consider and choose any or a combination of the following compensation methods:

1. Direct payment of fees according to an itemized fee schedule;
2. A fixed compensating balance amount, subject to a quarterly review to compare with market interest rates;
3. Earnings Credit Rate (ECR), subject to a quarterly review;
4. Any combination of the above; or
5. The County will also entertain proposed alternative compensation methods not set forth above.

The County may choose either to offset the fee payment with Earnings Credits or request Earnings Credits reimbursement from the bank. If, for any month, the Earnings Credits exceeds the monthly bank charges, the bank shall carry forward the excess. Earnings Credits are to be calculated using the following formula.

Earnings Credits = (average available account balance) x (ECR) x (Time) where:

ECR = Earnings Credit Rate, the determination of which is described below.

Time = number of days in billing period/365.

The Earnings Credit Rate is the monthly average investment rate on the thirteen-week Treasury Bill, as determined at the weekly auction and published on the U.S. Treasury website, the bank's standard rate, or 200 bps, whichever is greater. The Earnings Credit Rate shall be determined by the County and confirmed with the bank monthly. The County will not use any other method of calculation for the ECR.

Alternative cost proposals may be added to the response and so identified. The intent is to produce the lowest costs possible and maximize the County's interest earnings while maintaining required services. For reference, the County maintained an Average Ledger Balance of approximately \$152 million in 2020 between all of its bank accounts combined.

The contract award will not necessarily be made to the bank that provides the lowest cost proposal, but rather to the firm that submits the most responsive proposal meeting the County's requirements. In addition, the proposer should include as a part of the total price, the cost of any services which the bank feels must be included. The bank may also include the billing rate for special projects which may be entered into during the contract period, but are not a part of the total cost proposal. Volume discount prices may be indicated where appropriate.

- 6.1 Submit a cost proposal for the services described above in Section 4, Scope of Services, and detail the fee schedule on the tabulation included in this section.

- 6.2 Detail the fee structure for the Proposal. Provide hourly rates and reimbursable costs if not included in the lump sum.
- 6.3 Provide any other relevant information that will assist the County in evaluating your Proposal.
- 6.4 Please detail the cost and conditions of a Letter of Credit (LOC), if needed by the County in the range of \$5 million to \$10 million.
- 6.5 Provide your banks interest rate for CD'S, checking accounts and money market savings accounts for the month of January 2021. If the interest rate fluctuated throughout the month list the date and rate change.
- 6.6 Proposer must provide confirmation that system technology will be capable of importing and processing financial data from the County's Integrated Financial System, currently MUNIS from Tyler Technologies. Any County costs related to proposer-required modifications to the files or file format must be specified.
- 6.7 Listed below are the services currently provided to Albany County. Indicate the unit price for each item, service charge and balance required. If you do not provide any of the services listed please indicate N/A. Include any additional services you provide and the unit price.

Additionally, the County has provided an Excel file that summarizes its December 2020 account service statements. Please complete both the checking account and money market account worksheets with corresponding itemized pricing. A third worksheet in the file lists the 2020 monthly account balances.

<u>SERVICE</u>	<u>NUMBER OF UNITS</u>	<u>UNIT PRICE</u>	<u>SERVICE CHARGE</u>	<u>BALANCE REQUIRED</u>
<u>DEPOSITORY SERVICES</u>				
ACCOUNT MAINTENANCE	1			
ELECTRONIC & PAPER STATEMENT DELIVERY	1			
DEPOSIT TICKETS	1			
BANKING CENTER DEPOSIT	1			
BRANCH DEPOSITED CURRENCY	1			
BRANCH FURNISHED CURRENCY	1			
CHECKS DEPOSITED	1			
ITEM PROCESSING DEPOSIT	1			
GENERAL CHECKS PAID TRUNCATED	1			
ACCOUNT FRAUD PROTECTION CHECK BLOCK	1			
RETURNS-CHARGEBACK	1			
RETURNS-RECLEAR SERVICES	1			
RETURNS-ALTERNATE ADDRESS SVCS	1			
RETURNS-DUPLICATE ADVICE	1			
RETURNS-STORE PROCESSING SVCS	1			
RETURNS-DUP ADVICE	1			
RETURNS-STORE PROCESSING	1			
RETURNS – MAKER CAPTURED				
CKS DEP PRE-ENCODED ITEMS	1			
CKS DEP UN-ENCODED ITEMS	1			
NSF ITEMS PAID/RETURNED	1			
DEBITS POSTED-ELECTRONIC	1			
CREDITS POSTED-ELECTRONIC	1			
<u>LOCKBOX SERVICES</u>				
WLBX EXCEPTION PROC-PER MONTH	1			
<u>COMMERCIAL DEPS-CASH VAULT</u>				
CURR/COIN DEP/\$100-BKG CTR	1			
CURR/COIN DEP/\$100-BKG VLT	1			
<u>GENERAL ACH SERVICES</u>				
ACH OPTIONAL RPTS-ELECTRONIC	1			
ACH DELETE/REVERSAL	1			
ACH RETURN ITEM	1			
ACH MONTHLY MAINTENANCE	1			
ACH INPUT-FILE	1			
ACH BLOCKS AUTH INSTRUCTIONS	1			
ACH BLOCKS AUTH MAINTENANCE	1			
DELETE/REVERSAL BATCH/FILE	1			
ACH NOTIF OF CHANGE (NOC)	1			

ACH STANDARD REPORTS-FAX	1			
ACH CONSUMER ON US CREDITS	1			
ACH CONSUMER OFF US CREDITS	1			
ACH CREDIT RECEIVED ITEM	1			
ACH DEBIT RECEIVED ITEM	1			
ACH ORIGATION	1			
ACH PPD CREDITS ORIGINATED	1			
ACH PPD DEBITS ORIGINATED	1			
ACH ACTIVITY REPORT	1			
ACH FILE HANDLING	1			
ACH DEBIT REVIEW	1			
ACH MONITOR FRAUD REVIEW	1			
ACH MANUAL ITEM REVERSAL/ DELETION	1			
ACH MONITOR TRANSMISSION	1			
EDI REPORTING	1			
<u>CONTROLLED DISBURSEMENTS</u>				
CONTROLLED DISB MAINTENANCE	1			
CONT DISB CKS PAID-TRUNCATED	1			
CONT DISB-FUNDING CREDITS	1			
<u>WIRE TRANSFER</u>				
PHN WIRE REPT TEMPLATE STORAGE	1			
INCOMING DOMESTIC WIRE	1			
WIRE ADVICE-MAIL	1			
MANUAL WIRE OUT- DOMESTIC	1			
BOOK CREDIT	1			
<u>ACCOUNT RECONCILIATION</u>				
ARP PARTIAL MAINT-PAPER RPTS	1			
FULL RECON W/ POS PAY	1			
RECON OR POS PAY TRUNCATED	1			
PAYEE POS PAY TRUNCATED	1			
ARP OUTPUT TRANSACTION	1			
ELECTRONIC CHK ISSUE	1			
ARP OUTPUT TRANS FILE	1			
ARP PAPER REPORTS	1			
DEPOSIT RECON MAINTENANCE	1			
ARP FULL PPAY MAINT PAPER RPT	1			
ARP FULL PPAY INPUT PER ITEM	1			
ARP RECON TRANS END OF CYCLE	1			
ARP SUB-ACCOUNTING	1			
ARP OUTPUT PROCESSING PER ITEM	1			
ARP STALE DATE MAINT	1			
STALE DATE SERVICE	1			
POSITIVE PAY SERVICE	1			
POSITIVE PAY EXCEPTIONS	1			

PAYEE POSITIVE PAY	1			
POSITIVE PAY/PAYEE POS PAY SUSPECTS	1			
DEPOSIT RECON PER ITEM	1			
ARP PPAY MAINT-NO RECON	1			
ARP POSITIVE PAY RETURN-OTHER	1			
ARP/DRP REPORT	1			
<u>EDI SERVICES</u>				
RECEIVING-ADVISING-PER PG	1			
RECEIVING-ADVISING-FAX-MAINT	1			
GLOBAL ADVICE REC PER PAYMENT	1			
GLOBAL ADVICE RECEIVING MAINT	1			
<u>CHECK SERVICES</u>				
DEPOSIT IMAGE SVC	1			
CHECK IMAGE SVC	1			
CD-ROM CK PAID IMAGES	1			
CD-ROM/TRANS CK PAID IMAGES	1			
CD-ROM CHECK PAID IMAGES	1			
CHECKS PAID - TRUNCATED	1			
<u>INFORMATION REPORTING SERVICES</u>				
BOOK TRANSFERS	1			
STOP PMT SERVICE	1			
ACH INTRADY SUM	1			
EXPAND WIRE RPT	1			
PREV DAY SUMMARY	1			
PREV DAY DETAIL	1			
CASH POSITION SUMMARY	1			
CASH POSITION DETAIL	1			
<u>REMOTE DEPOSIT SERVICES</u>				
REMOTE DEP-ACCOUNT MAINTENANCE	1			
REMOTE CHECK DEP – PER ITEM	1			
MED VOLUME SCANNER MAINT	1			
RCD DEPOSIT TRANSMISSION	1			
<u>IMAGE</u>				
CD ROM MAINTENANCE	1			
CD ROM PER IMAGE	1			
CD ROM DISK	1			
IMAGE ARCHIVE-90 DAYS	1			
IMAGE MAINTENANCE - DIRECT	1			

<u>MISCELLANEOUS</u>				
CHECK COPY	1			
CHECK BOOK FEES	1			
CHECK CASHED-NON CUSTOMER	1			
NONRELATIONSHIP CUST CK CASHED	1			
DEPOSITED ITEMS RETURNED	1			
RETURNS SPECIAL HANDLING	1			
<u>TOTAL SERVICE CHARGES</u>				

6.8 At the present time, Finance does not use lockbox services. This was included to cover potential changes in County processes or procedures.

6.9 Presently there are eight (8) remote check deposit scanners supplied by the County's current bank and being utilized at multiple County locations.

At present Albany County does not accept payments via credit card nor does the County accept electronic payments.

SECTION 7: PROPOSAL SUBMISSIONS

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

SECTION I:

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

SECTION II:

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

SECTION III:

Qualification / Experience - The Qualification / Experience section must address proposer's qualifications and experience to carry out the requested service, inclusive of, but not limited to: qualification to do business in NYS, number of years in business and length of experience. Resumes of professional staff members who may be involved in the County engagement must be included in this section.

SECTION IV:

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

SECTION V:

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

SECTION VI:

Sample terms and conditions should be presented for review.

SECTION VII:

Cost Proposal Section - The Cost Proposal Section must include all costs associated with the proposer's plan to carry out the requested service. Any cost proposal forms furnished by the County must be included in this section.

SECTION VIII:

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

Please provide any other additional proposals or potential cost savings in Appendices.

SECTION 8: PROPOSAL EVALUATION

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

8.2 Proposals received will be evaluated by a committee with representation from the Albany County Comptroller's Office and Department of Management and Budget. Proposals shall be evaluated based upon the following:

<i>CRITERIA</i>	<i>WEIGHT</i>
Proposer's comprehension of the required (work) Scope of Services	20%
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	20%
Total proposed yield on investment.	20%
Cost of Services directly billed or paid via Compensating Balances	20%
Number of branch offices within Albany County	20%

8.3 Criteria will be rated on a scale of 1-5 with higher scores indicating greater degree of approval by the evaluation team. A rating will be assessed by the evaluation team for each criterion for each proposal.

8.4 Proposals will be examined and evaluated by the County Comptroller and the Commissioner of Management and Budget or his designee, with the advice of the Albany County Purchasing

Agent to determine whether the requirements of this RFP are met and to make a recommendation to the Albany County Executive, the Albany County Contracts Administration Board or the County Legislature for a contract award.

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

SECTION 9: ALTERNATIVES

- 9.1 Proposer may include in its Proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the Proposal and the cost thereof must be separate and itemized. Please provide the County with any other pertinent suggestions to streamline operations.

SECTION 10: INDEMNIFICATION

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

SECTION 11: SPECIFICATION CLARIFICATION

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

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

- 11.2 All questions about the meaning or intent of the specifications must be submitted to the aforementioned designated person in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded as having received the proposal documents. Questions received less than four (4) days prior to the date of submission of Proposals will not be answered. The County will be bound only by responses given by formal written Addenda.
- 11.3 Other than the contact person identified in the Proposal, or their designee, prospective Proposers shall not approach County employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

SECTION 12: MODIFICATION AND WITHDRAWAL OF PROPOSALS

- 12.1 Proposals may be modified or withdrawn at any time prior to the opening of Proposals by an appropriate document duly executed (in the manner that a Proposal must be executed) and delivered to the place where Proposals are to be submitted.
- 12.2 If within twenty-four (24) hours after the Proposals are opened, any Proposer files a duly signed written notice with the County and promptly thereafter demonstrates to the reasonable satisfaction of the County that there was a material and substantial mistake in the preparation of its Proposal, that Proposer may withdraw its Proposal and the Proposal Security will be returned. Thereafter, that Proposer will be disqualified from making a further or additional proposal on the work contemplated by this RFP.
- 12.3 Each proposal shall state that it is an irrevocable offer for a period of ninety (90) days from the Proposal opening date. After expiration of the irrevocable offer period, if no contract award has been made, a Proposal may be withdrawn if the Proposer does so in writing directed to the County Purchasing Agent; otherwise, Proposals remain in effect consistent with the terms of this RFP.

SECTION 13: PROPOSAL SECURITY

- 13.1 No proposal security is requested for this Proposal.

SECTION 14: INSURANCE AND SECURITY REQUIREMENTS

- 14.1 The successful Proposer will be required to procure and maintain at its own expense, the following insurance coverage:
- (a) **Worker's Compensation and Employer's Liability Insurance:** A policy or policies providing protection for Employees in the event of job related injuries.
 - (b) **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.
 - (c) **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

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

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

(a) Albany County shall be named as an additional insured on all liability policies. **Proposal number must appear on insurance certificate.**

(b) The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to Albany County. It shall be automatically renewed upon expiration and continued in force unless Albany County is given at least thirty (30) days written notice to the contrary.

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

SECTION 15: REMEDY FOR BREACH

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

SECTION 16: CASH DISCOUNT

16.1 Cash discounts may be offered by a Proposer for prompt payment of bills, but such cash discounts will not be taken into consideration in determining the low Proposer.

16.2 For purposes of any applicable cash discount, the payment date shall be calculated from the receipt of invoice or final acceptance of the goods, whichever is later.

SECTION 17: FREEDOM OF INFORMATION LAW

17.1 Confidential, trade secret or proprietary materials as defined by the laws of the State of New York must be clearly marked and identified as such upon submission. Proposers intending to seek an exemption from disclosure of these materials under the Freedom of Information Law (New York State Public Officers Law, Sections 84-90) must request the exemption in writing, at the time of the submission of the materials, setting forth the reason for the claimed

exemption. In addition, the proposer must mark each page of its submission on which there appears any material claimed to be protected as confidential or proprietary with the following legend, in bold face, capital letters at the top of each page: "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW". Acceptance of the claimed materials does not constitute a determination on the exemption request, which determination will be made in accordance with statutory procedures.

SECTION 18: MACBRIDE PRINCIPLES

- 18.1 Contractor/Proposer hereby represents that said contractor/proposer is in compliance with the MacBride Principles of Fair Employment as set forth in Albany County Local Law No. [3] for 1993, in that said contractor/proposer either (a) has no business operations in Northern Ireland or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Principles, and shall permit independent monitoring of their compliance with such principles. In the event of a violation of this stipulation, the County reserves all rights to take remedial measures as authorized under section 4 of Local Law No. [3] in 1993, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the contract/proposer in default and/or seeking debarment or suspension of the contractor/proposer.
- 18.2 In the case of a contract which must be let by competitive sealed bidding, whenever the lowest bidder has not agreed to stipulate to the conditions set forth in this section, and another bidder who has agreed to stipulate to such conditions has submitted a bid within five percent of the lowest bid for a contract to supply goods, services or construction of comparable quality, the contracting entity shall refer the contract to the County Legislature, which shall determine whether the lowest bidder is responsible. In making such determination, the County Legislature may consider, as a factor bearing on responsibility, whether the lowest bidder discriminates in employment in Northern Ireland.
- 18.3 As used in this section, the term "contract" shall not include contracts with government and non-profit organizations, contracts awarded pursuant to an emergency procurement procedure or contracts, resolutions, indentures, declarations of trust or other instruments of authorizing or relating to the authorization, issuance, award, sale or purchase of bonds, certificates of indebtedness, notes or other fiscal obligations of the County, provided that the policies of this section shall be considered when selecting managing underwriters in connection with such activities.
- 18.4 The provisions of this section shall not apply to contracts for which the County receive funds administered by the United States Department of Transportation, except to the extent Congress has directed that the Department of Transportation not withhold funds from states and localities that choose to implement selective purchasing policies based on agreement to comply with the MacBride Principles, or to the extent that such funds are not otherwise withheld by the Department of Transportation.

SECTION 19: AFFIRMATIVE ACTION REQUIREMENTS

- 19.1 It is the policy of the County of Albany that Minority Business Enterprises (MBE) and Woman Business Enterprises (WBE) are afforded the maximum opportunity to participate in the performance of contracts, in excess of \$100,000, let by the County and its several agencies and authorities. The County commits itself to a goal oriented Contract Compliance Program which assures that Minority Business Enterprises and Woman Business Enterprises are considered in awarding contracts for goods, services and construction. Furthermore, it is the policy of the County of Albany that contractors/proposers and subcontractors utilize minority and women labor to the greatest extent feasible.
- 19.2 In proposing on this contract, the Proposer acknowledges an understanding of this policy. The contractor/proposer shall carry out the policy by making every reasonable effort to award contracts and subcontracts to MBEs and WBEs and utilizing minority and women labor in the performance of this contract.
- 19.3 In an effort to assist Proposers with compliance attached you will find the following: Article SC19-Affirmative Action Plan and Department of Affirmative Action Compliance Forms.

SECTION 20: INTERPRETATION

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

SECTION 21: NON APPROPRIATIONS CLAUSE

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

SECTION 22: IRANIAN ENERGY SECTOR DIVESTMENT

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

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

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

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

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

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

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

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

SECTION 23: STORMWATER MANAGEMENT PROGRAM: Section not required

County of Albany
 112 State St Rm 1030
 Albany, NY 12207

Number of Checking Accounts 39

Service Description	Volume	Unit Price	Total Price
<u>Balance Compensated Services:</u>			
GENERAL DEPOSIT SERVICES			
Electronic & Paper Statement Delivery	39		-
Account Maintenance	39		-
Deposit Tickets	264		-
Check/Savings Estmt & Paper - per user	556		-
Branch Deposited Currency	136,006		-
Branch Furnished Currency	100		-
Encoded Checks Deposited Balt Other	26		-
Encoded Checks Deposited Balt RCPC	10		-
Checks Deposited	371		-
Encoded Checks Dep - Other dist.	1,839		-
Encoded Checks Dep - On US	342		-
Encoded Checks DEP - Oth. 5th Dist	38		-
Encoded Checks Dep - 2nd Dist.	3,566		-
Encoded Checks Deposited - Fed Govt	240		-
Encoded Checks Dep - 3rd Dist.	77		-
Returns - Maker Captured	3		-
Account Fraud Protection Check Block	5		-
Checks Paid Summary	35		-
Subtotal			-
ACCOUNT RECONCILIATION SERVICES			
ARP/DRP Report - Per Recon	1		-
Full Recon W/POS Pay - Monthly Maint	21		-
Positive Pay Service - Monthly Maint	11		-
Payee Positive Pay - Monthly Maint	10		-
Positive Pay/Payee Pos Pay Suspects	50		-
Positive Pay/Payee Pos Pay Suspects	11		-
Stale Date Service - Monthly Maint	32		-
Full Recon -Monthly Maintenance	1		-
Recon or POS Pay Truncated - Per item	1,259		-
Payee Pos Pay Truncated - Per item	4,239		-
ARP Output Transaction - Per Item	4,316		-
Electronic Chk Issue Input - Per item	5,907		-
ARP Output Trans File - Monthly Maint	12		-
ARP Paper Reports - Per Recon Cycle	1		-
ARP Postage - UPS			-
Subtotal			-

ACH SERVICES

ACH Origination - Monthly Maintenance	1		-
ACH Credits Received - Per Item	253		-
ACH PPD Credits Originated - Per item	12,068		-
ACH PPD Debits Originated - per item	1		-
ACH Debits Received - Per Item	50		-
ACH Returns - Per Electronic Item	1		-
ACH NOC - Per Electronic Item	2		-
ACH Activity Report Mo Maint	1		-
ACH File Handling - ACH Monitor Totals	8		-
ACH Debit Review - Monthly Maintenance	1		-
ACH Monitor Fraud Review - Mo Maint	38		-
ACH Manual Item Reversal/Deletion	1		-
ACH Monitor Transmission - Mo Maint	1		-
EDI Reporting - Monthly Maint	1		-
Subtotal			-

CHECK IMAGE SERVICES

Deposit Image SVC - Mo Maint	19		-
Check Image SVC - Mo Maint	40		-
CD-ROM Ck Paid Images - Monthly Maint	38		-
CD-ROM / Trans Ck Paid Images - Per Item	5,513		-
CD-ROM Check Paid Images - Per CD	1		-
Subtotal			-

CHECK PAYMENT SERVICES

Checks Paid - Truncated	803		-
Excess Checks Paid Rejects >1%	11		-
Excess Checks Paid Rejects >3%	18		-
Subtotal			-

CONTROLLED DISBURSEMENT SERVICES

Controlled Disb - Monthly Maintenance	1		-
Controlled Disb Add'l Account - Mo Maint	3		-
Controlled Dis Checks Paid - Truncated	4,710		-
Subtotal			-

INFORMATION REPORTING SERVICES

Book Transfers - Per Item	205		-
Book Transfer Service	1		-
Stop Pmt Service - Mo Maint	1		-
Stop Pmt Orders - Per Item	132		-
Ach Intrady Sum - Mo Per Acct	1		-
Expand Wire Rpt - Mo Per Acct	2		-
Prev Day Summ - Mo Per Acct	77		-
Prev Day Summ - Mo Per Acct	4		-
Prev Day Summ - Mo Per Acct	1		-
Pre Day Detail - Mo Per Acct	73		-
Pre Day Detail - Mo Per Acct	4		-
Pre Day Detail - Mo Per Acct	1		-

Cash POS Summ - Mo Per Acct	82		-
Cash POS Detail - Mo Per Acct	82		-
Mobile User Access - Mo Maint	4		-
Pre Day Detail - Per Item	7,340		-
Cash POS Detail - Per Item	6,432		-
Subtotal			-
REMOTE CHECK DEPOSIT SERVICES			
RCD Deposit Transmission - Per Deposit	165		-
Remote Check Deposit - Monthly maint	1		-
Remote Check Deposit - Per Item	6,138		-
Subtotal			-
RETURN DEPOSITED ITEMS SPECIAL HANDLING SERVICES			
Deposited Items Returned - Per Item	4		-
Returns Special Handling - Mo maint	32		-
Subtotal			-
FUNDS TRANSFER SERVICES			
Wire Transfer Service	1		-
Wire - Out Auto Dom Rep - Per Item	36		-
Wire - Internal Auto Out - Per item	7		-
Wire-Out Tele/Draw Domestic - Per item	2		-
Wire Incoming Domestic - Per Item	2		-
Wire Profile Storage - Per Item	33		-
Subtotal			-
ZBA			
ZBA Master - Montly Maintenance	3		-
ZBA Transfer - Debit - Per Item	88		-
ZBA Credit Posting Cntld - per item	88		-
Subtotal			-
Total Balance Compensated Charges			\$ -

County of Albany
 112 State St Rm 1030
 Albany, NY 12207

Number of Money Market Accounts

47

Service Description	Volume	Unit Price	Total Price
<u>Balance Compensated Services:</u>			
GENERAL DEPOSIT SERVICES			
Electronic & Paper Statement Delivery	34		-
Electronic Statement Delivery	13		-
Account Maintenance	10		-
Deposit Tickets	40		-
Checking/Savings Estmt only - per user	134		-
CheckSavings Estmt & Paper - per user	363		-
Branch Deposited Currency	5,345		-
24 Hour Deposit	8		-
Checks Deposited	134		-
Encoded Checks Dep - On US	1		-
Account Fraud Protection Check Block	38		-
Checks Paid Summary	8		-
Subtotal			-
ACH SERVICES			
ACH Credits Received - per item	898		-
ACH Addenda Received - Per Line	872		-
ACH Debit Block - Monthly Maintenance	15		-
ACH Monitor Fraud Review - Mo Maint	26		-
Subtotal			-
Check IMAGE SERVICES			
CD-ROM CK Paid Images - Monthly Maint	1		-
Subtotal			-
EDI SERVICES			
EDI Reporting Service - Monthly Maint	2		-
EDI Advices - Per Info Reporting Item	907		-
Subtotal			-
REMOTE CHECK DEPOSIT SERVICES			
RCD Deposit Transmission - Per Deposit	1		-
Remote Check Deposit - Per Item	1		-
Subtotal			-
Total Balance Compensated Charges			\$ -

Average Positive Collected Balance

Checking + Money Market

Jan-20	\$	193,344,691
Feb-20	\$	119,879,907
Mar-20	\$	153,767,327
Apr-20	\$	198,705,943
May-20	\$	112,290,356
Jun-20	\$	78,598,827
Jul-20	\$	116,947,018
Aug-20	\$	177,162,866
Sep-20	\$	177,293,554
Oct-20	\$	173,945,495
Nov-20	\$	156,654,198
Dec-20	\$	164,510,381
2020 Average	\$	151,925,047

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Banking Services

RFP Number: 2021-044

THIS PROPOSAL IS SUBMITTED TO:

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

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

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

Date

Number

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

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

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

4. Proposer will complete the Work for the following prices(s): (Attach Proposal)
5. Proposer agrees to commence the Work within the number of calendar days or by the specific date indicated in the Contract. Proposer agrees that the Work will be completed within the number of Calendar days or by the specific date indicated in the contract.
6. The following documents are attached to and made a condition of this Proposal:
 - (a) Non-Collusive Bidding Certificate (Attachment "A")
 - (b) Acknowledgment by Bidder (Attachment "B")
 - (c) Vendor Responsibility Questionnaire (Attachment "C")
 - (d) Iranian Energy Divestment Certification (Attachment "D")
7. Communication concerning this Proposal shall be addressed to:

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

COUNTY OF ALBANY

COST PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Banking Services

RFP Number: 2021-044

COMPANY:

ADDRESS:

CITY, STATE, ZIP:

TEL. NO.:

FAX NO.:

FEDERAL TAX ID NO.:

REPRESENTATIVE:

E-MAIL:

SIGNATURE AND TITLE

DATE

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

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

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

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

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

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

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

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

Signature

Title

Date

Company Name

ATTACHMENT "B"
ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

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

Notary Public, State of _____

Qualified in _____

Commission Expires _____

**ATTACHMENT “C”
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

1. VENDOR IS: ☐ PRIME CONTRACTOR			
2. VENDOR’S LEGAL BUSINESS NAME		3. IDENTIFICATION NUMBERS a) FEIN # b) DUNS #	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD:		5. WEBSITE ADDRESS (if applicable)	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE		7. TELEPHONE NUMBER	8. FAX NUMBER
9. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE <i>IN NEW YORK STATE, if different from above</i>		10. TELEPHONE NUMBER	11. FAX NUMBER
12. AUTHORIZED CONTACT FOR THIS QUESTIONNAIRE Name Title Telephone Number Fax Number e-mail			
13. LIST ALL OF THE VENDOR’S PRINCIPAL OWNERS.			
a) NAME	TITLE	b) NAME	TITLE
c) NAME	TITLE	d) NAME	TITLE
A DETAILED EXPLANATION IS REQUIRED FOR EACH QUESTION ANSWERED WITH A “YES,” AND MUST BE PROVIDED AS AN ATTACHMENT TO THE COMPLETED QUESTIONNAIRE. YOU MUST PROVIDE ADEQUATE DETAILS OR DOCUMENTS TO AID THE COUNTY IN MAKING A DETERMINATION OF VENDOR RESPONSIBILITY. PLEASE NUMBER EACH RESPONSE TO MATCH THE QUESTION NUMBER.			
14. DOES THE VENDOR USE, OR HAS IT USED IN THE PAST FIVE (5) YEARS, ANY OTHER BUSINESS NAME, FEIN, or D/B/A OTHER THAN THOSE LISTED IN ITEMS 2-4 ABOVE? List all other business name(s), Federal Employer Identification Number(s) or any D/B/A names and the dates that these names or numbers were/are in use. Explain the relationship to the vendor. ☐ Yes ☐ No 			
15. ARE THERE ANY INDIVIDUALS NOW SERVING IN A MANAGERIAL OR CONSULTING CAPACITY TO THE VENDOR, INCLUDING PRINCIPAL OWNERS AND OFFICERS, WHO NOW SERVE OR IN THE PAST ONE (1) YEARS HAVE SERVED AS: ☐ Yes ☐ No a) An elected or appointed public official or officer? <i>List each individual’s name, business title, the name of the organization and position elected or appointed to, and dates of service</i> ☐ Yes ☐ No b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individual’s name, business title or consulting capacity and the official political position held with applicable service dates.</i> ☐ Yes ☐ No			

21.	IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES ¹ :	☐ Yes	☐ No
	a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;		
Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.			

1 “Affiliate” meaning: (a) any entity in which the vendor owns more than 50% of the voting stock; (b) any individual, entity or group of principal owners or officers who own more than 50% of the voting stock of the vendor; or (c) any entity whose voting stock is more than 50% owned by the same individual, entity or group described in clause (b). In addition, if a vendor owns less than 50% of the voting stock of another entity, but directs or has the right to direct such entity’s daily operations, that entity will be an “affiliate” for purposes of this questionnaire.

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of:)
) ss:
County of:)

CERTIFICATION:

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

The undersigned certifies that he/she:

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

Name of Business

Signature of Owner _____

Address

Printed Name of Signatory _____

City, State, Zip

Title

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

Notary Public

Printed Name

Signature

Date

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

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

Signature

Title

Date

Company Name

County of Albany
Article SC19- Affirmative Action Plan

STATEMENT OF POLICY

The following is taken from Resolution No. 26 adopted by the Albany County Legislature on June 10, 1996.

Resolved, By the Albany County Legislature that the Affirmative Action Plan so endorsed by the Albany County Executive and which is currently on file with the Clerk of the County Legislature, shall be the official plan of the County of Albany including the objectives, procedures and goals so stipulated.

It is the policy of the County of Albany that Minority Business Enterprises (MBE) and Woman Business Enterprises (WBE) are afforded the maximum opportunity to participate in the performance of contracts, in excess of \$100,000, let by the County and its several agencies and authorities. The County commits itself to a goal oriented Contract Compliance Program which assures that Minority Business Enterprises and Woman Business Enterprises are considered in awarding contracts for goods, services and construction. Furthermore, it is the policy of the County of Albany that contractors and subcontractors utilize minority and women labor to the greatest extent feasible.

In bidding on this contract, the contractor acknowledges an understanding of this policy. The contractor shall carry out the policy by making every reasonable effort to award contracts and subcontracts to MBEs and WBEs and utilizing minority and women labor in the performance of this contract.

ANTI-DISCRIMINATION CLAUSE 220-E - NYS Labor Law. Provisions in contracts prohibiting discrimination on account of race, creed, color or national origin in employment of citizens upon public works. Every contract for or on behalf of the state or a municipality for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies shall contain provisions by which the contractor with the state or municipality agrees: (a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the state of New York who is qualified and available to perform the work to which the employment relates; (b) That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, disability, sex or national origin; (c) That there may be deducted from the amount payable to the contractor by the state or municipality under this contract a penalty of fifty dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of the contract; (d) That this contract may be cancelled or terminated by the state or municipality, and all moneys due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract; and (e) The aforesaid provisions of this section covering every contract for or on behalf of the state or a municipality for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the state of New York.

ADMINISTRATION

The County's Division of Affirmative Action is charged with the responsibility of monitoring Affirmative Action in all contracts. All County procurements will be made with an understanding that the complete participation of bona fide MBE and WBE shall be assured by balanced and equitable contract involvement.

The **subcontracting participation goals** for County public procurements are:

- to award 7% of the total dollar value of the contract to a certified MBE.
- to award 5% of the total dollar value of the contract to a certified WBE.

The **workforce goals** for County public procurements are as follows:

- 7% of the total workforce should be minorities.
- 5% of the total workforce should be women.

• CONTRACTOR'S RESPONSIBILITIES

The Contractor's responsibilities include, but are not limited to, the following. The Contractor **must:**

- 1) Submit to the Division of Affirmative Action a completed Schedule of MBE/WBE and Labor Performance or Request for Waiver within **fifteen (15) days** of receiving the Notice of Award.
- 2) Prior to being issued a Notice to Proceed, submit evidence of MBE/WBE contracts proposed to the Division of Affirmative Action.
- 3) Submit monthly utilization reports to the Division of Affirmative Action for review.
- 4) Immediately notify the Division of Affirmative Action of any changes during the project, especially if the change affects the Schedule of MBE/WBE and Labor Performance submitted for the project.
- 5) Make good faith efforts to replace an MBE/WBE subcontractor that is unable to perform successfully with another MBE/WBE.
- 6) Notify the Division of Affirmative Action of any suspected instances of companies fraudulently claiming MBE/WBE status.
- 7) If possible, provide any needed technical assistance to MBE/WBE firms under subcontract.
- 8) If possible, design payment schedules to minimize cash flow problems faced by MBEs/WBEs.
- 9) Maintain for three years such records as are necessary to determine compliance with MBE/WBE obligations and to submit regular reports to enable the Albany County MBE Officer to monitor this compliance.

• DEVELOPING A SCHEDULE OF MBE/WBE AND LABOR PERFORMANCE

The Schedule of MBE/WBE and Labor Performance must detail:

1. The contractor's name, address, phone number, federal identification number and the total dollar value of the contract.
2. Whether the contract is a joint venture.
3. The MBE and WBE goal for the contract.
4. A brief description of each proposed subcontractor, including the name, address, phone number, federal identification number and the total dollar amount of each subcontractor.
5. An estimate of the total number of hours to be worked on the project.

• COMPLIANCE

Each contractor must furnish monthly utilization reports while working on the project. The reports must detail the total number of hours worked, total minority /female labor hours and payments made to MBE and WBE firms.

- **WAIVER REQUEST FOR SUBCONTRACTING AND/OR LABOR PERFORMANCE**

Contractors which determine that the subcontracting and/or labor participation goals must cannot be achieved **must** request a waiver within **fifteen (15) days** of receiving the Notice of Award. The request must justify why the firm cannot accomplish the subcontracting and/or labor participation goals established for the project. The justification must detail actions taken to solicit MBE/WBE subcontractors, minority or female labor participation and the impediments encountered. Each waiver request will be evaluated individually. Submission of the request for waiver does **not** guarantee the requirements will be waived. Additional information or supporting documentation may be required to determine a contractor's good faith effort.

- **MBE/WBE RESPONSIBILITIES**

Each Minority Business Enterprise/Woman Business Enterprise shall:

1. Establish through certification that the company is a bona fide MBE/WBE. The Division of Affirmative Action reviews MBE/WBE eligibility status for contractors and subcontractors.
2. Exhibit an interest in bidding a particular project by attending pre-bid conferences and/or by responding timely to contract solicitations for bid quotations prior to bid date.
3. Be responsible for entering into all necessary contractual agreements.
4. Arrange for and supervise contract performance.
5. Secure equipment, materials and crew sufficient to complete their contract or subcontract.
6. Provide bonding, insurance and collateral as required for surety in contract performance.
7. Authorize payrolls, payments and reports as required for routine compliance.

The County will accept MBE/WBE Certifications made by other governmental agencies which are in compliance with our DBE policy.

SANCTIONS

SC-19.5.1

If **CONTRACTOR** cannot meet the WBE/MBE participation goals, he must document to the Albany County MBE Officer, that he has made all positive efforts to achieve it. Failure to meet the goals or to document that all positive efforts have been made to achieve it may result in the County invoking any legal or equitable remedy available to the County for breach of contract including withholding future payments under the **CONTRACT** involved; disqualification of the **CONTRACTOR** from future contracting opportunities for a period not to exceed two years; and cancellation of the contract and declaration of forfeiture of the **PERFORMANCE BOND**.

A decision by the Albany County MBE Officer to invoke the above sanctions shall be issued in writing by registered mail. The **CONTRACTOR** shall have ten (10) days from receipt of the decision to appeal the MBE Officer's decision to the Grievance committee of the Albany County Legislature. Both sides of the dispute shall have the opportunity to be heard at a meeting of the Grievance Committee to be held within ten (10) days of the receipt of an appeal, and the Committee shall send a final decision to both sides within ten (10) days by registered mail (or hand delivery in the case of the MBE Officer's copy).

STANDARDS

A **Minority Business Enterprise (MBE)** shall be any business enterprise which is at least fifty-one percent (51%) owned or in that case of a publicly-owned business, at least fifty-one percent (51%) of the common stock of which is owned, by a minority person(s), and such ownership interest is real, substantial and continuing. The minority ownership must have and exercise the authority to independently control the business decisions of the entity.

A **Woman Business Enterprise (WBE)** shall be any business enterprise which is at least fifty-one percent (51%) owned or in the case of a publicly-owned business, at least fifty-one percent (51%) of the common stock of which is owned, by a woman (women), and such ownership interest is real, substantial and continuing. The woman ownership must have and exercise the authority to independently control the business decisions of the

entity. WBEs shall not be considered as MBEs unless 51% of the assets of the company is held by a minority person(s).

A Disadvantaged Business Enterprise (DBE) mean a business enterprise controlled by one or more socially or economically disadvantaged individuals and whose management and daily business operations are controlled by one or more socially and economically disadvantaged individuals who own it. Such disadvantaged may arise from cultural, racial, chronic economic circumstances or background or other similar cause. Such persons include, but are not limited to citizens of the United States (or lawfully admitted permanent residents) and who are African Americans, Puerto Ricans, Hispanic Americans, Asian-Pacific Americans, American Indians, Eskimos, Aleuts, Asian Indians and Women.

Minority: A person who is a member of one or more of the following groups:

- A) Black (not of Hispanic origin) – a person having origins in any of the Black racial group of Africa.
- B) Hispanic -- a person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- C) Asian or Pacific Islander – a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.
- D) Native American or Alaskan Natives – a person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

Woman: A person who is of the feminine gender who are not otherwise classified as a minority.

For assistance or additional information, contact
County of Albany
Division of Affirmative Action
112 State Street, Room 670, Albany, NY 12207
Phone: (518) 447-7010
Fax: (518) 447-5586

County Of Albany
Criteria for Establishing Good Faith Effort

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

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

County of Albany
Department of Affirmative Action
Compliance Forms

COUNTY OF ALBANY
SCHEDULE OF MBE/WBE AND LABOR PERFORMANCE

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

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

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

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

Contract Description: _____

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

Joint Venture

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

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

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

Telephone: _____ Federal ID No: _____

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

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

Sub-contractor Performance

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

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

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

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

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

Signature: _____ Date: _____

**County of Albany
Monthly Utilization Report**

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

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

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

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

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

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

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

M/W/DBE Payments

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

INSTRUCTIONS

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

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

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

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

Waiver Request for Subcontracting and/or Labor Performance

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

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

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

Contract Type/Number: _____ Project Cost: _____

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

_____ Actions taken to include minority/women labor _____

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

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

_____ Name (please print) _____ Signature _____ Title _____

Total Summary

RFP #2021-044: Banking Services

Proposal Rating Worksheet

Summary and Averages from Four Ratings

	Weight	M&T Bank		Key Bank		JP Morgan		Bank of America	
		Rate	Score	Rate	Score	Rate	Score	Rate	Score
Proposer's comprehension of the required (work) Scope of Services	20%	5.0	1.0	4.8	1.0	5.0	1.0	4.8	1.0
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	20%	5.0	1.0	4.8	1.0	5.0	1.0	4.8	1.0
Total proposed yield on investment	20%	4.3	0.9	3.3	0.7	4.5	0.9	3.5	0.7
Cost of services directly billed or paid via Compensating Balances	20%	4.8	1.0	3.0	0.6	4.0	0.8	3.3	0.7
Number of branch offices within Albany County	20%	4.0	0.8	5.0	1.0	3.0	0.6	4.0	0.8
TOTALS:			4.6		4.2		4.3		4.1

RFP #2021-044: Banking Services

Proposal Rating Worksheet

M&T Bank

	Weight	Ransom Moore		Chip Dott		Mike McNeff		Dave Reilly	
		Rate	Score	Rate	Score	Rate	Score	Rate	Score
Proposer's comprehension of the required (work) Scope of Services	20%	5.0	1.0	5.0	1.0	5.0	1.0	5.0	1.0
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	20%	5.0	1.0	5.0	1.0	5.0	1.0	5.0	1.0
Total proposed yield on investment									
Cost of services directly billed or paid via Compensating Balances	20%	5.0	1.0	5.0	1.0	3.0	0.6	4.0	0.8
Number of branch offices within Albany County	20%	5.0	1.0	5.0	1.0	4.0	0.8	5.0	1.0
TOTALS:		4.0	0.8	5.0	1.0	3.0	0.6	4.0	4.6

NOTES:

M&T has the highest interest rate for our deposits in Money Market accounts, currently 0.08%.

Lowest compensating balance of \$35 million, which is the current compensating balance.

M&T will also pay the County interest on its \$35 million compensating balance.

Proposed periodic review of compensating balance and interest rates as needed, potentially quarterly.

As the County's current bank, M&T has extensive knowledge of the scope of services needed.

M&T does have the highest fees if the County pays for its services instead of opting for a compensatin balance.

The County has not paid cash fees for banking services in at least 10 years.

RFP #2021-044: Banking Services**Proposal Rating Worksheet****Key Bank**

	Weight	Ransom Moore		Chip Dott		Mike McNeff		Dave Reilly	
		Rate	Score	Rate	Score	Rate	Score	Rate	Score
Proposer's comprehension of the required (work) Scope of Services	20%	5.0	1.0	5.0	1.0	4.0	0.8	5.0	1.0
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	20%	5.0	1.0	5.0	1.0	4.0	0.8	5.0	1.0
Total proposed yield on investment	20%	3.0	0.6	3.0	0.6	3.0	0.6	4.0	0.8
Cost of services directly billed or paid via Compensating Balances	20%	3.0	0.6	3.0	0.6	3.0	0.6	3.0	0.6
Number of branch offices within Albany County	20%	5.0	1.0	5.0	1.0	5.0	1.0	5.0	1.0
TOTALS:			4.2		4.2		3.8		4.4

NOTES:

Key Bank has the most branches located within Albany County of the bidders - 8 in the City of Albany and 57 in the greater Capital Region.

Key estimates that the compensating balance required will be at least \$50 million.

Interest rate for the County's deposits would be 0.01% in Money Market accounts at current rates.

RFP #2021-044: Banking Services

Proposal Rating Worksheet

JP Morgan

	Weight	Ransom Moore		Chip Dott		Mike McNeff		Dave Reilly	
		Rate	Score	Rate	Score	Rate	Score	Rate	Score
Proposer's comprehension of the required (work) Scope of Services	20%	5.0	1.0	5.0	1.0	5.0	1.0	5.0	1.0
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	20%	5.0	1.0	5.0	1.0	5.0	1.0	5.0	1.0
Total proposed yield on investment	20%	5.0	1.0	4.0	0.8	5.0	1.0	4.0	0.8
Cost of services directly billed or paid via Compensating Balances	20%	4.0	0.8	4.0	0.8	4.0	0.8	4.0	0.8
Number of branch offices within Albany County	20%	3.0	0.6	4.0	0.8	2.0	0.4	3.0	0.6
TOTALS:			4.4		4.4		4.2		4.2

NOTES:

JP Morgan has the highest proposed compensating balance requirement, approximately \$70 million, given its ECR rate and mandatory Balance Based Charge adjustment.

JP Morgan, through Chase, is a new entrant into the Albany market having recently opened 3 branches with plans to open an addition 2 more in 2021.

Currently the lowest number of branches in the County, with closest relevant Chase branches in downtown Albany and Wolf Road.

RFP #2021-044: Banking Services**Proposal Rating Worksheet****Bank of America**

Weight	Ransom Moore		Chip Dott		Mike McNeff		Dave Reilly	
	Rate	Score	Rate	Score	Rate	Score	Rate	Score
Proposer's comprehension of the required (work) Scope of Services	5.0	1.0	5.0	1.0	4.0	0.8	5.0	1.0
Experience with similar projects (number of like-sized accounts, account activity and reporting for municipal banking services)	5.0	1.0	5.0	1.0	4.0	0.8	5.0	1.0
Total proposed yield on investment	3.0	0.6	4.0	0.8	3.0	0.6	4.0	0.8
Cost of services directly billed or paid via Compensating Balances	3.0	0.6	3.0	0.6	3.0	0.6	4.0	0.8
Number of branch offices within Albany County	3.0	0.6	5.0	1.0	4.0	0.8	4.0	0.8
TOTALS:		3.8		4.4		3.6		4.4

NOTES:

Bank of America has a minimum required compensating balance of \$50 million.

Bank of America has a the lowest monthly fee estimate if the County opts to pay cash fees.

Only 4 Bank of America branches were listed within Albany County.



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: Susan Rizzo
Comptroller

FROM: Karen Storm 
Purchasing Agent

DATE: August 4, 2021

RE: RFP #2021-044 Banking Services

I am in receipt of your recommendation to award the aforementioned Request for Proposals to M&T Bank.

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 M&T Bank for an award.

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

RESOLUTION NO. 401

AUTHORIZING AN AGREEMENT WITH M & T BANK FOR BANKING SERVICES

Introduced: 9/12/16

By Audit and Finance Committee:

WHEREAS, The Albany County Purchasing Agent in cooperation with the County Comptroller and Commissioner of Management and Budget issued a Request for Proposals (RFP) regarding banking services for Albany County, and

WHEREAS, The Comptroller and Commissioner of Management and Budget have reviewed the responses of five institutions that were received and considered criteria such as comprehension of work and scope of services; total price and yield on investments; experience with similar projects; demonstrated capabilities including location, financial solvency and equipment; and length of time in business, and

WHEREAS, It has been recommended that a contract for banking services be awarded to M & T Bank based on a comparison of the criteria set forth above, now, therefore be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to enter into an agreement with M & T Bank for such banking services as are required by the Comptroller and Commissioner of Management and Budget for a term beginning November 15, 2016 through November 14, 2019, with two one-year options to renew, and, be it further

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

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

Adopted by unanimous vote. 9/12/16



Daniel P. McCoy
County Executive

Larry I. Slatky
Executive Director

August 3, 2021

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to amend its 2021 budget by changing the appropriation dollar amounts in budget lines to properly fund under-budgeted lines. This will be accomplished by reducing annual salary and expense budget lines.

The total amount of this redistribution will be \$1,622,954.00. These revisions will be budget neutral.

We respectfully request approval of the 2021 budget line adjustments.

Sincerely,

Larry I. Slatky
Executive Director

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





County of Albany

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

Legislation Text

File #: TMP-2564, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Shaker Place Rehabilitation and Nursing Center Adjustments to 2021 Budget

Date: June 25, 2021
Submitted By: Larry I Slatky
Department: Shaker Place Rehabilitation and Nursing Center
Title: Executive Director
Phone: 518-213-8940
Department Rep.
Attending Meeting: Larry I Slatky

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: See Attachment

Source of Funds: See Attachment

Title Change: See Attachment

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☐ Grant

Choose an item.

Submission Date Deadline Click or tap to enter a date.

☐ Settlement of a Claim

☐ Release of Liability

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

Contract Terms/Conditions:

Party (Name/address):

Shaker Place Rehabilitation and Nursing Center

100 Heritage Lane

Albany, New York 12211

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: .00

Scope of Services: Shaker Place Rehabilitation and Nursing Center needs to make adjustments to our 2021 budget appropriations since expected expenditures on budget lines have changed. These revisions to the budget will be budget neutral.

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

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

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

Is there a Fiscal Impact: Yes ☐ No ☒

Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: See Attachment

Appropriation Amount: \$1,671,056.00

Source of Funding - (Percentages)

Federal: 0

State: 0

County: 100

Local: 0

Term

Term: (Start and end date) 1/1/2021-12/31/2021

Length of Contract: 12 months

Impact on Pending Litigation Yes ☐ No ☒

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

Previous requests for Identical or Similar Action:

Resolution/Law Number: N/A

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

Justification: (state briefly why legislative action is requested)

Shaker Place has determined that some budget lines were over-estimated and others under-estimated and therefore, adjustments must be made to ensure that each budget line has the proper appropriation.

[illegible]



Daniel P. McCoy
County Executive

Larry I. Slatky
Executive Director

August 3, 2021

The Honorable Andrew Joyce
Chairman, Albany County Legislature
Legislative Clerk's Office
112 State Street, Suite 710
Albany, New York 12207

Dear Chairman Joyce:

Shaker Place Rehabilitation and Nursing Center respectfully requests to amend our 2021 budget. The revision is being requested to adjust Certified Nursing Assistant lines to their appropriate annualized salary. In order to fund the annualized salary and maintain a budget neutral budget, we will be utilizing a vacant 2021 budget line.

We respectfully request approval of this budget revision. Thank you for your consideration.

Sincerely,

Larry I. Slatky
Executive Director

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





County of Albany

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

Legislation Text

File #: TMP-2647, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Shaker Place Amendment to Nurse Assistant 2021 Budget Lines

Date: August 3, 2021
Submitted By: Larry I. Slatky
Department: Shaker Place Rehabilitation and Nursing Care Center
Title: Executive Director
Phone: 518-213-8940
Department Rep.
Attending Meeting: Larry I. Slatky

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

Increase Account/Line No.: See Attachment
Source of Funds: Budget Neutral
Title Change: N/A

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

Party (Name/address):

Shaker Place Rehabilitation and Nursing Center

Additional Parties (Names/addresses):

Click or tap here to enter text.

Amount/Raise Schedule/Fee: \$.00

Scope of Services: To amend 2021 Nursing Assistant budget lines to the proper annualized salary.

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

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

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

Is there a Fiscal Impact: Yes ☒ No ☐

Anticipated in Current Budget: Yes ☐ No ☒

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

Appropriation Account and Line: See Attachment

Appropriation Amount: \$.00

Source of Funding - (Percentages)

Federal:	0
State:	0
County:	100
Local:	0

Term

Term: (Start and end date) 1/1/2021-12/31/2021

Length of Contract: N/A

Impact on Pending Litigation Yes ☐ No ☒

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

Previous requests for Identical or Similar Action:

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

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

Justification: (state briefly why legislative action is requested)

These nursing assistant budget lines were not revised prior to the implementation and approval of the 2021 budget and therefore, we are requesting that these budget lines be revised at this time.

ACCOUNT NO.		APPROPRIATIONS				RESOLUTION DESCRIPTION		INCREASE		DECREASE		UNIT COST		DEPARTMENT NAME	
NH6020	15112	100	640223			Nursing Assistant		5,798.00				\$	33,660.00	Shaker Place Rehabilitation and Nursing Center	
NH6020	15112	004	640252			Nursing Assistant		5,798.00				\$	33,660.00	Shaker Place Rehabilitation and Nursing Center	
NH6020	15112	005	640253			Nursing Assistant		5,798.00				\$	33,660.00	Shaker Place Rehabilitation and Nursing Center	
NH6020	15112	015	640263			Nursing Assistant		3,758.00				\$	31,620.00	Shaker Place Rehabilitation and Nursing Center	
NH6020	15112	352	640418			Nursing Assistant		3,758.00				\$	31,620.00	Shaker Place Rehabilitation and Nursing Center	
NH6020	16615	001				Messenger PT				24,910.00		\$	1,529.00	Shaker Place Rehabilitation and Nursing Center	
						TOTAL APPROPRIATIONS		24,910.00		24,910.00					

ACCOUNT NO.		ESTIMATED REVENUES				RESOLUTION DESCRIPTION		DECREASE		INCREASE		UNIT COST		DEPARTMENT NAME	
						TOTAL ESTIMATED REVENUES		0.00		0.00					
						GRAND TOTAL		24,910.00		24,910.00					



Stormwater Coalition of Albany County

Members

Albany County

City of Albany

Town of
Bethlehem

City of Cohoes

Town of
Colonie

Village of
Green Island

Town of
Guilderland

Village of
Menands

Town of New
Scotland

Village of
Voorheesville

City of
Watervliet

University at
Albany-SUNY

Support

Capital District
Regional Planning
Commission

July 30, 2021

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

Dear Chairman Joyce:

This is a request for legislative action to amend the 2021 Stormwater Coalition budget, as follows:

Increase Miscellaneous Contractual line (44999) by \$17,552.00
Increase Transfer from Stormwater Reserve line (02885) by \$17,552.00

The purpose is to add funds to the Miscellaneous Contractual line so that four members of the Stormwater Coalition (Village of Menands, Town of New Scotland, City of Cohoes, and City of Watervliet) can be reimbursed for 2020 dues paid into the Coalition for which they did not receive services.

These services would have been provided by a part time Coalition Stormwater Program Technician, however due to Covid related issues, the individual was not hired.

The reimbursement amount reflects all personnel costs (base salary, fringe) associated with hiring this individual, less the dollar amount of services provided by the Coalition Director, who due to Covid restrictions was unable to do other work therefore provided a few of these services instead.

The proposed dollar amount and related budget amendment was approved by the Coalition Board of Directors at their June 11, 2021 meeting.

Should you have any questions, please contact me at 447-5645 or Nancy.Heinzen@albanycountyny.gov.
Thank you for considering this request.

Sincerely,

Nancy Heinzen
Director/Program Coordinator

Cc: Honorable Dennis Feeney, Majority Leader
Honorable Frank Mauriello, Minority Leader
Rebekah Kennedy, Majority Counsel
Arnis Zilgme, Esq., Minority Counsel



County of Albany

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

Legislation Text

File #: TMP-2593, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

Description (e.g., Contract Authorization for Information Services):
Budget Amendment for Stormwater Coalition

Date: July 23, 2021
Submitted By: Nancy Heinzen
Department: Stormwater Coalition
Title: Director
Phone: 518-447-5645
Department Rep.
Attending Meeting: Nancy Heinzen

Purpose of Request:

- ☐ Adopting of Local Law
- ☐ Amendment of Prior Legislation
- ☐ Approval/Adoption of Plan/Procedure
- ☐ Bond Approval
- ☒ Budget Amendment
- ☐ Contract Authorization
- ☐ Countywide Services
- ☐ Environmental Impact/SEQR
- ☐ Home Rule Request
- ☐ Property Conveyance
- ☐ Other: (state if not listed) [Click or tap here to enter text.](#)

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☒ Revenue

Increase Account/Line No.: Miscellaneous Contractual/A 8021 44999
Source of Funds: Transfer from Stormwater Reserve/A 8021 02885
Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

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

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

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

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☒ No ☐
If Mandated Cite Authority: NYSDEC SPDES MS4 Stormwater Permit

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

County Budget Accounts:

Revenue Account and Line: Transfer from Stormwater Reserve A 8021 02885
Revenue Amount: \$17,552.00

Appropriation Account and Line: Miscellaneous Contractual A 8021 44999
Appropriation Amount: \$17,552.00

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: Click or tap here to enter text.
Local: 100%

Term

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

Impact on Pending Litigation

Yes ☐ No ☒
If yes, explain: Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number:

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

Justification: (state briefly why legislative action is requested)

This is a request for legislative action to amend the 2021 Stormwater Coalition budget, as follows:

Increase Miscellaneous Contractual line (44999) by \$17,552.00
Increase Transfer from Stormwater Reserve line (02885) by \$17,552.00

The purpose is to add funds to the Miscellaneous Contractual line so that four members of the Stormwater Coalition (Village of Menands, Town of New Scotland, City of Cohoes, and City of Watervliet) can be reimbursed for 2020 dues paid into the Coalition for which they did not receive services.

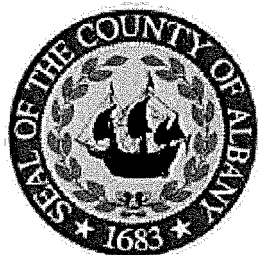
These services would have been provided by a part time Coalition Stormwater Program Technician, however due to Covid related issues, the individual was not hired.

The reimbursement amount reflects all personnel costs (base salary, fringe) associated with hiring this individual, less the dollar amount of services provided by the Coalition Director, who due to Covid restrictions was unable to do other work therefore provided a few of these services instead.

The proposed dollar amount and related budget amendment was approved by the Coalition Board of Directors at their June 11, 2021 meeting.

APPROPRIATIONS					
ACCOUNT NO.	RESOLUTION DESCRIPTION	INCREASE	DECREASE	UNIT COST	DEPARTMENT NAME
A 8021	Miscellaneous Contractual	17,552.00			Stormwater Coalition
TOTAL APPROPRIATIONS		17,552.00	0.00		
ESTIMATED REVENUES					
ACCOUNT NO.	RESOLUTION DESCRIPTION	DECREASE	INCREASE	UNIT COST	DEPARTMENT NAME
A 8021	Transfer from Stormwater Reserve		17,552.00		Stormwater Coalition
TOTAL ESTIMATED REVENUES		0.00	17,552.00		
GRAND TOTALS		17,552.00	17,552.00		

@BCL@180EE5FF



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
REAL PROPERTY TAX SERVICE AGENCY
112 STATE STREET, ROOM 1340
ALBANY, NEW YORK 12207
OFFICE: (518) 487-5291
FAX: (518) 447-2503
www.albanycounty.com

MICHAEL MCGUIRE
DIRECTOR

July 20, 2021

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

Re: RP-554 Application for Corrected Tax Roll
Arbor Hill Development Corporation
169 First St, Albany, NY – 65.73-5-64

Dear Chairman Joyce,

The Assessor for the City of Albany, Mr. Trey Kingston, submitted an Application for Corrected Tax Roll to correct an erroneous 2020 school tax bill and a 2021 property tax bill for 169 First St – 65.73-5-64. Due to an error a school tax bill for \$2,089 and a property tax bill for \$1,726.45 were issued. The property should have been wholly exempt from taxation under NYS RPTL §420-a. Due to a clerical error, as defined under NYS RPTL §550(2)(c), the tax exemption was not applied on the school and property tax rolls.

Real Property Tax Law §550(2)(c) allows for the correction of clerical errors made on the tax roll. I recommend that the Albany County Legislature approve the correction to the tax roll and delete these erroneous tax bills.

Sincerely,

Michael McGuire, Director
Real Property Tax Service Agency

CC: Dennis Feeny, Majority Leader
Frank Mauriello, Minority Leader
Kevin Cannizzaro, Majority Counsel
Arnis Zilgme, Minority Counsel



County of Albany

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

Legislation Text

File #: TMP-2618, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Resolution requesting a correction of tax bills for 169 First St, City of Albany

Date: 7/20/2021
Submitted By: Michael McGuire
Department: Real Property Tax Service Agency
Title: Director
Phone: 518-487-5292
Department Rep.
Attending Meeting: Michael McGuire

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

- ☐ Personnel Non-Individual
☐ Revenue

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

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

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

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

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

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

CONCERNING ALL REQUESTS

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

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

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes ☐ No ☐

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

Previous requests for Identical or Similar Action:

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

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

Justification: (state briefly why legislative action is requested)

The Assessor for the City of Albany, Mr. Trey Kingston, submitted an Application for Corrected Tax Roll to correct an erroneous 2020 school tax bill and a 2021 property tax bill for 169 First St - 65.73-5-64. Due to an error a school tax bill for \$2,089 and a property tax bill for \$1,726.45 were issued. The property should have been wholly exempt from taxation under NYS RPTL §420-a. Due to a clerical error, as defined under NYS RPTL §550(2)(c), the tax exemption was not applied on the school and property tax rolls.

Real Property Tax Law §550(2)(c) allows for the correction of clerical errors made on the tax roll. I recommend that the Albany County Legislature approve the correction to the tax roll and delete these erroneous tax bills.



Department of Taxation and Finance
Office of Real Property Tax Services

Application for Corrected Tax Roll

RP-554
(12/19)

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Arbor Hill Development & Corp					
Mailing address of owners (number and street or PO box) 241 Clinton Ave			Location of property (street address) 169 First St.		
City, village, or post office Albany		State NY	ZIP code 12210		City, town, or village Albany
Daytime contact number 51844777089		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 65.73-5-64	
Account number (as appears on tax bill)			Amount of taxes currently billed 2,140.80 1,726.45 d \$2,089		
Reasons for requesting a correction to tax roll: Property submitted non profit tax exemption for prior to March 1st, but due to clerical error, exemption was not applied.					

I hereby request a correction of tax levied by City of Albany & City of Albany School District for the year(s) 2020.
(County, city, village, etc.)

Signature of applicant 	Date 05-19-2021
----------------------------	--------------------

Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received 7/15/2021	Period of warrant for collection of taxes 9/1/2020 d 1/1/2021
Last day for collection of taxes without interest 9/3/2020 d 1/31/2021	Recommendation Approve application ☒ Deny application ☐
Signature of official 	Date 7/15/2021

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of City of Albany who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the tax levying body or official designated by resolution _____ : (insert number or date, if applicable)

Application approved (mark an X in the applicable box):

Clerical error ☒ Error in essential fact ☐ Unlawful Entry ☐

Amount of taxes currently billed 1,726.45 d 2,089	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): _____

Signature of chief executive officer, or official designated by resolution	Date
--	------



CITY OF ALBANY
DEPARTMENT OF LAW
24 EAGLE STREET
ALBANY, NEW YORK 12207
TELEPHONE (518) 434-5050
WWW.ALBANYNY.GOV

KATHY SHEEHAN
MAYOR

TREY KINGSTON
ASSESSOR

RP-554: 169 First Street

The RP-554 previously was submitted in regards to 169 First Street dated May 19, 2021.

The property is currently owned by the Arbor Hill Development Corporation and had applied for a Not-for profit exemption.

The application submitted is attached to the RP-554 and demonstrates that the exemption was filed in a timely manner but the exemption was not entered in RPS and therefore accidentally generated tax bills.

Trey Kingston



CITY OF ALBANY - 2020 PROPERTY TAXES

FISCAL YEAR: 1/1/2020 to 12/31/2020		WARRANT: 12/31/2019		ESTIMATED COUNTY STATE AID: \$91,269,848	
		BANK	BILL 206488	TAX MAP NUMBER 65.73-5-64	
MAKE CHECKS PAYABLE TO: CITY OF ALBANY		TO PAY IN PERSON: City Hall Room 110 24 Eagle Street Albany, NY 12207 (518) 434-5035		PROPERTY INFORMATION: ACCOUNT #: 09877 DIMENSION: 23.02 X 128.31 ROLL: 1 LOCATION: 169 First St SCHOOL: 010100 FULL MARKET VALUE: 123,402 UNIFORM % OF VALUE: 97.00% TOTAL ASSESSMENT: 119,700 TAXABLE VALUE: 119,700	
PROPERTY OWNER: Arbor Hill Development Corp 241 Clinton Ave Albany, NY 12210					
		EXEMPTION	VALUE	FULL VALUE	TAX PURPOSE

PROPERTY TAX PAYERS BILL OF RIGHT

If you feel the assessment on your property is too high, you have the right to file a grievance to lower it for future tax bills. For information, please contact your assessor for the booklet "How to File a Complaint on Your Assessment" and to inquire about exemptions. Any reduction in assessment will NOT be reflected on this bill. The filing date for this assessment has passed.

LEVY DESCRIPTION	TOTAL TAX LEVY	% CHANGE FROM PRIOR YEAR LEVY	TAXABLE VALUE OR UNITS	RATE	TAX AMOUNT
County Tax	17,676,006	1.5%	119,700	3.614679	432.68
City Tax	58,850,000	0.5%	119,700	10.808400	1,293.77
TOTAL BASE TAXES DUE:					<u>\$1,726.45</u>

Date Paid	Amount Paid	
	\$0.00	
Tax Amount	Interest	Total Due
\$1,726.45	\$241.70	\$1,968.15

IMPORTANT INFORMATION**Payments:**

- Make check, money order, or bank check payable to **City of Albany**. Please sign and date checks. Please write account or property tax map number on checks.
- Mailing address: **Treasurer, City of Albany, PO Box 1878, Albany, NY 12201**
- Payments may be made in person at: **Albany City Hall Room 110**
Open week days (except Holidays) 8:30 a.m. – 5:00 p.m.
Open **January 29, 30, & 31** until 6 p.m.
Credit card payments by internet only (see below)
- Payment must be for the exact amount due. **No partial payments accepted** unless your bill indicates that you have a senior citizen exemption. If you qualify for the senior exemption, your bill will reflect your payment options.
- Include interest if paying after January 31. Please call our office for the current amount due if past March, 2020.
- Return the **entire bill** to receive a receipt. January receipts will be mailed no later than the middle of February.

IMPORTANT NOTE: ALL PAYMENTS WILL BE PROCESSED AND IMMEDIATELY DEPOSITED ON THE DATE RECEIVED. PLEASE ENSURE THAT YOU HAVE SUFFICIENT FUNDS ON DEPOSIT AT THE TIME YOU MAKE YOUR PAYMENT.

Internet Payments: You may pay online by check or credit card at www.albanyny.gov. Click on "How Do I" "Pay" "Property Taxes". Service charges are added (\$0.50 for E-Check, \$0.25 +1.95% of tax payment for credit cards).

Escrow Accounts: If you have an escrow account, contact your **mortgage holder** to ensure this bill is paid on time.

Unpaid Prior Taxes: If "Prior Taxes Due" is designated on the front of this bill, taxes from one or more prior years were unpaid when this bill was prepared. Payment of past due taxes must be made to the Albany County Department of Finance, 112 State Street, Albany, NY 12207. Please call (518) 447-7082 to find out how much is currently due. Continued failure to pay all taxes on the property will result in foreclosure.

07/20/2021 10:05
cmurray

COUNTY OF ALBANY
Real Estate Tax Statement

P 1
txtaxstm

PARCEL: 06507300050640000000

LOCATION: 169 FIRST ST

OWNER:
ARBOR HILL DEVELOPMENT
CORP
241 CLINTON AVE
ALBANY NY 12210

STATUS:
SQUARE FEET 0
LAND VALUATION 119,700
BUILDING VALUATION 0
EXEMPTIONS 0
TAXABLE VALUATION 119,700
INTEREST PER DIEM 379.82

LEGAL DESCRIPTION:

DEED DATE:

BOOK/PAGE:

INTEREST DATE: 07/20/2021

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2020	RE-1	7539				
1	ALBANY PRO		1,726.45	1,726.45	362.55	2,089.00
	5 PERCENT		86.32	86.32	.00	86.32
			1,812.77	1,812.77	362.55	2,175.32
GRAND TOTALS			1,812.77	1,812.77	362.55	2,175.32

PARTIAL PAYMENTS ARE NOT ACCEPTED WITHOUT AN INSTALLMENT AGREEMENT
IF ANY PARCEL REMAINS SUBJECT TO ONE OR MORE DELINQUENT TAX LIENS,
THE PAYMENT YOU HAVE MADE WILL NOT POSTPONE THE ENFORCEMENT OF THE
OUTSTANDING LIEN OR LIENS. CONTINUED FAILURE TO PAY THE ENTIRE
AMOUNT OWED WILL RESULT IN THE LOSS OF THE PROPERTY(IES).
PAYMENT MADE TO:

ALBANY COUNTY DIVISION OF FINANCE
112 STATE ST. ROOM 1340
ALBANY, NY 12207
TEL: 447-7082

\$35.00 WILL BE CHARGED FOR ANY RETURNED CHECK
INTEREST WILL INCREASE ON THE 1ST OF THE MONTH



ALBANY LAW SCHOOL

89 NEW SCOTLAND AVENUE, ALBANY, NEW YORK 12205-1899
TEL: 518-445-2018 FAX: 518-434-8612 WWW.ALBANYLAW.EDU/JUSTICECENTER

The Justice Center

February 12, 2020

Via Email

Albany City Assessor's Office
24 Eagle Street
Albany, NY 12207

Re: Arbor Hill Development Corporation

Dear Sir or Madam:

Our office represents Arbor Hill Development Corporation ("Arbor Hill"). Enclosed for filing is paperwork for the renewal of Arbor Hill's property tax exemption for the following properties:

241 Clinton Avenue (65.73-3-16) ✓
163 First Street (65.73-5-61) ✓
165 First Street (65.73-5-62) ✓
167 First Street (65.73-5-63) ✓
169 First Street (65.73-5-64) ✓
171 First Street (65.73-5-65) ✓

Please contact David Craft, Staff Attorney, by phone at (518) 445-2305, fax at (518) 434-8612, or email at dcraf@albanylaw.edu if you have any questions related to this filing.
Thank you for your assistance.

Very truly yours,

Zana Beck
Zana Beck

Julie Dean
Julie Dean

Andrew Clark
Andrew Clark

Law Interns

Community Economic Development Clinic

Enclosures



RP-420-a/b-Rnw-I (9/08)

**NEW YORK STATE DEPARTMENT OF TAXATION & FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES**

**RENEWAL APPLICATION FOR REAL PROPERTY TAX EXEMPTION
FOR NONPROFIT ORGANIZATIONS**

I - ORGANIZATION PURPOSE

(See general information and instructions on back form)

RECEIVED

FEB 12 REC'D

- | | |
|--|--|
| <p>1a. Name of organization
<u>Arbor Hill Development Corporation</u></p> <p>b. Mailing address
<u>241 Clinton Ave</u>
<u>Albany, NY 12210</u></p> <p>c. Employer ID no. <u>14-1628657</u></p> | <p>d. Name of contact person
<u>Arlene Way, Executive Director</u></p> <p>e. Telephone no. of contact person
Day (518) <u>463-9993</u> Evening (518) <u>221-4175</u></p> <p>f. E-mail address (optional)
<u>away@arborhilldc.org</u></p> |
|--|--|

Department Of
Assessment & Taxation
City Of Albany N.Y.

2. Have any of the following changes occurred since application for this property tax exemption was last filed? If any of the listed changes have occurred, please give a detailed explanation of each change on the back of this form, check the appropriate line below, and complete and sign the statement. If none of the changes has occurred, please check the appropriate line below and complete and sign the statement.

- ☐ a. A change has occurred in the purpose(s) of the organization.
- ☐ b. A change has occurred in the organization as a result of action taken by one or more regulatory agencies (such as issuance, restriction, or withdrawal of an operating certificate, permit, charter, or similar authorization).
- ☐ c. A change has occurred in the organization's status with regard to exemption from federal income taxes (such as exempt status has been recognized, denied, or revoked by the Internal Revenue Service, or the Internal Revenue Code classification of exemption has been changed).

☐ **STATEMENT OF CHANGE** - I hereby certify that all of the changes, as listed above, that have occurred since application for exemption was last filed have been noted and the explanations of such changes are true and correct to the best of my knowledge and belief.

☒ **STATEMENT OF NO CHANGE** - I hereby certify that none of the changes listed above has occurred since application for exemption was last filed to the best of my knowledge and belief.

Signature

Executive Director

Title

Date

3. Forms filed with the Internal Revenue Service by the organization since application for property tax exemption was last filed (check all applicable lines):
- ☐ Form 1023 (Application for Recognition of Exemption under Section 501 (c)(3) of the Internal Revenue Code)
- ☐ Form 1024 (Application for Recognition of Exemption under Section 501 (a)).
- ☒ Form 990 (Return of Organization Exempt from Income Tax under Section 501 (c) of the Internal Revenue Code)
- ☐ Schedule A. Form 990 (Organizations Exempt under Section 501(c) (3))
- ☐ Form 990-PF (Return of Private Foundation Exempt from Income Tax)
- ☐ Form 990-AR (Annual Report of Private Foundation)
- ☐ Form 990-T (Exempt Organization Business Income Tax Return)
- ☐ None of these

(Note: Assessor may request a copy of forms filed)

FOR ASSESSOR'S USE

Assessing unit _____

County _____

City/Town _____

Village _____

School District _____

EXPLANATION OF CHANGES THAT HAVE OCCURRED

(If more space is needed, attach additional sheets. Please give the organization's name, its employer identification number and the parcel number on each attachment)

Change No. _____ Explanation _____

GENERAL INFORMATION AND FILING REQUIREMENTS**1. Application**

For purposes of exemptions granted pursuant to section 420-b of the Real Property Tax Law, each year following the year in which exemption is granted on the basis of application forms RP-420-b-Org and RP-420-a/b-Use, a renewal application must be filed. One copy of RP-420-a/b-Rnw-I must be filed in each assessing unit; one copy of RP-420-a/b-Rnw-II must be filed in each assessing unit for each separately assessed parcel for which exemption renewal is sought. The assessor may request information in addition to the information contained in the application.

For purposes of exemptions granted pursuant to section 420-a of the Real Property Tax Law, the same forms may be used (except RP-420-a-Org replaces RP-420-b-Org). In the alternative, the owner may submit proof of continued exempt status to the assessor in whatever form is mutually acceptable.

2. Place of filing application

Application for exemption from city, town, or village taxes must be filed with the city, town, or village assessor. Application for exemption from county or school district taxes must be filed with the city or town assessor who prepares the assessment roll used in levying county or school taxes. In Nassau County, applications for county, town and school tax purposes should be filed with the Nassau County Board of Assessors. In Tompkins County, application should be filed with the Tompkins County Division of Assessment. **Do not file with the Office of Real Property Tax Services.**

3. Time of filing application

The application must be filed in the assessor's office on or before the appropriate taxable status date. In towns preparing their assessment roll in accordance with the schedule provided by the Real Property Tax Law, the taxable status is March 1. In towns in Nassau County, the taxable status date is January 2. Westchester County towns have either a May 1 or June 1 taxable status date; contact the assessor. In villages and cities, the taxable status dates vary, and the appropriate assessor should be consulted for the correct date.

SPACE BELOW FOR ASSESSOR'S USE ONLY

Parcel identification no. (s)

Applicant organization

Employer ID no.

Date application filed

Application ☐ Approved ☐ Disapproved

Assessed Valuation \$ _____ Taxable \$ _____ Exempt

Documentary evidence presented: _____

Assessing unit

Assessor's signature

Date



RP-420-a/b-Rnw-II (9/08)

**NYS DEPARTMENT OF TAXATION & FINANCE
OFFICE OF REAL PROPERTY TAX SERVICES**

**RENEWAL APPLICATION FOR REAL PROPERTY TAX EXEMPTION
FOR NONPROFIT ORGANIZATIONS**

II – PROPERTY USE

(See general information and instructions on back form)

- | | |
|---|--|
| <p>1a. Name of organization
<u>Arbor Hill Development Corporation</u></p> <p>b. Mailing address
<u>241 Clinton Avenue</u>
<u>Albany, NY 12210</u></p> <p>c. Employer ID no. <u>14-1628657</u></p> | <p>d. Name of contact person
<u>Arlene Way</u></p> <p>e. Telephone no. of contact person
Day <u>518)463-9993</u> Evening <u>518)221-4175</u></p> <p>f. E-mail address (optional)
<u>away@arborhilldc.org</u></p> <p>g. Property identification (see tax bill or assessment roll) Tax map number or section/block/lot
<u>65.73-5-64</u></p> |
|---|--|

2. Have any of the following changes occurred since application for this property tax exemption was last filed? If any of the listed changes have occurred, please give a detailed explanation of each change on the back of this form, check the appropriate line below, and complete and sign the statement. If none of the changes has occurred, please check the appropriate line below and complete and sign the statement.

- ☐ a. A change has occurred in the ownership of all or part of the property.
- ☐ b. A change has occurred in the use or uses of the property by the owner.
- ☐ c. A change has occurred in that all or part of the property is now being offered for sale or lease.
- ☐ d. All or part of the property is occupied by an organization other than the owner: the user organization(s) make payments for use of the property, and a change has occurred in (1) the proportion of the property so occupied, (2) the terms of the occupancy, or (3) the payments made by the occupant(s).
- ☐ e. Physical changes in the property (such as construction, alterations, or demolition) have occurred.
- ☐ f. A change has occurred in the nature or schedule of planned construction of buildings or other improvements on an unimproved portion of the property.
- ☐ g. One of the organization's purposes is hospital, and a change has occurred in the amount of space or time that the property is used for the private practice of staff members or others rather than for the direct hospital related activities.

☐ **STATEMENT OF CHANGE**

I hereby certify that all of the changes, as listed above, that have occurred since application for exemption was last filed have been noted and the explanations of such changes are true and correct to the best of my knowledge and belief.

☒ **STATEMENT OF NO CHANGE**

I hereby certify that none of the changes listed above has occurred since application for exemption was last filed to the best of my knowledge and belief.

Signature

Date

Executive Director

Title

FOR ASSESSOR'S USE

Assessing unit _____
City/Town _____
School District _____

County _____
Village _____

EXPLANATIONS OF CHANGES THAT HAVE OCCURRED

(If more space is needed, attach additional sheets. Please give the organization's name, its employer identification number and the parcel number on each attachment)

Change No. _____ Explanation _____

GENERAL INFORMATION AND FILING REQUIREMENTS**1. Application**

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2. Place of filing application

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3. Time of filing application

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SPACE BELOW FOR ASSESSOR'S USE

Parcel identification no. (s)

Applicant organization Employer ID no. Date application filed

Application ☐ Approved ☐ Disapproved

Assessed Valuation \$ _____ Taxable \$ _____ Exempt

Documentary evidence presented: _____

Assessing unit Assessor's signature Date



DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
DEPARTMENT OF MANAGEMENT AND BUDGET
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207
PHONE: (518) 447-5525 FAX: (518) 447-5589
www.albanycounty.com

M. DAVID REILLY, JR
COMMISSIONER

CHANDRA WILLIAMS
DEPUTY COMMISSIONER

July 26, 2021

Honorable Andrew Joyce
Chair, Albany County Legislature
112 State St., Rm. 710
Albany, NY 12207

Dear Chairman Joyce:

Legislative authorization is requested to transfer tax foreclosed property located in the City of Albany, 65 First Street.

This transfer is in accordance with ABL Resolution No. 29 of 2019, allowing the conveyance of tax foreclosed properties for economic development.

If you have any questions regarding this request, I can make myself available at your earliest convenience. Thank you for your consideration

Sincerely Yours,

M David Reilly, Jr
Commissioner

cc:

Hon. Dennis Feeney, Majority Leader
Hon. Frank Mauriello, Minority Leader
Majority Counsel
Minority Counsel



County of Albany

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

Legislation Text

File #: TMP-2628, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Requesting Legislative Action to Convey Tax Foreclosed Property

Requesting Legislative Action to Convey Tax Foreclosed property located in the City of Albany 65 First Street

Date:	July 26, 2021
Submitted By:	David Reilly
Department:	Management and Budget
Title:	Commissioner
Phone:	518-331-2659
Department Rep.	Anthony DiLella
Attending Meeting:	David Reilly/Michael Mc Laughlin

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

- ☐ Contractual
- ☐ Equipment

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

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

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

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

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

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

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

CONCERNING ALL REQUESTS

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

Is there a Fiscal Impact: Yes ☐ No ☐

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending Litigation

Yes ☐ No ☐

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

Previous requests for Identical or Similar Action:

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

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

Justification: (state briefly why legislative action is requested)

Authorization is requested to transfer tax foreclosed property located in the City of Albany, 65 First Street (Tax Map No. 65.82-1-62) to L. Lee McCallister, Maria McCallister and Anna Huettel for the amount of the outstanding delinquent tax liability \$64,618.26.

Mr. and Mrs. McCallister who reside in the City of Albany at 69 First Street have demonstrated their benefit to the community by taking on tasks to keep up the appearance of properties within it by landscaping and installing flower gardens. Mr. and Mrs. McCallister along with Anna Huettel have indicated their plans to fully rehabilitate this historic property at 65 First Street.

This sale is in accordance with resolution No 29 of 2019, "Properties which will be discretionally conveyed by the County to individuals or entities for economic development purposes", "The amount to be paid for these properties shall be either its appraised value or outstanding delinquent tax liability (inclusive of interest, penalties and legal charges)"

After a review of all properties owned by L. Lee McCallister, Maria McCallister and Anna Huettel there are no delinquent taxes owed or any outstanding code violations on them.

As part of this sale, the following shall be the responsibility of L. Lee McCallister, Maria McCallister and Anna Huettel and is requested to be stated in the resolution:

At the closing: All closing costs. In accordance with resolution No 29 of 2019, "The County will pro-rate any current real property taxes which are owed on the property as of the closing date". In addition, any current taxes that were paid by the County on this property will be subject to a proration of taxes also.

Maria and Lee McCallister
69 First Street
Albany NY 12201
215-470-1732
llmccalli@gmail.com

July 14, 2021

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

Dear Executive McCoy:

I am writing to confirm that I (L. Lee McCallister), my wife (Maria McCallister), and her daughter (Anna Huettel) agree to purchase 65 First Street located in the City of Albany, tax map number 65.82-1-62, for \$64,618.26 cash without any condition or contingency. We have sufficient cash on hand to both purchase the property and to complete needed extensive historically appropriate restoration.

We purchased our home at 69 First Street as a foreclosure in need of full rehab in 2016. We have since worked to benefit the community by rehabilitating our home and beautifying other properties on the street. We care for the neighborhood and have a strong desire to preserve the historic fabric of the block.

Our purchase of 65 First Street will result in a community benefit to the neighborhood and its residents. Our home and this house form part of a historic ensemble of complementary 1870's houses with distinctive Victorian (New Orleans style) porches. We plan to restore this home to its former grandeur by completing a historically appropriate renovation of the façade and Victorian porch, planting perennial gardens in the front, side, and back yard, replacing the roof, and renovating the interior. As a result of our efforts to improve the street, several neighbors have expressed their willingness to endorse our purchase of this house.

Our presence on the block has already resulted in demonstrable community benefit. We have endeavored to improve our neighborhood over the last five years through landscaping and installing flower gardens on eight neighboring properties. Examples of our impact on the neighborhood include the following:

- We bought the 56 First Street lot from the Land Bank in 2018 and installed a garden including several hundred peonies.
- We have maintained an annual flower garden at 56 ½ First Street since the house was demolished last year.
- We replaced overgrown weeds at the backyard of the vacant house abutting Arbor Hill Basketball Courts/North Swan Park with a garden of roses and ornamental perennials, shrubs, and trees so that children in the park could enjoy a flower garden backdrop.
- We have planted well over 1,000 tulips and daffodils along the block.

Neighbors, passing pedestrians, and children in the park often comment on the gardens and share their appreciation.

Please let us know what we can do to purchase this property from Albany County. We are happy to provide more information upon request.

Regards,

Two handwritten signatures in black ink. The first signature is on the left, and the second is on the right.

Maria and Lee McCallister
69 First Street
Albany NY 12201
215-470-1732; llmccalli@gmail.com

06/30/2021 15:52 | COUNTY OF ALBANY
jneal | Real Estate Tax Statement

| P 1
| txtaxstm

PARCEL: 06508200010620000000

LOCATION: 65 FIRST ST

OWNER:

KHAN ABASALI
KHAN MAHADAYE
184 CENTRAL AVE
ALBANY NY 12206

STATUS:

SQUARE FEET 0
LAND VALUATION 104,000
BUILDING VALUATION 0
EXEMPTIONS 0

TAXABLE VALUATION 104,000
INTEREST PER DIEM 22,377.54

LEGAL DESCRIPTION:

DEED DATE: BOOK/PAGE: INTEREST DATE: 06/30/2021

YEAR	TYPE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
INST	CHARGE					
2020	RE-E	3402				
1	ALBANY SCH		2,445.82	2,445.82	146.75	2,592.57
	5% PERCENT		122.29	122.29	.00	122.29
			2,568.11	2,568.11	146.75	2,714.86
2020	RE-1	7224				
1	ALBANY PRO		1,500.00	1,500.00	300.00	1,800.00
	5 PERCENT		113.76	113.76	.00	113.76
	ALBANY WAT		775.17	775.17	155.03	930.20
			2,388.93	2,388.93	455.03	2,843.96
			2,388.93	2,388.93	455.03	2,843.96
2019	RE-E	5143				
1	ALBANY SCH		2,399.18	2,399.18	551.81	2,950.99
	5% PERCENT		119.96	119.96	.00	119.96
	MAILING CH		1.00	1.00	.00	1.00
	LEGAL CHAR		225.00	225.00	.00	225.00
			2,745.14	2,745.14	551.81	3,296.95
			2,745.14	2,745.14	551.81	3,296.95
2019	RE-1	6606				
1	ALBANY PRO		1,501.01	1,501.01	480.32	1,981.33
	5 PERCENT		119.14	119.14	.00	119.14
	ALBANY WAT		449.18	449.18	143.74	592.92
	OTHER CHAR		432.60	432.60	138.43	571.03
	MAILING CH		1.00	1.00	.00	1.00
			2,502.93	2,502.93	762.49	3,265.42

06/30/2021 15:52
jneal

COUNTY OF ALBANY
Real Estate Tax Statement

P 2
txtaxstm

YEAR INST	TYPE CHARGE	BILL	BILLED	PRIN DUE	INT DUE	TOTAL DUE
			2,502.93	2,502.93	762.49	3,265.42
2018	LIEN	412				
1	ALB SCH LN		2,700.68	2,700.68	810.20	3,510.88
	LEGAL CHAR		225.00	225.00	.00	225.00
			2,925.68	2,925.68	810.20	3,735.88
			2,925.68	2,925.68	810.20	3,735.88
2018	LIEN	1293				
1	ALB LIENS		2,579.47	2,579.47	1,134.97	3,714.44
			2,579.47	2,579.47	1,134.97	3,714.44
2017	LIEN	1224				
1	ALB SCH LN		2,700.13	2,700.13	1,080.05	3,780.18
			2,700.13	2,700.13	1,080.05	3,780.18
2017	LIEN	1851				
1	ALB LIENS		2,476.10	2,476.10	1,386.62	3,862.72
	LEGAL CHAR		225.00	225.00	.00	225.00
			2,701.10	2,701.10	1,386.62	4,087.72
			2,701.10	2,701.10	1,386.62	4,087.72
2016	LIEN	1049				
1	ALB LIENS		2,825.03	2,825.03	1,921.02	4,746.05
			2,825.03	2,825.03	1,921.02	4,746.05
2016	LIEN	1775				
1	ALB SCH LN		2,885.55	2,885.55	1,673.62	4,559.17
	LEGAL CHAR		150.00	150.00	.00	150.00
			3,035.55	3,035.55	1,673.62	4,709.17
			3,035.55	3,035.55	1,673.62	4,709.17
2015	LIEN	844				
1	ALB LIENS		3,786.44	3,786.44	3,029.15	6,815.59
			3,786.44	3,786.44	3,029.15	6,815.59

06/30/2021 15:52
jneal

COUNTY OF ALBANY
Real Estate Tax Statement
P 3
txtaxstm

YEAR INST	TYPE CHARGE	BILL LN	BILLED	PRIN DUE	INT DUE	TOTAL DUE
2015	LIEN	1298				
1	ALB SCH LN		2,752.47	2,752.47	1,981.78	4,734.25
			2,752.47	2,752.47	1,981.78	4,734.25
2014	RE-1	8339				
1	ALBANY PRO		1,352.76	1,352.76	1,244.54	2,597.30
	5 PERCENT		150.80	150.80	.00	150.80
	ALBANY WAT		683.94	683.94	629.22	1,313.16
	OTHER CHAR		979.25	979.25	900.91	1,880.16
	MAILING CH		1.00	1.00	.00	1.00
			3,167.75	3,167.75	2,774.67	5,942.42
			3,167.75	3,167.75	2,774.67	5,942.42
2014	LIEN	1039				
1	ALB SCH LN		2,665.06	2,665.06	2,425.20	5,090.26
	LEGAL CHAR		150.00	150.00	.00	150.00
			2,815.06	2,815.06	2,425.20	5,240.26
			2,815.06	2,815.06	2,425.20	5,240.26
2013	LIEN	1214				
1	ALB SCH LN		2,811.25	2,811.25	1,714.86	4,526.11
	LEGAL CHAR		150.00	150.00	.00	150.00
	MAIL CHARG		25.00	25.00	.00	25.00
	TITLE SEAR		290.00	290.00	.00	290.00
			3,276.25	3,276.25	1,714.86	4,991.11
			3,276.25	3,276.25	1,714.86	4,991.11
GRAND TOTALS			42,770.04	42,770.04	21,848.22	64,618.26



DEPARTMENT OF MANGEMENT AND BUDGET

Purchaser Review

PROPERTY INFORMATION

Municipality - Albany

Address of Property -65 First Street

Tax Map Number-65.82-1-62

Property Description-Three Family Year Round Residence

PROPOSED PURCHASER AND PROPERTIES OWNED

Purchaser-L. Lee McCallister, Maria McCallister and Anna Huettel

City of Albany- 56 and 65 First Street

CODE ENFORCEMENT INFORMATION

No outstanding violations-Verified with City of Albany Code Enforcement officer 7/17/2021

DELINQUENT TAX INFORMATION

No delinquent taxes-Verified with Albany County Tax Records Supervisor 7/17/2021

COUNTY FORECLOSURE INFORMATION

Not Applicable as properties were never delinquent

Signed-_____

ANTHONY DILELLA

Property Manager

DATE----July 17.2021 ---







DANIEL P. MCCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

July 13, 2021

Brad Glass
Director
City of Albany
Department of Planning and Development
200 Henry Johnson Boulevard
Albany, New York 12210

Director Glass,

Pursuant to the Albany County Property Disposition Plan, I am contacting you to make you aware we exploring the possibility of dispensing the property located at 65 1st Street in the City of Albany. Provided passage is gained in the County Legislature, we will convey tax map parcel number 65.82-1-62 to a private entity.

We view this transaction as beneficial to both County and City residents since it will put blighted and tax delinquent property back into productive use. Please let us know if you know of any potential issues that might arise with such a transfer or if the City of Albany has any objection.

Best,

Mike McLaughlin
Director of Policy and Research

LEGAL NOTICE

In accordance with Albany County Legislative Resolution No. 29 of 2019 which states notice shall be given for any property that will be considered for transfer by the Albany County Legislature for economic development purposes, pursuant to said resolution, notice is hereby given that the following properties will be given consideration by the Albany County Legislature for transfer:

City of Albany

65 FIRST STREET

Map No.65.82-1-62

ALBANY COUNTY DEPARTMENT
OF MANAGEMENT AND BUDGET

Dated: 7-22-21

Albany, New York

EV 7/22, 7/29/21

TIMES UNION

timesunion.com

Order Confirmation

Ad Order Number

0004167920

Customer Account

040365006

Sales Rep.

bernarr

Customer Information

ALBANY COUNTY DEPT OF FINANC

112 STATE ST

ALBANY NY 122072019

USA

Order Taker

bernarr

Ordered By

Anthony DiLella

Phone: 5184474912

Fax:

Email: Anthony.DiLella@albanycounty
ny.gov

Order Source

E-mail

Ad Content Proof

Note: Ad size does not reflect actual ad

LEGAL NOTICE

In accordance with Albany County Legislative Resolution No. 29 of 2019 which states notice shall be given for any property that will be considered for transfer by the Albany County Legislature for economic development purposes, pursuant to said resolution, notice is hereby given that the following properties will be given consideration by the Albany County Legislature for transfer:

City of Albany
65 FIRST STREET Map No.65.82-1-62

ALBANY COUNTY DEPARTMENT OF MANAGEMENT AND BUDGET

Dated:

Albany, New York

TU 5T (4167920)

Ad Cost

\$170.64

Payment Amt

\$0.00

Amount Due

\$170.64

Blind Box**Materials****Invoice Text**

Resolution No. 29 of 2019

Ad Number

0004167920-01

External Ad #**Pick Up Number**

0004165225

Ad Type

120 Legal Liner

Ad Size

3 X 16 li

PO Number**Color**

\$0.00

Color Requests**Product and Zone**

Times Union, Full

Inserts

5

Placement

Legals

Note: Retail Display Ads May Not End in Identified Placement

Run Dates

7/16/2021, 7/17/2021, 7/18/2021, 7/19/2021, 7/20/2021

Product and Zone

timesunion.com, Full

Inserts

5

Placement

Legals

Note: Retail Display Ads May Not End in Identified Placement

Run Dates

7/16/2021, 7/17/2021, 7/18/2021, 7/19/2021, 7/20/2021



DANIEL P. McCOY
COUNTY EXECUTIVE

COUNTY OF ALBANY
OFFICE OF THE EXECUTIVE
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ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

July 22, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

We are requesting permission to submit multiple applications for the various projects listed below to the 2021 Consolidated Funding Application process managed by New York State on a regional scale. Any and all applications that are successful will be submitted to the Legislature upon receipt as a request for approval to accept and contract with the grantor.

Planned and potential applications include:

EFC – Engineering Planning Grant- Sludge Processing Improvements Study: Study to include an evaluation of the existing sludge processing systems, in order to identify needed improvements. The study will also evaluate the option of consolidating both South Plant and North Plant sludge operations to the North Plant via pumping.

EFC – Engineering Planning Grant - Clarifier Upgrade Project: Study to include an evaluation of the existing primary and secondary clarifiers at both the North and South treatment plants to determine improvements needed to ensure treatment performance.

DOS – Local Government Efficiency Grant - Digitize the records in Environmental Health to make finding information more efficient and develop email lists and contacts for regulated facilities. This will allow for streamlined communication with facilities during foodborne outbreaks and tampering or contamination events. This will be a more efficient method to communicate. The electronic communications will also allow DOH to send permit applications and technical information electronically.

NYSERDA FlexTech – Funding to complete an ASHRAE Level 2 energy efficiency study for four County facilities. The study will provide the County with estimated costs, savings, and incentives for potential energy efficiency project planning.

DEC Climate Smart Communities Certification Project – Update Albany County Government Operations GHG Inventory (2013) and Community GHG Inventory (2010) to set baseline for GHG reduction actions planning.

Recreational Trails Program – Expansion, revitalization, and enhancements to trails at Lawson Lake County Park, Ann Lee Pond County Park, and Albany County Rail Trail.

If you should have any questions, please do not hesitate to contact me.

Sincerely

A handwritten signature in black ink that reads "Daniel P. McCoy". The signature is written in a cursive, slightly slanted style.

Daniel P. McCoy
Albany County Executive

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



County of Albany

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

Legislation Text

File #: TMP-2626, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Authorization to apply for multiple grants through the 2021 Consolidated Funding Application

Date: 7/21/21
Submitted By: Lucas Rogers
Department: County Executive
Title: Senior Policy Analyst
Phone: 518-447-5566
Department Rep.
Attending Meeting: Multiple

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

☐ Revenue

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

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

Title Change: Click or tap here to enter text.

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

☐ Change Order/Contract Amendment

☐ Purchase (Equipment/Supplies)

☐ Lease (Equipment/Supplies)

☐ Requirements

☐ Professional Services

☐ Education/Training

☒ Grant

New

Submission Date Deadline 7/30/2021

☐ Settlement of a Claim

☐ Release of Liability

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

Contract Terms/Conditions:

Party (Name/address):

New York State - Various Agencies

Additional Parties (Names/addresses):

Click or tap here to enter text.

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

Scope of Services: Multiple grant application for this year's round of funding applications

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

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

CONCERNING ALL REQUESTS

Mandated Program/Service: Yes ☐ No ☒

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

Is there a Fiscal Impact: Yes ☐ No ☒

Anticipated in Current Budget: Yes ☐ No ☐

County Budget Accounts:

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

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

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.
State: Click or tap here to enter text.
County: Click or tap here to enter text.
Local: Click or tap here to enter text.

Term

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

Impact on Pending Litigation

If yes, explain: Yes ☐ No ☒
Click or tap here to enter text.

Previous requests for Identical or Similar Action:

Resolution/Law Number: Resolution 348 of 2019
Date of Adoption: 8/12/19

Justification: (state briefly why legislative action is requested)

We are requesting permission to submit multiple applications for the various projects listed below to the 2021 Consolidated Funding Application process managed by New York State on a regional scale. Any and all applications that are successful will be submitted to the Legislature upon receipt as a request for approval to accept and contract with the grantor.

Planned and potential applications include:

EFC - Engineering Planning Grant- Sludge Processing Improvements Study: Study to include an evaluation of the existing sludge processing systems, in order to identify needed improvements. The study will also evaluate the option of consolidating both South Plant and North Plant sludge operations to the North Plant via pumping.

EFC - Engineering Planning Grant - Clarifier Upgrade Project: Study to include an evaluation of the existing primary and secondary clarifiers at both the North and South treatment plants to determine improvements needed to ensure treatment performance.

DOS - Local Government Efficiency Grant - Digitize the records in Environmental Health to make finding information more efficient and develop email lists and contacts for regulated facilities. This will allow for streamlined communication with facilities during foodborne outbreaks and tampering or contamination events. This will be a more efficient method to communicate. The electronic communications will also allow DOH to send permit applications and technical information electronically.

NYSDERDA FlexTech - Funding to complete an ASHRAE Level 2 energy efficiency study for four County facilities. The study will provide the County with estimated costs, savings, and incentives for potential energy efficiency project planning.

DEC Climate Smart Communities Certification Project - Update Albany County Government Operations GHG Inventory (2013) and Community GHG Inventory (2010) to set baseline for GHG reduction actions planning.

Recreational Trails Program - Expansion, revitalization, and enhancements to trails at Lawson Lake County Park, Ann Lee Pond County Park, and Albany County Rail Trail.

RESOLUTION NO. 348

**AUTHORIZING THE ALBANY COUNTY EXECUTIVE TO SUBMIT
MULTIPLE APPLICATIONS FOR VARIOUS PROJECTS THROUGH THE
NEW YORK STATE 2019 CONSOLIDATED FUNDING APPLICATION (CFA)
PROCESS**

Introduced: 8/12/19

By Audit and Finance Committee:

WHEREAS, The Albany County Executive has requested authorization to submit multiple applications through the New York State 2019 Consolidated Funding Application (CFA) process in anticipation of receiving funds for various County projects including upgrades to Lawson Lake, improvements to the Rail Trail and improvements at the Times Union Center to improve spectator experience, and

WHEREAS, The County Executive has indicated that any such applications, if awarded, would require legislative approval to accept the funding for such projects, now, therefore, be it

RESOLVED, By the Albany County Legislature that the County Executive is authorized to submit multiple applications through the New York State 2019 CFA process in anticipation of receiving funds for various County projects, and, be it further

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

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

Adopted by unanimous vote – 8/12/19

2021 Available Resources

Programs subject to the 4:00 PM July 30 Deadline

Empire State Development: Up to \$29.5 million

- Up to \$2 million for Strategic Planning and Feasibility Studies
- Up to \$15 million for Market New York
- Up to \$12.5 million for Business Incubator & Innovation Hot Spot Support Program

Homes and Community Renewal: Up to \$26.2 million

- Up to \$20 million for New York State Community Development Block Grant Program
- Up to \$6.2 million for New York Main Street Program

Office of Parks, Recreation and Historic Preservation: Up to \$21.4 million

- Up to \$19.5 million for Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)
- Up to \$1.9 million for Recreational Trails Program

Department of State: Up to \$36.25 million

- Up to \$27.75 million for the Local Waterfront Revitalization Program
- Up to \$3.5 million for the Brownfield Opportunity Area Program
- Up to \$1 million for the Smart Growth Comprehensive Planning Grant Program
- Up to \$4 million for Local Government Efficiency Program

New York State Canal Corporation: Up to \$1 million

- Up to \$1 million for the Canalway Grants Program

New York State Energy Research and Development Authority: Up to \$30 million

- Up to \$15 million for Carbon Neutral Economic Development Program
- Up to \$15 million for Commercial and Industrial (C&I) Carbon Challenge

Department of Environmental Conservation: Up to \$79 million

- Up to \$11 million for the Climate Smart Communities Grant Program
- Up to \$65 million for the Water Quality Improvement Project (WQIP) Program
- Up to \$3 million for the Non-Agricultural Nonpoint Source Planning and Municipal Separate Storm Sewer System (MS4) Mapping Grant Program

Environmental Facilities Corporation: Up to \$17.5 million

- Up to \$15 million for the Green Innovation Grant Program
- Up to \$2.5 million for NYS EFC Wastewater Infrastructure Engineering Planning Grant Program



DANIEL P. McCOY
COUNTY EXECUTIVE

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112 STATE STREET, ROOM 1200
ALBANY, NEW YORK 12207-2021
(518) 447-7040 - FAX (518) 447-5589
WWW.ALBANYCOUNTY.COM

DANIEL C. LYNCH, ESQ.
DEPUTY COUNTY EXECUTIVE

August 2, 2021

Honorable Andrew Joyce, Chairman
Albany County Legislature
112 State Street, Room 710
Albany, New York 12207

Dear Chairman Joyce:

The Office of the County Executive is requesting that the Legislature schedule a public hearing that is necessary to close out the County's 2016-2018 Microenterprise Grant Program. The federally funded Microenterprise Program provided Community Development Block Grant funds to the County for grants ranging from \$5,000 - \$35,000. Eligible applicants were start-ups and small business enterprises in non-entitlement communities. Grant awards were required to meet CDBG National Objectives by either directly leading to the creation of one permanent full-time equivalent job for persons from Low-to-Moderate Income (LMI) families or by going to businesses owned by LMI individuals.

Grant funds were awarded to five businesses for uses including equipment, signage, payroll, website development, marketing and other working capital. Awards were made in the following amounts:

New Scotland Physical Therapy- \$20,015
Tidy Thyme - \$30,823.61
Cake Street Sweets - \$32,302.22
Pathways to Academic Excellence - \$23,968.48
Kate's Corner Deli - \$21,178.64

The program was successful in that all five funded businesses qualified as LMI or met their National Objective goals for hiring LMI individuals.

If you should have any questions, please do not hesitate to contact me.

Sincerely

A handwritten signature in cursive script that reads "Daniel P. McCoy". The signature is written in dark ink and is positioned above the printed name.

Daniel P. McCoy
Albany County Executive

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



County of Albany

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

Legislation Text

File #: TMP-2643, **Version:** 1

REQUEST FOR LEGISLATIVE ACTION

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

Request for Legislative Public Hearing for Community Development Block Grant (CDBG) Closeout
..body

Date: 8/2/2021
Submitted By: Lucas Rogers
Department: County Executive
Title: Senior Policy Analyst
Phone: 518-447-5566
Department Rep.
Attending Meeting: Lucas Rogers

Purpose of Request:

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

CONCERNING BUDGET AMENDMENTS

Increase/decrease category (choose all that apply):

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

- ☐ Personnel Non-Individual
☐ Revenue

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

CONCERNING CONTRACT AUTHORIZATIONS

Type of Contract:

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

Choose an item.

Submission Date Deadline Click or tap to enter a date.

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

Contract Terms/Conditions:

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

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

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

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

CONCERNING ALL REQUESTS

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

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

County Budget Accounts:

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

Revenue Amount: Click or tap here to enter text.

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

Appropriation Amount: Click or tap here to enter text.

Source of Funding - (Percentages)

Federal: Click or tap here to enter text.

State: Click or tap here to enter text.

County: Click or tap here to enter text.

Local: Click or tap here to enter text.

Term

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

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

Impact on Pending LitigationYes ☐ No ☒

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

Previous requests for Identical or Similar Action:

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

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

Justification: (state briefly why legislative action is requested)

The Office of the County Executive is requesting that the Legislature schedule a public hearing that is necessary to close out the County's 2016-2018 Microenterprise Grant Program. The federally funded Microenterprise Program provided Community Development Block Grant funds to the County for grants ranging from \$5,000 - \$35,000. Eligible applicants were start-ups and small business enterprises in non-entitlement communities. Grant awards were required to meet CDBG National Objectives by either directly leading to the creation of one permanent full-time equivalent job for persons from Low-to-Moderate Income (LMI) families or by going to businesses owned by LMI individuals.

Grant recipients were also required to participate in an entrepreneurship boot camp provided by the Capital Region Chamber of Commerce. The Capital Region Chamber of Commerce assisted in the review of grant applications. Grant funds were awarded to five businesses for uses including equipment, signage, payroll, website development, marketing and other working capital. Awards were made in the following amounts:

New Scotland Physical Therapy- \$20,015

Tidy Thyme - \$30,823.61

Cake Street Sweets - \$32,302.22

Pathways to Academic Excellence - \$23,968.48

Kate's Corner Deli - \$21,178.64

The program was successful in that all five funded businesses qualified as LMI or met their National Objective goals for hiring LMI individuals.

CDBG Public Hearing Requirements

The Federal Housing and Community Development Act “encourages citizen participation, with particular emphasis on participation by persons of LMI,” both in the preparation of CDBG applications and throughout the implementation of local CDBG projects.

- Public hearings should be held at a time and place convenient to the general public, with accommodations for persons with disabilities
- Two (2) public hearings are required:
 - First hearing must happen between proposal and application (see [template](#))
 - Notice should identify the amount of CDBG funding requested, the program year, and the proposed activities
 - For those awarded, second hearing must be complete before submission of the request for closeout
- Current guidance allows for virtual hearings
- Must be conducted before a quorum of the legislative body (must be the municipality's official legislative body, not a division of local government)
- Municipality must provide a minimum seven (7) day period between the publication of the hearing notice and the hearing itself. Note that the date of publication is day "zero". See below.



- Hearing notice must be conspicuously posted in one or more public locations at least seventy-two (72) hours prior to the actual hearing. This can be a physical posting (e.g. Town hall bulletin board) or on a website. Evidence of posting must be attached to the application.
 - *Acceptable evidence of posting:* Website screenshot or digital photo with date, written attestation, or other clear evidence documenting the above
- A copy of the application must be available for public inspection at the municipal office(s).

Ready to Submit an Application?

- The following list **MUST** be submitted with all applications to serve as documentation that the Citizen Participation requirements have been fully met:

	Affidavit of Publication as provided by the newspaper
	A full, clearly legible copy of the legal notice as published
	Copy of minutes from the hearing
	Copy of sign-in/attendance sheet
	Clear, legible documentation of 72-hour attestation

New York State **COMMUNITY DEVELOPMENT** **BLOCK GRANT PROGRAM**

Microenterprise Assistance

PROGRAM GUIDELINES



**Homes and
Community Renewal**

OFFICE OF COMMUNITY RENEWAL

ANDREW M. CUOMO, GOVERNOR
RUTHANNE VISNAUSKAS, COMMISSIONER

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I. INTRODUCTION

NYS Community Development Block Grant Program (NYS CDBG) is a federally-funded program that provides financial resources to assist in the development of viable communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for persons of low- and moderate-income (LMI). The Office of Community Renewal (OCR) administers NYS CDBG funds for non-entitlement communities which are generally cities, towns and villages with populations under 50,000 and counties with populations under 200,000. There are approximately 1,300 eligible communities (units of local government) statewide.

New York State must ensure that not less than 70% of its CDBG funds are used for activities that benefit low- and moderate-income (LMI) persons (at or below 80% of median). This is achieved by granting maximum priority to activities that meet one of the following Federal National Objectives: benefit low- and moderate-income persons or families; or aid in the prevention or elimination of slums or blight; or meet an urgent community development need.

The NYS CDBG Microenterprise program achieves the National Objective by providing jobs and economic opportunities for persons from LMI families. The program provides funds to eligible local governments to assist qualifying businesses undertake activities that result in the creation of job opportunities for persons from LMI families. Funding decisions are based, in part, on the following: severity of need; public benefit; program feasibility; sustainability of activity outcomes; reasonableness of costs; extent to which the activity complements other local, state, or federal programs; and public support for the locally-driven program.

II. PROGRAM DESCRIPTION

The NYS CDBG Microenterprise program provides resources to support and foster the development of microbusinesses by providing grants in conjunction with capacity building and entrepreneurial assistance. The program is designed to stimulate economic growth and create businesses and jobs that will improve and preserve NYS homes and communities. An objective of the NYS CDBG Microenterprise program is to create opportunities for the development of microbusinesses that promote employment opportunities for persons of low- to moderate-income families.

A microenterprise is defined as a commercial enterprise that has five (5) or fewer employees, one (1) or more of which is the principal and owns the enterprise at the time of application. This includes both part-time and full-time employees. A microenterprise is a private for-profit business entity; corporation, partnership, or sole proprietorship that is legal, licensed and operating. Nonprofit entities are not microenterprises.

A. General Requirements

- The maximum total allocation for which a community can apply is \$300,000.
- A minimum of 50% of a total allocation (less grant administration costs) must be awarded to start-up businesses. A start up business is one which has been in operation less than six (6) months from the time of application.
- Although it is not required that specific microenterprises are identified as part of the application for Microenterprise Program funding, an application that identifies microenterprises and entrepreneurs that have gone through a prescreening stage is recommended. The prescreening stage should verify eligibility, evaluate the proposed project and determine funding need.
- NYS CDBG Microenterprise funds must be allocated as a grant to each microenterprise.
- Grant assistance to an individual microenterprise must be between \$5,000 and \$35,000. The maximum award is not intended to serve as a target amount for requests for assistance. The amount of CDBG assistance should be based on need and CDBG funds should not be used to reduce the amount of non-federal financial support for the project.
- Grants may not exceed 90% of the total project cost to assist in the start-up or expansion of a microenterprise.
- A minimum amount of 10% owner equity contribution to the project is required.
- Each microenterprise owner must complete an approved entrepreneurial assistance or small business training program prior to receiving CDBG Microenterprise grant funds. The cost for the owner to attend the training may be an eligible CDBG expense.
- Applicants may request up to 15% of the CDBG award in program delivery, administration, and training combined. Of the 15%, administration must not exceed more than 5% of the total project cost.
- Retention is not permitted in the Microenterprise Program.

B. Meeting a National Objective

The primary objective of the CDBG program is the development of viable communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate- income (LMI). For this to be achieved, each CDBG funded activity must meet a National Objective. A microenterprise may meet a National Objective one of two ways:

1. By creating a minimum of one (1) permanent full-time equivalent job for persons from LMI families. A full time equivalent (FTE) job is any combination of two or more part-time jobs that, when combined together, constitute the equivalent of a job of at least 40 hours per week. If more than one (1) FTE job is created as a result of NYS CDBG assistance, a minimum of fifty-one percent (51%) of the jobs must benefit persons from LMI families. A LMI job activity is one which creates a job that is either *held by* or considered to be *made available* to persons from LMI families. The distinction between “held by” and “made available to” is detailed below.
 - “taken (held) by” - A job is considered to be taken by a LMI person if, at the time their employment starts, that person is a member of a family whose income falls at or below the applicable Section 8 Income Limits. (Reference <https://www.huduser.gov/portal/datasets/il.html> or the most current income limits.)
 - “available to” - A job is considered to be made available to a LMI person if the position does not require special skills acquired from substantial training or work experience, and education beyond high school is not a prerequisite to employment. The assisted business must take actions to ensure that LMI persons receive “first consideration” for filling such jobs.

For a Microenterprise business creating jobs there are three principles involved in providing “first consideration”:

- a. The business must use a hiring practice that under usual circumstances would result in over 51% of LMI persons interviewed for applicable jobs being hired,
 - b. The business must seriously consider a sufficient number of LMI job applicants to give reasonable opportunity to fill the position with such a person, and
 - c. The distance from residence and availability of transportation to the job site must be reasonable before a particular LMI person may be considered a serious applicant for the job.
2. If the beneficiary / entrepreneur receiving the grant qualifies as LMI himself/herself. For microenterprises that are owned and operated by more than one individual, a majority of the owners must qualify as LMI in order to meet the Limited Clientele Microenterprise (LMCMC) National Objective. The business owner(s) cannot be counted towards job reporting.

III. APPLICATION PROCESS

The microenterprise application is now available through the consolidated Funding Application (CFA) on an Open Round, rolling basis, and not subject to the annual “competitive” CFA deadline.

The application involves a two-step process. First, an applicant must complete a Pre-Application within the CFA system. The Pre-application will be reviewed by the Office of Community Renewal. Once the applicant clicks ‘Submit’ within the Pre-Submission part of the application, the applicant will receive one of three notifications via email:

- **Accept-** The Pre-Submission has been approved and the applicant can proceed to the full application within the CFA Portal. An Invitation to Apply will be sent within the CFA system. An applicant must complete the full application in the CFA portal within 60 days of the invitation to apply.
- **Reject-** The Pre-Submission form has not been approved. The applicant will not be able to proceed to the full application within the CFA Portal. An Invitation to Apply will not be sent.
- **Needs More Information-** OCR has determined that additional information is required before the application can be approved and an Invitation to Apply sent.

For all of the above, OCR staff will be in contact with the applicant to discuss the next steps.

The following steps summarize the Open Round and Pre-Submission process for NYS CDBG Economic Development projects:

1. **Citizen Participation:** Applicants must hold at least one (1) public hearing prior to the submission of the CDBG application for the purpose of obtaining citizens’ views and responding to proposals and questions. The application must be made available to the public for inspection at the municipal office(s). Applicants must meet the citizen

participation requirements at 24 CFR 570.486 and NYS Homes and Community Renewal's Citizen Participation Plan as amended, which require Applicants to follow a citizen participation plan. Prior to submitting a CDBG application, Applicants must issue a public hearing notice and hold one public hearing (one in each jurisdiction of a joint application) allowing for citizen feedback on the community and economic development needs of the applicant community and any proposed project(s). When issuing the notice and holding the public hearing, please note the following:

- All hearings must also be conducted in accordance with the New York State Open Meetings Law
- The municipality must provide a minimum seven (7) day period between the publication of the hearing notice and the hearing itself. Note that the date of publication is day "zero."
- The hearing notice must be conspicuously posted in one or more public locations at least seventy-two (72) hours prior to the actual hearing. This may also be accomplished by posting to the municipal website
- The hearing must be conducted by a quorum of the legislative body of the municipality only, not by a sub recipient, department or arm of the applicant
- The notice for the hearing must specifically mention the municipality's intent to apply for NYS CDBG funds and the current program year
- The notice must identify all activities that the Applicant may be applying for during current program year, which may include Housing, Public Infrastructure/Facilities, Economic Development, or Community Planning
- Public hearings must be held in a location accessible to persons with disabilities and/or provide reasonable accommodations to allow all interested parties to participate
- The municipal resolution authorizing the public hearing, the hearing notice, affidavit of publication, list of attendees, hearing minutes, and evidence of conspicuous public posting must be included as an attachment to the application

A copy of the application must be available for public inspection at the municipal office(s). **Public hearings must be held in the same calendar year in which the application is submitted. Exceptions may be made for projects under board consideration in January. In those cases, OCR will accept hearings held in December of the previous year.**

After award a recipient of CDBG funds must hold a second public hearing to report project accomplishments, following the same guidelines provided above. For more information on citizen participation requirements, refer to Chapter 8 of the CDBG Grant Administration Manual at <https://hcr.ny.gov/community-development-block-grant-economic-development-program>

- 2. Submission of Applications:** Applications are project-based. Applicants will answer threshold questions to determine whether their project may be eligible for funding and from what funding source(s). Because some funding sources are only available to certain categories of project sponsors—such as municipalities, nonprofits, or businesses—two sponsors undertaking similar projects may qualify for different funding sources.
- 3. The Office of Community Renewal Review:** Applications will undergo due diligence and technical review by the Office of Community Renewal (OCR). OCR will undertake a comprehensive review of the application to determine compliance with federal, state, and program regulations, policies, and statutes.

OCR Scoring Criteria

Applications are reviewed based on the following factors:

- The documented need for microenterprise assistance in the project area.
- The extent to which the program will create permanent, full time equivalent job opportunities for persons of low- and moderate- income either through the support of LMI entrepreneurs or the creation of LMI jobs.
- The usefulness and practicality of the entrepreneurial training program.
- The degree to which the program supports a community-approved strategic or comprehensive plan.
- The program's impact on increasing the viability of the "Main Street" business sector and/or targeted industry sectors.
- Demonstration of expertise in technical assistance.
- The degree to which the program is financially and technically feasible.

- Reasonableness of program costs.
- The extent of documentation that supports the timely completion of the proposed activities within the term of the grant agreement. Issues which may hinder timely completion of the program must be addressed prior to award
- Demonstrated assurance of the success of the program
- Capacity to complete activities in a timely & effective manner
- Leveraging and availability of other resources
- CDBG and administrative performance history, if any
- Extent to which activity complements other federal, state, & local programs

HCR staff shall generally apply the criteria noted above when awarding funding for applications received through the Consolidated Funding Application Portal. In addition to the criteria noted above, HCR shall have the discretion to consider additional factors in determining the relative merits of projects.

The capacity of the Applicant to complete activities in a timely manner may impact the evaluation of the application. OCR will review an applicant's program history, beginning with Program Year 2000, to determine whether or not the Applicant has completed and/or made appropriate progress with any and all prior OCR grants including the number of extensions requested to complete a project beyond the specified deadline. **Applicants should only apply for the amount of funding that can be fully expended and the type of activities that can be completed within the specified program completion period of twenty-four (24) months.** Applicants should not proceed with a program that cannot be completed within the specified timeframe or with the assumption that an extension of the project deadline will be considered.

1. Post Award

If funding is approved by the HTFC, the recipient must undertake the following prior to the disbursement of funds.

- Participate in a Program Implementation Conference Call arranged by OCR Economic Development staff. All parties involved in the implementation of the program must participate.
- Execute the grant agreement and set up a non-interest bearing bank account specifically for the deposit and disbursement of NYS CDBG funds.
- Conduct an environmental review of the project and complete the environmental review record. Refer to the OCR Grant Administration Manual at <https://hcr.ny.gov/community-development-block-grant-economic-development-program> or additional information on the environmental requirements.
- Submit an Administration Plan prior to the first request for funds

IV. ELIGIBLE APPLICANTS

Eligible applicants are non-entitlement units of general local government (village, city, town or county), excluding metropolitan cities, urban counties and Indian Tribes that are designated entitlement communities. Non-entitlement areas are generally defined as cities, towns and villages with populations of less than 50,000, except those designated principal cities of Metropolitan Statistical Areas, and counties with populations of less than 200,000. The NYS CDBG program does not provide direct financial assistance to businesses.

A. Roles and Responsibilities

Recipients assume responsibility for ensuring successful completion of the program; evaluating and selecting activities to be supported; entering into grant agreements with microenterprises; monitoring each microenterprise throughout the term of the grant agreement; and assuring compliance with all local, state and federal laws and regulations. Each Microenterprise Program will be implemented and managed in accordance with the NYS CDBG Grant Agreement, the OCR Grant Administration Manual, and program guidance material located on the OCR website. The Recipient must ensure that all projects are completed and have met the National Objectives within the 24-month term of the grant agreement between the Recipient and the HTFC, represented by OCR.

Each microenterprise must comply with HUD Underwriting Standards, set forth in 24 CFR 570.482(e) and Appendix A to Part 570. It is the responsibility of the Recipient to underwrite each grant application. The purpose of the underwriting is to select microenterprise projects which are financially viable and make the most effective use of NYS CDBG Microenterprise funds. In addition to HUD's underwriting criteria, the grants provided must be underwritten using typical commercial financing underwriting criteria. See Grant

Underwriting Guidelines under section VII of these program guidelines for an overview of the criteria and how to comply.

V. MICROENTERPRISE PROGRAM DESIGN PLAN

The development of sound policies and procedures and the implementation of a well-designed program are critical to a successful microenterprise program. Applicants proposing microenterprise activities must submit a Program Design Plan that describes how the proposed activities will be implemented. The Program Design Plan should provide a clear and detailed description of the following program elements:

- a. **Eligibility** — Explain who is eligible to participate, the process that will be followed to verify participant eligibility, and what activities are eligible under the program.
- b. **Funding** — Describe the terms and conditions for providing assistance, and the means of securing compliance during the regulatory term.
- c. **Marketing and Supporting Activities** — Describe program marketing and outreach efforts. Summarize any unique program design features or additional administrative support for the program (such as business counseling, job training, etc.) that will increase the likelihood of successful completion.
- d. **Entrepreneurial Training Requirement** — Describe the entrepreneurial assistance or small business training program each microenterprise must complete prior to receiving NYS CDBG Microenterprise funds. See Entrepreneurial Training Requirement under Section VII of this program guide for additional guidance on the training requirement.
- e. **Program Objectives and Impact** — Provide a detailed description of all appropriate quantifiable information and any unique aspects. Examples of quantifiable information are the number of grants to be made, and the number of jobs to be created. Describe how the benefits of the program will be sustained, resulting in long-term benefits.
- f. **Program Oversight and Grant Approvals** — Provide a clear demonstration of the expertise to manage the grant fund program and identify other resources that will be made available to the participants. In addition, describe the grant approval process and a list of individuals who will be involved in the selection and approval process. The Recipient's Microenterprise Grant Committee should be diverse and include qualified individuals from related professions, such as bankers, business owners, attorneys, etc.

VI. EVALUATION OF ELIGIBLE ACTIVITIES AND ADDITIONAL FUNDING REQUIREMENTS

A microenterprise that lacks access to traditional financing and is struggling to start or grow their enterprise is typically a good candidate for a NYS CDBG Microenterprise Program. Although a business may meet the definition of a microenterprise based on the number of employees, for the purpose of this program the proposed activity or project the microenterprise is undertaking may not qualify as a microenterprise activity. In that event, the Recipient and the Grant Committee must review the proposed activity to determine if it is an effective use of NYS CDBG Microenterprise funds. In addition, Recipients should confer with OCR staff when making such a determination.

A. Examples of eligible and ineligible uses of NYS CDBG Microenterprise funds

Eligible Uses of Funds:

- Inventory
- Procurement of machinery, furniture, fixtures and equipment
 - *Computers, laptops, phones, and other electronic equipment must be accompanied by a written agreement from business owners verifying that they will ONLY be used for business purposes*
 - *Fixtures and equipment consist of moveable items that have no permanent connection to the structure of a building or utilities. Consult with OCR should you have a question regarding this.*
- Operating capital
- Reimbursement of the cost to attend the required entrepreneurial training program

Ineligible or Restricted Project Activities:

- The repayment of existing debt
- Construction, building or other improvements when Davis Bacon and Related Acts must be applied

- (prevailing wage rate requirements)
- Assistance to a nonprofit
- Reimbursement of costs incurred prior to grant award
- Political or religious activities
- Lobbying any governmental entity
- Advancement of funds
- Purchase and/or lease of a motor vehicle without prior consent from OCR

B. Grant Underwriting Guidelines

Underwriting is a process by which the Recipient of the NYS CDBG funds assesses the eligibility of a potential microenterprise and decides whether the entrepreneur is grant worthy by measuring risk and determining need. The Recipient must, at a minimum, use the underwriting guidelines that meet the requirements set forth in 24 CFR 570.482(e) and Appendix A to Part 570 when evaluating potential microenterprises. The underwriting criteria is designed to support a program that assists microenterprises that could not proceed without CDBG assistance, and to determine whether a proposed CDBG grant is appropriate to assist the microenterprise. The objectives of the underwriting guidelines are to ensure:

- That project costs are reasonable;
- That all sources of project financing are committed;
- That to the extent practicable, CDBG funds are not substituted for non-Federal financial support;
- That the project is financially feasible;
- That to the extent practicable, the return on the owner's equity investment will not be unreasonably high;
- That to the extent practicable, CDBG funds are disbursed on a pro rata basis with other finances provided to the project.

These guidelines provide a framework for financially underwriting and selecting projects which are financially viable and will make the most effective use of CDBG grant funds. NYS CDBG funds cannot be used to substitute other committed funding and the microenterprise must show that without NYS CDBG funding the proposed project could not be completed. Evidence of underwriting must be retained in the project files. In addition, there must be clear evidence that job creation will occur and/or that the owner(s) of the microenterprise qualifies as LMI before a grant is awarded.

Recipients of past CDBG Microenterprise assistance must have committed at least 85% of any current awards prior to applying for additional funding.

C. Entrepreneurial Training Requirement

Each microenterprise owner that is awarded a grant must complete an entrepreneurial training class prior to incurring project costs and requesting CDBG grant funds. Owner(s) of the microenterprise must attend the entrepreneurial training. Attendance by the employees does not satisfy this requirement. If the microenterprise is owned and operated by more than one individual, at least one person must complete the training program.

The training requirement must be a classroom-style training that teaches the fundamentals of owning and operating a business. The training program should help entrepreneurs develop business skills. At minimum, the training program should consist of the following elements:

- Developing a business plan
- Legal issues
- Taxes, recordkeeping, accounting
- Financing
- Marketing, advertising
- Employee issues

NYS CDBG Microenterprise training funds cannot be used to subsidize the cost of conducting a training program. **NYS CDBG funds may be used to reimburse the microenterprise business owner(s) for participating in an entrepreneurial training course.** Reimbursement will not occur until the owner has

successfully completed the course and has been awarded a NYS CDBG Microenterprise grant.

OCR will consider waivers of this requirement when a microenterprise owner can document completion of a similar entrepreneurial course(s) within the past 24 months. Requests for Waivers of the entrepreneurial training requirement must be submitted to the OCR for a determination. Recipients should not proceed with an award until a waiver determination has been issued by the OCR.

A request for a waiver must include the following:

- A review of the business's application for the program,
- A letter from the Chief Elected Official requesting an exemption and stating why it is merited,
- The resume of the entrepreneur, and
- Proof of the training program(s) completed and certificates received.

D. Owner Equity Requirement

Investments of NYS CDBG microenterprise funds must be matched by a minimum of 10% owner equity. The equity contribution must be provided as cash; not to be associated with debt of any kind. Equity must be committed and available to the project at the time of the business application. Documentation of the equity commitment must be kept in the Recipient's files. Project funds cannot be incurred or expended, including equity, prior to the approval of grant award by the Recipient and the Recipient has received OCR's approval of the Request for Release of Funds.

VII. DISBURSEMENT OF FUNDS

The National Environmental Policy Act of 1969 ("NEPA") requires Recipients to conduct an environmental review of their projects and establish a written record of their findings, known as an Environmental Review Record. A Recipient cannot expend or encumber CDBG funds for any activity, except those listed as exempt under 24 CFR 58.34, or which fall under the categorical exclusions set forth in 24 CFR 58.35(b), until a Recipient has completed the environmental and historic requirements. Further, microenterprise project costs must not be incurred prior to the microenterprise successfully completing the required entrepreneurial training requirement and receiving approval of grant award by the Recipient.

NYS CDBG funds are disbursed electronically upon the approval of the request for funds submitted by the Recipient. Funds should be available for withdrawal from the Recipient's CDBG bank account within 1-2 weeks from receipt of the request. Factors such as incomplete or incorrect request for funds will delay the disbursement process. OCR will not disburse funds to a Recipient for a microenterprise until the microenterprise obtains a DUNS number.

In order to substantiate all expenditures, Recipients must obtain copies of invoices for inventory or materials purchased, and cancelled checks from the business owners. Quotes and in-cart documentation from an online vendor are **NOT** accepted. Recipients should refer to of the OCR Grant Administration Manual for guidance on Financial Management. The manual is located at <https://hcr.ny.gov/community-development-block-grant-economic-development-program>

FORM 1-6B
MICROENTERPRISE BUSINESS PROJECT SUMMARY FORM

Section I – CDBG Recipient Information				
Recipient Name	Albany County	CDBG #	8ME33-15	
Section II – Business Information				
Business Name	Cake Street Sweets	Business DUNS	08 -041-3605	
Owner Name	Kayla Renfroe			
Owner Name				
Business Address	190 Remsen Street Cohoes	NY	ZIP + 4	12047-3022
Type of Business	Bakery			
Total Number of Current Employees Including the Owner(s)				1
Date Business Owner Completed Entrepreneurial Training				04/20/2016
Date Business was Awarded Microenterprise Assistance by Recipient				02/09/2016
Is this a Start-Up or Existing Business?	Start-Up ☒	Existing ☐		
Year Business Established	2016			
Is the Business Located in a NY Main Street Target Area Program?	Yes ☒		No ☐	
Section III – National Objective Information				
The business must meet one of the following in order to be eligible for a NYS CDBG Microenterprise grant. Check whether the business will create at least one LMI job or if the owner(s) qualify as low- to moderate-income. (Select LMJ or LMCMC)				
☒	LMJ- LOW/MOD CREATION 24 CFR 570.208(a)(4): Activities designed to create permanent FTE jobs, at least 51% of which employ LMI persons.			
If LMJ:	☒ Jobs will be made available to LMI Persons	☐ Jobs will be held by LMI persons		
☐	LMCMC-LOW/MOD LIMITED CLIENTELE MICROENTERPRISE 24 CFR 570.208(a)(2)(iii): Activities that are carried out under 24 CFR 570.201(o) and the owner(s) /entrepreneur(s) are LMI persons.			
Section IV – Job Information				
If the business is proposing to meet the LMJ National Objective, complete the chart below for each job title to be created.				
Job Classification Title and Skills Required	Full – Time Jobs		Part – Time Jobs	
	Total #	Total # LMI	Total #	Total # LMI
Baker/Retail Associate	1	1	3	3
Total	1	1	3	3
Average Number of Hours Worked Per Week for Part-Time Jobs:			20	

Section V – Project Cost Information

Use of Funds	Source Of Funds				
	NYS CDBG	Equity	Other	Other	Subtotal
Equipment	22,930.00	2,547.80			25,477.80
Signage/Packaging	4,016.00	446.00			4,462.00
Register/Pos	621.00	69.00			690.00
Installation	1,620.00	180.00			1,800.00
1st Month Rent	990.00	110.00			1,100.00
Permits	180.00	20.00			200.00
Inventory	2,610.00	290.00			2,900.00
1st Month Wages for Employee	1,908.00	212.00			2,120.00
Tele/Internet	135.00	15.00			150.00
					0.00
Entrepreneurial Training					0.00
Project Total	35,010.00	3,889.80	0.00	0.00	38,899.80
% of Total Project Cost	90%	10%	0%	0%	100%
Program Delivery	8,000.00				8,000.00
Total Amount of Funding	43,010.00	3,889.80	0.00	0.00	46,899.80

Section VI – Certification of Microenterprise Business Project Summary Form

I certify that, to the best of my knowledge, this project summary is an accurate and truthful reporting of project details.

Typed Name of Chief Elected Official	Daniel P. McCoy
Signature of Chief Elected Official	 2/13/17
Date	02/02/2017
CEO Title	Albany County Executive

Prepared by	Name	Janet Tanguay			
	E-Mail	jtanguay@capitalregionchamber.com			
	Phone	(518) 431-1430	Date	02/02/2017	

FORM 1-6B
MICROENTERPRISE BUSINESS PROJECT SUMMARY FORM

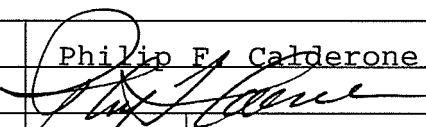
Section I – CDBG Recipient Information				
Recipient Name	Albany County	CDBG #	8ME33-15	
Section II – Business Information				
Business Name	Kathleen E. Hebert d/b/a Kates Corner Deli	Business DUNS	046386259	
Owner Name	Kathleen E. Cutillo			
Owner Name				
Business Address	44 George Street Green Island	NY	ZIP + 4	12183-1104
Type of Business	Deli			
Total Number of Current Employees Including the Owner(s)				2
Date Business Owner Completed Entrepreneurial Training				11/05/2016
Date Business was Awarded Microenterprise Assistance by Recipient				09/15/2016
Is this a Start-Up or Existing Business?	Start-Up ☐	Existing ☒		
Year Business Established	2013			
Is the Business Located in a NY Main Street Target Area Program?	Yes ☐	No ☒		
Section III – National Objective Information				
The business must meet one of the following in order to be eligible for a NYS CDBG Microenterprise grant. Check whether the business will create at least one LMI job or if the owner(s) qualify as low- to moderate-income. (Select LMJ or LMCMC)				
☐ LMJ- LOW/MOD CREATION 24 CFR 570.208(a)(4): Activities designed to create permanent FTE jobs, at least 51% of which employ LMI persons.				
If LMJ: ☐ Jobs will be made available to LMI Persons ☐ Jobs will be held by LMI persons				
☒ LMCMC-LOW/MOD LIMITED CLIENTELE MICROENTERPRISE 24 CFR 570.208(a)(2)(iii): Activities that are carried out under 24 CFR 570.201(o) and the owner(s) /entrepreneur(s) are LMI persons.				
Section IV – Job Information				
If the business is proposing to meet the LMJ National Objective, complete the chart below for each job title to be created.				
Job Classification Title and Skills Required	Full – Time Jobs		Part – Time Jobs	
	Total #	Total # LMI	Total #	Total # LMI
Total	0	0	0	0
Average Number of Hours Worked Per Week for Part-Time Jobs:				

Section V – Project Cost Information

Use of Funds	Source Of Funds				
	NYS CDBG	Equity	Other	Other	Subtotal
Equipment/Installation	2,452.79	272.53			2,725.32
Website	120.00	133.00			253.00
Working Capital	21,995.21	2,324.25			24,319.46
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Entrepreneurial Training					0.00
Project Total	24,568.00	2,729.78	0.00	0.00	27,297.78
% of Total Project Cost	90%	10%	0%	0%	100%
Program Delivery	8,000.00				8,000.00
Total Amount of Funding	32,568.00	2,729.78	0.00	0.00	35,297.78

Section VI – Certification of Microenterprise Business Project Summary Form

I certify that, to the best of my knowledge, this project summary is an accurate and truthful reporting of project details.

Typed Name of Chief Elected Official	Philip F. Calderone
Signature of Chief Elected Official	
Date	3/9/17
CEO Title	Deputy County Executive

Prepared by	Name	Janet Tanguay		
	E-Mail	jtanguay@capitalregionchamber.com		
	Phone	(518) 431-1430	Date	03/06/2017

FORM 1-6B
MICROENTERPRISE BUSINESS PROJECT SUMMARY FORM

Section I – CDBG Recipient Information				
Recipient Name	Albany County	CDBG #	8ME33-15	
Section II – Business Information				
Business Name	New Scotland Physical Therapy	Business DUNS	064261955	
Owner Name	Mollie Dambrocia			
Owner Name				
Business Address	1969 New Scotland Rd Slingerlands	NY	ZIP + 4	12159-3661
Type of Business	Outpatient physical therapy			
Total Number of Current Employees Including the Owner(s)				2
Date Business Owner Completed Entrepreneurial Training				11/16/2016
Date Business was Awarded Microenterprise Assistance by Recipient				10/20/2016
Is this a Start-Up or Existing Business?	Start-Up ☐	Existing ☒		
Year Business Established	2011			
Is the Business Located in a NY Main Street Target Area Program?	Yes ☒	No ☐		
Section III – National Objective Information				
The business must meet one of the following in order to be eligible for a NYS CDBG Microenterprise grant. Check whether the business will create at least one LMI job or if the owner(s) qualify as low- to moderate-income. (Select LMJ or LMCMC)				
☒	LMJ- LOW/MOD CREATION 24 CFR 570.208(a)(4): Activities designed to create permanent FTE jobs, at least 51% of which employ LMI persons.			
If LMJ:	☐ Jobs will be made available to LMI Persons	☐ Jobs will be held by LMI persons		
☐	LMCMC-LOW/MOD LIMITED CLIENTELE MICROENTERPRISE 24 CFR 570.208(a)(2)(iii): Activities that are carried out under 24 CFR 570.201(o) and the owner(s) /entrepreneur(s) are LMI persons.			
Section IV – Job Information				
If the business is proposing to meet the LMJ National Objective, complete the chart below for each job title to be created.				
Job Classification Title and Skills Required	Full – Time Jobs		Part – Time Jobs	
	Total #	Total # LMI	Total #	Total # LMI
Rehab Tech			1	1
Office Assitant		1		
Total	0	1	1	1
Average Number of Hours Worked Per Week for Part-Time Jobs:			25	

Section V – Project Cost Information

Use of Funds	Source Of Funds				
	NYS CDBG	Equity	Other	Other	Subtotal
Rehab Tech Payroll	1,560.00	156.00			1,716.00
Office Assistant Payroll	3,899.00	2,845.00			6,744.00
Marketing	14,557.94	1,641.89			16,199.83
Equipment	12,154.06	2,720.60			14,874.66
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Entrepreneurial Training	525.00				525.00
Project Total	32,696.00	7,363.49	0.00	0.00	40,059.49
% of Total Project Cost	90%	10%	0%	0%	100%
Program Delivery	8,000.00				8,000.00
Total Amount of Funding	40,696.00	7,363.49	0.00	0.00	48,059.49

Section VI – Certification of Microenterprise Business Project Summary Form

I certify that, to the best of my knowledge, this project summary is an accurate and truthful reporting of project details.

Typed Name of Chief Elected Official		Mollie Dambrocia	
Signature of Chief Elected Official			
Date	02/14/2017	CEO Title	Owner

Prepared by	Name	Janet Tanguay		
	E-Mail	jtanguay@capitalregionchamber.com		
	Phone	(518) 431-1430	Date	07/24/2017

FORM 1-6B
MICROENTERPRISE BUSINESS PROJECT SUMMARY FORM

Section I – CDBG Recipient Information				
Recipient Name	Albany County	CDBG #	8ME33-15	
Section II – Business Information				
Business Name	Pathways to Academic Excellence	Business DUNS	012742332	
Owner Name	Lisa Henkel			
Owner Name				
Business Address	220 Wormer Road Voorheesville	NY	ZIP + 4	12186-5327
Type of Business	Academic Consultant			
Total Number of Current Employees Including the Owner(s)				1
Date Business Owner Completed Entrepreneurial Training				05/03/2017
Date Business was Awarded Microenterprise Assistance by Recipient				06/19/2017
Is this a Start-Up or Existing Business?	Start-Up ☒	Existing ☐		
Year Business Established	2016			
Is the Business Located in a NY Main Street Target Area Program?	Yes ☒	No ☐		
Section III – National Objective Information				
The business must meet one of the following in order to be eligible for a NYS CDBG Microenterprise grant. Check whether the business will create at least one LMI job or if the owner(s) qualify as low- to moderate-income. (Select LMJ or LMCMC)				
☒	LMJ- LOW/MOD CREATION 24 CFR 570.208(a)(4): Activities designed to create permanent FTE jobs, at least 51% of which employ LMI persons.			
If LMJ:	☒ Jobs will be made available to LMI Persons	☐ Jobs will be held by LMI persons		
☐	LMCMC-LOW/MOD LIMITED CLIENTELE MICROENTERPRISE 24 CFR 570.208(a)(2)(iii): Activities that are carried out under 24 CFR 570.201(o) and the owner(s) /entrepreneur(s) are LMI persons.			
Section IV – Job Information				
If the business is proposing to meet the LMJ National Objective, complete the chart below for each job title to be created.				
Job Classification Title and Skills Required	Full – Time Jobs		Part – Time Jobs	
	Total #	Total # LMI	Total #	Total # LMI
Clerical - Including cold calls to follow up on mailers and leads				1
Assistant - Communications, Pathway website				1
Total	0	0	0	2
Average Number of Hours Worked Per Week for Part-Time Jobs:			20	

Section V – Project Cost Information

Use of Funds	Source Of Funds				
	NYS CDBG	Equity	Other	Other	Subtotal
Payroll	2,455.00	384.00			2,839.00
Website Development/Maintenance	5,580.00	620.00			6,200.00
Working Capital (Training, Marketing)	14,965.00	1,496.00			16,461.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Entrepreneu					0.00
Direct assistance to business	23,000.00	2,500.00	0.00	0.00	25,500.00
% of Total Project Cost	90%	10%	0%	0%	100%
Entrepreneurial Training		525.00			525.00
Program Delivery	8,000.00				8,000.00
Total Amount of Funding	31,000.00	3,025.00	0.00	0.00	34,025.00

Section VI – Certification of Microenterprise Business Project Summary Form

I certify that, to the best of my knowledge, this project summary is an accurate and truthful reporting of project details.

Typed Name of Chief Elected Official	Daniel P. McCoy		
Signature of Chief Elected Official	[Signature]		
Date		CEO Title	Albany County Executive

Prepared by	Name	Janet Tanguay		
	E-Mail	jtanguay@capitalregionchamber.com		
	Phone	(518) 431-1430	Date	03/06/2017

FORM 1-6B
MICROENTERPRISE BUSINESS PROJECT SUMMARY FORM

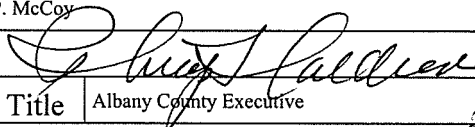
Section I – CDBG Recipient Information				
Recipient Name	Albany County	CDBG #	8ME33-15	
Section II – Business Information				
Business Name	Tidy Thyme	Business DUNS	080472468	
Owner Name	Michelle Boyle			
Owner Name				
Business Address	140 Main St. Altamont	NY	ZIP + 4	12009-7713
Type of Business	Cleaning and home products			
Total Number of Current Employees Including the Owner(s)				1
Date Business Owner Completed Entrepreneurial Training				04/01/2015
Date Business was Awarded Microenterprise Assistance by Recipient				02/09/2016
Is this a Start-Up or Existing Business?	Start-Up ☐	Existing ☒		
Year Business Established	2014			
Is the Business Located in a NY Main Street Target Area Program?	Yes ☒		No ☐	
Section III – National Objective Information				
The business must meet one of the following in order to be eligible for a NYS CDBG Microenterprise grant. Check whether the business will create at least one LMI job or if the owner(s) qualify as low- to moderate-income. (Select LMJ or LMCMC)				
☒	LMJ- LOW/MOD CREATION 24 CFR 570.208(a)(4): Activities designed to create permanent FTE jobs, at least 51% of which employ LMI persons.			
If LMJ:	☒ Jobs will be made available to LMI Persons		☐ Jobs will be held by LMI persons	
☐	LMCMC-LOW/MOD LIMITED CLIENTELE MICROENTERPRISE 24 CFR 570.208(a)(2)(iii): Activities that are carried out under 24 CFR 570.201(o) and the owner(s) /entrepreneur(s) are LMI persons.			
Section IV – Job Information				
If the business is proposing to meet the LMJ National Objective, complete the chart below for each job title to be created.				
Job Classification Title and Skills Required	Full – Time Jobs		Part – Time Jobs	
	Total #	Total # LMI	Total #	Total # LMI
General Assistant	1	1		
Total	1	1	0	0
Average Number of Hours Worked Per Week for Part-Time Jobs:				

Section V – Project Cost Information

Use of Funds	Source Of Funds				
	NYS CDBG	Equity	Other	Other	Subtotal
Year 1 of New Employee Cost	24,669.00	2,741.00			27,410.00
Website Development and Design	9,000.00	1,000.00			10,000.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
					0.00
Entrepreneurial Training					0.00
Project Total	33,669.00	3,741.00	0.00	0.00	37,410.00
% of Total Project Cost	90%	10%	0%	0%	100%
Program Delivery	8,000.00				8,000.00
Total Amount of Funding	41,669.00	3,741.00	0.00	0.00	45,410.00

Section VI – Certification of Microenterprise Business Project Summary Form

I certify that, to the best of my knowledge, this project summary is an accurate and truthful reporting of project details.

Typed Name of Chief Elected Official	Daniel P. McCoy		
Signature of Chief Elected Official			
Date	02/02/2017	CEO Title	Albany County Executive

Prepared by	Name	Janet Tanguay		
	E-Mail	jtanguay@capitalregionchamber.com		
	Phone	(518) 431-1430	Date	02/02/2017