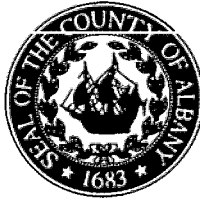


APPENDIX G

- Concurrence Letter
- Legal Notice
- RFP
- Recipients of RFP
- Selected Proposal



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: Marie Allen Campbell
Albany County Majority Minority Subcommittee on Redistricting

FROM: Karen Storm *[Signature]*
Purchasing Agent

DATE: February 9, 2022

RE: RFP #2022-008, Legal Services for the Albany County Majority Minority Subcommittee on Redistricting.

I am in receipt of your recommendation to award the aforementioned Request for Proposals to New York Law School- New York Census and Redistricting Institute.

As New York Law School- New York Census and Redistricting Institute is sole proposer and will meet your needs, I concur with your recommendation.

Please obtain the necessary contract approval of the appropriate governing body so that we may issue a Notice of Award to the successful proposer.

**NOTICE TO PROPOSERS -- ALBANY COUNTY
REQUEST FOR PROPOSALS #2022-008**

Sealed Proposals for **Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting** as requested by the Albany County Legislature 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 January 28, 2022.

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 January 13, 2022.

Karen A. Storm
Purchasing Agent

Dated: January 7, 2022
Albany, New York

PUBLISH ONE DAY – JANUARY 13, 2022 -- THE EVANGELIST
PUBLISH ONE DAY – JANUARY 13, 2022-- THE TIMES UNION

Name	Address	City	State/Prov	Name	Phone	Email	Downloaded from
Clark Hill PLC	500 Woodward Avenue Suite 3500	Detroit	MI	Keith Hobbs	214-651-2018	khobbs@clarkhill.com	Bidnet
Herrick, Feinstein LLP	Two Park Avenue	New York	NY	Kyle Kolb	2125921514	kkolb@herrick.com	Bidnet
School Wholesale Supplies LLC	2120 Donelson Pike	Nashville	TN	JP DAS	6155197539	jpdas@eii-usa.com	Downloaded from Bidnet
Shenker Russo & Clark LLP	121 State Street, 4th Floor	Albany	NY	Richard Lauricella	518-407-5800	richard.lauricella@srcclawoffices.com	Downloaded from Bidnet
Shreevastava Inc.	R.MS. Colony, Urdu Bazar, Bhagalpur	Bhagalpur		Sweety Srivastava	9123237490	sweetysrivastava4782@gmail.com	Downloaded from Bidnet
The Towne Law Firm, P.C.	PO Box 15072	Albany	NY	Kate AGagnon	5184521800 311	kate.gagnon@townelaw.com	Downloaded from Bidnet
NY Census & Redistricting Institute	185 West Broadway	New York	NY	Jeffrey Wice	(202)494-7991	jeffrey.wice@nyls.edu	Sent via Email
New York Law School	One Commerce Plaza	Albany	NY	Andrew Craigie	518.487.7719	acraigie@woh.com	Sent via Email
Whiteman Osterman & Hanna LLP							
Black, Puerto Rican, Hispanic, Asian Legislative Caucus						SolagesM@nyassembly.gov	Sent via Email

From: Cronin, Kayla
To: Cronin, Kayla
Bcc: kkolb@herrick.com; cteeter@nysba.org; minoritybarassociationofwny@gmail.com; brennancenter@nyu.edu; mrc@nysba.org; acba@albanycountybar.com; main@aabany.org; info@abwanewyork.org; administrator@cdwba.org; info.cfi@gmail.com; lstei@albanylaw.edu; pwood@albanylaw.edu; rrfk@albanylaw.edu; mtrimble@nyclu.org; albanynaacp1@gmail.com; jeffrey.wice@nyls.edu
Subject: RFP-2022-008 Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting
Date: Friday, January 14, 2022 1:13:00 PM
Attachments: [image001.png](#)
[Prospective Proposers Letter.pdf](#)
Importance: High

Good afternoon,

I have been advised that your firm may be interested in the above referenced RFP which was issued yesterday.

Please see the attached letter and legal notice.

Please advise if you need assistance obtaining the RFP documents.

Please confirm that you have received this notice.

Thank you,

Kayla Cronin
Specification Technician
Albany County Division of Purchasing
112 State Street, Room 1000
Albany, NY 12207
tel 518.447.5585
fax 518.447.5588
kayla.cronin@albanycountyny.gov
www.albanycounty.com



Confidentiality Notice: This fax/e-mail transmission, with accompanying records, is intended only for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged information belonging to the sender, including individually identifiable health information subject to the privacy and security provisions of HIPAA. This information may be protected by pertinent privilege(s), e.g., attorney-client, doctor-patient, HIPAA etc., which will be enforced to the fullest extent of the law. If you are not the intended recipient, you are hereby notified that any examination, analysis, disclosure, copying, dissemination, distribution, sharing, or use of the information in this transmission is strictly prohibited. If you have received this message and associated documents in error, please notify the sender immediately for instructions. If this message was received by e-mail, please delete the original message.

From: [Cronin, Kayla](#)
To: pstockli@nysba.org
Subject: RFP-2022-008 Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting
Date: Friday, January 14, 2022 1:33:00 PM
Attachments: [image001.png](#)
[Prospective Proposers Letter.pdf](#)
Importance: High

Good afternoon,

I have been advised that your firm may be interested in the above referenced RFP which was issued yesterday.

Please see the attached letter and legal notice.

Please advise if you need assistance obtaining the RFP documents.

Please confirm that you have received this notice.

Thank you,

Kayla Cronin
Specification Technician
Albany County Division of Purchasing
112 State Street, Room 1000
Albany, NY 12207
tel 518.447.5585
fax 518.447.5588
kayla.cronin@albanycountyny.gov
www.albanycounty.com



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COUNTY OF ALBANY

REQUEST FOR PROPOSALS

ALBANY COUNTY LEGISLATURE



RFP # 2022-008

**LEGAL SERVICES-COUNSEL TO THE MAJORITY MINORITY
SUBCOMMITTEE ON REDISTRICTING**

**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: Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting
RFP NUMBER: 2022-008

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 #2022-008

**Legal Services-Counsel to the Majority Minority Subcommittee on
Redistricting**

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 #2022-008

Sealed Proposals for **Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting** as requested by the Albany County Legislature 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 January 28, 2022.

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 January 13, 2022.

Karen A. Storm
Purchasing Agent

Dated: January 7, 2022
Albany, New York

PUBLISH ONE DAY – JANUARY 13, 2022 -- THE EVANGELIST
PUBLISH ONE DAY – JANUARY 13, 2022-- THE TIMES UNION

COUNTY OF ALBANY
REQUEST FOR PROPOSALS
LEGAL SERVICES-COUNSEL TO THE MAJORITY MINORITY
SUBCOMMITTEE ON REDISTRICTING
RFP-2022-008

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.govbids.com/scripts/CRPG/public/home1.asp>). 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.

SECTION 1: PURPOSE

- 1.1 The County of Albany (the “County”) has adopted Local Law 8 for 2019 (Attachment “E”) creating the Majority Minority Subcommittee on Redistricting (“MMD Subcommittee”) to “facilitate a non-partisan, independent, inclusive and participatory redistricting process for the County’s legislative redistricting,” as it pertains to Majority Minority districts and minority communities. The MMD Subcommittee was established with the purpose of assisting the Albany County Commission on Redistricting (the “Commission”) in providing a laser focus to ensure the fair representation of Albany County majority minority districts and minority communities in all aspects of the redistricting process. The MMD Subcommittee, which has independent authority, was created as a vital component of the Albany County Redistricting Commission’s work and shall make recommendations to the Commission regarding the configuration of Majority Minority districts, with the goal of protecting voting rights of minority residents and ensuring fair representation of minority residents residing in Majority Minority districts. The unique and primary focus of the MMD Subcommittee, is to ensure that the voting interests of minority residents and voters are adequately and appropriately incorporated into the resultant redistricting proposal.
- 1.2 In order for the Albany County Commission on Redistricting to have adequate time to review the MMD Subcommittee on Redistricting’s proposal and submit their proposal to the Albany County Legislature in time to adopt new district lines, it is the goal of the MMD Subcommittee on Redistricting to complete its work in the spring of 2022.
- 1.3 The County is seeking proposals for **LEGAL SERVICES** as requested by the MMD Subcommittee on Redistricting.

1.4 The MMD Subcommittee on Redistricting expects to seek mapping services to assist it by separate RFP.

1.5 The MMD Subcommittee on Redistricting intends to retain the services of one qualified individual or firm to provide the MMD Subcommittee on Redistricting with legal services related to the review and redistricting of Majority Minority districts of Albany County,. This includes the solicitation and review of public input and probable participation in public meetings and public hearings. Upon request the firm may also be required to provide administrative services to the Committee such as review and/or preparation of legal notices, meeting schedules, documents for public presentation, etc.

1.6 The successful proposer will be required to work closely with the MMD Subcommittee on Redistricting *and* be available to provide legal advice to the MMD Subcommittee on Redistricting and its members on all matters pertinent to carrying out the work of the MMD Subcommittee on Redistricting.

1. Each proposal may include modification or refinement of the scope of services identified herein reflective of the Proposer's unique perspective and methodology, and may include such additional services as the Proposer reasonably believes must be furnished to assist the MMD Subcommittee on Redistricting in the performance of its responsibilities in each category of services identified.

2. The County reserves all rights to enter into contracts with as many proposers as the County determines necessary to ensure adequate legal representation on all matters.

SECTION 2: RECEIPT OF PROPOSALS

2.1 Five (5) copies of the Proposal and other required documents must be submitted, sealed in an opaque envelope clearly marked with the name and number of the Proposal and the name and address of the Proposer. Proposals must be received no later than **4:30 P.M. on Friday, January 28, 2021**, at the following address:

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

2.2 The Proposal submitted by the individual Proposer(s) is the document upon which the 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 the 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 The County reserves the right to reject any and all Proposals, in whole or in part, submitted in response to its RFP.
- 2.6 The County reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.
- 2.7 The 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 by Albany County Department of Law and evaluated by the Commission as hereinafter described.
- 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: QUALIFICATIONS OF PROPOSER

Provide a statement of Proposer qualifications including, but not limited to:

- 3.1 If a firm, provide the name, a brief history and description of your firm for the individual who will be primarily responsible for advising the MMD Subcommittee on Redistricting, *describe* relevant education and work experience, and attach a resume. Describe any particular expertise the firm possesses with regard to the advice and assistance to be provided to the MMD Subcommittee on Redistricting.
- 3.2 Identify any other individuals you anticipate would be involved in advising or assisting the MMD Subcommittee on Redistricting and describe what those individuals' roles would be; describe their relevant education and work experience, and attach resumes.
 - 3.2.1 Attorneys to be assigned to work under this RFP shall be admitted to all New York State courts.
 - 3.2.2 Identify the location of the office from which the work would be performed. In the circumstance that the office location is not in the immediate Albany, NY area, identify the proposed methods to be employed to expeditiously address all elements of professional representation of the County's MMD Subcommittee on Redistricting.
- 3.3 State the name and title of person(s) authorized to bind the Proposer, together with the main office address, and the respective telephone number (including area codes).
- 3.4 Detail Proposer's experience, including experience in providing counsel to local governmental bodies, generally, and bodies focused on issues germane to minority communities, specifically

and those undertaking redistricting, and undertaking redistricting with regard to minority communities; state Proposer's demonstrated capabilities, qualifications and experience in federal and state election law matters relevant to redistricting and relevant to redistricting pertinent to minority communities.

- 3.5 Provide at least two (2) references, preferably from local governmental bodies and bodies focused on redistricting issues and/or redistricting issues germane to minority communities, for which the Proposer has performed services, including addresses and telephone numbers of contact persons.
- 3.6 Submit a statement indicating the workforce composition of the Proposer.
- 3.7 Provide any additional information that would distinguish the Proposer in its service to the County's MMD Subcommittee on Redistricting, if retained.
- 3.8 Proposer shall include a completed "Vendor Responsibility Questionnaire" (Attachment "C") with the Proposal.
- 3.9 In addition, the County and its MMD Subcommittee on Redistricting may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish, within five (5) days of a request, all such information and data for this purpose as may be requested. The MMD Subcommittee on Redistricting reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy it that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.
- 3.10 The proposer must disclose any and all conflicts of interest, including conflicts with the County of Albany, its elected officials and the County's officers, agents and employees, which could arise upon acceptance of a contract award. Additionally, should such a conflict exist or arise in the future, the Proposer must disclose the manner in which the conflict would be remedied in the event the County awarded a contract to the Proposer.
- 3.11 The Freedom of Information Law, as set forth in Public Officers Law, Article 6, mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the Proposer's competitive position or constitute a trade secret. A Proposer having a good faith belief that the information submitted in its proposal is protected from disclosure under the New York Freedom of Information Law must clearly identify in a separate letter, submitted with the proposal, the pages of the proposal containing such information, together with the line or other appropriate designation. The Proposer also must type in bold face on the top of each such page, **"THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW"**. The Proposer must explain in sufficient detail why such information should not be disclosed. The County assumes no liability for disclosure of information so identified, provided that the County has made a good faith determination that the information is not protected under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal, except portions identified by the Proposer as “Protected from Disclosure” and accepted by the County, shall become part of any contract resulting from this RFP.

SECTION 4: SCOPE OF SERVICES

- 4.1 General legal support to the MMD Subcommittee on Redistricting (includes, but is not limited to: to any federal, state, and/or local laws relevant to redistricting and/or minority voting rights and protections.
- 4.2 Assistance and legal advisement in interpreting and implementing the Local Law establishing the MMD Subcommittee on Redistricting (Local Law 8 of 2019, Attachment “E”), federal Voting Rights Act and other federal and State laws and cases relevant to redistricting and/or minority voting rights and protections.
- 4.3 Prepare and present legal training for MMD Subcommittee on Redistricting members, and the public, as requested by the MMD Subcommittee on Redistricting regarding the Voting Rights Act, Redistricting and guidelines for district line-drawing.
- 4.4 Assistance and legal advisement in preparing Requests for Proposals or Requests for Quotes for mapping and other services as may be requested by the MMD Subcommittee on Redistricting
- 4.5 Attendance as appropriate and/or as requested at meetings or public hearings of the MMD Subcommittee on Redistricting (in-person and/or virtual) and advising members in real time.
- 4.6 Review proposed redistricting plans for impact on minority districts and legal compliance.

SECTION 5: TERM OF CONTRACT:

- 5.1 The contract period will be for the period from the date of execution to December 31, 2022. At the sole discretion of the MMD Subcommittee on Redistricting, the contract term may be extended upon terms as may be agreed between the parties.
- 5.2 The selected Proposer will be required to execute a contract with the County in substantial conformance with this RFP as determined by the County Attorney.

SECTION 6: COST PROPOSAL:

- 6.1 Submit a cost proposal which details the fee structure for the Proposal. Proposers may submit cost proposals for hourly rates or a lump sum retainer. An hourly rate proposal should detail hourly rates as well as all reimbursable costs. A lump sum retainer should detail any costs outside of the retainer as well as any conditions to the retainer.
- 6.2 For hourly rate proposals, the following information must be included in the Cost Proposal: (Proposers are reminded that the individual primarily responsible is expected to provide most services.)

Hourly Rate

Individual Primarily Responsible
Partners
Senior Associates
Junior Associates
Law Clerks (Unadmitted Law Graduates)
Law Clerks (Law Students)
Paralegals

6.3 Detail those disbursements which will be separately billed. Any disbursements not separately billed should be noted.

6.4 For lump sum retainer proposals, outline the terms of same and how disbursements will be addressed.

6.5 Proposers may submit proposals based upon an hourly rate and/or lump sum retainer. The Commission will consider all proposals submitted. If proposal is for an hourly rate, state whether proposer is willing to consider a maximum fee and, if so, what that fee would be.

6.6 Proposers agree that they shall bill monthly for services and disbursements with such billing to be submitted no later than 30 days after the end of the month in which services were performed or disbursements incurred.

SECTION 7: ALTERNATIVES:

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

SECTION 8: PROPOSAL SUBMISSIONS

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

SECTION I:

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

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

SECTION II:

Qualification / Experience - The Qualification / Experience section must address proposer's qualifications and experience to carry out the requested service, inclusive of, but not

limited to: qualification to do business in NYS, number of years in business and length of experience.

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

SECTION III:

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

SECTION IV:

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

SECTION V:

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

SECTION VI:

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

SECTION 9: PROPOSAL EVALUATION

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

9.2 Proposals received will be evaluated by a committee comprised of members of the MMD Subcommittee on Redistricting. Proposals shall be evaluated based upon the following:

<i>CRITERIA</i>	<i>WEIGHT</i>
Proposer's comprehension of the required (work) Scope of Services.	15%
Proposer's Professional Qualifications.	10%
Completeness of the Proposal.	10%
Total Proposed Cost.	15%

Proposer's experience in representing and advising local governmental bodies, and bodies specifically on redistricting, and redistricting pertinent to minority residents, communities and majority minority districts.	20%
Proposer's experience in providing representation and legal advisement to individuals and/or organizations on matters concerned with redistricting and/or the impact of redistricting on minority residents, communities and/or majority minority districts.	20%
Proposer's experience in providing election and voting law compliance services.	10%

9.3 Proposals will be examined by the Albany County Department of Law with the advice of the Albany County Purchasing Agent to determine whether the requirements of this RFP are met.

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

SECTION 9: SECTION NOT IN USE

SECTION 10: ALTERNATIVES

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

SECTION 11: INDEMNIFICATION

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

SECTION 12: SPECIFICATION CLARIFICATION

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

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

Albany, NY 12207
Telephone: (518) 447-7140
Facsimile: (518) 447-5588
Email: Karen.storm@albanycountynl.gov

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

SECTION 13: MODIFICATION AND WITHDRAWAL OF PROPOSALS

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

SECTION 14: PROPOSAL SECURITY

- 14.1 No proposal security is requested for this Proposal.

SECTION 15: INSURANCE AND SECURITY REQUIREMENTS

- 15.1 The successful Proposer will be required to procure and maintain at its own expense, the following insurance coverage:
 - (a) **Worker's Compensation and Employer's Liability Insurance:** A policy or policies providing protection for Employees in the event of job related injuries.

- (b) **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.
- (c) **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

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

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

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

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

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

SECTION 16: REMEDY FOR BREACH

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

SECTION 17: CASH DISCOUNT

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

SECTION 18: FREEDOM OF INFORMATION LAW

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

SECTION 19: MACBRIDE PRINCIPLES

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

the contracting entity shall refer the contract to the County Legislature, which shall determine whether the lowest bidder is responsible. In making such determination, the County Legislature may consider, as a factor bearing on responsibility, whether the lowest bidder discriminates in employment in Northern Ireland.

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

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

SECTION 20: PRIVACY OF PERSONAL HEALTH INFORMATION

20.1 In order to comply with the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA), the CONTRACTOR, (deemed a BUSINESS ASSOCIATE as defined at 45 CFR § 164.501), its employees, administrators and agents shall not use or disclose Protected Health Information (PHI), (as defined in 45 CFR § 164.501) other than as permitted or required by this AGREEMENT with the COUNTY (deemed a HYBRID ENTITY as defined at 45 CFR § 164.504) or as Required By Law (as defined in 45 CFR § 164.501). The CONTRACTOR shall maintain compliance with all U.S. Department of Health and Human Services, Office for Civil Rights, policies, procedures, rules and regulations applicable in the context of this AGREEMENT.

20.2 OBLIGATIONS, ACTIVITIES AND PERMITTED USES AND DISCLOSURES

- a. Except as otherwise limited in this AGREEMENT, the CONTRACTOR may use PHI for the proper management and administration of the CONTRACTOR, to perform functions, activities or services for, or on behalf of COUNTY as specified in the Scope of Services contained in this AGREEMENT or to carry out the legal responsibilities of the CONTRACTOR as required by the Scope of Services, provided that such use or disclosure would not violate the Privacy Rule (as defined in 45 CFR Part 160 and Part 164, subparts A and E) if done by the COUNTY or the minimum necessary policies and procedures of the COUNTY. Except as otherwise limited in this AGREEMENT, the CONTRACTOR may disclose PHI for the proper management and administration of the CONTRACTOR and to perform functions, activities or services for, or on behalf of COUNTY as specified in the Scope of Services of this AGREEMENT, provided such disclosures are Required By Law or reasonable assurances are obtained that the information will remain

confidential, be used or disclosed solely for the purpose it was disclosed or as Required By Law, and that any violation of such confidentiality will be reported to CONTRACTOR

- b. The CONTRACTOR agrees to use appropriate safeguards to prevent use or disclosure of the PHI other than as provided by this AGREEMENT, and, upon knowledge of a violation, to mitigate any known harmful effects of such a disclosure. The CONTRACTOR shall immediately report to the COUNTY any use or disclosure of PHI not provided by this AGREEMENT of which it becomes aware. The CONTRACTOR shall ensure any agents and subcontractors of the CONTRACTOR to the extent allowed by this AGREEMENT, to whom PHI is supplied, created, used or maintained on behalf of the COUNTY, shall be bound by the requirements of this Article.
- c. The CONTRACTOR shall provide access to PHI in a designated record set in accordance with 45 CFR § 164.524. The CONTRACTOR shall make any amendments to PHI in a designated record set that the COUNTY directs or agrees to in accordance with 45 CFR § 164.526. The CONTRACTOR shall make available the information required to provide an accounting of disclosures in accordance with 45 CFR § 164.528.
- d. The CONTRACTOR shall make internal practices, books, records, including policies and procedures on PHI received from, or created or received by the CONTRACTOR on behalf of the COUNTY available to the Secretary of the Department of Health and Human Services or his designee for the purposes of determining the CONTRACTOR's compliance with this Article.

20.3 TERMINATION

- a. Upon the COUNTY'S knowledge of a breach or violation of this Article by the CONTRACTOR, the COUNTY, pursuant to 45 CFR § 164.504(e) (2) (iii), may terminate the AGREEMENT if it determines that such a breach violated a material term of this Article. Notwithstanding that, the COUNTY may provide an opportunity for the CONTRACTOR to cure the breach or end the violation within a time set by the COUNTY and, if cure is not possible or does not occur within the time limit, immediately terminate the AGREEMENT without penalty. If neither termination nor cure is feasible, the COUNTY shall report the violation to the Secretary.
- b. Upon termination of this AGREEMENT, if feasible, the CONTRACTOR, shall return or destroy all PHI received from, or created or received by the CONTRACTOR on behalf of the COUNTY that the CONTRACTOR still maintains in any form and retain no copies of such information, or, if such return or destruction is not feasible, extend the protections of this AGREEMENT to the information and limit further uses and disclosures to those purposes that make the return or destruction of the information not feasible.

SECTION 21: ANTIDISCRIMINATION CLAUSE

- 21.1 Pursuant to Section 220-E of the NYS Labor Law, regarding provisions in contracts prohibiting discrimination on account of race, creed, color or national origin in employment of citizens upon public works, the Contractor 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, gender, marital status, military status, sexual orientation 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, gender, marital status, military status, sexual orientation 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.

SECTION 23: INTERPRETATION

- 23.1 In the event of any discrepancy, disagreement or ambiguity among the documents which comprise this BID/RFP/RFQ, 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, RFQ, RFB; 3) the Contractor's proposal or bid.

SECTION 24: NON APPROPRIATIONS CLAUSE

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

SECTION 25: IRANIAN ENERGY SECTOR DIVESTMENT

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

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

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

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

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

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

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

- (1) The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the Bidder/Proposer has adopted, publicized and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
- (2) The County 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 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.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☒ County ☐ City ☐ Town ☐ Village
(Select one:)

of Albany

FILED
STATE RECORDS

DEC 30 2019

DEPARTMENT OF STATE

Local Law No. 8 of the year 2019

A local law OF THE COUNTY OF ALBANY, NEW YORK, AMENDING SECTION 207 OF THE
(Insert Title)
ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS SUBSEQUENTLY
AMENDED RELATING TO COMMISSIONS ON REDISTRICTING

Be it enacted by the ALBANY COUNTY LEGISLATURE of the
(Name of Legislative Body)

☒ County ☐ City ☐ Town ☐ Village
(Select one:)

of ALBANY

as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. 8 of 2019 of the (County)(City)(Town)(Village) of Albany was duly passed by the Albany County Legislature on 5/13 2019, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the County Executive on 6/6 2019. (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 11/5 2019, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

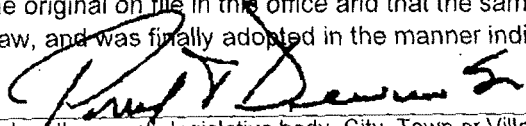
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 3 above.


Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: 12/19/19

(Seal)

LOCAL LAW NO. 8 FOR 2019

A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK, AMENDING SECTION 207 OF THE ALBANY COUNTY CHARTER AND LOCAL LAW NO. 8 FOR 1993 AS SUBSEQUENTLY AMENDED RELATING TO COMMISSIONS ON REDISTRICTING

Introduced: 05/31/18

By: Ms. Cunningham, Mr. Crouse, Ms. Willingham, Messrs. A. Joyce, Domalewicz, Fein, Higgins, Ms. Lekakis, Mr. O'Brien, Ms. Plotsky, Messrs. Simpson, Mayo, Reinhardt, Ms. McLean-Lane, Messrs. Bullock and R. Joyce

Statement of legislative findings and intent.

The Albany County Legislature hereby embraces the creation of the Albany County Commission on Redistricting, (the Commission) which will facilitate a non-partisan, independent, inclusive and participatory redistricting process for the County's legislative redistricting following the next federal census in 2020, and thereafter. Pursuant to law, the County's legislative districts must be adjusted in accordance with the relative population growth and shifts as indicated in the census to ensure that fair representation for each resident is maintained.

The legislative redistricting process shall be conducted by this independent Commission, which shall be adequately funded to carry out its responsibilities and to hire independent, expert professional staff. Further, the Legislature wishes to tap into the expertise of the newly established Albany County Legislature Black Caucus (adopted as Resolution 125 of 2018 by unanimous vote of the Albany County Legislature) to facilitate the creation of the Majority Minority District (MMD) Redistricting Subcommittee, with the purpose of assisting the Commission in providing a laser focus to ensure the fair representation of Albany County minority communities in all aspects of the redistricting process. It is the intent of the Legislature that the Commission and the MMD Redistricting Subcommittee shall work collaboratively, in tandem, with a high level of communication and interaction between the two bodies.

Neither the Commission's members nor the Members of the MMD Subcommittee shall include elected officials or party officers, family members, legislative staff, or candidates for elective office. The Commission shall be transparent, accountable and function independently, without the undue and improper influence of sitting elected officials and their representatives. The Commission's work shall be accomplished through a professional process that invites experts in the areas of redistricting, law, county geography and other important elements that are key to securing a credible, responsive, and accountable redistricting process and outcome.

PURSUANT TO SECTIONS 10 AND 33 OF THE MUNICIPAL HOME RULE LAW
AND SECTION 2701 OF THE ALBANY COUNTY CHARTER:

Be it enacted by the County Legislature as follows:

Section 1. The Albany County Charter is hereby amended by deleting the existing Section 207 and adding a new Section 207 to read as follows:

Section 207. Commission on Redistricting.

A. A Commission on Redistricting (identified in this local law as “the Commission”) shall be established to make recommendations to the County Legislature on whether and how the County Legislature should be redistricted when required. Triggering events include but may not be limited to: 1) upon publication of the results of the federal decennial census for Albany County, 2) upon publication of census tracts and block statistics based upon any federal or special population census taken pursuant to Section 20 of General Municipal Law, and held not more than once every five (5) years, or (3) any annexation which has the effect of increasing or decreasing the population of any legislative district by more than 10 percent. This process shall be completed before the next county legislative election following the federal decennial census.

B. Commission Composition

1. The Commission shall consist of nine (9) members who are County residents, registered voters in New York State, but shall not have been in the last four years immediately preceding the creation of the Commission:
 - 1.) a publicly elected official, which shall mean any individual elected to local, county, state or federal office, excluding school board members and library trustees, but including those elected as members of political parties;
 - 2.) a state employee who serves as a political appointee or legislative employee;
 - 3) a political party chairperson or officer. Further exclusions of individuals that may not serve on the Commission are fully identified in Section F.
2. The Commission Members shall be selected to reflect the diversity of the residents of this county with regard to race, ethnicity, gender, language, and geographic residence (including representative of rural/small communities). In selecting Commission Members, the Legislature shall consult with organizations devoted to protecting the voting rights of minority voters as recognized by the federal Voting Rights Act of 1965 (as amended). These requirements will ensure that the Commission's members

are both independent, representative of the County's diverse communities, and sensitive to the critical importance to voters of fair and proper district lines.

3. The Commission shall be constituted prior to the formation of the MMD Subcommittee.

C. Majority Minority District Redistricting Subcommittee – Intent and Functions

1. To ensure that the voting interests of minority residents and voters are adequately and appropriately incorporated into a redistricting proposal, a special Majority Minority District (MMD) Redistricting Subcommittee (identified further as the MMD Subcommittee) will be also established that will work collaboratively and in tandem with the Commission. The MMD Subcommittee will be created as a vital component of the Commission's work and efforts and shall make recommendations to the Commission regarding the configuration of minority districts, with the goal of protecting voting rights of minority residents and ensuring electoral representation of minority residents residing in MMDs. The unique focus of the MMD Subcommittee shall be to ensure the representation of Albany County minority communities in all aspects of the redistricting process.
2. The MMD Subcommittee shall have the authority and funds to contract its own outside legal/redistricting consultant.
3. The intent of the work of the MMD Subcommittee shall be to fully examine the issues unique to the MMD communities and their residents and shall be presented for inclusion into the final report of the Commission.

D. MMD Redistricting Subcommittee Composition, Appointment Process and Function

1. The MMD Subcommittee shall consist of seven (7) members who are representative of the minority communities. MMD Subcommittee Members shall be County residents, registered voters in New York State, but shall not have been in the last four years preceding the creation of the MMD Subcommittee: 1.) a publicly elected official, which shall mean any individual elected to local, county, state or federal office, excluding school board members and library trustees, but including those elected as members of political parties; 2.) a state employee who serves as a political appointee or legislative employee; 3) a political party chairperson or officer. Further exclusions of individuals that may not serve on the MMD Subcommittee are fully identified in Section F.
2. Appointments to the MMD Subcommittee may be made in the year of the census, after extensive, repeated solicitation by the Albany County

Legislature of potential appointees that are knowledgeable, capable, interested and experienced in the redistricting field. The Albany County Legislature shall use all communication means necessary to educate the public on the Commission and MMD Subcommittee process and need for appointees.

3. After a County-wide solicitation of potential appointees, the Chair of the LBC shall make advisory recommendations to the Chair and Members of the Commission regarding qualified candidates to serve on the MMD Subcommittee. The Commission Members, by a majority vote, appoint three (3) representatives who shall serve on the MMD Subcommittee. Subsequently, those Members, after examining the recommendations of the Chair of the LBC, shall select the remaining members of the MMD Subcommittee, by a majority vote. The MMD Subcommittee shall select its own leadership by voting on a Chairperson at its first meeting.
4. The MMD Subcommittee will be required to hold its own hearings and public forums to collect and consider the inputs from impacted communities, as well as the county communities at large. The subsequent work products of the MMD subcommittee, including the drawing of the maps of the MMD districts, shall be presented for inclusion into the final report of the Commission. The Commission shall, upon the receipt of the report from the MMD, reflect its consideration and prepare a written report to the Legislature that documents its consideration of the recommendations of the MMD Subcommittee prior to the submission of the final report to the Legislature for vote. Should the Commission elect to exclude material elements and recommendations of the MMD Subcommittee's report and work product, it shall provide a detailed justification and rationale regarding its decision, which shall be part of the official record of the Commission and its deliberations.

E. Commission Membership and Process

1. In the year of the census, the Albany County Legislature shall solicit interest widely throughout Albany County for knowledgeable, interested and capable individuals to serve on the Commission. To encourage interest of the widest possible pool of qualified and knowledgeable individuals, the County Legislature shall regularly use all communication means necessary to solicit interest in serving on the Commission and the MMD Redistricting Subcommittee. Interested individuals shall provide to a designated County email or mailing address information that shall include but not be limited to: resume, credentials, any relevant expertise in the redistricting and legal fields, community background and experience and other important information regarding the individual's capacity and interest in serving on the Commission.

2. It is the intent of the Legislature that because the Commission appointees will reflect a cross section of backgrounds, expertise, interests and credentials, a broad solicitation of diverse individuals is required. The members of the Commission shall reflect the diversity of the residents of Albany County with respect to socio-economic status, race, ethnicity, gender, sexual orientation, and geographic residence, including the representation of rural and small communities.

F. Commission Independence

1. To further ensure that the Commission's Members adhere to the highest ethical standards, the following individuals shall not be eligible to serve:
 - a. Within the four years immediately preceding the creation of the Commission, or any subsequent Commissions under this law, or through their term of service on the Commission, neither the applicant, nor a member of his or her immediate family, may have done any of the following:
 - (i) Been appointed to, elected to, or have been a candidate for federal, state, county, or local office, excluding school board members, library trustees, and fire commissioners;
 - (ii) Served as an officer, employee, or paid consultant of a political party or of the campaign committee of a candidate for elective federal, state, county, or local office;
 - (iii) Served as a paid Congressional or State political appointee or employee of the State Legislature;
 - (iv) Been an Albany County employee, or paid consultant;
 - (v) Serve as a registered lobbyist in the State of New York.
 - b. Staff and consultants to, persons under a contract with, or any person with an immediate family relationship with any county or publicly elected official, excluding school board members, library trustees and fire commissioners, are not eligible to serve as commission members. As used in this subdivision, a member of a person's "immediate family" is one with whom the person has a bona fide relationship established through blood or legal relation, including spouse, parents, children, siblings, and in-laws.

G. Timing of Commission Appointments

1. All appointments to the Commission or the MMD Redistricting Subcommittee may be made in the year of the census, after extensive solicitation of appointees that are expert, knowledgeable and experienced in the redistricting field. Initial appointments to the Commission from the pool of interested parties gathered in this manner

shall represent various geographic areas of the County and must be made by the time the census data becomes available. The 9 (nine) Appointments shall be made to the Commission in the following manner: The Majority Leader, Minority Leader, Chairperson of the Legislature, Chairperson of the Legislative Black Caucus shall each make one (1) appointment to the Commission (comporting with the other exclusions contained in this local law). These four (4) individuals shall make the remaining five (5) appointments to the Commission (also comporting with other exclusions of this local law). In making the five (5) appointments, the four (4) Commission Members shall make every effort to reach consensus on each Commission selection, but selections shall be made by majority vote. The Commission shall select its own leadership by voting on a Chairperson at its first meeting, from among the five (5) independently selected Commission Members.

2. Vacancies in the membership of the Commission shall be filled within thirty days (30) by a manner determined by the remaining Commission Members.

H. Request for Proposal Process

1. The Commission and MMD Subcommittee shall expeditiously issue two (2) Requests for Proposals (RFPs) for map drawing services, one for Majority Minority districts (MMD) and the other for the entirety of Albany County. Together with the Albany County Division of Purchasing, the Committee and Subcommittee shall be empowered to create and draft RFP's consistent with Article 13 of the Albany County Charter, the Albany County Procurement Policy, and any relevant state or federal laws. Both RFPs (the Commission and the MMD Subcommittee) shall be evaluated based on their ability to produce maps and supporting data, and engage in publicly informed and participatory processes that eventually produce successfully drawn maps that reflect the goals identified in Section I. Out of the RFP Process, the selected entities shall provide map drawing expert resources, modeling of districts, data-driven analysis that shall assist the Commission and MMD Subcommittee in fully understanding and determining the impact of the redistricting process.

I. Compliance and Adherence with Appropriate Federal Laws and Equal Representation Goals

1. The Commission, the MMD Redistricting Subcommittee, staff and the consultant(s) hired under the RFP shall comply with the requirements of 52 U.S.C. 1001 (Section 2 of the Voting Rights Act of 1965) and in all subsequent relevant statutes and case law.

2. The Commission and the MMD Subcommittee shall be guided by the goal of equal and fair representation of all people in Albany County, consistent with established state and federal law as interpreted by courts of appropriate jurisdiction. Factors to consider include, but shall not be limited to:

- a. whether such lines would result in the denial or abridgement of racial or language minority voting rights, and districts shall not be drawn to have the purpose of, nor shall they result in, the denial or abridgement of such rights. Districts shall be drawn so that, based on the totality of the circumstances, racial or minority language groups do not have less opportunity to participate in the political process than other members of the electorate and to elect representatives of their choice;
- b. shall minimize population variance, to the extent practicable, among districts in accordance with federal law, but in no instance shall a district's population exceed 105% or be less than 95% of the ideal district size;
- c. each district shall consist of contiguous territory;
- d. each district shall be as compact in form as practicable;
- e. districts shall be consistent with existing municipal and rural boundaries, and neighborhoods within Albany County; and balance and reasonableness for the diversity of citizens residing in all parts of the County;
- f. the places of residences of incumbents or candidates shall not be identified or considered;
- g. party registration shall be excluded from all phases of the mapping process but may be used to test maps for compliance with the above goals with party voting history and participation included.

J. Commission and MMD Subcommittee Appropriations, Staffing and Operations:

1. In the fiscal year prior to the establishment of the Commission, the Legislature shall appropriate funding for all aspects of the activities of the Commission and the MMD Subcommittee. These funds shall provide for all expenses of the work of the Commission and MMD Subcommittee, funds for the compensation of consultants, members and staff, as well as funding for any duties that the County Legislature shall deem necessary to facilitate the performance of the Commission and MMD Subcommittee's duties identified in this Local Law. The Commission and MMD Subcommittee shall establish clear criteria for the securing and overseeing of staff and consultants, communications protocols and processes, and a code of conduct. The Commission shall apply the conflicts

of interest listed in subdivision F to the hiring of staff to the extent practicable. The Commission shall require that legal counsel hired by the Commission have demonstrated and extensive experience and expertise in redistricting processes, and in the implementation and enforcement of the federal Voting Rights Act of 1965 (42 U.S.C. Sec. 1971 et seq.).

2. Commission and MMD Subcommittee members and staff shall exercise the highest standards of conduct, and disclose to Commission/MMD Subcommittee colleagues substantive communications with elected officials, staff and other public officials that occur outside public hearings or meetings of the Commission and MMD Subcommittee.
3. The Commission and the MMD Subcommittee will work in a process that allows for timely input from the County Legislature and its members and allows for the maximum amount of public participation, engagement, and comment. The Commission and the MMD Subcommittee will be committed to full transparency and accountability including the timely posting of its meetings, agendas, minutes, data and any relevant reports or information that is included in the body of work of the Commission and the MMD Redistricting Subcommittee.
4. All meeting minutes, notes, documents, reports, and any work product of the Commission and MMD Subcommittee shall be maintained and preserved as official documents of the redistricting process and housed by the Office of the Clerk of the Albany County Legislature. The Commission and MMD Subcommittee will work collaboratively and closely together, with full discussion and dialogue taking place between the two structures. The Commission and MMD shall have the authority to solicit information and expert opinion from government agencies and staff as they see fit.

K. Commission and MMD Redistricting Subcommittee Hearings/Public Comment Periods and Public Access to Information:

1. During the preparation of the redistricting plan, the Commission working closely and in collaboration with the MMD Subcommittee shall conduct not less than four (4) public hearings throughout the County. The MMD Subcommittee shall be empowered to hold its own public hearings for additional community input. These public hearings shall be publicized widely, with ample notice to ensure the maximum level of citizen participation and engagement. The purpose of the public hearing process is to promote a high level of understanding of the process and its implications to the public, to provide expert presentations and access to Commission and MMD leaders, staff and consultants, allow for ample public comment, and to communicate the process of the redistricting process to the public. All public hearings should be publicized and information about the meetings should be widely disseminated. The Albany County website shall be the venue for the collection of all information regarding the work of the

Commission and MMD Subcommittee.

2. The Commission and the MMD Subcommittee shall make available to the public, on the Albany County website and through electronic media efforts, any draft redistricting plans and concepts, relevant data, and related information. Such plans, data, and information shall be in a form that allows and facilitates their use by the public to review, analyze, and comment upon such plans. The Commission can adjust its redistricting outline based on input received from the public. Prior to the final redistricting plan being presented for adoption by the Legislature, the Commission shall conduct a final public hearing to ensure that the residents of Albany County have ample opportunity to understand, provide comment and feedback on the final report. The Commission shall report the findings of all public hearings in a written report to the legislature upon submission of the final redistricting plan.

L. Final Report of the Commission

1. The Commission shall submit its final report in the form of a proposed local law to the Clerk of the County Legislature within thirty (30) days after the final report is completed for distribution to the members of the Legislature. This report, and any and all subsequent changes to it, will be part of the official public records of the Commission's work and available on the designated webpage of the Albany County website.
2. No later than 30 days after receiving the final report, the Chairperson of the County Legislature shall submit to the County Legislature, the Commission's final redistricting report in the form of a proposed local law, for consideration by the full Legislature. No later than sixty (60) days after its submission by the Chairperson, the proposed local law shall be forwarded to the full legislature for consideration. The County Legislature may then by a majority vote of the whole number of its members choose to adopt such proposed local law on legislative districts. If such proposed local law is not adopted, the Commission shall be empowered to continue its work through subsequent amendment processes to ensure legislative passage and enactment in a timely manner. The Commission shall submit a revised report to the Legislature no later than sixty (60) days after the proposed local law has been returned to it. The Legislature may provide feedback and recommendations to the Commission in order to assist the Commission in providing an updated redistricting report. The Commission shall call another public hearing if the modifications are considered to be (by Commission Members) of a significant or material nature. The revised report shall be submitted and subsequently introduced in accordance with the requirements of Section L (1) and (2) respectively. The County Legislature shall consider the recommendations included in any updated

report.

3. The County Legislature, in applying its responsibility for redistricting, will ensure that the federal requirement of one person, one vote is achieved with the redistricting plan outlined in this Local Law.
4. The County Executive may either approve or veto the legislation. If vetoed, the Executive shall prepare and submit in writing to the Legislature and the Commission, his or her rationale for vetoing the final redistricting report. This will become part of the public record of the Commission's deliberations. The Legislature may either override the veto or request the Commission continue its deliberations to provide the Legislature with another redistricting plan, which shall be considered by the Legislature as outlined in Section
5. The Commission and its MMD Subcommittee shall be discharged upon the successful conclusion of the Albany County redistricting process.

M. Effective Date

1. This Local Law shall take effective immediately upon filing with the Secretary of State. Pursuant to Municipal Home Rule Law Section 33, this Local Law, amending the present Albany County Charter shall not become operative unless and until this Local Law is approved by the duly qualified voters of Albany County in the manner prescribed by law at the general election of November 5, 2019.

On long roll call vote the following members voted in favor: Messrs. Beston, Bullock, Cahill, Ms. Chapman, Messrs. Clay, Commisso, Ms. Cunningham, Messrs. Dawson, Ethier, Feeney, Fein, Frainier, Higgins, A. Joyce, R. Joyce, Ms. Lekakis, Mr. Mayo, Mss. McKnight, McLean Lane, Messrs. Miller, O'Brien, Ms. Plotsky, Messrs. Reinhardt, Simpson, Smith, Touchette, Ward and Ms. Willingham – 28

Those opposed: Messrs. Burgdorf, Domalewicz, Drake, Grimm, Hogan, Mauriello, Mendick, Stevens and Tunny – 9

Local Law was adopted – 5/13/19

State of New York
County of Albany

This is to certify that I, the undersigned, Clerk of the Albany County Legislature, have compared the foregoing copy of the resolution and/or local law with the original resolution and/or local law now on file in the office, and which was passed by the Legislature of said County on the 13th day of May, 2019, a majority of all members elected to the Legislature voting in favor thereof, and that the same is a correct and true transcript of such original resolution and/or local law and the whole thereof.



IN WITNESS THEREOF, I have hereunto set my hand and the official seal of the County Legislature this 15th day of May, 2019.

A handwritten signature in black ink, appearing to read "Paul T. Dennis", is written over a horizontal line.

Clerk, Albany County Legislature

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Legal Services-Counsel to the Majority Minority Subcommittee on Redistricting
RFP Number: 2022-008

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: Legal Services-Counsel to the Commission on Redistricting
RFP Number: 2022-008

Submit a cost proposals for the described services in Section 4 Scope of Services.

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:			
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	

16.	WITHIN THE PAST (5) YEARS, HAS THE VENDOR, ANY INDIVIDUALS SERVING IN MANAGERIAL OR CONSULTING CAPACITY, PRINCIPAL OWNERS, OFFICERS, MAJOR STOCKHOLDER(S) (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), AFFILIATE OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS:	
a)	1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process; 2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease; 3. entered into an agreement to a voluntary exclusion from bidding/contracting; 4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles; 5. had a low bid rejected on a local, state or federal contract for failure to meet statutory affirmative action or M/WBE requirements on a previously held contract; 6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited; 7. been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal government contract; 8. been denied an award of a local, state or federal government contract, had a contract suspended or had a contract terminated for non-responsibility; or 9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.	☐ Yes ☐ No
b)	been indicted, convicted, received a judgment against them or a grant of immunity for any business-related conduct constituting a crime under local, state or federal law including but not limited to, fraud extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct?	☐ Yes ☐ No
c)	been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of: 1. federal, state or local health laws, rules or regulations.	☐ Yes ☐ No
17.	IN THE PAST THREE (3) YEARS, HAS THE VENDOR OR ITS AFFILIATES 1 HAD ANY CLAIMS, JUDGMENTS, INJUNCTIONS, LIENS, FINES OR PENALTIES SECURED BY ANY GOVERNMENTAL AGENCY? Indicate if this is applicable to the submitting vendor or affiliate. State whether the situation(s) was a claim, judgment, injunction, lien or other with an explanation. Provide the name(s) and address(es) of the agency, the amount of the original obligation and outstanding balance. If any of these items are open, unsatisfied, indicate the status of each item as "open" or "unsatisfied."	☐ Yes ☐ No
18.	DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO: a) file returns or pay any applicable federal, state or city taxes? <i>Identify the taxing jurisdiction, type of tax, liability year(s), and tax liability amount the vendor failed to file/pay and the current status of the liability.</i> b) file returns or pay New York State unemployment insurance? <i>Indicate the years the vendor failed to file/pay the insurance and the current status of the liability.</i> c) Property Tax <i>Indicate the years the vendor failed to file.</i>	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No
19.	HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE VENDOR OR ITS AFFILIATES 1 WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE VENDOR OR ITS AFFILIATES REGARDLESS OR THE DATE OF FILING? Indicate if this is applicable to the submitting vendor or affiliate. If it is an affiliate, include the affiliate's name and FEIN. Provide the court name, address and docket number. Indicate if the proceedings have been initiated, remain pending or have been closed. If closed, provide the date closed.	☐ Yes ☐ No
20.	IS THE VENDOR CURRENTLY INSOLVENT, OR DOES VENDOR CURRENTLY HAVE REASON TO BELIEVE THAT AN INVOLUNTARY BANKRUPTCY PROCEEDING MAY BE BROUGHT AGAINST IT? Provide financial information to support the vendor's current position, for example, Current Ration, Debt Ration, Age of Accounts Payable, Cash Flow and any documents that will provide the agency with an understanding of the vendor's situation.	☐ Yes ☐ No

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES: :

☐ Yes ☐ No

a) defaulted or been terminated on, or had its surety called upon to complete, any contract (public or private) awarded;

Indicate if this is applicable to the submitting vendor or affiliate. Detail the situation(s) that gave rise to the negative action, any corrective action taken by the vendor and the name of the contracting agency.

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

**ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE**

FEIN #

State of:)
) ss:
County of:)

CERTIFICATION:

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

The undersigned certifies that he/she:

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

Name of Business

Signature of Owner _____

Address

Printed Name of Signatory _____

City, State, Zip

Title

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

Notary Public

Printed Name

Signature

Date

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

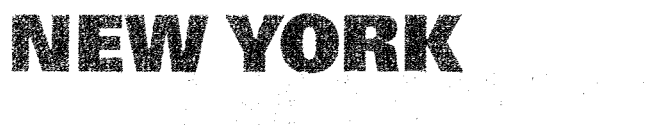
- A. By submission of this bid/proposal, each bidder/proposer and each person signing on behalf of any bidder/proposer certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder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

Signature

Title

Date

Company Name



New York Census and
Redistricting Institute

RESPONSE TO REQUEST FOR QUOTATION
COUNSEL TO MAJORITY MINORITY SUBCOMMITTEE
RFQ #2022-08

SUBMITTED BY
JEFFREY M. WICE
N.Y. CENSUS AND REDISTRICTING INSTITUTE
NEW YORK LAW SCHOOL

JANUARY 26, 2022

Jeffrey M. Wice
Adjunct Professor & Senior Fellow
N.Y. Census & Redistricting Institute
New York Law School
185 West Broadway, Room C104
New York, N.Y. 10013
(202)494-7991
jeffrey.wice@nyls.edu

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SECTION II. Qualifications and Experience

The N.Y. Census & Redistricting Institute seeks to provide legal assistance to the Albany County Majority Minority Subcommittee on Redistricting. The Institute is a non-partisan information, assistance, and legal guidance center on the redistricting process, with an emphasis on the legislative process, developing public engagement strategies, and helping enact redistricting plans that would withstand any legal challenges. The Institute also engages and educate public institutions, nonprofit organizations, and the public about redistricting law and process.

The Institute is a first-of-its-kind effort, providing information and expert guidance to elected officials, commissions, and the public on all aspects of the federal, state, and local redistricting processes.

The Institute is directed by Jeffrey M. Wice, an Adjunct Professor and Senior Fellow at New York Law School. He has over 40 years of experience working on redistricting and is recognized as a national expert on redistricting and a preeminent authority on redistricting in New York State.

Professor Wice and Dr. Lisa Handley are presenting this proposal to provide complete minority voting rights assistance and analysis to the subcommittee. They propose to assist the County develop a new redistricting plan that properly addresses minority voting rights concerns, especially the need to maintain current effective minority districts and to help determine whether new minority districts need to be drawn.

Professor Wice and Dr. Handley have worked together for the City of New York, NY and Nassau County, NY where they provided similar services to New York governments, resulting in successful redistricting efforts that avoided legal challenges.

Jeffrey M. Wice: Professor Wice has worked in the areas of census, redistricting, and voting rights since 1978 at the federal, state, and local government levels.

Wice is being recognized in January 2022 by the New York publication “City & State” as one of New York’s “Top 50 Over 50” for his contributions and leadership in the state. The Washington, D.C. based ROLL CALL has included him in its list of the top 50 Washington policy insiders and in 2020 was recognized by the National Conference of State Legislatures (NCSL) with the Legislative Staff Achievement Award for his work co-editing

and co-authoring NCSL's redistricting handbook for legislators and staff. He is quoted frequently on redistricting and has appeared in many programs on the redistricting process in New York and across the nation.

Professor Wice has assisted many legislative leaders, Members of Congress, county, and local government officials on redistricting and voting rights matters across the nation. During the 1980s, Professor Wice developed the first national Democratic Party redistricting assistance program, working with state legislative leaders preparing for the 1990 census and redistricting process. During the 1990s, Professor Wice served as a counsel to President Bill Clinton's appointees to the 2000 federal Census Monitoring Board. Since the post-2000 and post-2010 redistricting cycles. Professor Wice served as counsel to the Democratic National Democratic and other national redistricting projects.

As a long-time counsel to the New York State Legislature, Professor Wice has served in several NCSL leadership positions, including service on the national Executive Committee and currently as staff chair of the Elections and Redistricting Committee. He served as redistricting counsel to five New York Assembly Speakers and four Democratic Senate leaders (and currently is redistricting counsel to the State Assembly's redistricting task force chair).

In New York, Professor Wice helped successfully steer the post-2000 and post-2010 New York City Council redistricting plans to completion without a single lawsuit filed against them. He also helped obtain quick approval from the U.S. Department of Justice under Section 5 of the federal Voting Rights Act. He has also assisted Nassau County's legislature in three redistricting cycles as well as working for the Towns of North Hempstead and Brookhaven. He has advised the City of Yonkers and Albany, Dutchess, Onondaga, and Suffolk counties in their redistricting efforts.

Through the Institute, Professor Wice is currently assisting the City of Syracuse, City of New York, Albany County, and Suffolk County in their redistricting efforts.

In 2020, he was a regular participant in many New York county-level Census Complete Count Committees. He is also a member of the Election Law Committee of the New York City Bar Association and chairs its Redistricting Subcommittee.

At the national level, he serves as the staff chair of the National Conference of State Legislatures' (NCSL) Redistricting and Elections Committee, where he is the co-editor/co-author of NCSL's 2020 Redistricting Redbook, a handbook for legislators and staff.

Outside New York, Professor Wice has assisted numerous state and local governments on redistricting including Clark County, NV, Baltimore, MD, and state legislatures in Massachusetts, Connecticut, Maine, Virginia, Colorado, Kansas, Tennessee, Vermont, New Hampshire, Maryland, South Carolina, Pennsylvania, Ohio, Michigan,

In 2017 Professor Wice co-authored a chapter on redistricting in “New York’s Broken Constitution” (SUNY Press). He is a Fellow at SUNY Buffalo Law School and has also taught election law at Hofstra Law School and at the Touro Law Center.

Professor Wice has worked with counsel across the nation on redistricting litigation and has been involved with several redistricting cases in New York State, including *Favors v. Cuomo* (state redistricting), *Cecere v. Nassau County* (Nassau County), *Jackson v. Nassau County Board of Supervisors*, *Puerto Rican Legal Defense Fund v. Gant* (state redistricting), and *Goosby v. Town of Hempstead*.

In 2001, he served as counsel to the Louisiana Legislative Black Caucus in successful federal litigation to reject a state House of Representatives plan that diminished minority voting rights (*House of Representatives v. Ashcroft*).

Dr. Lisa Handley is one of the nation’s leading minority voting rights expert analysts. Dr. Handley has over thirty years of experience in the areas of redistricting and voting rights, both as a practitioner and an academician, and is recognized nationally and internationally as an expert on these subjects. She has advised numerous clients on redistricting and has served as an expert in dozens of redistricting and voting rights court cases. Her clients have included the U.S. Department of Justice, civil rights organizations, independent redistricting commissions and scores of state and local jurisdictions. Internationally, Dr. Handley has provided electoral assistance in more than a dozen countries, serving as a consultant on electoral system design and redistricting for the United Nations, UNDP, IFES, and International IDEA. In addition, Dr. Handley served as Chairman of the Electoral Boundaries Commission in the Cayman Islands.

Dr. Handley has been actively involved in research, writing, and teaching redistricting and voting rights. She has co-written a book, *Minority Representation and the Quest for Voting Equality* (Cambridge University Press, 1992) and co-edited a volume (*Redistricting in Comparative Perspective*, Oxford University Press, 2008) on these subjects. Her research has also appeared in peer-reviewed journals such as *Journal of Politics*, *Legislative Studies Quarterly*, *American Politics Quarterly*, *Journal of Law and Politics*, and *Law and Policy*, as well as law reviews and edited books. She has taught political science undergraduate and graduate courses related to these subjects at several universities including the University of Virginia and George Washington University. Dr. Handley is a Visiting Research Academic at Oxford Brookes University in the United Kingdom.

Dr. Handley is the President of Frontier International Consulting, a consulting firm that specializes in providing electoral assistance in transitional and post-conflict democracies. She also works as an independent election consultant both in the United States and internationally.

Marissa Zanfardino is a student at New York Law School and serves as a Student Fellow at the N.Y. Census & Redistricting Institute. She graduated from Tulane University in 2019 with a double major in Economics and Sociology and a double minor in Social Innovation & Entrepreneurship and Philosophy. Marissa has recently served as a fellow for the Impact Center for Public Interest Law at New York Law School conducting research on racial disparities from the COVID-19 pandemic, analyzing a FOIL request from litigation against the NYPD, and planning and facilitating events on social justice issues and current events for law school community. In the Spring of 2021, Marissa worked in the legislative advocacy clinic with the New York Civil Liberties Union implementing a campaign to propose effective and sustainable alternatives to policing that center around reimagining public safety in equitable and democratically accountable ways by reducing police encounters and more specifically abusive policing that disproportionately impacts communities of color.

Additional Institute personnel may assist as is necessary.

Additional Information:

All work will be performed at the New York Law School located at 185 West Broadway, New York, NY and at Dr. Handley's office (with remote work conducted as may be necessary depending on pandemic health conditions and in Albany, NY as requested by the County).

The Institute's overall guidance is provided by New York Law School Dean Anthony Crowell and Counsel Matthew Gewolb, New York Law School, 185 West Broadway, New York, NY 10013 (212)431-2100

The responder has no conflicts of interest with the County of Albany, its elected officials, agents, and employees. The responder is being retained (and a contract is pending) to provide legal services to the Albany County Redistricting Commission.

The responder does not believe that any information contained in this proposal is protected from disclosure under the New York State Freedom of Information Law.

The responder agrees to perform all services listed in the Request for Quotations.

The responder agrees to perform services through December 31, 2022 and beyond that date if agreed to by the parties.

If selected, the responder will execute a contract with the County of Albany.

JEFFREY M. WICE
JMWice@gmail.com
(202) 494-7991

Legal position utilizing federal, state, and local legislative, litigation and administrative experience and skills with expertise in redistricting, voting rights and census law. Background includes legislative policymaking, strategic planning, project management, legal counsel, media relations, fundraising, and coalition building.

Major Government Experience

Served as Washington, DC office director and counsel for the New York Legislature; provided liaison with congressional delegation and federal agencies; analyzed federal, state and local legislation, appropriations and regulations on a variety of issues; and played leadership roles in national state government organizations.

Developed national coalitions and campaigns for elected officials on major initiatives; provided strategic and legal counsel in nearly every state on redistricting & census for federal, state and local offices.

Handled media relations, from drafting press releases to commenting on the record in print and electronic media. Named to City & State's 2022 "50 Over 50: The Age Disrupters" list and ROLL CALL's "Top 50 Washington Political Policymakers" list. Appeared in the documentary movie "Gerrymandering." Awarded 2020 "Legislative Staff Achievement Award" by the National Conference of State Legislatures (NCSL) for work on the 2020 NCSL Redistricting Redbook Manual. Recognized by the Association for A Better New York with a 2020 "Spirit of ABNY" award for Census 2020 efforts.

Current Positions

Counsel to the New York State Assembly Redistricting Chair (2021)
Adjunct Professor and Senior Fellow, New York Law School (2019-present)
Fellow, SUNY Buffalo Law School (2014-present)
Of Counsel, Sandler, Reiff, Lamb, Rosenstein & Birkenstock, P.C. (2009-present)
General Counsel, National Association of Jewish Legislators (1995-present)

Previous State and Local Government Staff Positions

Special Counsel to the Assistant Speaker, NY State Assembly (2014- 2020)
Special Counsel to the New York State Senate leadership 2003-2013
Special Counsel to Nassau County NY Legislature and New York City Districting Commissions (2012-2013; 2002-2003)
Special Assistant to New York City Council Member Letitia James (2003-2007)
Assistant Counsel to Speaker of the New York Assembly (1995-2003)
Counsel to Presidential Appointees, US Census Monitoring Board (1998-2001)
Special Counsel to the Speaker and Director, Washington Office of the New York State

Assembly (1976-1994)

Staff Assistant, Office of Senator Edward M. Kennedy (1970-1974)

Other Government Experience

Member, Executive Committee, National Conference of State Legislatures (2010-2013; 1986-89)

Member, Foundation For State Legislatures Advisory Committee (1990-1993)

Elections and Redistricting Committee Staff Officer, National Conference of State Legislatures (2009-2021)

Member, National Legislative Staff Coordinating Committee, National Conference of State Legislatures (2021)

Staff Chair, Legislative Management Committee, National Conference of State Legislatures (1985-1986)

Counsel, State Legislative Policy Institute (1996-2000)

General Counsel, Democratic State Legislative Leaders Association (1981-1996)

Education

J.D. Antioch School of Law; B.A., The George Washington University

Other Professional Associations

Special Professor of Law, Hofstra Law School (2008-2009)

Counsel, Foundation for The Future National Redistricting Project (2006-2011)

Counsel, American Friends of Lubavitch (2004-2007)

Adjunct Professor, Touro Law Center (2005-2007)

Counsel, Democratic National Committee Redistricting Project (2001-2002) Counsel, IMPAC 2000 Congressional Committee (1999-2000)

Of Counsel, Dickstein, Shapiro, and Morin (1991-1992)

Of Counsel, O'Connor and Hannan (1989-1991)

Staff Assistant, Democratic Planning Group (1974-1975)

Political Campaign Experience

Presidential Campaign Staff, Campaign Liaison, National Delegate Coordinator, Advance and Travel Aide, Scheduler Candidate (in campaigns for federal and state offices including Daniel P. Moynihan, Allard K. Lowenstein, Adam Walinsky, George McGovern, Jerry Brown, Birch Bayh)

Legal and Other Interests

Admitted to Practice, District of Columbia

United States Supreme Court
U.S. District Court, for the District of Columbia
Member, American Bar Association
Member, Election Law Committee, New York City Bar Association
New York City Police Department, Citywide Traffic Task Force (CTTF) Auxiliary Sergeant
Vice Chair, New York State Democratic Lawyers Council

Publications

CENSUS 2000: Considerations And Strategies For State And Local Government (2000),
American Bar Association

Redistricting: Pathways to Fairness and Comity (2020, The Democracy Fund)

NCSL Redistricting Law Redbook (co-editor/author, 2020 edition); contributor to 1990,
2000 and 2010 editions (National Conference of State Legislatures)

Court Deference to State Legislatures in Redistricting After *Perry v. Perez* (with Leonard M.
Kohen) Election Law Journal (December, 2012)

New York's Broken Constitution: The Governance Crisis and the Path to Renewed
Greatness, chapter on redistricting (SUNY Press, 2016)

"April 1, 2020 Is The Next Census Day" (Social Education for the American Bar Association,
2019)

Lisa R. Handley

CURRICULUM VITAE

Education

Ph.D. The George Washington University, Political Science, 1991

Present Employment

President, Frontier International Electoral Consulting LLC (since co-founding company in
1998). **Senior International Electoral Consultant** Technical assistance for clients such as
the UN, UNDP and

IFES on electoral system design and boundary delimitation

Visiting Research Academic, Centre for Development and Emergency Practice (CENDEP),
Oxford Brookes University

U.S. Clients since 2000

American Civil Liberties Union – redistricting consultant, expert testimony in Ohio partisan gerrymander challenge and challenge to Commerce Department inclusion of citizenship question on 2020 census form

Lawyers Committee for Civil Rights Under Law – expert testimony in challenges to statewide judicial elections in Texas and Alabama

US Department of Justice – expert witness testimony in several Section 2 and Section 5 cases)

Alaska: Redistricting Board (2000 and 2010) – redistricting consultation, expert witness testimony

Arizona: Independent Redistricting Board (2000 and 2010) – redistricting consultation

Colorado: Redistricting Commission (2020), Redistricting Board (2000 and 2010) – redistricting consultation

Connecticut: State Senate and State House of Representatives (2000 and 2010) – redistricting consultation

Florida: State Senate (2000) – redistricting consultation

Kansas: State Legislative Research Department (2000, 2010, 2020) – redistricting consultation

Louisiana: Louisiana Legislative Black Caucus (2000) – expert witness testimony

Massachusetts: State Senate (2000 and 2010) – redistricting consultation

Maryland: Attorney General (2000) – redistricting consultation

Michigan: Redistricting Commission (2020) – redistricting consultation

Miami-Dade County, Florida: County Attorney (2000 and 2010) – redistricting consultation

Nassau County, New York: Redistricting Commission (2000) – redistricting consultation

New Mexico: State House (2000) – redistricting consultation, expert witness testimony

New York: State Assembly (2000), State Senate (2020) – redistricting consultation

New York City: Redistricting Commission and Charter Commission (2001, 2011) – redistricting consultation and Section 5 submission assistance

New York State Court: Expert to the Special Master (drew congressional lines for state court)

Rhode Island: State Senate and State House (2000 and 2020) – redistricting consultation
Vermont: Secretary of State (2000) – redistricting consultation

International Clients since 2000

United

- Afghanistan – electoral system design and district delimitation expert
- Bangladesh (UNDP) – redistricting expert
- Sierra Leone (UNDP) – redistricting expert
- Liberia (UNMIL, UN peacekeeping mission) – redistricting expert
- Democratic Republic of the Congo (MONUC, UN peacekeeping mission) – election feasibility

mission, electoral system design and redistricting expert

- Kenya (UN) – electoral system design and redistricting expert
- Haiti (UN) – election feasibility mission, electoral system design and redistricting expert
- Zimbabwe (UNDP) – redistricting expert
- Lead Writer on the topic of boundary delimitation (redistricting) for ACE (Joint UN, IFES and

IDEA project on the Administration and Cost of Elections Project)

International Foundation for Election Systems (IFES)

- Afghanistan – district delimitation expert
- Sudan – redistricting expert
- Kosovo – electoral system design and redistricting expert
- Nigeria – redistricting expert
- Nepal – redistricting expert
- Georgia – electoral system design and district delimitation expert
- Yemen – redistricting expert
- Lebanon – electoral system design and redistricting expert
- Malaysia – electoral system design and redistricting expert
- Myanmar – electoral system design and redistricting expert
- Ukraine – electoral system design and redistricting expert
- Pakistan – consultant for developing redistricting software

- Principal consultant for the Delimitation Equity Project – conducted research, wrote reference

manual and developed training curriculum

- Writer on electoral boundary delimitation (redistricting), Elections Standards Project
- Training – developed training curriculum and conducted training workshops on electoral

boundary delimitation (redistricting) in Azerbaijan and Jamaica

International Institute for Democracy and Electoral Assistance (International IDEA):

- Consultant on electoral dispute resolution systems
- Technology consultant on use of GIS for electoral district delimitation
- Training – developed training material and conducted training workshop on electoral boundary

delimitation (redistricting) for African election officials (Mauritius)

- Curriculum development – boundary delimitation curriculum for the BRIDGE Project

Other international clients have included The Cayman Islands; the Australian Election Commission; the Boundary Commission of British Columbia, Canada; and the Global Justice Project for Iraq.

Publications

Books:

Does Torture Prevention Work? Liverpool University Press, 2016 (served as editor and author, with Richard Carver)

Comparative Redistricting in Perspective, Oxford University Press, 2008 (first editor, with Bernard Grofman).

Delimitation Equity Project: Resource Guide, Center for Transitional and Post-Conflict Governance at IFES and USAID publication, 2006 (lead author).

Minority Representation and the Quest for Voting Equality, Cambridge University Press, 1992 (with Bernard Grofman and Richard Niemi).

Academic Journal Articles:

"Drawing Electoral Districts to Promote Minority Representation" Representation, forthcoming,

published online DOI:10.1080/00344893.2020.1815076.

"Evaluating national preventive mechanisms: a conceptual model," Journal of Human Rights Practice, Volume 12 (2), July 2020 (with Richard Carver).

"Minority Success in Non-Majority Minority Districts: Finding the 'Sweet Spot'," Journal of Race, Ethnicity and Politics, forthcoming (with David Lublin, Thomas Brunell and Bernard Grofman).

"Has the Voting Rights Act Outlived its Usefulness: In a Word, "No," Legislative Studies Quarterly, volume 34 (4), November 2009 (with David Lublin, Thomas Brunell and Bernard Grofman).

"Delimitation Consulting in the US and Elsewhere," Zeitschrift für Politikberatung, volume 1 (3/4), 2008 (with Peter Schrott).

"Drawing Effective Minority Districts: A Conceptual Framework and Some Empirical Evidence," North Carolina Law Review, volume 79 (5), June 2001 (with Bernard Grofman and David Lublin).

"A Guide to 2000 Redistricting Tools and Technology" in The Real Y2K Problem: Census 2000 Data and Redistricting Technology, edited by Nathaniel Persily, New York: Brennan Center, 2000.

"1990s Issues in Voting Rights," Mississippi Law Journal, 65 (2), Winter 1995 (with Bernard Grofman).

"Minority Turnout and the Creation of Majority-Minority Districts," American Politics Quarterly, 23 (2), April 1995 (with Kimball Brace, Richard Niemi and Harold Stanley).

"Identifying and Remediating Racial Gerrymandering," Journal of Law and Politics, 8 (2), Winter 1992 (with Bernard Grofman).

"The Impact of the Voting Rights Act on Minority Representation in Southern State Legislatures," Legislative Studies Quarterly, 16 (1), February 1991 (with Bernard Grofman).

"Minority Population Proportion and Black and Hispanic Congressional Success in the 1970s and 1980s," American Politics Quarterly, 17 (4), October 1989 (with Bernard Grofman).

"Black Representation: Making Sense of Electoral Geography at Different Levels of Government," *Legislative Studies Quarterly*, 14 (2), May 1989 (with Bernard Grofman).

"Minority Voting Equality: The 65 Percent Rule in Theory and Practice," *Law and Policy*, 10 (1), January 1988 (with Kimball Brace, Bernard Grofman and Richard Niemi).

"Does Redistricting Aimed to Help Blacks Necessarily Help Republicans?" *Journal of Politics*, 49 (1), February 1987 (with Kimball Brace and Bernard Grofman).

Chapters in Edited Volumes:

"Effective torture prevention," *Research Handbook on Torture*, Sir Malcolm Evans and Jens Modvig

(eds), Cheltenham: Edward Elgar, 2020 (with Richard Carver).

"Redistricting" in *Oxford Handbook of Electoral Systems*, Erik Herron Robert Pekkanen and Matthew Shugart (eds), Oxford: Oxford University Press, 2018.

"Role of the Courts in the Electoral Boundary Delimitation Process," in *International Election Remedies*, John Hardin Young (ed.), Chicago: American Bar Association Press, 2017.

"One Person, One Vote, Different Values: Comparing Delimitation Practices in India, Canada, the United Kingdom, and the United States," in *Fixing Electoral Boundaries in India*, edited by Mohd. Sanjeer Alam and K.C. Sivaramakrishnan, New Delhi: Oxford University Press, 2015.

"Delimiting Electoral Boundaries in Post-Conflict Settings," in *Comparative Redistricting in Perspective*, edited by Lisa Handley and Bernard Grofman, Oxford: Oxford University Press, 2008.

"A Comparative Survey of Structures and Criteria for Boundary Delimitation," in *Comparative Redistricting in Perspective*, edited by Lisa Handley and Bernard Grofman, Oxford: Oxford University Press, 2008.

"Drawing Effective Minority Districts: A Conceptual Model," in *Voting Rights and Minority Representation*, edited by David Bositis, published by the Joint Center for Political and Economic Studies, Washington DC, and University Press of America, New York, 2006.

"Electing Minority-Preferred Candidates to Legislative Office: The Relationship Between Minority Percentages in Districts and the Election of Minority-Preferred Candidates," in *Race and Redistricting in the 1990s*, edited by Bernard Grofman; New York: Agathon Press, 1998 (with Bernard Grofman and Wayne Arden).

"Estimating the Impact of Voting-Rights-Related Districting on Democratic Strength in the U.S. House of Representatives," in *Race and Redistricting in the 1990s*, edited by Bernard Grofman; New York: Agathon Press, 1998 (with Bernard Grofman).

"Voting Rights in the 1990s: An Overview," in *Race and Redistricting in the 1990s*, edited by Bernard Grofman; New York: Agathon Press, 1998 (with Bernard Grofman and Wayne Arden).

"Racial Context, the 1968 Wallace Vote and Southern Presidential Dealignment: Evidence from North Carolina and Elsewhere," in *Spatial and Contextual Models in Political Research*, edited by Munroe Eagles; Taylor and Francis Publishing Co., 1995 (with Bernard Grofman).

"The Impact of the Voting Rights Act on Minority Representation: Black Officeholding in Southern State Legislatures and Congressional Delegations," in *The Quiet Revolution: The Impact of the Voting Rights Act in the South, 1965-1990*, eds. Chandler Davidson and Bernard Grofman, Princeton University Press, 1994 (with Bernard Grofman).

"Preconditions for Black and Hispanic Congressional Success," in *United States Electoral Systems: Their Impact on Women and Minorities*, eds. Wilma Rule and Joseph Zimmerman, Greenwood Press, 1992 (with Bernard Grofman).

Electronic Publication:

"Boundary Delimitation" Topic Area for the Administration and Cost of Elections (ACE) Project, 1998.

Published by the ACE Project on the ACE website (www.aceproject.org).

Additional Writings of Note:

Amicus brief presented to the US Supreme Court in *Gill v. Whitford*, Brief of Political Science Professors

as Amici Curiae, 2017 (one of many social scientists to sign brief)

Amicus brief presented to the US Supreme Court in *Shelby County v. Holder*, Brief of Historians and Social Scientists as Amici Curiae, 2013 (one of several dozen historians and social scientists to sign brief)

Amicus brief presented to the US Supreme Court in *Bartlett v. Strickland*, 2008 (with Nathaniel Persily, Bernard Grofman, Bruce Cain, and Theodore Arrington).

Recent Court Cases

Pending cases:

- Arkansas State Conference NAACP et al. v. Arkansas Board of Apportionment et al. (Case Number: 4:21-cv-01239-LPR) (Eastern District of Arkansas)

- League of Women Voters of Ohio et al. v. Ohio Redistricting Commission et al. (Case Number: 2021-1193) (Supreme Court of Ohio)
- League of Women Voters of Ohio et al. v. Governor DeWine (Case Number: 2021-1449) (Supreme Court of Ohio)

Ohio Philip Randolph Institute v. Larry Householder (2019) – partisan gerrymander challenge to Ohio congressional districts; testifying expert for ACLU on minority voting patterns

State of New York v. U.S. Department of Commerce/ New York Immigration Coalition v. U.S. Department of Commerce (2018-2019) – challenge to inclusion of citizenship question on 2020 census form; testifying expert on behalf of ACLU

U.S. v. City of Eastpointe (settled 2019) – minority vote dilution challenge to City of Eastpointe, Michigan, at-large city council election system; testifying expert on behalf of U.S. Department of Justice

Alabama NAACP v. State of Alabama (decided 2020) – minority vote dilution challenge to Alabama statewide judicial election system; testifying expert on behalf of Lawyers Committee for Civil Rights Under Law

Lopez v. Abbott (2017-2018) – minority vote dilution challenge to Texas statewide judicial election system; testifying expert on behalf of Lawyers Committee for Civil Rights Under Law

Personhuballuah v. Alcorn (2015-2017) – racial gerrymandering challenge to Virginia congressional districts; expert for the Attorney General and Governor of the State of Virginia

Perry v. Perez (2014) – Section 2 case challenging Texas congressional and state house districts; testifying expert for the U.S. Department of Justice

Jeffers v. Beebe (2012) – Arkansas state house districts; testifying expert for the Plaintiffs

State of Texas v. U.S. (2011-2012) – Section 5 case challenging Texas congressional and state house districts; testifying expert for the U.S. Department of Justice

In RE 2011 Redistricting Cases (2011-2012) – State legislative districts for State of Alaska; testifying expert for the Alaska Redistricting Board

MARISSA ZANFARDINO

New York, NY | marissa.zanfardino@law.nyls.edu | (516) 426-5982

EDUCATION

New York Law School, New York, NY

Juris Doctor Candidate, Expected May 2022

GPA: 3.84 Class Rank: 13/310

Honors: *New York Law School Law Review*, Staff Editor | Equal Justice America Fellowship

Trustees Scholar (Full-Tuition Scholarship) | Dean's Leadership Council | Dean's List, High Honors Activities: Impact Center for Public Interest Law, Affiliate | Student Ambassador | OutLaws, Secretary Courses: Civil Rights Law | Redistricting and Voting Rights | Drafting: Legislation

State & Local Government | Affordable Housing and Community Development

Tulane University, New Orleans, LA

Bachelor of Science, Economics and Sociology, May 2019

Minors: GPA: Honors:

Minors in Philosophy, Social Innovation & Entrepreneurship

3.57

Premier Scholarship | Dean's List (Spring 2017, Fall 2017, Spring 2018, Fall 2018, Spring 2019)

RELEVANT EXPERIENCE

The Policing Project, New York, NY

Legal Intern May 2021- July 2021

- Collaborating on democracy centered public safety policy initiatives that ensures democratic values are

reflected in how communities are policed by centering the community in the process of changes to policing

- Researching and evaluating policing technology to ensure responsible use of technology that is legal,

ethical, and democratically accountable
- Engaging in multi-stakeholder dialogue and collaboration to reimagine public safety in a way that moves

away from enforcement and toward the provision of vital services to communities that need them in an equitable, effective, and sustainable way

Legislative Advocacy Clinic, New York Civil Liberties Union, New York, NY
Clinical Student January 2021-May 2021

- Created and implemented a campaign to pass social justice legislation in the New York State Legislature

surrounding use of force reform, independent police misconduct enforcement and accountability, equitable

community funding
- Researched and proposed effective and sustainable alternatives to policing that center around reimagining

public safety in equitable and democratically accountable ways by reducing police encounters and more

specifically abusive policing that disproportionately impacts communities of color
- Created accessible public education materials focused on disproportionate impact of excessive force and

abusive policing on communities of color in New York City and the lack of accountability following abusive policing complaints within the NYPD and Civilian Review Complaint Board

Impact Center for Public Interest Law, New York Law School, New York, NY
Legal Fellow August 2020-May 2021

- Conducted FOIL indexing of NYPD document production as part of the *Carr v. DeBlasio* litigation with a goal of increasing police transparency and accountability by ensuring that officers who engaged in misconduct and

abusive policing were processed through equitable and democratic enforcement mechanisms

- Collaborated with the Bronx Defenders to conduct legal research and analysis of community data to show widespread disparate impact of COVID-19 infections, in-person housing court proceedings, and evictions on communities of color
- Planned and facilitated events on social justice issues and current events for law school community

Bronx Legal Services, Economic Justice and Public Benefits Units, Bronx, NY

Legal Intern June 2020-August 2020

- Promoted Legal Services NYC's mission of fighting poverty and seeking racial, social and economic justice for low-income New Yorkers by advocating for clients in the midst of financial crisis during COVID-19
- Represented clients under attorney supervision on issues in public benefits, housing, and civil rights by advocating with government agencies, conducting research, and filing complaints
- Conducted research and draft memoranda on issues such as the application of the False Claims Act to overcharging in Section 8 housing, breach of HIV confidentiality, debt related to COVID-19, and immigration

Upward Bound, New Orleans, LA

Staff August 2018-May 2019 *AmeriCorps Vista Summer Associate* May 2018-August 2018

- Led intensive tutoring and mentoring service for a college preparatory program for first-generation, low-income students
- Worked with students individually to address their needs and align them with prospects in terms of performance in high school or college admission pursuits to promote equity in outcomes and not just presence
- Taught design thinking classes, resulting in students conducting final project around "redesigning the classroom" with a focus on positive educational outcomes based on empathetic and informed ideation

Tulane Department of Economics, New Orleans, LA

Research Assistant January 2017-January 2018

- Used resume correspondent study to conduct policy informing research on labor force discrimination against people of Arabic descent, Muslims, and the intersectionality of the two in entry level jobs in computer science and business
- Worked on data collection and researching court cases pertaining to discrimination to better inform results

COMMUNITY SERVICE

New York Civil Liberties Union, *Volunteer* May 2020-November 2020

- Aided the canvassing team as part of the 2020 Voter Engagement Campaign by phone banking
- Participated in virtual lobbying for the New York for All bill with members of the New York State

Legislature

Seth Bloom Campaign for New Orleans Council, *Field & Policy Intern* September 2017-November 2017

- Coordinated more positive voting support through community organizing and policy research

SKILLS: Basic proficiency in STATA and SPSS programs | Westlaw Essential Legal Research Certification

Section III. References

Honorable Robert Rodriguez (New York State Secretary of State; formerly State Assembly Member heading State Assembly redistricting task force) (212) 828-3953
rjayrodriguez@aol.com

Honorable Kevan Abrahams, Democratic Leader, Nassau County (NY) Legislature (516) 571-6201
kevanabrahams@gmail.com

Carl Hum, Former Executive Director, New York City Council Redistricting Commission (212) 616-5233
chum@rebny.com

Section IV. Plan Implementation

Redistricting Development, Legal, & Analytical Services include:

- Provide briefings on and guidance on minority voting rights issues,
- Develop strategic plan (inception to plan enactment)
- Create public outreach and education effort on minority voting rights

- Provide legal training on line-drawing, the federal Voting Rights Act, 14th Amendment issues related to racial gerrymandering, and state law requirements
- Work with officials to schedule and implement pre-plan public hearing and input process
- Provide specialized expert racial voting analysis to determine federal law compliance
- Assist in conducting draft plan public hearings and review of commission maps for impact on minority community
- Work with county to defend plan if challenged in court*

*at additional cost

Section V. Cost Quotation

The responder suggests a lump sum retainer of \$50,000 for complete services (plus reimbursable costs for County-requested travel to Albany). This amount is flexible and subject to funds made available for legal services by the County of Albany).

Travel costs would be billed separately for reimbursement, subject to approval by the County.

This quotation is based on the County being able to provide a ten-year county voting database for racial voting data analyses required by Dr. Handley to conduct her analysis. If a database is not available, one will have to be created at additional cost.

Section VI. Mandatory Documentation

See Following Attachments.

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.

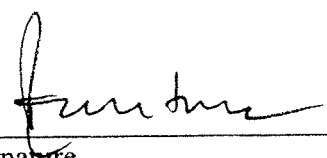
(2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.

(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

Sr. VP and CFO

Title

NEW YORK LAW SCHOOL

Company Name

1/10/2022

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 NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 10TH day of JANUARY, 2022, before me personally appeared PLACHIKAT V. ANANTHARAM to me known, who, being by me sworn, did say that he resides at (give address) 185 WEST BROADWAY, NY, NY; that he is the (give title) SENIOR VICE PRESIDENT & CHIEF FINANCIAL OFFICER of the (name of corporation) NEW YORK UN SCHOOL, 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.

MICHAEL B. SILLER
Notary Public, State of New York
No. 02516089233
Qualified in New York County
Commission Expires March 24, 2023



Notary Public, State of NEW YORK

Qualified in QUEENS

Commission Expires MARCH 24, 2023

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 _____

MICHAEL B. SILLER
Notary Public, State of New York
No. 02516089233
Qualified in New York County
Commission Expires March 24, 2023

ATTACHMENT "C"
ALBANY COUNTY
VENDOR RESPONSIBILITY QUESTIONNAIRE

1. VENDOR IS: ☐ PRIME CONTRACTOR			
2. VENDOR'S LEGAL BUSINESS NAME New York Law School		3. IDENTIFICATION NUMBERS a) FEIN # 13-5645885 b) DUNS # 075200949	
4. D/B/A – Doing Business As (if applicable) & COUNTY FIELD: N/A		5. WEBSITE ADDRESS (if applicable) www.nyls.edu	
6. ADDRESS OF PRIMARY PLACE OF BUSINESS/EXECUTIVE OFFICE 185 West Broadway, New York, NY 10013		7. TELEPHONE NUMBER 212-431-2100	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 THE QUESTIONNAIRE Name Matthew Gewolb Title Associate Dean and General Counsel Telephone Number 212-431-2352 Fax Number e-mail matthew.gewolb@nyls.edu			
13. LIST ALL OF THE VENDOR'S PRINCIPAL OWNERS See attached list of Board of Trustees			
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:			
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	
See attached list.			
b) An officer of any political party organization in Albany County, whether paid or unpaid? <i>List each individuals name, business title or consulting capacity and the official political position held with applicable service dates.</i>		☐ Yes ☒ No	

16. WITHIN THE PAST (5) YEARS, HAS THE VENDOR, ANY INDIVIDUALS SERVING IN MANAGERIAL OR CONSULTING CAPACITY, PRINCIPAL OWNERS, OFFICERS, MAJOR STOCKHOLDER(S) (10% OR MORE OF THE VOTING SHARES FOR PUBLICLY TRADED COMPANIES, 25% OR MORE OF THE SHARES FOR ALL OTHER COMPANIES), AFFILIATE OR ANY PERSON INVOLVED IN THE BIDDING OR CONTRACTING PROCESS:

- a) 1. been suspended, debarred or terminated by a local, state or federal authority in connection with a contract or contracting process; ☐ Yes ☒ No
2. been disqualified for cause as a bidder on any permit, license, concession franchise or lease;
3. entered into an agreement to a voluntary exclusion from bidding/contracting;
4. had a bid rejected on an Albany County contract for failure to comply with the MacBride Fair Employment Principles;
5. had a low bid rejected on a local, state or federal contract for failure to meet statutory affirmative action or M/WBE requirements on a previously held contract;
6. had status as a Women's Business Enterprise, Minority Business Enterprise or Disadvantaged Business Enterprise, de-certified, revoked or forfeited;
7. been subject to an administrative proceeding or civil action seeking specific performance or restitution in connection with any local, state or federal government contract;
8. been denied an award of a local, state or federal government contract, had a contract suspended or had a contract terminated for non-responsibility; or
9. had a local, state or federal government contract suspended or terminated for cause prior to the completion of the term of the contract.
- b) been indicted, convicted, received a judgment against them or a grant of immunity for any business-related conduct constituting a crime under local, state or federal law including but not limited to, fraud extortion, bribery, racketeering, price-fixing, bid collusion or any crime related to truthfulness and/or business conduct? ☐ Yes ☒ No
- c) been issued a citation, notice, violation order, or are pending an administrative hearing or proceeding or determination of violations of: ☐ Yes ☒ No
1. federal, state or local health laws, rules or regulations.

To the best of our knowledge

17. IN THE PAST THREE (3) YEARS, HAS THE VENDOR OR ITS AFFILIATES 1 HAD ANY CLAIMS, JUDGMENTS, INJUNCTIONS, LIENS, FINES OR PENALTIES SECURED BY ANY GOVERNMENTAL AGENCY? ☐ Yes ☒ No

Indicate if this is applicable to the submitting vendor or affiliate. State whether the situation(s) was a claim, judgment, injunction, lien or other with an explanation. Provide the name(s) and address(es) of the agency, the amount of the original obligation and outstanding balance. If any of these items are open, unsatisfied, indicate the status of each item as "open" or "unsatisfied."

18. DURING THE PAST THREE (3) YEARS, HAS THE VENDOR FAILED TO:

- a) file returns or pay any applicable federal, state or city taxes? ☐ Yes ☒ No
- Identify the taxing jurisdiction, type of tax, liability year(s), and tax liability amount the vendor failed to file/pay and the current status of the liability.*
- b) file returns or pay New York State unemployment insurance? ☐ Yes ☒ No
- Indicate the years the vendor failed to file/pay the insurance and the current status of the liability.*
- c) Property Tax ☐ Yes ☒ No
- Indicate the years the vendor failed to file.*

19. HAVE ANY BANKRUPTCY PROCEEDINGS BEEN INITIATED BY OR AGAINST THE VENDOR OR ITS AFFILIATES 1 WITHIN THE PAST SEVEN (7) YEARS (WHETHER OR NOT CLOSED) OR IS ANY BANKRUPTCY PROCEEDING PENDING BY OR AGAINST THE VENDOR OR ITS AFFILIATES REGARDLESS OF THE DATE OF FILING? ☐ Yes ☒ No

Indicate if this is applicable to the submitting vendor or affiliate. If it is an affiliate, include the affiliate's name and FEIN. Provide the court name, address and docket number. Indicate if the proceedings have been initiated, remain pending or have been closed. If closed, provide the date closed.

20. IS THE VENDOR CURRENTLY INSOLVENT, OR DOES VENDOR CURRENTLY HAVE REASON TO BELIEVE THAT AN INVOLUNTARY BANKRUPTCY PROCEEDING MAY BE BROUGHT AGAINST IT? Provide financial information to support the vendor's current position, for example, Current Ratio, Debt Ratio, Age of Accounts Payable, Cash Flow and any documents that will provide the agency with an understanding of the vendor's situation. ☐ Yes ☒ No

21. IN THE PAST FIVE (5) YEARS, HAS THE VENDOR OR ANY AFFILIATES¹ :

☐ 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: New York)
) ss:
County of: New York)

CERTIFICATION:

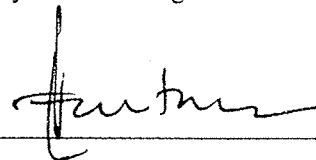
The undersigned recognizes that this questionnaire is submitted for the express purpose of assisting the County of Albany in making a determination regarding an award of contract or approval of a subcontract; acknowledges that the County may in its discretion, by means which it may choose, verify the 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 and 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 NEW YORK LAW SCHOOL

Signature of Owner



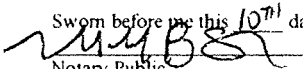
Address 185 WEST BROADWAY

Printed Name of Signatory PLACHIKERT V. ANANTHAKRISHNAN

City, State, Zip NEW YORK, NY 10013

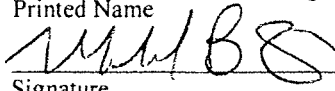
Title SENIOR V.P. & CFO

Sworn before me this 10th day of JANUARY, 2022.


Notary Public

MICHAEL B. SILLER
Notary Public, State of New York
No. 02SI6089233
Qualified in New York County
Commission Expires March 24, 2023

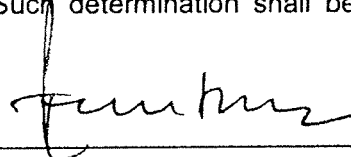
MICHAEL B. SILLER
Printed Name


Signature

1/10/2022
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

SENIOR VP + CFO

Title

1/10/2022
Date

NEW YORK LAW SCHOOL
Company Name

Addendum to Question 13

Board of Trustees

Officers

Arthur N. Abbey '59

Chair of the Board; Senior and Founding Partner, Abbey Spanier LLP

Gerald C. Crotty '76

Vice Chair of the Board; President, Weichert Enterprise LLC

Jeffrey D. Knowles '75

Vice Chair of the Board; Partner, Venable LLP

Hon. Ernst H. Rosenberger '58

Vice Chair of the Board; Of Counsel, Stroock & Stroock & Lavan LLP; Adjunct Professor of Law, New York Law School

Anthony W. Crowell

Dean and President, Professor of Law, New York Law School

Trustees

Dr. Vincent A. Carbonell '00

President, United Reprographic Services Inc.

David B. Cornstein

Former United States Ambassador to Hungary

John E. Estes '95

Partner, Sullivan & Cromwell LLP

Pam Foster '00

Chief Operating Officer, Co-Impact

Susan Hinkson '98, LL.M. '12

Group Leader, Capalino + Company

Meryl Fiedler Lieberman '81

Partner Emerita and Special Counsel, Traub Lieberman Straus & Shrewsberry LLP

John D. McMahon '76

Former CEO, Orange and Rockland Utilities, Long Island Power Authority; Board of Directors, Duquesne Light Company

Susan Mendik

Bernard H. Mendik Company LLC

Emerson S. Moore II '99

General Counsel and Executive Vice President, TMP Worldwide Advertising & Communications, LLC

Ross F. Moskowitz '84

Partner, Stroock & Stroock & Lavan LLP

Steven E. Pegalis '65

Senior and Founding Partner, Pegalis & Erickson LLC

Charles E. Phillips Jr. '93

Chairman, Board of Directors, Infor

Joe Plumeri '15 (Hon.)

Vice Chairman of the Board of Directors, First Data Corporation

Norman Radow '81

Founder and CEO, The RADCO Companies

John J. Reddy Jr. '79

President, Reddy, Levy & Ziffer PC

Cynthia G. Senko Rosicki '86

Owner, Sparkling Pointe Winery

Alan J. Schnurman '71

Licensed Associate Real Estate Broker, Saunders & Associates
Co-Founder, Zalman & Schnurman

Errol B. Taylor '87

Consulting Partner, Milbank LLP

James Tricarico Jr. '77

Chief Legal Officer, Edward Jones (Retired)

Johnny T. Vasser Jr. '11

President, Alumni Association
Director, Labor Relations and Discipline, New York City Department of Environmental Protection

Hon. Marc J. Whiten '84

Judge (Ret.), New York City Criminal Court

Zygmunt "Zygi" Wilf '74

Attorney, Wilf Law Firm
President, Garden Homes Real Estate Developers
Principal Owner, Minnesota Vikings Football Club, LLC

Addendum to Question 15 a

Officers and Trustees who are appointed government officials

Anthony Crowell

Dean and President, Professor of Law, New York Law School

Member, New York City Conflicts of Interest Board

Member, Board of Trustees, Brooklyn Public Library

Matthew Gewolb

Associate Dean and General Counsel

Member, New York City Charter Revision Commission

Johnny T. Vasser Jr.

Trustee

Director, Labor Relations and Discipline, New York City Department of Environmental Protection