Response to the County of Albany's Request for Proposals for Mapping/Demographic Services for the Majority Minority Subcommittee on Redistricting

The Benjamin Center for Public Policy Initiatives at SUNY New Paltz

January 28, 2022

Joshua Simons, Senior Research Associate
The Benjamin Center for Public Policy Initiatives at SUNY New Paltz
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THE BENJAMIN CENTER
SUNY NEW PALTZ

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SECTION II: QUALIFICATIONS / EXPERIENCE

The Research Foundation of the State University of New York submits this proposal on behalf of The Benjamin Center at SUNY New Paltz in response to the County of Albany's Request for Proposals #2022-11 for Mapping Services for the Albany County Majotiy Minority Subcommittee on Redistricting. Please see the attached Research Foundation Charter and Certificate of 501(c)(3) status for qualification to do business in New York State. The Research Foundation has been in business for 70 years. The Benjamin Center for Public Policy Initiatives at SUNY New Paltz has been in business for 13 years.

ABOUT THE BENJAMIN CENTER

Independently and in collaboration with local governments, businesses, and not-for-profits in the Hudson Valley, The Benjamin Center conducts studies on topics of regional and statewide importance, brings visibility and focus to these matters, fosters communities working together to better serve our citizenry, and advances the public interest in our region.

The Benjamin Center at SUNY New Paltz has extensive expertise in Geographic Information Systems, demographics, local government structure and a proven record of accomplishment in redistricting analysis as well as the creation and implementation of districting and redistricting plans. In collaboration with New York Law School's NY Census and Redistricting Institute, the first of its kind for a New York academic institution, we also provide non-partisan information, assistance, and guidance on all aspects of the redistricting process, with an emphasis on working with local governments.

QUALIFICATIONS

Joshua Simons is the Senior Research Associate at the Benjamin Center for Public Policy Initiatives, an adjunct professor of Computer Science at the State University of New York at SUNY New Paltz, and a geographic information systems specialist with extensive experience using the ESRI ArcMap software suite and Maptitude for Redistricting. He holds a bachelor's degree in Political Science from the State University of New York at New Paltz, and a Master's in Public Administration from Marist College.

Mr. Simons is also currently working with the City of Syracuse Independent Redistricting Commission.

In the 2010 redistricting cycle, Mr. Simons served as a consultant to the City of Oneonta in their redistricting process providing both process and mapping support. This project also involved navigating the results of a CQR Challenge initiated by Otsego County. The resulting redistricting plan was passed and implemented unanimously. In 2016 Mr. Simons served as a consultant to the Town of Blooming Grove for the creation of a ward system for the election of members of the town council and the subsequent districting of the town.

In addition to working directly with municipalities for redistricting, Mr. Simons also advised Common Cause NY on the creation of reform maps that were widely publicized as an independent alternative to the proposed LATFOR redistricting maps, including the Congressional map that is substantially similar to the plan that was created by the federal Special Master after the NYS Legislature's inability to pass a Congressional map. Mr. Simons also developed model county legislature redistricting maps for Nassau, Suffolk, and Westchester Counties for Newsday and the UMAP NY Initiative.

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Mr. Simons was active in analysis and criticism of the Orange County Legislature's Redistricting efforts through public testimony, the creation of alternative plans, and Op Eds. His work was cited in the Special Master's Report and Recommendations after the county turned their redistricting process over to a federal judge.

Joshua A. Simons

Contact

Mobile: (845) 309-4409

219 Union Center Rd.
Ulster Park, NY 12487

joshua.a.simons@gmail.com

Profile

Senior Research Associate
The Benjamin Center for Public Policy Initiatives
State University of New York, College at New Paltz

Skills

- The ability to collect, manipulate, and analyze data from a broad range of sources
- The ability to work on multiple projects simultaneously, in a supervisory and/or technical role, to balance priorities and achieve results within specified timeframes and budgets
- Proficiency in summarizing and analyzing data, and reporting the results using an array of software including SPSS, Microsoft Word, Excel, and PowerPoint, and the demonstrated capacity to consider information inquisitively, to analyze, and critically draw inferences as well as experience in developing research methodology
- Proficiency in GIS practices and applications including ESRI (ArcDesktop) and Google Earth Pro, as well as integrating AutoCAD, ESRI, and Google Earth files
- A proficiency in utilizing the Google javascript API's to create online interactive maps, and dashboards
- Experience with creating online interactive dashboards using Tableau
- Data Visualization in both print and interactive online formats
- Demonstrated ability to lead teams to accomplish project goals on budget and meeting deadlines
- The ability to conduct interviews, and tie anecdotal information from policy makers to data sources
- Proficiency in multiple computer operating environments including Windows, Mac, Linux, and Unix
- In depth knowledge of local government structures and functions in New York State
- Expert in redistricting in New York State

Education

2016	**Master's Degree in Public Administration** Marist College (4.0 GPA)
2008	**Bachelor's Degree in Political Science** Concentration in American Government and Politics State University of New York at New Paltz (3.6 GPA)
1997	**Regent's Degree** Red Hook Central High School

Selected Work Experience

SUNY New Paltz, The Benjamin Center for Public Policy Initiatives — January 2009 - Present

Senior Research Associate

Shared Service Research:

- Co-Authored *Intergovernmental Collaboration in Ulster County*, a major study to examine the public sector in Ulster County and examine the potential for shared services amongst local governments.
- Co- Authored *A Collaborative, Regional Approach to Jailing in the Hudson Valley* Discussion Brief, Spring 2009
- Took the lead in researching the potential for collaboration amongst county jails in the Hudson Valley in a year-and-a-half long study funded by the NYS Dept. of State, culminating in co-authoring *A Collaborative Approach to County Jailing in the Hudson Valley: Investigating the potential for Collaboration amongst the County Jails in the Hudson Valley*
- Co- Authored the *Northern Dutchess Alliance* Shared Services Study

Other Research:

- Co- Authored *Poughkeepsie Plenty: A Community Food Assessment*, The Benjamin Center's 11 Discussion Brief, Winter 2014
- Conducted the statistical jail population forecast for the 2013 Dutchess County Criminal Justice Council's Needs Assessment Validation Study as a subcontractor to Ricci Greene and Associates
- Assisted in content creation, research and executive support for the Citizens' Committee for an Effective Constitution initiative (www.effectivenv.org), a "coalition of opposites" led by Bill Samuels, Assembly Minority Leader Brian Kolb, and Dr. Gerald Benjamin, to inform the discussion of constitutional change in New York State.
- Co-wrote *Ulster County Revenue Trends 2002 – 2009* for the Ulster County Comptroller's office
- Was hired as a consultant by the City of Poughkeepsie to assist them in the process of reviewing and amending the City Charter

Selected Work Experience (Continued)

Online Interactive:

- Developed an online interactive map for the Walkway Over the Hudson to help people create a tourism experience in the Hudson Valley with the Walkway as an anchor: http://www.walkway.org/visit
- Developed an interactive Community Asset Inventory for service providers and the needy to utilize in the City of Newburgh: https://www.newburghmap.com
- Developed an interactive web site demonstrating what the demographic makeup of Congress would be if the delegations from each state were reflective of the demographics of that state http://www.civicswiki.org/congress
- Created an online interactive mapping application to display information about MS4 outfalls in Dutchess, Ulster and Orange Counties, April 2014 http://hudsonwatersheds.com/outfalls
- Designed a web site, and created an online interactive mapping application to display information on the vacant properties in the City of Newburgh to be used by the City management, and the land bank to implement their revitalization plan. It can be found at: http://www.propertyinfo.whudson.com
- Successfully wrote a grant, received funding, and managed a team in creating an interactive online mapping application to display information on some 1770 properties of historical significance in the Town of New Paltz This innovative project was the first of its kind in both the scope and the interactive online interface that took Excel spreadsheets and ESRI GIS shapefiles and layers, melding them into an interactive online user experience utilizing Google Maps as an interface. Later added to the project with the production of an informational / promotional video, time-morph photography, additional property research, and an interactive timeline of the settlement of New Paltz. The result of this project can be found at: https://www.discoverhistoricnewpaltz.org/
- Developed an online interactive map to display the location and information on all of the trees on campus at SUNY New Paltz, and oversaw the creation of an addition to the site to display information about a study conducted on the South Forest http://trees.newpaltz.edu/trees/

Redistricting:

- Project Lead as the Redistricting Consultant for the City of Oneonta. Conducted interviews, Drew Wards Maps, Managed Relationships with the Client, resulting in successfully redistricting the city.
- Advised Common Cause NY on the creation of Reform Maps, which have been widely publicized as an Independent alternative to the proposed FAIR OR redistricting maps, including the Congressional map that is substantially similar to the plan that was created by the federal Special Master in the last redistricting process
- Developed potential independent county legislative redistricting plans for Nassau, Suffolk, and Westchester Counties for Newsday, and the UMAP NY initiative
- Sat on a panel of judges for the 2012 New York Redistricting Competition through Fordham University Law School
- Was active in analysis and criticism of Orange County's Redistricting efforts, and through public testimony, the creation of alternative plans, and Op Eds in the Times Herald Record, was cited in the Special Master's Report and Recommendations after the county turned their redistricting process over to a federal judge.
- Published numerous articles and editorials in media outlets ranging from Newsday to the Buffalo News
- Was hired as a consultant by the Town of Blooming Grove to assist them in creating a Ward System for the election of Town Council Members

Other:

- Created the graphics, charts, and tables for the Ulster County Executive's Proposed 2016 Budget, and
- Developed the broadband map for the Wallkill Valley Rail Trail Association
- Developed a process and workflow for the creation of highly detailed 3D printed maps using Digital Elevation Models to create 3D CAD Models that can then be printed

Additional Certifications / Skills / Activities

- Serves as a representative of The Benjamin Center at NYS Governor's ESPRI – Newburgh Anti-Poverty Task Force (formerly CORe)
- Serves as the SUNY New Paltz President's representative on the Executive Committee of the Poughkeepsie Children's Cabinet
- Served as the Chair of the Policy working Group for Poughkeepsie Plenty, and organization working on food security issues within the City of Poughkeepsie
- Served on the United Way's ALICE Research Advisory Committee for NY State (2016)
- Served on the United Way's ALICE Project National Consequences Report Advisory Committee (2016-2017)
- CITI certified for experimentation on human test subjects
- FCC Licensed (General Class) Amateur Radio Operator
- FEMA IS-100 and IS-700, NYS BEFO, HEO, and EVOC Certifications
- CPR & AED Certified
- Lieutenant, Saint Remy Fire Department

Location

All work on this proposal, excluding meetings, public hearings, or other public participation events will be conducted at the Benjamin Center Offices, located on the campus of SUNY New Paltz, 1 Hawk Drive, HAB 704, New Paltz, NY 12561.

Authorized to Bind Proposer

Tracy Parker, Contract Specialist
The Research Foundation for the State University of New York
P.O. Box 9
Albany, NY 12201-0009
(518) 434-7245
tracy.parker@rfsuny.org

Experience

Mr. Simons is a Geographic Information Specialist with over 12 years of experience. In addition to 12 years of experience using ESRI ArcGIS products, he has also gained familiarity with Caliper Software's Maptitude for Redistricting, QGIS, as well as developed online interactive mapping applications for various organizations using the Google Maps API.

With regards to Redistricting specifically, Mr. Simons is familiar with and comfortable working with US Census PL 94-171 data, the LATFOR prisoner population adjusted data, various other US Census products including the American Community Survey Estimates, and geospatial data from the NYS GIS Clearinghouse and other sources. In addition to the ability to create redistricting plans that conform to Federal, State, and local legal requirements while satisfying ordered priorities of the County, Mr. Simons has experience conducting Voting Rights Act Section 2 first tests to identify areas where particular care must be taken as not to diminish protected minority population's ability to select a candidate of their choice. He has also conducted redistricting plan independent analysis on numerous occasions to highlight impacts of proposed and adopted redistricting plans.

Software

For this project, the Benjamin Center at SUNY New Paltz will utilize ESRI ArcMap as a primary tool for analysis, design, and demonstration. This software is licensed by SUNY New Paltz, but there is no relationship with the developer. ESRI ArcGIS is the industry standard tool for Geographic Information Systems. It is not free, but is publicly available in that a license for the software can be purchased. The Benjamin Center cannot provide a tool for the subcommittee and the people of Albany County to generate their own districting plans, though if desirable online or in person sessions can be provided where the subcommittee and/or people of the county can direct the drawing or modification of districting plans with the assistance of Mr. Simons. No additional hardware or systems requirements will be necessary to provide printed or online maps of proposed redistricting plans. Printed maps and PDF documents can be provided by the Benjamin Center. If desirable Google Maps and Google Earth .kml and .kmz files can also be provided to display proposed district lines on online maps, and the Benjamin Center can assist with creating custom Google maps which can be embedded on a web page, though the design and hosting of any web pages would be the responsibility of the County.

EQUAL EMPLOYMENT OPPORTUNITY - STAFFING PLAN (Instructions on Page 2)

Applicant Name: The Benjamin Center at SUNY New Paltz
Telephone: (845) 257-2901

Address: 1 Hawk Drive, HAB 705
Federal ID No.:

City, State, ZIP: New Paltz, NY 12561
Project No:

Report includes:

☐ Work force to be utilized on this contract OR ☐

☒ Applicant's total work force ☐

Enter the total number of employees in each classification in each of the EEO-Job Categories identified.

EEO - Job Categories	Total Work Force	Race/Ethnicity - report employees in only one category																		
		Hispanic or Latino		Not-Hispanic or Latino																
				Male								Female								
		Male	Female	White	African-American or Black	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran	White	African-American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Two or More Races	Disabled	Veteran
Executive/Senior Level Officials and Managers												1							
First/Mid-Level Officials and Managers																			
Professionals				2							1	1							
Technicians			1	1								2							
Sales Workers																			
Administrative Support Workers																			
Craft Workers																			
Operatives																			
Laborers and Helpers																			
Service Workers																			
TOTAL																			

PREPARED BY (*Signature*): [signature]
DATE: 12/15/2021

NAME AND TITLE OF PREPARER: Joshua Simons, Senior Research Associate
TELEPHONE/EMAIL: (845) 257-2901, simonsj@newpaltz.edu

(Print or type)

EEO 100

Workforce Statement

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SECTION III: REFERENCES

David S. Merzig, City Attorney, City of Oneonta
(607) 432-4242
merzig@kehoemerziglaw.com

Robert Fromaget, Former Town Supervisor, Town of Blooming Grove NY
(845) 492-1296
rfromage@frontiernet.net

Susan Lerner, Common Cause New York
(212) 691-6421
slerner@commoncause.org

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SECTION IV: PLAN IMPLEMENTATION / SCOPE OF SERVICES

Census/Demographic Analysis, Mapping, and Community Engagement Support

Drawing upon the results of the 2020 Census, The Benjamin Center will provide the Subcommittee with data gathering and analysis to assist in the creation of a redistricting plan. The Benjamin Center will also assist the Subcommittee in the community engagement/public hearing process antecedent to the adoption of the plan, and provide guidance to assure that the redistricting plan meets all state and federal legal requirements, and is created in accordance with the redistricting standards and priorities of the Subcommittee and Albany County.

Geospatial and Demographic Databases

Initially the Benjamin Center will create the necessary geospatial and demographic databases of Albany County to be utilized in the creation and demonstration of redistricting maps including:

- The current borders of the county legislative districts
- The 2020 Census tract, block group, and block boundaries, as well as the associated 2020 Census PL 94-171 data for those geographies, and the LATFOR prisoner population adjusted data
- School District, zip code, municipal, election district and other political and administrative boundaries that may assist in determination of communities of interest, or inform redistricting decisions at some point in the process
- Layers of physical geography including streets, lakes, rivers, streams, and railways. This GIS data will be retrieved from The NYS GIS clearinghouse or its participating members, and the pertinent data for Albany County extracted from larger data sets where necessary

Any and all geospatial databases created for this project will be made available to the Subcommittee and County in either database or shapefile form upon request.

Population Deviation and Demographics Report

Upon the creation of the geospatial and demographics databases, the Benjamin Center will calculate the ideal district population by taking the total prisoner adjusted population of Albany County and dividing it by 39, the number of legislative districts.

The Benjamin Center will then use the current legislative district lines to determine the current population and voting age racial and ethnic demographic makeup of each district, as well as the percentage of population deviation from the ideal district size. This deviation and demographics report will serve as the baseline for the redistricting effort, and highlight where changes must be made.

It is important to note that recent changes in section 34 of NYS Municipal Home Rule Law made by S.5160-B/A.229c require counties to comply with a maximum population deviation of 5% of the mean (commonly thought of as +/- 2.5%). This is more restrictive than the established 10% (+/-5%) Federal standard.

Drawing Redistricting Plans

The Benjamin Center will meet as frequently as required with the Subcommittee to discuss potential changes of the district map, as well as strategies, priorities, and preferences that fall within the broader framework of legal requirements and priorities of the County. These initial discussions will determine the broad parameters that will guide the creation of various redistricting plans.

The process will be iterative. The Benjamin Center will draw plans and modify them based on input from Subcommittee. The goal will be to hone in on a consensus map. Each plan will include analysis based on the priorities of the Subcommittee, as well as the racial and ethnic composition of the proposed districts, with particular attention to how the plan might affect capacity of minority communities protected under the Voting Right Act to elect candidates of choice.

Some changes to the map may be obvious. Others may not, and so a discussion about the possibilities and preferences of the Subcommittee is necessary. Each decision about moving a line may result in unintended consequences where other lines might need to be moved to create or maintain the balance of population among districts. Since the top requirement is that "Districts shall be as nearly equal in population as is practicable," decisions made in accord with this priority are going to limit decisions that could be made later to satisfy lower priorities. This is a dynamic process; preparing multiple maps will be required to demonstrate the options. In order to constrain the number of plans that need to be made for demonstration, some deliberation must precede the first round of drafting, and a consensus on how many plans and what general strategies those plans will employ should be reached.

In smaller places, like a city or town, it is easier for a consultant to meet with policy makers, take a tour, speak to people, and gain a reasonable familiarity in a relatively short period. Though the Benjamin Center for Public Policy Initiatives is located in the Mid-Hudson Valley and our staff have a good deal familiarity with Albany County, its villages, cities and towns, and its communities of interest, we do not know it as intimately as those who are elected to lead it. While there are many elements of the physical geography of a place that may suggest natural breaks between communities, there are as many or more ways that people define themselves as a part of a community that are not obvious from lines on a map or data in a census table. It has been our experience that it is best to rely on those who live and work in the community for this kind of intimate knowledge. For these reasons, discussion with Subcommittee about how the districts can, and in some cases must, change is vital for the successful creation, and subsequent implementation, of a redistricting plan.

After the initial round of redistricting plans are drawn for demonstration, meetings, conversation, and consensus are necessary to hone in on a final plan. This is an iterative process during which maps are drawn, distilled, changed, and tweaked until a consensus is reached. It should be noted that this process of revision does not end until the Subcommittee decides that it does. Ideally this results in a single plan that the Subcommittee will present to the public, though it is not unheard of presenting more than one plan for public feedback if necessary.

Voting Rights Act Compliance

Given the mandate and mission of the Majority Minority Subcommittee, this element of the work is the most crucial. At the same time that the process described above is proceeding, a parallel process for

compliance with the Voting Rights Act must also take place. A separate set of maps is necessary to begin considering the redistricting of the county to preserve protected minorities' opportunity for representation. First, choropleth (color shaded) maps of the county for each protected minority population will be made from census block level data. These maps will illustrate the voting age minority population as a percentage of the total voting age population. The purpose of these maps is to identify areas of the county where particular care is required to attend to how the district lines intersect minority populations. Example district maps for these specific areas will be created, applying the first Gingles precondition (Thornburg v. Gingles, 478 U.S. 30 (1986)) to determine how many minority-majority districts can be made regardless of any other priority save equal population. The Benjamin Center will work with the Subcommittee as well as the Majority Minority District Redistricting Subcommittee in ensuring the fair representation of Albany County minority communities in the redistricting process.

The following image (next page) is an example of what a potential Voting Rights Act issue might look like. This map was created by the Benjamin Center for a preliminary analysis of the Albany County Legislature redistricting plan in connection with a Section II Voting Rights Act lawsuit. The coloring of the census blocks indicates the percentage of the voting age population that is African American with the redder blocks being a higher percentage and the greener blocks being a lower percentage. The numbers within the census blocks indicate the total population of that census block. The particular area of concern here is the way that D2, D3, and D4 split the African American population on the North side of the City of Albany into three different legislative districts, and as a result created 4 minority majority districts where 5 were possible. An alternative plan was also created to demonstrate that a 5th minority majority district could be created. Ultimately, Albany County lost the *Pope v. County of Albany* lawsuit later that year, and was forced to redraw their plan.

As a redistricting consultant to the Majority Minority Subcommittee on Redistricting, the Benjamin Center will assist in analysis of proposed redistricting plans through the lens of ensuring that racial and ethnic minority groups opportunity to elect representatives of their choosing is not abridged. Additionally, the Benjamin Center will assist the subcommittee in developing redistricting plans that maximize minority opportunity and recognize and reflect the diversity of communities within Albany County in a manner that is sensitive to their values and preferences.

Because of the heightened necessity of community feedback in this process, the Benjamin Center will be available for as many public information session, public hearings, and public feedback sessions as necessary via video conference, and up to 3 sessions in person. Should more in person meetings be necessary beyond the three that are budgeted for in this proposal, additional sessions can be arranged in the contracting process or afterward. The only additional costs that would be incurred by adding additional in person meetings in Albany County would be the travel costs of the consultant.

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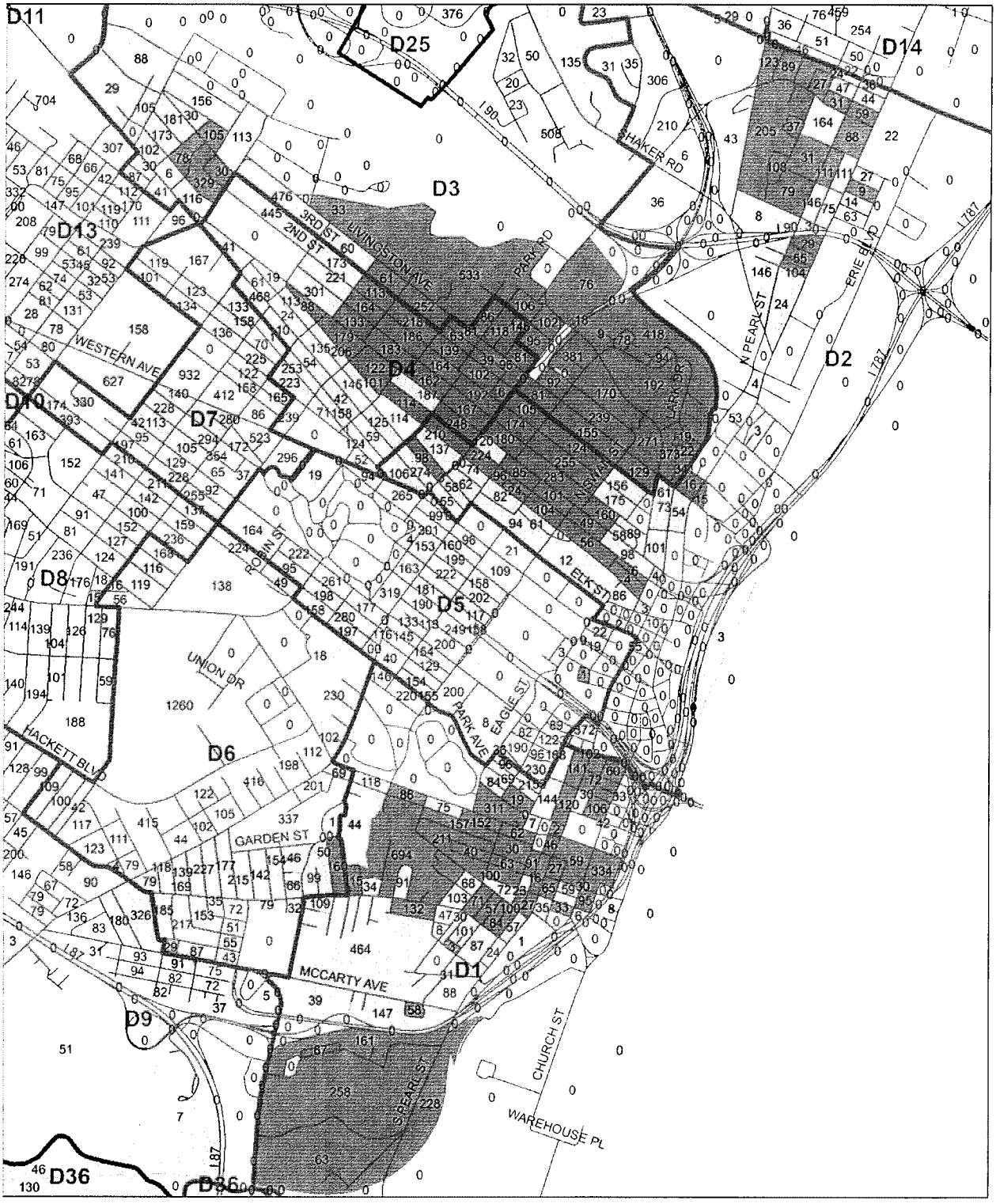
Albany County Legislature Districts
In and Around the City of Albany



Example of a Voting Rights Act violation in the 2011 Albany County Legislature redistricting

The district maps for these areas will then be compared to the existing district maps determine how much they differ. Consideration will be made to ensure that protected minority populations are neither packed into districts, nor cracked (or split) amongst districts. Either would diminish their ability to elect their candidate of choice, or diminish the power of their voting bloc. Throughout this process, the utmost of care will be taken to regularly communicate options to the Subcommittee, and ensure compliance with the law. These discussions will further inform the decisions made in the process described above for the creation of the county's redistricting plan.

Summary of Scope of Work

In short, the Benjamin Center will:

- Providing census/demographic analysis, mapping and community engagement support for the Subcommittee
- Develop necessary redistricting databases of Albany County
- Provide map drawing expert resources, modeling of districts and data-driven analysis that shall
- assist the Subcommittee in fully understanding and determining the impact of the redistricting process
- Prepare proposed Albany County Legislature redistricting maps
- Assist the Subcommittee in making drafts of district maps available to the public
- Assist Subcommittee members in preparation for and participation in public hearings on redistricting
- Attend as appropriate or requested at meetings or public hearings of the Subcommittee (in-person or virtual)
- Assist Subcommittee members in preparation for and attendance at any meetings by the Subcommittee with the Albany County Legislature of any committees thereof in connection with any proposed redistricting maps
- Provide expert advice to the Subcommittee in conjunction with legal counsel to timely complete redistricting and to ensure the legal and constitutional sufficiency of proposed redistricting plans.

Publicly Accessible Software for the Production of Redistricting Maps

The Benjamin Center unfortunately cannot provide a tool for the Subcommittee and the people of Albany County to generate their own districting plans, though if desirable online or in person sessions can be provided where the Subcommittee and/or people of the county can direct the drawing or modification of districting plans with the assistance of Mr. Simons.

If the Subcommittee feels that this type of software is essential to the County's redistricting efforts, there are cloud hosted software packages that can achieve this such as ESRI Redistricting Online, though at this time the costs associated with these options are unknown. Should the Subcommittee deem it necessary, the Benjamin Center would offer assistance in evaluating and implementing this type of online mapping solution, but cannot provide one outright as a portion of this proposal.

Software Training

Should the Subcommittee choose to implement a publicly available software solution as described above, the Benjamin Center would assist in providing training to Subcommittee members.

SECTION V: COST PROPOSAL

The Benjamin Center will begin work on the project as soon as necessary, and complete the scope of services no later than 12/31/2022 with the majority of the work taking place in the Winter and Spring of 2022. For this work, the Benjamin Center will be compensated $19,115, billed monthly over the duration of the contract period.

SECTION VI: MANDATORY DOCUMENTATION

COUNTY OF ALBANY

PROPOSAL FORM

PROPOSAL IDENTIFICATION:

Title: Mapping Services for the Albany County Majority Minority Subcommittee on Redistricting
RFP Number: 2022-011

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:

Joshua Simons

1 Hawk Drive, HAB. 705A

New Paltz, NY, 12561

Phone: (845) 257-2901

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: The Research Foundation for the State University of New York at New Paltz

ADDRESS: 1 Hawk Drive, HAB 705A

CITY, STATE, ZIP: New Paltz, NY 12561

TEL. NO.: (845) 257-2901

FAX NO.: (845) 257-6918

FEDERAL TAX ID NO.:

REPRESENTATIVE: Joshua Simons

E-MAIL: simonsj@newpaltz.edu

SIGNATURE AND TITLE: Senior Research Associate

DATE: 1/27/2022

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

Senior Research Associate

Title

1/27/2022

Date

The Benjamin Center at SUNY New Paltz

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 New York)
COUNTY OF Ulster) **SS.:**

On this 27 day of January, 2022 before me personally appeared Joshua Simons to me known, who, being by me sworn, did say that he resides at (give address) 249 Town Center Rd, Lake Katrine, NY 12449; that he is the (give title) Senior Research Associate of the (name of corporation) Research Foundation for the State of New York at SUNY New Paltz, 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.

LAUREN S. BASCIANI
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6328451
Qualified in Ulster County
My Commission Expires 08-03-2023

_____

Notary Public, State of New York

Qualified in Ulster County

Commission Expires 08-03-2023

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 _____

Attachment "C"

Vendor Responsibility Documentation Requirements for State Contracting Entities

Transaction Type	Vendor Responsibility Profile Parts I & III Contract Information & Responsibility Determination	Vendor Responsibility Questionnaire (If valued at $100,000 or more for the first time)
1. New contract	✓	✓
2. Agreement with an estimated amount of $100,000 or greater	✓	✓
3. Real estate (purchase, sale or lease) except for an eminent domain or real property sale which is required by law to be sold to the highest bidder	✓	✓
4. Assignment *	✓	✓*
5. Change to contract value not provided for in the original contract	✓	✓
6. Change to contract time or value provided for in the original contract (i.e., Renewal)	✓	✓
7. Change in contract not provided for in the original contract which results in additional time at no cost	✓	✓
8. Non-material amendment/renewal/extension with adverse information	✓	✓
9. Construction change order with adverse information	✓	✓
10. Mini-bid against backdrop contract with adverse information	✓	✓
11. Grant or legislative initiative	✓	✓
12. Piggy-back contract	✓	✓
13. Purchase order (except from a pre-existing contract)	✓	✓
14. "Quick" contract	✓	✓
15. Revenue contract	✓	✓

* Contract assignment with $100,000 or more remaining on the agreement also requires a questionnaire from the vendor to which the contract is assigned.

If the prospective vendor has a subcontractor, parent company, or subsidiary, see How to Conduct a Vendor Responsibility Review

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 Research Associate
Title

1/27/2022
Date

The Benjamin Center for Public Policy Initiatives at SUNY New Paltz
Company Name

The University of the State of New York

Education Department

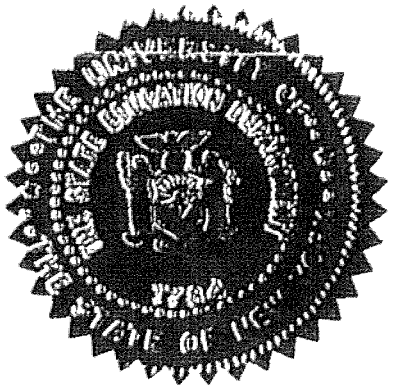
STATE OF NEW YORK)

SS.:

COUNTY OF ALBANY)

I, Richard J. Trautwein, Counsel and Deputy Commissioner for Legal Affairs for the New York State Education Department, hereby certify that The Research Foundation for The State University of New York, located in the city and county of Albany, and state of New York, was incorporated by action of the Board of Regents under the corporate name "The Research Foundation of State University of New York" by the issuance of an absolute charter on February 16, 1951; consolidated on October 18, 2011 with Infotonics Technology Center, Inc., a New York not-for-profit corporation, with The Research Foundation of the State University of New York as the surviving corporation; amended on June 19, 2012 to change the corporate name to "The Research Foundation for The State University of New York"; that the period for which such corporation was created is perpetual; that no certificate or order of dissolution of such corporation has been filed or issued; and that such corporation is currently authorized to do business in the State of New York.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the University of the State of New York and of the State Education Department at the City of Albany, New York on this 23rd day of October, 2012.



Richard J. Trautwein
Counsel and Deputy Commissioner
For Legal Affairs

THE RESEARCH FOUNDATION
The State University of New York

Office of the General Counsel and Secretary

35 State Street
Albany, New York

Mailing Address:
Post Office Box 9
Albany, New York
12201-0009

Tel (518) 434-7045
Fax (518) 434-8352
www.rfsuny.org

rflegal@rfsuny.org

April 11, 2008

SUBJECT: The Research Foundation of State University of New York
Confirmation of IRC 501(c) (3) Tax Exempt Status

To whom it may concern:

The Research Foundation of State University of New York (the "Foundation") is a private, non-profit corporation and is an organization described in Internal Revenue Code Section 501(c) (3). Enclosed for your information is the April 11, 2008 determination letter in which the Internal Revenue Service concluded the Foundation qualified for exemption from federal income taxes.

The Foundation has been a tax exempt organization under the Internal Revenue Code since its inception in 1951.

The Foundation's public charity status is identified as an organization exempt from Federal Income Tax under Internal Revenue Code Section 509 (a)(1) of the code.

If you have further questions concerning this subject, please do not hesitate to contact me at (518) 434-7045.

Sincerely,

James R. Dennehey
General Counsel and Secretary

Attachment

Internal Revenue Service
Director, Exempt Organizations
Rulings and Agreements

Department of the Treasury
P.O. Box 2508
Cincinnati, Ohio 45201

Date: APR 11 2008

The Research Foundation of State
University of New York
c/o Brian K Haynes
Bond, Schoeneck & King PLLC
One Lincoln Center
Syracuse, NY 13202-1355

Employer Identification Number:
14-1368361
Person to Contact - ID#:
Sirijun Mayi - #31-07372
Contact Telephone Number:
877-829-5500 Phone
Public Charity Status:
509(a)(1) and 170(b)(1)(A)(vi)

Dear Applicant:

Our letter dated November 7, 1951 stated that you were exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code and classified as a public charity under sections 509(a)(1) and 170(b)(1)(A)(iv) and later modified to section 509(a)(3) of the Code.

Based on the information you submitted, we have modified your public charity status to the Code section listed in the heading of this letter. The effective date of your reclassification is July 1, 2007. Since your exempt status was not under consideration, you continue to be classified as an organization exempt from Federal income tax under section 501(c)(3) of the Code.

Publication 557, Tax-Exempt Status for Your Organization, provides detailed information about your rights and responsibilities as an exempt organization. You may request a copy by calling the toll-free number for forms, 800-829-3676. Information is also available on our Internet Web Site at www.irs.gov.

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

If you have any questions, please call our toll free number shown in the heading of this letter.

Sincerely,

Robert Choi
Director, Exempt Organizations
Rulings and Agreements