



**City of Albany
24 Eagle Street, Rm 109
Albany, NY 12207-1912**

RFP 2023-02

**REQUEST FOR PROPOSALS RFP-2023-02
PARKING CITATION AND PERMIT PROCESSING, AND/OR PARKING
TICKET COLLECTION SERVICES**

**PROPOSAL DUE DATE: Friday February 10, 2023 @ 2:00
PM EST**

This Request for Proposals has been developed specifically for Parking Citation and Permit Processing, and/or Parking Ticket Collection Services and may not be the same as previous requests for proposals intended for this type of service. Therefore, all Vendors are urged to review this package in detail before submitting their proposal.

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Section 1: Notice Inviting Request for Proposals

- 1.1 NOTICE IS HEREBY GIVEN THAT proposals for the provision of parking citation and residential permit issuance and processing services, and/or parking ticket collection services will be accepted at the City of Albany (hereinafter, the “City”) Treasurer’s Office located in Room 109 at 24 Eagle Street, Albany, NY 12207-1912 until the date listed below in Section 1.4. This Request for Proposals (“RFP”) is a competitive process designed to serve the City’s best interests and to provide vendors a fair opportunity for consideration of their equipment and services. The request is open to all qualified firms and manufacturers that are able to deliver all required materials and functions specified in this RFP. Minority Business Enterprises and Women’s Business Enterprises are encouraged to submit proposals.
- 1.2 The objective of this RFP is to procure a fully functioning system that can provide all aspects of parking citation issuance, processing and collection, along with sales of residential parking permits, to be used by the City and the Albany Parking Authority. All local, state, and federal laws must be adhered to by the selected Vendor. The installation must be scheduled to allow for continuous, revenue-collecting operations of the City. The contract will be awarded to a single vendor.
- 1.3 **The official responsible for administering this RFP, to whom all inquiries and correspondence should be addressed, is:**

Honorable Darius Shahinfar, City Treasurer
City of Albany
24 Eagle Street, Rm 109
Albany, NY 12207-1912
(518) 434-5036
dshahinfar@albanyny.gov
- 1.4 All Proposals for this project are due **Friday, February 10, 2023 @ 2:00 PM EST**. Each Vendor must furnish **one (1)** unbound original and **five (5)** hard copies of its Technical Proposal clearly marked as the “Non- Price Proposal for Albany Parking Citation and Permit Processing Request For Proposals – RFP-2023-02”. Additionally, **one (1)** electronic file that is able to be accessed via a Windows-based PC with Office 2010 must be submitted on a USB flash drive, on CD or via email to dshahinfar@albanyny.gov. It is the obligation of the Vendor to assure receipt of the electronic version if submitted by email as some email servers have size limitations on outbound email.
- 1.5 **Cost Proposal Format - Vendor must submit one (1) unbound original and one (1) electronic file accessible as noted above of the Cost Proposal in a separate sealed envelope, which is clearly marked “Cost Proposal for Albany Parking Citation and Permit Processing Request For Proposals – RFP-2023-02”. Do not submit prices with the Technical Proposal as it may result in the proposal being rejected.**
- 1.6 Costs for developing any Proposal shall be the sole responsibility and shall be incurred at the sole risk of the Vendor, whether or not any award results from this solicitation. The City will not be responsible for any such costs or expenses incurred by Vendors under any circumstances.

- 1.7 If there are any discrepancies between the provided hard or electronic copies of the completed Proposals, the City reserves the right to use the most favorable version in the City's opinion as Vendor's response. Proposals received after the designated time will not be opened and will be removed from consideration. Telephone and faxed proposals ***will not*** be accepted. Proposals that are received after the deadline specified in this RFP shall be returned unopened; provided, however, that a late Proposal may be considered if it is the only Proposal received. All hard copies and electronic proposals should be mailed or delivered to:

City of Albany
Honorable Darius Shahinfar, City Treasurer
24 Eagle Street, Rm 109
Albany, NY 12207-1912

1.8 **Communication with City staff only:**

IMPORTANT: In order to preserve the fairness to all parties participating in this RFP process and to assure all vendors receive equal information, vendors are not authorized to communicate with any City or Albany Parking Authority staff other than the assigned contact regarding the status of this RFP, any decision related to this RFP, or other questions related to the RFP process, other than as may be expressly permitted herein. Violation of this provision may be grounds for a disqualification of a Vendor.

- 1.9 **Exclusion for Existing Business:** Participating in this RFP process does not restrict your day-to-day business or operational communication with the City or the Albany Parking Authority to facilitate pre-existing business matters.
- 1.10 **Questions:** Any questions regarding this RFP must be submitted in writing, via email to the official responsible for administering this RFP, by **Tuesday, February 7, 2023 @ 5:00 PM EST**. The City reserves the right, in its sole discretion, to select the questions to which it will respond, the questions that will be edited, and the questions and responses it will share with other Vendors. All responding Vendors will receive identical listings of questions and answers on the date noted in the Procurement Schedule. Questions will not be accepted or answered in any other manner.
- 1.11 The City will contact all Vendors about the status and outcome of the RFP process after reviewing all Proposals submitted in accordance with the RFP and reaching an award decision. The City reserves the right to conduct a bidder's conference or to visit supplier/manufacturer locations or existing projects as part of the review process.
- 1.12 Oral, telephone, facsimile or telegraphic modifications to a Proposal will not be accepted.
- 1.13 All prices included in the Cost Proposal shall be filled in ink or typed and must give actual cost of each product in line item pricing. Lump sum discounts will not be accepted.
- 1.14 All work to be performed under any contract entered into pursuant to this RFP must be authorized in writing prior to the commencement of such work. Any change orders must be authorized in writing by the City prior to commencement.
- 1.15 Information to be presented with a Proposal must include:
- a. Vendor's qualifications;
 - b. References and experience in parking citation and permit processing for other municipalities or public agencies, particularly in cold weather or northeastern US environments with issuance of eighty thousand (80,000) or more parking citations annually;
 - c. Personnel qualifications and experience;

- d. Proposed equipment and software;
- e. Project schedule;
- f. Proposed hardware/software maintenance contract options;
- g. Proposed warranty language;
- h. Reporting samples;
- i. Training programs;
- j. Pricing for all equipment, software and services required;
- k. Any such additional information as may be pertinent to provide the City with adequate information as to Vendors' ability to furnish the materials and services provided herein.

1.16 Any offer submitted by a Vendor as part of a Proposal must remain open and irrevocable for a period of 180 days from the deadline for submitting Proposals stated above.

1.17 Any failure to adhere to the provisions set forth in this RFP may result in the rejection of a Vendor's proposal. Proposals that are incomplete, conditional, or unclear may be rejected.

1.18 Any Vendor may withdraw its bid as stated in Section 9.2.4 at any time before the proposal due date and time established in Section 1.21.

1.19 Pre-Bid Meeting

A pre-bid meeting may be scheduled upon request The meeting will be held at the Albany Parking Authority Conference Room at 25 Orange Street, Albany, NY 12207. The purpose of this conference is to:

- a. Provide an opportunity for Vendors to ask specific questions about the project and request RFP clarification.
- b. Provide the City with an opportunity to receive feedback regarding the project and this RFP.

1.20 Anticipated Procurement Schedule

RFP Issued	Wednesday, January 11, 2023
Pre-Bid Meeting	Monday, January 23, 2023 via Zoom (TBD)
Project & RFP questions submitted to the City	Tuesday, February 7, 2023 at 5:00PM
Answers to submitted questions distributed	Wednesday, February 8, 2023 at 5:00PM
Proposals due	Friday, February 10, 2023 at 2:00pm
Vendor Presentations In City Hall and in Field (finalists)	Upon Request
Visits to other municipalities where finalists operate	Upon Request
Award Project	Friday, February 24, 2023

1.21 Evaluation Process

The evaluation process shall begin upon receipt of sealed proposals and continue until a contract has been awarded or the procurement has been cancelled.

1.22 Evaluation

The City will determine which Proposal provides the most favorable system in the most cost effective manner. The Proposal should be thorough, comprehensive, detailed and specific in regard to the issues involved in the RFP. The Proposal should show clear understanding of virtually all issues involved with providing parking citation and residential permit issuance and processing services and appropriately address all of the objectives as stated in this RFP.

- a. The City will award to the Vendor with the overall best qualified bid based on all the factors listed below:
 - i. The fitness of the proposed equipment for the intended use of the City
 - ii. The quality of the material and services offered
 - iii. The ability, capacity and skill of the bidder to perform or provide the material or services
 - iv. The capacity of the bidder to perform the contract or provide the service promptly, within the time specified, and without delay or interference
 - v. Price: The cost of equipment, processing and other services, warranties, fees for annual hardware and software maintenance agreements, and ancillary charges for any other necessary software, equipment or services
 - vi. The ability of the Vendor to provide such future maintenance or service as may be needed
 - vii. The character, integrity, reputation, judgment, training, experience and efficiency of the bidder

1.23 Rule for Award

The City will select the Proposal best meeting the needs of the City from a responsive and responsible Vendor, taking into consideration the equipment proposed, the ability of the equipment to meet the current and future service needs of the City, the company's experience in providing such equipment, proposed installation and transition plan, reference checks, proposed service and support plan, any additional factors noted in Section 1.22 and the overall quality of the proposal as well as the proposal price.

Section 2: Project Summary

- 2.1 This RFP requests proposals from qualified vendors to provide equipment and services to provide and maintain a complete parking citation issuance and collection processing program (software and hardware) that also supports the sale and administration of residential parking permits. The proposed system should support ability to integrate with pay-by-plate and pay by phone technologies utilized by the Albany Parking Authority.
- 2.2 The current system is hosted by a third party vendor that provides handheld equipment and a web-based system used to process citations and residential permits in real time. The current system supports online payments for tickets and online parking permit renewals. The current vendor provides paper rolls for the handheld printers, registered owner information for all citations, prints and mails all unpaid citation notices (postage is a pass-through expense) and credit card payment processing by both Internet and phone.
- 2.3 Installation of the system is expected to be completed by February 2023. Testing of the system must be coordinated with the City and Albany Parking Authority staff. All functions, software programming, hardware installations, acceptance tests and PCI compliance checks are expected to be performed on or before the completion date.

- 2.4 Cost proposals shall include at least a one-year warranty that includes all service and maintenance.
- 2.5 All Vendors shall submit a Project Management Schedule and be expected to maintain the schedule throughout installation of the system. The Project Management Schedule should include:
- Approach to the project, i.e., how the Vendor will handle current business during the equipment change out. Cash controls or operating method may be proposed.
 - An assigned Project Manager, with resume, to communicate with the City.
 - Detailed training on all software and equipment: include information on who will provide training to staff and on what processes staff will be trained
 - Weekly updates showing whether the project is ahead and/or behind schedule
 - Punch list walk through
 - A list of names and job titles of all members of the Vendor’s project team involved in the installation and maintenance of the new system (e.g., IT, hardware, service, training, etc.)

2.6 Parking Enforcement Information

- 2.6.1. As of January 1, 2015, the Parking Services Officers (PSO) and Traffic Safety Aides (TSA) were relocated from the Albany Police Department (APD) to the Albany Parking Authority. There are seventeen (17) PSO positions, six (6) TSA positions and one (1) PSO Supervisor. The PSO’s perform overall parking enforcement, citing vehicles for expired meters, overtime violations in timed or residential permit zones and violations of street cleaning regulations. PSO’s currently work twenty-four (24) hours per week Monday through Friday and sixteen (16) hours Saturday and Sunday. The TSA’s main function is to install and remove immobilization devices (“boots”) from scofflaw vehicles. They then tow those vehicles if the scofflaw tickets remain unpaid. The TSA’s also install Emergency No Parking signs as designated by the APD Traffic Engineering unit.
- 2.6.2. A large number of handwritten parking tickets are issued by the Albany Police Department. In addition, a smaller number of handwritten parking tickets are issued by the Albany County Sheriff’s office and New York State Troopers. The handwritten parking tickets are purchased outside of this contract and entered into the system by City staff. Handwritten tickets have averaged 15-20% of overall tickets issued. The City currently does not issue warning tickets.

Ticket totals are as shown below:

	TOTAL 2021	TOTAL 2020	TOTAL 2019
Citations Issued	85,915	76,391	83,820
Citation Issued Amount	\$4,853,910.00	\$4,242,065.00	\$4,687,600.00

- 2.6.3. The fine structure is as follows:

CODE	VIOLATION	FINE	PENALTY	CODE	VIOLATION	FINE	PENALTY
A	Overtime	\$25	\$25	M	Tow Away Zone	\$35	\$35
B	No Parking	\$35	\$35	N	Fire Lane	\$35	\$35
C	12 Inches from Curb	\$35	\$35	O	Fire Hydrant	\$100	\$100
D	Wrong Side to Curb	\$35	\$35	P	Snow Removal Obstr.	\$35	\$35
E	Unauthorized Angle	\$35	\$35	Q	Currently undefined, Subject to change	\$35	\$35
F	No Standing	\$25	\$25	R	Traffic Obstruction	\$50	\$50
H	Double Parking	\$75	\$75	S	No Stopping	\$50	\$50

I	Emergency-No Parking	\$35	\$35	T	Expired Meter	\$25	\$25
J	Obstructing Driveway	\$50	\$50	U	Crosswalk Parking	\$35	\$35
K	Permit Parking	\$50	\$50	V	Sidewalk Parking	\$35	\$35
L	Handicap Parking	\$150	\$150	W	Other	\$100	\$100
X	Parking in an EV Space	\$35	\$15				

*Note: Fine amounts do not include a \$15.00 surcharge for the State of New York.
H/C parking fine amounts do not include a \$45.00 surcharge for the State of New York.
This surcharge must be tracked separately and reported/reconciled on a monthly basis.
Additionally, there is a possibility that the City may enact an additional fee collected on
unpaid tickets that are successfully sent to collections in order to pay for the cost of
collecting the unpaid ticket(s). This fee would be exempt from any fees charged by the
vendor(s) on the underlying ticket(s) issued.*

2.7 Immobilization Processing Information

- 2.7.1. The current immobilization (booting) system is as follows: a PSO or TSA locates a scofflaw vehicle. After the scofflaw status is verified by phone or radio, the vehicle is booted. TSA's currently work from 8AM until midnight Monday through Friday. Thursday through Monday from 2PM to 10PM, and 8AM to 4PM on Saturdays. The booting program currently immobilizes approximately 800 vehicles annually. The boot fee is forty dollars (\$40); the tow/im-pound fee is one hundred twenty-five dollars (\$125). If a vehicle is unpaid forty-eight (48) hours after it is booted, it is towed and impounded until all boot-eligible tickets are paid or other payment arrangements have been made.
- 2.7.2. The current booting system uses Securewatch 24 with Rhino Tab M1 and Zebra TC56 hand-held systems. All units scan any data entered against the latest version of the scofflaw database for matches. If a match is found, the data is verified by a manager or other staff member with access to the citation processing program. Once verified, the boot is installed and a boot "ticket" is created to allow entry of the booting fee.
- 2.7.3. The selected vendor shall provide an electronic list of scofflaw vehicles compatible with the Securewatch 24 LPR System to support the City's booting program.
- 2.7.4. Boot payments can be made in person, by phone or online. Currently, there is no method of informing City staff if an online payment has been made. All other methods provide contact to the City for boot release. The TSA is then notified and the boot is removed.

2.8 Parking Citation Processing Information

- 2.8.1. The City's Parking Violations Bureau (PVB) enters data from handwritten tickets and processes mail-in payments.
- 2.8.2. The PVB handles all disputes as requested by those who have received parking citations.
- 2.8.3. Three (3) notices are normally sent out for any unpaid citation, as well as utilizing the State of New York's Department of Motor Vehicles (DMV) scofflaw program that uses a registration "hold" for 3 or more unpaid citations received over an 18 month time period. Vehicles are subject to "boots" being placed on the wheels of vehicles that have accumulated tickets that are unpaid after twenty (20) days and total over two hundred dollars (\$200) in fines.

- 2.8.4. Appeals are normally filed in person or by mail at Albany City Hall, 2nd Floor. The average number of first stage appeals taken by the Parking Violations Bureau each year is approximately twenty-five thousand (25,000).
- 2.8.5. The average number of citations set for pre-conferences (prior to Court) by the PVB each year is approximately thirty-five hundred to four thousand (3,500-4,000).
- 2.8.6. The average number of citations set for City Court each year is approximately one to two hundred (100-200).

2.9 Parking Permit Program Information

- 2.9.1. The residential parking permit program, which currently covers approximately twenty-seven hundred and fifty (2,750) spaces on residential blocks within three-quarters (³/₄) of a mile of the Capitol, is in effect from 8:00 A.M. to 6:00 P.M. Monday through Friday.
- 2.9.2. Annual permit costs are:
 - a. Residential parking permit - \$20 (limit of one per qualified resident)
 - b. Nonresident business/property owner permit - \$20 each (limit of three)
 - c. Visitor permit - \$5 (limit of one per household) when purchased **with** a parking permit
 - d. Visitor permit - \$10 (limit of one per household) when purchased **without** a parking permit
- 2.9.3. No permit shall be issued to anyone who has outstanding parking tickets issued by the City of Albany, unless such violation is pending adjudication.
- 2.9.4. The permit program is primarily enforced using the Securewatch 24 license plate recognition (LPR) system. The selected vendor shall need to interface with this system to provide lists of vehicles with valid residential and visitor permits.
- 2.9.5. Additional parking permit information is available at <http://www.albanyny.org/Libraries/Forms-City Clerk/Residential Parking Permit General Information.sflb.ashx>

Section 3: Scope of Work

The selected vendor shall provide a fully tested, functioning comprehensive parking citation processing service and parking permit sales system. The vendor shall be required to provide a solution that includes the following:

Technical Requirements

3.1 General Specifications

- 3.1.1 Provision, operation and maintenance of a Windows based automated citation management and permit processing system delivered to existing City desktop PC's via the Internet. If additional PC's are needed to support the system, other than those currently in use by City staff or requested in the proposal, those shall be provided as part of the proposal.
- 3.1.2 All hardware, software and related equipment/services must be compatible with the City's existing network infrastructure for complete ticket processing/management activity. Proposers should take into consideration the preferences listed in the City's Information

Technology Standards Policy, attached hereto as Appendix A. The City's preference is for a hosted browser-based solution. Applications should be user-friendly, table-driven and able to utilize the City's Ethernet TCP/IP network. The City's technology standards and preference information is provided for informational purposes only. Proposers are encouraged to recommend the optimal technology environment to support their proposed solution.

- 3.1.3 The successful Vendor(s) is expected to assist the City in the conversion of both electronic data as well as the coordination and planning related to manual data conversion (e.g. hand keying) to the new system. For electronic data conversion, the City expects that the successful Vendor will be responsible for data extraction from the City's current systems, including conversion of data regarding all tickets processed since 2010.
- 3.1.4 All necessary interaction with the New York State Department of Motor Vehicles (vehicle registration information and registration holds), Albany City Court (hearings and decisions), registered owner information retrieval from nationwide (United States & Canadian Bureau of Motor Vehicles interfaces) Department of Motor Vehicles (DMV) and all other agencies (vehicle rental car/leasing agencies) necessary to complete the intent of this RFP.
- 3.1.5 Provision of an automated customer service toll free number that can use Interactive Voice Response (IVR) technology for payments after-hours, weekends and holidays including a dedicated extension to leave a voice mail or call back number that would be retrieved by City staff.
- 3.1.6 Procurement of all paper goods and postage costs as they relate to the operation (i.e., electronic ticket stock, return payment envelopes, late notices, correspondence, forms, envelopes, etc.).
- 3.1.7 Data acquisition and mail address error correction, document storage, IVR payment processing, web payment processing, noticing for fine escalation/ late fee assessment, report generation and distribution, audit and control processes, quality assurance, telephone and correspondence processing.
- 3.1.8 The vendor shall provide a Disaster Recovery Plan should a disaster occur (i.e., fire, flood, hurricane, hardware/software or communication failure, etc.). The plan will encompass all components of the system including parking tickets and reports. The City must be assured that all aspects of the plan are performed in a timely manner. The City must have a complete and uninterrupted flow of services at all times.
- 3.1.9 City's Payment Portal Integration -. It is the City's desire to have one "Front End" payment processing platform that will allow the City to present our citizens a friendly self-service payment portal that will allow them to pay and view multiple bill types (tax bill, utility bill, parking ticket, etc.) from one secure easy to use city branded website regardless of systems used behind the scene. The payment processing platform for the City is Collector Solutions. The selected vendor will be responsible to work with Collector Solutions during the implementation and provide the information required to integrate with their payment billing system.
- 3.1.10

3.2 Handheld System Requirements

- 3.2.1 The handheld equipment used to issue parking citations shall be provided in a quantity to allow one (1) complete unit per employee and two (2) complete spare units for use when other units are out of service for repair.

- 3.2.2 The handheld equipment used to issue parking citations shall have real-time wireless communications.
- 3.2.3 The handheld equipment used to issue parking citations shall use an online processing system utilizing the following technologies:
- a. **Bar code scanner:** Ability to scan 2D bar codes from New York State (NYS) automobile registration decals, retrieve all relevant information from the decals and import that information to the ticket for follow-up processing.
 - b. **Notifications:** The handheld should be able to notify the user of various issues that can arise in the field, e.g. vehicle is boot-eligible, stolen, has expired registration, etc. These notifications should be definable by the user.
 - c. **Digital imaging:** Provision of at least a five (5) megapixel or higher quality camera with flash capability that can provide up to four (4) images per citation. The preference is for real-time transmission of images. Citation data **must be transmitted** to the server in real time. However, consideration will be given to images being downloaded from the handheld equipment at the end of each shift as part of a charging/data transmission scenario. All images shall be date and time stamped by the handheld without interaction by the user. Image quality as finally received by the system will be evaluated as part of Section 1.22 (a)(i).
 - d. **Reporting issues in the field:** The handheld shall be able to be used for real-time reporting of malfunctioning or missing parking equipment, e.g. signs or meters. Reports shall be able to be directed to specific email addresses so repair staff can be dispatched quickly to repair equipment.
 - e. **GPS:** Each handheld shall have built-in GPS so user locations can be tracked, routes can be displayed over a number of hours and “stop” and/or “gap” reports can be created.
 - f. **Comments:**
 - i. The handheld print file shall be adaptable so the user may be able to enter up to three (3) lines of printable comments per citation. An additional comment line can be added but not printed on the citation. This additional line can be used as “private” comments by the issuing officer unless a method of adding “private” comments is otherwise offered by the Vendor.
 - ii. The Comment file for the handheld shall be definable by the City so specific comments can be found by typing only a few keys. Example: NPD would equal “No Permit Displayed”, NP9NWE would equal “No Parking 9AM-Noon Wednesday”. All shortcuts and long form comments shall be definable by the City. Shortcuts shall be sorted by alphanumeric order.
 - iii. Timed violations require the original time the vehicle was “chalked” and that information shall show up separately on the printed ticket. The information should be automatically populated by the handheld if the vehicle was timed using the handheld equipment.
 - g. **Violation requirements:** Certain violations shall have requirements that the officer must follow in order to issue a citation. Examples:
 - i. All violations require at least one comment in the Comment field.
 - ii. Timed violations require the original time the vehicle was “chalked” if the original timing was not performed using the handheld device
 - iii. Permit parking violations require the user to verify the citation issuance if a valid permit is noted and that verification shall be recorded

- iv. Handicap parking violations require at least two images. Fire hydrant, crosswalk and double parking violations require at least one image. The handheld should require the necessary number of images for violations that require them as evidence.
- h. **Audio recording:** The handheld unit shall have a recording feature to allow the officer to record interactions with customers that may be questioned later.
- i. **Timing:** The handheld shall allow the user to enter data relevant to the location of a specific vehicle for the purpose of timed enforcement. Example: The vehicle is parked at 167 Lancaster Street at 8:35 A.M. and the driver side front tire valve stem is located at 1:00 on an analog clock face. The handheld should allow the user to input the street and stay on that street until otherwise noted. The address for each entry shall be entered by the user. After the first use of an address, it shall be verified before it is used again so the same address is not entered multiple times unless that is noted as correct by the user. Time entry should be performed by the handheld. The license plate information can be either hand-entered or scanned. If the vehicle is found to have a valid permit, the handheld should notify the user immediately at that time so no further action is taken if needed. The valve stem location shall be noted by the user. The handheld shall inquire if the data is to be saved and a response required. Prior to the next entry, the handheld should use the same street and address but require verification of both street and address.

3.3 Immobilization Processing Requirements

3.3.1 The proposed system shall provide:

- a. The correct number of boot-eligible tickets as defined by the City (not including tickets under appeal, on payment plans or otherwise in dispute) that must be paid prior to release;
- b. Ability for the entry of an administrative fee for booting
- c. Notification to any cashiering station that a vehicle is booted and **all** boot-eligible tickets must be paid or administratively handled prior to release
- d. Electronic notification to specific email addresses if **all** boot-eligible tickets are paid through an online basis so the boot can be removed
- e. Setup of tables to allow the City to designate final disposition of vehicle if tickets remain unpaid, e.g. towed to (specified vendor), still held for payment, auctioned, etc. There should also be a field for entry of an Albany Police Department incident number.
- f. The ability to accurately determine how many vehicles are boot-eligible at any time
- g. Reports on boot-eligible tickets searchable by address **and** street to increase possibility to locate scofflaw vehicles, i.e. where does license plate ABC123 receive the bulk of their tickets.

3.4 Parking Citation Processing Requirements

3.4.1 The parking citation processing system shall include, but not be limited to, the following:

- a. All necessary interaction with the New York State Department of Motor Vehicles (vehicle registration information and registration holds), Albany City Court (hearings and decisions), registered owner information retrieval from nationwide (United States & Canadian Bureau of Motor Vehicles interfaces) Department of Motor Vehicles (DMV) and all other agencies (vehicle rental car/leasing agencies) necessary as noted in Section 3.1.4.
 - i. The system shall regularly generate a report of license plates that do not have registered owner information. This report will be sent electronically in an Excel or other requested format so the data can be manipulated by various departments to analyze why no data is found.
- b. Provision of an automated customer service toll free number that can use Interactive Voice Response (IVR) technology for calls received after-hours, weekends and holidays including a dedicated extension to leave a voice mail or call back number that would be retrieved by City staff.
- c. Data acquisition and mail address error correction, document storage, mail-in payment processing for City staff, IVR payment processing, web payment processing, noticing for fine escalation/late fee assessment, report generation and distribution, audit and control processes, quality assurance, telephone and correspondence processing as noted in Section 3.1.4. If there are any document or data storage limitations, they shall be noted in the proposal and costs for additional storage, if available, shall be provided in the Cost Proposal.
- d. The system shall support an appeals process where parkers can file the necessary documents and any additional evidence, notes or photos for their appeal. The appeal information will be entered by Parking Violations Bureau (PVB) staff for action. The appeals process will allow PVB staff to set denied appeals for pre-conferences or for City Court.
- e. The system shall provide a method that allows scheduling and tracking for the appeals or City Court processes. PVB staff shall be able to access a listing of all open or closed appeals or hearings requests showing the current status of each request. The system shall provide processes or documents so PVB staff will be able to schedule hearings for pre-conferences or City Court. The system shall have the ability to update the pay status of any citation where a pre-conference or City Court decision is entered that would affect the status of any citation involved.

3.5 Payment Processing System Requirements

- 3.5.1 The payment processing system for parking citations and parking permits shall include, but not be limited to, the following:
 - a. Payments must be recorded and updated in real time.
 - b. Vendor systems must be compliant with all current PCI-DSS requirements.
 - c. Vendor shall provide all necessary equipment and/or software as agreed to by the City to support processing of payments, such as:
 - i. Cash drawers as needed:
 - ii. Bar code scanners as needed to scan bar codes from citations issued from handheld equipment and from handwritten citations issued by APD officers. A sample citation is included in Appendix B.

- iii. Imaging scanners to add images or received documents to the system for tracking complaints, appeals, court hearings, NSF checks, etc.
- d. Reporting capabilities to provide the following:
 - i. Citation payments and cash drawer reconciliation on a daily basis;
 - ii. Payments received by mail, phone and Internet;
 - iii. Partial payments received and processed;
 - iv. NSF payments returned and actions taken;
 - v. Credit chargebacks and actions taken;
 - vi. Bank deposits;
 - vii. Citations forwarded to collections;
 - viii. Payments directly related to booting, DMV hold or other actions
 - ix. Lockbox processing;
 - x. Reconciliation of New York State surcharges

3.5.2 The vendor shall provide examples/samples of all standard and electronic online reports in their proposal, including, but not limited to :

- a. A full complement of daily, monthly and annual management reports for the City. The annual report is to be reported in a fiscal year format beginning with January 1st as the start of the fiscal year;
- b. Report of revenue collected for month;
- c. Report of citations issued for month with violation code and fine, plus penalty amounts added to delinquent citations during the reporting month;
- d. Monthly status reports on all parking violations processed; including up to date collection percentage rate;
- e. Monthly payment report identifying collection results by month, to also include delinquent notices and DMV holds;
- f. Monthly status report of open and closed parking violations;
- g. Aged Accounts Receivable Report with status of any collection activity if applicable;
- h. Any additional reports as described in Sections 2 or 3.
- i. Monthly Summary Management Report showing:
 - i. Monthly and year-to-date number of citations issued;
 - ii. Monthly and year-to-date number of payments and revenue received, including current collection rate;
 - iii. Comparison of citation issuance and revenues year-over-year for same month over previous two years;
 - iv. Number of voids/adjustments for the current month and year-to-date, summarized by void/adjustment type;
 - v. Number of appeals received for the current month and year-to-date;
 - vi. Monthly and year-to-date appeal dismissals and court decisions suspensions, summarized by decision where possible.
- j. **Ad-Hoc Reporting Requirements:** The system shall possess a user-friendly report writer feature to allow the City to query and generate ad hoc reports on-line. Vendor shall provide on-line query and ad-hoc reporting access. The online query or ad-hoc reporting

tool must directly access data in the master database to provide accurate real-time information. The proposal should explain how reports are generated, if the report data be exported to Excel, how the City can generate specific reports based on business needs and a list of other types of reports available. This will include the ability to generate reports utilizing historical data from 2010 to date.

3.6 Parking Permit Processing System Requirements

- 3.6.1 The processing system for parking permits shall include, but not be limited to, the following:
- a. Permit issuance and payments must be recorded and updated in real time;
 - b. An inventory of the RPP districts and the regulated streets within these districts;
 - c. Full integration with the ticket processing module, enabling the resolution of parking citations issued incorrectly to permit holders or the withholding of permit sales due to outstanding parking tickets;
 - d. Financial controls for the tracking and reconciliation of fees collected;
 - e. Ability to inquire online using a variety of search parameters;
 - f. Ability to generate notices for use in renewal or informational mailings;
 - g. Integration with the ticket processing system cashiering module, allowing outstanding balances for parking tickets and new permit sales to take place in one transaction;
 - h. Configurable to match existing permit data entry flow, for easy transition;
 - i. Ability to utilize assign/allocate multiple permits to a single address;
 - j. Ability to assign multiple vehicles to a single permit (carpools, multi-vehicle families);
 - k. Allows permit types to be defined with flat-rate, prorated or tiered fee schedules;
 - l. Allows a review and approval process for pending applications for permits;
 - m. Ability to notify the City Clerk or an assignee when a visitor's permit is renewed on the same license plate number three (3) or more consecutive times.

3.7 Additional Functions/Capabilities

- 3.7.1 In addition, consideration should be given to provision of the following functions and capabilities identified below. **Additional pricing for these additional functions and capabilities should only be provided in the Cost Proposal under Price List – Additions/Exceptions/ Alternatives so as not to affect any baseline product evaluations:**
- a. **General Specification Requirements**
 - i. Preference will be given to vendors proposing software that does not require Citrix or an additional product/application to access the system in-house or remotely.
 - b. **Handheld System Requirements**
 - i. **Bar code scanner:** Preference shall be given to vendors providing handheld equipment with standard bar code scanners, rather than an application using the camera as a

scanning device. Preference shall also be given to any vendor that can provide similar scanning ability with other states that have registration decals, i.e. Massachusetts.

- ii. **Notifications:** Preference shall be given to any vendor that can provide some assignable notifications go directly to the supervisor without notification to the user. Example: Vehicle is stolen, previous complaint by owner, permit abuser, etc.
- iii. **One-button audio recording:** It is preferred the handheld unit has a recording feature accessed by pressing a single button.
- iv. **Hot-swap batteries:** The preferred handheld shall have hot-swap batteries so units that have data needed over multiple shifts, i.e. timed parking information, can be used by the following shift without the loss of data crucial to enforcement.
- v. **Digital imaging:** The preference is for real-time transmission of images without loss of image quality.

c. **Immobilization Processing**

- i. The preferred system will allow an officer to enter information in the field via a handheld device to record when a vehicle is towed, to what vendor and the incident number for the tow so other departments (Parking Violations, Treasurer's Office, etc.) can access the information.

d. **Parking Citation Processing**

- i. The City will give strong preference to an account-based system. The ability to connect multiple license plates owing for parking citations, permits and other municipal obligations is significant to the City. The vendor should explain how the system works in their program, if the account number is assignable (can a number be used from another program, i.e. JD Edwards?) [What is this?] and the process for combining accounts when duplicate accounts are found in the system.
- ii. The preferred system shall support an online appeals process where parkers can file the necessary documents and upload any additional evidence, notes or photos for their appeal. The information must be scanned for viruses and malware before being allowed to be accessed by the City servers. Once scanned, the documents can be forwarded to the Parking Violations Bureau (PVB) for action. The online appeals process will allow PVB staff to set denied appeals for pre-conferences or for City Court.
- iii. The preferred system shall provide a system that facilitates scheduling, tracking and support for the appeals or City Court processes. PVB staff shall be able to access a listing of all open or closed appeals or hearings requests showing the current status of each request. The system shall have a court calendar so PVB staff will be able to schedule hearings for pre-conferences or City Court. The system shall have the ability to prepare dockets for pre-conferences or City Court. The system shall have the ability to update the pay status of any citation where a pre-conference or City Court decision is entered that would affect the status of any citation involved.

- iv. The system shall have a field to denote how registered owner information was received for a vehicle, such as DMV, 3rd party, appeal form, etc.
- v. The system shall have a field to denote how registered owner information is attached to a citation, such as owner, renter, lessee, etc.
- vi. The preferred system shall not allow multiple appeals on the same citation.
- e. **Payment Processing**
 - i. Preference will be given to vendors providing equipment that meets EMV standards.
- f. **Parking Permit Processing**
 - i. The preferred system shall provide the ability to allow first-time applicants to purchase parking permits through an online process. Vendors should clearly explain the process for verification of documentation used to purchase a permit.

3.8 Collections Processing

3.8.1 The City also seeks proposals for parking ticket collection services. Therefore, at their option, vendors may also submit a proposal for parking ticket collection services. Such proposals for collection services may be submitted as an “in-house” service, as a separate service from an entity that works in conjunction with the ticketing software provider, or vendors may submit proposals for collection services as a separate stand-alone service for the City of Albany not in conjunction with parking ticketing software.

3.8.2 Qualifications of Proposer

Each Proposer shall provide a statement of qualifications including:

- (a) A brief history and description of the firm submitting the proposal.
- (b) Identification of the firm’s professional staff members who will be assigned to this engagement if the firm’s proposal is selected. Provide details of each professional staff member’s qualifications, including years and types of experience, education, accomplishments, etc. Specify the extent of the availability and commitment of each such professional staff member who will be assigned to this engagement if the firm’s proposal is selected.
- (c) At least three (3) references from clients (preferably other municipalities) that your firm has provided services for, including names of contact person(s), addresses and telephone numbers.
- (d) A signed cover letter from a person within the firm who is authorized to make representations on behalf of the firm and to bind the firm.
- (e) A statement of your firm’s background and experience in providing: collection services to governmental entities, both in general and in New York State; collection services with regard to parking ticket collection both in general and in New York State; collection services working with particular parking ticket software providers, if any.
- (f) Provide a list of the geographical territories that the firm is authorized to collect in
- (g) Any additional information which would serve to distinguish the firm from other firms submitting proposals such as examples of services provided similar to the services contemplated by this RFP, any special expertise or experience of the firm, technical preferences or requirements, etc. (An excel spreadsheet list of parking ticket receivables is available upon request with a signed pledge of confidentiality. List will be updated prior to commencement of contract.)

3.8.2 The City of Albany may make such inquiries it deems necessary to determine the ability of each proposer to perform the services contemplated by this RFP. Proposer shall promptly furnish all information and the City may subsequently request data for this purpose.

3.8.3 SCOPE OF SERVICES

The collection agency shall provide the following collection services for the City of Albany:

3.8.3.1. Provide collection services for unpaid parking tickets issued since 2010 as assigned by the City of Albany.

(a) Proposer shall only be authorized to pursue collections on judgments, debts, liens or other collection matters assigned to the Proposer by the City of Albany for collection.

(b) Proposer shall not have authority to accept a compromise settlement on any account without prior written consent of the City of Albany.

3.8.3.2. Proposer shall provide in its proposal detailed steps that will be taken once the collection matter is received by the Proposer from the City of Albany. Include the number of contacts and procedures that will be taken, both written and telephone.

3.8.2.3 Proposer shall make contacts with delinquent accounts under the name of the collection agency. Provide a sample copy of Proposer's form/correspondence to be used for collection.

3.8.3.4 Provide a detailed description of Proposer's policy and procedure on complaint handling.

3.8.3.5 Specify whether Proposer utilizes any form of automated collection processes, and if so, please set forth a detailed description of Proposer's automated collection procedures.

3.9 Collections Cost Proposal

3.9.1 Provide the proposed fee for providing all of the services set forth in Section 3.8 above. The proposed fee should be quoted as a fixed percentage of monies collected by the Proposer on behalf of the City to be paid to the selected Proposer. If an account or debt is reduced or cancelled by the City of Albany, Proposer shall provide a guarantee that no collection fee will be due to the proposer for the amount so reduced or cancelled.

3.9.2 Clearly set forth in detail any and all additional expenses for which you expect to be reimbursed (i.e., postage). The proposal must, however, provide a guarantee that no additional fees will be charged to the City of Albany without prior written consent by the City.

3.9.3 Provide the proposed fee and terms, if any, for tickets forwarded to proposer for collection, but where payment is made to the City directly (For example, while most payments on tickets forwarded to proposer for collection will be collected by proposer, it is also expected that individuals will be able to, and may pay the City directly for unpaid parking tickets, particularly in the case of "booting" of vehicles.)

Section 4: RFP Content Requirements

4.1 Technical Proposal

- 1.1 Proposals for this project are due **Friday, January 27, 2022, 3:00 PM**. Each Vendor must furnish **one (1)** unbound original and **five (5)** hard copies of its Technical Proposal clearly marked as the “Non- Price Proposal for Albany Parking Citation and Permit Processing Request For Proposals – RFP-2016-11”. Additionally, **one (1)** electronic file that is able to be accessed via a Windows-based PC with Office 2010 must be submitted on a USB flash drive, on CD or via email to dshahinfar@albanyny.gov. It is the obligation of the Vendor to assure receipt of the electronic version if submitted by email as some email servers have size limitations on outbound email.

NO PRICING INFORMATION SHALL BE INCLUDED WITH YOUR TECHNICAL INFORMATION. IF PRICING IS INCLUDED WITH THE TECHNICAL PROPOSAL, IT MAY RESULT IN THE PROPOSAL BEING REJECTED.

NOTE: Vendor must submit the Cost Proposal in a separate sealed envelope, which is clearly marked “Cost Proposal for Albany Parking Citation and Permit Processing Request for Proposals – RFP-2022-39”.

4.2 Technical Proposal Requirements

Title Page: Show the Bid number and title, your company name and address, name of the contact person for all matters regarding the RFP response, telephone number and Proposal date on the Title Page.

Letter of Transmittal: Each quotation shall include a letter or transmittal that bears the signature and title of an authorized representative of the Vendor. The letter should indicate that all information contained in the proposal is factually true, the Vendor’s quotation is a firm offer for a period of at least 180 days and that the Vendor will comply with the terms of the RFP. The letter shall indicate the existence and nature of any contemplated sub-binding relationships. Any exceptions or changes to requirements of the RFP should be identified.

Table of Contents: Proposal responses shall include a table of contents listing the individual sections of the Proposal and their corresponding page numbers. Tabs should separate each of the individual sections. Proposal should have numbered pages throughout the document to ease reference work.

Item 1. Vendor Information: The Vendor shall provide a brief description of its organization, including:

- a. Official name of Vendor.
- b. Vendor’s organizational structure (e.g. corporation, partnership, Limited Liability Company, etc.).
- c. Jurisdiction in which Vendor is organized and the date of such organization.
- d. Address of Vendor’s headquarters and of any local office involved in the proposal.
- e. Vendor’s Federal Tax Identification Number.
- f. A statement accepting all terms and conditions and requirements contained in the RFP.
- g. Name, address, telephone, fax numbers and e-mail address of the person(s) who will serve as the contact(s) to the City, with regard to the RFP response.
- h. A completed copy of the Non-Collusive Proposal Certificate, Acknowledgment by Proposer and Living Wage Compliance forms (Last three pages of RFP)

- h. A statement providing both the Vendor's authorization and request to any persons, firm, or corporation to furnish any information requested by the City in verification of your response to this RFP.

Item 2. Experience, Expertise and Qualifications:

The proposal shall provide details of the following:

Qualifications. Please describe your firm's qualifications, experience and capabilities as they pertain to provision, service and maintenance of parking citation and permit processing systems. Include the number of years the company has been providing municipal parking citation and permit processing, particularly in cold weather or northeastern US environments with issuance of eighty thousand (80,000) or more parking citations annually.

References. Vendors are to provide a summary of representative current clients with details of the contract and work performed. Vendors must provide a contact person with phone number and email address for each reference. References should have similar scope, volume and requirements to those outlined in this RFP.

Reference information is to include:

- a. Company/Agency name
- b. Contact person (name and title), contact person is to be someone directly involved
- c. Complete street address
- d. Telephone number
- e. Type of business
- f. Dates of service
- g. Size (number of citations issued and/or number of permits issued)
- h. Contract value

Vendors are required to provide a listing of **all** installations within the past five (5) years, showing the length of time the system has been installed and operating. Vendors should separately list the total number of installations in New York State with systems similar to this proposal. The City may solicit information concerning the Vendor's past and current record of performance from current and/or previous clients, other government agencies, or any available sources without the Vendor's presence or involvement. The City may also solicit information concerning the Vendor's performance on other contracts in terms of quality of services and compliance. The City may also consider historical performance in contracts entered into between the Vendor and the City. The City reserves the right to contact references other than those provided in the response and to use the information gained from them in the evaluation process. Vendors assume sole responsibility for any inaccuracies in the contact information provided for references. Incorrect contact information provided for a reference may result in the reference being stricken.

Item 3. Information Regarding: Failure to Complete Work, Default and Litigation: Please respond to the following questions:

- a. Have you ever failed to complete any work awarded to you? If so, where and why?
- b. Have you ever defaulted on a contract? If so, where and why?
- c. Is there any pending litigation that could affect your organization's ability to perform this agreement? If so, please describe.
- d. Has your firm ever had a contract terminated for cause within the past five (5) years? If yes, provide details.

- e. Has your firm been named in a lawsuit related to errors and omissions within the past five (5) years? If yes, provide details.
- f. During the past seven (7) years, has your firm ever filed for protection under the Federal bankruptcy laws? If yes, provide details.
- g. Are there any other factors or information that could affect your firm's ability to provide the services being sought about which the City should be aware?

Item 4. Exceptions, Alternatives, and Amendments: Vendors wishing to take any exceptions or provide alternatives to any requirement in the RFP shall state and explain such exceptions or alternatives in this section. The City is **under no obligation to accept proposals** which take exception to any requirements in this RFP, or which offer any alternative to a requirement herein, as well as consider such exceptions and alternatives in evaluating responses. Any exception or alternative must be clearly delineated and cannot materially affect the substance of this Request for Proposals.

Item 5. Additional Data: The Vendor may include in this section any additional information that the Vendor wishes to bring to the attention of the City that is relevant to this RFP.

Section 5. Equipment

Proposals must include a detailed description of all proposed equipment. Equipment lists should list all required hardware by model numbers and software by name and version. Manufacturer(s), if different from the Vendor's company, should also be listed on the breakdown. Proposals should note installations in cold weather or northeastern US environments, in particular.

5.1 Installation

Proposals must include a detailed description of the proposed installation process, including the services that will be performed as part of the installation.

Software Upgrades

Upgrades necessary to correct problems or deficiencies must be provided at **no charge** for the life of the contract.

5.2 Documentation, Operating Guidelines, and Manuals

Prior to acceptance, the Vendor must provide copies of operating manuals and standard operating procedures and/or guidelines.

5.3 Training

The Vendor must train City and Albany Parking Authority personnel and management staff in the use of the system including proper use of all equipment, database management and report generation software, supervisor functions and capabilities, and basic maintenance/repair functions. There is approximately twenty-eight (28) staff that will need training on the handheld ticket writing equipment and approximately fifteen (15) staff that will require training on the online system. Vendor must submit a schedule for training, along with training manuals, one month prior to the start of operations. The selected Vendor will be required to provide up to thirty (30) hours of training time over a one-month period to be scheduled within 30 days of operations. Proposals must also include per day pricing for additional training. Proposals shall include a training syllabus and standard operating procedure/guidelines.

5.4 Warranty

Vendors must provide a minimum of one (1)-year warranty for parts and labor. The warranty period will start once the equipment is installed, operational, and is approved in writing by the City. During the warranty or maintenance agreement period, the response time must be no more than four (4) hours when service is requested. See Section 5.5 – Service.

5.5 Service

As part of the warranty process, Vendor shall provide same day response for any service calls placed between 8:00 AM to 5:00 PM, Monday through Friday (excluding major holidays) regarding repair or replacement of any and all components of the system that has malfunctioned. A technician must provide field service, in person or by phone within four (4) hours of receipt of a service call placed between 8:00 AM to 5:00 PM Monday through Friday (excluding major holidays). Service calls placed after 5:00 PM or during weekends or holidays must be answered and field service provided, in person or by phone by 11:00 AM the following business day. Proposals must define normal business hours, days, as well as holiday schedule. Proposals must illustrate how Vendor will provide local service support on both hardware and software. Proposals must provide replacement costs for any damaged or obsolete hardware that are no longer under warranty.

Section 6: Cost Proposal

- 6.1 **Cost Proposal Format - Vendor must submit in a separate sealed envelope, which is clearly marked "Cost Proposal for Albany Parking Citation and Permit Processing Request for Proposals – RFP-2016-11". Do not submit prices with the Technical Proposal.**
- 6.2 Pricing: The Cost Proposal shall be priced as a fixed percentage of collected parking ticket revenue.
- 6.3 User fees: The Cost Proposal shall provide the transaction fees, if any, to be charged as user fees for online credit card payments. Proposal will specify whether transaction fees are charged per citation/permit, by transaction or other scenario.
- 6.4 User fees: The Cost Proposal shall provide any additional charges or fees in detail. Pricing shall be broken out in the Cost Proposal for any additional services. No additional fees will be charged to the City beyond the fixed percentage of collected parking ticket revenue noted in Section 6.2.
- 6.5 All prices quoted shall be in United States dollars and "whole cent," no cent fractions shall be used.
- 6.6 Pricing shall include all support services for the system.
- 6.7 Indemnification: The selected proposer will be required to defend, indemnify, and save harmless the City of Albany, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorney's fees) arising out of, or in consequence of, any negligent or intentional act or omission of the selected proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses, and expenses
- 6.8 All pricing in Proposals will be used to set the beginning point of negotiation. All final negotiated prices will be stated in the executed contract upon approval by the City.

Section 7: Termination

The City may terminate the Contract, with or without cause, upon written notice to the vendor. The termination is effective thirty (30) days after the notice is issued, unless a different time is given in the notice. The City is liable only for payment for acceptable performance and all reasonable costs of installation of the parking citation and residential permit issuance and processing services prior to the effective date of the termination and for all reasonable costs resulting from said Termination for Convenience as set forth in the Contract. Payment, to the extent of cost substantiation and schedule, shall be set forth in the Contract.

Section 8: Insurance Requirements

- 8.1 Vendor shall procure and maintain for the duration of the Agreement the following insurance coverage against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the work hereunder and the results of that work by the Vendor, its agents, representatives, employees or subcontractors:
- a. **Workers' Compensation and Employer's Liability Insurance:** A policy or policies in amounts required by statutory limits.
 - b. **General Liability Insurance:** A policy or policies of comprehensive general liability insurance with limits of not less than \$1,000,000.
 - c. **Errors and Omission Insurance:** A policy or policies with limits of not less than \$1,000,000.
- 8.2 Each policy of insurance required shall be issued by an insurer licensed to do business in the State of New York, must have an A.M. Best rating of not less than "A" and shall provide that:
- a. The City of Albany is named as an additional insured on a primary and non-contributing basis.
 - b. The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the City.
 - c. The insurance policies shall be automatically renewed upon expiration and continued in force unless the City is given sixty (60) days written notice to the contrary.
- 8.3 No work shall commence under the contract until the selected proposer has delivered to the City of Albany or its designee proof of issuance of all policies of insurance required by the Contract to be procured by the selected proposer. If at any time, any of said policies shall be or become unsatisfactory to the City, the selected proposer shall promptly obtain a new policy and submit proof of insurance of the same to the City for approval. Upon failure of the selected proposer to furnish, deliver, and maintain such insurance as above provided, the contract may, at the election of the City, be declared suspended, discontinued or terminated. Failure of the selected proposer to procure and maintain any required insurance shall not relieve the selected proposer from any liability under the contract, nor shall the insurance requirements be constructed to conflict with the obligations of the selected proposer concerning indemnification.
- 8.4 Deductibles and Self-Insured Retentions: Any deductibles or self-insured retentions must be declared to and approved by the City of Albany. The City of Albany may require the Vendor to reduce or eliminate the deductible or retention applicable to the contracted work or provide satisfactory proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention.
- 8.5 Verification of Coverage: Vendor shall furnish the City of Albany with original certificates and amendatory endorsements or copies of the applicable policy language providing the insurance coverage required herein. All certificates and endorsements are to be received and approved by the

City of Albany before work commences. However, failure to obtain required documents prior to the work beginning shall not waive the Vendor's obligation to provide them. The City of Albany reserves the right to require complete, certified copies of all required insurance policies, including the endorsements required herein, at any time.

- 8.6 Failure to Maintain Insurance Coverage: If Vendor, for any reason, fails to maintain the required insurance coverage, the same shall be deemed a material breach of contract. The City of Albany, at its sole option, may terminate this Agreement and obtain damages from the Vendor resulting from said breach. Alternatively, the City may purchase such coverage (but has no special obligation to do so), and without further notice to the Vendor, the City may deduct from sums due to the Vendor any premium costs advanced by the City for such insurance.
- 8.7 Subcontractors: Vendor shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein.

Section 9: Instruction for Proposal

- 9.1 **Compliance with the RFP:** Proposals must be in strict compliance with this RFP. Failure to comply with all provisions of the RFP may result in disqualification of a Proposal.
- 9.2 **RFP Rules**
- 9.2.1 The Vendor is solely responsible to seek clarification, if needed, of any portion of the RFP. All requests by Vendors for clarification of the RFP must be in writing, via email to the official responsible for administering this RFP, by **Friday, January 8, 2016 at 2:00 PM EST.** The City will not respond to requests for clarification received after that time. Failure by a Vendor to seek clarification of any portion of the RFP shall not relieve the Vendor from its representations as set forth hereinabove nor serve as the basis for any claim by the Vendor that it was mistaken or misled in connection with the preparation of its Proposal.
- 9.2.2 Interpretations, corrections, and changes to the RFP will be made by the City through addenda to the RFP. Interpretations, corrections and changes of the RFP made in any other manner shall not be relied upon and will not be binding. Notice of addenda that are issued prior to the deadline for submission of Proposals shall be given only to those Vendors who have previously requested a copy of the RFP. RFP addenda issued after the original or revised deadline for submission of the Proposals shall be given only to those Vendors who have submitted Proposals in accordance with the requirements of the RFP. Notice by the City of a Proposal addendum shall be effective if by hand delivery, mail, facsimile or e-mail. The City also anticipates (but shall not be obligated for) making RFP addenda available for review on the City website. Failure of a Vendor to receive a RFP addendum shall not entitle the Vendor to an extension of the Proposal due date nor shall it permit the submission of any additional Proposal information after the deadlines set forth in the Proposal due date.
- 9.2.3 All Proposals must be submitted, filed, made, and executed in accordance with applicable laws, whether such applicable laws are expressly referred to herein or not.
- 9.2.4 All Proposals may be withdrawn at any time upon written notice to the City at the place for receipt of Proposals prior to the deadline for submittal of Proposals. Proposals withdrawn prior to the due date for receipt of Proposals may be resubmitted up to the deadline for submission of Proposals.
- 9.2.5 The City reserves the right to waive minor or clerical irregularities, errors or omissions in the information contained in any Proposal or in regard to any Vendor's compliance with Proposal process, and to make all final determinations with respect to the information provided in any Proposal.
- 9.3 **Acknowledgment of Insurance Requirements:** By signing its proposal, Vendor acknowledges that it has read and understands the insurance requirements for the proposal as described in Insurance Requirement and Contract section. Vendor also understands that the evidence of required insurance must be submitted within fifteen (15) working days following notification of its offer being accepted; otherwise, the City may rescind its acceptance of the proposal.
- 9.4 **Response Format:** The items listed below are the minimum requirements that the Vendor shall be submitted in **the same order as the Table of Contents for this RFP.** Vendors should provide responses to all, but is not limited to, all the information inquired in the RFP. System reporting samples or screen shots is also required where indicated in this RFP. Each section should be clearly labeled, with pages number and separated by tabs. Failure by a Vendor to include all listed items may result in the rejection of its Proposal.

9.5 Delivery of Proposal

- 9.5.1 The Vendor assumes full and sole responsibility for timely receipt of the completed Proposal at the above-listed location. Proposals that are received after the deadline specified in this RFP shall be returned unopened; provided, however, that a late Proposal may be considered if it is the only Proposal received.

9.6 Interpretations and Amendments

- 9.6.1 Nothing stated or discussed orally during any Q&A, interview or other session shall alter, modify, or change the requirements of the RFP. Only interpretations, explanations, or clarifications of this RFP that are incorporated into a written addendum to this RFP issued by the City should be considered by Vendors.
- 9.6.2 Any person in doubt as to the true meaning of any part of the specifications, or finds discrepancies or omissions, may submit to the City a written request for interpretation. The requesting party is responsible for prompt delivery of any requests. When the City considers interpretations necessary, interpretations will be in the form of a written document and will be distributed to all parties recorded by the City as having received proposal documents. Each Vendor must acknowledge its receipt of all addenda by submitting an acknowledgement letter with its Proposal.

9.7 Ambiguity, Conflict, or Other Errors in the RFP

- 9.7.1 If a Vendor discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, it shall immediately notify the City of such error in writing and request modification or clarification of the document. The City will make modifications by issuing a written amendment.
- 9.7.2 Vendors are responsible for clarifying any ambiguity, conflict, discrepancy, omission, or other error in this RFP prior to submitting a Proposal, or any such request shall not be accepted.
- 9.7.3 The terms Vendor, Proposer, bidder or contractor may be used interchangeably in this RFP.
- 9.7.4 Implied Requirements: Products and services that are not specifically requested in this RFP, but which are necessary to provide the functional capabilities proposed by the Vendor, shall be included in the proposal.

- 9.8 **Information Provided by City:** Information included in or provided with this RFP is provided solely for the convenience of the Vendors. NO REPRESENTATION OR WARRANTY OF ANY KIND IS MADE BY THE CITY AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION INCLUDED IN OR PROVIDED WITH THIS RFP. Vendors are solely responsible for conducting such independent due diligence investigations as may be necessary for the proper preparation of their Proposal. The City and its employees, agents and advisors are not responsible for the completeness or accuracy of any information distributed or made available, orally or in writing, during this RFP process.

- 9.9 **Cancellation or Modification of Solicitation and Rejection of Any and All Proposals:** The City reserves the right, at its sole discretion, to pursue any and all actions it deems in its best interest regarding this Request for Proposals, including but not limited to:

- a. Issue Addenda to the RFP;
- b. Request additional information and/or clarification from Vendors;
- c. Extend the deadline for submitting proposals;
- d. Withdraw this RFP;

- e. Clarify, modify or amend and reissue the RFP;
 - f. Reject any and all proposals;
 - g. Reject or accept proposals that do not fully comply with the requirements of the RFP as detailed within this RFP, its attachments, addenda, or clarifications;
 - h. Reject or accept incomplete proposals, proposals containing errors, inconsistencies, proposals not submitted with the proper number of copies, proposals submitted after the deadline, or proposals with other process or content errors or deficiencies;
 - i. Award the Vendor without further discussion or negotiation;
 - j. Issue subsequent RFP's for the same, similar, or related services;
 - k. Amend the agreement resulting from this proposal;
 - l. Negotiate pricing with the highest ranked proposal;
 - m. Terminate the agreement resulting from this proposal; and
 - n. Take any other action deemed to be in the best interest of the City.
- 9.9.1 The City reserves the right to waive minor irregularities in proposals, provided that such action is in the best interest of the City. Any such waiver shall not modify any remaining RFP requirements or excuse the Vendor from full compliance with the RFP specifications and other contract requirements if the Vendor is awarded the Contract.
- 9.9.2 The City reserves the right, after reviewing the Proposals, to waive any informality in the Proposals and to invite those qualified for further negotiation in the second phase of the selection process.
- 9.9.3 Receipt of a Proposal by the City or submission of a Proposal to the City confers no rights upon the Vendor, nor does it obligate the City in any manner. The City reserves at its sole discretion, the right to determine which Vendors are qualified to submit Proposals.
- 9.10 **Acceptance of Proposals:** The City shall review all proposals that are submitted properly. However, the City reserves the right to request clarifications or corrections to proposals. For Proposals to be reviewed, the submitting firm must be in good financial standing with the City and be current on all licenses and contractual requirements, if any, with the City.
- 9.11 **Conducting Investigations/Requesting Supplementary Information:** The City reserves the right to conduct investigations with respect to the qualifications, experience and representations of the Vendor and Vendor associates and to require Vendors to supplement, clarify, or provide additional information in order for City to evaluate the Proposal submitted. Each Vendor team member, through its request for and receipt of this RFP and participation in this RFP, consents to such investigations.
- 9.12 **Ownership and Disclosure**
- 9.12.1 Proposals received in response to this RFP will be maintained by the City and are matters of public record, other than proprietary contents and pricing, and subject to public inspection except for the time reserved for review by the City. To the extent allowed by applicable law, the City will not disclose Proposal contents during the period falling between the Proposal Submission and the date of the Notice of Intent to Award the project. However, all information, other than proprietary contents, pricing or information noted as confidential, submitted by Vendors becomes a matter of public record upon Notice of Intent to Award the project and as required by applicable law.
- 9.12.2 Notwithstanding the foregoing, Vendors recognize and agree that neither the City nor its staff, agents, employees, representatives, nor its advisors shall be responsible or liable in any manner for any losses that a Vendor or any of its agents, employees, or representatives may suffer from the disclosure of information or materials to third parties or any other claims or damages resulting from this RFP process.

9.12.3 All Proposals (other than portions thereof subject to confidentiality, patent or copyright protection) will become the property of the City to the fullest extent permissible under applicable law upon submission. Regardless of the outcome of this RFP process, the City, in accordance with all applicable laws, reserves the right to use all information, documents, data, concepts, and other items contained therein, for its own purposes in any manner it elects to do so without further cost to the City.

9.13 Other Instructions to Vendors

9.14.1 **Examination of Documents:** By submitting a Proposal, Vendor represents that it has thoroughly examined and become familiar with the work, products and content required by this RFP and that it is capable of performing quality work to achieve the City's requirements.

9.14.2 **Non Discrimination:** The firm represents and agrees that it does not and will not discriminate against any employee or applicant for employment because of race, religion, color, medical condition, sex, sexual orientation and/or gender identity, national origin, political affiliation or opinion, or pregnancy or pregnancy-related condition.

9.14.3 **Notice of Award:** The City will inform all Vendors of its intent to award a Contract to the selected Vendor in writing.

9.14.4 **Other Information for Proposal Submittals:** Vendors are welcome to submit any additional information, functions and/or attachments with their Proposal to enhance the competitiveness of the Vendor in the RFP process. All information must relate to and benefit the project and/or its ongoing operations.

NON-COLLUSIVE PROPOSAL CERTIFICATE
PURSUANT TO NEW YORK STATE GENERAL MUNICIPAL LAW SECTION 103-D

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

- (1) The prices in the Proposal 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 Proposer or with any competitor;
- (2) Unless otherwise required by law, the prices which have been quoted in this Proposal have not been knowingly disclosed by the Proposer and will not knowingly be disclosed by the Proposer prior to the opening, directly or indirectly, to any other Proposer or to any competitor; and
- (3) No attempt has been made or will be made by the Proposer to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

(date)

(signature)

(name and title)

(name of firm)

ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 2022, 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/she (or they severally) acknowledged to me that he/she (or they) executed the same.

Notary Public, State of _____

If Corporation:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 2022, before me personally appeared _____ to me known, who, being by me sworn, did say that he/she resides at (give address) _____; that he/she is the (give title) _____ of the (name of corporation) _____, the corporation described in and which executed the above instrument; that he/she 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/she signed his/her name thereto by like order.

Notary Public, State of _____

If Partnership:

STATE OF _____)
COUNTY OF _____) SS.:

On this _____ day of _____, 2022, 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 _____

Living Wage Compliance

City Code § 42-161 requires a living wage be paid to employees by any contractors awarded a contract by the City primarily for furnishing services to or for the City (excluding the purchase of goods or other property, the leasing of property or the development, redevelopment or rehabilitation of real property) and that involves an expenditure by the City to the contractor of at least \$20,000, or the retention by the contractor of fees of at least \$30,000, during a period of one year.

The current Living Wage, as defined by the ordinance is as follows:

If at least 70% of health care benefits are covered by employer:	\$ 13.92
Other:	\$ 16.17

Pursuant to the law, every Proposal shall include a written commitment by the applicant to pay all covered employees a living wage and shall include a list of job titles and wage levels of all covered employees. Please provide titles and wage levels below for each employee who directly expends his/her time on a contract with the City.

Company Name:

Job Title	Wage Range

By signing below you are agreeing to pay all covered employees a Living Wage as set forth above for the duration of the contract with the City.

Title:

Date:

Office Use Only	
Contract No:	
Dates:	