

Albany Water Board, New York

**REQUEST FOR PROPOSALS
FOR THE PROVISION OF
APPRAISAL SERVICES**

Proposal Number RFP WAT 2023-06
May 31, 2023
Kowal Properties

IMPORTANT NOTICE:

A restricted period is currently in effect for this Procurement and it will remain in effect until approval of the Contract. Proposers are prohibited from contact related to this procurement with any City of Albany employee other than the designated contacts listed below refer to:

Designated Contacts for this Procurement:

For Project or Services Clarifications:..... William Simcoe., P.E., Deputy Commissioner

For Public Procurement Process Clarifications:.....Raisi K. Mobebe, Esq.

SECTION 1 - PURPOSE

- 1.1 The Albany Water Board (BOARD) hereby requests fee proposals from qualified firms or individuals to provide Appraisal Services to the Albany Water Board in connection with parcel 1: 129.-1-1, 531.40 acres, Parcel 2: 116.-3-42.10, 81.30 acres. Total 612.70 acres, currently owned by William Kowal in the Town of Westerlo, NY.
- 1.2 The BOARD desires to hire a PROPOSER to address the need for appraisal services to determine Fair Market Value associated with potential for purchase of easement over the majority of the undeveloped property.

SECTION 2. – RECEIPT OF PROPOSALS

- 2.1 The fee proposal must be received no later than: **June 23, 2023, 2:00pm** local time. Email submittal is acceptable:

William Simcoe, P.E., Deputy Commissioner
Albany Water Board
10 North Enterprise Drive
Albany, New York 12204
Phone: 518-434-5300
Email: wsimcoe@albanyny.gov

- 2.2 Those submitting proposals do so entirely at their own expense. There is no expressed or implied obligation by the Board to reimburse any firm or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the Board, or participating in any potential selection interview.
- 2.3 Submission of any proposal indicates an acceptance of the conditions contained in this Request for Proposals (RFP) unless the submitted proposal clearly and specifically states otherwise.
- 2.4 The BOARD reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional proposals.

SECTION 3. - QUALIFICATIONS OF PROPOSER

- 3.1 Each PROPOSER shall provide a Statement of Qualifications which **shall not exceed ten (10) pages (including resumes)**. This page limit applies only to the Statement of Qualifications, and does not apply to the Proposal. The Statement of Qualifications shall include the following:
 - 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. Include a resume for each such professional staff member that details qualifications, years and types of experience, education, accomplishments, etc.
 - c. A lump sum fee to provide the requested services and a rate schedule for potential follow-up consultation in connection with the Appraisals provided to the BOARD.
 - d. The date the appraisal will be provided to the BOARD.
 - e. The cover letter shall be from a person within the firm who is authorized to make representations on behalf of the firm and to bind the firm.
- 3.2 The BOARD may make such inquiries it deems necessary to determine the ability of each proposer to perform the services contemplated by this RFP.

SECTION 4 – SCOPE OF SERVICES

- 4.1 The selected PROPOSER will be required to provide to the Albany Water Board services including:
 - a. Determination of Fair Market Value associated with potential for purchase of easement over the majority of the undeveloped property of referenced parcels.
 - b. Appraisal Standards - Appraisals must be in accordance with USPAP Appraisal Standards and be presented as an Appraisal Report, formerly referred to as a Self-

Contained Appraisal Report or Narrative Report. In addition to USPAP Appraisal Standards, Appraisals:

- Must be prepared by a General Certified Appraiser.
- Must list New York State Department of Environmental Conservation (DEC) as an intended user.
- Date of value must not be older than 1 year at the time the contract of sale is executed.
- Needs to include the WQIP contract #: DEC01-C01165GG-3350000
- Ensure that the assessment values the 2022 Final Assessment Roll.

SECTION 5. – TERM OF CONTRACT

5.1 The selected PROPOSER(S) will be required to execute a contract with the BOARD. A sample Professional Services Agreement is available upon request. The contract period for the service contemplated by this RFP will be one (1) year and shall commence on or about the Effective Date of the awarded contract agreement. The BOARD will have the right to extend the agreement for two (2) additional one (1) year terms. The BOARD also reserves the right to terminate the contract at any time, with or without cause, upon thirty (30) days written notice.

SECTION 6. – PURCHASE ORDER

6.1 Any award of the work contemplated by this RFP shall be conditioned on the later execution of a Purchase Order. The BOARD reserves the right to revoke or rescind any award at any time prior to the full execution of a Purchase Order.

SECTION 7. – RELATIONSHIP

7.1 The Appraiser (PROPOSER) is, and will function as, an independent contractor under the terms of this Agreement and shall not be considered an agent or employee of the AWB for any purposes.

SECTION 8. – PROPOSAL EVALUATION

8.1 Proposals shall remain valid until the execution of a contract by the BOARD.

8.2 Proposals shall be examined and evaluated by the BOARD to determine whether each proposal meets the requirements of this RFP. A recommendation will be made for a contract award based on the following criteria:

- The PROPOSER(S) demonstrated capabilities, professional qualifications, and experience in the practice areas identified.
- The wherewithal of the PROPOSER(S) to render the requested services to the BOARD and AUTHORITY in a timely fashion.
- Completeness of the proposal.

SECTION 9. – ALTERNATIVES

- 9.1 Proposals may include alternative matters or items not specified or requested in this RFP. However, all such alternative matters or items must be listed separately from the proposal and the cost(s) thereof must be separate and itemized.

SECTION 10. – SPECIFIC CLARIFICATION

- 10.1 All inquiries with respect to this Request for Proposals (RFP) shall be directed to the Albany Water Board as follows:

William Simcoe, P.E., Deputy Commissioner
Albany Water Board
10 North Enterprise Drive
Albany, New York 12204
Phone: 518-434-5300
Email: wsimcoe@albanyny.gov

- 10.2 All questions about the meaning or intent of the specifications shall be submitted in writing to the individual referenced above in Section 10.1. Replies will be issued by Addenda mailed or delivered to the party that submitted the inquiry/inquiries and will be posted on the BOARD's website at www.albanyny.gov/NewsandEvents/RFPs. Questions received **less than four (4) business days prior** to the date of submission of proposals will not be answered. Only questions answered by formal written Addenda will be binding. Oral or other interpretations or clarifications will be without legal effect.

SECTION 11. – MODIFICATION AND WITHDRAWAL OF PROPOSALS

- 11.1 Proposals may be modified or withdrawn by an appropriate document duly executed (in the manner that a proposal must be executed) and delivered to the place where proposals are to be submitted at any time prior to the opening of proposals.

SECTION 12. – INSURANCE AND SECURITY REQUIREMENTS

- 12.1 The selected PROPOSER will be required to procure and maintain at its own expense the following insurance coverage:
- (a) **Workers' Compensation and Employer's Liability Insurance:** A policy or policies providing protection for employees in the event of job-related injuries.
 - (b) **General Liability Insurance:** A policy or policies of comprehensive general liability insurance with limits of not less than \$1,000,000.
 - (c) **Professional Malpractice Insurance:** A policy or policies with limits of not less than \$2,000,000. The professional malpractice insurance must be issued by an insurer licensed to do business in the State of New York and must have an A.M. Best rating of not less than "A".
- 12.2 Each policy of insurance required shall be in form and content satisfactory to the Corporation Counsel, and shall provide that:
- (a) The insurance policies shall not be changed or cancelled until the expiration of thirty (30) days after written notice to the City of Albany Corporation Counsel's Office.
 - (b) The insurance policies shall be automatically renewed upon expiration and continued in force unless the City of Albany Corporation Counsel's Office is given sixty (60) days written notice to

the contrary.

- 12.3 No work shall be commenced under the contract until the selected PROPOSER has delivered to the Corporation Counsel or his 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, this Contract may, at the election of the City, be forthwith 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.

SECTION 13. – LICENSURE AND CERTIFICATION

- 13.1 Appraiser (PROPOSERS) shall at all times obtain and maintain any and all licenses and certifications required by the State of New York to perform the services contemplated by this Agreement.

SECTION 14. – CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT

- 14.1 The successful firm or individual will be required to enter into a Confidentiality and Non-Disclosure Agreement with the BOARD.

SECTION 15. - NON-COLLUSIVE PROPOSAL CERTIFICATE AND ACKNOWLEDGMENT

- 15.1 Each PROPOSER shall complete and submit with its, his, or her proposal the "Non-Collusive Proposal Certificate" and the "Acknowledgment" found on the two (2) pages which follow this page.

SECTION 16. – LIVING WAGE

- 16.1 The proposer selected must comply with the City’s Living Wage Ordinance outlined in the City’s Code, Section 42-161.

SECTION 17. – PROCUREMENT FORMS AND REQUIREMENTS:

- 17.1 Iran Divestment Act: By submission of a bid in response to this Bid request, *“each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.”* The list in question is maintained by the New York State Office of General Services. For further information and to view this list please go to: [irandivestmentlistofentities.pdf \(ny.gov\)](http://irandivestmentlistofentities.pdf.ny.gov). If 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 therefor. A political subdivision may award a bid to a bidder who cannot make the certification pursuant to paragraph a of N.Y. General Municipal Law § 103-g on a case-by-case basis.

**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)

(print name and title)

(name of firm)

ACKNOWLEDGMENT BY PROPOSER

If Individual or Individuals:

STATE OF _____)
COUNTY OF _____)

SS.:

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

Notary Public, State of

Qualified in

Commission Expires _____

If Corporation:

STATE OF _____)
COUNTY OF _____)

SS.:

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

Notary Public, State of

Qualified in

Commission Expires _____

If Partnership:

STATE OF _____)
COUNTY OF _____)

SS.:

On this _____ 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 _____

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 Albany Water Board 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:	\$ 15.07
Other:	\$ 17.51

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 Board.

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 Board.

 Title: _____
 Date: _____

Office Use Only	
Contract No:	
Dates:	