



**CITY OF ALBANY
PUBLIC, EDUCATION AND GOVERNMENT
ACCESS OVERSIGHT BOARD**

**REQUEST FOR PROPOSALS
FOR THE PROVISION OF
CABLE TELEVISION PUBLIC ACCESS
COORDINATOR SERVICES**

**PROPOSALS DUE: JULY 17, 2020
AT 2:00 PM**

RFP 2020-18

JUNE 19, 2020

City of Albany, New York

**REQUEST FOR PROPOSALS
FOR THE PROVISION OF
CABLE TELEVISION PUBLIC ACCESS
COORDINATOR SERVICES**

Proposal Number 2020-18

June 19, 2020

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, Services, and Public Procurement Process Clarifications: Laura M. Gulfo, Esq.

SECTION 1: PURPOSE

- 1.1 The City of Albany (hereinafter referred to as the “City”), by and through its Public, Education and Government Access Oversight Board (“PEGAOB”), hereby requests proposals from qualified entities to provide cable television public access coordinator services. Minority Business Enterprises and Women’s Business Enterprises are encouraged to submit proposals.

SECTION 2: RECEIPT OF PROPOSALS:

- 2.1 Proposals may be submitted electronically on BidNet.com or by mail. If submitting by mail, each proposer shall provide two (2) copies of their proposal in a sealed envelope marked “Proposal Enclosed – Cable Television Public Access Coordinator Services” no later than **July 17, 2020 at 2:00 pm** at the following address:

Laura M. Gulfo, Esq.
Assistant Corporation Counsel
City Hall - Room 106
24 Eagle Street
Albany, New York 12207

- 2.2 Each proposal submitted will be the document upon which the City will make its initial judgment regarding each proposer’s qualifications, methodology, and ability to provide the requested services.

- 2.3 Those submitting proposals do so entirely at their own expense. There is no express or implied obligation by the City to reimburse any entity, firm or individual for any costs incurred in preparing or submitting proposals, preparing or submitting additional information requested by the City, or participating in any selection interviews.
- 2.4 Submission of any proposal indicates an acceptance of the conditions contained in this Request for Proposals unless the submitted proposal clearly and specifically states otherwise.
- 2.5 The City reserves the right to accept or reject any and all proposals in whole or in part, to waive any and all informalities, require supplemental statements or information from any responsible party, negotiate potential contract terms with any respondent to this RFP, have discussions with any respondent to this RFP to correct and/or clarify responses which do not conform to the instructions contained herein and to disregard all non-conforming, non-responsive or conditional proposals.
- 2.6 The City reserves the right to award the services, in whole or in part, to one or more entities, firms and/or individuals.
- 2.7 Any award of the services shall be conditioned on the later execution of a formal written contract. The City reserves the right to revoke or rescind any award at any time prior to the full execution of a formal written contract.
- 2.8 Respondents shall avoid submission of marketing materials.
- 2.9 All information submitted in response to this RFP is subject to the Freedom of Information Law (FOIL), which generally mandates the disclosure of documents in the possession of the City upon the request of any person unless the content of the document falls under a specific exemption to disclosure.

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:
 1. Include summarized information regarding the proposer detailing qualifications, years and types of experience, education, licensure, certifications, accomplishments, etc. Specify a project manager and contact person to coordinate the services for the City.
 3. Proof proposer at all times obtains and maintains all licenses required by Federal, State and Local Laws to perform the services contemplated by this Agreement.

4. At least three (3) references, including addresses and telephone numbers.
5. A signed cover letter from the proposer or someone who is authorized to make representations on behalf of the proposer and to bind the proposer.
6. A summary of the proposer's general experience in providing cable television public access coordinator services to municipalities and/or entities of the same or similar employment size as the City of Albany.
8. Any additional information which would serve to distinguish the proposer from other proposers submitting proposals.

3.2 The City may make such inquiries it deems necessary to determine responsibility and the ability of each proposer to perform the services contemplated by this RFP. Proposers shall promptly furnish all information and data for this purpose as may be subsequently requested by the City.

SECTION 4: SCOPE OF SERVICES:

The selected proposer(s) shall be required to provide the following services:

- 4.1 Oversee the City's Public Access Facility (located at the Albany Public Library) and train and supervise volunteer staff in creating local programs.
- 4.2 Programming & Production responsibilities include, but are not limited to, the following:
 1. Oversee daily programming and monitor its playback on the City's Cable Public Access Channel, including the collection of program materials and scheduling programs.
 2. Assist in obtaining volunteers and provide training to volunteers and the general public in creating and editing programming to be aired on the City's Public Access Channel.
 3. Coordinate and work with Open Stage Media (OSM) to ensure receipt of transmissions for production via fiber link.
 4. Consult on best methods of transmission of programming from City Hall and public studio to OSM.
- 4.3 Administrative responsibilities include, but are not limited to, the following:
 1. Monitor and track equipment;
 2. Upkeep of database, including scheduling the use of the Public Access facility and equipment;

3. Develop guidelines for collection of tapes from the public;
4. Conduct community outreach;
5. Maintain records of programming;
6. Compile and submit monthly programming reports to the Chairperson of the PEGAOB for presentation at Board meetings;
7. Assure that all forms required of producers are submitted in a timely manner; and
8. Assist producers in pre-production, preparation, and completion of PEGAOB Access forms.

SECTION 5: TERM OF CONTRACT:

- 5.1 Please provide a proposed time-frame for completion of the project in the proposal.
- 5.2 The contract period for the service contemplated by this RFP will be one (1) year, beginning November 1, 2020. The City reserves the right to extend the agreement for two (2) additional one-year periods, upon budget approval.
- 5.3 The selected proposer(s) shall be required to execute a contract with the City. A sample City of Albany Professional Services Agreement is available upon request. The City will have the right to terminate the contract at any time, with or without cause, upon thirty (30) days written notice.

SECTION 6: COST PROPOSAL:

- 6.1 Please provide a cost proposal for providing all of the services referenced above.
- 6.2 Clearly set forth in detail any and all additional expenses for which you expect to be reimbursed. 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.

SECTION 7: PROPOSAL EVALUATION:

- 7.1 Proposals shall remain valid until the execution of a contract by the City of Albany.
- 7.2 Proposals shall be examined and evaluated by the PEGAOB and the City of Albany Corporation Counsel to determine whether each proposal meets the requirements of this RFP. A recommendation will be made to the Mayor for a contract award based on the following criteria:
 - * Proposer's demonstrated capabilities, professional qualifications, and experience in providing cable television public access coordinator services.
 - * The wherewithal of the proposer(s) to render the requested services to the City in a timely fashion.
 - * Total proposed cost.
 - * Completeness of the proposal.

- 7.3 The selection of a proposal will not be based solely on a monetary evaluation. Considerable weight will be given to the experience in the areas required and the track record of the proposer(s).

SECTION 8: ALTERNATIVES:

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

SECTION 9: INDEMNIFICATION:

- 9.1 To the fullest extent permitted by law, the selected proposer shall indemnify, defend and hold harmless The City of Albany and its officers, boards, directors, employees and agents from and against any and all claims, damages, losses and expenses, including but not limited to attorney's fees, for any actual or alleged injury to any person or persons, including death, or damage to or destruction of property arising out of any act or omission on the part of the selected proposer, its employees, agents or subcontractors for any work or services performed on behalf of the City of Albany.

SECTION 10: SPECIFICATION CLARIFICATION:

- 10.1 All inquiries with respect to this Request for Proposals shall be **in writing** directed to the address below, or submitted via the BidNet.com portal.

For project specific and procurement process clarifications:

Laura M. Gulfo, Esq.
Assistant Corporation Counsel
Department of Law
City Hall
24 Eagle Street, Room 106
Albany, New York 12207
Phone:.....(518) 434-5050
E-mail:..... lgulfo@albanyny.gov

- 10.2 All questions about the meaning or intent of the specifications shall be submitted **in writing**. Replies will be posted via the City's website: <http://www.albanyny.gov/NewsandEvents/RFPs.aspx>, along with the electronic version of this RFP. 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.
- 10.3 In addition, any changes, additions or deletions to this RFP will also be posted on the City's website: <http://www.albanyny.gov/NewsandEvents/RFPs.aspx>, along with the electronic

version of this RFP. Respondents are urged to check the City's website frequently for notices of any clarification of or changes, additions, or deletions to this RFP.

OTHER THAN THE CONTACT IDENTIFIED ABOVE, PROSPECTIVE RESPONDENTS SHALL NOT APPROACH THE CITY'S EMPLOYEES DURING THE RESTRICTED PERIOD OF THIS RFP PROCESS ABOUT ANY MATTERS RELATED TO THIS RFP OR ANY QUALIFICATIONS SUBMITTED PURSUANT THERETO.

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.
- 11.2 If within twenty-four (24) hours after the proposals are opened, any proposer files a duly signed written notice with the City and promptly thereafter demonstrates to the reasonable satisfaction of the City that there was a material and substantial mistake in the preparation of its proposal, that proposer may withdraw its proposal and the proposal security will be returned. Thereafter, that proposer will be disqualified from further proposal on the work.

SECTION 12: NON-COLLUSIVE PROPOSAL CERTIFICATE AND ACKNOWLEDGMENT:

- 12.1 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 13: PROCUREMENT FORMS AND REQUIREMENTS:

- 13.1 Additional requirements for this RFP are described below. Relevant statements, where required to be submitted, must be executed and included in the submission in the following order: (1) Iran Divestment Act Statement; and (2) Non-Discrimination and Diversity Requirements.
- 13.2 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: <https://ogs.ny.gov/system/files/documents/2019/09/IranDivestmentActListofEntities.pdf>. 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.

13.3

Non-Discrimination and Diversity Requirements: Pursuant to Federal laws and regulations, the New York State Executive Law Article 15-A and the City of Albany General Code Chapter 48, Article III Omnibus Human Rights Law, the City recognizes its obligation under the law to prevent discrimination on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency and to promote opportunities for maximum feasible participation of certified minority- and women-owned business enterprises and the employment of minority group members and women in the performance of City contracts.

In furtherance of these rules and principles, the City of Albany highly encourages the participation of certified minority- and women-owned business enterprises (“MWBE”) at the City’s goal levels and the employment of minority groups’ members and women in the performance of its contracts. The City of Albany hereby notifies all Consultants submitting a proposal that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency in consideration for award.

Further, 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:

“The respondent/contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The respondent/contractor will not participate directly or indirectly in the discrimination prohibited by the federal, state and local laws and regulations, including employment practices. In all solicitations, either by competitive bidding, or negotiation made by the respondent/contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the respondent/contractor of the respondent/contractor’s obligations under this Statement and the federal, state and local laws and regulations relative to Non-discrimination on the grounds of race, sex, creed, color, religion, national origin, sexual orientation, gender, age, disability, marital or domestic partner, or English proficiency.”

SECTION 14: SUBMISSION REQUIREMENTS:

- 14.1 All Proposers shall be required to submit a complete proposal. As outlined in this RFP, all proposals shall include the following:
- A) Statement of Qualifications as outlined in Section 3.
 - B) Cost Proposal as outlined in Section 6.
 - C) Non-Collusive Proposal Certificate and Acknowledgment Form as outlined in Section 12.
 - D) An acknowledgment of understanding that by submitting a bid the proposer certifies under penalty of perjury the above Iran Divestment Act statement, as outlined in Section 13.2 and the Non-Discrimination and Diversity statement, as outlined in Section 13.3.
- 14.2 Failure to include all of the above items may result in the proposal being considered nonresponsive.

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 _____, 2020, 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 _____, 2020, 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 _____, 2020, 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 _____