

**Albany Water Board  
Albany Municipal Water Finance Authority**

**REQUEST FOR PROPOSALS  
TO PROVIDE  
AUDITING SERVICES  
FOR THE FINANCIAL STATEMENTS  
OF  
THE ALBANY WATER BOARD and  
THE ALBANY MUNICIPAL WATER FINANCE AUTHORITY  
FOR THE  
FISCAL YEAR 2020, 2021, 2022**

**RFP 2020-AWB-06  
August 31, 2020**

**SECTION 1: PURPOSE**

- 1.1 The Albany Water Board and the Albany Municipal Water Finance Authority (Albany Water Board/Authority), New York hereby requests Proposals from qualified certified public accounting firms to audit financial statements for the fiscal year ending December 31, 2020, 2021, 2022. Minority Business Enterprises and Women's Business Enterprises are encouraged to apply.

**SECTION 2: RECEIPT OF PROPOSALS:**

- 2.1 Proposers may submit Proposals electronically via BidNetDirect.com. If a Proposer would like to submit a Proposal by mail, then three (3) copies of each Proposal must be received in a sealed envelope marked "Proposal Enclosed – RFP 2020-AWB-06" no later than **October 2, 2020 at 4:00 p.m.**, at the following address:  
  
Laura Gulfo, Esq.  
Assistant Corporation Counsel  
City Hall, Room 106  
24 Eagle Street  
Albany, New York 12207
- 2.2 The Proposal is the document upon which the Albany Water Board/Authority will make its initial judgment regarding the Proposer's qualifications, understanding of the Albany Water Board's/Authority's scope and objectives, methodology, and ability to complete services under the contract.
- 2.3 Those submitting Proposals do so entirely at their expense. There is no expressed or implied obligation by the Albany Water Board/Authority to reimburse any firm or individual for any costs incurred in preparing or submitting Proposals, preparing or submitting additional information requested by the Albany Water Board/Authority, or participating in any selection interviews.

- 2.4 Submission of any Proposal indicates an acceptance of the conditions contained in the RFP unless the submitted Proposal clearly and specifically states otherwise.
- 2.5 The Albany Water Board/Authority 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. The Albany Water Board/Authority reserves the right to award the audit work, in whole or in part, to one or more firms or individuals.
- 2.6 Any award of the work contemplated by this Request for Proposals shall be conditioned upon the later execution of a formal written agreement. The Albany Water Board/Authority reserves the right to revoke or rescind any award at any time prior to the full execution of said agreement. A sample of said agreement, which sets forth the terms and conditions of the work, is available for review upon request from the individual described in Section 2.1 above.
- 2.7 **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 PROPOSERS:

- 3.1 Each Proposer shall provide a signed cover letter, from a person within the firm, which confirms that the person signing the letter is authorized to make representations on behalf of the firm and to bind the firm.
- 3.2 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 entire Proposal. The Statement of Qualifications shall include the following:
  - a) The total number of staff in the local office of the firm;
  - b) The breakdown between partners, managers and line staff;
  - c) An organizational chart; and
  - d) Resumes covering the qualifications of proposed staff, including partners, managers/supervisors and senior accountants who are anticipated to be assigned to this engagement, whether they are full-time or per-diem employees, education, accomplishments and years and types of experience. The resumes must also show date, state of issuance and certificate number of all certified public accountants (resumes of staff accountants are not required). Experience in resumes should concentrate on the performance of audits of the same type of organizations, but may also include other government (Federal, State and Local) experience and experience with non-profit organizations and commercial entities. It is important that the experience be identified within some time period. This can be accomplished by stating the date of the audit, or by giving a period of time ("Since joining our firm ..." or "In the past five years...").
- 3.3 Each Proposer shall provide a statement of its understanding of the work, and a description of the audit approach and procedures to be employed.
- 3.4 Each Proposer shall provide an approximate date the 2020 audit will begin and end. Field work for fiscal year 2020 should begin on or before February 1, 2021 and be completed no later than March 15, 2021 and the complete 2020 audit should be released by March 31, 2021.

- 3.5 Each Proposer shall state the location of the office from which persons assigned to this engagement will be deployed.
- 3.6 Each Proposer shall state its familiarity with enterprise funds and state the range of its experience in the performance of similar projects, with particular emphasis on government entities of similar size and complexity. Each Proposer shall also demonstrate its familiarity with municipal financing issues, including assistance in municipal bond financing transactions.
- 3.7 Each Proposer shall provide the name, title, address, and telephone number of persons who may be contacted for references. Particularly important are any governmental references, specifically cities and other municipalities or municipal corporations in New York. In accordance with government auditing standards, each Proposer shall provide a copy of its most recent external quality review report.
- 3.8 The Albany Water Board/Authority may make such inquiries it deems necessary to determine the ability of the Proposer to perform the services contemplated by this RFP. Each Proposer shall within five (5) days furnish all information and data for this purpose as may be requested by the Albany Water Board/Authority.

#### SECTION 4: SCOPE OF SERVICES:

- 4.1 The audit of the Albany Water Board and the Albany Municipal Water Finance Authority shall include an examination of the financial statements for the years ending December 31, 2020, 2021, 2022.
- 4.2 It is contemplated that the successful Proposer will be provided a complete set of financial statements, including related MD&A, footnotes and investment compliance report, for the year ending December 31, 2020, 2021, 2022. In addition, the Proposer will be provided a notebook file, principally in electronic form, which will include a trial balance, depreciation and amortization schedules, bond schedules, and workpapers for substantially all assets, liabilities, and equity accounts.
- 4.3 The audit should be performed in accordance with generally accepted auditing standards and all other applicable standards and/or regulations promulgated by the governments of the United States and the State of New York, including all separate written reports in accordance therewith. Such standards should include those set forth for financial audits in the General Accounting Office's Government Auditing Standards (1988), the standards found in the U.S. Office of Management and Budget Circular A-133, the New York State Uniform System of Accounts, Governmental Accounting, Auditing and Financial Reporting (GAAFR) standards issued by the Government Finance Officers Association, Statements on Auditing Standards issued by the Auditing Standards Board of the American Institute of Certified Public Accountants, and any relevant statements promulgated by the Governmental Accounting Standards Board (GASB), including GASB Statement 34.
- 4.4 The selected Proposer shall keep the Albany Water Board closely involved with the progress of the work and apprised of all material developments in this matter.
- 4.5 Work papers developed in conjunction with these audits must be retained by the firm for a period of no less than six years and be available upon request for examination by City, State and Federal agencies and be made available at the Albany Water Board/Authority's request..
- 4.6 A copy of the 2019 financial statements and reports of the Albany Water Board/Authority are attached.

## SECTION 5: COST PROPOSAL:

- 5.1 The total not to exceed fee for performing the engagement, including out of the pocket expenses.
- 5.2 A guarantee must be provided that no additional fees will be charged to the Albany Water Board/Authority without the prior express written consent of the Albany Water Board/Authority.
- 5.3 Hourly rates for ancillary accounting and consulting, must also be provided.
- 5.4 Provide optional cost (if applicable) to include audited financial statements in the Official Statement of bond issuances.

## SECTION 6: PROPOSAL EVALUATION:

- 6.1 Proposals shall remain valid until the execution of the agreement by the Albany Water Board/Authority.
- 6.2 Proposals shall be examined and evaluated to determine whether said Proposals meet the requirements of this RFP. The contract will be awarded based on the following criteria:
  - Demonstrated experience, capabilities, and professional qualifications;
  - Completeness of the Proposal; and
  - Total proposed cost.
- 6.3 The selection of a Proposer will not be based solely on a cost evaluation. There will also be an evaluation of the Proposer's understanding of the work required and approach to this project with considerable weight being given to experience in the areas required and Proposer's track record.

## SECTION 7: ALTERNATIVES:

- 7.1 Each Proposer may include in its Proposal items which are not specified in this RFP but considered to be pertinent by the Proposer. All such alternatives shall be listed separately from the Proposal and the cost thereof shall be separate and itemized.

## SECTION 8: INDEMNIFICATION:

- 8.1 The selected Proposer shall defend, indemnify and save harmless the Water Board/Authority, 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.

## SECTION 9: SPECIFICATION CLARIFICATION:

- 9.1 All inquiries with respect to this Request for Proposals shall be directed to the Albany Water Board/Authority as follows:

Thomas Dufresne, Chief Fiscal Officer  
Albany Water Board  
10 Enterprise Drive

Albany, New York 12204  
[tdufresne@albanyny.gov](mailto:tdufresne@albanyny.gov)  
(518) 434-5321

- 9.2 All questions about the meaning or intent of the specifications shall be submitted in writing to the individual referenced in Section 9.1 above. Replies will be posted to the City's website and to BidNetDirect.com. Questions received less than four (4) 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 10: MODIFICATION AND WITHDRAWAL OF PROPOSALS:

- 10.1 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, either by mail or by electronic submission, at any time prior to the opening of Proposals.

SECTION 11: INSURANCE AND SECURITY REQUIREMENTS:

- 11.1 The selected Proposer shall be required to procure and maintain at its own expense the following insurance coverage, which must be issued by an insurer which is licensed to do business in the State of New York and which has an A.M. Best rating of not less than "A":
- (a) Workers' Compensation and Employer's Liability Insurance: A policy or policies providing protection for the Proposer's employees in the event of job-related injuries, to statutory limits;
  - (b) General Liability Insurance: A policy or policies of comprehensive general liability insurance with limits of not less than \$2,000,000; and (N/A for this project)
  - (c) Professional Liability Insurance: A policy or policies of professional liability insurance with limits of not less than \$3,000,000.
- 11.2 Each policy of insurance required shall be in form and content satisfactory to the City of Albany Corporation Counsel, and shall provide that:
- (a) The Albany Water Board/Authority is named as additional insured for the purposes of this engagement.
  - (b) The policy shall not be changed or canceled until the expiration of forty-five (45) days after written notice to the Albany Water Board/Authority and shall be automatically renewed upon expiration and continued in force unless the Albany Water Board/Authority is given (45) days written notice to the contrary.
- 11.3 No work shall be commenced under the contract until the selected Proposer has delivered to the City of Albany Corporation Counsel or her designee proof of issuance of all policies of insurance required by this RFP. If at any time any of said policies shall be or become unsatisfactory to the Albany Water Board/Authority, the selected Proposer shall promptly obtain a new policy and submit proof of insurance of the same to the Albany Water Board/Authority for approval. Upon failure of the selected Proposer to furnish, deliver, and maintain such insurance as above provided, the agreement may, at the election of the Albany Water Board/Authority, 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 agreement, nor shall the insurance requirements be construed to conflict with the obligations of the selected Proposer concerning indemnification.

**SECTION 12: NON-DISCRIMINATION AND CONTRACTOR & SUPPLIER DIVERSITY REQUIREMENTS:**

- 12.1 Non-Discrimination and Contractor & Supplier Diversity Requirements: Pursuant to Federal laws and regulations, the New York State Executive Law Article 15-A the Albany Water Board and Albany Municipal Water Finance Authority 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 contracts.

In furtherance of these rules and principles, the Albany Water Board and Albany Municipal Water Finance Authority 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 Albany Water Board and Albany Municipal Water Finance Authority hereby notifies all bidders 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 bids 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.

**SECTION 13: NON-COLLUSIVE PROPOSAL CERTIFICATE AND ACKNOWLEDGMENT:**

- 13.1 Each Proposer shall complete and submit with its Proposal the “Non-Collusive Proposal Certificate” and the “Acknowledgment” found on the two (2) pages which follow this page.

**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 (or they severally) acknowledged to me that he (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 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 \_\_\_\_\_

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 \_\_\_\_\_

**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:	\$ 13.27
Other:	\$ 15.42

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: \_\_\_\_\_

<b>Office Use Only</b>	
<b>Contract No:</b>	
<b>Dates:</b>	