

**RESOLUTION 2025-02-01
OF THE
ADVANCE ALBANY COUNTY ALLIANCE
LOCAL DEVELOPMENT CORPORATION**

WHEREAS, the mission of the Advance Albany County Alliance Local Development Corporation (the “Corporation”) is to foster economic development, promote increased employment and the development and retention of economic activity in Albany County, and to otherwise act in the public interest; and

WHEREAS, in support of its mission and pursuant to Resolution 2024-12-02, the Corporation acquired title to the property known as “The Central Warehouse”, and issued a publicly advertised, open and competitive Request for Proposals (“RFP”) in accordance with the Corporation’s Procurement Policy seeking proposals (“Responses”) for construction management, abatement and demolition services (“Services”) related to the Central Warehouse; and

WHEREAS, because the Services require the exercise of specialized and technical skills and experience (“Special Factors”, including but not limited to the extremely close proximity of the Central Warehouse to an operating Amtrak rail line which has been damaged (and/or shutdown for extended periods) in the recent past due to falling debris from the Central Warehouse, and the potential for the Services to expose the Corporation to significant liability expenses and/or delays causing potentially substantial cost increases to the Corporation and/or cause interruptions to essential public transit services, and the necessity to work in accordance with multiple Amtrak requirements), the Corporation utilized a RFP process in which the “cost” was not the sole determining factor on which to make an award, but one of five (5) weighted evaluation criteria (“Evaluation Criteria” which were: experience and qualifications of key personnel (25%), cost (25%), approach to project and proposed methodology (20%), past performance (20%), and compliance (10%)) against which Responses would be reviewed, evaluated and scored; and

WHEREAS, the Corporation organized a review committee comprised of individuals from among Corporation staff (including the Chief Executive Officer and Senior VP), Albany County, and NYS Empire State Development (the “Review Committee”) to review, analyze and score the Responses based on the RFP stated Evaluation Criteria contained in the RFP; and

WHEREAS, seven (7) Responses were received in response to the RFP, and of such seven (7) Responses, three (3) Responses were determined to be responsive/complete when reviewed against RFP requirements; and

WHEREAS, the proposers which submitted such three (3) Responses were each invited to make a substantive in-person oral presentation/interview during which each such respondent explained and detailed their Response to the Review Committee which then reviewed and graded each proposal against the RFP Evaluation Criteria; and

WHEREAS, the Board having considered and discussed the findings and evaluation/scores of the Responses against the Evaluation Criteria and recommendation of

the Review Committee and Corporation staff; and

WHEREAS, the Corporation now desires (A) to ratify the evaluation process used in the RFP including but not limited to the use of the Evaluation Criteria as a basis for an award, (B) an award of the RFP for the Services to the Response of Grammercy Group + LiRo as the proposer which scored highest against the Evaluation Criteria, and (B) the Chief Executive Officer to negotiate, execute and enter into a contract for the Services, or similar agreement, by and between Grammercy Group + LiRo and the Corporation (the “Agreement”), and such other documents as may be necessary to obtain the Services and (C) if the Corporation is unsuccessful in reaching an Agreement with the proposer identified in (A), the Chief Executive Officer is authorized to negotiate, execute and enter into a contract with the proposer (“Alternate Agreement”) which was evaluated as the next highest proposer against the Evaluation Criteria;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CORPORATION, AS FOLLOWS:

Section 1. All action taken by the Corporation staff, counsel, Review Committee, and/or Chief Executive Officer with respect to procuring and obtaining the Services is hereby ratified and confirmed.

Section 2. In consequence of the foregoing and based on the recommendation of the Chief Executive Officer and staff, the review of the Responses and the findings, evaluation and scores of the Review Committee, the Corporation hereby determines and resolves to: (A) authorize and ratify the RFP process used by the Corporation, including but not limited to the fact that cost was not the sole determinative factor in making an award of such RFP, and approve and the adopt the use of the Evaluative Criteria (B) enter into the Agreement (or Alternate Agreement, if necessary) and any related documents thereto, and (C) to do all things necessary or appropriate for the accomplishment thereof.

Section 3. The Chairperson, Vice Chairperson, and/or Chief Executive Officer, with the assistance of the staff and counsel to the Corporation, is authorized to negotiate and approve the form and substance of the Agreement (or Alternate Agreement, if necessary) and other terms related to the Services.

Section 4. (A) The Chairperson, Vice Chairperson and/or Chief Executive Officer is hereby authorized, on behalf of the Corporation, to execute and deliver the Agreement (or Alternate Agreement, if necessary) and all related documents, and, where appropriate, the Secretary (or Assistant Secretary) of the Corporation is hereby authorized to affix the seal of the Corporation thereto and to attest the same, all in the forms thereof as the Chairperson, Vice Chairperson, and/or Chief Executive Officer of the Corporation shall approve, the execution thereof by the Chairperson, Vice Chairperson, and/or Chief Executive Officer to constitute conclusive evidence of such approval.

(B) The Chairperson, Vice Chairperson, and/or Chief Executive Officer is hereby further authorized, on behalf of the Corporation, to designate any additional authorized representatives of the Corporation (each, an “Authorized Representative”).

Section 5. The officers, employees and agents of the Corporation are hereby

authorized and directed for and in the name and on behalf of the Corporation to do all acts and things required or provided for by the provisions of the Agreement (or Alternate Agreement, if necessary), and to execute and deliver all such additional certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution and to cause compliance by the Corporation with all of the terms, covenants and provisions of the Agreement (or Alternate Agreement, if necessary) binding upon the Corporation.

Section 6. This resolution shall take effect immediately.

Dated: February 25, 2025


Secretary

Motion made by: Michael Cassidy

Seconded by: Helen Brooks

Vote: 6-0