



5 Warren Street | Suite 210  
Glens Falls, NY 12801

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**NOTICE TO PROFESSIONALS**

The undersigned shall receive sealed proposals for professional engineering, construction bidding and construction administration services to the Counties of Warren and Washington Industrial Development Agency (WWIDA) as follows:

**Request for Proposal (RFP) for Professional Engineering Services  
for the  
Canalside Energy Park – Fort Edward, NY  
Water & Wastewater Infrastructure Improvements**

Proposals may be hand delivered or mailed to the WWIDA office at 5 Warren Street, Suite 210, Glens Falls, NY 12801. Hand delivered proposals will be received between the hours of 8:00 am and 2:00 pm Monday through Thursday. All proposals must be received by Thursday, May 30, 2024, at 2:00 p.m. Late proposals will not be accepted. Proposals will not be publicly opened and read. At its discretion, the WWIDA may contact any of the proposers to clarify submissions and/or request an interview.

Questions regarding this Request for Proposals shall be directed to Alie Weaver, Office Administrator, by email, no later than 2:00 pm on Thursday, May 16, 2024 ([aweaver@warren-washingtonida.com](mailto:aweaver@warren-washingtonida.com)). All questions must be submitted in writing. Responses to any questions will be provided by written addenda to all parties to whom this RFP has been sent. The WWIDA shall not be bound by any verbal responses.

All parties interested in responding must provide one hard copy of a proposal with original signatures on the required forms and a single PDF document of the proposal on a thumb drive. Proposals must be submitted in a sealed envelope marked “Canalside Energy Park Engineering Services” clearly on the outside of the envelope.

The WWIDA reserves the right to award the Contract under this RFP to the firm(s) whose proposal best serves the interest of WWIDA. The WWIDA reserves the right to reject any and all proposals or part thereof, not considered to be in the best interest of the WWIDA, and to waive any technical or formal defect in the proposals which is considered by the WWIDA to be merely irregular, immaterial, or unsubstantial.

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Supporting documentation accompanying this RFP may be obtained electronically from the WWIDA offices. Please make requests for the supporting documentation to:

Alie Weaver, Office Administrator  
Warren Washington IDA  
5 Warren Street | Suite 210  
Glens Falls, NY 12801  
(518) 792-1312  
[aweaver@warren-washingtonida.com](mailto:aweaver@warren-washingtonida.com)

You must request the supporting documentation to ensure you are on the document holder's list & receive all communications regarding this request for proposal.

***NYS Certified Minority and Woman Owned Business (MWBE) and/or Service-Disabled Veteran-Owned Businesses (SDVOB) are encouraged to apply.***

**A. GENERAL INFORMATION**

The WWIDA owned 'Canalside Energy Park' located in the Town & Village of Fort Edward, NY is the site of the former dewatering facility for the General Electric –Hudson River Cleanup of PCB contamination. The WWIDA purchased the property for the purpose of creating an industrial park to attract new businesses to the region. In 2020, the WWIDA completed a Canalside Energy Park Opportunity Analysis Study that identified needed improvements to wastewater and drinking water at the site to attract industry. In 2022, the WWIDA hired a consulting engineer, and 90% engineering and preliminary permitting work was completed. For the planned water and sewer infrastructure improvements the WWIDA is seeking proposals for professional engineering services to finalize existing design plans, complete permitting with appropriate Agencies having Jurisdiction (AHJs), prepare 'front end' construction documents, finalize construction specification documents, facilitate bids for construction, provide construction phase services, complete extension of the Washington County Sewer District #2 sanitary sewer collection system and new district formation for potable water distribution system with Village and Town of Fort Edward and any other work deemed necessary .

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To date the WWIDA has initiated and/or completed the following work for the proposed Canalside Energy Park infrastructure work:

**Sanitary Wastewater**

- 90±% design documents for the connection of the Canalside Energy Park to the Washington County Sewer District #2 (WCSD) sanitary sewer collection system.
- Initial WWIDA SEQRA obligations
- NEPA obligations for the Village of Fort Edward and other AHJs
- Wetlands Mapping and Jurisdictional Determination
- Geotechnical Testing
- Initial mapping and routing of proposed infrastructure
- Initial data collection and modelling of existing infrastructure to receive sanitary wastewater.
- Initial engagement with AHJs; NYSDEC, NYSDOH, Town of Fort Edward, Village of Fort Edward, WCSD #2, Canal Corp., adjacent landowners etc.
- ‘Draft’ Map Plan Report for the inclusion of the WWIDA owned Canalside Energy Park parcels into the WCSD #2.

**Potable Water**

- 90±% design documents for an upgrade to the potable water connection of the Canalside Energy Park to the Village of Fort Edward water distribution system.
- Initial WWIDA SEQRA obligations
- NEPA obligations for the Village of Fort Edward and other AHJs
- Wetlands Mapping and Jurisdictional Determination
- Initial mapping and routing of proposed infrastructure
- Initial modelling of proposed infrastructure
- Initial engagement with AHJs; NYSDEC, NYSDOH, Town of Fort Edward, Village of Fort Edward, WCSD #2, Canal Corp., adjacent landowners etc.
- ‘Draft’ Map Plan Report for the inclusion of the WWIDA owned Canalside Energy Park parcels into a Town of Fort Edward water district (extension of an existing district or creation of a new district).

Electronic copies of all completed design work and supporting documentation will be made available for all potential respondents to this Request for Proposal. Please see instructions on how to obtain this information on page 2 of this RFP.

## **B. SCOPE OF SERVICES**

It is the intention of the WWIDA for the successful respondent to utilize previously completed design work and initial permitting work to finalize design/construction documents, obtain necessary permitting, prepare front end construction contract documents, administer a bid process to solicit and obtain construction bids from contractors and provide construction phase services. The scope of engineering and professional services for this contract will include, but not be limited to the following:

### **Sanitary Wastewater**

- Finalize design documents (plans, specifications, etc.).
  - Sanitary Pump Station & Valve Pit (up to 100,000 gpd)
  - Backup Generator
  - Electric Service Connection
  - Operation Controls
  - Sanitary Force Main
  - Sanitary Manholes and Structures
  - Air/Vacuum Release Structures
  - Force Main Tie-In Manhole
  - Associated works
- Finalize and secure necessary permitting from appropriate AHJs.
- Finalize and secure necessary easements.
- Provide draft language for easements for review by WWIDA Counsel.
- Prepare appropriate front-end specifications and contract language.
- Issue finalized documents for construction bid and administer a construction bid process.
- Advise and assist the WWIDA in the selection of a contractor or contracting partners.
- Assist the WWIDA in the administration of a Contract Award.
- Coordinate with the WWIDA and the WCSD#2 to complete SEQRA obligations of the WCSD #2.
- Complete and facilitate the acceptance of the Map Plan Report for the inclusion of the WWIDA owned Canalside Energy Park parcels into the WCSD #2.
- Monitor work by contractor during construction.
- Certify completed work to the WWIDA and appropriate AHJs.
- Facilitate commissioning (startup) of completed work.
- Prepare record documents of completed work.

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- Assist the WWIDA in the transfer of ownership of completed work to appropriate agencies for long term ownership, maintenance and operation.
- Provide a schedule projection for the design, permitting, construction and commissioning of the proposed infrastructure.

**Potable Water**

- Finalize design documents (plans, specifications, etc.).
  - Replacement Water Main
  - Water Main extension
  - Water storage (to maintain and sustain up to 100,000 gpd)
  - Booster Pump (to maintain and sustain up to 100,000 gpd)
  - Backup Generator
  - Relocate RPZ/Backflow Prevention equipment and structure
  - Electric Service Connection
  - Operation Controls
  - Associated works
- Complete geotechnical borings and report for the foundation and structural design of a potable water storage tank/tower and associated infrastructure.
- Finalize and secure necessary permitting.
- Finalize and secure necessary easements for proposed infrastructure to cross and occupy public and private properties (survey maps, written descriptions, etc.).
- Provide draft language for easements for review by WWIDA Counsel.
- Prepare appropriate front-end specifications and contract language.
- Issue finalized documents for bid and administer a bid process.
- Advise and assist in the selection of a contractor or contracting partners.
- Assist the WWIDA in the administration of a Contract Award.
- Coordinate with the WWIDA, the Village of Fort Edward and the Town of Fort Edward to complete SEQRA obligations of the Village and Town of Fort Edward.
- Complete and facilitate the acceptance of the Map Plan Report for the inclusion of the WWIDA owned Canalside Energy Park parcels into a Town of Fort Edward water district (extension of an existing district or creation of a new district).
- Monitor work by contractor during construction.
- Certify completed work to the WWIDA and appropriate AHJs.
- Facilitate commissioning (startup) of completed work.

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- Prepare record documents of completed work.
- Assist the WWIDA in the transfer of ownership of completed work to appropriate agencies for long term ownership, maintenance and operation.
- Provide a schedule projection for the design, permitting, construction and commissioning of the proposed infrastructure.

**C. Project Schedule**

It is anticipated that construction of the water and wastewater projects will be complete by July 2026.

**D. Project Funding**

This project is funded through grants from New York State Empire State Development Track C FAST NY program and HUD’s Fiscal Year 2022 Community Project Funding grant initially authorized in the Consolidated Appropriations Act, 2022. It is the responsibility of the proposer to ensure all work to be performed complies with all rules and regulations associated with these two programs, along with any other applicable state and federal laws.

**E. Minority/Women Own Business Enterprises**

The funding through Empire State Development (ESD) requires the utilization of minority/women-owned business enterprises (M/WBE). ESD has set a total project M/WBE Utilization Goal of 30%. Respondents should show how they plan to meet the prescribed M/WBE goals and include the names of NYS-certified MWBEs and contract or sub-contract(s) amount(s)/percentage(s).

In addition, if successful, the respondent will be required to complete reporting of MWBE utilization.

**F. Service-Disabled Veteran-owned Businesses**

Empire State Development (ESD) also encourages utilization of service-disabled veteran-owned businesses enterprises (SDVOB). ESD has set a SDVOB Utilization Goal of 6%. Respondents should show how they plan to meet the prescribed SDVOB goals and include the names of NYS-certified SDVOBs, contract or sub-contract(s) amount(s)/percentage(s).

**G. Responses to this Request for Proposal**

When responding to this request, please include appropriate information, such as resumes, description of your company and experience which **must** include the following information:

- Description of firm/staff qualifications, experience, and availability:

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- Proposed management and staffing for the contract; Include names, job titles and resumes for staff proposed to be project manager(s), engineering discipline leads, senior engineers, and the firm’s primary point of contact;
- Familiarity with project objectives and goals and identification of past work on municipal water and wastewater projects;
- Examples of how your firm has provided innovative and/or cost-effective solutions to meet past project objectives, manage project budget constraints and meet timeline and scheduling obligations;
- A breakdown of costs and expenses for tasks identified in the Scope of Services;
- List of references (minimum of 3) and description of related work completed;
- Provide a proposed schedule to complete necessary engineering and professional services that will facilitate a July 2026 construction completion and commissioning timeline;
- Brief overview of firm/staff familiarity with Warren & Washington Counties and the surrounding region;
- Brief overview of prior experience working for the WWIDA, Warren & Washington Counties or any other municipal clients;
- Identify how your firm plans to meet MWBE and SVD0B goals during completion of engineering and professional services of this contract and/or promote and encourage MWBE and SVD0B utilization during construction;
- Each proposal must be accompanied by a completed Iran Divestment Act Certification, Certification under Executive Order No.16 Prohibiting State Agencies and Authorities from Contracting with Business Conducting Business in Russia, and Non-Collusion Certificate with original signatures and, if appropriate, Corporate Resolution with seal.

**H. Questions**

If there are any questions concerning this RFP please contact Alie Weaver, Office Administrator, via email at [aweaver@warren-washingtonida.com](mailto:aweaver@warren-washingtonida.com) no later than 2:00 pm on Thursday, May 16, 2024. All questions must be submitted in writing. Responses to any questions will be provided by written addenda to all parties to whom this RFP has been sent. The WWIDA shall not be bound by any verbal responses.

**I. RFP Evaluation**

Proposals will be evaluated based on the criteria specified below. The criteria are not necessarily listed in order of importance. The WWIDA reserves the right to weigh its evaluation criteria in any manner it deems appropriate. While price will be a factor in consideration of the proposals, it is not the sole criterion.

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Considerable weight will be given to experience in the areas required and the track record of the proposer(s).

1. Experience with similar type or work/projects;
2. Financial responsibility (innovative and/or cost-effective solutions to technical project objectives and managing project budget constraints);
3. Quality of Management and Technical Staff proposed to work on the project;
4. Cost;
5. Logistics and familiarity with the project area
6. MWBE and/or SVDOB participation;
7. Any other qualifications as determined by the WWIDA.

During the evaluation process the WWIDA may conduct interviews. All respondents invited to interview will be contacted with the date, time, and location of the interview.

#### **H. Award of Contract**

The WWIDA shall award the contract(s) to the Consultant(s) utilizing the evaluation criteria in this RFP and based on the best interest of the WWIDA. The WWIDA reserves the right to award to one or more consultants if deemed to be in the best interest of the WWIDA. The WWIDA reserves the right to reject any and all proposals. If a contract is awarded, it will be to the consultant whose proposal, in the opinion of the WWIDA, best serves the interest of the WWIDA.

#### **I. RFP General Terms and Conditions**

- The Respondent(s) selected shall be required to furnish an engagement letter and/or execute an agreement. The terms of such engagement letter or agreement is subject to discussion and agreement but is anticipated to include the following:
  - Inclusion of a scope of services similar to that set forth in this Request for Proposals unless modified upon agreement by the WWIDA.
  - A provision shall be included, which allows WWIDA to terminate services at any time upon thirty (30) days written notice.
  - To the extent allowed under law or not prohibited by the contract, a credit of the fee payable shall be provided in the event that services are terminated and/or deleted.
  - Insurance coverage in accordance with Section J.
  - A provision that requires all services performed under a contract awarded to the successful Respondent shall conform to prevailing professional or provider standards and to the



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requirements of the contract. Upon written notice of any defect from the WWIDA, the Respondent will be expected to correct or re-perform any defective or nonconforming services at no cost to the WWIDA. If the Respondent fails or refuses to correct or re-perform, the WWIDA shall be entitled to any remedy that may be provided for under the contract, and in any event, that may be authorized by law.

- A provision requiring the Respondent to defend, indemnify and hold harmless the WWIDA with regard to any negligent acts or omissions or malfeasance with regard to the services performed or to be performed.

The successful Respondent shall indemnify and hold harmless the WWIDA, their officers, directors, agents and employees from, and against any and all claims, notices of claim, demands or causes of action for injury or death to any person, including Respondent's employees or damage to property (including all costs and reasonable attorney's fees incurred in defending any claim, demand or cause of action), arising, directly or indirectly, out of or resulting from, the performance of the Respondent's work or any negligent or wrongful acts, errors, omissions, negligence, incompetence, malfeasance and misfeasance by the Respondent, its employees, agents, materialmen, suppliers and/or subcontractors in the performance of its obligations under the agreement. The WWIDA and the Respondent shall notify each other in writing within thirty (30) days of any such claims or demands and shall cooperate in the defense of any such actions. If this indemnity, or any part thereof, is made void or otherwise impaired by any law controlling construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification in in whole or in part to the fullest extent permitted by law.

- A provision requiring the Respondent to assume sole responsibility for completing services as requested and the Respondent may not assign the work to be performed without the consent of the WWIDA, which consent shall rest in the sole discretion of the WWIDA.
- A provision providing that the Respondent shall not be deemed an agent of the WWIDA for any purpose whatsoever.
- Inclusion of such other terms and conditions that may be required pursuant to Federal or State Law, Regulation and/or by the WWIDA Legal Counsel.
- Please note that retention of services by reason of this RFP is not certain. The right to reject any and all proposals, solicit new or additional proposals or by using services available from professionals currently under contract are retained at all times, even after proposals have been reviewed and considered.
- Additional information, interviews and/or presentations may be required at the option of the WWIDA. In no event shall the WWIDA, Officers, Members and employees be liable for any costs incurred for the preparation of and participation in the submission of responses to this request or

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subsequent interviews of persons or companies.

- It is the Respondent’s sole responsibility to be familiar with and understand all terms and conditions regarding the RFP before the opening.
- The WWIDA reserves the right to waive or modify minor irregularities in proposals received, utilize any and all ideas submitted in the proposals unless those ideas are covered by legal patent or proprietary rights and generally adapt any or all of the proposal in developing contract language. With regard to legal patent or proprietary rights, it shall be incumbent upon the party furnishing the proposal to notify the WWIDA of such.
- Nothing contained herein shall be deemed an offer by the WWIDA or be interpreted as making a representation or giving any assurances that a contract may be entered into or that the WWIDA is in some fashion obligated. Should the WWIDA be unsuccessful in negotiating a contract with the Respondent within the time frame acceptable to the WWIDA, the WWIDA may begin contract negotiations with another Respondent responding to the RFP, reject all RFPs, re-advertise, or take such other action as may be deemed appropriate.
- Proposals will not be returned once submitted, and the WWIDA may dispose of the same in any manner allowed under law.
- Submission of the proposal to the WWIDA shall be deemed consent for the proposals to be publicly identified, and information contained therein shall be deemed a matter of public record unless such information is designated by the party submitting the proposal as trade secrets, as affecting present or imminent contract awards, or other information allowed to be kept confidential pursuant to the Section 87 of the Public Officer’s Law of the State of New York. In order to designate information as confidential, the Respondent submitting the proposal must highlight the information and inform the WWIDA of its desire to keep that information confidential in a letter transmitting the proposal. Whether the information designated by the Respondent is allowed to be kept confidential pursuant to New York State Laws shall be determined by the WWIDA upon consultation with the WWIDA Legal Counsel and notice of such determination shall be made to the Respondent prior to the release of the information to afford the Respondent an opportunity to appeal the decision.
- The WWIDA reserves the right to make any investigation deemed necessary to determine the Respondent’s qualifications and responsibility. The Respondent shall furnish to the WWIDA, upon request, all data pertinent thereto.
- Submission of a proposal constitutes agreement to all terms and conditions set forth herein. By submitting a signed proposal, the Respondent a) warrants that the contents of its proposal are accurate and binding upon the Respondent; b) represents that its staff is knowledgeable about the services to be provided as identified in this RFP; and c) warrants that it will use reasonable and appropriate efforts to provide such services in a professional and timely manner. In addition, the Respondent further warrants that it has become sufficiently acquainted with the conditions, facts,

and circumstances relating to providing the requested services. Failure or omission of the Respondent to adequately acquaint itself with existing conditions, facts and circumstances shall not in any way relieve it of any obligations with respect to this RFP.

- To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Respondent will not discriminate against any employee or applicant for employment because of an individual's age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Respondent agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Respondent agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Respondent is subject to fines of \$50 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

#### **J. Insurance and Indemnification**

The Respondent shall purchase and/or maintain insurance policies approved by the WWIDA, naming the WWIDA as an additional insured on a primary, non-contributory basis (except for Workers' Compensation & Disability Coverage) from a New York State Licensed Insurer with an A.M. Best Rating of A- or better. The Respondent shall furnish such evidence of the policies (certificates and/or copies of the policy) as may be requested by the WWIDA. The Respondent shall also be required to indemnify the WWIDA for any applicable deductibles. The policies shall contain a thirty (30) day notice of cancellation clause, shall provide "primary" coverage for the WWIDA, its board, officers and/or employees and be of the following types and in the limits indicated:

- Professional liability insurance in an amount not less than \$2,000,000.00 per claim and \$4,000,000.00 annual aggregate.
- Comprehensive general liability insurance, containing a contractual liability endorsement in favor of

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the WWIDA for the liability imposed by paragraph 3 hereof, in an amount of not less than \$2,000,000.00 per occurrence single limit for bodily injury death, and property.

- Automobile Liability Insurance coverage with limits of \$1,000,000 combined single limit for owned, hired and/or non-owned motor vehicles.
- Workers' Compensation - statutory limits and as set forth below:
  - CE-200 – Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage (Effective 12/1/08, this form can be filled out electronically on the Workers' Compensation Board website ([www.web.state.ny.us](http://www.web.state.ny.us)) under the heading of "Forms". Those businesses filing electronically can print a finished CE-200 immediately upon completion. Those businesses without access to a computer may obtain a paper application for CE-200 by writing or visiting any District Office of the Workers' Compensation Board, and may wait up to four (4) weeks before receiving the form. Once the applicant receives the CE-200, the applicant will submit same to the WWIDA); OR
  - C-105.2 – Certificate of Workers' Compensation Insurance (the business' insurance carrier will send this form to the WWIDA upon request); OR
  - U-26.3 - Certificate of Workers' Compensation Insurance (this form is used in lieu of C-105.2, when the insurance is obtained through the New York State Insurance Fund); OR
  - SI-12 - Certificate of Workers' Compensation Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247 to obtain this form); OR
  - GSI-105.2 – Certificate of Participation in Workers' Compensation Group Self- Insurance (the business' Group Self-Insurance Administrator will send this form to the WWIDA upon request).

**NOTE: ACORD forms are not acceptable proof of workers' compensation coverage**

- Disability Insurance - statutory limits and as follows:
  - CE-200 – Certificate of Attestation of Exemption from NYS Workers' Compensation and/or Disability Benefits Coverage (Effective 12/1/08, this form can be filled out electronically on the Workers' Compensation Board website ([www.web.state.ny.us](http://www.web.state.ny.us)) under the heading of "Forms". Those businesses filing electronically can print a finished CE-200 immediately upon completion. Those businesses without access to a computer may obtain a paper application for CE- 200 by writing or visiting any District Office of the Workers' Compensation Board, and may wait up to four (4) weeks before receiving the form. Once the applicant receives the CE-200, the applicant will submit same to the County); OR
  - DB-120.1 - Certificate of Disability Benefits Insurance (the business' insurance carrier will send to the County upon request); OR
  - DB-155 - Certificate of Disability Benefits Self-Insurance (the business calls the Board's Self-Insurance Office at 518-402-0247 to obtain).

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- The Respondent shall provide written proof of such insurance to the WWIDA at the time of the execution of this Agreement, and whenever such insurance coverage's are renewed during the term of this agreement. All policies of insurance shall provide that the same may not be canceled except upon fourteen (14) days prior written notice to the WWIDA.
- The Respondent shall indemnify and hold harmless the WWIDA, its officers, directors, agents and employees from, and against any and all claims, notices of claim, demands or causes of action for injury or death to any person, including Respondent's employees or damage to property (including all costs and reasonable attorney's fees incurred in defending any claim, demand or cause of action), arising directly or indirectly, out of or resulting from, the performance of Respondent's work or any negligent or wrongful acts, errors, omissions, negligence, incompetence, malfeasance and misfeasance by the Respondent, its employees, agents, material men, suppliers and/or subcontractors in the performance of its obligations under this agreement. The WWIDA and the Respondent shall notify each other in writing within thirty (30) days of any such claims or demands and shall cooperate in the defense of any such actions. If this indemnity, or any part thereof, is made void or otherwise impaired by any law controlling construction thereof, such indemnity shall be deemed to conform to the indemnity permitted by law, so as to require indemnification in whole or in part to the fullest extent permitted by law.
- The Respondent shall promptly advise the WWIDA of all damages to property of the WWIDA or of others, or of injuries incurred by persons other than employees of the Respondent, in any manner relating, either directly or indirectly, to the performance of this Agreement.

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PROPOSAL

PROPOSAL OF: \_\_\_\_\_

COMPANY NAME

**TO:** Alie Weaver, Office Administrator  
Warren Washington Counties IDA  
5 Warren Street | Suite 210  
Glens Falls, NY 12801  
(518) 792-1312  
[aweaver@warren-washingtonida.com](mailto:aweaver@warren-washingtonida.com)

It is acknowledged the undersigned has carefully examined the Request for Proposal as well as available supporting documentation and now has a sound understanding of the required scope of work for professional engineering services and associated work for the Canalside Energy Park project. The undersigned hereby submits a proposal professional engineering services and associated work with the attached form(s) below.

Date: \_\_\_\_\_ Federal ID#: \_\_\_\_\_

Contractor Signature: \_\_\_\_\_

Contractor Name (Printed): \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Business Address: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Email of contact person: \_\_\_\_\_

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REFERENCE SHEET

All bidders will be required to complete this form providing three references of past performance. References should involve project and/or service situations of similar size and scope to this bid. References must have had dealings with the Bidder within the last thirty-six months. The WWIDA reserves the right to contact any or all of the references supplied for an evaluation of past performance in order to establish the responsibility of the Bidder before the actual award of the bid and/or contract. Completion of the reference form is required.

BIDDERS NAME: \_\_\_\_\_

REFERENCES NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

\*\*\*\*\*

BIDDERS NAME: \_\_\_\_\_

REFERENCES NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

\*\*\*\*\*

BIDDERS NAME: \_\_\_\_\_

REFERENCES NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

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PROPOSAL

CORPORATE RESOLUTION

RESOLVED that \_\_\_\_\_  
(Name)

be authorized to sign and submit the Bid, or Proposal, of this Corporation for the following project:

\_\_\_\_\_  
(Title of Project)

and to include in such Bid Proposal the Certificate as to non-collusion required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies of misstatements in such certifies this Corporate Bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the Resolution adopted by \_\_\_\_\_

Corporation at a meeting of its Board of Directors held on

the \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_, and is still in force and effective on this \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
SECRETARY  
(Signature)

(SEAL OF CORPORATION)



**WWIDA - RFP for Engineering and Professional Services - Canalside Energy Park – Fort Edward, NY**

**Latest Receipt Time & Date: 2:00pm on Thursday, May 30, 2024**

**Receipt Location: 5 Warren Street | Suite 210 – Glens Falls, NY 12801**

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CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the "Act"), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g, both effective April 12, 2012. Under the Act, the Commissioner of the Office of General Services (OGS) will be developing a list of "persons" who are engaged in "investment activities in Iran" (both are defined terms in the law) (the "Prohibited Entities List"). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act's effective date at which time it will be posted on the OGS website.

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, each Bidder/Contractor, any person signing on behalf of any Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website, that to the best of its knowledge and belief, that each Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this solicitation must certify at the time the Contract is renewed, extended or assigned that it is not included on the Prohibited Entities List.

During the term of the Contract, should the WWIDA receive information that a Bidder/Contractor is in violation of the above-referenced certification, the WWIDA will offer the person or entity an opportunity to respond. If the person or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Bidder/Contractor in default.

The County reserves the right to reject any bid or request for assignment for a Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, \_\_\_\_\_, being duly sworn, deposes and says that he/she is the \_\_\_\_\_ of the

\_\_\_\_\_ Corporation and that neither the Bidder/Contractor nor any

proposed subcontractor is identified on the Prohibited Entities List.

\_\_\_\_\_  
SIGNED

SWORN to before me this

\_\_\_\_\_ day of \_\_\_\_\_

202\_

Notary Public: \_\_\_\_\_

**WWIDA - RFP for Engineering and Professional Services - Canalside Energy Park – Fort Edward, NY**

**Latest Receipt Time & Date: 2:00pm on Thursday, May 30, 2024**

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**CERTIFICATION**

Non-Collusive Certification required of all bidders under Section 103-d of the General Municipal Law as amended by Chapter 675 of the Laws of 1966, and further amended by Chapter 56 of the Laws of 2010, effective June 22, 2010.

- (a) By submission of this bid, 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 knowledge and belief:
  - (1) The prices in this bid 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 bidder or with any competitor;
  - (2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
  - (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.
- (a-1) Notwithstanding the foregoing, the statement of non-collusion may be submitted electronically in accordance with the provisions of subdivision one of section one hundred three of the General Municipal Law.
- (b) A bid shall not be considered for award nor shall any award be made where (a) (1) (2) and (3) above have not been complied with; provided however, that 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. Where (a) (1) (2) and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.
- (c) The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on its behalf;
- (d) That attached hereto (if a corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid, or proposal, on behalf of the corporate bidder.

\_\_\_\_\_  
Individual Bidder

\_\_\_\_\_  
Co-Partnership

By \_\_\_\_\_  
Partner

\_\_\_\_\_  
Corporation

By \_\_\_\_\_  
President

**WWIDA – Canalside Industrial Park RFP for Engineering Services**

**Latest Receipt Date/Time: 2:00pm on Thursday, May 30, 2024**

**Receipt Location: 5 Warren Street | Suite 210, Glens Falls, NY 12801**

**Certification Under Executive Order No. 16  
Prohibiting State Agencies and Authorities from Contracting with  
Businesses Conducting Business in Russia**

Executive Order No. 16 provides that “all Affected State Entities are directed to refrain from entering into any new contract or renewing any existing contract with an entity conducting business operations in Russia.” The complete text of Executive Order No. 16 can be found here.

The Executive Order remains in effect while sanctions imposed by the federal government are in effect. Accordingly, vendors who may be excluded from award because of current business operations in Russia are nevertheless encouraged to respond to solicitations to preserve their contracting opportunities in case the sanctions are lifted during a solicitation or even after award in the case of some solicitations.

As defined in Executive Order No. 16, an “entity conducting business operations in Russia” means an institution or company, wherever located, conducting any commercial activity in Russia or transacting business with the Russian Government or with commercial entities headquartered in Russia or with their principal place of business in Russia in the form of contracting, sales, purchasing, investment, or any business partnership.

Is Vendor an entity conducting business operations in Russia, as defined above? Please answer by checking one of the following boxes:

- 1. No, Vendor does not conduct business operations in Russia within the meaning of Executive Order No. 16.
  
- 2. a. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but has taken steps to wind down business operations in Russia or is in the process of winding down business operations in Russia. (Please provide a detailed description of the wind down process and a schedule for completion.)
  
- 2. b. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16 but only to the extent necessary to provide vital health and safety services within Russia or to comply with federal law, regulations, executive orders, or directives. (Please provide a detailed description of the services being provided or the relevant laws, regulations, etc.)
  
- 3. Yes, Vendor conducts business operations in Russia within the meaning of Executive Order No. 16.

The undersigned certifies under penalties of perjury that they are knowledgeable about the Vendor’s business and operations and that the answer provided herein is true to the best of their knowledge and belief.

Vendor Name (legal entity): \_\_\_\_\_

By:(signature) \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_