

9/22/2021

“HELP WANTED” AD FOR IDA BENEFIT MONITOR

JOB TITLE: IDA PROJECT MONITOR; Orange County (NY) Industrial Development Agency (contractor); Anticipated Start Date: January 1, 2022

The Orange County Industrial Development Agency (IDA) is seeking proposals from qualified entities (hereinafter, “FIRM”) to serve as “Project Monitor” for the IDA. The FIRM for the IDA shall also serve as “Project Monitor” to the Orange County Funding Corporation (OCFC) when necessary.

Each firm submitting a proposal in response to this RFP shall, upon request of the IDA Board Chair or IDA CEO (CEO), attend in-person meetings in Orange County (or if acceptable to the Chairperson or CEO, video or telephone meetings of the IDA/IDA Committees) for the purpose of making reports to the Board.

DUTIES OF FIRM:

At the direction of the IDA CEO or IDA Board, FIRM shall:

1. Monitor construction progress of projects which receive benefits from the IDA/OCFC and report on such progress to the CEO in a form acceptable to the CEO
2. Track, in coordination with IDA beneficiaries the various types of trades and number of each trade on site at a project which has received IDA/OCFC benefits
3. Review reports submitted by beneficiaries of IDA/OCFC projects and verify the IDA’s labor policy is being complied with. In the event an IDA/OCFC beneficiary is deficient in complying with the IDA’s Labor Policy FIRM shall promptly report the same to the CEO in writing and give prompt written notice to the IDA beneficiary of such delinquency. The IDA Labor Policy can be found on page 35 of: <https://www.ocnyida.com/wp-content/uploads/OCIDA-Full-Application-Fillable-Form-Updated-08.25.21.pdf>
4. Ensure that beneficiaries are properly insured in a manner satisfactory to the IDA CEO
5. Ensure that contractors working on any site which the IDA has an interest have insurance satisfactory to the IDA CEO naming the IDA (or OCFC as the case may be) as a beneficiary of such insurance
6. Verify workers compensation and disability insurance of entities working on site of IDA benefitted projects
7. Ensure all contractors/sub-contractors on any site receiving IDA/OCFC benefits are authorized to do business in New York State
8. At least monthly, or greater upon the direction of the CEO, visit the construction site of entities receiving IDA benefits and ensure compliance with IDA Labor policy or otherwise note non-compliance;

FEE STRUCTURE: All of FIRM’S fees, excepting any post-close out fees, shall be borne by the and payable directly by the beneficiary of any IDA/OCFC benefitted project. FIRM shall make no claim against the IDA for fees except for requests for information from the IDA CEO or IDA Board after a project is fully completed and closed out. FIRM shall propose a fee structure to the IDA/OCFC as follows:

- a. FIRM shall identify tasks necessary to comply with the IDA's current labor policy and any other matter requested by this request for proposals, along with tasks including (i) monthly site visits to projects for monitoring; (ii) supplemental site visits for monitoring with the approval of the IDA CEO; (iii) verification of insurance; (iv) responding to inquiries of IDA Board or IDA staff while a project is under construction; (v) opening and close out of projects; (vi) meeting with IDA beneficiaries for the purpose of explaining labor/insurance requirements and answering IDA beneficiary questions.

AND/OR

- b. FIRM shall propose an hourly rate for: (i) travel; (ii) on-site work; (iii) office work to prepare or review documents/reports and answer IDA staff and Board questions; (iv) attendance at meetings of the IDA about specific project(s) (if a meeting involves multiple projects, billables for the meeting shall be pro-rated by applicant).

CONTRACT:

Upon being selected, FIRM shall enter into a final contract with IDA acceptable to the IDA Board upon the advice of the IDA's general counsel. Such contract will include a process for resolving fee disputes between FIRM and both the IDA and any beneficiary of IDA/OCFC benefits which FIRM is monitoring.

HOW TO APPLY:

Interested firms should send:

1. Firm biography (including business entity type), details of other IDA's represented (if any), details of who at Firm will be performing the services for the IDA/OCFC and professional biography of the same;
2. Identify known conflicts and propose a method for addressing same;
3. Proposed fee structure as requested in items (a) and/or (b) or both above;
4. Method of preserving reports and data and cost to IDA of securing copies of the same should the IDA later need same;

DEADLINE TO APPLY:

Responses should be emailed by November 22, 2021 to Michael Torelli, Chairman, Orange County IDA at MTorelli@ocnyida.com with a copy to Kelly Reilly, Project Manager at KReilly@ocnyida.com. Five hard copies should also be sent to the attention of Kelly Reilly at Orange County IDA, 4 Crotty Lane, Suite 100, New Windsor, NY 12553 so that they are received by November 24, 2021.

PROCUREMENT LOBBYING LAW RESTRICTED PERIOD FOR COMMUNICATIONS. Pursuant to New York State ("NYS") State Finance Law §139-j and §139-k, this RFP includes and imposes certain restrictions on communications between the IDA/OCFC and a responding firm during the procurement process. A responding firm is restricted from contacting other than designated official from the earliest notice of intent to solicit proposals through final award and approval of a procurement contract by the IDA ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth

in NYS State Finance Law §139-j(3)(a). The IDA Board and IDA staff are required to obtain certain information when contacted during the Restricted Period. The designated IDA and OCFC contact for this RFP is IDA/OCFC Chairperson Michael Torelli, who can be reached via email at MTorelli@ocnyida.com. Copies of any contact with Chairperson Torelli should also be sent to Kelly Reilly of the IDA at KReilly@ocnyida.com.

REGISTRY FOR RESPONSES TO QUESTIONS: Questions about this RFP can be submitted in writing to Michael Torelli with the subject line "Questions Re: RFP for IDA/OCFC Project Monitor" via email at MTorelli@ocnyida.com with copy to Kelly Reilly at KReilly@OCNYIDA.com. Firms may register to receive responses to any questions asked pertaining to this RFP by sending an email to Kelly Reilly at KReilly@OCNYIDA.com. Upon registering, that email address will be provided with answers to any questions sent regarding this RFP. No questions should be sent after November 10, 2021 at 5:00 PM.