

**TOWN OF THURMAN
SPECIAL MEETING-AGENDA
July 23, 2026 – 4:30 pm**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

RESOLUTIONS

DISCUSSION ITEMS

MOTION TO ADJOURN

**TOWN OF THURMAN
RESOLUTION # _____-2026**

Introduced by _____

Seconded by _____

Supervisor Debra Runyon Yea _____ Nay _____

Councilman Eugene Barnaby Yea _____ Nay _____

Councilman Edward Brown Yea _____ Nay _____

Councilman Douglas Needham Yea _____ Nay _____

Councilman Randy Galusha Yea _____ Nay _____

**RESOLUTION TO APPROVE HIRING A PART - TIME PER DIEM
ATTENDENT AT THE TRANSFER STATION**

WHEREAS, the transfer station superintendent has expressed a need for a part time, per diem assistant that has the qualifications to operate the loader, and

WHEREAS, the position was advertised on the town web site, at the transfer station, and at the town hall, be it

RESOLVED that after reviewing the applicants the Town Board of the Town of Thurman approves the hiring of _____ to begin work as of Saturday, July 25, 2026 at a rate consistent with the Union Contract rate for that position.

**TOWN OF THURMAN
RESOLUTION # ____-2026**

Introduced by _____

Seconded by _____

Supervisor Debra Runyon Yea _____ Nay _____

Councilman Eugene Barnaby Yea _____ Nay _____

Councilman Edward Brown Yea _____ Nay _____

Councilman Douglas Needham Yea _____ Nay _____

Councilman Randy Galusha Yea _____ Nay _____

**RESOLUTION TO APPROVE THE SUBMISSION OF AN RFP
SEEKING PROPOSALS FOR A FEASIBILITY STUDY
AND CONSTRUCTION COSTS FOR A 50 X 80 PAVILION**

WHEREAS, the Town of Thurman is the recipient of a Smart Growth Grant in the amount of \$35,000 for the purpose of hiring an engineer to complete a feasibility study which would include the design and estimated costs, as well as ADA compliance requirements, and provide a document that can assist the Town in obtaining grant funding for the implementation of the projects, and

WHEREAS, an RFP has been completed with the assistance of the Warren County Planning Department, Warren County Purchasing Department, and various professionals at the Department of Environmental Conservation - Division of Lands and Forests, and

WHEREAS, this Grant requires submission to NYS Certified Minority and Women Owned Business Enterprises as well as NYS Certified Service Disabled Veterans, be it

RESOLVED: that the Town Board of the Town of Thurman approves the submission of an RFP seeking proposals from MWBE and SDVOB qualified engineers.

**TOWN OF THURMAN
PO Box 29, 311 Athol Road
Athol, NY 12810
Telephone: (838) 766-5013**

Debra Runyon, Town Supervisor

NOTICE TO PROFESSIONALS

The undersigned shall receive sealed proposals for the provision of services to the Town of Thurman as follows:

The Town of Thurman wishes to retain the services of a qualified professional engineer to provide guidance in the form of a feasibility study related to the design, engineering and cost estimates for a 50' x 80' pavilion that will be located at the Town's Veterans Memorial Field.

All proposals must be in writing and submitted in a sealed envelope marked "Engineering Services – Pavilion" clearly on the outside of the envelope. Proposals will not be publicly opened and read, but will be opened and evaluated in preparation for a recommendation to the Town Board.

The Town of Thurman reserves the right to award the Contract under the RFP to the firm whose proposal best serves the interest of the Town of Thurman. The right is reserved to reject any and all proposals.

Debra Runyon, Supervisor
Town of Thurman
(838) 766-5013

This project has been funded in part by a grant from the New York State Department of Environmental Conservation, Adirondack Park Community Smart Growth Program through appropriations from the New York State Environmental Protection Fund (EPF).



SECTION 1: INVITATION TO PARTICIPATE

1.1 Purpose:

The Town of Thurman is seeking professional services to provide technical support and engineering for “Town of Thurman Accessibility and Recreation Improvements Feasibility Study and Design and Engineering for Community Pavilion.” The Town of Thurman will develop a feasibility study with projects focused on improving recreation assets and accessibility to the main town park called Veterans Memorial Field. This study will guide future improvements to the town park and provide the town with a document that can leverage state grant funding for implementation of these projects. The Town will also develop preliminary design, engineering and cost estimates for a 50’ x 80’ pavilion that will be placed on site at the town park. The design and engineering should bring the pavilion project to the point of construction but will not include any construction.

Prospective Respondents must offer a proposal that will meet the scope of services, qualifications and general description of work activities identified in this Request for Proposals (“RFP”).

In responding to this RFP, Respondents must follow the prescribed format as outlined in Section 3. By so doing, each Respondent will be providing the Town of Thurman data comparable to that which was submitted by other Respondents and, thus, be assured of fair and objective treatment in the Town of Thurman’s review and evaluation process.

1.2 RFP Coordinator

This RFP is issued by the Town of Thurman. The RFP Coordinator, identified below, is the sole point of contact regarding this RFP from the date of issuance until the selection of the successful Respondent.

Deb Runyon
PO Box 29
311 Athol Road
Athol, NY 12810
838-766-5013
supervisor@thurmannny.gov

1.3 Presentation and Clarification of the Town Intentions:

As a result of this RFP, the Town of Thurman intends to enter into a contract with the selected Respondent to supply the services described in Section 2. However, this intent does not commit the Town to award a contract to any Respondent, or to pay any costs incurred in the preparation of the proposal in response to this request, or to procure or contract for any services. The Town of Thurman reserves the right, in its sole discretion, to (a) accept or reject, in part or in its entirety, any proposal received as a result of this RFP if it is in the best interest of the Town of Thurman to do so; (b) award one or more contracts to one or more qualified Respondents if necessary to achieve the of Thurman objectives of this RFP and if it is in the best interest of the Town of Thurman to do so. The Town of Thurman maintains the option to expand these types of services to other Town of Thurman projects, departments, and divisions as needed.

1.4 Timeline:

The schedule of events for this RFP is anticipated to proceed as follows:

- This RFP will be distributed on July 30, 2026
- All requests for RFP clarification must be submitted in writing to the RFP Coordinator at the e-mail address provided in Section 1 and received no later than Noon on August 17, 2016
- All questions will be answered and documented in writing as an Addendum to the RFP, and e-mailed to all prospective Respondents who received the original RFP on or before August 28, 2016
- Final RFP submissions must be received by 3:00 pm on September 14, 2026 at the address shown in Section 3.1. The right to withdraw will expire on this date and time.

SECTION 2: PROJECT BACKGROUND

2.1 General Information:

The Town of Thurman has received funding through the 2025 Adirondack Park Smart Growth Grant Program to advance planning, feasibility analysis, design, and engineering for improvements to Veterans Memorial Field Park. The project site is located on Town-owned property at 311 Athol Road in Athol, New York, identified as Tax Parcel 209.3-1-22. The parcel includes the Town Hall, Town Highway Garage, and the Town-owned park area that functions as one of the Town's primary community gathering spaces.

Veterans Memorial Field Park currently supports a variety of local events and recreational activities, including the Thurman Farmers Market, summer concert series, Family Fun Day, Maple Days, garage sales, holiday events, and other community gatherings. The Town is seeking to strengthen the site's role as a year-round community center by improving accessibility, evaluating recreation opportunities, and advancing design and engineering for a covered community pavilion.

The grant-funded project includes two related components. The first is an Accessibility and Recreation Improvements Feasibility Study that will evaluate existing site conditions, identify opportunities to improve access for users of all ages and abilities, assess existing and potential recreation assets, and provide prioritized recommendations with planning-level cost estimates. The second component is design and engineering for an approximately 50-foot by 80-foot community pavilion that may support larger community events, vendor space, performances, weather-protected gatherings, and potential winter recreation use such as an ice rink.

The Town intends for this work to produce practical, implementation-ready planning and design products that can guide future capital improvements and support future grant applications. The selected consultant or consultant team will be expected to work with Town officials, Warren County Planning Department staff, park maintenance personnel, event organizers, and community stakeholders to develop recommendations that are feasible, cost-conscious, accessible, and responsive to the site's role as a community gathering place. Your draft RFP already identifies the desired deliverables as a feasibility study for recreation and accessibility improvements and design/engineering documents that can support future construction procurement.

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2.2 Consultant Services:

The Town of Thurman is seeking a Consultant or Consultant Team to provide an Accessibility and Recreation Improvements Feasibility Study for a town owned parcel containing existing recreation assets as well as the town hall, town highway garage, and other town operations, and the design and engineering of a 50' x 80' pavilion that will be sited on the town owned parcel and integrated into the park.

2.3 Project Goal:

A comprehensive study which explains and documents the existing conditions of recreation assets and accessibility to the site, analysis of improvements to the site to improve overall recreation assets and accessibility to the site, and recommendations for specific recreation asset improvements, additions, site layout reconfiguration, or other recreation asset recommendations derived from the analysis of the site, and specific accessibility improvements to ensure ADA compliance and improve access to recreation assets for people of all abilities.

2.4 Scope of Work

The scope of work under this contract covers both the Accessibility and Recreation Improvements Feasibility Study and the Design and Engineering of a Community Pavilion. The tasks provided below are general requirements and are intended to establish expectation of the general project scope.

2.4.1 Accessibility and Recreation Improvements Feasibility Study - Final Document Product

A comprehensive document focusing on recreation and accessibility improvements for Veterans Memorial Park Field (Tax ID: 209.3-1-22).

Community and Stakeholder Engagement

The Consultant shall engage with Town officials, Warren County Planning Department staff, park maintenance personnel, event organizers, and community stakeholders to understand existing park use, accessibility needs, recreation priorities, and potential future uses of the site.

Necessary elements:

- At least one meeting with Town officials and/or the Project Advisory Group.
- At least one public or stakeholder engagement opportunity, such as a public meeting, workshop, open house, pop-up event, or survey.
- Summary of key engagement findings, including existing uses, desired improvements, accessibility concerns, and community priorities.
- Explanation of how engagement findings informed the prioritized list of recommended improvements.

Accessibility Improvements Study

Evaluate the location, providing insight and opportunities to improve the sites accessibility for people of all mobilities.

Necessary elements:

- Prioritized list of accessibility site improvements with planning level cost estimates.
- Site map with the opportunities displayed to compliment the prioritized list of improvements.

Recreation Improvements Study

Understand the existing recreation assets, and the current user base of the recreation equipment, to provide insight and opportunities to enhance or add additional recreation opportunities.

Necessary elements:

- Prioritized list of recreation improvement opportunities with planning level cost estimates.
- Site map with the improvements displayed on the list coordinated with the prioritized list.

2.4.2 Design and Engineering for Community Pavilion

Product: Design and engineering for an approximately 50' x 80' community pavilion to be located on a parcel owned by the Town of Thurman (Tax ID: 209.3-1-22). The Town intends to procure the construction of the community pavilion through a formal bid process and should have ability to utilize design and engineering products as bid specifications.

Understand the vision

Engage with Town officials and PAG to understand appropriate pavilion design and placement based on community needs. At least one (1) meeting with Town officials and/PAG shall occur which results in an agreement on design, placement and configuration of the proposed pavilion.

SECTION 3: SPECIFIC PROPOSAL REQUIREMENTS**3.1 Submission of Respondents Proposal(s):**

- A. Acceptance Period and Location. To be considered, Respondents must submit a complete response to this RFP. Respondents not responding to all information requested in this RFP or indicating exceptions to those items not responded to may have their proposal(s) rejected as being non-responsive.

Proposals must be received in a sealed envelope at the address below on or before 3:00 pm Eastern Time on September 14, 2026.

Cynthia Hyde
Thurman Town Clerk
PO Box 29
311 Athol Road
Athol, NY 12810

- B. Required copies. Respondents must submit one (1) signed original Proposal and one (1) complete copied set of the signed original Proposal. Proposals should be clearly marked as “Proposal for Town of Thurman Accessibility and Recreation Improvements Feasibility Study and Design and Engineering for Community Pavilion”. The Respondent will make no other distribution of proposals. An official authorized to bind the Respondent to its provisions must sign the Proposal.
- C. Pricing Period. For this RFP, the Proposal must remain valid for a minimum of 120 days past the due date for receipt of Proposals
- D. Economy of Preparation. Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Respondent’s capabilities to satisfy the requirements of the RFP. Expensive bindings, color displays, promotional material, etc. are not necessary or desired. Emphasis should be concentrated on accuracy, completeness, and clarity of content. All parts, pages, figures, and tables should be numbered and clearly labeled. Vague terms such as “Respondent complies” or “Respondent understands” should be avoided.

3.2 Response Date:

To be considered, sealed Proposals must arrive at the location set forth above, on or before the time and date specified in Section 3.1.A. Requests for extension of the submission date will not be granted. Respondents mailing proposals should allow ample delivery time to assure timely receipt of their proposals.

3.3 Clarification of RFP and Questions:

Questions that arise prior to or during proposal preparation must be submitted to Deb Runyon, Supervisor via e-mail to supervisor@thurmanny.gov. Questions and answers will be provided to all Respondents who have received the original RFP and must be acknowledged in the RFP response. No contact will be allowed between the Respondents and any other member of the Town of Thurman with regard to this RFP during the RFP process unless specifically authorized in writing by the RFP Coordinator. Prohibited contact may be grounds for Respondent disqualification.

3.4 Addenda to the RFP:

In the event it becomes necessary to revise any part of this RFP, addenda will be provided to all Respondents that received the original RFP. An acknowledgment of such addenda, if any, must be submitted with Respondent’s Proposal. Applicants will only receive notices of addenda by requesting the original RFP documents from the RFP Coordinator or by downloading from the Empire State Bid System.

3.5 Organization of Proposal:

This section outlines the information that must be included in your proposal. Please respond with your information in the same order as the items in this section

- A. Identification of company ownership
 - i. For purposes of this procurement, the established overall goal of 30% for Minority and Women-Owned Business Enterprises (MWBE) participation, based on the current availability of qualified MBEs and WBEs. For purposes of providing meaningful participation by MWBEs on the contract and achieving the contract goals, Respondent should reference the directory of New York State Certified MWBEs found at: <https://ny.newnycontracts.com>
 - ii. There is an established overall goal of 6% for Service Disabled Veteran-Owned Business (SDVOB) participation, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, the Respondent should reference the directory of New York State Certified SDVOBs found at: <https://ogs.ny.gov/veterans/>
 - iii. MWBE and SDVOB certified firms are encouraged to apply.
- B. Your firm's level of experience providing landscape architect and/or multidisciplinary engineering services;
- C. Examples of how your firm has provided innovative and/or cost-effective solutions to meet past project objectives and/or manage project budget constraints;
- D. Respondents shall describe their approach to community and stakeholder engagement, including how they will identify existing and potential park users, gather input from community members and stakeholders, evaluate accessibility needs, and incorporate engagement findings into the feasibility study and prioritized recommendations
- E. Proposed staffing or total number of persons you plan to have available to assist with regard to this contract, provide names and experience of said persons;
- F. Provided information regarding the locations of your firm's office(s) including total number of full-time staff per location;
- G. Brief overview of firm/staff familiarity with the Town of Thurman or surrounding region;
- H. Brief overview of prior experience working for the Town of Thurman or any other municipal clients;
- I. Cost Proposal. Respondents must detail the proposed method of compensation for the services. Respondents may respond individually or as a member of a team or both. Such proposals shall include hourly rates for individual team members, and a schedule of reimbursable costs such as travel, printing, etc. Pending final approval from the Town of Thurman Town Board, the Town anticipates issuing a contract with a maximum value of \$40,000 for the most comprehensive proposal in accordance with the evaluation criteria listed in Section 3.6.

- J. Proposals shall be submitted with an ink signature on the attached proposal forms in a sealed envelope. The Town of Thurman will reject any and all proposals received after the date and time indicated for submission. The Town of Thurman will not accept any proposal which is not delivered directly to the RFP Coordinator, Deb Runyon by the time indicated above, on the time stamp in the RFP Coordinator's Office;
- K. Each proposal must be accompanied by a completed Iran Divestment Act Certification, Non-Collusion Certificate, signed in ink and, if applicable, Corporate Resolution with seal. Faxes are not acceptable.
- L. Exceptions to General Information for the Respondent. For all exceptions to Section 4, the Respondent must indicate on a separate sheet labeled "Exceptions Taken to the General Information for the Respondent", the section number of any requirement to which an exception is being taken and an explanation of their position;
- M. Exceptions to the Standard Contract Terms. For all exceptions to the Standard Contract Terms, attached hereto as Appendix "A", the Respondent must indicate on a separate sheet labeled "Exceptions Taken to the Standard Contract Terms", the section number of any requirement to which an exception is being taken and an explanation of their position. It is not intended that new contract wording be proposed by the Respondent, but rather that the Respondent explain their position so that the conflict can be evaluated. If no exceptions are noted, the Respondent is presumed to have agreed with all sections of the standard contract terms;
- N. Certification. Proposals should include a letter from an authorized corporate officer certifying the accuracy of the information provided and guaranteeing the proposed prices.

3.6 RFP Evaluation:

Selection of a Professional for the services shall be made using the following criteria and shall be based on a best value methodology. Selected personnel from the Town will form the evaluation committee for this RFP. It will be responsibility of this committee to evaluate all properly prepared and submitted proposals for the RFP and make a recommendation for award. Awarding of the contract(s) to the successful Professional(s) will be made at the earliest possible time, and upon acceptance of proposal(s), a written contract with the Town of Thurman will be provided.

All properly prepared and submitted proposals shall be subject to evaluation deemed appropriate for the purpose of selecting the Respondent with whom a contract may be signed. Responses to this RFP will be evaluated according to criteria that the Town of Thurman deems pertinent to these services, which shall include, but may not be limited to, the following:

1. 30 points – Experience on similar work/projects;
2. 20 points – Project Team Qualifications and Experience;
3. 15 points – Familiarity with Project Area;

4. 10 points – Prior Experience Working with the Town of Thurman or Warren County;
5. 10 points- Proposed Community and Stakeholder Engagement Approach
6. 15 points – Cost Effectiveness of Proposal; and
7. May include such other qualifications as determined by the Town of Thurman to be appropriate considerations.

Respondents must be aware that any contract resulting from this RFP is subject to prior approval by the Thurman Town Board. The Town of Thurman anticipates awarding this contract on or about September 25, 2026. Project completion is expected to be in the second quarter of 2027.

RFP GENERAL TERMS AND CONDITIONS:

- A. The Professional 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.
- B. Additional information, interviews and/or presentations may be required at the option of the Town of Thurman. In no event shall the Town of Thurman or its Boards, Officers and employees be liable for any costs incurred for the preparation of and participation in the submission of responses to this request or subsequent interviews of persons or companies.
- C. It is the Professional's sole responsibility to be familiar with and understand all terms and conditions regarding the RFP before the opening. Any questions should be submitted in writing to the Town Supervisor, Deb Runyon (unless otherwise directed) and, if relevant, should cite the section and page number of the RFP document relating to the question raised by the Professional. Answers to all questions of a substantive nature will be given to all Professionals as a formal addendum which will be annexed to and become part of the RFP. Please be advised that the Town of Thurman shall not be bound by any verbal response by any Town Official or employee which is not confirmed in writing or which does not result in an addendum issued by the Town of Thurman .
- D. The Town of Thurman 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 company's 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 Town of Thurman of such.
- E. Nothing contained herein shall be deemed an offer by the County or be interpreted as making a representation or giving any assurances that a contract may be entered into or that Warren County is in some fashion obligated. Should Warren County be unsuccessful in negotiating a contract with the Professional within the time frame acceptable to Warren County, Warren County may begin contract negotiations with

another Professional responding to the RFP, reject all RFPs, re-advertise, or take such other action as may be deemed appropriate.

- F. Proposals will not be returned once submitted, and the Town of Thurman may dispose of the same in any manner allowed under law.
- G. The Town of Thurman reserves the right to make any investigation deemed necessary to determine the Professional's qualifications and responsibility. The Professional shall furnish to the Town , upon request, all data pertinent thereto.
- I. Submission of a proposal constitutes agreement to all terms and conditions set forth herein. By submitting a signed proposal, the Professional warrants that the contents of its proposal are accurate and binding upon the Professional; represents that its staff is knowledgeable about the services to be provided as identified in this RFP; and warrants that it will use reasonable and appropriate efforts to provide such services in a professional and timely manner. In addition, the Professional 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 Professional 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.

PROPOSAL

PROPOSAL OF: _____

COMPANY NAME

TO: Cynthia Hyde, Thurman Town Clerk
PO Box 29
311 Athol Road
Athol, NY 12810

The undersigned, having carefully examined the specifications and having to their satisfaction ascertained all the facts concerning these specifications, herewith submits a proposal for hourly rates and reimbursable expenses as more fully set forth in the attached proposal provided herewith.

DATE: _____ FEDERAL ID#: _____

NAME OF FIRM: _____

BUSINESS ADDRESS: _____

SIGNATURE OF BIDDER: _____ **TITLE:** _____

NAME OF BIDDER (PRINTED): _____

EMAIL ADDRESS OF BIDDER: _____

TELEPHONE: _____ FAX: _____

The attached Non-Collusion Certification, Iran Divestment Act and Corporate Resolution (if applicable) must be completed and signed and made a part of this proposal.

The vendor hereby certifies that there are no Federal or State taxes included in the proposal price and that he/she is an authorized representative of the company submitting this proposal.

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

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)

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 County receive information that a Bidder/Contractor is in violation of the above-referenced certification, the County 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 _____ 20____

Notary Public: _____