



**ERIE COUNTY**  
**REQUEST FOR PROPOSAL (RFP)**  
**TO PROVIDE COMMUNITY THREAT ASSESSMENT TRAINING BASED**  
**ON LAW ENFORCEMENT PROCEDURES**

**RFP#: 2023-036VF**

**May 8nd, 2023**

**DEPARTMENT OF HOMELAND SECURITY & EMERGENCY SERVICES**  
**ERIE COUNTY PUBLIC SAFETY CAMPUS**  
**45 ELM STREET**  
**BUFFALO, NEW YORK 14203**

**COUNTY OF ERIE**  
**REQUEST FOR PROPOSALS**

## **1. Introduction**

The County of Erie, New York (“Erie County”) is seeking proposals from qualified firms (“Consultant”) to provide training and case consultation services around threat assessment and management techniques to be applied within the education sector.

The project will be funded by Erie County fulfilling the mission set forth through New York State Division of Homeland Security and Emergency Services Grant Program’s Domestic Terrorism Prevention Grant.

Following the May 14, 2022 Domestic Terrorist attack in Buffalo, NY which left ten dead and three wounded the Western New York region is intimately aware of the devastation of terror attacks and the imminent potential for future attacks. In partnership with local stakeholders it is the goal of Erie County to work with the first responders and residents alike to develop a comprehensive Domestic Terrorism Prevention network. Erie County’s Department of Homeland Security and Emergency Services along with federal, state, and local partners have accepted the mission of building threat assessment teams within organizations to develop a comprehensive Domestic Terrorism Prevention Network. The goal of Erie County is to build the necessary resiliency to combat domestic terrorism.

## **2. Background and General Description of the Project**

In 2017, the New York State Division of Homeland Security and Emergency services partnered with major upstate urban areas including the Buffalo, Erie, Niagara Region to develop and implement an exercise at the State Preparedness Training Center. This exercise included a variety of partners throughout the first response community with the intent of practicing the region’s response to a Complex Coordinated Terrorist Attack (CCTA). Through the process of completing the exercise in collaboration with the whole community, focusing on the ability to prepare for, prevent, and respond to complex coordinated terrorist attacks, several gaps were identified as areas in need of improvement. Consistently noted throughout the feedback on the exercise was the need for an increase in training for responders and decision makers as well as a need to increase intelligence sharing across regional partners. Since the completion of the CCTA exercise the Erie County Department of Homeland Security and Emergency Services

has remained diligent in continuing to provide support through training and coordination wherever requested.

As the threat landscape has changed since 2017 the nature of how communities respond to domestic terrorism threats needs to evolve. Pursuant to Executive Order 18 issued by New York State on May 18<sup>th</sup> 2022, following the terrorist attack at Tops Market all counties in New York were mandated to perform a comprehensive review of current strategies, policies, procedures, and practices as related to domestic terrorism. As a part of this exercise and using objective measures of community needs that stemmed from the CCTA exercise, a direction became clear.

The purpose of the requested consultant is **meet the need for additional training of law enforcement, individuals that work in education and families with consistent evidence-based information**. The goal of this training is to provide all parties with the skills and tools necessary to assist in the reduction of vulnerability to acts of domestic terrorism through awareness level training. Regional partners are currently working together to ensure that local reporting mechanisms are strengthened to allow for accountability and follow-through. This training must equip students, parents, educational partners and law enforcement with tools, procedures, and knowledge in order to assess potential danger, and create an actionable plan to mitigate that danger.

### **3. General Information and Requirements**

A. Project Overview Erie County seeks to hire a consultant to deliver trainings that provides participants a comprehensive understanding of how to distinguish normative behavior from threatening behavior. A core tenant of the training must include education in the implementation of a threat assessment scale that has demonstrated fidelity. It is important to note that the following learning objectives will need to be clear and maintained through the curriculum delivered:

1. How to appropriately assess behaviors and determine the level of immediate risk
2. Become familiar with effective intervention techniques and how to implement
3. Gain an understanding of how to document steps taken to reduce immediate risk
4. Provides a common language for various stakeholders to use in effective communication around domestic terrorist threats

In addition to the request of having training provided to stakeholders within the education, law enforcement and first responder system, this request seeks to gain further access to a consultant so that training participants may gain information from follow up questions after attending training.

**B. Key Dates**

Release of RFP	May 08, 2023
Question and Answer Due Date	May 22, 2023
Questions and Answers Response Posted	May 24, 2023
Proposals Due by (3:00pm EST)	May 26, 2023
Proposal Opening	June 26, 2023
Departmental Approval	June 26, 2023
County Legislature Submission	June 29, 2023
County Legislature Approval (expected)	July 27, 2023
Contract Award	July 3, 2023
Initial Planning Session	August 14, 2023

**C. Registration**

All firms wishing to participate in this process must register with Deputy Commissioner Gregory Butcher, Erie County Department of Homeland Security & Emergency Services- Emergency Preparedness at [gregory.butcher@erie.gov](mailto:gregory.butcher@erie.gov). All further information including addendums and contact from Erie County will be sent electronically.

**D. Abbreviations/Acronyms**

- CEO: Chief Executive Officer
- DHS: U.S. Department of Homeland Security
- DHSES: New York State Department of Homeland Security & Emergency Services
- EC-DPW: Erie County Department of Public Works
- EC-ESU: Erie County Department of Homeland Security & Emergency Services
- FEMA: Federal Emergency Management Agency

MJHM: Multi-Jurisdictional All-Hazards Mitigation Plan  
PITD: Portable Information Transfer Device (e.g. Flash drive or cd-rom)  
ZEO: Zoning Enforcement Officer

#### **E. Acceptable Portable Information Transfer Devices**

- CD-Rom
- DVD
- USB 2.0 removable device
- USB 3.0 removable device

#### **4. Submission of Proposals**

A. Sealed proposals must be received no later than 3:00pm EST on May 26, 2023 by:

Erie County Department of Homeland Security & Emergency Services

Attn: Sarah A. Bonk

45 Elm Street

Buffalo, NY 14202

Submissions by e-mail or fax will not be accepted. The RFP Issuer will reject proposals received after the date and time noted above. All proposals must be sent to Erie County as noted above. One (1) original, six (6) copies and one (1) electronic copy in PDF format on a PITD of all proposal documents and must be submitted in sealed envelopes clearly labeled with the proposer's name, the proposer's address, the words "PROPOSAL DOCUMENTS." Proposals may be withdrawn personally or in writing provided that Erie County, the RFP Issuer, receives the withdrawal request prior to the time and date the proposals are scheduled to be opened. Proposals are considered valid, and may not be withdrawn, cancelled or modified, for one hundred twenty (120) days after the opening date, to give the RFP Issuer sufficient time to review the proposals, investigate the proposers' qualifications, secure any required municipal approvals, and execute an agreement with the successful proposer. An authorized person representing the legal entity of the proposer must sign the Proposal Form and all other forms included in this RFP.

B. There is no restriction on the length of a proposal; however, respondents are encouraged to be as concise as possible.

- C. Proposers MUST sign the Proposal Certification attached hereto as Schedule "A". Unsigned proposals will be rejected.
- D. Erie County does not assume the responsibility or liability for costs incurred by firms responding to this RFP or to any subsequent requests for interviews, additional information, submissions, etc. prior to issuance of a contract.
- E. All firms wishing to participate in this process must register with Deputy Commissioner Gregory Butcher, Erie County Department of Homeland Security & Emergency Services- Emergency Preparedness at [gregory.butcher@erie.gov](mailto:gregory.butcher@erie.gov). All further information including addendums and contact from Erie County will be sent electronically.
- F. Any requests for RFP interpretations shall be made by May 22, 2023 through e-mail to [sarah.bonk@erie.gov](mailto:sarah.bonk@erie.gov) (Sarah Bonk, special assistant) No requests for oral interpretations via telephone will be accepted. A single response to all questions will be made as outlined in the schedule. NO COMMUNICATIONS OF ANY KIND WILL BE BINDING AGAINST ERIE COUNTY, EXCEPT FOR THE FORMAL WRITTEN RESPONSES TO ANY REQUEST FOR CLARIFICATION.
- G. All consultants should understand that Erie County is committed to an open, fair and transparent selection process. All RFP submissions will be reviewed, objectively scored and ranked. Short listed firms will be interviewed prior to recommendation for selection.
- H. The highest-ranking firm after scoring and interviews will be recommended to the Erie County Legislature for authorization to enter into contract. Scores and ranking of all firms will be provided to the Legislature and the results will at that time become public record.
- I. Proposing firms should understand that to provide for this open and transparent process, more time will be required. The timeframe from advertisement to contract execution may be up to five months. Consultants should consider this when scheduling staff time and anticipating project commencement.
- J. Firms are encouraged to include Certified Minority and Women Owned Business Enterprises (MBE/WBE) in their teams in order to meet Erie County's goals of 15%

MBE and 5% WBE participation. Certified MBE/WBE proposers should include the Erie County certification letter with the proposal.

K. If proposer is a Veteran Owned Business, proposer should include letter indicating company is 51% or more Veteran-owned.

L. ADDITIONAL INFORMATION

a. Rights Reserved

Erie County reserves the right to ask any proposer to clarify its proposal or to submit additional information that the RFP Issuer in its sole discretion deems desirable. ERIE COUNTY FURTHER RESERVES THE RIGHT TO REJECT ANY OR ALL PROPOSALS AND TO WAIVE ANY INFORMALITIES THEREIN.

b. Cost for Preparing Proposal

Each proposer's costs incurred in developing its proposal are its sole responsibility, and the RFP Issuer shall have no liability for such cost.

c. Ownership of Proposals

All proposals submitted become the RFP Issuer's property and will not be returned to the proposers.

## **5. Stakeholders**

- New York State
  - Department of Homeland Security and Emergency Services
- Niagara Frontier Transit Authority
- Erie County
  - Residents
  - Businesses
  - Department of Homeland Security and Emergency Services
  - Department of Environment and Planning
  - Department of Social Services
  - Department of Public Works
- Erie County Municipalities
- Erie County Sheriff's Office
- Erie One BOCES
- Each school district overlapping Erie County
- American Red Cross

## **6. Scope of Work**

The following is a description of the Services to be performed and completed by the successful Proposer:

### **1. Qualifications**

The Consultant must be familiar with the current threat landscape and demonstrate an intimate awareness of the educational system structure within Erie County.

- a. Possess an established history of producing plans for urban, rural and suburban schools in order to accommodate the various educational needs that are approved, adopted, and implemented per 44 CFR and FEMA mitigation planning guidance.
- b. 10+ years or more of consecutive experience in consulting with law enforcement, educational systems, and family members on threat reduction and mitigation techniques.



## 2. Services Requested

- a. Ability to provide eight (8), two (2) day in-person trainings over the span of 365 days, that of which the start time will be determined at the onset of the work.
  - i. It is important to note that the intended design of this program is to provide two (2) day trainings either in the same week or immediately surrounding each other. The purpose of this design is to accommodate the needs of both the educational sector as well as ensuring that the law enforcement and first responder communities receive equal access to the training.
- b. Provide participants with a copy of the assessment(s) used during the course of training.
- c. Provide participants with a copy of the worksheet(s) used during the course of training.
- d. Continued services after the initial training that includes the use of case consultation, creating intervention and management plans for identified students, and addressing other various follow up concerns.
- e. Price of bid to include all necessary expenses as related to travel, materials and lodging.

## 3. Project Initiation

- a. The Consultant shall meet with the Steering Committee (County Staff and additional stakeholders) to discuss the project scope.
- b. The Consultant shall become familiar with all necessary documents, agreements and regulations relevant to the project.
- c. The Consultant shall work to schedule training with each location that the training will be offered (including Steering Committee).
- d. The Consultant shall perform all work necessary to meet the project timeline as outlined in the project schedule.
- e. The Consultant must understand that meetings with the Steering Committee (some potentially in-person in Buffalo, NY) will be required.

## 4. Project Prerequisites

- a. The Consultant will work with the Planning Committee as developed by Erie One Boces and the jurisdictions to ensure that the Plan will include documentation of the planning process and the plan has been formally adopted by each of the governing bodies. Each municipal body should formally approve their involvement in the Planning process at the beginning of the project and formally adopt the Plan at the end of the process.
- b. The Consultant will assist in an open public involvement process in the formation of a plan. This includes opportunities for the public to comment on the plan at all stages of its formation, and the involvement of any neighboring communities, interested agencies, or private and non-profit organizations. At least two public meetings must be scheduled, one at the beginning of the process to describe the process and get feedback, and one near the end of the process to describe the risk assessment and mitigation strategies and to get input. The project team will also assist in development of news releases as well as the facilitation of the appropriate web site for information dissemination and will be present at all associated meetings and events.
- c. There will be a review of any existing plans or studies and incorporation of these if appropriate. County and municipal partners will be asked to supply existing plans and studies. EC-ESU shall assist in this task.
- d. There will be a review of local, state and federal regulations associated with threats.
- e. The planning process will be documented and included in the Plan, including how the plan was prepared, who was involved in the process, and how the public was involved.

## **7. Proposal Structure**

In order for Erie County to conduct a uniform review process of all proposals, proposals must be submitted in the format set forth below. Failure to follow this format, without consent of Erie County, may be cause for rejection of a proposal as this format is critical to Erie County's evaluation process.

### **Proposal Section 1: Executive Summary**

This section must contain a brief outline of the proposal.

### **Proposal Section 2: Company Profile**

This section must address the Consultant's qualifications and experience to carry out the requested service, inclusive of, but not limited to, qualification to do business in the State of New York, the number of years in business office locations, etc.

### **Proposal Section 3: Project Approach**

This section must address:

- This section will be used for carrying out all aspects of the project.
- Proposed quality control procedures that will be utilized to check out the accuracy of work.
- Proposed education and marketing tools to promote the plan to out target market of Erie County and municipalities.

### **Proposal Section 4: Project References/Project History**

Proposers shall submit with their proposal a listing of a minimum of three detailed references and a list of similar projects for the previous three years that can attest to the bidder's qualifications to do the work called for in this project. References should be recent clients of bidder. Reference information should contain at minimum the following information:

- Firm name
- Firm address
- Contact person phone and email
- Project Title/Project Location
- Brief description of goals
- Checklist of goals

### **Proposal Section 5: Project Management Team**

This section must describe the assigned team for the project as well as the resumes of key staff personnel. Included in this section should be a projection of hours intended to be spent on this project by each team

member. The team allocated to the project may not be removed from the assignment without prior written consent of Erie County.

**Proposal Section 6: Cost**

The section must include the cost associated with the consultant's plan to carry out the requested services.

**Proposal Section 7: Presentation Workload**

The Consultant shall include in the technical proposal an outline of the workload by project of the proposed staff to be involved in the project. Each such project shall be identified by name percentage of work time taken by the project, and completion deadline.

**Proposal Section 8: Schedule**

This section must include a schedule identifying all the major milestones of the work plan and the deliverables identified in the RFP.

**Proposal Section 9: Additional Documents**

This section must include any other material the Consultant would like Erie County to consider when evaluating your proposal.

**8. Statement of Rights**

**UNDERSTANDINGS**

**Please take notice**, by submission of a proposal in response to this request for proposals, the proposer agrees to and understands:

- that any proposal, attachments, additional information, etc. submitted pursuant to this Request for Proposals constitute merely a suggestion to negotiate with Erie County of Erie and is not a bid under Section 103 of the New York State General Municipal Law;
- submission of a proposal, attachments, and additional information shall not entitle the proposer to enter into an agreement with Erie County of Erie for the required services;
- by submitting a proposal, the proposer agrees and understands that Erie County is not obligated to respond to the proposal, nor is it legally bound in any manner whatsoever by submission of same;

- that any and all counter-proposals, negotiations or any communications received by a proposing entity, its officers, employees or agents from Erie County, its elected officials, officers, employees or agents, shall not be binding against Erie County, its elected officials, officers, employees or agents unless and until a formal written agreement for the services sought by this RFP is duly executed by both parties and approved by the Erie County Legislature, the Erie County Fiscal Stability Authority, and the Office of the Erie County Attorney.
- In addition to the foregoing, by submitting a proposal, the proposer also understands and agrees that Erie County reserves the right, and may at its sole discretion exercise, the following rights and options with respect to this Request for Proposals:
  - To reject any or all proposals;
  - To issue amendments to this RFP;
  - To issue additional solicitations for proposals
  - To waive any irregularities in proposals received after notification to proposers affected;
  - To select any proposal as the basis for negotiations of a contract, and to negotiate with one or more of the proposers for amendments or other modifications to their proposals;
  - To conduct investigations with respect to the qualifications of each proposer;
  - To exercise its discretion and apply its judgment with respect to any aspect of this RFP, the evaluation of proposals, and the negotiations and award of any contract;
  - To enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the proposals with one or more of the proposers;
  - To select the proposal that best satisfies the interests of Erie County and not necessarily on the basis of price or any other single factor;
  - To interview the proposer(s);

- To request or obtain additional information Erie County deems necessary to determine the ability of the proposer;
- To modify dates;
- All proposals prepared in response to this RFP are at the sole expense of the proposer, and with the express understanding that there will be no claim, whatsoever, for reimbursement from Erie County for the expenses of preparation. Erie County assumes no responsibility or liability of any kind for costs incurred in the preparation or submission of any proposal;
- While this is a RFP and not a bid, Erie County reserves the right to apply the case law under General Municipal Law § 103 regarding bidder responsibility in determining whether a proposer is a responsible vendor for the purpose of this RFP process; and
- Erie County is not responsible for any internal or external delivery delays which may cause any proposal to arrive beyond the stated deadline. To be considered, proposals MUST arrive at the place specified herein and be time stamped prior to the deadline.

**Contract**

After selection of the successful proposer, a formal written contract will be prepared by Erie County of Erie and will not be binding until signed by both parties and, if necessary, approved by the Erie County Legislature, the Erie County Fiscal Stability Authority and the Office of Erie County Attorney. NO RIGHTS SHALL ACCRUE TO ANY PROPOSER BY THE FACT THAT A PROPOSAL HAS BEEN SELECTED BY ERIE COUNTY FOR SUBMISSION TO THE ERIE COUNTY LEGISLATURE AND/OR THE ERIE COUNTY FISCAL STABILITY AUTHORITY FOR APPROVAL. THE APPROVAL OF SAID LEGISLATURE AND/OR AUTHORITY MAY BE NECESSARY BEFORE A VALID AND BINDING CONTRACT MAY BE EXECUTED BY ERIE COUNTY.

The term of the contract shall be for a One (1) year period commencing \_\_\_\_\_, 20\_\_ and terminating \_\_\_\_\_, 20\_\_ Erie County, in its sole discretion

may extend the agreement beyond its initial term for up to two (2) additional year periods at the same prices and conditions.

### **Indemnification and Insurance**

The proposer accepts and agrees that language in substantially the following form will be included in the contract between the proposer and Erie County:

“In addition to, and not in limitation of the insurance requirements contained herein the Consultant agrees:

(a) that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of Erie County, the Consultant shall indemnify and hold harmless Erie County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the acts or omissions hereunder by the Consultant or third parties under the direction or control of the Consultant; and

(b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto. Upon execution of any contract between the proposer and Erie County, the proposer will be required to provide proof of the insurance coverage described in **Schedule “B”**. Insurance coverage in amount and form shall not be deemed acceptable until approved by Erie County Attorney.

### **Intellectual Property Rights**

The proposer accepts and agrees that language in substantially the following form will be included in the contract between the proposer and Erie County:

All deliverables created under this Agreement by the Consultant are to be considered “works made for hire”. If any of the deliverables do not qualify as “works made for hire”, the Consultant hereby assigns to Erie County all right, title and interest (including ownership of copyright) in such deliverables and such assignment allows Erie County to obtain in its name copyrights, registrations and similar protections which may be available. The Consultant agrees to assist Erie County, if required, in perfecting these

rights. The Consultant shall provide Erie County with at least one copy of each deliverable.

The Consultant agrees to indemnify and hold harmless Erie County for all damages, liabilities, losses and expenses arising out of any claim that a deliverable infringes upon an intellectual property right of a third party. If such a claim is made, or appears likely to be made, the Consultant agrees to enable Erie County's continued use of the deliverable, or to modify or replace it. If Erie County determines that none of these alternatives is reasonably available, the deliverable will be returned.

All records compiled by the Consultant in completing the work described in this Agreement, including but not limited to written reports, source codes, studies, drawings, blueprints, negatives of photographs, computer printouts, graphs, charts, plans, specifications and all other similar recorded data, shall become and remain the property of Erie County. The Consultant may retain copies of such records for its own use.

### **Non-Collusion**

The proposer, by signing the proposal, does hereby warrant and represent that any ensuing agreement has not been solicited, secured or prepared directly or indirectly, in a manner contrary to the laws of the State of New York and Erie County of Erie, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the agreement by any conduct, including the paying or the giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any County employee, officer or official.

### **Conflict of Interest**

All proposers must disclose with their proposals the name of any officer, director or agent who is also an employee of Erie County. Further, all proposers must disclose the name of any County employee who owns, directly or indirectly, an interest of ten percent or more in the firm or any of its subsidiaries or affiliates.

There shall be no conflicts in existence during the term of any contract with Erie County. The existence of a conflict shall be grounds for termination of a contract.



### **Compliance with Laws**

By submitting a proposal, the proposer represents and warrants that it is familiar with all federal, state and local laws and regulations and will conform to said laws and regulations. The preparation of proposals, selection of proposers and the award of contracts are subject to provisions of all Federal, State and County laws, rules and regulations.

### **Compliance with Laws**

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84 et seq., mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the proposer's competitive position or constitute a trade secret. Proposers who have a good faith belief that information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall:

a) insert the following notice in the front of its proposal:

#### **“NOTICE”**

**The data on pages \_\_\_\_ of this proposal identified by an asterisk (\*) contains technical or financial information constituting trade secrets or information the disclosure of which would result in substantial injury to the proposer's competitive position.**

**The proposer requests that such information be used only for the evaluation of the proposal, but understands that any disclosure will be limited to the extent that Erie County considers proper under the law. If Erie County enters into an agreement with this proposer, Erie County shall have the right to use or disclose such information as provided in the agreement, unless otherwise obligated by law.”**

and

b) clearly identify the pages of the proposals containing such information by typing in bold face on the top of each page " \* **THE PROPOSER BELIEVES THAT THIS**

**INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE  
FREEDOM OF INFORMATION LAW."**

Erie County assumes no liability for disclosure of information so identified, provided that Erie County has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal which is accepted by Erie County, except portions "Protected from Disclosure", may become part of any agreement resulting from this RFP.

**Equal Pay Certification**

During the term of this Contract, the Consultant shall comply with Executive Order 13 (2014), and the Consultant shall make such records available, upon request, to Erie County's Division of Equal Employment Opportunity for review. Erie County shall have the right, upon reasonable notice and at reasonable times, to inspect the books and records of the Consultant, its offices and facilities, for the purpose of verifying information supplied in the Erie County Equal Pay Certification (**Schedule "C"**) and for any other purpose reasonably related to confirming the Consultant's compliance with Erie County Executive Order No. 13 (2014). Violation of the provisions of Executive Order 13 (2014), which is attached hereto and made a part hereof, can constitute grounds for the immediate termination of this contract and may constitute grounds for determining that a bidder is not qualified to participate in future county contracts.

**EFFECTIVE PERIOD OF PROPOSALS**

All proposals must state the period for which the proposal shall remain in effect (i.e. how much time does Erie County have to accept or reject the proposal under the terms proposed). Such period shall not be less than 120 days from the proposal date.

**9. Appendices**

A: Proposer Certificate

B: Standard insurance Provisions

C: Equal Pay Certification

D: MBE\WBE Certification