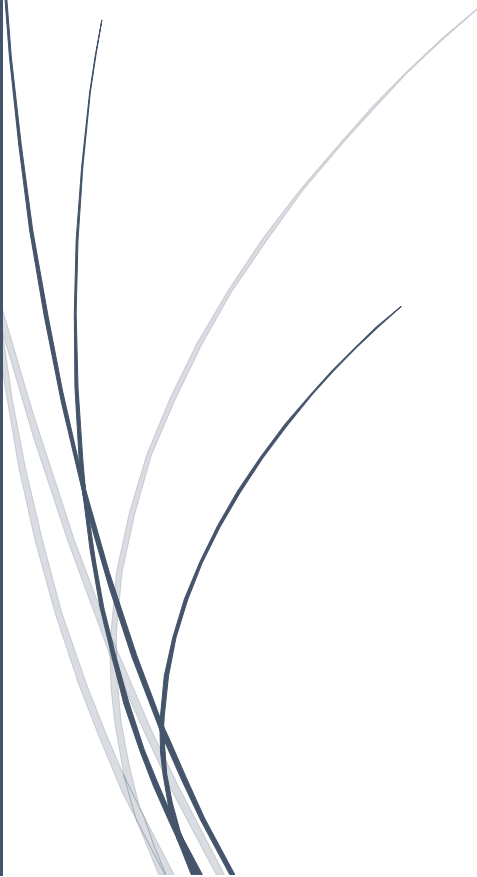


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9/11/2023

BUFFALO, ERIE, & NIAGARA REGION REQUEST FOR PROPOSAL

After Action Logistics Support
Regarding COVID-19 Incident
March 12, 2020 through March 1,
2022

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RFP # 2023-053 -VF

Contents

- Introduction1
- Background and General Description of the Project1
- Project Overview1
- Schedule of Events.....1
- Scope of Work1
 - Budget2
- Submission Process.....1
 - Registration1
 - Proposal Submission1
 - Question Process1
 - Proposal Layout1
- General Conditions1

Introduction

The regional partnership of the City of Buffalo, County of Erie, and County of Niagara (henceforth “BEN Region”) is seeking a consultant to coordinate and facilitate COVID-19 After-Action workshops and from those workshops create an After-Action Improvement Plan. More specifically, the BEN Region is seeking a consultant to assist with developing a Logistics & Supply Chain Management Plan, updates and enhancements to the Continuity of Operation (COOP) Plans to address issues identified in the COVID-19 pandemic, and finally to develop and create a training plan/program for the Health & Safety of First Responders responding to a natural or man-made disaster. The project will be funded through the New York State Department of Homeland Security Fiscal Year 2020 Regional Catastrophic Preparedness Grant. Erie County will be the contracting entity of record. All grant funds must be expended no later than Tuesday, August 1, 2024.

Background and General Description of the Project

March 12, 2020 an Emergency Declaration was initiated by the Governor of New York State, County Executive of Erie County, County Manager of Niagara County, Mayor of the City of Buffalo, and many other municipalities within and surrounding these areas. Four projects should be addressed in answering this RFP:

Project 1: Logistics & Supply Chain Management Plan Development

During the COVID-19 incident – the region identified that improvements can be made on Logistics & Supply Chain Management. Currently, there is a general idea within the region on how to complete this, however during the COVID-19 incident it was identified that multiple agencies were competing for the same supplies/equipment. This caused delayed responses of getting Personal Protective Equipment (PPE) to those deemed essential workers during a pandemic or other large scale response. The region would like to develop a regional plan to purchase, order and distribute supplies/equipment regionally so that the competition is lessened and the region can redistribute to those agencies that need supplies/equipment more effectively and efficiently. The consultant will provide a template of a regional Logistic and Supply Chain Management Plan.

Project 2: Continuity of Operations Plan (COOP) Update Recommendations / Pandemic Enhancement

Agencies in the region all have Continuity of Operations Plans, however it was identified that during the COVID-19 incident these may need to be adjusted as many more agencies are displaced/have staff limitations. Public Safety Answering Points (PSAPs) for example have identified that they need to address and update their plan for a pandemic. The consultant will provide a Pandemic update / enhancement template for the Continuity of Operations Plan.

Project Overview

Erie County on behalf of the BEN Region seeks a consultant (henceforth “proposer”) to create and facilitate an after-action workshops/tabletop and create final after-action report to identify strengths, gaps and areas of improvement in the response capabilities during the COVID-19 pandemic. In addition, the proposer will provide a template of a single agency and regional Logistic and Supply Chain Management Plan. The proposer will provide a Pandemic update / enhancement template for the Continuity of Operations Plan (COOP). Finally, the proposer will provide template of a training program / plan for First Responder Health & Wellness.

Schedule of Events

All times listed within shall be Eastern Standard Time

Request for Proposal Released	September 11, 2023
Questions Submitted to Project Coordinator	September 28, 2023
Answers to questions published	October 2, 2023
Proposals due	October 11, 2023
Proposal Review	October 17, 2023
Intent to award notification	November 2, 2023
Contract approval and initiation	November 9, 2023
Workshop 1	January 2024
Final Report	March 2024

Scope of Work

Workshop #1 – After Action Debrief Workshop

Invitees: Public Health, EMS, Fire, Police, Emergency Management, Hospitals, Ambulance Services, PSAPS, Funeral Directors, Medical Examiners, & Coroners, Lifeline Sector (e.g., Non-Traditional agencies – food, energy, etc.)

For the AAR Workshop (Niagara / Erie Counties (Buffalo included in Erie))

- Separate Meeting by Discipline

- Meeting for 4 hours with agencies involved to discuss their preparation and execution of plans in response to COVID-19

What were the strengths in their response?

What can be identified as gaps/areas of improvement?

Create a list of Action Items

Proposer shall facilitate meeting location (in coordination with BEN Region partners) and provide refreshments for participants (approx. 75 attendees).

Collection of Current Logistics & Supply Chain Procedures and Policies

Following workshop discussion of current practices and perceived deficiencies, agencies shall submit documentation relevant to current procurement, warehousing, distribution, and documentation procedures.

Logistics & Supply Chain Management Plan Development

This project will include a review of federal and state guidance and all existing plans from each entity to include but not be limited to: Comprehensive Emergency Management Plan, Public Health Emergency Preparedness and Response Plan, Strategic National Stockpile Plan, Public Health Asset Distribution Plan, and Emergency Support Function (ESF) 7 Annex. The plan should include a relevant discussion of procurement policies and purchasing waivers that are available routinely and under an emergency declaration.

Emergency Medical Service Agencies – Commercial / Volunteer

PSAPS –

Fire Department – Professional / Volunteer

Healthcare Organizations –

Law Enforcement –

Emergency Managers (County & Municipal)

Budget

The budgeted amount awarded from the Regional Catastrophic Preparedness Grant Program is \$184,000.00. All work performed must remain within this budgetary constraint as no additional funds have been allocated for this project.

Submission Process

Registration

All firms wishing to participate in this process must register with Darien Pratchett, Erie County Department of Homeland Security & Emergency Services- Emergency Preparedness at darien.pratchett@erie.gov. All further information including addendums and contact from the BEN Region will be sent electronically.

Proposal Submission

Respondents shall submit in a sealed envelope one (1) signed proposal and one (1) digital copy (usb, cd-rom, dvd-rom) to:

Darien Pratchett-Emergency Services Coordinator
Erie County Public Safety Campus
45 Elm Street, 2nd Floor
Buffalo, New York 14203

Proposals must be delivered by 3pm on October 11, 2023. Submissions received after 3pm will not be considered. Proposals may be delivered by United States Postal Service or Private Carrier (i.e. UPS, FEDEX, DHL) in a sealed envelope containing original proposal and copies should be marked as follows: "Regional Logistics and Supply Chain RFP" RFP#.

Question Process

Questions regarding this RFP may be submitted to darien.pratchett@erie.gov prior to 3pm on September 28, 2023.

Questions shall be answered for all submissions at a single time by email. Please ensure to whitelist darien.pratchett@erie.gov.

Proposal Layout

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 the BEN Region, may be cause for rejection of a proposal as this format is critical to the BEN Region's evaluation process.

For each Project:

Proposal Section 1: Executive Summary

This section must contain a brief outline of the proposal.

Proposal Section 2: Firm Profile

This section must address the Proposer'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 our target market of the City of Buffalo, Erie County and Niagara County.

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 Proposer's qualifications to do the work called for in this project. References should be recent clients of Proposer. 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 Proposer's plan to carry out the requested services. A detailed budget should be included for each project.

Proposal Section 7: Presentation Workload

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

Proposal Section 8: Schedule and Detailed Timeline

This section must include a schedule identifying all the major milestones of the work plan and a detailed timeline of all tasks and deliverable identified in the RFP.

Proposal Section 9: Required Additional Documents

This section must include the following:

any other material the Proposer would like Erie County to consider when evaluating the proposal.

- a) Proposer Certificate
- b) Standard Insurance Provisions
- c) Equal Pay Certification
- d) MBE\WBE Certification

General Conditions

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 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 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 the BEN Region, its elected officials, officers, employees or agents, shall not be binding against the BEN Region, 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 an 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 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, 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.

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.