



ERIE COUNTY
REQUEST FOR PROPOSAL (RFP)
LAW ENFORCEMENT SPECIAL OPERATIONS TRAINING TO
COUNTER DOMESTIC VIOLENT EXTREMISTS AND DOMESTIC
TERRORISM

RFP#: 2025-024VF

February 11, 2025

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 services specific to operational response to domestic terrorism and domestic violent extremism, and those techniques to be applied within the law enforcement field.

The project will be funded by Erie County via the 2022 State Homeland Security Program (SHSP) Grant fulfilling the mission set forth through New York State Division of Homeland Security and Emergency Services (NYS DHSES) Grant Program.

Following the May 14, 2022 domestic terrorist attack in Buffalo NY, law enforcement agencies nationally and locally have become intimately aware of the potential for future attacks by Domestic Violent Extremists (DVE). It is the goal of the Erie County Department of Homeland Security and Emergency Services (ECDHSES) to partner with Law Enforcement to prepare a functional operational response in the event of another act of domestic terrorism. ECDHSES in conjunction with federal, state, and local partners are obligated to effectively respond to all terrorist incidents, including those perpetrated by Domestic Violent Extremists within our local or regional jurisdiction. The goal of Erie County is to build the necessary resiliency and proficiency to combat acts of domestic terrorism.

2. Background and General Description of the Project

In 2017, the New York State Division of Homeland Security and Emergency Services (NYS DHSES) partnered with major upstate urban areas including the Buffalo, Erie, Niagara (BEN) Region to develop and implement an exercise at the State Preparedness Training Center (SPTC). This exercise included a variety of partners throughout the law enforcement and 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. There is a need for more

consistent high-end training of law enforcement officers to effectively combat the threat of domestic terrorism and Domestic Violent Extremists. Since the completion of the 2017 CCTA exercise at the State Preparedness Training Center, the Erie County Department of Homeland Security and Emergency Services has consistently supported those law enforcement efforts via the funding of high intensity training to effectively deter or overwhelm any act(s) of terrorism.

As the threat landscape has changed since 2017 the nature of how governmental agencies have had to respond to domestic terrorism has also evolved. Pursuant to Executive Order 18 issued by New York State on May 18th 2022, following the domestic terrorist attack at Tops Market, all counties in New York State are now mandated to perform a comprehensive review of current strategies, policies, procedures, and practices as related to domestic terrorism.

Having learned valuable lessons from the CCTA exercise as well as having an intimately first-hand knowledge of the consequences of a local act of domestic terrorism, the direction forward to meet all mandates and obligations is clear and must include intensive training for law enforcement officers.

The purpose of to the request is to seek a consultant is to meet the need for training law enforcement officers on effectively responding to acts of domestic terrorism. The goal of this training is to provide law enforcement officers with the necessary skills to combat acts of domestic terrorism through hands-on high intensity training. This training must equip law enforcement with the appropriate knowledge and tactics to quickly and comprehensively respond to acts of domestic terrorism.

3. General Information and Requirements

A. Project Overview

Erie County seeks to hire a consultant to deliver training that provides law enforcement officers with the ability to comprehensively respond to acts of domestic terrorism. The training must induce stress through high intensity and high repetitions of realistic scenarios. Those scenarios may include penalties for failure to successfully complete the stated objectives of the scenario with the intention of reinforcing the appropriate tactics to achieve the most desirable outcomes.

B. Key Dates (Tentative – dates need confirmation)

Release of RFP	2/12/2025
Question and Answer Due Date	2/19/2025
Questions and Answers Response Posted	2/26/2025
Proposals Due by (3:00pm EST)	3/5/2025
Proposal Opening	3/6/2025
Departmental Approval	3/14/2025
County Legislature Submission	3/21/2025
County Legislature Approval (expected)	4/17/2025
Contract Award	5/15/2025
Initial Training Session	Based on proposal
Training completed	7/31/2024
Invoicing must be completed by	8/2/2024

C. Registration

All firms wishing to participate in this process must register with Emergency Management Program Specialist, 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 Erie County will be sent electronically.

D. Abbreviations/Acronyms

- CEO: Chief Executive Officer
- DHS: U.S. Department of Homeland Security
- DHSES: New York State Division 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)

E. Acceptable Portable Information Transfer Devices

- 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 March 5th 2025 by:

Erie County Department of Homeland Security & Emergency Services

Attn: Darien Pratchett

45 Elm Street

Second Floor

Buffalo, NY 14203

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 RFP#2025-024VF" 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, canceled 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 Emergency Management Program Specialist, 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 Erie County will be sent electronically.
- F. Any requests for RFP interpretations shall be made by the listed dated through e-mail to darien.pratchett@erie.gov. 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
- Erie County
 - Residents
 - Businesses
 - Department of Health
 - 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
- Municipal Law Enforcement Agencies

6. Scope of Work

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

1. Qualifications:
 - a. The Consultant must possess US Military Special Operations experience and have served in a theater of operations where the tactics, techniques, and procedures (TTPs) that they teach have been actively vetted for effectiveness.
 - b. The Consultant must possess first-hand knowledge of the (TTPs) commonly used by domestic and/or international terrorists through operational experience.
 - c. The Consultant must possess an established history of training law enforcement officers on a wide range of topics to include but not limited to:
 - Surgical Marksmanship and zero-fail target discrimination
 - Limited Visibility (NVGs and Lasers) Marksmanship and tactics
 - Opposed CQB (Close Quarters Battle)
 - Breaching
 - SUT (Small Unit Tactics)
 - PSD (Private Security Details)
 - Direct Action and Hostage Rescue
 - Urban Combat
 - Critical Incident Response
 - Crisis Leadership
2. Services Requested
 - a. A five (5) day in person training session for up to twenty (20) students at facilities provided within Erie County, NY.

- b. The price of the bid must include all necessary expenses as related to Consultant(s), materials, consumables, travel and lodging.
- c. The Consultant must use a Principle-Driven Training Methodology which is designed to quickly maximize individual officer potential and ability while emphasizing safety.
- d. The Consultant must ensure a thorough understanding of the fundamentals of crisis response and entry techniques.
- e. The Consultant must ensure that the duties and responsibilities of every officer is understood by all.
- f. The Consultant must ensure that officers understand how to effectively plan a crisis response.
- g. The Consultant must ensure that officers have the ability to create effective response team leadership procedures.
- h. The Consultant must ensure that officers have the ability to identify errors in the application of the fundamentals and how to correct those errors.
- i. The Consultant must ensure officers have the ability to correctly apply the fundamentals under stress.
- j. The Consultant must ensure that officers leave with a thorough understanding of The Consultant's training methodology and drills so they can continue to improve their skills after the course ends.

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, 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.

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

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 six (6) months commencing the date of the executed contract between Erie County and the selected firm. 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