



**ERIE COUNTY
REQUEST FOR PROPOSAL (RFP)
EMERGENCY PREPAREDNESS SMARTPHONE APPLICATION**

RFP#: 2025-036VF

June 30, 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 pricing and associated costs for procurement of a mobile application for public notification and emergency preparedness.

The proposal shall meet the minimum specifications here-in, and shall include all design, development, maintenance, transition from existing application and support cost associated with this project, including any ongoing/recurring maintenance and administration support plans, for a mobile application in support of Emergency Management and associated partnered Erie County departments.

The project will be funded by Erie County via the 2023 and 2024 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.

2. Background and General Description of the Project

In 2016 Erie County unveiled the new “ReadyErie” app available for free and designed for iPhone, iPad, android and iOS systems. Among other uses, the multi-purpose app allows users to receive critical information and emergency alerts through push notifications, locate Erie County’s emergency shelters, view up-to-date evacuation route maps, and create a personalized Emergency Preparedness Plan by answering five basic questions.

The **ReadyErie** app provides users the information they need at the time they need it, helping them and their loved ones to respond to emergencies in a safe and organized manner. With this app Erie County can communicate directly with its citizens and individuals can have access to critical alerts and updates to coordinate planning with family or co-workers, and stay on top of changing conditions. The app also has useful information on ways to prepare before disaster strikes, helping to mitigate damage and protect lives.

Among the **ReadyErie** app's other features are the ability to share your status with selected contacts on your device and get the latest news and weather for Erie County. Users who create a personalized Emergency Management Plan will be able to store the Plan on their device to share with family and friends.

Every individual's plan will include an Emergency Supply Kit Checklist tailored to their needs; a Customized Emergency Food Supply Shopping List; an Emergency Communications Plan to notify loved ones of the individual's status; and information to prepare your home for impending disaster. Five integrated eGuides provide an opportunity to learn about the various emergency situations that Erie County residents are most likely to face in an emergency

In its current form the app is outdated and not intuitive. It is visually difficult to navigate on small screens, does not effectively integrate for push notifications with NWS and limits the submenus due to its format and structure. Therefore, we are looking for proposals for a more effective, functional and scalable for our current and future needs.

3. General Information and Requirements

A. Project Overview

Erie County seeks to hire a consultant to deliver to provide pricing and associated costs for procurement through implementation of a mobile application for emergency preparedness.

B. Key Dates (Tentative)

Release of RFP	6/30/2025
Question and Answer Due Date	7/7/2025
Questions and Answers Response Posted	7/14/2025
Proposals Due by (3:00pm EST)	7/21/2025
Proposal Opening	Week of 7/28/2025
Departmental Approval	8/14/2025
County Legislature Submission	8/22/2025
County Legislature Approval (expected)	9/25/2025
Contract Award	10/1/2025

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 (in order of appearance)

SHSP: State Homeland Security Program

NYS DHSES: New York State Division of Homeland Security & Emergency Services

PITD: Portable Information Transfer Device (e.g. Flash drive or cd-rom)

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 July 21, 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# " 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 the 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:

Service Provider: Minimum Professional Standards

- Minimum of five years of experience in creating custom native applications
- Minimum of 30 custom native applications in the app stores focused on serving the needs of public safety on the state, county, or local levels.
- Applications are designed, created, engineered, and serviced solely in the U.S.
- Ability to design custom look to application.
- Ability to create apps on both iOS and Android platforms.

2. Services Requested

2.1. Requirements for Mobile Application: At a minimum the application must be able to meet the below requirements. Additional functionality will be considered during the RFP review process and weighed by selection committee.

2.1.1. Mobile application must be a custom design created uniquely for the agency.

2.1.2. The format of engineering must be a native application, to best interact with the native applications of the phone.

2.1.2.1. NOTE: Neither HTML5 nor Hybrid applications are approved engineering formats for this application.

2.1.3. • Features will be created primarily by pulling in feeds (RSS, API, CSV, XML) from available news feeds, feeds from social media, RMS, or from feeds created in the App Dashboard, with minimal web links.

2.1.4. Fully customizable and editable blog content based on local needs and conditions.

2.1.5. ADA compliance

2.1.5.1. Comply with WCAG

2.1.5.1.1. Works with screen reader technology

2.1.5.1.2. Accessibility Larger text

2.1.5.1.3. Color contrast

2.1.5.2. Comply with Section 508 standards

2.1.6. Mass notification to registered users.

2.1.7. Ability to forward RSS feed from National Oceanic and Atmospheric Administration's National Weather Service.

2.1.8. Ability for users to store emergency preparation and contact information.

2.1.9. Ability to submit reporting forms designed by DHSES to receive community information and emergency assessments including photographs.

2.1.10. Ability for users to access informational videos regarding safety topics.

2.2. App Design/Layout/Capabilities

2.2.1. Design to feature the logo, images, colors, branding, design/layout, and features requested by agencies.

2.2.2. Layout will be an application to accommodate at minimum the below menus with sub-menus for:

2.2.2.1. Department of Homeland Security & Emergency Services

2.2.2.2. Department of Health

2.2.3. End user will have the ability to share (via a sharing toggle) push notifications and blog content in the app, using the native applications of the phone (SMS text, email, social media, etc.)

2.2.4. Language displays/translation capabilities in addition to English {Spanish, Arabic, Chinese (Mandarin/Cantonese), Bengali, French, and more}

2.3. App Dashboard

2.3.1. An app dashboard will be provided to allow for easy access to update content and will specifically provide access for the Agency to:

2.3.1.1. Send out push notifications

2.3.1.2. Update blog content in the dashboard

- 2.3.1.3. Update page content in the dashboard
- 2.3.1.4. Update additional features such as Contacts, Maps, and Calendars
- 2.3.1.5. Upload files such as pdf or jpg files (forms, images, flyers, etc.)
- 2.3.1.6. Edit selections for NWS alerts rebroadcast
- 2.3.1.7. View App Analytics for download numbers and feature usage
- 2.3.1.8. Add dashboard users with full or partial access to the dashboard
- 2.3.1.9. Submit support requests for changes or updates to engineering team
- 2.3.1.10. Update PINs for secure PIN-protected features or alert channels
- 2.3.1.11. Edit social media integrations

2.4. Social Media Integration

Agency will have the ability to integrate alerts and blog content with Facebook. Agency can choose which content to share to Facebook including both text and images. Push notifications for multiple channels link to websites, Facebook & Instagram (Meta) & X.

2.5. Features

Features will be created primarily by pulling in feeds (RSS, API, CSV, XML) from available news feeds, feeds from social media, RMS, or from feeds created in the App Dashboard, with minimal direct web links.

Erie County Department of Homeland Security & Emergency Services reserves the right to adjust the proposed content during the planning and design phase of this project based on local needs and current conditions.

Examples of such content includes:

- 2.5.1. Header with app name

2.5.2. Weather feature with current conditions, 7-day forecast, radar; user has ability to switch between county location or current location.

2.5.3. Settings

2.5.3.1. Notification settings

2.5.3.2. Share our app

2.5.3.3. Rate our app

2.5.3.4. User feedback

2.5.4. Image slider with ability to include multiple images

2.5.5. Alerts Ticker Tape to display scrolling push notifications

2.5.6. Contact Us Button — agency has ability to update in app dashboard, including to add, delete, move headers and entries under each header

2.5.7. Emergency Management Menu

2.5.7.1. My Emergency Plan

2.5.7.1.1. Be Prepared

2.5.7.1.2. Emergency Kit Checklist

2.5.7.1.3. Personal Emergency Plan — user enters their own contacts

2.5.7.2. Power Outages - page

2.5.7.3. Traffic — page

2.5.7.4. Access & Functional Needs In-app Form

2.5.7.5. Recruit Fire & EMS - blog

2.5.7.6. Training Calendar and Sign-up — dashboard calendar and in-app form

2.5.7.7. Closings - blog

2.5.7.8. My Location — pinpoints locations, shareable function

2.5.7.9. Damage Report Form — in-app form

2.5.7.10. PIN-protected Emergency Services Resource Page — blog

2.5.7.11. Threat reporting – in-app form

2.5.7.12. Emergency Preparedness – blog

2.5.8. • Plus:

2.5.8.1. Social media — integration with social media

2.5.8.1.1. Links to agency social media accounts

2.5.8.1.2. Integration that pulls in news feeds from agency Facebook, X/Twitter, etc. accounts

2.5.8.1.3. Push notifications for multiple channels link to websites, Facebook & Instagram (Meta) & X.

2.5.8.2. Map — agency can update map in app dashboard, setting pin categories, and adding pinpoints according to category with location details such as phone number, physical address, website, description, images, social media links, etc.

2.5.9. Resources — open-ended blog with content of importance to community

2.5.10. News blog or other blog content that is housed in the app dashboard can then be pulled in and displayed on agency websites.

2.5.11. App Analytics

2.5.11.1. The agency can easily access the app analytics for viewing on demand through the app dashboard.

2.5.11.2. Statistics are provided for each platform: iOS and Android

2.5.11.3. Usage statistics provided for:

2.5.11.3.1. Feature open counts

2.5.11.3.2. Device platform and version

2.5.11.3.3. Weekly app open count

2.5.11.3.4. Push Notification analytics

2.5.11.4. Agency can select timeframe for statistics: Current week, current month, past three months, past six months, past year

3. Marketing Package

- 3.1. Press release
- 3.2. Public Service Announcement
- 3.3. QR code and app link that opens both platforms
- 3.4. Print Graphics
 - 3.4.1. Banner design
 - 3.4.2. Postcard design
 - 3.4.3. Business card design
 - 3.4.4. Flyer graphic
- 3.5. Digital Graphics: masthead graphic and additional graphics depicting selected features of app for use on website, emails, and social media
- 3.6. Promotional one-minute video
- 3.7. Mobile smart banner
- 3.8. App Availability
- 3.9. App will be available free of charge for unlimited downloads by the public in Google Play and the iOS App Store
- 3.10. Timeline
- 3.11. Purchase order sent to contractor
- 3.12. Kick off call to be held within one week
- 3.13. Six to eight weeks for development once developer accounts have been set up and all feeds and features have been determined
- 3.14. Test app to be delivered to Agency for approval before uploading to store
- 3.15. Approved app uploaded to agency developer accounts
- 3.16. Training to be provided to Agency on use of App Dashboard to update pages and blogs, and sending push notifications prior to app release
- 3.17. Marketing package provided to Agency
- 3.18. Training to be provided to Agency on best practices in Marketing prior to app

4. Full Technical Support:

Contractor provides ongoing 24/7 support for needed changes and updates. Support is reachable via email, phone, and through the app dashboard.

5. iOS & Android App Updates will be Made:

a) When iOS or Google or 3rd parties make changes that require changes, update or rebuild the mobile app; accordingly,

b) Continue to evolve and improve functionality of the app dashboard and app for improved agency and user experience.

6. Storage / Space:

Content and dashboard are hosted in a US-based server system. Training is provided to members of the agency on how to increase engagement via app usage and marketing, and on use of the mobile app and app dashboard.

7. Quarterly App Review:

Discuss evolution of the app to meet agency and public needs.

8. References Required

8.1. Applicants must submit three references from Emergency Management departments across the U.S. (including at least one in New York State)

9. Cost

9.1. The proposal costs shall be inclusive of (list separately the follow components):

9.2. Development cost for all requested requirements/specifications listed in this document for iOS and Android platforms.

9.3. Five additional years of annual support

9.4. Marketing package

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 three (3) years 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