

REQUEST FOR PROPOSALS: AUDIT SERVICES

INTRODUCTION

A. Overview

The Sullivan County Land Bank Corporation (“SCLBC”) is issuing this Request for Proposals (“RFP”) to obtain Audit Services. The request is open to all qualified firms able to deliver the requirements specified in this RFP.

The SCLBC is seeking respondents with demonstrated experience in providing auditing services as required by the New York State Authorities Budget Office and to meet other obligations as specified in the NY Land Bank Act.

The work contemplated is professional in nature. A respondent must be competent to perform services identified herein and financially solvent.

This RFP shall not create a legal obligation on the part of the SCLBC or any respondents. The SCLBC reserves the right, in its sole discretion, to amend, suspend, terminate or reissue this RFP, in whole or in part, at any stage. The SCLBC shall not be liable to respondents for any costs incurred in connection with the RFP process. Submissions shall be deemed property of the SCLBC.

B. Context of RFP

The Sullivan County Land Bank Corporation was approved by Empire State Development, pursuant to Article 16 of the New York State Not-for Profit Corporation Law in November 2016, to facilitate the return of vacant and abandoned properties to productive use. It was incorporated in February 2017 and has since been operating successfully using funds obtained from grant sources and other partners. Our fiscal year is January 1 to December 31. Copies of our latest financial statements for FY 2019 are available at the end of this RFP.

More information on the land bank, including its adopted procurement policy, is available at sullivancountylandbank.org

C. Time of Completion

The firm or firms retained by SCLBC shall provide services within a mutually agreed upon timeframe and/or in accordance with any deadlines imposed by the SCLB Board.

PROFESSIONAL SERVICE REQUIREMENTS

A. Scope of Services

Services will include:

- Completion of NYS Charities Bureau filing Audit of financial statements
- OMB A-133 Audit

- Review of internal controls
- Completion of the Federal 990 form (may file exemption)

B. Qualifications

Respondents must be a licensed CPA with experience in audits for non-profits and New York State Public Authorities. The audit must be performed in conformity with U.S. generally accepted accounting principles, and the standards for financial audits must be in compliance with Government Auditing Standards, issued by the Comptroller General of the United States.

C. Proposal Requirements

A proposal submitted in response to this RFP shall be formatted as follows to assure consistency:

Section A. Understanding of the Scope of Services to be provided for the Land Bank

Section B. Proposed Fee Schedule

Section C. Qualifications, Experience, Resume & Qualifications and Resume of Key Personnel

Section D. Client/Reference List: Please include the name and contact information for three professional references who can attest to your performance.

Section E. Conflict of Interest(s): This section should disclose any potential conflicts of interest that the firm may have in performing these services for the Land Bank

Section F. Miscellaneous/Other information (This section is for any further pertinent data and information not included elsewhere in the RFP).

D. Insurance Requirements

The successful bidder shall be required to provide for itself and maintain at its own cost and expense until the completion of the work the following forms of insurance:

1. Commercial General Liability coverage with limits of liability not less than One Million Dollars (\$1,000,000.00) per occurrence and not less than Two Million Dollars (\$2,000,000.00) annual aggregate.
2. Comprehensive Automobile Liability coverage on owned, hired, leased, or non-owned autos with limits not less than \$500,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.
3. Workers' Compensation and Employers' Liability in form and amounts required by law.

The Land Bank shall be named as an additional insured on the policies required by subparagraphs (A and B) above (100 North Street, Monticello, NY 12701).

The successful bidder shall furnish certificates of insurance to the Land Bank and corresponding policy endorsement setting forth the required coverage hereunder prior to commencing any work, and such policies shall contain an endorsement requiring the carrier to give at least ten days' prior notice of cancellation to the Land Bank. All insurance required shall be primary and non-contributing to any insurance maintained by the Land Bank. The successful bidder shall ensure that any subcontractors hired carry insurance with the same limits and provisions provided herein. The successful bidder agrees to cause each subcontractor to furnish the Land Bank with copies of certificates of insurance and the

corresponding policy endorsements setting forth the required coverage hereunder prior to any such subcontractor commencing any work.

E. Indemnification

The successful contractor shall defend, indemnify and save harmless the Land Bank, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the successful contractor, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

F. Non-Collusive Certification

By submission of this RFP, each contractor and each person signing on behalf of any contractor certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

1. The prices in this proposal have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other contractor or with any competitor; and
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the contractor and will not knowingly be disclosed by the contractor prior to opening, directly or indirectly, to any other contractor or to any competitor; and
3. No attempt has been made or will be made by the contractor to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

G. MWBE Promotion

It is the policy of the Land Bank that Minority-Owned Business Enterprises (MBE) and Women-Owned Business Enterprises (WBE) are afforded the maximum opportunity to participate in the performance of contracts. It is also the Land Bank's goal to award Procurement Contracts to those procurement contractors who have evidenced compliance with the laws of the State of New York prohibiting discrimination in employment.

H. Affirmative Action

As required by Executive Law § 312, and in compliance with the Land Bank's procurement policy, any contractor awarded a procurement contract in excess of \$25,000 for services rendered to the Land Bank must acknowledge this affirmative action policy and agree to implement the same by making every reasonable effort to award any subcontracts (none of hereby authorized) to MBEs and WBEs and to utilize minority and labor in the performance of any agreement that is awarded to the contractor. Specifically, any contractor awarded a contract in excess of \$25,000 dollars will be expected to abide by the following provisions:

1. The contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. For purposes of this section, affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.

2. At the request of the contracting agency, the contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the contractor's obligations herein.
3. The contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the MWBE Threshold Contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status

I. Non-Discrimination Policy

In accordance with Article 15 of N.Y. Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor agrees that neither it nor any of its subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics or marital status refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.

J. Miscellaneous Requirements

1. The Land Bank will not be responsible for any expenses incurred by any firm in preparing or submitting a proposal. All proposals shall provide a straightforward, concise delineation of the firm's capabilities to satisfy the requirements of this RFP. Emphasis should be on completeness and clarity of content.
2. The contents of the proposal submitted by the successful firm and this RFP may become part of the contract for these services. The successful firm will be expected to execute said contract with the Land Bank.
3. Proposals shall be signed in ink by the individual or authorized principal of the responding party.
4. The Land Bank reserves the right to reject any and all proposals received or to negotiate separately in any manner necessary to serve the best interests of the Land Bank.
5. The selected firm is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of any agreement or its rights, title, or interest therein or its power to execute such agreement to any other person, company or corporation without the prior written consent of the Land Bank.

SUBMITTAL REQUIREMENTS

Proposals must be received at the Sullivan County Land Bank c/o Sullivan County Planning, 100 North Street, PO Box 5012, Monticello, NY 12701, no later than 4:00 PM, Tuesday, January 5, 2012 or via email at info@sullivancountylandbank.org.

Respondents are advised to adhere to the Submittal Requirements. Failure to comply with the instructions of this RFP will be cause for rejection of submittals.

The SCLBC reserves the right to seek additional information to clarify responses to this RFP. Each response must include the following:

A. Letter of Interest

A Cover Letter of Interest signed by a duly authorized officer or representative of the Respondent not to exceed two pages in length. The Letter of Interest must also include the following information:

1. The principal place of business and the contact person, title, telephone/fax numbers and email address.
2. A brief summary of the qualifications of the Respondent and team.
3. Description of organization (i.e. Corporation, Limited liability Company, etc.).
4. The names and business addresses of all Principals of the Respondent. For purposes of this RFP "Principals" shall mean persons possessing an ownership interest in the Respondent.
 - If the Respondent is a partially owned or fully-owned subsidiary of another organization, identify the parent organization and describe the nature and extent of the parent organization's approval rights, if any over the activities of the Respondent
 - If the Respondent is a partially owned or fully-owned subsidiary of another organization identify the parent organization and describe the nature and extent of the parent organization's approval rights, if any, over the activities of the Respondent.

B. Threshold Requirements

These documents must be submitted and acceptable before the SCLBC will review the proposal:

1. Certificate of Good Standing (Corporation) or Certificate of Existence (Limited Liability Company) issued by the New York Secretary of State (If Respondent is a joint venture, a Certificate of Good Standing or Certificate of Existence, as applicable, must be submitted for each entity comprising the joint venture.)
2. Evidence of License and Insurance: Evidence that insurance is in place or can be obtained if selected. Appropriate licenses to be provided.
3. Evidence of Financial Stability: All Respondents shall include their most recent financial statements with the proposal response. This information will assist the SCLBC in determining the Respondent's financial condition. The SCLBC is seeking this information to ensure that the respondents have the financial stability and wherewithal to assure good faith performance.
4. Three (3) references of related projects, including date of project, contact person and phone number and a brief description of the project.
5. Conflict of Interest Statement & Supporting Documentation: Respondent shall disclose any professional or personal financial interests that may be a conflict of interest in representing the SCLBC. In addition, all Respondents shall further disclose arrangement to derive additional compensation from various investment and reinvestment products, including financial contracts.

C. Main Proposal

Please provide the following information:

1. Describe relevant experience providing accounting and/or auditing services to clients similar to the SCLBC.
2. Statement of Qualifications
3. If applicable, MWBE certification.
4. A competitive fee schedule or structure. Please break out filings fees or additional costs, as necessary.

SELECTION PROCESS

A Selection Committee comprised of SCLBC board members and others deemed appropriate by the SCLBC Board will review qualifications in accordance with SCLBC policies. Contract(s) shall be awarded to vendor(s) whose proposal(s) best addresses the submittal requirements set forth in the RFP. There will be no guarantee of assignments to anyone in the qualified candidate pool. The particulars of the assignment and cost proposals will determine the best candidate for any assignment.

QUESTIONS

Questions regarding this RFP shall be submitted in writing via email to:

info@sullivancountylandbank.org

The last date to submit questions regarding the RFP is Monday, December 28th at 4:00 PM

SULLIVAN COUNTY LAND BANK CORPORATION

STATEMENTS OF FINANCIAL POSITION DECEMBER 31,

	2019	2018 Restated
ASSETS		
Current Assets		
Cash and Cash Equivalents	\$ 37,338	\$ 239,156
Prepaid Expense	1,590	1,590
Total Current Assets	38,928	240,746
Noncurrent Assets		
Land and Property Inventory	788,933	138,225
Property and Equipment, Net	1,949	2,436
Total Noncurrent Assets	790,882	140,661
Total Assets	\$ 829,810	\$ 381,407
LIABILITIES AND NET ASSETS		
Current Liabilities		
Accounts Payable	\$ 34,245	\$ 6,318
Total Liabilities	34,245	6,318
Net Assets		
Without Donor Restrictions	795,565	375,089
Total Net Assets	795,565	375,089
Total Liabilities and Net Assets	\$ 829,810	\$ 381,407

See Notes to Financial Statements

SULLIVAN COUNTY LAND BANK CORPORATION

STATEMENTS OF ACTIVITIES FOR THE YEARS ENDED DECEMBER 31,

	<u>2019</u>	<u>2018</u> <u>Restated</u>
Revenues		
Grant Income	\$ 752,368	\$ 486,569
Contributions	5,000	-
In-Kind Donation - Property	534,810	127,834
In-Kind Donation - Personnel	70,134	46,103
In-Kind Donation - Travel	1,546	-
	<u>1,363,858</u>	<u>660,506</u>
Total Revenues		
Expenses		
Program Services	807,131	352,771
Management and General	54,634	23,051
	<u>861,765</u>	<u>375,822</u>
Total Expenses		
Loss on Sale of Land and Property	<u>(81,617)</u>	<u>-</u>
Total Increase in Net Assets	420,476	284,684
Net Assets, Beginning of Year	<u>375,089</u>	<u>90,405</u>
Net Assets, End of Year	<u><u>\$ 795,565</u></u>	<u><u>\$ 375,089</u></u>

See Notes to Financial Statements

SULLIVAN COUNTY LAND BANK CORPORATION

STATEMENT OF FUNCTIONAL EXPENSES FOR THE YEAR ENDED DECEMBER 31, 2019 (WITH COMPARATIVE TOTALS FOR THE YEAR ENDED DECEMBER 31, 2018)

	Program Services	Management and General	Total Expenses	
			2019	2018 Restated
Demolition	\$ 561,232	\$	\$ 561,232	\$ 221,330
Taxes and Licenses	64,478	6,018	70,496	2,029
In-Kind Personnel	35,067	35,067	70,134	46,103
Professional Services	44,926	4,900	49,826	
Insurance	40,186	2,884	43,070	8,686
Legal Fees	21,612	490	22,102	26,568
Cost of Properties Sold	16,319		16,319	58,696
Accounting Fees	9,809	2,600	12,409	4,065
Office Expenses	5,963	393	6,356	100
Travel	3,114	1,546	4,660	908
Advertising	2,035	223	2,258	5,337
Dues and Subscriptions	2,000		2,000	2,000
Depreciation		487	487	
Landscaping and Maintenance	390	26	416	
Total Expenses	\$ 807,131	\$ 54,634	\$ 861,765	\$ 375,822

See Notes to Financial Statements

SULLIVAN COUNTY LAND BANK CORPORATION

STATEMENT OF FUNCTIONAL EXPENSES FOR THE YEAR ENDED DECEMBER 31, 2018

	<u>Program Services</u>	<u>Management and General</u>	<u>Total Expenses</u>
Demolition	\$ 221,330	\$	\$ 221,330
Cost of Properties Sold	58,696		58,696
In-Kind Personnel	23,052	23,051	46,103
Legal Fees	26,568		26,568
Insurance	8,686		8,686
Advertising	5,337		5,337
Accounting Fees	4,065		4,065
Taxes and Licenses	2,029		2,029
Dues and Subscriptions	2,000		2,000
Travel	908		908
Office Expenses	100		100
Total Expenses	<u>\$ 352,771</u>	<u>\$ 23,051</u>	<u>\$ 375,822</u>

See Notes to Financial Statements

SULLIVAN COUNTY LAND BANK CORPORATION

STATEMENTS OF CASH FLOWS FOR THE YEARS ENDED DECEMBER 31,

	2019	2018 Restated
Cash Flows from Operating Activities		
Grant and Contribution Receipts	\$ 757,368	\$ 486,569
Cash Paid to Suppliers	<u>(959,186)</u>	<u>(335,382)</u>
Net Cash Provided by Operating Activities	<u>(201,818)</u>	<u>151,187</u>
Cash Flows From Investing Activities		
Purchase of Property and Equipment	<u>-</u>	<u>(2,436)</u>
Net Cash Used in Investing Activities	<u>-</u>	<u>(2,436)</u>
Net Change in Cash and Cash Equivalents	(201,818)	148,751
Cash and Cash Equivalents, Beginning of Year	<u>239,156</u>	<u>90,405</u>
Cash and Cash Equivalents, End of Year	<u><u>\$ 37,338</u></u>	<u><u>\$ 239,156</u></u>
Noncash Activities		
Property Donations Added to Inventory	\$ 534,810	\$ 127,834
Administrative Services Provided by Sullivan County	70,134	46,103
Travel Expenses Provided In-Kind	1,546	

See Notes to Financial Statements