



RFP Number	RFP# 2023-33
RFP Title ("Project")	ERP Software Procurement & Implementation Services
Item Description	The City of Niagara Falls is seeking proposals from qualified and experienced solution vendors for the procurement and implementation of a suite of integrated solutions, which includes Financial Management, Human Capital Management, Enterprise Asset Management, and Enterprise Land Management. The Statement of Work is more fully described in EXHIBIT A of RFP# 2023-33.
Term	The successful Proposer shall provide the one-time professional implementation services as described herein for a term of no longer than two (2) years in total for all procured systems, commencing on approximately March 1, 2024, and expiring on March 6, 2026.
Deadline for Submittal	Proposals Due: Friday, January 12, 2023, 12:00 p.m. EST
Direct Inquiries and Send Submittals to	One (1) original proposal, (1) electric copy and five (5) copies of the submissions will be received by mail at: City of Niagara Falls Purchasing Division, Room 214 745 Main Street Niagara Falls, NY 14301-0069 Label: RFP# 2023-33
Format of Submittals	Submittals must be received by The City of Niagara Falls by the date and time in the "Deadline for Submittals" section above. No exceptions. The Transmittal Letter shall not exceed two (2) pages. The Executive Summary shall not exceed five (5) pages. Emphasis should be concentrated on accuracy, completeness, and clarity of content for the services and solution provided. The Proposer must adhere to the outline provided in Exhibit B. Respondents are responsible for verifying receipt by the City of Niagara Falls of the submittals.
Clarification of Submittals	During the evaluation of submittals, the City of Niagara Falls reserves the right to the following: Contact any or all Proposers for additional information for clarification purposes. Discard submittals that contain errors, or at its sole discretion, waive disqualifying errors or gain clarification of error or information.
RFP Calendar	These dates are for planning purposes and represent the City's desired timeline for this project. Any revision to the "Deadline for Submittals" will be made by addendum. All other dates may be adjusted without notice as needs or circumstances dictate.

PROPOSER'S NAME:



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REQUEST FOR PROPOSAL
RFP# 2023-33
ERP Software Procurement & Implementation Services

RFP Issue Date	Monday, November 20, 2023
Questions Due	Friday, December 08, 2023, 12:00 p.m. EST
Q&A Addendum	Friday, December 15, 2023, 2:00 p.m. EST
Proposals Due	Friday, January 12, 2024, 12:00 p.m. EST
Submittal Review and Selection	Monday, January 15, 2023 – Friday, February 23, 2024
Notification of Intent to Award	First Quarter of 2024
Notice to Proceed	Friday, March 01, 2024

BACKGROUND AND PROJECT DESCRIPTION

The City of Niagara Falls' current Enterprise Resource Planning (ERP) is IBM AS400. The City desires to move to a modern, sophisticated, cloud-based, Software as a Service (SaaS). The future ERP system will consider the City's core processes in the areas of Financial Management System (FMS), Human Capital Management (HCM), Enterprise Asset Management (EAM), and Enterprise Land Management (ELM).

The City of Niagara Falls welcomes qualified solution Proposers who can demonstrate their ability to furnish both software and technical labor for the procurement and implementation of an integrated suite of enterprise software systems. The Statement of Work (**EXHIBIT A**) of this solicitation includes the following enterprise software systems:

1. Financial Management***

- Accounts Payable
- Accounts Receivables
- Budget
- Cash Receipts
- Capital Assets
- General Ledger
- Grants Management
- Purchasing
- Property Tax Maintenance
- Property Tax Billing & Collections
- Project Accounting

2. Human Capital Management***

- Human Resources
- Payroll

3. Enterprise Asset Management/Inventory

- Work Orders
- Inventory
- Capital and Fleet Asset Maintenance



4. Enterprise Land Management

- Planning and Zoning
- Plan Review
- Permitting
- Inspections
- Code Enforcement
- Project Management

***** Financial Management and Human Capital Management must be provided in the same ERP Suite by the same Proposer. In order to successfully bid on those specific systems, Proposer must be able to provide both enterprise software systems on the same platform of the proposed ERP suite of solutions.**

The proposal shall include software, technical labor, training, hardware (as needed), and ongoing support and maintenance that meet the City's business needs as described in this **RFP# 2023-33**. The City of Niagara Falls requires the inclusion of professional services necessary to implement the systems being proposed by Proposers in response to **RFP# 2023-33**. The City of Niagara Falls will only consider fully cloud-based Software as a Service (SaaS) versions. The City intends to integrate the requested system, including all modules, with other current core systems and any future systems.

EXHIBITS TO RFP

This RFP includes the following Exhibits:

EXHIBIT A – Statement of Work	EXHIBIT F – Proposer Bidding Identification Schedule
EXHIBIT B – Submittal Requirements	EXHIBIT G – Client References Template
EXHIBIT C – Evaluation Criteria	EXHIBIT H – Acknowledgement of Addenda
EXHIBIT D – Insurance Requirements	EXHIBIT I – Certifications
EXHIBIT E – Requirements Traceability Matrix (RTM)	

RESTRICTION OF CONTROL NO CONTACT POLICY

Any contact with any City representatives, related officials, or representatives other than those outlined in the RFP is prohibited. Such unauthorized contact may disqualify the Proposer from this procurement.

PROCUREMENT QUESTIONS

Prospective Proposers are encouraged to submit questions concerning the RFP in writing no later than Friday, December 8, 2023, 12:00 p.m. EST. Questions concerning this RFP are to be submitted via email to Purchasing Agent, Leeann Huey at Leeann.Huey@niagarafallsny.gov with "**RFP# 2023-33**" listed in the subject line.

The City of Niagara Falls will answer all questions in writing and make those answers available to other Proposers via addenda posted with the original RFP on the City's website. It is the Proposers' responsibility to monitor the website for updated information concerning this RFP. The City of Niagara Falls shall not be bound by any verbal information, nor shall it be bound by any written information that is not either contained within the RFP or formally issued as an addendum.



PROPOSAL CONDITIONS GENERAL INSTRUCTIONS

Upon request, the City will officially distribute submission package documents from the Division of Purchasing. Proposers are encouraged to obtain submission package documents from the Purchasing Division's website, <https://niagarafallsusa.org/government/citydepartments/purchasing/>.

Copies from any other source are not considered official copies. Only Proposers who obtain documents from the official sources listed are guaranteed to receive addendum information if such information is issued. If you have obtained this document from a source other than the sources listed, it is recommended that you obtain an official copy through the official sources indicated above.

The envelope or packing container containing the submission must bear the Proposer's name and address, be sealed, and must be clearly marked in the **LOWER LEFT CORNER** with the submission number (**RFP# 2023-33**). Submissions received in a packing envelope or container should also bear the submission number in a conspicuous place. Failure to do this may necessitate the premature opening of the submission, which may compromise its confidentiality.

Proposers(s) must submit or deliver one (1) original copy with original signatures, (1) electronic copy and five (5) copies of the proposal to:

CITY OF NIAGARA FALLS, NEW YORK
DIVISION OF PURCHASING
City Hall, Room 214
745 Main Street
Niagara Falls, NY, 14301

Proposers will not be permitted to enter City Hall during the time in which it is closed to the public. Proposers should make every effort to deliver RFP packages via USPS, UPS, FedEx, or a similar delivery service. Please note that the Purchasing Division must still receive those deliveries no later than the scheduled time set forth on **Page 3** herein. Proposers assume the risk of the method of dispatch chosen.

Proposers who are unable to utilize a delivery service may call (716) 286-4371 and make an appointment to drop off a package to a member of the Purchasing Division staff at the Main Street entrance security desk inside City Hall. Calls to schedule an appointment should be made no later than 12:00 p.m. the day before the scheduled Proposal Due Date. The City takes no responsibility for the late arrival of RFP packages due to delivery failure or the failure to leave adequate time for an appointment to be scheduled.

Proposals will not be publicly read at the opening. Proposals may not be delivered orally, by facsimile transmission, by other telecommunication, or by electronic means. Postmarking by the due date will not substitute for the actual proposal receipt by the City. A Proposer's failure to submit its proposal prior to the deadline will cause the proposal to be rejected. Late proposals or amendments will not be opened or accepted for evaluation.

The total number of pages contained in this package should be 37 pages. If any pages are missing, please contact the Purchasing Division.



EXHIBIT A STATEMENT OF WORK

The purpose of **RFP# 2023-33** is to solicit proposals from qualified solution Proposers who can demonstrate that they possess the functional and technical capabilities to furnish all resources required for the procurement and implementation of a fully integrated suite of Enterprise Software Systems including software, training, hardware (as needed), and ongoing support through Go-Live.

There are four (4) primary systems that comprise the suite of integrated enterprise solutions being requested as part of **RFP# 2023-33**. The requested solutions that are included in the Statement of Work are as follows:

1. Financial Management***

- Accounts Payable
- Accounts Receivables
- Budget
- Cash Receipts
- Capital Assets
- General Ledger
- Grants Management
- Purchasing
- Property Tax Maintenance
- Property Tax Billing & Collections
- Project Accounting

2. Human Capital Management***

- Human Resources
- Payroll

3. Enterprise Asset Management/Inventory

- Work Orders
- Inventory
- Capital and Fleet Asset Maintenance

4. Enterprise Land Management

- Planning and Zoning
- Plan Review
- Permitting
- Inspections
- Code Enforcement
- Project Management

***** Financial Management and Human Capital Management must be provided in the same ERP Suite by the same Proposer. In order to successfully bid on those specific systems, Proposer must be able to provide both enterprise software systems on the same platform of the proposed ERP suite of solutions.**

The proposal shall include software, technical labor, training, hardware (as needed), and ongoing support and maintenance that meet the City's business needs as described in this **RFP# 2023-33**. The City of Niagara Falls requires the inclusion of professional services necessary to implement the systems being proposed by Proposers in response to **RFP# 2023-33**. The City of Niagara Falls will only consider fully cloud-based Software as a Service (SaaS) versions. The City intends to integrate the requested system, including all modules, with other current core systems and any future systems.



Statement of Work

The City of Niagara Falls, New York is seeking an integrated suite of Enterprise Software Solutions that will meet its core requirements across all functional areas and is out-of-the-box, with minimal modifications. The goal is to optimize system utilization for all users, improve response times, reduce errors, decrease manual efforts, and improve analytical capabilities. The City of Niagara Falls intends to minimize its total cost of ownership without any impact on performance and level of service. Further, the City intends to implement an integrated suite of systems that can remain on the upgrade path with minimal cost and business impact and deliver timely and accurate data into the hands of decision-makers and impacted individuals of the public.

Through **RFP# 2023-33**, the City of Niagara Falls seeks to achieve substantial gains in productivity, efficiency, accuracy, mobility, and capacity to make data-driven decisions by implementing the integrated suite of enterprise solutions. The City of Niagara Falls intends to replace its existing core financial system IBM AS400 with a proven, commercial-off-the-shelf (COTS) Financial Management solution as part of a fully integrated enterprise suite. The prospective Financial Management solution **must** also integrate seamlessly with the selected Human Capital Management (on the same Proposer platform | ERP Suite). The Enterprise Asset Management System will be utilized by the City for work order management, inventory, capital, and fleet asset maintenance (both scheduled or preventative and unscheduled). The Enterprise Land Management system will be utilized by the City for planning and zoning, engineering, permitting, inspections, and code enforcement activities with a desire to exchange information with the City's GIS platform (ArcGIS). These software systems **must** also integrate with the City's other critical business systems (as detailed in the attached system requirements documentation). The City of Niagara Falls intends to procure a suite of modernized, integrated enterprise systems that are designed around industry best practices allowing the City to streamline and automate key business processes that result in more timely, accurate, and easy-to-access information.

The City of Niagara Falls, given limited staff availability, kindly requests that the Proposer specify the minimum staffing requirements necessary for both project implementation and ongoing support. Please provide estimates of hours per day/week dedicated to this project, taking into account limited engagement from the City's Information Technology staff and end-users categorized by functional areas. An implementation plan should be included to outline a realistic timeline for the deployment of all proposed enterprise software systems. Furthermore, a separate Cost Proposal should be submitted to outline the total project cost, encompassing expenses for software licensing, professional services (including implementation, data conversion, and training), and any necessary hardware.

Current Technology

The following table details the business applications currently utilized by the City.

SYSTEMS/APPLICATIONS	FUNCTIONS
AS400	Core Financial ERP
ESRI ArcGIS	GIS Mapping and Analysis Software
BAS	City Clerk Cash Book and Vital Records Management System
WAM	Online Refuse Billing & Collections System



SYSTEMS/APPLICATIONS	FUNCTIONS
IAS	Property Tax Assessment and Appraisal Management
SketchUp	3D Design Software
LineStar	Badge Printer
Microsoft Access	Database Management System
Gasboy	Fuel Management System
NBS Development Environment	Permitting and Land Management Software
Granicus	Short Term Rentals
Real Property System	NY State Assessment and Tax Mapping System
311	NY State-Administered Complaint Tracking Program
AutoCAD	CAD Software for 2D and 3D Design
Politess	Parking Ticketing System
High Mark	Electronic Data Interchange program for 3 rd Party Health Insurance Vendor
Unum	Electronic Data Interchange program for 3 rd Party Life Insurance Vendor
GHI EmblemHealth	Electronic Data Interchange program for 3 rd Party Dental Insurance Vendor
Delta Dental	Electronic Data Interchange program for 3 rd Party Dental Insurance Vendor

The following technical aspects are utilized to maintain the technical infrastructure of the City of Niagara Falls. The Proposer will be required to confirm their ability to meet and/or integrate with these standards or propose alternatives:

TECHNOLOGY	STANDARD
Relevant Server(s)	IBM POWER SERIES 9900
Average Desktop	CPU: Intel Core i3-2120 CPU @ 3.30GHz RAM: 4GB HDD: 500 SSD OS: Windows 10 10.0.19044.2965 or higher



	Display: 1600 x 900 Monitor GPU: Integrated
Average Laptop	None in daily use.
LAN	1GBps
WAN	1GBps 100MB (at slowest fiber sites)
Preferred Browser	Chrome Safari OR Google Chrome for Mobile Devices



EXHIBIT B

SUBMITTAL REQUIREMENTS

In submitting responses, Proposers are to be aware that the City of Niagara Falls strongly considers the completeness of the submittal to be the most important, and any erroneous omissions of submission requirements will constitute disqualification. Further, clear and effective presentations are preferred, with all parts, pages, figures, and tables numbered and labeled clearly.

The submitted electronic RFP response must adhere to the following outline for the proposal format:

A. Technical Proposal

- | | |
|---|--|
| 1. Cover Sheet | 8. Functional System Requirements |
| 2. Transmittal Letter | 9. Implementation Plan |
| 3. Proposer Bidding Identification Schedule | 10. Ongoing Support Services |
| 4. Executive Summary | 11. Client References |
| 5. Proposer Qualifications | 12. Proposer Contract Samples |
| 6. Proposed Solution(s) | 13. Exceptions and Deviations |
| 7. Staffing Plan | 14. Other Required Forms and Attachments |

B. Cost Proposal (Separate, Submitted in Excel format)

C. Requirements Traceability Matrix (Separate, Submitted in Excel format)

Instructions for completing each part of the required response to **RFP# 2023-33** are defined in the remainder of this section.

Section 1. Cover Sheet

Proposers must complete Page #1 of this RFP, with the Proposer's name, email address and phone number at the bottom of the summary page and include as the first page of the submission.

Section 2. Transmittal Letter

The Proposer shall include a Transmittal Letter and expression of interest in the project. The Proposer should indicate a willingness to enter into a contract with The City of Niagara Falls and meet the requirements of **RFP# 2023-33**, including insurance requirements. Moreover, the Transmittal Letter must indicate the system solution(s) the Proposer would like to offer within **RFP# 2023-33**. The Transmittal Letter shall also name the person(s) authorized to represent the Proposer in any negotiations with the name and title of the person(s) legally authorized to sign any contract that may result. The Transmittal letter must include a statement to the effect of stating the proposed price in the separate Cost Proposal is valid for no less than ninety (90) days after the proposal submission deadline. The letter must be signed by the Proposer's authorized representative and include a contact email address and telephone number. The Transmittal Letter should **not exceed two (2) pages**.



Section 3. Proposer Bidding Identification Schedule

The Proposer must identify which of the Enterprise Software Systems within the statement of work for **RFP# 2023-33** they are bidding on and complete **EXHIBIT F**.

Section 4. Executive Summary

The Proposer shall include an Executive Summary as a brief narrative **not to exceed five (5) pages** describing the proposed solution. The summary should contain minimal technical commentary and should be oriented toward non-technical personnel. The Executive Summary should not include cost quotations.

Section 5. Proposer Qualifications

The Proposer shall address the minimum Proposer qualifications as detailed in the following ***Proposer Minimum Qualifications*** in **RFP# 2023-33** and may also include additional information on the Proposer's qualifications. This evaluation component will allow the City of Niagara Falls to assess the Proposer's qualifications and determine the Proposer's stability and ability to support the commitments outlined in their proposal.

The Proposers must submit comprehensive information demonstrating and providing evidence that it has the full spectrum of capabilities, experience, professional staff, and expertise to deliver the products and perform the professional services described in **RFP# 2023-33**. The Proposers responding to this RFP must:

- a. Respond to one or more of the requested enterprise software systems, which include:

- | | |
|------------------------------|---------------------------------|
| 1 – Financial Management | 3 – Enterprise Asset Management |
| 2 – Human Capital Management | 4 – Enterprise Land Management |

Responses should include technical implementation services, integration services, and training for each response. Responses should be separated by enterprise solution, thus limiting individual responses to only Financial Management & Human Capital Management and/or Enterprise Asset Management and Enterprise Land Management.

- b. Have a minimum of five (5) years of experience providing the requested software and services.
- c. Have a minimum of five (5) successful system implementations in other organizations, including three (3) of which are for municipalities that are at least the size to the City of Niagara Falls.
- d. Have sufficient, competent, and skilled staff with experience performing the requested services.
- e. Have the necessary credentials, licensures, etc. (if applicable) that govern the software and services provided and adhere to all applicable local, state, and federal laws.
- f. Be able to provide the services confidentially and professionally.
- g. Provide proof of the minimum insurance requirements (detailed provided in **Exhibit D – Insurance Requirements**).
- h. The Proposer is required to submit their most recent audited financial statements.

Section 6. Proposed Solution(s)

The Proposer shall provide a general description of the Proposed Solution(s), as well as technical aspects and how they will meet the requirements of **RFP# 2023-33**. This section must address, at a



minimum, the following items:

- a. Describe the Proposer's overall proposed technology solution(s).
- b. Describe the product direction for the company, including time frames.
- c. Describe unique aspects of the Proposer's solution(s) in the marketplace.
- d. Describe components of the solution(s) that are industry-standard versus proprietary to the Proposer.
- e. For third-party products proposed that are integrated with the Proposer's solution(s), provide the following for each product:
 1. The reason that this product is a third-party product versus being part of the Proposer's software solution(s)
 2. The extent to which this third-party product is integrated with the Proposer's solution(s)
- f. Describe the proposed Cloud solution(s) offered. Please describe how the City's critical data will be stored and kept safe, the backup process, the upgrade process, and all other aspects of the solution(s) maintenance that will directly impact the City of Niagara Falls. Detail the City's options to access or retain data for the long term. Also, clearly identify the responsibilities that the Proposer owns and those that are owned by the City of Niagara Falls.
- g. Describe any hardware proposed to support the end-user in operating the cloud-based solution(s), including recommended internet speeds, desktop equipment, and networking equipment.

Section 7. Staffing Plan

The Proposer shall provide a Staffing Plan, including the designation of the Principal or Project Manager, who will have direct and continuing responsibility for the project. This single-point-of-contact will be the City's Proposer contact on all matters dealing with the project and will handle the day-to-day project management activities through completion. The Proposer must detail all personnel assigned to the proposed implementation team, including a listing of their individual job responsibilities for this project. If the Proposer proposes subcontractors, please include information on the subcontracting staff being used and their specific role on the project. The Proposer will be responsible for verifying the experience and qualifications for any outsourced work to subcontractors. The Proposer is also responsible for paying its employees and any subcontractors that the Proposer hires. Resumes should be included for all personnel that will be assigned to the project.

● Project Manager Qualifications

- Be a permanent employee of the firm
- Oversee all aspects of the project
- Serve as the constant primary point of contact for The City of Niagara Falls
- Minimum of ten (10) years of relevant experience
- Minimum of four (4) years of municipal implementation experience
- Project Management Professional certification through PMI is preferred



- **Key Team Members' Qualifications**

- Minimum of five (5) years of relevant experience
- Minimum of two (2) years of municipal implementation experience

The Proposer shall also provide an overall project management approach, including a project organizational structure, which identifies the anticipated effort of each staff member's involvement during the project. Identify the roles and responsibilities of each component of this structure.

Section 8. Functional System Requirements

The Proposer must complete the Microsoft Excel version of the Requirements Traceability Matrix (RTM) for each Enterprise Software System being proposed. The list of system requirements for each Enterprise Software System is included in **EXHIBIT E** of **RFP# 2023-33**. The RTM must be inserted into this section of the Technical Proposal as a non-editable PDF version. In addition, the Proposer must also submit an electronic version of the completed RTM in Microsoft Excel format. The RTM will be quantitatively evaluated based on the Proposer's responses and will identify the Proposer's ability to meet the City's system requirements. ***Please note: The response to these requirements should be provided in the exact format as provided (e.g., no additional macros, formulas, extra columns, modifications, passwords, etc.). Failure to do so can result in disqualification of the entire proposal.***

Section 9. Implementation Plan

The Proposer shall provide an implementation plan in a narrative format supported by an activity-level Microsoft Project Plan that details how the proposed solution(s) is to be implemented. The City of Niagara Falls requests that the Proposer also provide their project plan in a PDF format as part of this section. This comprehensive implementation plan should include the following elements:

- | | |
|------------------------------------|--|
| a. General Implementation Approach | g. Testing |
| b. Data Conversion Planning | h. Training |
| c. System Integration Planning | i. System Go-Live / Post Go-Live Support |
| d. Business Process Analysis | j. System Documentation and Manuals |
| e. System Configuration | k. Disaster Recovery Plan |
| f. Report Development | l. Knowledge Transfer |

The Proposer should not be constrained to only include the above items in the proposal response if the provision of additional elements may add value to the overall implementation. Further information that is requested as part of the Proposer proposals:

Section 9a. General Implementation Approach

The Proposer shall provide a general overview of the proposed implementation approach intended for use at the City of Niagara Falls that includes addressing the following items:

- Describe the approach for the transition from the sales cycle to the implementation phase of the project, including any pre-implementation planning.
- Describe the project methodology as it relates to implementing a solution on-time, within



the proposed budget, and with the ability to meet the unique needs of a municipal client like the City of Niagara Falls.

- Describe your approach to phasing the implementation of proposed solution(s) by the enterprise software system and by functional area. What is your recommended approach for this implementation? If proposing multiple systems, is there overlap whereby systems are implemented in tandem? Describe the expected level of engagement with the City's staff.
- Any unique tools, techniques, or methods that the Proposer intends to use related to the implementation should be described in this section.
- Provide specifications for the minimum staffing requirements necessary for both project implementation and ongoing support.

Section 9b. Data Conversion Plan

The Proposer shall provide a Data Conversion Plan for assisting the City of Niagara Falls in the conversion of both electronic and manual historical data to the new system. It is anticipated that the City will be responsible for data extraction from current systems, data scrubbing, and data pre-processing. The Proposer will be responsible for overall data conversion coordination, definition of file layouts, data import, and validation into the new solution(s). The Proposer shall address the following items:

- Describe your general approach towards data conversion and archival as well as how you would work with the City of Niagara Falls to conclude what should be converted.
- Describe your recommended approach toward the retention of legacy data. The City of Niagara Falls anticipates three (3 to 5) fiscal years of account balance data being converted from the legacy systems, along with one (1) fiscal year of transactional data. The current year-to-date will also require conversion.

Section 9c. System Integration Planning

The Proposer shall provide a plan for Integration and Interfaces. It is expected that an end-user would generally need to enter data once into the systems, and that information would be accessible across systems in real-time due to integrations. Modules within the systems should be integrated in real-time with each other such that batch processes are not required to transfer information from one area of the systems to another. The Proposer **must** comply with the information contained in **EXHIBIT E** to meet the City's business needs. Additionally, the Proposer shall address the following items:

- Describe the extent to which the various modules are integrated versus being purchased separately and interfaced.
- Describe your approach towards interfacing and integration with other solutions, including the use of specific tools, methods, and standards.
- Describe your data exchange standards (e.g., XML, Web Services, or EDI) supported or provided by your software.
- Describe potential issues for integrating with specific technologies that are used within the City of Niagara Falls.



- Describe potential tools or assistance to easily incorporate customizations into new versions/releases of your software if local customizations are made.

Section 9d. Business Process Analysis

The Proposer shall provide an approach for working directly with the City of Niagara Falls to address the impact that core functionality will have on critical business processes. The City of Niagara Falls anticipates maximizing the utility of workflow automation across enterprise software systems to build efficiencies and improve communications and data-informed decision-making in real-time. Describe the effort of working with the City to redesign critical business processes across functional areas prior to System Configuration for each proposed enterprise software system.

Section 9e. System Configuration

The Proposer shall provide an approach for System Configuration that describes the process for building workflows and completing system setups. The City of Niagara Falls understands that the Proposer will hold workshops that include homework. Discuss these workshops and provide a description to inform the City of the level of ongoing stakeholder engagement that will be required throughout the system configuration stage.

Section 9f. Report Development

The Proposer shall provide an approach to addressing Report Development related to the proposed solution(s). For specific reporting requirements, as detailed in **EXHIBIT E**, it is anticipated that the Proposer will take the lead in developing any reports required as part of the initial deployment of the system. The Proposer is expected to provide specialized knowledge and information to the City of Niagara Falls staff during the development of needed reports via technical training on the tools used for report development. The Proposer shall address the following items:

- Describe the various reporting methods, including any ad-hoc business intelligence capabilities.
- Describe the methods for the City of Niagara Falls to identify, specify, and develop required custom reports during the implementation and a method for the City to create reports post-implementation.

Section 9g. Testing

Given the City's limited staffing availability, the Proposer should outline their proposed approach for various testing types likely to be conducted during the project's implementation phase. Additionally, please specify the extent of City staff involvement in the testing process:

- System testing
- Integration testing
- Stress/performance testing
- User Acceptance Testing (UAT)

Section 9h. Training

The Proposer is responsible for providing complete onsite training programs to ensure that all



staff members are proficient in the essential features of the solution(s) and can effectively carry out the related workflows. It is important to note that the City of Niagara Falls is committed to thoroughly evaluating the benefits, drawbacks, and associated costs of the proposed training approach for the following implementation training approach:

- **End-User Training Approach:** All end-user and technical training will be performed on-site through implementation and be performed by the Proposer.
 - The Proposer will provide end-user implementation training and include joint participation by the relevant City of Niagara Falls process owners supporting the process area in the new software system(s).
 - Technical implementation training will include training for the City's IT staff on the technologies and processes required to support the new solution(s).

The Proposer shall provide an overall description of training methods, including the following:

- General time frames in which types of training will be conducted.
- The Proposer must list the nature, level, and amount of training to be provided in each of the following areas:
 - Technical training (e.g., programming, operations, etc.).
 - User training.
 - Other staff (e.g., executive-level administrative staff).

Section 9i. System Go-Live / Post-Go-Live Support

The Proposer shall provide an overview of System Go-Live activities, per the proposed enterprise software system, including preparation for Production Cutover, Blackout Period, Go-Live Support (HelpDesk), and Post-Go-Live Support. Describe the level of engagement with the end user community throughout the Go-Live events.

Section 9j. System Documentation and Manuals

The Proposer shall provide user manuals and online help for use by the City of Niagara Falls as part of the initial training and ongoing operational support. Additionally, the Proposer is expected to provide technical documentation.

- Describe what documentation is readily available as part of the proposed solution(s), including, but not limited to, user guides, technical guides, training materials, online resources, etc. Any related costs should be identified in the Cost Proposal.
- Describe what types of documentation you anticipate developing during the project as custom materials for the City of Niagara Falls project.

Section 9k. Disaster Recovery Plan

The Proposer shall describe the Disaster Recovery Plan and associated services provided around disaster recovery, if any, as part of your proposed solution(s). Please also include any other relevant cybersecurity information, such as encryption strategy and frequency of restore points on backups. Additionally, the Proposer may include a narrative of when the Disaster Recovery Plan was last implemented successfully, downtime incurred, and any adverse effects



on the data that was experienced. This narrative will help the City of Niagara Falls understand some of the challenges that may be faced during implementation.

Section 9I. Knowledge Transfer

The Proposer shall describe their process for ensuring that a transfer of knowledge occurs back to the City of Niagara Falls staff such that staff can support and maintain the application in the most proficient manner once the Proposer's implementation engagement is complete. Knowledge transfer will include all project artifacts.

Section 10. Ongoing Support Services

The Proposer shall specify the nature and conditions of any post-implementation support options, including:

- System outages
 - Level 1 – System is down and requires immediate support, maximum thirty (30) minute response time
 - Level 2 – Major functionality of the system is impacted, or parts of the system are down, maximum one (1) hour response time
 - Level 3 – non-mission critical processes are impacted, maximum of four (4) hour response time
- Post go-live support that is included in the proposal response
- Onsite support (e.g., system tuning, application configuration, interface issues, report development, network optimization, user training and tips to optimize the user experience)
- Telephone/virtual support
- Help Desk services (if there is a service level agreement for your help desk, please provide a copy with your RFP response)
- Toll-free support line
- User group (i.e., information about it, where it is held and when. If not, are you planning one?)
- Online user community/knowledgebase (i.e., how it is accessed, who updates it, etc.)
- User conferences

Section 11. Client References

The Proposer shall provide five (5) references, including contact names, phone numbers, email addresses, mailing addresses, contract value, enterprise software systems implemented, and a project summary from customers for whom the Proposer is currently (or has previously) provided services as required in **RFP# 2023-33**, within the last five (5) years. Of the five (5) client references, the Proposer shall provide three (3) of which are comparable municipalities that provide similar services. References will be contacted by the City of Niagara Falls to assist with the evaluation of experience, expertise, and customer satisfaction. Each reference must be willing to make themselves available for a conference call and possible site visit. The template for completing Proposer references is provided in **EXHIBIT G** of **RFP# 2023-33**. Proposers may attach additional pages as needed.

Section 12. Proposer Contract Samples



The Proposer shall provide sample contract templates utilized by the Proposer including, but not limited to, Software License Agreement, SaaS fees, 3rd Party Agreements, Maintenance, Services, Service Level Agreements, Remote Access, etc.

Section 13. Exceptions and Deviations

The Proposer shall provide a written description of any exceptions and deviations to the requirements of this RFP solicitation. This section will be all-inclusive and will contain a definition statement of every objection or deviation with adherence to specific sections within **RFP# 2023-33**. Objections or deviations expressed only in other parts of the proposal, either directly or by implication, will not be accepted as deviations, and the Proposers in submitting a proposal will accept this stipulation without recourse.

Section 14. Other Required Forms and Attachments

The Proposer shall provide all required forms in this section, complete with official signature(s) and date(s):

- **Acknowledgement of Addenda and Certification**
- **Vendor's Certification and Assignment of Claim**
- **Affidavit of Non-Collusive Submission Certification**
- **Certification of Compliance with the Iran Divestment Act**

Cost Proposal (Separate, Submitted in Excel format)

The Proposer shall prepare and submit a separate, stand-alone Cost Proposal which offers itemized pricing through the completion of the project, along with recurring annual costs, for all aspects of the project, including, but not limited to, the following costs:

- | | |
|---|------------------------------------|
| ● "Software as a Service" license with software assurance | ● SaaS upgrade costs |
| ● Additional software modules by functional area | ● Software integration |
| ● Implementation fees | ● Hardware integration (if needed) |
| ● Annual support costs | ● Data conversion |
| | ● Training |
| | ● Travel Expenses |

Requirements Traceability Matrix (Separate, Submitted in Excel format)

1. Financial Management
2. Human Capital Management
3. Enterprise Asset Management
4. Enterprise Land Management

English Language. Offers submitted in response to this **solicitation shall be in the English language**. Offers received in a language other than English shall be rejected.



EXHIBIT C EVALUATION CRITERIA

Selection Committee

The Selection Committee will be representing the City's workforce. The role of the Selection Committee is to evaluate the proposals submitted, based upon the following Proposal Evaluation Process, and make a recommendation of award(s).

Proposal Evaluation Process

The City of Niagara Falls' Proposal Evaluation Process will encompass the following:

- Round 1: Proposal Evaluation
- Round 2: System Demonstrations
- Round 3: Reference Checks
- Round 4: Site Visits [OPTIONAL]

Scoring will be completed based on the areas listed below and defined in the remainder of this section. All scores for each Proposer shall be added together to arrive at a final score for each proposal. Proposals will then be ranked in descending order by the total proposal score. The City reserves the right not to enter into any contract as a result of this bid invitation.

Round 1: Proposal Evaluation

The City of Niagara Falls' Selection Committee will conduct a detailed Proposal Evaluation of the Proposer's proposal (Technical and Cost) once the submission period closes to determine basic responsiveness to stated minimum requirements. The evaluation will determine whether they are complete, that the documents have been properly signed, and that they are generally in order. Proposals that are not deemed complete will be removed from consideration and will not be reviewed further by the City's Selection Committee. During the Proposal Evaluation, each Selection Committee Member will score the Proposer's proposal using a proposal evaluation matrix form based on the Evaluation Criteria detailed below. All individual Selection Committee Member ratings are then added together to create a composite rating. The composite rating indicates the group's collective ranking of the highest-rated proposals. The highest-rated proposals will be short-listed and will move on to Round 2: System Demonstrations.

Technical Proposal – Evaluation Metric (Round 1)	Weight
Transmittal Letter (Section 2)	Pass / Fail
Submission of Required Forms (Sections 1, 3, 14)	Pass / Fail
Proposer Qualifications (Section 5)	15%
Staffing Plan (Section 7)	10%
Client References (Section 11)	10%
Solution and Approach (Section 6, 9, 10)	25%
Response to Functional System Requirements (Section 8)	40%
Total Points	100%



Cost Proposal – Evaluation Metric (Round 1)	Weight
Total Project Cost (Cost Proposal)	80%
Annual Maintenance Cost	20%
Total Points	0 – 100%

Round 2: System Demonstrations

The City of Niagara Falls Selection Committee will invite the Short-Listed Proposers from the Proposal Evaluation (Round 1) to have their Project Teams conduct an Oral Presentation of their Proposal Response and provide System Demonstrations. The Short-Listed Proposers will be provided with a Demonstration Script which will outline each functional requirement that the City of Niagara Falls Selection Committee expects to evaluate, along with the expected time limit to demonstrate each functional area. Additionally, the City of Niagara Falls Selection Committee will ask detailed questions encompassing all aspects of the Proposer's Proposal Response, including the proposed solution(s) Project Team, Oral Presentation, and System Demonstration.

The Oral Presentations and System Demonstrations are estimated to be held during the weeks of January 29 – February 9 (2024). Short-listed Proposers should be prepared to conduct the System Demonstrations during this timeframe. Please note that System Demonstrations for short-listed Proposers will be held virtually.

The City of Niagara Falls Selection Committee expects the Proposer's proposed Project Manager and key members of the implementation team to be present at the Oral Presentation and System Demonstration session. Any cost associated with the preparation and delivery of the Oral Presentation and System Demonstration will NOT be reimbursed by the City of Niagara Falls.

During Round 2, the Selection Committee will score the System Demonstrations of Short-Listed Proposers using an evaluation matrix based on the Evaluation Criteria below. The ratings from Round 1 and Round 2 will be considered in combination to determine the collective final ranking of the Short-Listed Proposers.

Proposal Evaluation Metric (Round 2)	Weight
Oral Presentation	20%
System Demonstration	40%
User Experience	40%
Total Points	100%

Round 3: Reference Calls

The City of Niagara Falls Selection Committee will conduct Reference Calls. Proposers shall provide details of five (5) client references. These References should be customers with requirements similar to those of the City of Niagara Falls, including three (3) successful system implementations in other organizations that are comparable in size, scope, and operating budget to the City of Niagara Falls' system implementation. The City of Niagara Falls reserves the right to contact these reference customers and to discuss their satisfaction with the Proposer, its product, and its proposed solution(s) in response to **RFP# 2023-33**.



Proposal Evaluation Metric (Round 3)	Weight
Reference Calls	100%
Total Points	0 – 100%

Round 4: Site Visits (Optional)

The City's Selection Committee will conduct optional Site Visits after completing Round 3 Reference Calls. The optional Site Visits will allow the City of Niagara Falls to meet in person with the Proposer's References. The Selection Committee will be able to see a demonstration of the Proposer's proposed solution in production and ask questions related to the implementation and ongoing relationship with the Proposer finalist.

Proposal Evaluation Metric (Round 4)	Weight
Site Visit	100%
Total Points	0 – 100%

After completing the Evaluation Rounds, the Selection Committee will finalize the composite score across all rounds of evaluation. The City of Niagara Falls may commence negotiations with the highest-ranked eligible Proposers or may commence simultaneous negotiations with all qualified Proposers to determine the Proposer's **Best and Final Offer (BAFO)**.



EXHIBIT D INSURANCE REQUIREMENTS

Instructions pertaining to:

VENDORS & PROFESSIONAL SERVICES INSURANCE COVERAGE AND CERTIFICATES

1. GENERAL PROVISIONS

As to all required insurance:

- a) The Vendor shall provide current Certificates of Insurance and accompanying documents as described herein for the City's approval prior to City's signing of contract(s).
- b) "Certificate Holder" shall be: **City of Niagara Falls, NY, 745 Main Street, Niagara Falls, NY 14301.**
- c) Coverage must comply with all specifications set forth herein.
- d) All insurance documents must be executed with authorized signatures.
- e) The Vendor's required liability policies must be endorsed to provide that any Notice of Cancellation or Notice of Non-Renewal given to the First Named Insured shall also be given to the Additional Insureds for this project. **A copy of such endorsement(s) must be furnished to the Certificate Holder.**
- f) Failure of the City to object to the Vendor's failure to furnish a Certificate or other evidence of the required insurance coverages, object to any defect in such Certificate or other evidence of coverage, or demand receipt of such Certificate or other evidence of coverage shall not be deemed a waiver of Vendor's obligation to furnish the required insurance coverages described herein. Nothing contained herein imposes on the City a duty or obligation to review any evidence of insurance coverage or issue any formal approval or acceptance of such evidence.
- g) The Vendor's liability and indemnification of the City shall not be relieved or diminished by the Vendor securing insurance coverage in accordance with the City's requirements. Any approval by the City of such insurance coverage shall not be construed as accepting in any way the deficiencies in the Vendor's insurance coverage.
- h) In addition to Certificates of Insurance and other documents, the Vendor shall provide to the City and other Certificate Holders, on a timely basis, copies of any subsequently issued endorsement(s) that amend applicable coverages or limits.
- i) When any required insurance shall expire, due to the attainment of a normal expiration or renewal date, the Vendor shall supply, no later than ten (10) days prior to such expiration, the City with Certificates of Insurance and accompanying documents evidencing continuation of coverage in the same manner, limits of protection and scope as provided by the previous policy.
- j) The Vendor will assure that any and all subcontractors retained by the Vendor carry and maintain insurance with reasonably prudent limits and coverage satisfactory to the City in light of the work to be performed, written by companies meeting the same criteria as required in Section 2.



LIABILITY INSURANCE, and that the City is named additional insured on the subcontractor's liability policies according to the same requirements as described in Section 2.1(b).

- k) The Vendor shall disclose to the Owner any deductible or self-insured retentions applicable to any of the coverages required herein of the Vendor.
- l) The City reserves the right to modify the requirements herein, including limits, based on circumstances involved, including but not limited to the nature of the risk involved, prior experience, insurer, or coverage.

2. **LIABILITY INSURANCE**

The Vendor agrees to secure and maintain, at the Vendor's own expense, all insurance coverage required herein from one or more insurance companies that are licensed to write such insurance in New York State or are eligible non-admitted insurers, per the current Excess Line Association of New York's (ELANY) official list. Insurers must carry an A.M. Best "Secure" rating of B+ or better. The Vendor's insurance shall include the following, and shall be written with limits no less than hereinafter specified:

a) **COMMERCIAL GENERAL LIABILITY**

- (1) **Occurrence based Commercial General Liability:** Coverage to include bodily injury, personal injury, and property damage applicable to ongoing operations and contractual liability. The coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the VENDOR:

General Aggregate	\$2,000,000.00
Products & Comp/Op. Aggregate	\$2,000,000.00
Personal & Advertising Injury	\$1,000,000.00
Each Occurrence	\$1,000,000.00
Fire Damage (any one fire)	\$ 50,000.00
Medical Expense (any one person)	\$ 5,000.00

- (2) **Additional Insured:** Coverage in Commercial General Liability, Automobile Liability, and Excess Liability and/or Umbrella Liability policies or coverage sections shall be written or endorsed so as to apply to the following as **additional insured on a primary and non-contributory basis**:

"City of Niagara Falls and its employees, officers, board members, commissioners and authorized volunteers."

The Certificate of Insurance must clearly state how Additional Insured coverage is achieved in the General Liability, Automobile Liability, and Umbrella/Excess Liability policies. Certificates of Insurance must show the form numbers that are used to achieve all of the Additional Insured coverage. A copy of the actual policy language that affects this coverage in each policy must be provided to the City with the Certificate of Insurance.

- (3) **Waiver of Subrogation:** To the fullest extent permitted by applicable state law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile, Umbrella/Excess Liability, and Workers Compensation policies in favor of the City.

- b) **AUTOMOBILE LIABILITY INSURANCE** - Bodily Injury and Property Damage, coverage for the Vendor as the owner or the lessee of automobiles, trucks, trailers, self-propelled Vendor's



equipment, and all other owned, hired, and non-owned vehicles registered for use on the public highway and/or used in operations relating to work under contract. The coverage limit applicable shall be the greater of the amounts indicated below or the amount(s) carried by the Vendor:

Combined Single Limit	\$1,000,000.00
-----------------------	----------------

- c) **EXCESS LIABILITY AND/OR UMBRELLA LIABILITY** - Applicable to Commercial General and Automobile Liability policies. The Excess Liability and/or Umbrella Liability coverage limits applicable shall be the greater of the amounts indicated below or the amounts carried by the Vendor:

Each Occurrence	\$5,000,000.00
Aggregate	\$5,000,000.00

See Section 2 (a) (2) above for additional insured requirements applicable to the Excess Liability and/or Umbrella Liability insurance.

- d) **PROFESSIONAL LIABILITY** - If the Vendor's work involves rendering professional services, the Vendor shall provide Professional Liability coverage for the Vendor's errors, omissions, and negligent acts arising from the performance of the Vendor's services under this contract. Coverage limits shall be the greater of the amounts indicated below or the amounts carried by the Vendor:

Each Occurrence/Claim	\$1,000,000.00
Aggregate	\$3,000,000.00

- e) **CYBER LIABILITY** - If the Contractor will be communicating electronically with the City or any of its agents, the Contractor must have coverage applicable to first and third party claims including but not limited to data compromise expenses and liability, forensic review costs, legal review costs, data restoration and re-creation costs, public relations costs, extortion costs, network security liability, identity recovery costs, regulatory fines and penalties, and credit monitoring costs. This coverage must also include computer crime coverage including but not limited to \$100,000 for social engineering & funds transfer fraud. Coverage limits shall be the greater of the amounts indicated below or the amounts carried by the Contractor:

Each Occurrence	\$1,000,000.00
Aggregate	\$1,000,000.00

3. **WORKERS COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE** - Must include Waiver of Subrogation in favor of Owner.

Coverage required by the laws of New York State as further described below.

- a) **REQUIREMENTS** - To comply with coverage provisions of Section 57 of the Workers' Compensation Law, businesses must (1) be legally exempt from obtaining workers' compensation insurance coverage, (2) obtain such coverage from insurance carriers, or (3) be self-insured or participate in an authorized group self-insurance plan.
- b) **COVERAGE EVIDENCE** - The Contractor must provide one of the following forms to the Owner, or the current equivalent of any of them in the event of revisions or replacements:



- (1) Either: **CE-200**, Affidavit For New York Entities And Any Out Of State Entities With No Employees, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage Is Not Required;
- Or: **CE-200**, Affidavit That An OUT-OF-STATE OR FOREIGN EMPLOYER Working In New York State Does Not Require Specific New York State Workers' Compensation and/or Disability Benefits Insurance Coverage (Affidavits must be stamped as received by the N.Y.S. Workers' Compensation Board).

-OR-

- (2) Either: **C-105.2**, Certificate of Workers' Compensation;
- Or: **U-26.3**, New York State Insurance Fund Certificate of Workers' Compensation Coverage.

-OR-

- (3) Either: **SI-12** – Certificate of Workers' Compensation Self-Insurance;
- Or: **GSI-105.2** – Certificate of Participation in Workers' Compensation Group Self-Insurance.

4. **NEW YORK DISABILITY (NYDBL)** - Coverage required by the laws of New York State, as further described below.

DISABILITY BENEFITS REQUIREMENTS UNDER WCL SECTION 220 (8):

- a) **REQUIREMENTS** - To comply with coverage provisions of the New York State Disability Benefits Law, businesses must (1) be legally exempt from obtaining disability benefits insurance coverage, (2) obtain such coverage from insurance carriers, or (3) be self-insured.

- b) **COVERAGE EVIDENCE** - The Contractor must provide one of the following forms to the Owner, or the current equivalent of any of them in the event of revisions or replacements:

- (1) Either: **CE-200**, Affidavit For New York Entities And Any Out Of State Entities With No Employees, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage Is Not Required;
- Or: **CE-200**, Affidavit That An OUT-OF-STATE OR FOREIGN EMPLOYER Working In New York State Does Not Require Specific New York State Workers' Compensation and/or Disability Benefits Insurance Coverage. (Affidavits must be stamped as received by the N.Y.S. Workers' Compensation Board).

-OR-

- (2) Either: **DB-120.1**, Certificate of Disability Benefits Insurance;
- Or: **DB-820/829**, Certificate/Cancellation of Insurance.

-OR-

- (3) **DB-155**, Certificate of Disability Benefits Self-Insurance.



EXHIBIT E

REQUIREMENTS TRACEABILITY MATRIX

Please use the link found below to download a Microsoft Excel version of the ***Requirements Traceability Matrix (RTM)*** containing the System Requirements for each requested Enterprise Software System that the Proposer is proposing. Proposers are required to respond to the questions within each RTM of interest in the native Excel format provided in accordance with the guidelines provided in the spreadsheet. Completed RTMs will be used by the City of Niagara Falls to determine the fit of the Proposer's proposed solution to the requirements. Failure to complete and submit an electronic version (Microsoft Excel) of an RTM for each Enterprise Software System of interest will result in the Proposer being disqualified from the RFP evaluation process.

- [City of Niagara Falls – The Requirements Traceability Matrix \(RTM\)](#)
 - **Financial Management (FIN)**
 - **Human Capital Management (HCM)**
 - **Enterprise Asset Management (EAM)**
 - **Enterprise Land Management (ELM)**



EXHIBIT F

PROPOSER BIDDING IDENTIFICATION SCHEDULE

Proposers are required to identify which of the Four (4) Enterprise Software Systems they are bidding on. By completing the ***Proposer Bidding Identification Schedule***, Proposers will clearly define their bidding intent to the City of Niagara Falls.

Please place an "X" on the line which appears to the left of each designated Enterprise Software System within the statement of work for **RFP# 2023-33**.

- 1 _____ **Financial Management (same Proposer platform | ERP Suite)*****
- Accounts Payable
 - Accounts Receivables
 - Budget
 - Cash Receipts
 - Capital Assets
 - General Ledger
 - Grants Management
 - Project Accounting
 - Purchasing
 - Property Tax Maintenance
 - Property Tax Billing & Collections
 - Project Accounting
- 2 _____ **Human Capital Management (same Proposer platform | ERP Suite)*****
- Human Resources
 - Payroll
- 3 _____ **Enterprise Asset Management**
- Work Orders
 - Inventory
 - Capital and Fleet Asset Maintenance
- 4 _____ **Enterprise Land Management**
- Planning and Zoning
 - Plan Review
 - Project Management
 - Permitting
 - Code Enforcement / Inspections

***** Financial Management and Human Capital Management must be provided in the same ERP Suite by the same Proposer. In order to successfully bid on those specific systems, Proposer must be able to provide both enterprise software systems on the same platform of the proposed ERP suite of solutions.**



EXHIBIT G
CLIENT REFERENCE TEMPLATE

Client Reference & Profile <ul style="list-style-type: none">• Client name• Population• Operating Budget• Number of employees	
Contact Information <ul style="list-style-type: none">• Contact name• Phone number• Email Address• Mailing Address	
Contract Value <ul style="list-style-type: none">• Implementation Fees• Software Licensing Cost• Recurring SaaS Fees• Other cost associated with this contract	
Enterprise Software System(s) Implemented <ul style="list-style-type: none">• List all software systems implemented and additional modules if not included in the base product	
Project Summary <ul style="list-style-type: none">• Project Scope• Project Activities• Project Timeline (kickoff, phases, closeout date)	



EXHIBIT H
ACKNOWLEDGEMENT OF ADDENDA

Proposer acknowledges receipt of the following addenda:

ADDENDA	DATE
1.	
2.	
3.	
4.	



EXHIBIT I
CERTIFICATIONS
VENDOR'S CERTIFICATION AND ASSIGNMENT OF CLAIM

THIS FORM MUST BE COMPLETED IN INK, BE TYPED OR BE COMPUTER GENERATED,

BE CLEARLY LEGIBLE AND BE SIGNED AND DATED WITH EITHER BLUE OR BLACK INK.

FAILURE TO DO THIS MAY RESULT IN REJECTION.

I/We, the undersigned, herewith propose and agree to furnish to the City any one or all of the items upon which we have submitted, for the prices indicated herein, in accordance with the instructions, General Conditions and Specific Terms, Conditions and Specifications and any other related formal documents.

The undersigned individual certifies to having read these Instructions, General Conditions, Specific Terms, Conditions and Specifications and any other related formal documents and offers to furnish the articles specified to the City in exact accordance with same at the prices herein stated.

Vendor hereby assigns to the City and the State of New York any and all of its claim(s) for overcharges associated with this contract/agreement which arise under the antitrust laws of the United States, 15 U.S.C. Section 1, et seq. and the antitrust laws of the State of New York, G.B.L. Section 340, et seq.

VENDOR NAME

ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

EMAIL ADDRESS

NAME & TITLE OF AUTHORIZED CONTACT

AUTHORIZED SIGNATURE

DATE



AFFIDAVIT OF NON-COLLUSIVE SUBMISSION CERTIFICATION

I hereby attest and certify that I am the person responsible within my firm for the final decision as to price(s) and amount of this submission, or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm. I further attest and certify that:

1. The price(s) and amount(s) of this submission have been arrived at independently, without consultation, communication, or agreement for the purpose of restricting competition with any other contractor, Proposer, bidder, or potential bidder.
2. Neither the price(s) nor the amount(s) of this submission have been disclosed to any other Proposer, firm or person who is submitting or potentially submitting on this project and will not so be disclosed prior to submission opening.
3. No attempt has been made or will be made to solicit, cause, or induce any Proposer, firm or person to refrain from submitting on this project, or to submit a higher price than the submission of this firm, or any intentionally high or non-competitive submission or other form of complementary submission.
4. The submission of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any Proposer, firm or person to submit a complementary submission.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any Proposer, firm or person, or offered, promised or paid cash or anything of value to any Proposer, firm or person, whether in connection with this or any other project in consideration for an agreement or promise by any Proposer, firm or person to refrain from submitting or to submit a complementary submission on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any Proposer, firm or person, and has not been promised or paid cash or anything of value by any Proposer, firm or person, whether in connection with this or any other project, in consideration for my firm's submitting a complementary submission, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's submission on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made.

**SUBMISSION IS NOT ACCEPTABLE WITHOUT THE ABOVE AFFIDAVIT
SIGNED AND CERTIFIED BY A NOTARY PUBLIC**

[SIGNATURE ON FOLLOWING PAGE]

PROPOSER NAME



ADDRESS

CITY, STATE, ZIP

TELEPHONE NUMBER

NAME & TITLE

AUTHORIZED SIGNATURE

Sworn to before me this _____ day
of _____, 20____

Notary Public

AFFIDAVIT OF NON-COLLUSIVE SUBMISSION CERTIFICATION – SIGNATURE PAGE



CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT

As a result of the Iran Divestment Act of 2012 (the “Act”), Chapter 1 of the 2012 Laws of New York, a new provision has been added to State Finance Law (SFL) § 165-a and New York General Municipal Law § 103-g. both effective April 12, 2012. Under the Act, the Commissioner of the office of General Services (OGS) will be developing a list of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law) (the “Prohibited Entities List”). Pursuant to SFL § 165-a(3)(b), the initial list is expected to be issued no later than 120 days after the Act’s effective date at which time it will be posted on the OGS website.

By making a submission in response to this offering or by assuming the responsibility of an contract/agreement hereunder, each Proposer/Bidder/Contractor, any person signing on behalf of any Proposer/Bidder/Contractor and any assignee or subcontractor and, in the case of a joint bid, each party thereto, certifies, under penalty of perjury, that once the Prohibited Entities List is posted on the OGS website that to the best of its knowledge and belief that each Proposer/Bidder/Contractor and any subcontractor or assignee is not identified on the Prohibited Entities List created pursuant to SFL § 165-a(3)(b).

Additionally, Proposer/Bidder/Contractor is advised that once the Prohibited Entities List is posted on the OGS Website, any Proposer/Bidder/Contractor seeking to renew or extend a Contract or assume the responsibility of a Contract awarded in response to this offering must certify at the time the Contract is renewed, extended, or assigned that it is not included on the Prohibited Entities List.

During the term of the agreement or contract, should the City receive information that a Proposer/Bidder/Contractor is in violation of the above-referenced certification, the City will offer the person, Proposer, or entity an opportunity to respond. If the person, Proposer, or entity fails to demonstrate that he/she/it has ceased engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the City shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages or declaring the Proposer/Bidder/Contractor in default.

The City reserves the right to reject any bid or request for assignment for a Proposer/Bidder/Contractor that appears on the Prohibited Entities List prior to the award of a contract and to pursue a responsibility review with respect to any Proposer/Bidder/Contractor that is awarded a contract and subsequently appears on the Prohibited Entities List.

I, _____, being duly sworn, depose and say that I am the
_____ of
_____, the Proposer making this submission and that
neither Proposer/Bidder/Contractor nor any proposed subcontractor is identified on the Prohibited
Entities List.

[SIGNATURE ON FOLLOWING PAGE]



Authorized Signature

Sworn to before me this _____ day
of _____, 20_____

Notary Public

**CERTIFICATION OF COMPLIANCE WITH THE IRAN DIVESTMENT ACT
– SIGNATURE PAGE**



CITY OF NIAGARA FALLS NON-SUBMISSION CERTIFICATE

Instructions:

1. Place an X on the appropriate line(s) below.
2. Complete and return **ONLY** this page of the package.
3. Make sure to place your submission number on your envelope and return it to the Purchasing Division

NOTE: It is required that you indicate your reason for not making a submission.

____ We are not making a submission.

____ We request that you remove our name from the mailing list for this offering only.

____ We request that you remove our name from the mailing list for all future offerings made by the City.

VENDOR NAME: _____

ADDRESS: _____

CITY, STATE and ZIP CODE: _____

REASON FOR NOT MAKING A SUBMISSION:

SIGNATURE: _____ DATE: _____



City of Niagara Falls

Affirmative Action/Equal Employment Opportunity Policy Statement

The City of Niagara Falls is committed to furthering the principles of equal employment opportunity of all employees and applicants for employment without regard to age, race, creed, color, national origin, sex, orientation, gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, or domestic violence victim status. The City also acknowledges its legal and ethical obligation to protect the right of all persons to work in an environment free from discrimination, harassment, and retaliation. Accordingly, the City of Niagara Falls will promote the realization of equal employment opportunity through the adoption of specific practices designed to ensure that all employment decisions shall be non-discriminatory, including decisions regarding recruiting, hiring, promotions, terminations, and other terms and conditions of employment.

Providing equal employment opportunity is a system-wide effort. The City shall ensure that all employees, department heads, administrators, boards, commissions, and committees are aware of their rights and obligations under this Policy and encourage work environments reflecting appreciation and respect of differences.

The City has been and will continue to be an equal opportunity organization. No minority and Women-Owned Business (MWBE), employee, or applicant will be discriminated against because of age, race, creed, color, national origin, sex, sexual orientation, gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, or domestic violence victim status. The City will take affirmative action to ensure that MWBE's, employees and applicants are treated without regard to these characteristics. In particular, the City will:

- Include MWBE's in solicitations;
- Recruit, hire, train, place and promote persons for all jobs without regard to age, race, creed, color, national origin, sex, sexual orientation gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, or domestic violence victim status;
- Take affirmative steps to ensure that MWBE's have full participation in our procurement process; and
- Administer other personnel functions, such as compensation, benefits, transfers, layoff, returns from layoff, and company-sponsored training, education, tuition assistance and social and recreation programs without regard to age, race, creed, color, national origin, sex, sexual orientation gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, military status, or domestic violence victim status.



Discrimination is prohibited on account of age, creed, color, national origin, sex, sexual orientation gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, military status, or domestic violence victim status in employment under this contract: (a)in the hiring of employees of work under this Contract or Subcontract hereunder, no Contractor no any person on behalf of such Contractor shall by reason of age, race, creed, color, national origin, sex, sexual orientation gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, military status, or domestic violence victim status, discriminate against any person who is qualified and available to perform the work to which employment related; and (b)no Contractor or any person on behalf of such Contractor shall in any manner discriminate against or intimate employees hired for the performance of work under this contract on account of age, race, creed, color, national origin, sex, sexual orientation gender identity or expression, religion, disability, predisposing genetic characteristics, marital status, military status, or domestic violence victim status.

The City will periodically analyze its procurement and personnel actions to ensure compliance with this policy. If there are questions or concerns regarding the administration of this policy or if someone believes she/he has not been treated in accordance with our policy contact:

Karen Abramaitys
Equal Opportunity Compliance Officer
745 Main Street, Niagara Falls, NY 14301
(716) 286-4327

(Name)
(Title)
(Location)
(Phone)