



NEW YORK STATE
**OLYMPIC REGIONAL
DEVELOPMENT AUTHORITY**

Request for Qualifications (RFQ)
for
LAKE PLACID EVENT LODGING

RFQ Release Date: April 27, 2023

RFQ Submissions Due: June 7, 2023, 2:00 PM

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Section 1. Definitions

In addition to the terms capitalized and defined in the body of this RFQ, the following terms are defined as set forth below.

1.1 Request for Qualifications or RFQ – this Request for Qualifications.

1.2 Olympic Authority or ORDA – the New York State Olympic Regional Development Authority.

1.3 Offeror or offerer or bidder – any person, partnership, firm, corporation or other authorized entity making a submission to the Olympic Authority pursuant to this RFQ.

Section 2. Olympic Authority Mission and Venues

The mission of the New York State Olympic Regional Development Authority (Olympic Authority) is to create economic and social benefit in the Adirondacks and Catskills by operating year-round venues that provide recreational and athletic development opportunities, achieved through a commitment to continuous improvement and emphasis on environmental stewardship, fiscal responsibility, and the delivery of world-class programs and experiences to persons of all ages and abilities.

The Olympic Authority has multiple venues located in Essex, Ulster and Warren Counties consisting of Belleayre Mountain, Gore Mountain, Lake Placid Olympic Center, Mt Van Hoevenberg, Olympic Jumping Complex, and Whiteface Mountain.

Section 3. Overview

The Olympic Authority is issuing this RFQ to qualify lodging properties in northern New York that can provide lodging for Olympic Authority hosted events at its venues located in Lake Placid and Wilmington, New York. The Olympic Authority hosts regional, national, and international sport events and these events are part of the Olympic Authority's role in creating economic benefits in the region by providing jobs and supporting local businesses. In hosting these events, the Olympic Authority may be required to provide housing or housing options for athletes, athlete and team support staff, sport officials, event third-party suppliers, and/or Olympic Authority event staff.

For fiscal year 2022-2023, the Olympic Authority spent approximately \$440,000.00 on lodging and the expectation is that the Olympic Authority's need for lodging will increase. Without competitively priced lodging options, sport governing organizations will look for other locations for their events such that the Olympic Authority's ability to attract high-profile events will be severely limited. Without these events, Lake Placid's brand image as the Winter Sports Capital of the World will be tarnished.

Section 4. RFQ Timetable, Meeting of Interested Bidders & Submission of Response to RFQ

4.1 RFQ Timetable

The following timetable is established for this RFQ and is subject to change. The Olympic Authority may extend the due date for submissions by issuance of published addenda to this RFQ. Prior to making a submission, bidders should check the NY State Contract Reporter website (<https://www.nyscr.ny.gov>) or the Olympic Authority's website (<https://orda.org/do-business/other-opportunities/>) to confirm the issuance of any addenda relating to this RFQ schedule.

<u>Event</u>	<u>Date</u>
Issuance of Request for Qualifications:	April 27, 2023
Meeting of Interested Bidders	May 10, 2023
Deadline for Submission of Bidder Questions:	May 17, 2023 @ 4:00 PM ET
Issuance of Responses to Bidder Questions:	May 24, 2023
Addendum (if required):	May 24, 2023
Submissions Due Date:	June 7, 2023 @ 2:00 PM ET

4.2 Meeting of Interested Bidders

A meeting of interested bidders will be held on May 10, 2023, at 10:00 a.m. in the Ballroom at the Olympic Center located at 2534 Main Street, Lake Placid, New York 12946. At this meeting, the Olympic Authority will provide additional information on upcoming events and lodging needs.

4.3 Submission of Responses to RFQ

Only submissions from bidders who furnish all required information and meet the mandatory requirements as set forth in Articles 6 and 7 below will be considered. Submissions must be received at the below e-mail address on or before 2:00 PM ET on the date indicated in Section 4.1. The time of receipt of all submissions will be determined by the Olympic Authority.

Submit all required documents to the Olympic Authority **via e-mail** to the following:

Edward Kowalewski, Jr. at ekowalewski@orda.org

The Olympic Authority cannot be held responsible for e-mails that are not received. Bidders should take appropriate actions to confirm that their submission has been received.

LATE SUBMISSIONS MAY BE REJECTED

Any submission received after the established time will be considered a Late Submission. A Late Submission may be rejected and disqualified from consideration. Notwithstanding the foregoing, a Late Submission may be accepted in the Olympic Authority's sole discretion where the Late Submission meets the requirements of this RFQ and it is in the best interest of the Olympic Authority to accept the Late Submission. However, in no event will the Olympic Authority be under any obligation to accept a Late Submission. The basis for any determination to accept a Late Submission shall be documented in the procurement record.

OWNERSHIP OF RFQ AND BIDS

This RFQ remains the property of the Olympic Authority at all times, and all submission in response to this RFQ, once delivered, become the property of the Olympic Authority.

Section 5. General Requirements

5.1 Procurement Lobbying

This RFQ is subject to ORDA's Procurement Lobbying Guidelines, a summary of which are attached hereto as Attachment B.

Prior to approval by the Olympic Authority of a contract resulting from this RFQ, a bidder shall not communicate with the Olympic Authority other than with the person identified in this RFQ as

the Designated Contact, or with a person who the Designated Contact has advised the bidder is also a Designated Contact.

The following individual is the **ONLY** Designated Contact for this RFQ process.

Designated Contact: Eric Van Ness

E-mail: EVanNess@orda.org

Each bidder shall submit with its proposal a written affirmation of its understanding of ORDA's Procurement Lobbying procedures and its agreement to comply with such procedures, in the form attached hereto as Attachment C. In addition, each bidder shall submit with its proposal, in the form attached hereto as Attachment D, written disclosure whether the bidder has been determined to be non-responsible within the previous four (4) years by reason of having violated State Finance Law §139-j or having intentionally provided false or incomplete information to a Governmental Entity with respect to its compliance with State Finance Law §139-j; and certification and that the bidder has provided accurate and complete information with respect to the bidder's compliance with State Finance Law §§139-j and 139-k within the previous four (4) years.

5.2 RFQ Questions & Clarifications

All questions regarding this RFQ, including questions regarding the minimum qualifications and specifications, should be emailed to Eric Van Ness at EVanNess@orda.org by the date and time indicated in Section 4.1. Questions submitted after the deadline indicated may not be answered. A bidder is strongly encouraged to submit questions as soon as possible. The Olympic Authority will provide written responses to all questions of a substantive nature in the form of one or more addendum to this RFQ, which shall be published on the NY State Contract Reporter website (<https://www.nyscr.ny.gov/>) and on the Olympic Authority's website (<https://orda.org/do-business/other-opportunities/>).

If a bidder intends to make a submission that deviates from the requirements of the RFQ in any way, the proposed deviations should be submitted during the Questions period so that they may be given due consideration prior to making a submission. See Section 5.3 Submission Exceptions for additional information.

5.3 Submission Exceptions

The Olympic Authority will consider all requests to waive any submission requirement. However, bidders should be aware that failure to obtain a waiver of any submission requirement in advance of making a submission could result in rejection of bidder's submission and disqualification from the subsequent contract award process. Bidders wishing to obtain an exemption or waiver for any part of this solicitation must request such in writing as described in this Section 5.3. The request must cite the specific section and requirement in the question, and clearly identify any proposed alternative. Requests will be considered and responded to and posted in the form of a question and answer document released through an addendum.

All other inquiries and requests for information regarding this RFQ must be made in writing and e-mailed to the Olympic Authority at the addresses listed in Section 5.1 above. Individual

responses will not be provided. The Olympic Authority will provide written responses to questions in the form of one or more addendum to this RFQ, which shall be published on the NY State Contract Reporter website (<https://www.nyscr.ny.gov/>) and on the Olympic Authority's website (<https://orda.org/do-business/other-opportunities/>). Such official addenda are the only authorized method used to communicate substantive information, including the clarification or modification of the timeline, any terms, or other requirements of this RFQ. Only questions answered by formal written addendum will be binding. Oral and other interpretations or clarification will be without legal effect.

5.4 Modification/Withdrawal/Rejection of Submissions

A submission may be modified or withdrawn any time prior to the time specified for receipt of submissions. The modification or withdrawal of a submission must be in writing on the bidder's letterhead, dated, and signed by the signatory to the original submission. The modification or withdrawal must be submitted in a sealed envelope clearly marked "Modification [or Withdrawal] of Olympic Authority Lake Placid Event Lodging RPQ Submitted by [bidder]."

5.5 Procurement Rights

The Olympic Authority reserves the right to the following if, in its judgment, the best interests of New York State will be served by doing so.

- a. Reject any or all submissions received in response to the RFQ;
- b. Postpone or withdraw the RFQ at any time;
- c. Disqualify any bidder whose conduct and/or submission fails to conform to the requirements of the RFQ;
- d. Seek clarifications and revisions of a submission;
- e. Amend the RFQ prior to the submission due date to correct errors or oversights, or to supply additional information as it becomes available;
- f. Direct bidders, prior to the submission due date, to submit submission modifications addressing subsequent RFQ amendments;
- g. Change any of the schedule dates with notification through the NYS Contract Reporter;
- h. Eliminate any mandatory, non-material requirements that cannot be complied with by all of the prospective bidders;
- i. Waive any requirements that are not material;
- j. Utilize any and all ideas submitted in the submissions received;
- k. Adopt all or any part of a bidder's submissions in selecting the optimum configuration;
- l. Negotiate with a bidder within the RFQ requirements to serve the best interests of the Olympic Authority, including requesting clarifications of any or all submissions;
- m. Require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a bidder's solicitation and/or to determine a bidder's compliance with the requirements of the RFQ; and/or
- n. Accept and consider for contract award bids with non-material bid deviations or non-material bid defects such as errors, technicalities, irregularities, or omissions.

Please Note: The Olympic Authority is not liable for any cost incurred by a bidder in the preparation and production of a submission.

5.6 Compliance with Laws and Regulations

The bidder agrees to adhere to all State and Federal laws and regulations in connection with this RFQ and any contract resulting from a subsequent RFP.

Section 6. Qualifications of Suppliers & Lodging Agreements

6.1 Supplier Qualifications

To determine the qualifications of lodging properties, bidders must respond to each item set forth in the Event Lodging Worksheet (Attachment A) and provide all documents requested therein. The Event Lodging Worksheet allows bidders to provide quarterly rates or discounts and apply restrictions to the rates/discounts offered. Bidders are not required to provide a rate or discount for each quarter or advanced booking. All spaces on the Event Lodging Worksheet must be completed with the requested information or with the "N/A" designation (not applicable) should a bidder choose not to provide the requested information.

6.2 Supplier Selection

The Olympic Authority will use the information from the Event Lodging Worksheets submitted to empanel a group of qualified lodging properties. As the Olympic Authority plans its upcoming events, lodging suppliers for each event will be selected based on a variety of factors including, but not limited to, price, type of lodging, amenities, and guests' expectations.

6.3 Term Lodging Agreements

Term lodging agreements resulting from successful awards will include the Olympic Authority's Term Lodging agreement together with the Olympic Authority Standard Contract Terms and the Olympic Authority Procurement Requirements/Certifications. All bidders are responsible for reviewing and understanding the Olympic Authority Standard Contract Terms, which can be viewed at: <https://media.orda.org/?r=23445&k=833bea46a6>, and the Olympic Authority Procurement Requirements/Certifications, which can be viewed at: <https://media.orda.org/?r=23446&k=8a9a0baf47>.

6.4 Non-Exclusivity

The issuance of this RFQ and the subsequent issuance of term lodging agreements is intended to supplement the Olympic Authority's existing processes for the procurement of event lodging. The failure of any lodging supplier to respond to this RFQ shall not prohibit the Olympic Authority from procuring event lodging from any and all qualified lodging suppliers.

Section 7. Contents of Submissions

7.1 Event Lodging Worksheet

Each bidder must complete and submit the Event Lodging Worksheet (Attachment A) and provide all documents requested therein. A link to a fillable form of the Event Lodging Worksheet can be found at: <https://media.orda.org/?r=23915&k=dc037898d0>

7.2 Procurement Lobbying Forms

Each bidder shall complete and submit the following:

- a. Attachment C – Agreement Pursuant to, State Finance Law §§ 139-j & 139-k

- (Procurement Lobbying); and
- b. Attachment D – Offerer’s Disclosure of Prior Non-Responsibility Determination Pursuant to State Finance Law §§ 139-j & 139-k.

7.3 Complete Submissions

A complete submission must include the following:

- a. Event Lodging Worksheet (Attachment A);
- b. Offerer’s Affirmation and Understanding of, and Agreement Pursuant to, State Finance Law §§ 139-j & 139-k (Procurement Lobbying) (Attachment C); and
- c. Offerer’s Disclosure of Prior Non-Responsibility Determination Pursuant to State Finance Law §§ 139-j & 139-k (Attachment D).

7.4 Additional Information to Furnish with Submission

Bidders may also submit circulars, brochures, marketing materials and other materials.

Section 8. Attachments

Bidder’s attention is directed to the appendices, exhibits and attachments hereto and hereby incorporated by reference and made part hereto as fully as if it were set forth at length herein. They are part of this solicitation and will be part of the subsequent contract. The bidder is responsible for adhering to all requirements of all appendices, exhibits and attachments. The following Attachments are attached to and made a part of this RFQ.

- A. Olympic Authority Event Lodging Worksheet
- B. Summary of ORDA’s Procurement Lobbying Guidelines
- C. Offerer’s Affirmation and Understanding of, and Agreement Pursuant to, State Finance Law §§ 139-j & 139-k (Procurement Lobbying)
- D. Offerer’s Disclosure of Prior Non-Responsibility Determination Pursuant to State Finance Law §§ 139-j & 139-k

Attachment A

Event Lodging Worksheet

1-7 days out z%
No penalty if rooms are resold

Seasonal Period	Months that hotel is providing the Olympic Authority with special rate.
Days Out	Period before reservation date that that rate is valid. Complete sections for days periods and days out you are offering. No mimimum or maximum required.
Rate (% or \$)	Discount being offered. Provide percentage off or flat dollar rate.
Rate Discount	Describe basis of rate in Clarification of Offer section below. For example:percentage discount based on current advertised rate on lodging website for requested dates.
Single/Double	Provide rate for single occupancy and double occupancy (two beds).
Blackout Dates	Provide dates that rate is not available.
Available Rooms	Number of total rooms needed or available to qualify for rate.
Deposit	Deposit if required.
Minimum Night Stay	The Olympic Authority prefers two night minimum stay but will consider longer minimums.
Rate Available Until	Rates are no longer valid when occupancy level has been met
Room Drop Penalty	The Olympic Authority responsibility if confirmed reservation is cancelled.

Additional Terms or Clarification of Offer

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Attachment B

Summary of ORDA's Procurement Lobbying Guidelines

State Finance Law §§139-j and 139-k constitute a significant legislative effort to regulate lobbying on government procurement, including procurements by the Olympic Regional Development Authority ("ORDA"). These sections of the State Finance Law cover a wide range of government contracting transactions, including the purchase of a commodity, service, technology, public work, construction, and revenue contracts, or the purchase, sale, or lease of real property, or the acquisition or the granting of other interests in real property.

Generally, the law restricts communications between a potential vendor or a person acting on behalf of the vendor, including its lobbyist, to communications with the officers and employees of the procuring agency designated in each solicitation to receive such communications. Further, the law prohibits a communication (a "Contact") which a reasonable person would infer as an attempt to unduly influence the award, denial or amendment of a contract. These restrictions apply to each contract in excess of \$15,000 during the "restricted period" (the time commencing with the earliest written notice of the proposed procurement and ending with the later of approval of the final contract by the agency, or, if applicable, the New York State Comptroller ("NYS Comptroller")). The agency must record each Contact, and, generally, must deny an award of contract to a vendor involved in a knowing and willful Contact. Each agency must develop guidelines and procedures regarding Contacts and procedures for the reporting and investigation of Contacts. The agency's procurement record must demonstrate compliance with these requirements.

Accordingly, neither a potential vendor nor a person acting on behalf of the vendor should contact any individual at ORDA other than the person designated in this solicitation as ORDA's Designated Contact, nor attempt to unduly influence award of the contract. ORDA will make a record of all Contacts, and such records of Contact will become part of the procurement record for this solicitation. A determination that a vendor or a person acting on behalf of the vendor has made intentionally a Contact or provided inaccurate or incomplete information as to its past compliance with State Finance Law §§139-j and 139-k is likely to result in denial of the award of contract under this solicitation. Additional sanctions may apply.

A complete copy of ORDA'S Procurement Lobbying Guidelines is available for review at <https://media.orda.org/resourcespace/?r=18147&k=1190a443ea>.

This summary is not intended to replace the need for persons to become familiar with the full requirements of the law. Please refer to the full text of the law to resolve any questions you may have with regard to your conduct under it.

Attachment C

**Offerer's Affirmation of Understanding of, and Agreement
Pursuant to, State Finance Law §§ 139-j & §139-k
(Procurement Lobbying)**

A complete copy of the Procurement Lobbying Guidelines of the New York State Olympic Regional Development Authority is available for review at <https://media.orda.org/resourcespace/?r=18147&k=1190a443ea>.

The undersigned hereby affirms on behalf of the Offerer that it has reviewed and understands the Procurement Lobbying Guidelines of the New York State Olympic Regional Development Authority relating to State Finance Law §§ 139-j and 139-k, and agrees to comply with said Guidelines.

Printed Name

Signature

Title

Company

Date

Attachment D

**Offerer's Disclosure or Prior Non-Responsibility Determination
Pursuant to State Finance Law §§ 139-J & 139-k**

Name of Individual or Entity Submitting Bid: _____

Address: _____

Name and Title of Person Submitting this Form: _____

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four (4) years?

No Yes If yes, please answer the next questions.

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j?

No Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity?

No Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages, as necessary.

Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information?

No

Yes If yes, please provide details below and attach additional pages, as necessary.

Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Offerer certifies that all information provided by Offerer to ORDA with respect to its compliance with State Finance Law §§ 139-j and 139-k is complete, true, and accurate.

Printed Name

Signature

Title

Company

Date

**Instructions for Completing
Offerer's Disclosure of Prior Non-Responsibility Determination
Pursuant to State Finance Law §§ 139-j & 139-k**

Background:

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. This information must be collected in addition to the information that is separately obtained pursuant to State Finance Law §163(9). In accordance with State Finance Law §139-k, an Offerer must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms "Offerer" and "Governmental Entity" are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offerer fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with the law, no Procurement Contract shall be awarded to any Offerer that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offerer is necessary to protect public property or public health and safety, and that the Offerer is the only source capable of supplying the required Article of Procurement within the necessary timeframe. See State Finance Law §§139-j (10)(b) and 139-k(3).

The above is not intended to replace the need for persons to become familiar with the full requirements of the law. Please refer to the full text of the law to resolve any questions you may have with regard to your conduct under it.

Instructions:

ORDA includes this disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of proposals for procurement contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into an agreement with ORDA. Submission of this document is also required for any contract amendments over \$15,000.