

# Clinton Market Collective, Skyway, and Quackenbush Square Operator Request for Proposals (RFP)

FREQUENTLY ASKED QUESTIONS

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## 1. When are proposals due?

Proposals are due no later than 4 p.m. on Friday, September 20<sup>th</sup>, 2024. Proposals must be submitted to Andrew Biggane at [development@capitalizealbany.com](mailto:development@capitalizealbany.com) with the subject line “Proposal Enclosed – Clinton Market Collective, Skyway, and Quackenbush Square Market Operator.” Proposals must be submitted as a complete package.

## 2. Is there a possibility for activation of the Skyway and Quackenbush Square as an extension of Clinton Market Collective?

Yes. Through a collaboration with the City of Albany and the Albany Parking Authority, Capitalize Albany is able to offer the opportunity for potential respondents to manage activation of Clinton Market Collective, the Skyway and Quackenbush Square. These three spaces are situated at a key gateway to Albany’s downtown, and this RFP seeks to identify a qualified Operator to promote and activate all three of these locations.

## 3. What types of activations are suitable for Clinton Market Collective, the Skyway and Quackenbush Square?

In compliance with local, state and federal law, Capitalize Albany is open to any activations and events which are consistent with the public character and vision for the Sites as vibrant community gathering places. The spaces are intended to be a proving ground for start-up and early-stage businesses, as well as a place for residents and visitors to the city to gather and have unique and interesting experiences. Potential activations may include but are not limited to festivals, art exhibitions, pop-up events, concerts, theatrical events, farmer’s markets, specialty markets, etc. Creative, innovative and unique activations are strongly encouraged.

## 4. What should submissions include in terms of financial structure and compensation?

Submissions should include a proposed compensation structure for use of the Site, as well as detailed operational pro-forma including project expenses and revenues. Ideally, the response is provided in the form of a brief narrative and a corresponding spreadsheet or table. Proposals should demonstrate that the operations of the site are financially feasible for Respondents. Capitalize Albany is open to proposals that delay compensation to the Corporation until the Site becomes cash-flow positive. Proposals should indicate when the operations plan will become fully self-sustaining.

## 5. Are respondents required to include a disclosure of financial condition in their proposal?

Submitted proposals should demonstrate that the Respondent possesses the resources necessary to carry out the proposed scope of work, including a general description of the Respondent’s financial status. Capitalize Albany reserves the right to request additional information, including detailed financial statements, as part of the selection or contract negotiation process.



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**6. What are the insurance requirements?**

Section 6G of the RFP details the anticipated insurance requirements for a selected Operator. At a minimum, the selected Respondent will be required to maintain workers' compensation and employer's liability insurance; general liability insurance with limits not less than \$1,000,000; professional malpractice insurance and/or errors and omissions insurance with limits not less than \$5,000,000 issued by an insurer licensed to do business in the State of New York; and automobile liability insurance, all naming the Corporation as additionally insured. Respondents should review and be prepared to meet these insurance requirements as a condition of selection. Prior to execution of an Operating Agreement, Capitalize Albany will require certificates of insurance or other documentation as necessary to demonstrate the required coverage is in place.

**7. Will Capitalize Albany entertain facility use requests for one-off or seasonal recurring events apart from the Operating Agreement? If so, who would be responsible for review and approval of those applications?**

At this time, Capitalize Albany is not offering exclusive site use to potential respondents. The ownership and oversight of CMC, Skyway and Quackenbush Square will remain unchanged, and Capitalize Albany, the City of Albany and the Albany Parking Authority reserve the right to use the facilities for any and all uses that do not conflict with the terms of the Operating Agreement. In the event a request(s) for facility use is received directly by Capitalize Albany, Capitalize Albany will maintain communication with the Operator to ensure that the proposed uses do not conflict with prior commitments made by the Operator under the terms of the Operating Agreement. In their submission, Respondents may include a proposed process for facility use requests received outside the Operating Agreement.

**8. If Capitalize Albany, the City of Albany and the Albany Parking Authority accepts and approves facility use requests outside of the Operating Agreement, who will be responsible for ensuring full cleanup of the site, and who will receive site use fees?**

As owners and managers of the three sites, Capitalize Albany, the City of Albany and the Albany Parking Authority reserve the right to use the facilities for any and all uses that do not conflict with the terms of the Operating Agreement. In the event of an approved facility use apart from the Operating Agreement the selected respondent, the entity responsible for authorization of the facility use will be responsible for ensuring full clean-up of the site and will retain the right to collect site use fees. In their submission, Respondents may include a proposed process for facility use requests received outside the Operating Agreement.

**9. What are the selection criteria for submitted proposals?**

As detailed in the RFP, proposals will be evaluated using the following criteria: Qualifications and Experience, Approach and Capacity, Alignment with the Mission, Vision, and Values, Financial Proposal and Feasibility, Overall Quality and Responsiveness. Please see section 7A of the RFP for a more detailed description of these criteria. Respondents should ensure that their proposals address each criterion.

**10. Will Respondents be notified if their proposal is not accepted?**

Yes, all Respondents will be notified as to whether or not they were selected to provide the scope of work contained in the subject RFP.



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**11. Is Capitalize Albany open to partnerships or a team of Respondents submitting jointly for the RFP?**

If necessary for the most competitive proposal for facilitating the scope of work, Capitalize Albany is open to, and encourages, interested parties to submit a joint proposal. In addition, while Capitalize Albany envisions one Operator responsible for day-to-day operations and activations, it is understood that there may be qualified Respondents capable of managing a discreet portion of the work. As such, Capitalize Albany is open to negotiating the terms of a given Operating Agreement based on the selected Respondent's qualifications and proposed scope of work.