

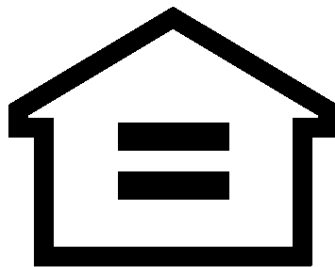


BUFFALO URBAN RENEWAL AGENCY

The Honorable Byron W. Brown, Chairman

REQUEST FOR QUALIFICATIONS (RFQ)

NO. 2010 – ARCH 1
ARCHITECTURAL SERVICES



**EQUAL HOUSING
OPPORTUNITY**

ISSUE DATE: Friday, April 23, 2010

DUE DATE: Friday, May 7, 2010 - 4:30 P.M.

**REQUEST FOR QUALIFICATIONS
NO. 2010 – ARCH 1**

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REQUEST FOR QUALIFICATIONS – OVERVIEW ARCHITECTURAL SERVICES 2010

INTRODUCTION: The Buffalo Urban Renewal Agency (BURA) is seeking a qualified Architect(s) to prepare floor plans and elevations at various residential rehabilitation projects as they become necessary. Architect(s) will also be responsible to facilitate the project through permits and inspections and other boards of approval when necessary. BURA staff will be responsible for preparing Work Write-Ups and Specifications and managing all rehabilitation activities from start to completion.

OBTAINING A COPY OF THE RFQ: To obtain a copy of the RFQ, respondents can visit our website at <http://www.city-buffalo.com>, or contact the Office of Strategic Planning at 842-6923, or pick-up a copy in Room 920 or Room 315 City Hall. Any addenda issued for this RFQ will be published at the above-referenced website.

DESIGNATED CONTACT PERSON: Submit questions to Rob Gilray pertaining to the RFQ.

Rob Gilray, Project Manager
Office of Strategic Planning
Room 315 City Hall
Buffalo, N.Y. 14202
Phone: 851-5070
Fax: 851-5168
rgilray@city-buffalo.com

QUESTIONS AND INQUIRIES: All questions and inquiries must be submitted in writing no later than **Friday, April 30, 2010**. BURA will prepare written responses to all respondents. Written questions can be sent via email directly to the OSP designated contact person, Rob Gilray, at the address cited above. No questions will be accepted by phone inquiries. Written answers will be sent to all groups listed by the BURA as receiving a copy of this RFQ.

SUBMISSION DEADLINE: Sealed submittals (one original and two unbound, single-sided copies - clipped or in three ring binders) must be received not later than 4:30 PM on **Friday, May 7, 2010**. Submittals sent by the U.S. mail must be **sent and received** by the deadline stated above. Faxed or email submittals will not be accepted. The sealed package must be clearly marked: **RFQ – NO. 2010 – ARCH 1. Late or incomplete Proposals will not be considered.** Packages must be submitted to:

Office of Strategic Planning
Attention: Ms. Yvonne McCray, Director of Housing
Room 315 City Hall
Buffalo, N.Y. 14202

RIGHTS RESERVED: BURA reserves the right to accept or reject any and all responses, in whole or in part, received as a result of this solicitation and to waive minor irregularities.

SECTION I – INTRODUCTION

- 1.1 **SUMMARY STATEMENT:** BURA is a public benefit corporation created in part to eliminate or prevent the spread of deterioration through residential rehabilitation and to act in the public interest on behalf of the citizens of the City of Buffalo. BURA manages the City of Buffalo's Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME), Lead-Based Paint Hazard Reduction Demonstration Grant programs and other federal and state grants.

BURA is seeking qualified Architect(s) to prepare floor plans and elevations for residential rehabilitation projects as they become necessary. Architect(s) will also be responsible to facilitate the project through permits and inspections and other boards of approval when necessary. BURA staff will be responsible for preparing Work Write-Ups and Specifications and managing all rehabilitation activities from start to completion.

BURA is issuing this Request for Qualifications (RFQ) No. 2010-ARCH 1 to provide interested consultants with sufficient information to enable them to prepare and submit qualifications to provide these Architectural Services for various residential rehabilitation projects.

Only hourly services will be paid under this agreement. Any other costs incurred by the contractor should be incorporated in the hourly billing rate by labor category unless substantial other costs are incurred which will require prior approval of the Executive Director of the Office of Strategic Planning.

The anticipated term of the contract will be for a period of one year (tentative dates are June 1, 2010 through May 31, 2011). BURA shall have the sole exclusive right to offer the option to extend the period of the contract for up to a six month extension.

SECTION II – GENERAL INFORMATION

- 2.1 **NOTICE TO ARCHITECT:** Before submitting a response, the Architect(s) shall become fully informed as to the extent and character of the work required and is expected to completely familiarize themselves with the requirements of the solicitation and specifications. No consideration will be granted for any alleged misunderstanding of the material to be furnished or work to be done, it being understood that the submission of a proposal is an agreement with all of the items and conditions referred to herein.

Respondents not in good financial standing with The City of Buffalo and/or BURA will not be considered

- 2.2 **RESERVED**

- 2.3 **ECONOMY OF PREPARATION/INCURRED EXPENSES:** Proposals should be prepared simply and provide a straightforward, concise delineation of the Architect's capabilities and description of the offer to meet the requirements of this RFQ. BURA will not be responsible for any costs incurred by any Architect in preparing and submitting a response to this solicitation.

- 2.4 ORAL PRESENTATIONS:** BURA reserves the right to conduct individual interviews with responding parties. Each Architect may be required to provide oral presentations to discuss their proposed management techniques, answer questions from the BURA's Evaluation and Selection Committee, and/or clarify their technical submittal.
- 2.5 CONFIDENTIALITY/PROPRIETARY INFORMATION:** The Architect must specifically identify those portions of their proposal, if any, which they deem to contain confidential, proprietary information or trade secrets and must provide justification why such material should not, upon request, be disclosed by the BURA in accordance with the New York Freedom of Information Act, New York State Public Officers Law Sec. 81et seq. New York State Annotated Code. Architect must clearly indicate each and every page that is deemed to be confidential/proprietary or a trade secret (it **IS NOT** sufficient to preface your proposal with a proprietary statement).
- 2.6 ALLOWANCE OF IN-HOUSE WORK:** No section or portion of this RFQ or the contract shall be construed or interpreted to guarantee a specific volume of work or to preclude BURA from accomplishing any task or undertaking of any operation or project utilizing its own work force.
- 2.7 WITHDRAWAL OF PROPOSAL:** Proposals may be withdrawn upon written request from the Architect prior to the proposal closing date. Negligence on the part of the Architect in preparing the proposals confers no right of withdrawal after time fixed for closing of the proposals.
- 2.8 NEW YORK STATE LOBBYING ACT:** All Architects are required to execute an Affirmation of Understanding and Agreement that it will comply with the procedures and restrictions under the New York State Lobbying Act (Act), including but not limited to permitted contacts during the bidding and award process. Architects must also execute a disclosure regarding any prior findings that the Bidder violated the Act.
- 2.9 CONTRACTING WITH SMALL AND MINORITY FIRMS, WOMAN'S BUSINESS ENTERPRISE AND LABOR SURPLUS AREA FIRMS:**

BURA, per HUD Regulations Section 85.36(e), requires the Architect to take affirmative steps to select such small and minority firms, women's business enterprise and labor surplus area firms as sub-contractors.

- (1) The grantee (BURA) and the contractors will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible and
- (2) Affirmative steps shall include:
 - (i) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - (ii) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - (iii) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;

- (iv) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- (v) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- (vi) Requiring the Architect, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2) (i) through (v) of this section.

2.10 SUBCONTRACTING: In the event the Architect desires to subcontract some part of the work specified herein, the Architect shall furnish BURA with their proposal the names, qualifications, and experience of their proposed partners. Partners shall conform, in all respects to the provisions specified for the Architect. The Architect shall, however, remain fully liable and responsible for the work done by their partners.

2.11 RESIDENCY GOAL: The selected Architect agrees that (i) in the hiring of any employee, or independent contractor, sub-contractor, or person acting on behalf of the Architect, preference shall first be given to qualified local persons who have resided in the City of Buffalo for at least six (6) consecutive months immediately prior to the commencement of their employment for the performance of work and (ii) any Architect or sub-contractor will work towards ensuring a minimum residency goal of 25% of workforce to include qualified residents in the City of Buffalo.

2.12 RESERVED

2.13 COLLABORATIONS: A respondent with limited experience is encouraged to partner with another more experienced provider in order to make sure the needs of the residents of the City of Buffalo or the designated geographic area are met. The Architect awarded the contract, however, will remain fully liable and responsible for the work done by their partners.

2.14 PROVISION FOR OTHER AGENCIES: Upon request, the Architect agrees that they will make available to all City agencies and departments, and other City authorities, the response to this RFQ should any said department or agency wish to contract for similar services under this proposal.

2.15 RESPONSIBILITIES OF ARCHITECT: The Architect shall be responsible for the professional quality and technical accuracy of their advice and other services furnished by them. The Architect will perform services with the degree of skill, which is normally exercised by recognized professionals with respect to services of a similar nature. Neither the BURA's review, approval or acceptance of, nor payment for, any of the services required under a Contract entered into with BURA shall be construed to operate as a waiver of any rights or causes of action arising out of the Contract.

2.16 AFFIDAVITS, CERTIFICATIONS AND AFFIRMATIONS: Architect is required to submit with their proposal the certifications, affirmations and affidavits included as part of this RFQ.

2.17 FORMATION OF AGREEMENT/CONTRACT WITH SUCCESSFUL ARCHITECT: Any contract entered into as a result of this RFQ shall be by and between the selected Architect(s) and BURA, and shall contain but shall not be limited to provisions included in this RFQ.

2.18 WORKPLACE DIVERSITY: The City of Buffalo Urban Renewal Agency and the City of Buffalo (collectively, the City) are committed to achieving excellence in workplace diversity that encompasses the equity and social justice principles of the local, state and federal Equal Employment Opportunity laws and the City of Buffalo's policies that promote participation by minority and women owned business enterprises. The City encourages our contracting partners to adopt business methods and models that foster and strive for diversity within their workplaces as a matter of course.

In managing and valuing diversity, the City recognizes that it is the key component of effective people management as well as it is the key to significant organizational benefits such as enhancing productivity of all staff, enhanced equality of opportunity, recruitment and selection from a wider pool of talents, improved service and client satisfaction and a positive community image. It gives effect to the principles of Equal Employment Opportunity. The City encourages our contracting partners to achieve a workforce that reflects the profile of the broader community and capitalizes on this City's vibrant diversity of people.

SECTION III – SCOPE & REQUIREMENTS

3.1 SCOPE OF WORK: The responsibilities of the successful respondent(s) will encompass the following Scope of Work, which includes, but is not limited to, the following tasks:

1. Schedule a site visit and inspect the property in anticipation of preparing floor plans and elevations;
2. Consult with BURA Project Manager on design;
3. Prepare floor plans and elevations using preliminary information supplied by BURA;
4. Facilitate floor plans and elevation through the permit stage; and
5. Present project at approval meetings when required.

Offeror's should be able to demonstrate knowledge of and familiarity with:

- City of Buffalo and New York State housing code requirements with specific knowledge of sprinkler system requirements, egress and design options on converting a third floor to habitable space.
- Historic Preservation requirements for the Hamlin Park neighborhood,

Qualifications will be reviewed and evaluated according to the Evaluation and Selection Criteria found in Section V. BURA reserves the right to request additional information and/or reject any or all proposals.

A response to each item cited on the Application Requirements list contained in Section 4.1 is required. Each of the items from the checklist in Section 4.1 should be individually identifiable in the Offeror's submission.

3.2 NEGOTIATION OF WORKPLAN AND BENCHMARKS: The Architect(s) selected under this RFQ will be notified and will meet with OSP staff to finalize their individual work plans, benchmarks, geographic priority areas and fee for services schedule.

3.3 INSURANCE REQUIREMENTS: The Architect shall have in force and shall maintain, at its own expense, insurance in not less than the following amounts during the performance of service called for under the contract. The Architect must, prior to the contract execution, and for each extension of the contract, furnish to BURA certificates of insurance as evidence of such coverage stated below. **The City of Buffalo and the Buffalo Urban Renewal Agency must be covered as additional insureds on the policy; and the certificate holder must be the City of Buffalo and the Buffalo Urban Renewal Agency, 214 City Hall, Buffalo, NY.** (If the insurance as evidenced by the certificates furnished by the Architect expires or is cancelled during the term of the contract, services and related payments will be suspended.)

- Workmen's Compensation and Disability Insurance - covering all employees as required by New York State Law.
- Comprehensive Bodily Injury and Property Damage Liability with minimum limits as follows:
 - a. General Aggregate
(Other than Products-Completed Operations) \$2,000,000.
 - b. Products-Completed Operations Aggregate Limit \$1,000,000.
 - c. Personal & Advertising Injury Limit \$1,000,000.
 - d. Each Occurrence Limit \$1,000,000.
- Comprehensive Automobile Liability Insurance - Combined single limit of \$1,000,000 covering bodily injury and property damage.
- Professional Liability/Errors and Omissions - \$1,000,000 per occurrence.

SECTION IV – CONTENT OF SUBMISSIONS

4.1 GENERAL INSTRUCTIONS: To receive consideration under this RFQ, submissions must contain the following information in the order shown and numbered as follows. All responses to the questions should be typed, single or double spaced, using not less than 12 point font and 1 inch margins. Facsimile copies of the submission will not be accepted.

Respondents must:

1. A cover letter, on business stationery, which provides the firm's name, email address, telephone number and facsimile number of the individual with whom BURA personnel may communicate about the response. The signature of the person signing the submission shall be in long hand. The RFP submission must be signed by a person with the legal authority to enter into a contractual relationship in the name of the respondent organization.

2. A table of contents with pages numbers indicated.
3. The following fully completed attachments:
 - a. Architect Information (Attachment I)
 - b. Architect Qualifications (Attachment II)
 - c. Conflict of Interest Disclosure (Attachment III)
 - d. New York State Lobbying Act (Attachment IV)

4.2 PRE-CONTRACTUAL EXPENSES: BURA shall not be liable for any pre-contractual expenses incurred by the respondent. BURA shall be held harmless and free from any and all liability, claims or expenses whatsoever, incurred by, or on behalf of, any persons or organization responding to this RFQ.

SECTION V – EVALUATION & SELECTION

5.1 SELECTION PROCESS: BURA may contact responding parties by telephone or by facsimile during its review of a bid package in order to clarify submitted information.

5.2 EVALUATION AND SELECTION COMMITTEE: An Evaluation/Selection Committee, comprised of 5-7 individuals, will review qualifications in accordance with the evaluation criteria.

The Selection Committee may request additional technical assistance from any source within BURA and the City of Buffalo.

5.3 EVALUATION CRITERIA: The Selection Committee shall first review each submission for compliance with the mandatory requirements of this RFQ. Failure to comply with any requirements of this procurement may disqualify an Architect's Proposal. BURA reserves the right to waive a requirement and/or minor irregularities when it is in BURA's best interest to do so.

After determining compliance with the requirements of this RFQ, the Committee shall conduct its evaluation of each Architect's submission.

The following criteria will be considered in reviewing the submittals:

1. The principal(s) of the firm and their experience and qualifications, and the experience and qualifications of the staff to be assigned to the project, specifically but not limited to residential rehabilitation
2. Three references
3. Provide three examples of similar projects that the firm has completed
4. The proposed work plan and schedule for activities to be performed, including estimated hours per task

5. The billable hourly rate of pay for each team member who would be assigned to this project
6. Indicate the Responders expected timeframe for response/completion of each request by BURA

5.4 RECOMMENDATIONS: The Evaluation and Selection Committee will make recommendations to the Chairman of BURA or his designee (including but not limited to the Vice-Chairman of BURA as the Executive Director of the Office of Strategic Planning) for award of the contract to the responsible Architect(s) whose proposal is determined to be the most advantageous to BURA considering technical factors set forth in the RFQ.

5.5 PROPOSALS AND WORK PRODUCT ARE PROPERTY OF BURA: All Proposals submitted in response to this Request for Proposals become the property of BURA. Upon entering into a contract with BURA, Architect shall certify that all reports and drawings submitted pursuant to the contract scope of work will become the sole property of BURA and OSP.

5.6 CONTRACT NEGOTIATIONS: BURA shall negotiate with the most qualified respondents to this RFP, as determined by evaluation of the responses and, if applicable, interviews, and recommendations to the BURA Chairman and/or his designee and the successful respondents as selected by the Chairman or his designee.

SECTION VI – REQUIRED INFORMATION

6.1 - ATTACHMENT I – Architect Information

Directions: Insert the requested information in the space provided.

Agency/Firm Name: _____

Address: _____

Business Phone Number: _____

Business Fax Number: _____

Business E-mail address: _____

Web Site: _____

Contact Person: _____

Title: _____

Federal Tax Identification Number: _____

This firm is a (check one):

Corporation Partnership Sole Proprietorship Not for Profit

State Certified Woman or Minority Owned Firm? Answer Yes or No _____

If yes, Certification Number: _____

Names and address of **all** principals, partners, officers, etc.:

Name: _____

Address: _____

Name: _____

Address: _____

If additional space is needed to list all principals, etc., please attach a separate sheet listing all the information.

How long has your organization been in business? Number of years: _____

List and attach all licenses/certifications of principals and staff who will work on the project(s).

6.2 - ATTACHMENT II – Architect Qualification Detail

Provide the following information -

1. List the principal(s) of the firm and describe their experience and qualifications, and the experience and qualifications of the staff to be assigned to the project, specifically but not limited to residential rehabilitation
2. Three references
3. Provide three examples of similar projects that the firm has completed
4. The proposed work plan and schedule for activities to be performed, including estimated hours per task
5. The billable hourly rate of pay for each team member who would be assigned to this project
6. Indicate the Responders expected timeframe for response/completion of each request by BURA
7. Provide a certification statement that any reports and drawings submitted through a Contract will become the property of BURA and the City of Buffalo's Office of Strategic Planning.

**6.3 - ATTACHMENT III – Conflict of Interest Disclosure -
to be completed by all Staff and Board Members**

The Architect represents that none of its **employees, officers, compensated members, Administrators or consultants** are, or for the duration of this agreement will be, employees of the City of Buffalo Urban Renewal Agency (BURA) or City of Buffalo nor are their family members or business relationships employees of BURA or the City of Buffalo nor will their employees, officers, compensated members, Administrators or consultants obtain a financial interest either for themselves or those whom they have immediate family or business ties, during their tenure or for one year thereafter.

The Architect must formally disclose all potential Conflicts of Interest to the Buffalo Urban Renewal Agency.

Disclosure: Are you, or are you related to (by blood, marriage, act of law, or business relationship) any person who is an employee of the City of Buffalo, the Buffalo Urban Renewal Agency (BURA), the Municipal Housing Authority (BMHA), Board of Education, Sewer Authority or any other entity funded by Community Development Block Grant (CDBG)?

YES NO

If yes, a full disclosure must be forwarded on **official letterhead** to the Buffalo Urban Renewal Agency (BURA). The notice must include:

Name: _____

Job Title or Position: _____

Disclosure must include:

1. Name of Relation
2. Department
3. Position
4. Relationship

The Architect acknowledges receipt of this policy and verifies that all appropriate parties have been apprised of their obligation to disclose all potential conflicts of interest.

Board President's Signature

Date

6.4 - ATTACHMENT IV – New York State Lobbying Act

Bidder's Affirmation of Understanding and Agreement pursuant to State Finance Law §139-j (3) and §139-j (6) (b)

Bidder affirms that it understands and agrees to comply with the procedures of the City of Buffalo Urban Renewal Agency relative to permissible Contacts as required by State Finance Law §139-j (3) and §139-j (6) (b) commonly known as the New York State Lobbying Act (Act). A summary of the Act regarding permitted contacts during the bid process is attached.

By: _____ Date: _____

Name: _____

Title: _____

Architect's Name: _____

Architect's Address: _____

6.4 - ATTACHMENT IV – New York State Lobbying Act - continued

Summary of Permitted Contacts Under New York State Lobbying Act

Pursuant to State Finance Law §§139-j and 139-k, this “Request for Proposal” includes and imposes certain restrictions on communications between the City of Buffalo Urban Renewal Agency and a Bidder during the procurement process. A Bidder is restricted from making contacts from the earliest notice of intent to solicit offers or “Requests for Proposal” through final award and approval of the Procurement Contract by the City of Buffalo Urban Renewal Agency and, if applicable, the City of Buffalo Department of Administration and Finance (“restricted period”) to other than designated staff or consultants unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). Designated staff are identified in this Request for Proposals. City of Buffalo Urban Renewal Agency employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the Bidder pursuant to the State Finance Law. Certain findings of non-responsibility can result in rejection of a contract award and in the event of two findings within a 4-year period, the Bidder is debarred from obtaining governmental Procurement Contracts. Further information about these requirements can be found at:

<http://www.ogs.state.ny.us/aboutOgs/regulations/defaultAdvisoryCouncil.html>

Each bidder that contracts with a governmental entity, and in this case the City of Buffalo Urban Renewal Agency, about a governmental procurement shall only make permissible contacts with respect to the governmental procurement, which shall mean that the bidder shall contact only the persons or persons designated by the City of Buffalo Urban Renewal Agency relative to the procurement, except that the following contacts are permitted:

- (1) submission of written proposals in the response to a request for proposals;
- (2) submission of written questions to a designated contact set forth in a request for proposals, when all written questions and responses are to be disseminated to all bidders who have expressed and interest in the request for proposals;
- (3) participation in a conference provided for in a request for proposals;
- (4) complaints by a bidder regarding the failure of the person or persons designated by the procuring governmental entity pursuant to this section to respond in a timely manner to authorized bidder contacts made in writing to the office of general counsel of the procuring governmental entity, provided that any such written complaints shall become a part of the procurement record;
- (5) bidders who have been tentatively awarded a contract and are engaged in communications with a governmental entity staff of the procuring governmental solely for the purpose of negotiating the terms of the procurement contract after being notified of tentative award;
- (6) contacts between designated governmental entity staff of the procuring governmental entity and a bidder to request the review of a procurement contract award;
- (7)
 - (a) contacts by bidders in protests, appeals or other review proceedings (including the apparent successful bidder or proposer and his or her representatives) before the governmental entity conducting the procurement seeking a final administrative determination;
 - (b) complaints of alleged improper conduct in a governmental procurement to the attorney general, district attorney, or court of competent jurisdiction; or
 - (c) complaints of alleged improper conduct in a governmental procurement conducted by a municipal agency or local legislative body to the state comptroller’s office.