



Chair, Honorable Byron W. Brown, Mayor  
Buffalo Urban Renewal Agency

**REQUEST FOR QUALIFICATIONS (RFQ)  
EVICTION PREVENTION & HOUSING STABILITY  
PROGRAM**



**ISSUE DATE:** Friday, November 20, 2020  
**DUE DATE:** Thursday, December 3, 2020 (by 4:00 P.M.)  
**ANTICIPATED PROGRAM START DATE:** January 2, 2021

Submission location – by mail to:  
Susan Lumadue, Office of Contract Administration  
Room 1701 City Hall Buffalo, New York 14202

City of Buffalo Urban Renewal Agency, Buffalo, New York  
2020 Request for Qualifications- Eviction Prevention

## **1. BACKGROUND**

The City of Buffalo and the City of Buffalo Urban Renewal Agency (BURA) have received funding from the Department of Housing and Urban Development, as part of the CARES Act appropriation, and is seeking experienced 501c3 eligible nonprofit organizations to provide financial assistance and housing stability services for those who may be at risk of homelessness as result of COVID-19.

The funds are earmarked for federal CARES Act eligible activities delivered over a no more than two-year period, beginning in January 2021 and ending September 30, 2022. Deliverables under this opportunity must be designed to prepare, prevent, respond and recover from the Coronavirus pandemic. Successful applicants must agree to enter all data in the Homeless Management Information System (HMIS under the appropriate accounts). Access and training on HMIS will be provided to new contractors.

Respondent's submittals should target housing stability interventions in response to the COVID-pandemic.

### **Resources:**

Please note that Performance under this program will be monitored using the CoC Written standards. The written standards have been established to ensure that persons experiencing homelessness who enter programs will be given similar information and support to access and maintain permanent housing. Many of these standards are based on the ESG, CDBG, and/or the HEARTH Interim Rules. All program and COVID related documentation is required to be collected and maintained will be required.

Please refer to these general resources prior to preparing your application.

CoC Written standards can be found at: <https://wnyhomeless.org/app/uploads/Written-Standards-Feb-2019.pdf>

McKinney Vento Homeless Assistance Act:

<https://files.hudexchange.info/resources/documents/HomelessAssistanceActAmendedbyHEARTH.pdf>

## **2. GENERAL INFORMATION**

### **NOTICE TO AGENCY**

An agency, before submitting a proposal, 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, as well as the regulations found at 24 CFR Part 570 (CDBG & CDBG-CV), 24 CFR Part 92 (HOME), and 24 CFR Part 35 (Lead Based Paint Hazard Reduction) governing those federal programs. 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.

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**ORAL PRESENTATIONS**

BURA reserves the right to conduct individual interviews with finalists and to request best and final offers from any or all finalists. Each agency may be required to provide oral presentations to discuss their proposed management techniques, answer questions from BURA's staff, and/or clarify their technical submittal.

**NEW YORK STATE LOBBYING ACT**

All Bidders are required to execute an Affirmation of Understanding and Agreement that the Bidder 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. Bidders must also execute a disclosure regarding any prior findings that the Bidder violated the Act.

**WITHDRAWAL OF THE PROPOSAL**

The proposal may be withdrawn upon written request from the agency prior to the proposal closing date.

**CONTRACTING WITH SMALL AND MINORITY FIRMS, WOMAN'S BUSINESS ENTERPRISE AND LABOR SURPLUS AREA FIRMS**

The City of Buffalo Urban Renewal Agency, per HUD Regulations Section 85.36(e), requires the prime contractor (agency) to take affirmative steps to select such small and minority firms, women's business enterprise and labor surplus area firms as subcontractors.

The grantee (BURA) and sub grantee (agency) will take all necessary affirmative steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps shall include:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- 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;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;
- Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (e)(2) (i) through (v) of this section.

**SUBCONTRACTING**

Any person undertaking a part of the work under the terms of the Contract, by virtue of any agreement with the agency, must receive approval of the City of Buffalo Urban Renewal Agency prior to any such undertaking. In the event the agency desires to subcontract some part of the work specified herein, the agency shall furnish with their proposal the names, qualifications, and experience of their proposed subcontractors. Subcontractors shall conform, in all respects to the provisions specified for the agency. The agency shall, however, remain fully liable and responsible for the work done by their subcontractors. The City of Buffalo Urban Renewal Agency may terminate the Contract if the subcontracting is done without BURA's prior approval.

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**RESIDENCY GOAL**

The selected agency agrees that (i) in the hiring of any contractor, subcontractor, or a person acting on behalf of the contractor or subcontractor, preference shall first be given to qualified local contractors 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 contractor or subcontractor will work towards ensuring a minimum residency goal of 25% of workforce to include qualified residents in the City of Buffalo.

**RESPONSIBILITIES OF THE AGENCY**

The agency shall be responsible for the professional quality and technical accuracy of their advice and other services furnished by them. The agency will perform services with the degree of skill, which is normally exercised by recognized professionals with respect to services of a similar nature. Neither BURA's review, approval or acceptance of, nor payment for, any of the services required under the Contract shall be construed to operate as a waiver of any rights under the Contract or of any cause of action arising out of the performance of this Contract, and the agency shall be and remain liable to BURA in accordance with applicable law for all damages to BURA caused by the agency's negligent performance of any of the services furnished under the contract. The rights of BURA provided for under the contract are in addition to any rights and remedies provided by law.

**FORMATION OF AGREEMENT/CONTRACT WITH SUCCESSFUL AGENCY**

The Contract to be negotiated as a result of this RFQ shall be by and between the agency and the City of Buffalo Urban Renewal Agency and shall contain but shall not be limited to provisions included in this RFQ. By submitting a proposal in response to the RFQ, the agency accepts the terms and conditions set forth herein, as well as any additional terms and conditions required for adherence to federal regulations, sound fiscal management principles and the policies of the City of Buffalo Urban Renewal Agency.

**WORKPLACE DIVERSITY**

The City of Buffalo Urban Renewal Agency is 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.

**PRE-CONTRACTUAL EXPENSES**

BURA shall not be liable to a respondent for any and all costs incurred or liabilities and/or claims related to this RFQ and/or the Scope of Work encompassed in this RFQ incurred prior to or in anticipation of a fully executed agreement by/with BURA and the agency. BURA shall be held harmless and free from all liability, claims or expenses whatsoever, incurred by, or on behalf of, any persons or organization responding to this RFQ.

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**LIVING WAGE ORDINANCE**

The agency shall comply with the Living Wage Ordinance of the City of Buffalo (Buffalo City Code §96-19), if applicable. The ordinance applies to contracts in which the City pays or receives over \$50,000 and the employer has at least ten (10) employees. It does not apply to contracts for professional services. Compliance includes:

- Paying all covered employees, a living wage. Covered employees are all employees, full or part-time, employed in, on, or for the project or matter subject to the contract, except persons employed in construction work covered pursuant to federal or state prevailing wage laws.
- Submitting quarterly reports to the Living Wage Commission, including the name, address, classification, period of employment and wage rate of all employees covered under the ordinance.
- Posting two (2) copies of the Ordinance or a summary approved by the Living Wage Commission in conspicuous places where notices to employees and applicants for employment are customarily posted.
- Informing employees making less than \$12 per hour of their possible right to the Federal Earned Income Credit and making available forms required to secure advance Earned Income Credit payments from Contractor.

The agency's violation of the ordinance will enable any aggrieved employee to file an action against the contractor for damages and/or a grievance with the City's Living Wage Commission. The City has the discretion to terminate this Agreement and pursue any other legal remedies if agency fails to comply with the ordinance.

**3. FUNDING OPPORTUNITY: STABLE HOUSING INTERVENTIONS**

**HOMELESSNESS AND EVICTION PREVENTION**

A significant number of families and individual at 50% of the median income may be at significant risk of homelessness when the New York State Moratorium on evictions is lifted. At that time, landlords will be required to provide 30-day notice of eviction to those who were not able to pay rent during the economic shutdown. Aside from providing direct rental assistance to eligible clients, Eviction Prevention activities may also include partnering with other organizations to provide Legal representation in eviction court to stay the eviction and negotiate repayment plan between the client and landlord, ,negotiation of amount due to assure future tenancy , referrals for inspections and housing repair programs as required by inspection, lead conditions, etc. with all services accompanied by up to 3 months of Case Management to assure housing stability and assess the success of the Prevention effort.

Eviction prevention clients must provide proof of tenancy and eviction arrears and have income at or below 50% of the median income. Documentation requirements are strict. and include proof that their financial situation was created due to the COVID-19 pandemic, certification they have no outside resources , savings, etc. to pay the arrears and that Client household income eligibility at/or below 50% of the median income.

At this time, financial assistance is limited to six months of arrears, during the time of this emergency, beginning March 27, 2020.

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**4. RESPONDING TO THE RFQ**

**REQUEST FOR QUALIFICATIONS FORMAT**

Please respond to the following and submit one electronic and two paper copies (one sided) of your response no later than December 2, 2020 Late submissions will not be accepted.  
All submissions will be sent to:

Sue Lumadue  
1701 City Hall  
Buffalo NY 14202  
[slumadue@city-buffalo.com](mailto:slumadue@city-buffalo.com)

Format = 7 required pages plus attachments

**COVER SHEET – 1 PAGE**

Provide agency name, contact information phone, mailing address and email, amount of funding requested and stated intervention(s) you are proposing.

**PROGRAM DESCRIPTION – 2-3 PAGES**

Name your program and describe your approach: In no more than three pages, describe the type of service(s) you plan to provide including your efforts to meet the needs of clients and assuring eligibility under HUD guidelines. Who will you collaborate with in this project? How quickly will you begin? Include your plan for connecting clients to additional resources in support of housing stability through case management. Please indicate the frequency of in home and in office supports, including after care.

**DESCRIBE YOUR TEAM – 1 PAGE**

Who is your team? Briefly describe their general qualifications and the multi-disciplinary nature of the team assembled for this project, citing specific evidence of relevant experience serving low income, homeless, re-entry, similar behavioral health, vulnerable, at risk or other similar clients facing housing and other challenges. Please list key personnel who will be involved and their experience with HMIS, if any. If hiring for project, please indicate title and qualifications. Be certain to address familiarity with documentation, adhering to government regulations, contract compliance, etc.

**PREVIOUS EXPERIENCE – 1 PAGE TABLE**

Create a table and identify project experience. Use the table to summarize similar projects of this nature you have previously undertaken or played a key role in. Please provide the following information in your table:

- Project name
- Current status
- Funding source
- Project budget, unspent amount
- Numbers uniquely served in this project

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**PROPOSED BUDGET – 1 PAGE (ATTACHED)**

Successful RFQ respondents will be reimbursed for costs associated with delivering rental assistance on a per application completed basis. Based on experience gained from programs participating in the COVID response Live Well program, we generously anticipate each client served will consume approximately 10-15 hours of staff time, including eligibility and documentation review, landlord negotiation and paperwork, processing assistance payments, case management, hmis entry, financial processes and related assistance efforts. Agencies receiving awards under this program will not be required to provide payments to the landlords. All payments to landlords will be sent directly to the landlord after collection of all required documentation, including completion of Rental Assistance agreement and W-9 form, by the Buffalo Urban Renewal Agency, thru its financial arm, Financial Control of Agencies. Therefore, rental assistance costs should not be included in your budget.

When developing your budget based on the information above, please identify the number of clients you anticipate being able to serve and the total cost per client cost. If approved, this budget will be the basis of reimbursement under this contract. Incomplete applications should be factored into your total. Please indicate the total number of clients you aim to serve and your cost per client in the “other services” section of the budget sheet attached only.

**5. EVALUATION OF SUBMITTALS**

Those responding to this RFQ must demonstrate the following:

- Experience in delivering similar services to the eligible populations
- Strong documentation and data entry skills
- Strong outreach and collaboration skills
- Trauma informed care approach
- Low barrier entry into program
- Excellent written and oral communication.
- Experience in Grant Management and reporting
- Reasonableness of proposed plan
- Reasonable and customary expenses
- Prior successful performance on similar projects

Working with the Continuum of Care Project Selection Committee (CoC-PSC), the City of Buffalo Urban Renewal Agency and the City of Buffalo will evaluate all submittals to determine which prospective Contractors have the experience and qualifications that are most suited for this project and which projects are best suited to meet the needs. The City of Buffalo Urban Renewal Agency and CoC-PSC may request in person or remote personal interviews with the highest-ranked respondents or may request one or more prospective Contractors to provide additional detail. If selected, we may require additional documentation relating to agency’s ability to manage the finances of this grant, including most recent tax and charity filings and other attachments as indicated below.

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6. **OTHER ATTACHMENTS-** may be required upon awarding of contract, if such attachments are not on file with the City of Buffalo Office of Contract Administration , and/or Buffalo Urban Renewal Agency, and will include:
- a. Agency Articles of Incorporation
  - b. Agency Certificate of Good Standing
  - c. Agency Corporate By-Laws
  - d. NYS Charitable Registration Number
  - e. Agency Internal Revenue Service determination letter
  - f. Most recent Internal Revenue Service 990 Return
  - g. Most recent New York State CHAR 500 Report
  - h. Most recent agency audited financial statement, include Single Audit, if applicable. If audit is not completed within 9 months of year-end date, provide letter from auditor indicating when audit will be complete.
  - i. Agency Conflict of Interest Policies
  - j. Agency Personnel Policies
  - k. Agency Financial Policies
  - l. Agency Whistleblower Policies (if organization has 20 or more employees and revenue more than \$1 million). Must include a system for employees and volunteers to report potential illegalities and prohibit retaliation for doing so.
  - m. Agency Retention and Destruction Policies for paper and electronic documents
  - n. Agency Written Security Protocol to address access to agency and client files
  - o. Attached Agreement of Understanding of Technical Assistance
  - p. Attached Conflict of Interest Disclosure Form
  - q. Sealed Envelope: Attached Confidential Background Information Disclosure Form
    - i. A Confidential Background Information Disclosure, Authorization and Release form must be completed for all Primary Management and Governance Principals of the organization. The forms completed for the individuals must be submitted in a sealed envelope.
  - r. Attached Bidder's Affirmation
  - s. Attached City of Buffalo's Living Wage Ordinance

**For questions regarding this RFQ, please contact Sue Lumadue at [slumadue@city-buffalo.com](mailto:slumadue@city-buffalo.com).**



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**AGREEMENT OF UNDERSTANDING OF TECHNICAL ASSISTANCE**

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**The Executive Director and Board President must review and sign a copy of this notice.**

This Agreement of Understanding of Technical Assistance Requirements will serve as notice to applicants and subsequent contractors of this Request for Qualifications (RFQ) that their participation/attendance in upcoming Technical Assistance training and/or meeting seminars may be mandatory. The training will serve to promote ethical practices, sound management, and public accountability. Failure to attend training and/or meeting seminars may result in the suspension of current funding or the barring of future funding awards.

The undersigned representative of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Has read the above agreement and acknowledge that their participation/attendance in upcoming Technical Assistance training and/or meeting seminars may be mandatory and may affect the organization's current and/or future funding awards.

\_\_\_\_\_  
Executive Director (signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Board Chairperson (signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Date)

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**CONFLICT OF INTEREST DISCLOSURE FORM**

**The Board President must review this form with all board members and agency staff.**

The **agency** represents that none of its **employees, officers, compensated members, contractors or consultants** are, or for the duration of this agreement will be, employees of the City of Buffalo Urban Renewal Agency (BURA) nor are their family members or business relationships employees of BURA nor will their employees, officers, compensated members, contractors 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 agency must formally disclose all potential Conflicts of Interest to the City of 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 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

\_\_\_\_\_  
**Print Name**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Date**

**\*If yes, a full disclosure must be forwarded on official agency letterhead to the City of 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 **agency** 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

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**CONFIDENTIAL BACKGROUND INFORMATION DISCLOSURE FORM**

**The City of Buffalo Urban Renewal Agency: This form must be completed by the Primary Management and Governance Principals of your firm/organization.**

The information includes but is not limited to: Check applicable title:

- ☐ President/Board Chair  
☐ Executive Director/Chief Operations Officer  
☐ Chief Financial Officer/Treasurer/Bookkeeper  
☐ And any individuals authorized to conduct financial transactions on behalf of your firm/organization Title: \_\_\_\_\_

Print Name: \_\_\_\_\_  
(First) (Middle) (Last)

Applicants Signature: \_\_\_\_\_

Aliases/Other Names: \_\_\_\_\_  
(First) (Middle) (Last) Generation (suffix)

Social Security number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Driver's License #/state of issue \_\_\_\_\_

Daytime Phone: ( ) \_\_\_\_\_ Evening Phone: ( ) \_\_\_\_\_

Present Address: \_\_\_\_\_ City/State/Zip

Date at Present Address: From (MM/YY) \_\_\_\_\_

Does Applicant have a Maiden Name? ☐ No ☐ Yes, \_\_\_\_\_  
Maiden Name

**Previous Addresses**

Applicant, please provide addresses of residences for the past seven years, including street address, city, state, zip, and country, dates of residences for each address.

\_\_\_\_\_

I have carefully read and understand this Disclosure, Authorization and Release form. By my signature below, I consent to the release of information I hereby authorize any law enforcement agency to furnish the City of Buffalo Urban Renewal Agency or its agent information related to my criminal history. I hereby release the City of Buffalo Urban Renewal Agency and all its agents and employees, the law enforcement agency, and all employees of law enforcement agencies furnishing information from all liability resulting from the furnishing of this information to the City of Buffalo Urban Renewal Agency. I certify that the statements made by me on this form are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that providing any false statements or omitting any material information will be sufficient grounds for rejection of the application for assistance, or termination of any related agreement, and that any commitment made on behalf of the City of Buffalo Urban Renewal Agency may be voided immediately.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

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**SUMMARY OF PERMITTED CONTRACT UNDER New York STATE LOBBYING ACT**

Pursuant to State Finance Law §§139-j and 139-k, this “Request for Qualification” 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 is identified in this Request for Proposals. City of Buffalo, the City of Buffalo Urban Renewal Agency employees are also required to obtain certain information when contacted during the restricted period and decide 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 an 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.

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**BIDDER'S AFFIRMATION OF UNDERSTANDING AND AGREEMENT PURSUANT  
TO STATE FINANCE LAW §139-J (3) AND §139-J (6) (B)**

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**The Board President and Executive Director must review and sign this form.**

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.

Contractor Name: \_\_\_\_\_

Contractor Address: \_\_\_\_\_

\_\_\_\_\_  
Executive Director (signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Board Chairperson (signature)

\_\_\_\_\_  
(Print name)

\_\_\_\_\_  
(Date)

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**CITY OF BUFFALO LIVING WAGE INFORMATION**

[Contractor/ Agency] shall comply with the Living Wage Ordinance of the City of Buffalo (Buffalo City Code § 96-19), if applicable. The ordinance applies to contracts in which the City pays or receives over \$50,000 and the employer has at least ten (10) employees. It does not apply to contracts for professional services. Compliance includes:

- ✓ Paying all covered employees, a living wage. Covered employees are all employees, full or part-time, employed in, on, or for the project or matter subject to the contract, except persons employed in construction work covered pursuant to federal or state prevailing wage laws.
- ✓ Submitting quarterly reports to the Living Wage Commission, including the name, address, classification, period of employment and wage rate of all employees covered by the ordinance.
- ✓ Posting two (2) copies of the Ordinance or a summary approved by the Living Wage Commission in conspicuous places where notices to employees and applicants for employment are customarily posted.
- ✓ Informing employees making less than \$12 per hour of their possible right to the Federal Earned Income Credit and making available forms required to secure advance Earned Income Credit payments from Contractor.

[Contractor's/ Agency's] violation of the ordinance will enable any aggrieved employee to file an action against the contractor for damages and/or a grievance with the City's Living Wage Commission. The City has the discretion to terminate this Agreement and pursue any other legal remedies if CEO fails to comply with the ordinance.

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## *City of Buffalo* *Living Wage Commission*

### **APPLICATION FOR CONTRACT WITH THE CITY OF BUFFALO**

The City's Living Wage Ordinance applies to contracts for services in which the City pays – or receives – more than \$50,000 per year, and the contractor employs more than ten people. If you are bidding, responding to an RFP/Q, or otherwise planning to make a contract with the City, you must complete this form, a copy of which will be forwarded to the City's Living Wage Commission. Your subcontractors need not file a separate Application, but they must pay a living wage. If you win the contract, you and your subcontractors will file quarterly reports with the Living Wage Commission.

You must certify that you will pay at least the hourly wages mandated by the Ordinance. **For 2020, the rate is \$12.33 if the worker receives health benefits from the employer and \$13.85 if the employee does not.** There is an automatic cost-of-living adjustment to the rate each January 1.

There are two exceptions to the Ordinance. Professional contracts such as legal, architectural, or engineering services are not covered by the Ordinance. Also, persons employed in construction work covered by prevailing wage laws are exempt from the Ordinance.

The City department responsible for the contract should forward the completed Application for Contract of the employer chosen for the contract to: Living Wage Commission, c/o Cornell University ILR, 617 Main St., Suite 300, Buffalo, NY, 14203, [lwcbuffalo@gmail.com](mailto:lwcbuffalo@gmail.com).

#### **1. Company Information**

<b>Company Name:</b>	
<b>Executive Officer:</b>	
<b>Address:</b>	
<b>City, State, Zip:</b>	
<b>Phone No.:</b>	
<b>Total No. of Employees:</b>	

#### **2. Please describe the specific project or service for which the contract is sought:**


#### **3. Contract Information**

<b>Dollar Value of Your Bid/Contract:</b>	
<b>Identifying City Contract or Project Number:</b>	
<b>Start and End Dates of Contract:</b>	

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**4. If you answer "Yes" to any of these, you need not complete parts 5, 6, and 7**

<b>A) Are <i>all</i> persons who will work under the contract construction workers covered by federal or state prevailing wage laws?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>B) Is this a contract for professional services such as legal, architectural, or engineering?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>C) Do you employ less than ten people?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>D) Is the total value of the contract less than \$50,000 per year?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**5. List the employees who will work on this contract. Attach additional sheets as needed.**

Job Title	Duties to be Performed	Hourly Wage	Receives Health Benefits?

**6. Subcontractors**

<b>Will there be subcontractors?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>If yes, please provide name address, and phone for each subcontractor. Attach additional sheets as needed.</b>	

**7. Please provide a signature by an official of your company with the legal authority to make binding commitments.**

I certify that if awarded a City contract I will fully comply with the Living Wage Ordinance.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Print: \_\_\_\_\_

Title: \_\_\_\_\_



City of Buffalo Urban Renewal Agency, Buffalo, New York  
2020 Request for Qualifications- Eviction Prevention



**City of Buffalo**  
**Living Wage Commission**

**QUARTERLY EMPLOYER REPORT**

Mandated by the Buffalo Living Wage Ordinance- Your company holds a City contract governed by the Buffalo Living Wage Ordinance. The law requires that employers pay the designated hourly “living wage” to their employees. It also requires that employers file this quarterly report with the Living Wage Commission. Please duplicate it for future use. Quarterly reports should be mailed to Living Wage Commission, c/o Cornell University ILR, 617 Main St., Suite 300, Buffalo, NY, 14203 or emailed to: [lwcbuffalo@gmail.com](mailto:lwcbuffalo@gmail.com).

**Quarterly Reports must be filed within a month of the end of each quarter: i.e., by April 30<sup>th</sup>, July 31<sup>st</sup>, October 31<sup>st</sup>, and January 31<sup>st</sup>. Ordinance violations may result in monetary sanctions, suspension or termination of your contract and ineligibility for future city contracts.**

<b>Today's Date</b>	
<b>Period Covered by this Report</b>	
<b>Company Name</b>	
<b>Contact Person</b>	
<b>Address</b>	
<b>City, State, Zip</b>	
<b>Phone Number</b>	

<b>Describe the project or services provided to the City by your company during the last quarter</b>

**Please provide on a separate sheet the following information for each employee who performed services under the contract during the last quarter:**

Name of employee:					
Address of employee:					
Phone number:					
Type of work performed:					
Period of employment:					
Hourly wage rate:					
Health insurance provided:	<table border="1"><tr><td></td><td>YES</td><td></td><td>NO</td></tr></table>		YES		NO
	YES		NO		

I certify under penalty of perjury that:

- I have knowledge of the employment practices of this company;
- The information in this report regarding wages paid is true; and
- I understand that willful failure to report accurate information is a violation that may be penalized under the living wage ordinance.