



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

REQUEST FOR QUALIFICATIONS (RFQ)



ISSUE DATE: May 27, 2021

DUE DATE: June 10, 2021 (by 4:00 P.M.)

ANTICIPATED PROGRAM START DATE: June 2021

SUBMISSION METHOD:

by email to

Susan Lumadue, Office of Contract Administration

Room 1701 City Hall Buffalo, New York 14202

slumadue@ch.ci.buffalo.ny.us

City of Buffalo Urban Renewal Agency, Buffalo, New York
2021 Request for Qualifications - Emergency Rental Assistance Program (ERAP)

1. BACKGROUND

The City of Buffalo Urban Renewal Agency (hereinafter referred to as “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. Our aim is to promote efficient planning, financing, and completion of neighborhood-driven development projects, to enhance and maintain quality and vibrant urban living in the City of Buffalo. We are committed to fostering a collaborative environment with the community through accountability of our practices, outreach and advocacy effort for transparency, and empowering of the City’s residents. Our goal is to become a resource and partner to City residents, other community development agencies, and staff in seeking results to the most pressing issues facing the Buffalo area. Our aim is also to develop partnerships that are mutually beneficial and promote social and economic change. BURA oversees community development and quality of life programs funded by the City of Buffalo’s federal allocation from the United States Department of Housing and Urban Development, including Community Development Block Grant (CDBG), the CARES Act Community Development Block Grant (CDBG-CV) and the HOME Investment Partnerships Program (HOME), as well as non-federal resources.

The City of Buffalo and the City of Buffalo Urban Renewal Agency (BURA) received funding from the United States Department of the Treasury, as part of the Consolidated Appropriations Act 2021 and American Rescue Plan appropriation, and is seeking experienced 501(c)(3) eligible nonprofit organizations to provide outreach, intake and application assistance for those who may be at risk of homelessness as result of COVID-19, and are in need of Rental and/or Utility Assistance to maintain existing housing.

The funds, being administered by the New York State Office of Temporary and Disability Assistance (OTDA) are earmarked for eligible outreach and intake activities delivered to low income, underserved communities, and priority groups, over an approximate six-to-fifteen-month period, beginning June 2021 and ending September 30, 2022, or when funds are exhausted. Contracts under this RFQ will be awarded for an initial six month period and may be extended based on need and availability of funds.

Funds are earmarked for residents who have been financially impacted by COVID-19. This includes tenants who have been unable to pay full rents and utilities because of a COVID related financial hardship, as well as landlords who have been unsuccessful in getting tenants connected to assistance, or who wish to apply for assistance for multiple tenants. Deliverables under this opportunity must be designed to assist tenants and landlords in accessing up to 12 months of rental and utility arrears, and up to 3 months of prospective rents for arrears beginning March, 2020.

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Respondents to this RFQ will provide both outreach as well as application assistance and follow-up. Submittals should specify your target audience/ niche group for delivering Rental Assistance. Please describe your outreach approach and the multiple ways you will connect to clients in need, specify how you will assist them, and provide your proposed schedule to deliver an accessible, reliable ongoing Emergency Rental Assistance Program (ERAP) assistance program. Please describe partners you will work with to accomplish this goal.

Resources:

<https://otda.ny.gov/>

[Emergency Rental Assistance Program | OTDA \(ny.gov\)](#)

<https://nlihc.org/rental-assistance>

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/emergency-rental-assistance-program>

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

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 in ERAP publications (see resources above). 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 the items and conditions referred to herein.

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.

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

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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.

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: NY State Emergency Rental Assistance Program (ERAP).

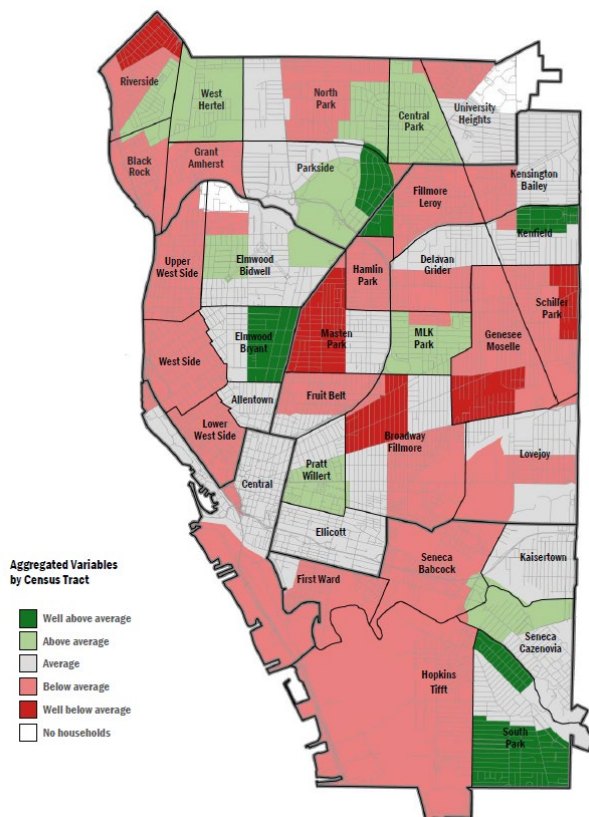
In December 2020, the United States Consolidated Appropriations Act was signed into Law, providing \$25 billion nationwide to provide rental and utility assistance to low-income residents who have been impacted financially by the COVID pandemic. The City of Buffalo has received funding to serve City of Buffalo residents in need of rental and/or

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utility assistance. Provisions of the funds, allocated under the Consolidated Appropriations Act 2021 and American Rescue Plan appropriations, require 90% of the allocation to provide direct assistance to tenants and landlords, with 10% set aside for allowable administrative costs, including program administration and the delivery of outreach, application assistance and housing stability services to eligible residents.

New York State Office of Temporary and Disability Assistance (OTDA) agreed to manage the administration of a State-wide system, including the development of an application portal, managing the eligibility determinations and payments, as well as a state-wide helpline. By joining with OTDA, the City of Buffalo will have access to the New York State allocation for rental and utility assistance, should local funds be exhausted.

The City of Buffalo's experience with earlier COVID Rental Assistance programs indicates that a significant number of low-income families and individuals may be at severe risk of homelessness when the New York State Moratorium on evictions is lifted on August 31, 2021, and that many of those households in certain City of Buffalo neighborhoods have not accessed available programs. Data suggest these neighborhoods have a high need (see map).



Some who accessed earlier programs may have received time-limited or financially capped support and may be in need of additional, non-duplicative financial assistance when the moratorium is lifted. Landlords will be required to provide 30-day notice of eviction to those who were not able to pay rent during the economic shutdown. Many tenants may also be facing utility shutoffs, due to the financial hardship caused by the pandemic. In response, we are planning to provide a robust menu of targeted and general outreach activities, application assistance, technology access, application instruction and support to City of Buffalo residents and landlords, as part to this RFQ.

Due to the current nature of the pandemic and slow re-opening of the local economy as a result, all outreach and application activities provided under this RFQ will follow a hybrid model of communicating, allowing for in person, telephone, video conferencing, social media,

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email opportunities as well as application events and representation at other community events.

OTDA has indicated they will provide translated campaign information as part of their administrative responsibility ([Provider Information | Emergency Rental Assistance Program | OTDA \(ny.gov\)](#)). However, in order to connect with the population of tenants and landlords who are not native English speakers, selected partners will be required to develop relationships and subcontracts with organizations and agencies who serve those communities.

Selected partners must possess and identify dedicated staff to be trained on the program requirements and use of the ERAP portal to provide instruction and application progress to applicants, as well as monitor their own progress in connecting applicants to emergency assistance. Partners must have the ability to accept documentation from clients in various forms (text photos, email, fax, United States postal, agency “drop box”) and the ability to transmit or assist applicants in transmitting documentation to the ERAP portal.

GENERAL REQUIREMENTS:

- Manage staff and performance.
- Maintain regular communication with City of Buffalo/BURA during weekly or bi-weekly phone check in meetings.
 - Reporting as required by BURA.
- Assure adherence to OTDA documentation and portal requirements, and relay information to applicants.
- Provide culturally appropriate services to individuals with special needs, i.e. disabilities, language and cultural barriers, etc., including language translation services, which can be included in budgeted direct operating costs.
- Provide staff training and internal quality assurance audits on a regular basis.
- Flexibility in administering the program, including locations where assistance is provided and methods for providing same.
- Develop outreach plan and provide schedule and updates as required by the City and BURA.

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4. RESPONDING TO THE RFQ

REQUEST FOR QUALIFICATION FORMAT

Please respond to the following and submit an electronic copy, by email, of your response no later than June 10th, 2021 4pm. Late submissions will not be accepted.

All electronic submissions will be sent to:

Sue Lumadue
1701 City Hall
Buffalo NY 14202
slumadue@city-buffalo.com

I. SCOPE OF PROFESSIONAL SERVICES REQUIRED

INTRODUCTION

The City of Buffalo is partnering with New York State Office of Temporary and Disability Assistance, (OTDA) to deliver arrears payments for rent and utilities to income eligible and covid impacted eligible clients. OTDA has developed a portal for the ERAP applications. This is an allocation of resources, designed to continue thru the end of the funding, or September 2022. When the City allocation has been extinguished, the City of Buffalo will have access to New York State's allocation. We anticipate that all eligible tenants in need of rental and/or utility arrears payments can and will be served under this program.

The goal of this program is to promote the program and aid all City of Buffalo income eligible tenants and landlords in need of assistance.

This RFQ is seeking qualifications to provide targeted and general outreach, application education and assistance, as well as portal and technology access to City of Buffalo residents. Outreach activities will include distributing information in a variety of manners, conducting outreach activities and "special events," attending activities in your community as well communities identified as "underserved." (see attached map)

Proposers should be capable of providing flexible, on site and multi-location, including mobile assistance. Successful applicants may be deployed to underserved areas outside of their normal service area.

Respondents may be asked to collaborate with local human service provider, the faith-based community, block clubs and community associations, landlord associations, legal

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services providers, and culturally representative groups, requiring a flexible and nimble approach to aiding. Trusted locally embedded or culturally significant partner groups would be charged with assisting in the outreach and application effort with their constituent group. The lead organization will be responsible for collecting data, information on the types, locations, etc. of the outreach and application assistance activity conducted by subcontractors.

Included under this opportunity and an example of flexible on-site assistance to tenants is the opportunity for Legal services and other providers with knowledge to provide in-person in-court eviction diversion activities for clients facing eviction services when the moratorium is lifted. Housing Court Liaisons will be present in court to provide the connection to ERAP for tenants facing eviction. Also, an agency who specializes in working with Landlords may apply to be the Landlord Liaison for outreach and application assistance to Landlords.

General requirements for the ERAP resources requires that clients provide proof of tenancy and eviction arrears, have income at or below 80% of the median income and have been impacted by the COVID pandemic. NY State ERAP will allow self –attestation by clients who are unable to fulfil all document requirements due to the pandemic.

Tenants and landlords in need of assistance will be directed to 2-1-1, for connection to local and accessible services provided by partners selected under this RFQ. Partners should also be able to accept walk-in clients, phone calls, emails etc.

Specific Expected activities under this RFQ will include but are not limited to:

- Providing a variety of outreach activities and events to deliver ERAP information to tenants and landlords in underserved and high need communities (see map attached) as well as the general service area. Some
- Provide regular, ongoing and scheduled responses to tenants and landlords in need of assistance.
- Providing application instruction and assistance to City of Buffalo tenants and landlords who need support and assistance in completing the ERAP application.
- Review available documents and provide assistance and direction in gathering additionally needed documents.
- Assist tenants and landlords with technology access and uploads to the portal.
- Review applications for completeness
- Assist clients in developing an online portal account.
- Assist clients with limited technology access with uploading documents to their portal.
- Assist tenant and landlords with determining the status of their application and closing the application loop.
- Partnering with other trusted community groups to deliver targeted assistance in multiple languages.

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- Gathering and maintaining documentation and records of all assisted parties and outreach activities conducted

COVER SHEET – 1 PAGE

Provide agency name, contact information phone, mailing address and email, number of applicants you propose to serve, any special accommodations for disability and/or language translation you can provide, etc. and number of applicants you anticipate serving, along with unique features of your program.

PROGRAM DESCRIPTION – 2-4 PAGES

In no more than four pages, describe the type of service(s) you plan to provide including your efforts to meet the needs of clients and assuring eligibility under ERAP guidelines. Please include the following:

1. Describe your approach to conducting outreach to your community, and your flexibility in providing remote activities. Identify your target population and the neighborhoods to be served.
2. Indicate how you plan to deliver application assistance, provide application instruction and portal access to both tenants and landlords.
3. Describe who in your community is hard to serve, and how you propose to serve them. How will collaborate with other groups who serve that community? Identify any current groups who can assist in this effort.
4. Provide a six-month, proposed schedule of days and hours your services will be available to applicants in need. Please include any opportunity for applicant to be serviced outside of normal working hours.
5. Provide locations (address and zip code) where walk in assistance maybe provided, including any satellite locations, including local libraries, other community-based locations, etc.

DESCRIBE YOUR TEAM – 1-2 PAGES

Who is your team? Indicate your ability to quickly implement and staff the ERAP program, and identify a target start date. Are you able to utilize existing staff to begin this effort, or will you need to hire? If you need to hire, provide a date on which new staff members will be on-boarded. Then, describe your staffing plan for this project, identifying each position and whether you will hire new or pivot existing staff members.

Please describe the general qualifications and the multi-disciplinary nature of the team assembled or to be assembled for this project. Please cite 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. Be certain to address familiarity with documentation, adhering to government regulations, contract compliance, etc.

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Indicate your plan to assign or re-train staff who are unable to deliver the required assistance.

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

PROPOSED BUDGET – 1 PAGE

Successful RFQ respondents will be reimbursed for costs associated with delivering outreach and rental assistance on both a contractual and a “per application completed” basis. This will be a fee for service contract, providing a base contract amount of \$7,500 for six months of continued outreach, subcontractor assistance, events, and program startup. Additionally, the agency will receive up to \$400 for each completed and approved application. Based on experience gained from programs participating in the COVID response Live Well Erie County and CDBG-CV Stand Up program, we generously anticipate each client served will consume several hours of staff time, including application instruction, determining eligibility and completeness of application. This fee will be applied to all successful applications and include time spent on instruction, documentation gathering, eligibility review, landlord negotiation, landlord paperwork, and follow up on application acceptance. Compensation of \$400 per completed application will be provided. Some clients may only need assistance with accessing the portal due to technology limitations, which is included in the outreach contract payment, while others will need more guided assistance in completing the application, included in the application processing fee for service.

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 OTDA.

When developing your budget based on the information above, please identify the number of clients you anticipate being able to serve directly, the number, type and frequency of outreach events or activities you will undertake to reach those clients, who you will subcontract with to strengthen your outreach approach, and any costs associated with those activities. If approved, this budget will be the basis of reimbursement under this contract.

4. EVALUATION OF SUBMITTALS

Those responding to this RFQ must demonstrate the following:

- Robust outreach plan
- Ability to quickly implement the program
- Accessible and flexible application assistance schedule of activities
- Experience in delivering similar services to the eligible populations
- Strong collaboration skills
- Excellent written and oral communication.
- Experience in Grant Management and reporting
- Reasonableness of proposed plan
- Technology infrastructure and flexible plans for community members to utilize
- Prior successful performance on similar projects

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 City of Buffalo 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.

5. 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

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- 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.

AGREEMENT OF UNDERSTANDING OF TECHNICAL ASSISTANCE

<p>The Executive Director and Board President must review and sign a copy of this notice.</p>
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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 an understanding of the program, 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

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 Qualifications” 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 Qualifications. 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

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- 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)**

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)

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. **From July 1, 2021 to July 1, 2022, the living wage rate is \$15.84.** There is an automatic cost-of-living adjustment to the rate each July 1st.

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.

1. Company Information

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

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

3. Contract Information

Dollar Value of Your Bid/Contract:	
Identifying City Contract or Project Number:	

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Start and End Dates of Contract:	
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4. If you answer "Yes" to any of these, you need not complete parts 5, 6, and 7

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

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

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: _____

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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.

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

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

Describe the project or services provided to the City by your company during the last quarter

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:	

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Hourly wage rate:			
Health insurance provided:	<input type="checkbox"/>	YES	<input type="checkbox"/> 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.