



City of Buffalo Urban Renewal Agency

REQUEST FOR PROPOSALS (RFP)

**BURA PROGRAMMATIC
TECHNICAL ASSISTANCE**

Schedule of Key Action Dates

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- 1. RFP Issue Date: November 22, 2021**
 - 2. Response Submission Date: Emailed no later than November 29, 2021**

The response must be sent via email, be clearly labeled in the subject line, and submitted to:

RFP – BURA Programmatic Technical Assistance
City of Buffalo Urban Renewal Agency
Attention: Jenna Bichler, Director of Operations
jbichler@buffalony.gov
Room 920 City Hall, Buffalo, N.Y. 14202

- 3. Anticipated Program Start-Up Date: December 6, 2021**

SUMMARY INTRODUCTION: The City of Buffalo Urban Renewal Agency (BURA/Agency) is seeking submittals from qualified consultants/providers to provide programmatic technical assistance to the Agency including but not limited to administration and management of the City of Buffalo Homegrown Homeownership Program (HGH).

All respondents interested in applying must meet the requirements specified in this Request for Proposals (RFP). Respondents must have qualified staff on hand for this work and be ready to begin work on the anticipated contract start-up date of December 6, 2021.

OBTAINING A COPY OF THE RFP: To obtain a copy of the RFP, organizations can visit our website at http://www.city-buffalo.com/Home/City_Departments/Office_of_Strategic_Planning, contact the City of Buffalo Urban Renewal Agency at 851-4769 or pick-up a copy in Room 920 City Hall. Any addenda issued for this RFP will be published at the above-referenced website.

RIGHTS RESERVED: BURA reserves the right to accept or reject any and all responses, in whole or in part, received because of this solicitation and to waive minor irregularities. Furthermore, BURA reserves the right to make a whole award, partial award, or no award at all.

SECTION I – INTRODUCTION

1.1 SUMMARY STATEMENT: 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. The agency’s clientele includes but is not limited to:

- Low to moderate income households
- High risk neighborhoods
- Hard to reach neighborhoods due to limited media access
- Senior Citizens
- Single mothers
- Tenants and landlords

The purpose of this RFP/RFQ is to select a consultant to support the Agency’s administration and management of portions of the City of Buffalo HGH Program and provide technical assistance, when BURA determines is needed, in other projects and programs administered and managed by the Agency. It is anticipated that this RFP will result in the selection of one (1) qualified respondent who will agree to provide services outlined in this RFP.

II – GENERAL INFORMATION

- 2.1 **NOTICE TO RESPONDENTS:** The respondent 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. 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.
- 2.2 **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 respondent 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.
- 2.3 **NEW YORK STATE LOBBYING ACT:** All respondents 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. Respondents must also execute a disclosure regarding any prior findings that the respondent violated the Act.
- 2.4 **SUBCONTRACTING:** The successful respondent will need to demonstrate the ability do all of the requested work without subcontracting.
- 2.5 **FORMATION OF AGREEMENT WITH SUCCESSFUL RESPONDENT:** An agreement will be negotiated as a result of the RFP between the successful response and the Agency and will contain but not be limited to the clauses in this agreement.
- 2.6 **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 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 partners to achieve a workforce that reflects the profile of the broader community and capitalizes on this City's vibrant diversity.

If the respondent has in place a MWBE workforce development please, please provide with response, as well in lieu of that certification, respondent may provide information related to any pending MWBE certification and/or the current demographics of the respondent's workforce.

- 2.7 **LIVING WAGE ORDINANCE:** The successful respondent 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. For further information please see: [City of Buffalo Living Wage Commission – A volunteer commission created by the City of Buffalo to monitor and enforce the City's Living Wage Ordinance](#)

SECTION III – SCOPE OF WORK & REQUIREMENTS

- 3.1** The selected respondent shall be prepared to provide comprehensive technical assistance support and/or training of Agency and/or City of Buffalo employees and/or partners, on an as needed basis as requested and authorized by the BURA Director of Operations related but not limited to:
- Funder Reporting:
 - NYS AHC GUS reporting
 - M/WBE workforce report coordination with staff- quarterly
 - Partner, Lender, Funder, Buyer, Community Partner, and/or Consultant Communications or Drafting of Communications
 - Homebuyer application processing, income qualification, eligibility determinations, underwriting, and subsidy layering
 - Misc. program and project management
 - Bid package development and kickoff meetings
 - Internal reporting
 - Invoicing and requisitions
 - Guidance on program management and related support
 - Cost allocation and subsidy layering
 - Grant administration
 - Work with team on payment requests and closing package coordination
 - Project eligibility and compliance
 - Contract compliance
 - Post-closing rehab program management
 - Tenant eligibility determinations
 - Form development
 - Post rehab occupancy monitoring
 - Record keeping
 - General homebuyer or housing rehab guidance
 - Or other assignments, as specifically requested by BURA, related to the HGH Program or any other programs administered or managed by BURA

The successful respondent should be prepared to provide the technical assistance via email, phone, virtual meeting or any other reasonable method.

- 3.2** **DELIVERABLES TIMELINE:** The selected respondent must be able to begin providing services as detailed in Section 3.1 above no later than December 6, 2021 for a period of at least one year.
- 3.3** **FEE STRUCTURE:** The successful respondent will enter into an agreement with the Agency which provides for a reasonable hourly rate for work performed at the request of the Agency. BURA will not reimburse for any business operation expenses and the respondent should take this into account when proposing the hourly rate in the response. There is no guaranty of a certain volume or payment. The successful respondent will be compensated at the agreed reasonable hourly rate for all work requested in writing by BURA and completed.

The agency will require monthly billing be submitted by the successful respondent.

- 3.4** **INSURANCE REQUIREMENTS:** If BURA determines it is necessary, the selected respondent must, prior to contract execution, furnish to BURA certificates of insurance as evidence of coverage.

SECTION IV – EVALUATION & SELECTION

4.1 SELECTION PROCESS: Agency will conduct a review and evaluation of all responses received by the closing deadline. Each proposal received shall be subject to the same review and evaluation process. Proposals will be reviewed and will be scored by the selection committee and then they will then make recommendations to the City of Buffalo Urban Renewal Agency management. BURA specifically reserves the right to reject any and all proposals.

4.2 PROPOSALS PROPERTY OF BURA: All packages submitted in response to this Request for Proposals become the property of BURA and may be appended to any formal documentation that would further define or expand the relationship between BURA and the successful respondents.

5.1 GENERAL INSTRUCTIONS: To receive consideration under this RFP, submissions must be made in accordance with the following general instructions. All RFP packages must contain the following information in the order shown and numbered as followed.

5.2 Respondents must complete the entire application and the package will be reviewed and scored based on the information provided by the organization. Complete packages must include:

1. A cover letter introducing the respondent to the agency as a respondent with the general outline of the proposal.
2. A statement that the RFP response will be valid for at least 60 days.
3. A portfolio of recent similar work, identification of the individual who will be the lead and any staff who will assist in the scope of work with a description of their skill and experience to complete the work as detailed in Section 3 above.
4. Provide hourly rates for all individuals anticipated to perform the work.
5. Conflict of Interest Disclosure.
6. NYS Lobbying Act Affirmation.

5.3 REQUIRED INFORMATION: Submissions must include all items listed under requested forms. All attachments must be submitted at the same time as the RFP response. Late proposals will not be considered. **Verbal or faxed submittals will not be accepted.**

5.4 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 RFP/RFQ and/or the Scope of Work encompassed in this RFP incurred prior to or in anticipation of a fully executed agreement by/with BURA and the respondent. 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 RFP.

6.1 - ATTACHMENT 1 – Respondent Information

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 LLC

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.

If a not-for-profit, include a copy of your current board members.

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

**6.2 - ATTACHMENT 2 – Conflict of Interest Disclosure -
to be completed by all Staff and Board Members**

The **respondent** 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.

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

Authorized Respondent Signature

Date

6.3 - ATTACHMENT 3 – New York State Lobbying Act

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>

- (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) 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;
 - i. complaints of alleged improper conduct in a governmental procurement to the attorney general, district attorney, or court of competent jurisdiction; or
 - ii. complaints of alleged improper conduct in a governmental procurement conducted by a municipal agency or local legislative body to the state comptroller’s office.

New York State Lobbying Act - continued

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: _____

Administrator Name: _____

Administrator Address: _____
