



BUFFALO URBAN RENEWAL AGENCY

The Honorable Byron W. Brown, Chairman

**Request for Proposals (“RFP”)
for the
HOME - American Rescue Plan (“HOME-ARP”)
Allocation Plan Consulting Services
RFP ID: BURA HOME-ARP RFP 2022-1ARP**

**RFP ISSUE DATE:
May 20, 2022**

**LAST DAY/TIME FOR QUESTIONS:
June 1, 2022 at 4:00 PM**

**PROPOSAL SUBMISSION DEADLINE:
June 10, 2022 at 4:00 PM**

**DELIVER COMPLETED PROPOSALS TO:
Michael Godfrey
Deputy Director of Planning & Zoning
Mayor’s Office of Strategic Planning
mgodfrey@buffalony.gov**

**Buffalo Urban Renewal Agency
65 Niagara Square
Room 920 City Hall
Buffalo, New York 14202**



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1.0 RFP SUMMARY

The Buffalo Urban Renewal Agency (“BURA”) as a subrecipient of HOME-ARP funding awarded to the City of Buffalo (the “City”) is seeking proposals from qualified consultants for HOME Investment Partnership Program - American Rescue Plan (“HOME-ARP”) Allocation Plan Consulting Services.

The Department of Housing and Urban Development (“HUD”) awarded the City in HOME-ARP funding which is intended to address the need for homelessness assistance and supportive services across the City. The funding requires BURA as the subrecipient of the funding to engage in consultation and public participation processes to develop a HOME-ARP Allocation Plan. This Plan must describe how BURA intends to distribute HOME-ARP funds including how it will use these funds to address the needs of HOME-ARP qualifying populations. This RFP seeks consulting services from qualified consultants to facilitate the development of this Allocation Plan.

Where to submit:

Proposal from qualified applicants must be submitted via email to Michael Godfrey, Deputy Director of Planning at mgodfrey@buffalony.gov with the proposal attached to the email as a PDF or via a file transfer link within the email.

What to submit:

One signed PDF file (less than 10mb in size) must be attached to the transmittal email or via a file transfer link within the transmittal email. See submission requirements in Section 6.0 on page 7.

Deadline for Submission:

Proposals must be submitted by June 10, 2022 at 4:00 PM

Questions:

Questions regarding this RFP must be received by June 1, 2022 at 4:00 PM. Please direct questions to: Michael Godfrey, Deputy Director of Planning & Zoning, Office of Strategic Planning, mgodfrey@buffalony.gov. All questions or inquiries regarding this RFP must be submitted in writing. Questions and responses will be responded to and sent to consultants who submit questions (or request to be included on responses to questions) by June 3, 2022. Depending on the volume and complexity of questions, the Office of Strategic Planning cannot guarantee that questions and inquiries submitted after June 1, 2022 will be responded to prior to the submission deadline.

2.0 BACKGROUND AND PURPOSE

On March 11, 2021, President Biden signed the American Rescue Plan (“ARP”) into law, which provides financial relief to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses. To address the need for homelessness assistance and supportive services, Congress appropriated monies in ARP funds to be administered through the HUD HOME Program to perform four activities that must primarily benefit qualifying individuals and families who are homeless, at risk of homelessness, or in other vulnerable populations. These activities include:

- 1) development and support of affordable housing,
- 2) tenant-based rental assistance (“TBRA”),
- 3) provision of supportive services; and
- 4) acquisition and development of Non-Congregate Shelter (“NCS”) units.

The funding requires BURA as the subrecipient of the funding awarded to the City to engage in consultation and public participation processes to develop a HOME-ARP Allocation Plan. This Plan must describe how BURA intends to distribute HOME-ARP funds including how it will use these funds to address the needs of HOME-ARP qualifying populations. Specific federal requirements for the allocation plan can be found in HUD Notice CPD-21-10 “Requirements for the Use of Funds in the HOME-American Rescue Plan Program.” Additional information can be located on the HUD Exchange. HUD requires the allocation plan to be completed via a substantial amendment to the City’s Program Year 2021 Annual Action Plan.

3.0 SCOPE OF WORK

The following scope of work is in accordance with the “HOME-ARP Allocation Plan Template” provided by HUD and HUD Notice CPD-21-10 “Requirements for the Use of Funds in the HOME-American Rescue Plan Program.”

PHASE 1: Public Participation

Task 1: Consultation

- A. Work with BURA, the City, and key stakeholders to identify a range of development strategies and financing tools to support an allocation strategy for HOME-ARP funding.
- B. Three virtual meetings with key stakeholders identified by BURA and the city (consultant scope includes providing meeting preparation plan/material, meeting attendance, summary of meeting, and any necessary follow-up).

Task 2: Public Participation

- A. One required public hearing to solicit comment on Draft Allocation Plan (consultant scope includes providing meeting preparation plan/materials/notice, Power Point presentation, meeting facilitation, summary of comments, and any necessary follow-up).

Task 3: Summary of Consultation Process

- A. Provide a written summary of all comments and recommendations received (orally, in writing, from the virtual meetings, and from the public hearing). Provide a summary that must include all comments and recommendations received including those not accepted. For any comments and recommendations not accepted, the consultant will provide a reasoning in coordination with BURA and the City.

PHASE 2: Allocation Plan

Task 1: Needs Assessment and Gap Analysis

- A. Review information/data from BURA, the City, and stakeholders including Continuum of Care (“CoC”) Housing Inventory Chart, Homeless Management Information System (“HMIS”), shelter information, housing inventory, service delivery system, congregate and NCS units, supportive services, TBRA and affordable and Permanent Supportive Housing (“PSH”) rental units.
- B. Provide data analysis, refinement, and forecasting tools that help assess inventory and gaps. Assess unmet needs and priority needs of Qualifying Populations and Other Populations per the HOME-ARP Program.

- C. Work with BURA and the City in their identification of appropriate partnerships, locations, and opportunities to leverage funds for projects to ensure maximization of the new HOME-ARP funds.
- D. Discuss how level of need and gaps in shelter and housing inventory and service delivery system based on data presented were determined.
- E. Use information obtained through consultations to supplement this section.
- F. Completion of data tables in Allocation Plan (based on Point in Time (“PIT”), Housing Inventory County (“HIC”), and Comprehensive Housing Affordability Strategy (“CHAS”).

Task 2: HOME-ARP Activities

- A. Describe how BURA and the City will distribute HOME-ARP funds based on identified priority needs, method for soliciting selecting funding applications and/or selecting developers, and service providers, contractors, or if BURA and the City will administer activities directly.
- B. Develop strategies to ensure the long-term sustainability of projects developed under HOME-ARP.
- C. Identify any contractor and describe role / responsibilities in administering the City’s HOME-ARP Program.
- D. Use of HOME-ARP Funding (table):
 - a. Budget to demonstrate that planned funding for nonprofit organization operating assistance, nonprofit capacity building, and administrative costs is within HOME-ARP limits.
 - b. Narrate how the characteristics of the shelter and housing inventory, service delivery system, and the needs identified in the gap analysis provides the rationale for funding the identified priorities and eligible activities.

Task 3: HOME-ARP Production Goals

- A. Estimate of the number of affordable rental housing units for qualifying populations that will be produced.
- B. Describe the specific affordable rental housing production goals and how these will address the identified priority needs.

Task 4: Preferences

- A. Identify if BURA and the City intend to give preference to one or more qualifying populations or a subpopulation within one or more qualifying populations for any eligible activity or project.
- B. If a preference was identified, explain how use of a preference or method of prioritization will address the unmet need or gap in benefits and services received by individuals and families in the Qualifying Populations consistent with the Needs Assessment & Gap Analysis.
- C. If a preference was identified, describe how HOME-ARP funds will be used to address the unmet needs or gaps in benefits and services of other qualifying populations that are not included in the preference.

Task 5: HOME-ARP Refinancing Guidelines

?Narrate BURA and City refinancing guidelines (in accordance with 24 CFR 92.206(b)) if HOME-ARP funds will be used to refinance existing debt secured by multifamily rental housing that is being rehabilitated with HOME-ARP funds

Task 6: SF-424 Forms and Certifications

- A. Preparation of SF-424, SF-424B, SF-424D
- B. Preparation of HUD-provided single form to cover all required certifications:
 - a. Affirmatively Further Fair Housing;

- b. Uniform Relocation Assistance and Real Property Acquisition Policies Act and Anti-displacement and Relocation Assistance Plan;
- c. Anti- Lobbying;
- d. Authority of Jurisdiction;
- e. Section 3; and,
- f. HOME-ARP specific certification that BURA and the City will only use HOME-ARP funds consistent with ARP and the HOME-ARP Notice for eligible activities and eligible costs.

PHASE 3: Substantial of Allocation Plan

Task 1: Submission of Allocation Plan as Amendment to 2021 Annual Action Plan

The prepared Allocation Plan is the required Substantial Amendment to the approved 2021 Annual Action Plan. Consultant will submit the Allocation Plan in IDIS.

Task 2: On-Call Technical Assistance during HUD Review

The Consultant will remain available during HUD's 45-day review period to address any comments and questions.

PHASE 4: Resubmission of Allocation Plan, if required

Should HUD require substantial revision and/or resubmission of the Allocation Plan, the consultant will assist with requested revisions and assist with resubmission.

4.0 PROJECT TIMELINE

The consultant will work with BURA and the City to create a detailed project timeline for the creation of the Allocation Plan. The duration for the creation of the Allocation Plan is anticipated to be within 6 months of the start of the contract with the chosen consultant.

5.0 SUBMISSION INSTRUCTIONS

Each team or consultant must submit a full response consistent with this RFP.

Please be sure to read the entire RFP for specific requirements, details, and other important information!

Where to submit:

Proposal from qualified applicant must be submitted via email to mgodfrey@buffalony.gov with the proposal attached to the email as a PDF or via a file transfer link within the email.

What to submit:

One signed PDF file (less than 10mb in size) must be attached to the transmittal email or via a file transfer link within the transmittal email. See submission requirements in Section 6.0 on page 7.

Deadline for Submission:

Proposals must be submitted by June 10, 2022 at 4:00 PM

6.0 SUBMISSION REQUIREMENTS

Submissions must include the following information in a brief and concise format. Proposals should not exceed 20 pages as described below. BURA and the City reserves the right to request additional information during the review of proposals and to reject any and all submissions.

Cover Letter (limit 1 page)

The cover letter should include the official name of the firm submitting the proposal, mailing address, e-mail address, telephone number, and primary contact name. The letter must be signed by an official authorized to bind the proposer contractually and contain a statement that the proposal is firm for ninety (90) days. An unsigned letter, or one signed by an individual not authorized to bind the consultant, may be disqualified.

Minority and Women Business Enterprises (limit 2 pages)

Minority Employment and Business Opportunities

Each Consultant team shall provide any relevant information with respect to any program or action taken to attract, recruit, retain and promote minority employees, partners and associates, including the Consultant's team current minority workforce ("Workforce Development").

Each Consultant team shall additionally provide any information with respect to programs, initiatives, policies or practices that support the development of, and provide business opportunities to, minority-owned businesses in the City, including suppliers and service providers ("Community Involvement and Vendor Policies"). The City maintains a goal of contracting with firms that subcontract to minority-owned businesses in the amount of 25% of total contract price or more.

Examples of Workforce Development, Community Involvement and Vendor Policies that promote the employment of minority employees and contracting with minority-owned businesses include direct hire programs, minority-owned business utilization plans and youth hiring programs.

Female Employment and Business Opportunities

Each Consultant team shall provide any relevant information with respect to any program or action taken to attract, recruit, retain and promote female employees, partners and associates, including the Consultant's team current female workforce ("Workforce Development").

Each Consultant team shall additionally provide any information with respect to programs, initiatives, policies or practices that support the development of, and provide business opportunities to, women-owned businesses in the City, including suppliers and service providers ("Community Involvement and Vendor Policies"). The City maintains a goal of contracting with firms that subcontract to female-owned businesses in the amount of 5% of total contract price or more.

Examples of Workforce Development, Community Involvement and Vendor Policies that promote the employment of female employees and contracting with women-owned businesses include direct hire programs, women-owned business utilization plans and youth hiring programs.

Section 1: Understanding and Approach (limit 4 pages)

All proposals must include an understanding from the consultant or consultant team. In addition, the proposal should include an approach that not only restates the Scope of Work but states any specific tasks that are recommended to be undertaken. The consultant should also propose any tasks or subtasks that

they believe are required. Each task and subtasks (if appropriate) must include the key staff that will be assigned to that task.

Section 2: Fee Proposal (limit 1 page)

The proposal should include a proposed fee for all services delineated by task as outlined in the consultant proposed approach. The cost proposal should include the hourly rate of each staff member who will work on a task and their number of hours by task. Any optional components or features recommended by the consultant must be separately referenced and include any and all costs attributed to such features. Reimbursable expenses should also be listed such as printing of deliverables and any consultant travel.

Section 3: Firm Profile, Experience, Resumes and References (limit 10 pages)

Proposals should include a brief profile of the consultant firm or consultant team, at least three examples of similar project experience, resumes of key personnel, and three references from clients for whom the consultant has performed consulting services.

Section 4: Additional Information (limit 2 page)

Additional Information shall include any information that the consultant believes BURA and the City should consider.

Required Forms (page limit not relevant)

All forms included as attachments to this RFP must be filled out / signed and included with the submitted proposal.

7.0 RESERVATIONS

1. BURA and the City reserve the right to request additional information during the review of proposals and to reject any and all submissions.
2. BURA and the City reserve the right to stop the selection process at any time with or without cause.
3. BURA and the City reserve the right to seek additional information from respondents and related entities.
4. BURA and the City reserve the right to reject members of a development team.
5. All decisions related to this RFP are subject to all applicable federal, state and local laws and regulations, and the policies and procedures of BURA and the City.
6. All costs associated with the preparation of the submittal, as well as any other related materials, shall be borne by the respondent.

8.0 EVALUATION OF PROPOSALS

A detailed evaluation of proposals will be conducted by BURA and the City. In order to select the most advantageous proposal for consulting services related to the scope of work contained in the RFP, comparative judgments of technical factors, in addition to price, will be necessary. Evaluation will be based on at least the following criteria, not necessarily in the order provided or with equal weight given to each criterion.

1. Responsiveness to the provisions and requirements of this RFP.
2. Thoroughness of the proposal and clarity of services to be provided.
3. Ability, capacity and skill of the consultant to perform the services requested in this RFP.

4. Character, integrity, reputation, judgment, experience, competency, and efficiency of the consultant; including but not limited to past performance record; default under previous contracts.
5. Quality of performance of previous contracts or service.
6. Qualifications and experience of the individuals who would or might be assigned to the services described herein.
7. Proposal price and term.

9.0 GENERAL REQUIREMENTS

9.1 Overview

All proposals shall follow the format and requirements as described in this RFP. Information requested from the consultant by this RFP should be provided in a direct and concise manner. It should be understood that failure to respond to a specific requirement may be the basis for elimination of a consultant proposal from consideration during comparative evaluation of proposals.

9.2 BURA Insurance Requirements

Keep the Property insured at all times with responsible insurance carriers against fire and other hazards in such manner and to the extent that like properties are usually insured by others owning property, operating businesses, plants and properties of similar character in the same general locality; A. Insurance Type/Description

1. Workers' Compensation and Employer's Liability Insurance covering the Owner as named insured for his liability under the law. The Redeveloper shall provide Workers' Compensation Insurance coverage for all of its employees involved in the performance of this Agreement. This provision shall only apply if the Redeveloper has employees. b. New York State Disability Benefits Insurance - as required by law.
2. Comprehensive Bodily Injury and Property Damage Liability insurance, covering BURA and the City of Buffalo as additional named insured with the following limits.
 - a. General Aggregate \$2,000,000.
 - b. Products-Completed Operations Aggregate Limit \$1,000,000.
 - c. Personal and Advertising Injury Limit \$1,000,000 d. Each Occurrence Limit \$1,000,000
3. Comprehensive Automobile Liability Insurance - Combined Single limit of \$1,000,000 covering bodily injury and property damage. 2. Keep the Property adequately insured at all times with responsible insurance carriers against liability on account of damage to persons or property, and under all applicable workers' compensation laws; and
4. Furnish BURA with certificates of insurance during the term of this Note evidencing compliance with paragraphs (i) and (ii), and naming BURA as an additional named insured. e) Ensure that purchasers of property developed under this Agreement maintain certificates of insurance during the period of affordability evidencing compliance with paragraphs (i) and (ii), and naming BURA as an additional named insured f) Litigation. Promptly inform BURA of the commencement of any action, suit, proceeding or investigation against the Redeveloper, or the making of any counterclaim against the Redeveloper in any action, suit or proceeding, and of all liens against any of the Property. g) Project Completion. Complete the Project within the time specified in Section II of this agreement, or within such additional time extension(s) as BURA may approve in writing, such completion to be evidenced by any final reports, lien waivers and such other documents and inspections as BURA may require. h) Federal Requirements. Submit evidence

satisfactory to BURA that the work done on the Project meets all applicable Federal requirements for the Project and the Program.

9.3 Non-Discrimination

The successful Consultant (s) shall not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, sex, national origin, affection preference, disability, age, marital status or status with regard to public assistance or as a disabled veteran or veteran of the Vietnam era. Such prohibition against discrimination shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.

The successful Consultant (s) shall agree to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City, setting forth this nondiscrimination clause. In addition, the Consultant (s) shall, in all solicitations or advertisements for employees placed by or on behalf of the Consultant (s), state that all qualified applicants will receive consideration for employment without regard to race, creed, religion, ancestry, sex, national origin, affectional preference, disability, age, marital status or status with regard to public assistance or status as disabled veteran or veteran of the Vietnam era, and comply in all other aspects with the requirements of the Buffalo City Code and Ordinances.

9.4 Americans with Disabilities Act Compliance Provisions

Any Consultant (s) awarded a contract pursuant to the RFP are required to abide by the regulations of the Americans with Disabilities Act of 1990 (“ADA”) which prohibits discrimination against individuals with disabilities. The contractor will not discriminate against any employee or applicant for employment because of their disability and will take affirmative action to ensure that all employment practices are free from such discrimination. Such employment practices include but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, discharge, compensation and fringe benefits, classification, referral and training. The ADA also requires contractors associated with the City of Buffalo to provide qualified applicants and employees with disabilities with reasonable accommodation that does not impose undue hardship. Consultant (s) also agree to post in a conspicuous place, accessible to employees and applicants, notices of their policy on non-discrimination.

In the event of the contractor's noncompliance with the non-discrimination clauses in the contract, the contract may be canceled, terminated, or suspended, in whole or in part, and the contractor may be declared ineligible by the Buffalo Common Council from any further participation in City contracts in addition to other remedies as provided by law.

9.5 Applicable Law

The laws of the State of New York shall govern all interpretations of the awarded contract, and the appropriate venue and jurisdiction for any litigation which may arise thereunder will be in courts located within the City of Buffalo, County of Erie and State of New York, regardless of the place of business, residence or incorporation of the Consultant. Each party agrees that all claims and matters shall be heard and determined in such court and each party waives any right to object to such filing on venue, forum non-conveniens or similar grounds.

9.6 Conflict and Priority

In the event that a conflict is found between provisions in any contract arising from this RFP, the successful Consultant’s submission or the City’s RFP, the provisions in the following rank order shall take precedence: 1) Contract; 2) RFP; and 3) Consultant’s submission.

9.7 Ownership of Materials

All finished or unfinished documents, data, studies, surveys, maps, models, photographs, reports or other materials resulting from any contract arising from this RFP shall be the property of the City of Buffalo. The City may use, extend, or enlarge any document produced under the contract without the consent, permission of, or further compensation to the Consultant.

9.8 Disclaimer

This RFP and the process it describes are proprietary to the City and are for the sole and exclusive benefit of the City. This RFP is not binding on the City. No other party, including any Consultant responding to this RFP or further Consultants to any RFP that may be issued by the City, is intended to be granted any rights hereunder. Any response to this RFP, including written documents and verbal communication, with the exception in only certain instances of materials marked as trade secrets or confidential, may be subject to public disclosure by the City, or any authorized agent of the City. Any materials submitted or ideas elicited in response to this RFP shall be the sole and absolute property of the City with the City having title thereto and unrestricted use thereof.

9.9 Publicity

All publicity (including, but not limited to, news releases, news conferences, and commercial advertising) relating to this RFP and/or the services or products sought by this RFP and/or any contract awarded pursuant to this RFP shall require the prior written approval of the City.

9.10 Freedom of Information Law

The City of Buffalo is subject to the provisions of Article 6 Section 89 of New York State Public Officer's Law, entitled the Freedom of Information Law. All submissions, in their entirety, submitted in response to this Request for Qualifications shall constitute a record subject to public disclosure pursuant to the Freedom of Information Law. It is the sole responsibility of each Consultant to this Request for Qualifications to identify those portions deemed to constitute a "trade secret" or proprietary information of the commercial enterprise. Any such information shall be clearly marked "CONFIDENTIAL". The phrase trade secret is more extensively defined to include a formula, process, device or compilation of information used in one's business which confers a competitive advantage over those in similar businesses who do not know it or use it. The subject of the trade secret must not be of public knowledge or of a general knowledge in the trade or business. A corresponding letter, on company letterhead, must be provided describing the factors and extent to which the disclosure of the "CONFIDENTIAL" information would cause substantial injury to the competitive position of the commercial enterprise. The entire submission shall not be marked "CONFIDENTIAL". Any portion of the submission that is not clearly identified as "CONFIDENTIAL" may be disclosed pursuant to the Freedom of Information Law. THE CITY OF BUFFALO DOES NOT ASSUME ANY RESPONSIBILITY WHATSOEVER TO ANY OFFEROR IN THE DISCLOSURE OF RECORDS PURSUANT TO THE FREEDOM OF INFORMATION LAW, COURT ORDER, OR ANY OTHER METHOD OF DISCLOSURE PROVIDED FOR UNDER THE LAW.

9.11 Conflicts of Interest

Confidentiality and lack of potential conflicts of interest is vital to maintaining the integrity of every contract entered into with BURA. Therefore, each Consultant must disclose any perceived, potential or actual conflicts of interests and/or relationships/connections. Such relationships may include, but are not limited to, connections to persons and organizations within BURA and the City of Buffalo through:

1. Professional or Political associations
2. Political donations

3. Blood or Marriage
4. Friendships
5. City of Buffalo employees who currently work for your company, or come to work for your company during the RFP process, and after (should you receive a contract from the City of Buffalo) as employees or consultants
6. Union Affiliations/Memberships
7. Board Member

Each Proposer further agrees that no member of the governing body, officer, employee or agent of the City shall have any pecuniary interest or otherwise, direct or indirect, in the any contract arising from this RFP.

See required statement in Attachment A that must be signed by the consultant as part of their proposal submission.

Attachment A: Statement of Compliance and Conflicts of Interest

STATEMENT OF COMPLIANCE AND CONFLICTS OF INTEREST

Your signature below denotes that your organization, company or corporation and/or the officers, directors, employees or agents thereof have reviewed and agreed to comply with State Finance Law §139-k. No past or present lobbyist, employee, officer or board member of your organization, company or corporation may contact any past or present City of Buffalo Employee, Union Leader, Elected Official (City or otherwise) in an attempt to influence the outcome of the RFP decision.

Additionally, any potential or identified conflicts of interest shall be disclosed. As conflicts are discovered, they must be disclosed in writing, to the designated contact person identified in the RFP, during the entire RFP, award, contract negotiation, ratification, and execution process and even after contract award.

Conflict or Potential Conflict:

Signature: _____

Company: _____

Title: _____

Date: _____

Attachment B: Non-Collusion Certification

NON-COLLUSION CERTIFICATION

By submission of this RFP, each respondent and each person signing on behalf of any respondent certifies, and in the case of a joint submission, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of their knowledge and belief:

(1) The prices in this submission have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other respondent or with any competitor;

(2) Unless otherwise required by law, the prices which have been quoted in this submission have not been knowingly disclosed by the respondent and will not knowingly be disclosed by the respondent prior to opening, directly or indirectly, to any other respondent or to any competitor;

(3) No attempt has been made or will be made by the respondent to induce any other person, partnership or corporation to complete a submission for the purpose of restricting competition.

FIRM OR CORPORATION NAME _____

PRINCIPAL ADDRESS _____

STREET

CITY

STATE

ZIP CODE

SIGNATURE OF INDIVIDUAL, PARTNERS OR OFFICERS

(SIGNATURE) (TITLE) (TYPE OR PRINT NAME ABOVE)

Attachment C: Respondent Affirmation Action Statement

RESPONDENT AFFIRMATION ACTION STATEMENT

The _____
(Company Name)

hereby states that we will, in earnest, make good faith efforts to ensure a diverse workforce and minority business participation for this project in accordance with the City of Buffalo Charter, Chapter 96, Bonds and Contracts.

We will aggressively work toward a minority workforce goal of 25%, and woman workforce goal of 5%. In addition, we will work toward a business utilization goal for minority business enterprise of 25% and woman business enterprise of 5%.

(Signature of Authorized representative of Respondent)

Date _____

SUBMISSIONS FAILING TO INCLUDE OR COMPLETE ANY OF THE ABOVE ITEMS WILL BE CONSIDERED NON-RESPONSIVE AND WILL NOT BE ACCEPTED.

EEO-2

Attachment D: Application for Contract with The City of Buffalo



City of

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 a Request for Proposals, 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. As of January 1, 2016, the hourly rates are \$11.63 if the worker receives health benefits from the employer and \$13.06 if the employee does not. There will be an automatic cost-of-living adjustment 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, 237 Main St., Suite 1200, Buffalo, NY, 14203.

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 Proposal/Contract:	
Identifying City Contract or Project Number:	
Start and End Dates of Contract:	

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

A) Are all 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. Please describe 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: _____