

David A. Paterson
Governor



Deborah VanAmerongen
Commissioner

New York State Division of Housing and Community Renewal

25 Beaver Street
New York, NY 10004

HOUSING MANAGEMENT BUREAU MEMORANDUM # 2009-B-10

To: All Housing Companies
Owners, Managing Agents and Site Managers

From: Robert Damico, Downstate Director
Housing Management Bureau

Date: June 19, 2009

Subject: Waiver of Public Advertising

DHCR has developed the attached "Waiver of Public Advertising Request" (HM-181 [6/09]) for those housing companies that wish to obtain competitive bids without public advertisement for contracts over \$100,000. Waiver requests will be considered for contracts estimated not to exceed \$250,000.

The waiver request form, which is available in a fillable pdf format on DHCR's website at <http://nysdhcr.gov/Forms/HousngManagmentBureau/>, must be completed in its entirety and submitted to DHCR for prior approval before commencement of the competitive bid process. Upon DHCR approval of the request, information will be posted on its website under Procurement Opportunities at <http://nysdhcr.gov/General/Procurement/> for a period of 30 days to notify potential bidders of the contracting opportunity. In accordance with our regulations, DHCR will continue to provide a listing of minority and women owned firms for solicitation of bids, where applicable.

Should you have any questions, please contact your assigned Housing Management Representative.

A handwritten signature in black ink, appearing to be "R. Damico", written over a horizontal line.

Robert Damico



New York State Division of Housing and Community Renewal
 Housing Management Bureau
 25 Beaver Street
 New York, NY 10004

WAIVER OF PUBLIC ADVERTISING REQUEST

Housing Company _____ **DHCR#** _____

Address _____

(Instructions: DHCR regulations require that contracts in excess of \$100,000 be publicly advertised. Pursuant to 9 NYCRR 1725-2.9, DHCR will consider waiving the public advertising requirement for contracts estimated not to exceed \$250,000. To request a waiver, complete this form, including the certification on the reverse, and submit it to DHCR along with: (A) "Notice of Intent to Solicit Bids/Approval of Plans and Specifications" [HM-180] or "Notice of Intent to Solicit Proposal for A/E Services" [HM-180AE] and (B) "Short Form of Contract" [HM-31] or other proposed form of contract or terms of bid solicitation.)

1) Scope of Contract/Services: _____

2) Estimated Cost: \$_____ (NOTE: must be based on consultant analysis or other credible costing rationale.)

3) Bidders to be solicited: (List below if not already noted on the attached HM-180/HM-180AE and identify M/WBEs.)

<u>Firm Name and Address</u>	Check if M/WBE
	<input type="checkbox"/>

4) Estimated cost of advertising: \$_____

5) List reason(s) for waiver of public advertising request: _____

CERTIFICATION

I, _____ (print or type name), certify that:

- (a) A contract with any of the bidders listed here would not be subject to, or in violation of, DHCR's "Identity of Interest" regulations (i.e. 9 NYCRR 1725-2.5 and 9 NYCRR 1729-1.4).
- (b) The housing company will abide by all DHCR regulations when carrying out the solicitation and selection of bids for the purpose of procuring the contract and completion of the work performed by the selected contractor.
- (c) I have read, understand and accept the following terms of this waiver of public advertising:
 - (i) Approval of the waiver request does not prevent other contractors from bidding that are in addition to those already identified. DHCR will be placing information on its website for a 30 days period to notify potential bidders of this contracting opportunity. The contact person below will be listed on the website. The housing company has an obligation to provide a bid package (for a fee, if applicable) to anyone who makes an inquiry.
 - (ii) If DHCR provides a list of additional contractors to be solicited it is not an endorsement of any contractor named therein. The housing company must make its own assessment of the qualifications of each bidder and award the contract in accordance with DHCR regulations.

Signature: _____ Date: _____

Title: _____ Phone Number: _____

(FOR DHCR USE ONLY)

Date: _____

The Division Approves Disapproves (see comments below) this waiver of public advertising request.

Listing of additional contractors is attached and is to be included in the solicitation of bids.

Comments: _____

Reviewed by: _____ Title: _____

Supervisor: _____