

Request for Proposals for

Analysis of Impediments to Fair Housing Choice

Proposal Issuance Date:

March 16, 2015

Proposal Submission Deadline:

April 16, 2015

HOUSING TRUST FUND CORPORATION



**Homes and
Community Renewal**

38-40 State Street, Albany, New York 12207

www.nyshcr.org

HOUSING TRUST FUND CORPORATION

REQUEST FOR PROPOSALS

The Procurement Lobbying Law designated Contact Officer for this procurement is Treasurer, Karen Hunter.

I. INTRODUCTION

The Housing Trust Fund Corporation (“HTFC”) is a part of New York State Homes and Community Renewal (HCR). HCR is an umbrella organization for the major housing and community renewal agencies within the State of New York (State), including HTFC as well as its Affiliates (the Division of Housing and Community Renewal, New York State Housing Finance Agency, New York State Affordable Housing Corporation, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency and Tobacco Settlement Financing Corporation).

HTFC was established in 1985 under Section 45-a of the State’s Private Housing Finance Law (“PHFL”), as a public benefit corporation. Its mission is to create decent affordable housing for persons of low income by providing loans and grants for the rehabilitation of existing housing or the construction of new housing. HTFC’s reach has expanded over the years to include many State and federal programs, such as the Community Development Block Grant Program (“CDBG”), HOME Investment Partnerships Program (“HOME”), and the Section 8 Project-based Contract Administration Program. In 2013, HTFC was charged with administering \$1.7 billion in federal Community Development Block Grant Disaster Recovery Funds (“CDBG-DR”) for the State’s recovery from Hurricane Sandy, Hurricane Irene, and Tropical Storm Lee.

II. PURPOSE

HTFC seeks proposals from qualified candidates (“Proposers”) to prepare an “Analysis of Impediments to Fair Housing Choice” (“A-I”) consisting of three parts: (i) the New York State Entitlement Jurisdiction Analysis of Impediments; (ii) the New York State Disaster Recovery Areas Analysis of Impediments; and (iii) the New York Statewide Analysis of Impediments.

The State of New York is an Entitlement Jurisdiction that receives funds from and participates in the CDBG, HOME, Emergency Solutions Grant (“ESG”) and Housing Opportunities for Persons With AIDS (“HOPWA”) programs of the United States Department of Housing and Urban Development (“HUD”). In turn, the State makes these funds available to Non-Entitlement local governments and counties to undertake programs and provide services consistent with federal guidelines and regulations.

To receive federal funds, the HTFC must complete this analysis and submit it to HUD no later than November, 2015 as part of its five-year Consolidated Plan for 2016-2020 (“Consolidated Plan”). The Consolidated Plan describes the intended uses of allocated federal funds within the State’s Entitlement Jurisdiction. On an annual basis thereafter, HTFC, on behalf of the State, will submit

to HUD an Annual Action Plan and Consolidated Annual Performance and Evaluation Report, each of which includes a certification to HUD that the State will affirmatively further Fair Housing.

This request for proposals (“RFP”) is issued, and the Analyses of Impediments will be undertaken, in furtherance of the State’s obligation under federal law to affirmatively further Fair Housing and to assist in establishing a Statewide Fair Housing Action Plan. The successful Proposer of this RFP will produce and deliver the following documents to HTFC on behalf of the State:

1. **New York State Entitlement Jurisdiction Analysis of Impediments** -- a regional analysis of impediments in the State’s Entitlement Jurisdiction, an area of the State with 1.64 million households in all or parts of 54 of the State’s 62 counties (list appended). Each year, HTFC, on behalf of the State, administers federal CDBG, HOME, ESG and HOPWA funds on behalf of these communities (hereinafter, “State-funded jurisdictions”). More heavily populated, urban counties receive housing funds directly from the federal government, and are therefore not included in the State’s Entitlement Jurisdiction.
2. **New York State Disaster Recovery Areas Analysis of Impediments** — a regional analysis of impediments in 33 counties (list appended), exclusive of New York City, whose localities have received or are eligible to receive allocations of federal CDBG-DR funds from the State to recover from Hurricane Irene, Tropical Storm Lee, and/or Hurricane Sandy (hereinafter, “DR-funded jurisdictions”); and,
3. **New York Statewide Analysis of Impediments** – a compendium and distillation of the impediments and recommendations identified in Parts 1 and 2 above together with those impediments and recommendations identified in the most recent Analyses of Impediments prepared by the 49 Local Entitlement Jurisdictions within New York State that receive their CDBG, HOME, ESG, and HOPWA allocations directly from federal agencies (list appended) (hereinafter, “Local Entitlement Jurisdictions” and, together with State-funded jurisdictions and DR-funded jurisdictions, collectively “Jurisdictions.”)

III. BACKGROUNDⁱ

AFFIRMATIVELY FURTHERING FAIR HOUSING

Since the Fair Housing Act’s enactment in 1968 (“Act”), HUD, as well as the State of New York, have been under a statutory duty to “affirmatively advance fair housing” in the programs they administer.ⁱⁱ As a condition of receiving CDBG, HOME and other Federal funds, states and communities are required to certify that they will affirmatively advance Fair Housing. Every voucher for funds that a state or community submits to HUD “implicitly certifies” that the state or community is affirmatively furthering Fair Housing.ⁱⁱⁱ

This responsibility has been interpreted to include prohibiting discrimination in the sale or rental of housing to any person because of race, color, religion, sex, familial status, national origin, or disability.^{iv} Recent court precedents have extended it further to include the goal of open, integrated residential housing patterns and to prevent racial and socioeconomic segregation.^v

Accordingly, HUD’s initiatives for affirmatively furthering Fair Housing have four primary goals:^{vi}

- (i) improving integrated living patterns and overcoming historic patterns of segregation;

- (ii) reducing racial and ethnic concentrations of poverty;
- (iii) reducing disparities by race, color, religion, sex, familial status, national origin, or disability in access to community assets such as education, transit access, and employment, as well as in exposure to environmental health hazards and other stressors that harm a person's quality of life; and,
- (iv) responding to disproportionate housing needs of these protected classes.

The Analysis of Impediments process is a proactive means by which the State carries out its responsibility to affirmatively further Fair Housing. The intent of the A-I is not to mandate specific outcomes to local governments, but rather to integrate statewide fair housing goals into local and regional planning decisions.

IV. DIVERSITY REQUIREMENTS

HTFC is committed to awarding contracts to firms and/or individuals that are dedicated to diversity and provide high-quality services at competitive rates. Proposers may include, but are not limited to: (i) individual scholars, professors, and practitioners (e.g., demography, program evaluation); (ii) public finance advisory servicers; (iii) university-based or independent research and/or policy institutes; (iv) industry-related research and/or policy organizations; (v) national or local intermediaries in affordable housing, and/or community development; (vi) Fair Housing research and advocacy organizations; (vii) community-based housing and community development organizations or coalitions; (viii) affordable housing and community development consulting firms; (ix) affordable housing developers and/or financing providers; (x) not-for-profit and for-profit organizations; (xi) certified minority- and/or women-owned business enterprises ("MWBEs"); (xii) MWBEs, certification pending.

HTFC strongly encourages firms and/or individuals that are certified by the State as MWBEs, as well as firms and/or individuals that are not yet certified, but have applied for certification, to submit responses to this RFP. All certified MWBEs submitting proposals to this RFP are encouraged to be registered with the New York State Department of Economic Development. MWBEs that are not certified, but have applied for certification, must provide evidence of filing, including the filing date. MWBEs must be certified prior to the Agency making an award of contract.

HTFC is required to implement the provisions of the State's Executive Law Article 15-A ("Article 15-A") and 5 NYCRR Parts 142-144 ("MWBE Regulations") for all contracts, as defined therein, with a value in excess of \$25,000. HTFC strongly encourages joint ventures of MWBEs with majority firms and MWBEs with other MWBEs. For assistance identifying MWBE partners, contact Mr. Kenneth J. Ford, Senior Purchase Agent, at Nyhomes.Proposal@nyshcr.org.

For purposes of this solicitation, HTFC hereby establishes an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises ("MBEs") and 15% for women-owned business enterprises ("WBEs").

V. ASSESSMENT OF DIVERSITY PRACTICES

HTFC has determined, pursuant to Article 15-A, that the assessment of the diversity practices of respondents to this RFP is practical, feasible, and appropriate. Accordingly, Proposers shall be required to include as part of their proposal to this RFP, as described in Sections XII. Part Two, B, Tab 6 and XIV.B. herein, (i) [EEO Staffing Plan, PROC-1](#); (ii) [MWBE Utilization Form, PROC-2](#); (iii) [Company Demographic Profile, PROC-7](#); (iv) [EEOC Statement, PROC-8](#), applicable to Proposers with 15 or more employees; (v) [MWBE/EEO Policy Statement, PROC-4](#); [and \(vi\) Diversity Practice Questionnaire, PROC-9](#), all PROC forms hyperlinked herein.

VI. KEY EVENTS/DATES:

Event	Date
Issuance of RFP	March 16, 2015
Deadline for RFP Questions	April 3, 2015, 3:00pm, Eastern Daylight Time ("EDT")
Deadline for Responses to RFP Questions	April 8, 2015
Proposal Submission Deadline	April 16, 2015, 12:00pm, EDT
Anticipated Notification of Selection Date	May 27, 2015
Anticipated Date for Execution of Contract	June 30, 2015

HTFC reserves the right to modify this schedule at its discretion. HTFC reserves the right to conduct interviews with Proposers for purposes of expanding or clarifying responses. Notification of changes in connection with this RFP will be made available to all interested parties via HTFC's web page:

<http://www.nyshcr.org/AboutUs/Procurement/DHCRindex.htm> .

VII. QUESTIONS FROM PROPOSERS AND UPDATES TO THE RFP

Proposers may submit their questions regarding the RFP by email to Nyhomes.Proposal@nyshcr.org no later than the deadline for questions set forth in the "KEY EVENTS/DATES" section of this RFP. The "Subject" line of the email should indicate "2015 A-I RFP Questions."

ALL clarifications and exceptions must be resolved prior to submission of the proposal.

Answers to all substantive questions will be posted in a timely manner on the [HCR website "Procurement Opportunities" page](#). Questions submitted after the deadline will not receive a response.

The timeline and target dates for this RFP are subject to change. Proposers should check the [HCR website "Procurement Opportunities" page](#) for updates to the RFP timeline and other important information.

An electronic version of this RFP and all subsequent changes, additions or deletions to the RFP will be posted on the [HCR website](#). Proposers are responsible for checking the HCR website frequently for notices of any clarifications, changes, additions, or deletions to the RFP.

VIII. SCOPE OF WORK (contents in this section referred to hereinafter as "Scope of Work")

The successful candidate ("Contractor") must produce the deliverables, as listed below, to HTFC on behalf of the State, no later than **October 31, 2015**. The documents provided must be accurate, appropriately formatted, grammatically correct, and well-written. HTFC reserves the right to withhold payment for deliverables that are not provided on time and/or to the required standard.

The Consultant will work concurrently, not consecutively, on Parts 1, 2 and 3, and is strongly encouraged to combine and leverage their data collection efforts for the three parts, where appropriate. The Contractor will maintain regular contact with HTFC to discuss concerns that either party may raise during the term of the contract. Upon request, the Contractor will submit written progress reports to HTFC. At specified intervals during the term of the contract, the Contractor will prepare and submit drafts of sections of the A-I for review by HTFC.

Deliverables for Parts 1, 2 and 3 will include the following items:

1. **New York State Entitlement Jurisdiction Analysis of Impediments** -- a regional analysis of impediments in the State's Entitlement Jurisdiction, an area of the State with 1.64 million households in all or parts of 54 of the State's 62 counties (list appended). Each year, the HTFC administers, on behalf of the State, federal CDBG, HOME, ESG and HOPWA funds on behalf of these communities (hereinafter, "State-funded jurisdictions," or 'S-F-J's');^{vii} More heavily populated, urban counties receive housing funds directly from the federal government, and are therefore not included in the State's Entitlement Jurisdiction;
2. **New York State Disaster Recovery Areas Analysis of Impediments** — a regional analysis of impediments in 33 counties (list appended), exclusive of New York City, whose localities have received, or are eligible to receive, allocations of federal CDBG-DR funds from the State to recover from Hurricane Irene, Tropical Storm Lee, and/or Hurricane Sandy (hereinafter, "DR-funded jurisdictions" or 'DR-F-J's); and,
3. **New York Statewide Analysis of Impediments** – a compendium and distillation of the impediments and recommendations identified in Parts 1 and Part above, together with those impediments and recommendations identified in the most recent Analyses of Impediments prepared by the 49 Local Entitlement Jurisdictions.

Each of the three deliverables must include the following items relating specifically to the required Jurisdiction as defined herein and in attached appendices:

- a. an introduction and executive summary;
- b. compilation of primary and secondary data collected within the defined Jurisdiction;
- c. an analysis of the data, including the criteria listed below;
- d. an evaluation of any relevant recent or pending legal precedents or significant local legislation;
- e. identification of impediments to Fair Housing choice within the area;
- f. identification and assessment of all public and private Fair Housing programs and activities within the area; and
- g. conclusions and specific recommendations for remediating the identified impediments.

The documents must include relevant data, statistical analysis and corresponding tables, charts, graphs, and/or maps that are to be presented in user-friendly formats, accessible and intelligible, to laypersons and the community at large. Each deliverable must be provided in the following format:

- i. one (1) original and four (4) hard copies of each HTFC-approved final A-I for submission to HUD;
- ii. two (2) electronic copies of each HTFC-approved final A-I on compact disc, one in Microsoft Word Office 2007 format and one in PDF format
- iii. two (2) electronic copies on compact disc(s) of the background data for each Jurisdiction analyzed and/or presented in each A-I, including the raw and downloaded data, and the statistical analyses, tables, charts, graphs, and/or maps derived therefrom, in Microsoft Excel Office 2007 and ARC/GIS formats.

A. Data Collection Requirements

The Contractor shall investigate, analyze and report on the subject of impediments to Fair Housing at a depth that is no less than the depth of investigation called for in **HUD's Fair Housing Planning Guide, Volume 1 (Guide)** (<http://www.hud.gov/offices/fheo/images/fhpg.pdf>). The depth of investigation called for in that Guide shall be considered the minimum standard for an acceptable A-I.

A1. Secondary Data

The Contractor must compile and analyze any relevant local data from sources including, but not limited to:

- The last two Decennial Censuses from the American Community Survey's most recent five-year sample data;
- Home Mortgage Disclosure Act data;
- Fair Housing "testing" data;
- The New York-Connecticut Sustainable Communities Consortium's 2014 Fair Housing Equity Assessment;
- The biennial reports of the court-appointed monitor of the settlement agreement between HUD and Westchester County and the commentaries thereon;

- The report of the New York State Legislative Commission on Rural Resources entitled *New York Land Use Tools: 2008 Survey of Land Use Planning and Regulations in New York State*; and
- Data and studies generated by, and administrative proceedings initiated by, the New York State Division of Human Rights; Judicial decisions by State and federal courts in New York pertaining to Fair Housing, land use and building regulations, and preferences for protected classes, community residents or other groups.

Additionally, for the third deliverable, the Contractor shall examine, review, and summarize the Analyses of Impediments submitted to HUD by each Local Entitlement Jurisdiction at a depth that is no less than the depth of investigation called for in HUD's Fair Housing Planning Guide, Volume 1. The depth of investigation called for in that Guide shall be considered the minimum standard for an acceptable A-I.

A2. Primary Data and Public Input

In consultation and with guidance from HTFC, the Contractor will provide a strategy for gathering input from individuals, private agencies, public agencies, and community groups with knowledge of Fair Housing conditions in the Jurisdiction. This strategy may include, but is not limited to:

- Holding public meetings and hearings at convenient locations;
- Facilitating focus groups at the local or regional level with government and not-for-profit leaders and other key stakeholders;
- Producing and distributing on line surveys for local stakeholders through web sites, social media, etc.; and
- Other innovative techniques for capturing quantitative and qualitative local input.

The strategy proposed should emphasize full access for people of all backgrounds and should focus on ensuring participation from a diverse range of constituents. The Contractor must include a method for incorporating the input, comments, observations, and findings resulting from the public participation process into the A-I together with a method for transferring records of these meetings and their results to HTFC for record-keeping purposes.

B. Data Analysis Requirements

The Contractor will focus on issues directly related to equal opportunity and affirmatively furthering Fair Housing under the Federal Fair Housing Act. Such issues include (i) identifying the impediments, (ii) explaining in detail how each impediment manifests itself, and (iii) recommending specific activities to address and overcome each impediment. The Contractor will include an assessment of the efforts to address the impediments identified in the Jurisdiction's most recent A-I and an overview of the current status.

B1. Analysis for Entitlement Jurisdiction and DR Funded Jurisdictions.

Analysis for Deliverables 1 and 2 must include the following items:

FAIR HOUSING ISSUES & CAPACITY

- a. identification and summarization of the “**Fair Housing issues**”^{viii} in the Jurisdiction, including any findings or judgments related to Fair Housing or other civil rights laws and assessment of compliance with existing Fair Housing laws, regulations, and guidance;
- b. assessment of the Jurisdiction’s “**Fair Housing enforcement and fair housing outreach capacity**”^{ix}

DATA ANALYSIS

- c. identification of “**integration**”^x and “**segregation**”^{xi} **patterns and trends across “protected classes”**^{xii} within the Jurisdiction;
- d. identification of “**racially or ethnically concentrated areas of poverty**”^{xiii} within the Jurisdiction;
- e. identification of whether “**significant disparities in access to community assets**”^{xiv} exist across “protected classes” within the Jurisdiction;
- f. identification as to whether “**disproportionate housing needs**”^{xv} exist across “protected classes” within the Jurisdiction;

DETERMINANTS OF FAIR HOUSING ISSUES^{xvi}

- g. identification of the: (1) primary determinants influencing integration and segregation; (2) concentrations of poverty; (3) disparities in access to community assets; and (4) disproportionate housing needs based on protected class;

FAIR HOUSING PRIORITIES AND GENERAL GOALS

- h. identification and prioritization of Fair Housing issues arising from the assessment;
- i. identification of the most significant Fair Housing determinants related to the priority issues; and,
- j. setting one or more priority goals for mitigating or addressing the determinants.^{xvii}

Protected classes shall include those covered by federal, State and local laws.

B2. Analysis for the Statewide A-I

Analysis for Deliverables 3 will include the following items:

FAIR HOUSING ISSUES & CAPACITY

- a. a summary of the **“Fair Housing issues”** and/or impediments in “all or most” of the Local Entitlement, State-funded, and Disaster Recovery Jurisdictions (hereinafter the “Jurisdictions”) in “many” Jurisdictions, in “some” Jurisdictions, and in “none” of the Jurisdictions in the State;
- b. summary of the **“Fair Housing enforcement and Fair Housing outreach capacity”** in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State;

DATA SUMMARY

- c. summary of the **“integration” and “segregation” patterns and trends across “protected classes”** in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State;
- d. summary of the **“racially or ethnically concentrated areas of poverty”** within the Jurisdiction in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State;
- e. summary of whether **“significant disparities in access to community assets”** exist across “protected classes” in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State;
- f. a summary of whether **“disproportionate housing needs”** exist across “protected classes” in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State;

DETERMINANTS OF FAIR HOUSING ISSUES

- g. summary of the primary determinants or impediments -- in “all or most,” in “many,” in “some,” and in “none” of the Jurisdictions in the State – which influence integration and segregation, concentrations of poverty, disparities in access to community assets, and, disproportionate housing needs based on protected class.

FAIR HOUSING PRIORITIES AND GENERAL GOALS

- h. identification and prioritization of the Fair Housing issues and impediments based on severity and/or commonality of issues and impediments across the Jurisdictions in the State;
- i. identification of the most significant Fair Housing determinants and impediments related to the priority issues based on severity and/or commonality of determinants or impediments in Jurisdictions across the State;
- j. setting one or more priority goals for mitigating or addressing the determinants and impediments;

COMPLIANCE BY STATE-FUNDED JURISDICTIONS (S-F-Js)

- k. identification of those S-F-Js that should conduct a local A-I with guidance and technical assistance from HTFC;

- l. identification of those S-F-Js which do not need to conduct a local A-I, but which need guidance and technical assistance from HTFC to take specific actions to ameliorate impediments and promote Fair Housing choice; and
- m. identification of a plan for HTFC to work with newly-funded S-F-Js each year to determine the actions such S-F-Js should take to comply with their Affirmatively Furthering Fair Housing (“AFFH”) certifications

IX. TERM OF CONTRACT

The term of the contract will be one year, subject to approval by the HTFC Board. HTFC, at its discretion, may exercise its option to revise any provision of the contract, including the term, on an as needed basis, with the written consent of the contracting parties. Any contract that exceeds a five year period will require the affirmative concurrence of HTFC’s Board to extend the contract without undergoing a new solicitation process.

The successful Proposer will be required to execute a contract with HTFC that incorporates HTFC’s Appendix I, [Standard Clauses for Contracts](#), and HTFC’s Appendix II relating to requirements and procedures for [Participation by Minority Group Members and Women](#), both appendices hyperlinked herein.

X. INTENT TO SUBMIT A PROPOSAL

Proposers are requested to indicate their intent to submit a proposal by completing Parts I, II, III, and IV of the Intent to Submit Proposal form in Appendix L and submitting the form via email to at Nyhomes.Proposal@nyshcr.org with the subject line: “Intent to Submit Proposal – A-I” followed by the name of the Proposer.

Please submit the form prior to the proposal submission deadline.

Note: The Intent to Submit Proposal is discretionary, not mandatory, and as such is not binding in any way. However, it is highly recommended.

XI. SUBMISSION OF PROPOSALS

Proposals must be complete and prepared in a format consistent with the instructions provided in this RFP. In all instances, HTFC’s determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive, at HTFC’s sole discretion. Proposers should not refer to other parts of the proposal, to information that may be publicly available elsewhere, or to the Proposer’s or other websites in lieu of answering a specific question.

Submission Instructions

1. Proposals must be delivered by email in two parts no later than: 12:00 pm EDT on April 16, 2015.

2. Proposals must be submitted by email to: Nyhomes.Proposal@nyshcr.org in searchable Portable Document Format (“PDF”) compatible with Adobe Reader XI, version 11.0.4. HTFC will not accept discs, flash drives or FTP file references that require HTFC to download information from the Proposer’s, or third party’s site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and “1 of X”, “2 of X”, etc., and the last email as “X of X – Final” for each additional email. This is the only acceptable form of delivery.
3. Proposals must be labeled as follows:
 - (i) **Part One** is the **Cover Letter** and the **Proposal Narrative** (Tabs 1-4) section of this proposal and the subject line of the email for this section must be labeled: “2015 A-I RFP: Part 1 - Proposal Narrative”.
 - (ii) **Part Two** is the **Budget Proposal and Required Documentation** (Tabs 5-6) section of the proposal and the subject line of the email for this section must be labeled: “2015 A-I RFP: Part 2 - Budget Requirements”.
4. Any proposal delivered after 12:00pm EDT on April 16, 2015 will not be opened. Delivery delays shall not excuse late proposal submissions. The Proposer is responsible to ensure that emails and attachments are delivered on time in a legible format. Complete proposals, including all multiple parts, must be received by the deadline in order for a proposal to be considered submitted on time. The Proposer submitting a proposal assumes all risks associated with delivery. The determination of whether any proposal was received on time is at the sole discretion of HTFC.

All submitted proposals shall become the property of HTFC.

XII. CONTENT OF PROPOSALS

Proposals should demonstrate that the Proposer is qualified to perform the Scope of Work based on prior relevant professional experience, proposed work plan, methodology, timeline, staffing plan, MWBE participation, and budget. An HTFC Review Committee will conduct a comprehensive review of each proposal to determine which Proposer will provide the “best value” by optimizing quality, cost, and efficiency.

The Proposer is required to submit the information and documentation listed below in the order in which it is requested. A proposal that does not include all required information and completed forms may be subject to rejection.

The completed Cover Letter and Proposal Narrative must not exceed 22 letter-size pages (single or double spaced, minimum 12 point font, and at least one inch margins). The 22 page limit does not include resumes, references and other attachments required in Tab 4 and the Appendices.

PART ONE: Cover Letter and Proposal Narrative [Tabs 1-4]

A. Cover Letter (not to exceed 2 pages)

The Proposer's cover letter should include:

1. A summary of the Proposer's organizational history and legal structure (e.g. individual practitioner, partnership, LLC, corporation, non-profit organization, MWBE, etc.);
2. A summary of the Proposer's qualifications;
3. The Proposer's name, address, telephone number, fax number, email address and web site address, if applicable;
4. The name, title, telephone number, fax number and email address of the individual within the Proposer's organization who will be HTFC's primary contact concerning the proposal;
5. The names of the primary staff personnel who will provide services to HTFC;
6. The contact name, telephone number, fax number and email address for the firm(s), if any, with which the Proposer intends to partner in undertaking this project; and
7. Certifications that the information contained in the Proposal is true and accurate and that the person signing the cover letter is authorized to submit the proposal on behalf of the Proposer.

B. Proposal Narrative [Tabs 1-4] (TABS 1-3 not to exceed 20 pages) (TAB 4 EXEMPT FROM PAGE LIMITS)

Tabs 1 – 4 represent the Proposal Narrative. Proposers must provide the information in the same order in which it is requested. Responses in Tabs 1-3 together must be limited to **twenty (20)** pages. The contents in Tabs 1-4 should be marked as "Tab 1," "Tab 2," "Tab 3," and "Tab 4," respectively. Each Tab should address the items as listed below.

TAB 1: Proposer's Experience [included in 20 page limit]

Proposers must demonstrate experience and capacity to perform the Scope of Work described in this RFP in at least one of the six areas numbered (1) to (6) below and all four areas numbered (7) to (10) below:

Minimum Qualifications

Proposer must demonstrate, at a minimum, experience, expertise, and capacity in at least one of the following six areas:

1. Preparation, implementation and/or evaluation of HUD Consolidated Plans, Analysis of Impediments, Assessment of Fair Housing, Fair Housing and Equity Assessment or the equivalent;
2. Analysis of Fair Housing issues and adjudications arising under the Constitutions, statutes and regulations of the Federal government or the State of New York;

3. Analysis of the effects of State and local land use planning procedures and environmental, zoning and building regulations on Fair Housing issues;
4. Analysis, evaluation and/or adjudication of Fair Housing issues arising from the allocation and/or distribution of federal, State, or local tax-credits, subsidies, vouchers and/or other assistance for the provision of affordable housing;
5. Analysis of the effects of banking and insurance policies and practices pertaining to finance, sale, purchase, rehabilitation and rental of housing on Fair Housing issues;
6. Implementation, participation, or evaluation of Fair Housing “testing” programs;

Proposer must demonstrate experience, expertise, and capacity in all of the following:

7. Compilation, analysis and presentation of quantitative and qualitative data;
8. Writing comprehensive, detailed reports that present and synthesize data and information from multiple sources and identify issues and options for public policy makers;
9. Established relationships with experienced copy-editor(s) and/or published technical writer(s) who are employed by or independent contractors to, the Proposer; and
10. Implementation of/or participation in a public engagement strategy.

In addition to meeting the above-mentioned experience and qualifications, the Proposer must provide:

1. A descriptive summary indicating the number of such relevant engagements in which the Proposer has participated, either as the lead firm or in a supporting role. The summary must include an explanation of how at least three of these experiences are relevant or complementary to the Scope of Work described in this RFP. Include a writing sample of no more than ten pages that best demonstrates the Proposer’s expertise in, and capacity for, describing and explaining quantitative data that could be pertinent to the performance of the Scope of Work.
2. A minimum of three references for the Proposer and at least two for each subcontractor, independent contractor or partner, if any. Each reference must include the name, title, company, if relevant, telephone number, and email address for each reference. Attach a brief summary of the relationship between the reference and the Proposer.
3. PDF files or web links to at least two samples of reports produced by the Proposer or members of the team that are relevant to this RFP.

Information provided by references may be used by HTFC for the evaluation of proposals. HTFC is not responsible for the degree of, or lack of, responsiveness of the references listed by a Proposer, subcontractor or partner. HTFC is not required to alert Proposers about a reference's unresponsiveness during the evaluation of a proposal.

Tab 2: Detailed Work Plan, Methodology, Timeline and MWBE Plan for Accomplishing the Scope of Work [included in 20 page limit]

A Proposer must submit a work plan that establishes goals, sets target dates, and identifies its intended methodology for performing the Scope of Work. The plan must provide a detailed description of the Proposer's intended means, methods, and timeline for accomplishing each of the six tasks (i.e., the identification of fair housing issues and the evaluation of the State's capacity to address them; the analysis of quantitative and qualitative data; the assessment of determinants of fair housing issues; the identification of fair housing priorities and general goals; the public engagement process; and recordkeeping, and collectively, the "Six Tasks") required by the Scope of Work as well as any component sub-tasks that the Proposer may identify. The description should indicate the Proposer's previous experience in using these means and methods as well as its reasons for employing them in this project. The plan should identify any "best practices" the Proposer will use to assure the timely completion of the work plan. Finally, the plan should indicate the extent to which the Scope of Work and any of its component sub-tasks will be performed within the State of New York and will utilize MWBEs.

The timeline should identify the earliest date upon which the Proposer can commence its work subsequent to its receipt of an executed contract.

The timeline should be as precise as possible in establishing dates for the completion of each of the Six Tasks in the Scope of Work as well as any component sub-tasks identified by the Proposer.

Tab 3: Detailed Staffing Plan Required to Accomplish the Scope of Work (Capacity and Readiness) [included in 20 page limit]

The Proposer must submit a staffing plan that includes the name and describes the position of each employee at the firm who will serve in key roles in managing and completing the Scope of Work, including those who will work on each of its Six Tasks. This material must also include the names of any consultants, joint venture partners, subcontractors and MWBEs required to complete the Scope of Work. This information must be provided in addition to, not in lieu of, the Staffing Plan and MWBE Utilization Form required in Part Two, Tab 6. Proposers must provide and identify:

1. The professional qualifications and experience for each key employee and a brief description of the employee's experience and how it will be relevant to completing the Scope of Work;

2. A description and a tally of positions that will be needed to complete the Scope of Work broken down by the number of positions required for each of the Six Tasks (and any component sub-tasks);
3. The person(s) at the firm who will have primary responsibility for managing the project if the firm is awarded the contract. This should include each person's professional qualifications and experience and additional information describing his/her track record and capacity in adjusting to unanticipated occurrences in the course of managing comparable projects; and
4. The technology, policies and procedures, and any other organizational attributes that the Proposer will employ to undertake the Scope of Work and whether such items are already in place.

Tab 4: Background Information [not included in 20 page limit]

1. A description of the services offered by the Proposer together with other relevant information about the Proposer, including: (i) the number of employees; (ii) the locations of all offices; (iii) the office where the work for this contract will be managed; (iv) Proposer's brochures; (v) Proposer's organizational charts; (vi) Proposer's licenses; (vii) evidence of doing business, or the capacity to perform the Scope of Work, in New York; and (viii) a description of any significant changes to the management structure and/or operational dynamics of the Proposer's organization, including any mergers that occurred in the last three (3) years or are expected in the near future or any subcontracting and/or partnering relationships with any other entity.
2. Resumes and contact information for the Proposer's employees primarily responsible for performing the work under this contract, including resumes of subcontractors.
3. If a Proposer will be subcontracting and/or partnering with an entity for any portion of the work described in the Scope of Work, provide resumes and a summary of the relevant qualifications, experience and a detailed explanation for the subcontractor, the partner, and/or the staff of each entity. Attach any contracts, agreements, or letters of intent that have been entered into with such firms that are relevant to the Proposal.

PART TWO – Budget Proposal and Required Documentation [Tabs 5-6]

Part Two is comprised of the Budget Proposal and the Required Documentation for this RFP. Proposers must provide the information in the same order in which it is requested, label responses in Tabs 5-6 as "Tab 5" and "Tab 6", respectively, and address the items listed below:

A. Tab 5: Budget Requirements - Total Project Cost and a Detailed Total Budget for Each of the Six Tasks Required in the Scope of Work

A Proposer must submit its proposed total **not-to-exceed** cost required to complete the full Scope of Work together with (i) a subtotal not-to-exceed cost for each of the six components

of the scope of work and (ii) a detailed cost budget for each of the six components and any sub-components. The detailed budgets should include hourly rates for all persons involved, estimates of the number of hours to be worked by each person, and estimates of reimbursable expenses for other than personal services (“OTPS”) expenses (travel, printing, mailing, teleconferencing, etc.). Finally, the budget should estimate the amount and percentage of the budgeted funds (i) which will be spent within the State of New York and (ii) which will be allocated to MWBEs. A Proposer’s budget should reflect the fact that ten percent (10%) of the total fee due under the contract will be retained until fifteen (15) days after the third part of the Analysis of Impediments is accepted or deemed accepted by HUD.

Because work performed under this contract will be billed on a specified deliverable basis, the budget should propose certain points of task-completion as deliverables which will trigger the submission of invoices for the payment of agreed-upon installments of the total fee due under the contract.

B. Tab 6: Required Forms and Information

Proposers are subject to the requirements described in HTFC’s [Standard Clauses and Requirements for Solicitations, hyperlinked herein as Exhibit A](#). Such requirements include, but are not limited to, submission of the following information and forms of HTFC: (a) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#); (b) [Non-Collusive Bidding Certification FORM](#); (c) [Contractor and Vendor Information FORM](#); (d) [EEO Staffing Plan, PROC-1](#); (e) [MWBE Utilization Form, PROC-2](#); (f) [MWBE/EEO Policy Statement, PROC-4 form](#); (g) [Company Demographic Profile, PROC-7](#); (h) [EEOC Statement](#), applicable to Proposers with 15 or more employees, PROC-8; (i) [Diversity Practice Questionnaire, PROC-9](#); and (j) [Vendor Questionnaire, For Profit](#) or [Vendor Questionnaire, Not For Profit](#), all forms hyperlinked herein.

Proposers must also submit the following information:

1. If the Proposer is a State-certified MWBE firm, documentation evidencing registration. For MWBE firms that are not certified but have applied for certification, documentation evidencing the application with the New York State Department of Economic Development, including the filing date.
2. If the Proposer is not a State certified MWBE firm, descriptions of the instances, if any, in which the Proposer has worked with MWBE firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated.
3. A statement by the Proposer indicating its willingness, if any, to engage in MWBE partnering or mentoring arrangements with an MWBE firm selected by the Proposer. Such statement should include an explanation of how the Proposer would suggest structuring such an arrangement and allocating services and fees between the firms.

4. Certificate of Insurance evidencing the Proposer's General Liability and Errors and Omissions insurance coverage. Minimum acceptable limits for HTFC are **\$1,000,000** per occurrence for General Liability and **\$1,000,000** per occurrence for Errors and Omissions.
5. Proposer's most recent two years of audited financial statement or federal tax returns.
6. A statement indicating whether performing services for HTFC would create any potential conflict of interest, or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of HTFC. Indicate what procedures will be followed to detect, notify HTFC of, and resolve any such conflicts.
7. A statement by the Proposer disclosing in the affirmative or in the negative whether its entity, or any of its principles, employees, clients, or customers discussed in the preceding paragraph numbered 6, or its intended partner or any of its intended partner's employees, has been the subject of any investigation or disciplinary action by the New York State Joint Commission on Public Ethics ("JCOPE") or its predecessor State entities (collectively, "Commission"), and if so, a statement briefly describing how any matter before the Commission was resolved or whether it remains unresolved.

XIII. EVALUATION, SELECTION, AND NOTIFICATION

A. Evaluation Process

The evaluation of proposals will be based on the "Best Value" concept. The proposal which "optimizes quality, cost and efficiency" among the responsive and responsible Proposers will be selected for award. A total of 60 percent of the proposal evaluation will be derived from technical ability, prior relevant professional experience, proposed work plan, methodology, timeline, and staffing plan. Thirty percent will be based on budget and price. Ten Percent will be based on Diversity Practices.

The Proposer must complete and submit all forms, information and other documentation listed in this RFP as part of its proposal. HTFC may deem a proposal non-responsive and disqualify a Proposer, if any of the required forms, information or other documentation is missing or incomplete. HTFC reserves the right, in its sole judgment, to disregard any apparent errors in a proposal that it deems insignificant, to accept or reject any or all proposals, or to cancel this solicitation and reissue it or another version of it, if HTFC deems that doing so is in the best interest of the citizens of the State of New York.

Upon review of submitted proposals, HTFC may, at its discretion, forward to Proposers written questions and requests for clarification relating to their proposal. Proposers will be provided a reasonable period of time in which to submit written responses to HTFC's requests for clarification.

HTFC reserves the right to conduct interviews with Proposers for purposes of expanding or clarifying responses.

HTFC, at its sole discretion, will determine the proposal that best satisfies its requirements for the multi-part Statewide Analysis of Impediments. HTFC reserves all rights with respect to the award of a contract for this project. HTFC reserves the right to select a proposal that, in its sole judgment, is consistent with and responsive to the goals of HUD's requirements for a multi-part Statewide Analysis of Impediments, irrespective of whether it is the apparent lowest cost proposal. Furthermore, the determination of such selection will be made by HTFC to be in the best interest of the citizens of the State of New York.

All proposals deemed to be responsive to the requirements of this RFP will be evaluated to determine that the Proposer is a responsible entity and meets minimum qualifications, and scored on MWBE participation, technical qualities and cost. Proposals failing to meet the minimum qualifications or other requirements of this RFP may be eliminated from consideration. The evaluation process will include separate scores for MWBE participation technical qualities, and cost.

Negative Findings - A proposal may be rejected at any time during the evaluation process and thereafter if there are any adverse findings that would prevent HTFC from selecting the Proposer. These findings may pertain to: the primary contractor; any firm listed as partner, sub-consultant, or sub-contractor in the RFP response; any owners, primary shareholders, or executive staff in the primary contractor or any of its partners; or any of the principal staff expected to perform or supervise the work outlined in the Scope of Work. Such adverse findings include, but are not limited to, those referenced in HTFC's [Standard Clauses and Requirements for Solicitations, Exhibit A](#). If the Proposer believes that any of the adverse findings listed in Exhibit A may be applicable to their firm, or any person or entity partnering with their firm, they should provide a detailed explanation of the finding either in the Offerer Disclosure of Prior Non Responsibility Determinations form or in an attached sheet. Failure to disclose any relevant findings may result in disqualification of the proposal.

B. Selection and Notification Process

All Proposers will be notified via U.S. mail or email as to whether or not they were selected.

If HTFC is unsuccessful in negotiating and entering into a contract with the selected Proposer, HTFC may then invite the next highest rated, qualified Proposer to enter into negotiations for the purpose of executing a contract.

XIV. ADMINISTRATIVE INFORMATION

A. Permissible Contacts

Pursuant to State Finance Law ("SFL") §§139-j and 139-k, this RFP imposes certain restrictions on communications between HTFC, including its Affiliates, and a potential Proposer during the

procurement process. A Proposer is restricted from making contacts that a reasonable person may infer were intended to influence the selection of a firm to perform the proposed professional services, from the date of publication of this RFP until the awarding of a contract(s) by HTFC (the "Restricted Period"), with any one other than the designated staff member named below, unless it is a contact that is included among certain statutory exceptions set forth in SFL §139-j(3)(a). Employees of HTFC, including any employees of the agencies that constitute HCR, are required to obtain certain information when contacted during the Restricted Period and make a determination of responsibility of the Proposer under the SFL. Findings of non-responsibility can result in rejection for contract award and in the event of two (2) findings within a four (4) year period, the Proposer will be debarred from obtaining governmental contracts.

For more information, please refer to the following website:

<http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/Faq.htm> .

For all Lobbying Law Contacts, please contact:

Karen Hunter, Treasurer
New York State Homes & Community Renewal
Housing Trust Fund Corporation
38-40 State Street
Albany, NY 12207
Karen.Hunter@nyshcr.org

If you have inquiries regarding this RFP or would like to contact HTFC regarding issues not relating to Lobbying Law Contacts, please contact:

Kenneth J. Ford, Senior Purchase Agent
New York State Homes & Community Renewal
Housing Trust Fund Corporation
38-40 State Street
Albany, NY 12207
Nyhomes.Proposal@nyshcr.org

Other than the two contact persons identified above, prospective Proposers shall not approach HTFC employees, or any employees of the agencies that constitute HCR, during the Restricted Period about any matters related to the RFP or any proposal(s) submitted pursuant thereto.

B. Contractor Requirements and Procedures for Business Participation Opportunities for New York Certified Minority-and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women

1. NEW YORK STATE LAW

Pursuant to New York State Executive Law Article 15-A and 5 NYCRR 140-145, HTFC recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified MWBEs and the employment of minority group members and women in the performance of HTFC contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether MWBEs had a full and fair opportunity to participate in State contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of MWBEs in State procurement contracting versus the number of MWBEs that were ready, willing and able to participate in State procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the State-wide certified MWBE program. The recommendations from the Disparity Study culminated in the enactment and the implementation of Article 15-A, which requires, among other things, that HTFC establishes goals for maximum feasible participation of New York State certified MWBEs and the employment of minority groups members and women in the performance of New York State contracts.

2. BUSINESS PARTICIPATION OPPORTUNITIES FOR MWBEs

For purposes of this solicitation, HTFC hereby establishes an overall goal of 30% for MWBE participation, 15% for New York State certified minority-owned business enterprises ("MBE") participation and 15% for New York State certified women-owned business enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). A contractor ("Contractor") on the subject contract ("Contract") must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and the Contractor agrees that HTFC may withhold payment pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how HTFC will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, the Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and HTFC may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a proposal, a Proposer agrees to demonstrate its good faith efforts to achieve its goals for the utilization of MWBEs by submitting evidence thereof through the New York State Contract System ("NYSCS"), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that a Proposer may arrange to provide such evidence via a non-electronic method by contacting Mr. Kenneth J. Ford at Nyhomes.Proposal@nyshcr.org. Please note that the NYSCS is a one stop solution for all of your MWBE and Article 15-A contract requirements. For additional information on the use of the NYSCS to meet Proposers' MWBE requirements, please click on the following hyperlinked MWBE guidance, "[Your MWBE Utilization and Reporting Responsibilities Under Article 15-A](#)," hyperlinked herein.

Additionally, a Proposer will be required to submit the following documents and information as evidence of compliance with the foregoing:

- (a) An [MWBE Utilization Plan](#) with their proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to HTFC at OFHEO@nyshcr.org.

HTFC will review the submitted MWBE Utilization Plan and advise the Proposer of HTFC's acceptance or issue a notice of deficiency within 30 days of receipt.

- (b) If a notice of deficiency is issued, the Proposer will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to HTFC MWBE Officer at 641 Lexington Avenue, 4th Floor, New York, NY 10022, Fax number 917-274-0393, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by HTFC to be inadequate, HTFC shall notify the Proposer and direct the Proposer to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the proposal.

HTFC may disqualify a Proposer as being non-responsive under the following circumstances:

- i) If a Proposer fails to submit a MWBE Utilization Plan;
- ii) If a Proposer fails to submit a written remedy to a notice of deficiency;
- iii) If a Proposer fails to submit a request for waiver; or
- iv) If HTFC determines that the Proposer has failed to document good faith efforts.

The Contractor will be required to attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to HTFC, but must be made no later than prior to the submission of a request for final payment on the Contract.

The Contractor will be required to submit a [Contractor's Quarterly M/WBE Contractor Compliance & Payment Report](#) to HTFC, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

3. EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

By submission of a proposal in response to this solicitation, the Proposer agrees with all of the terms and conditions of [Appendix I – Standard Clauses for All New York State](#)

Contracts including Clause 7 - Equal Employment Opportunities for Minorities and Women. The Proposer is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the Contractor, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Proposers will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement, PROC-4 Form to HTFC with their proposals.

To ensure compliance with this Section, the Proposer will be required to submit with the proposal an Equal Employment Opportunity Staffing Plan PROC-1 Form, identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit an Equal Employment Opportunity Workforce Employment Utilization Compliance Report identifying the workforce actually utilized on the Contract, if known, through the New York State Contract System; provided, however, that a Proposer may arrange to provide such report via a non-electronic method by contacting Mr. Kenneth J. Ford at Nyhomes.Proposal@nyshcr.org .

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other State and Federal statutory and constitutional non-discrimination provisions, the Proposer and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

C. The Use of New York State Businesses in Contract Performance

HTFC is committed to awarding a contract to a firm that will provide high-quality services at a reasonable and competitive cost and will substantially perform the Scope of Work, as described in this RFP, from an office(s) or location(s) within New York State.

New York State businesses have a substantial presence in State contracts and strongly contribute to the economics of the State and the nation. In recognition of their economic

activity and leadership in doing business in New York State, Proposers for this HTFC procurement are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the HTFC awarded contract. Such partnering may be as subcontractors, suppliers, protégés, providers of office and work space, and/or other supporting roles.

Proposers need to be aware that all authorized users of the awarded contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in HTFC contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract award, thereby benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. HTFC therefore expects the successful Proposer to provide maximum assistance to New York businesses in its use of the awarded contract. The potential participation of all kinds of New York businesses will deliver great value to the State and its taxpayers.

**APPENDED LIST 1
NEW YORK STATE ENTITLEMENT JURISDICTION
ALL OR PARTS OF THE FOLLOWING COUNTIES**

Albany County
Allegany County
Broome County
Cattaraugus County
Cayuga County
Chautauqua County
Chemung County
Chenango County
Clinton County
Columbia County
Cortland County
Delaware County
Dutchess County
Essex County
Franklin County
Fulton County
Genesee County
Greene County
Hamilton County
Herkimer County
Jefferson County
Lewis County
Livingston County
Madison County
Montgomery County
Nassau County
Niagara County

Oneida County
Ontario County
Orange County
Orleans County
Oswego County
Otsego County
Putnam County
Rensselaer County
Rockland County
St. Lawrence County
Saratoga County
Schenectady County
Schoharie County
Schuyler County
Seneca County
Steuben County
Suffolk County
Sullivan County
Tioga County
Tompkins County
Ulster County
Warren County
Washington County
Wayne County
Westchester County
Wyoming County
Yates County

**APPENDED LIST 2
DISASTER RECOVERY COUNTIES**

Disaster Recovery Counties (not including NYCity)	Total House holds
Albany County	123,545
Broome County	80,255
Chemung County	35,530
Chenango County	20,005
Clinton County	31,525
Columbia County	25,680
Delaware County	20,175
Dutchess County	107,150
Essex County	16,065
Franklin County	18,940
Fulton County	22,940
Greene County	18,920
Hamilton County	2,305
Herkimer County	26,470
Montgomery County	20,060
Nassau County	443,315
Oneida County	91,570
Orange County	124,940
Otsego County	24,715
Putnam County	35,000
Rensselaer County	63,625
Rockland County	98,105
Saratoga County	87,760
Schenectady County	58,205
Schoharie County	12,800
Suffolk County	496,675
Sullivan County	29,430
Tioga County	20,460
Tompkins County	38,530
Ulster County	70,035
Warren County	28,390
Washington County	24,680
Westchester County	345,910
Total	2,663,710

**APPENDED LIST 3
LOCATIONS OF LOCAL ENTITLEMENT JURISDICTIONS &
ESTIMATED SIZE OF NEW YORK STATE ENTITLEMENT JURISDICTION**

	HOUSEHOLDS	
New York State Total	7,215,685	100%
LOCATIONS OF LOCAL ENTITLEMENT JURISDICTIONS		
Albany County (part), Albany city, New York	40,250	
Albany County (part), Colonie village, New York	3,245	
Bronx County, New York	471,925	
Broome County (part), Binghamton city, New York	20,620	
Cayuga County (part), Auburn city, New York	12,010	
Chautauqua County (part), Dunkirk city, New York	5,720	
Chautauqua County (part), Jamestown city, New York	13,595	
Chemung County (part), Elmira city, New York	10,980	
Dutchess County, New York	107,150	
Erie County, New York	379,480	
Jefferson County (part), Watertown city, New York	11,585	
Kings County, New York	907,785	
Monroe County, New York	293,105	
Nassau County, New York	443,315	
New York County, New York	733,395	
Niagara County (part), Niagara Falls city, New York	22,330	
Oneida County (part), Rome city, New York	13,420	
Oneida County (part), Utica city, New York	24,385	
Onondaga County, New York	183,380	
Orange County, New York	124,940	
Putnam County, New York	35,000	
Queens County, New York	773,130	
Rensselaer County (part), Troy city, New York	20,015	
Richmond County, New York	163,745	
Rockland County, New York	98,105	
Saratoga County (part), Saratoga Springs city, New York	11,665	
Schenectady County (part), Schenectady city, New York	24,455	
Suffolk County, New York	496,675	
Tompkins County (part), Ithaca city, New York	10,175	
Ulster County (part), Kingston city, New York	9,845	
Warren County (part), Glens Falls city, New York	6,760	
Mount Vernon city, New York	26,205	
New Rochelle city, New York	28,730	
White Plains city, New York	22,795	
Yonkers city, New York	74,240	
Less various places included in NYState Entitlement Jurisdiction	(52,059)	
Local Entitlement Jurisdictions Estimated Total	5,572,096	77%
ESTIMATED NEW YORK STATE ENTITLEMENT JURISDICTION	1,643,589	23%

Note: To avoid double-counting, this list does not specify many local entitlement jurisdictions such as Rochester, Syracuse, Buffalo and Islip which are located in counties whose total household count includes the cities.

**APPENDED LIST 4
LOCAL ENTITLEMENT JURISDICTIONS IN NEW YORK STATE
HUD FY 2014**

Entitlement Jurisdiction	County	Entitlement Jurisdiction	County
New York City	5 counties	Nassau County	Nassau
Albany	Albany	Niagara Falls	Niagara
Colonie Town	Albany	Rome	Oneida
Binghamton	Broome	Utica	Oneida
Union Town	Broome	Syracuse	Onondaga
Auburn	Cayuga	Clay Town	Onondaga
Dunkirk	Chautauqua	Onondaga County	Onondaga
Jamestown	Chautauqua	Middletown	Orange
Elmira	Chemung	Newburgh	Orange
Poughkeepsie	Dutchess	Orange County	Orange
Dutchess County	Dutchess	Troy	Rensselaer
Amherst Town	Erie	Rockland County	Rockland
Buffalo	Erie	Saratoga Springs	Saratoga
Cheektowaga Town	Erie	Schenectady	Schenectady
Hamburg Town	Erie	Babylon Town	Suffolk
Tonawanda Town	Erie	Huntington Town	Suffolk
West Seneca	Erie	Islip Town	Suffolk
Erie County	Erie	Suffolk County	Suffolk
Watertown city	Jefferson	Ithaca	Tompkins
CNSRT-Jefferson County	Jefferson	Kingston	Ulster
Greece	Monroe	Glens Falls	Warren
Irondequoit	Monroe	Mount Vernon	Westchester
Rochester	Monroe	New Rochelle	Westchester
Monroe County	Monroe	White Plains	Westchester
Nassau County	Nassau	Yonkers	Westchester
Niagara Falls	Niagara	Westchester County	Westchester

**APPENDED LIST 5
EXAMPLES OF JURISDICTIONAL DATA**

- **Population Growth 2000–2010 – 2013**
- **Percentage in Poverty by Locality, Race, Ethnicity, Age and Disability**
- **Racial and Hispanic Population Composition 2000–2010 – 2013**
- **Racial and Ethnic Household Composition – 2000–2010 – 2013**
- **Actual vs. Predicted Racial and Ethnic Distribution of Households in the absence of discrimination -- 2000–2010 – 2013**
- **Dissimilarity Indices 2000–2010 – 2013**
- **Racial and Ethnic Concentrations of Poverty**
- **Typology of Neighborhoods by Percentage of Non-White Population an Percentage of Poverty**
- **Able-bodied and persons with a disability distribution**
- **Private Sector Businesses by Industry and Number of Employees MRDY¹**
- **Twenty Largest Employers: MRDY**
- **Work Force: 2010 – MRDY**
- **Unemployment Rates: 2010 – MRDY**
- **Racial and Ethnic Composition of Workforce – MRDY**
- **Commuting Times by Location and Travel Mode – MRDY**
- **Housing Units for Which Building Permits Were Issued 2010 – MRDY, by size of structure**
- **Land Zoned for Residential Use by number of units as of right**
- **Types of Housing __ MRDY**
- **Residential Development Allowed by Current Zoning**
- **Types of Fair Housing Complaints Filed with HUD**
- **Types of Fair Housing Complaints filed with NYS Division of Human Rights (DHR)**
- **Reported Hate Crimes in county or municipal police departments**
- **Results of Conventional Home Mortgage Applications, by county 2010 – MRDY**
- **Racial, Ethnic, and Poverty Compositions of Census Tracts with Concentrations of Public Housing or Tax-Credit Developments**
- **Racial and Ethnic Composition of Holders of Housing Choice Vouchers, by County**
- **Cost–Burdened Renters by County and Jurisdiction MRDY**
- **Cost–Burdened Homeowners by County and Jurisdiction MRDY**
- **Affordable Home Ownership by County and Jurisdiction 2010 -- MRDY**

FIGURES & MAPS

- **Locations of All Minority Groups in Urban Cores and Surrounding County Areas MRDY**
- **Locations of Hispanic Residents in Urban Cores and Surrounding County Areas MRDY**
- **Locations of African American Residents in Urban Cores and Surrounding County Areas MRDY**
- **Median Household Incomes in Counties and Jurisdiction by Race and Ethnicity MRDY**
- **Map of Neighborhood (Census Tract) Typology by Jurisdiction and County**
- **School Enrollment by Race & Ethnicity in Urban Cores and Surrounding County Areas MRDY**
- **Employees Per Square Mile in Urban Cores and Surrounding County Areas MRDY**
- **Commuting Times in Urban Cores and Surrounding County Areas MRDY**
- **Dependency on Public Transportation by Race and Ethnicity in Urban Cores and Surrounding County Areas**
- **Bus Routes in Areas of Minority Concentration and Mobile Home in Urban Cores and Surrounding Areas of Counties (“SACs”)**
- **Percentage of Conventional Mortgages that Were High Cost: 2005– 2009 & 2010- MRDY**
- **Percentage of High Cost Mortgages and Refinancings in County by Race and Ethnicity 2005-2009 & 2010 - MRDY**
- **Percentage of Housing Units that Received a Foreclosure Filing in December 2010 & December MRDY**
- **Locations of Scattered Site Public Housing Units**
- **Locations of Housing Choice Vouchers Used by African Americans and Hispanics 2010**
- **Median Home Sale Prices 2005–2010**

¹ **MRDY = most recent data year available**

ENDNOTES

ⁱ Cf., Planning/Communications, Clark County, Nevada Analysis of Impediments to Fair Housing Choice 2011 (River Forest, Illinois:April 2011)

ⁱⁱ See Office of Fair Housing and Equal Opportunity, U. S. Department of Housing and Urban Development, Fair Housing Planning Guide, Volume 1 (Washington, DC.March 1996)

ⁱⁱⁱ U.S. ex rel. Anti-Discrimination Center of Metro New York, Inc. v. Westchester County, New York, U.S. Dist.Ct, S.D.N.Y., 06 Civ. 2860 (DLC), Feb.24, 2009, 43

^{iv} Disability added by amendment in 1988

^v Otero v. New York City Housing Authority, 484 F.2d 1122, 1134 (2d Cir. 1973)

^{vi} HUD, “Notice of Proposed Rulemaking on Affirmatively Furthering Fair Housing,” http://www.huduser.org/portal/publications/pdf/affht_summary.pdf

^{vii} CDBG = Community Development Block Grants; HOME = HOME Investment Partnerships; ESG = Emergency Solutions Grants; HOPWA = Housing Opportunities for Persons with AIDS

^{viii} The term “**Fair Housing issue**” means ongoing local or regional segregation or the need to support integrated communities; racial or ethnic concentrations of poverty; disparities in access to community assets; disproportionate housing needs based on race, color, religion, sex, familial status, national origin, or handicap; and evidence of illegal discrimination or violations of existing civil rights law, regulations, or guidance, as well as any other condition that impedes or fails to advance Fair Housing choice.

^{ix} The term “**Fair Housing enforcement and Fair Housing outreach capacity**” means the ability of a jurisdiction, and organizations located in the jurisdiction, to accept complaints of violations of fair housing laws, investigate such complaints, obtain remedies, engage in Fair Housing testing, and educate community members about Fair Housing laws and rights and includes any State or local agency that enforces a law substantially equivalent to the Fair Housing Act and any organization participating in the Fair Housing Initiative Programs.

^x The term “**integration**” means, based on the most recent decennial Census and other data sources as determined by HUD to be statistically valid, that particular geographic areas within a jurisdiction do not contain high concentrations of persons of a particular race, color, religion, sex, familial status, national origin, or handicap when compared to the jurisdiction or Metropolitan Statistical Area as a whole. For individuals with disabilities, integration also means that such individuals are housed in the most integrated setting appropriate. The most integrated setting is one that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible, consistent with the requirements of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973.

^{xi} The term “**segregation**” means geographic areas, based on the most recent decennial Census and other data sources determined by HUD to be statistically valid, with high concentrations of persons of a particular race, color, religion, sex, familial status, national origin, or with a disability in a particular housing development, or a jurisdiction, compared to the jurisdiction or Metropolitan Statistical Area, as a whole resulting from fair housing determinants or other causes. For persons with disabilities, segregation includes the failure to provide housing in the most integrated setting possible.

^{xii} Under Federal law, the term “**protected class**” means a class of persons who are protected from housing discrimination on the basis of race, color, religion, sex, familial status, national origin, or handicap under the Fair Housing Act. New York State law defines additional protected classes.

^{xiii} The term “**racially or ethnically concentrated area of poverty**” (“RCAP” or “ECAP”) means a geographic area based on the most recent decennial Census and other data sources as they are determined by HUD to be statistically valid, with significant concentrations of extreme poverty and minority populations.

^{xiv} The term “**significant disparities in access to community assets**” means measurable differences in access to educational, transportation, economic, and other important assets in a community based on housing unit location and race, color, religion, sex, familial status, national origin, or disability, based on the most recent decennial Census and other data sources determined by HUD to be statistically valid, program participant-provided supplemental or replacement data that has an empirical basis, or both.

^{xv} **Disproportionate housing needs**” exist when the percentage of extremely low-income, low-income, moderate-income, and middle-income families in a category of housing need who are members of a protected class is at least 10 percent higher than the percentage of persons in the category as a whole. For this purpose, categories of housing need are cost burden and severe cost burden, overcrowding (especially for large families) and substandard housing conditions. The terms cost burden, severe cost burden, overcrowding, extremely low-income family, low-income family, moderate-income family, and middle-income family are defined in 24 CFR 91.5.

^{xvi} The term “**fair housing determinant**” means a factor that creates, contributes to, or perpetuates one or more fair housing issues.

^{xvii} As examples of **strategies and goals**, the Contractor may identify fair housing strategies to: a) strengthen anti-discrimination investigation and enforcement, b) promote investment and revitalization in RCAP or ECAP areas, c) promote affordable housing in high-opportunity areas, d) ensure under-represented racial and ethnic minorities, low-income families and other protected groups have access to affordable housing in high-opportunity areas, e) stabilize housing opportunities for middle and moderate income families, and f) advance regional approaches to affordable housing. The Contractor will not be required to provide detailed strategies or funding recommendations that may be the subject of the Consolidated Plan or other relevant planning processes.

NOTICE OF INTENT TO SUBMIT PROPOSAL

PART I: PROPOSED VENDOR CONTACT INFORMATION

Name of Responsible Individual	
Company Name (if applicable)	
Address	
City, State, Zip Code	
Telephone # & Email Address	

PART II: SUMMARY OF SERVICES

Mark an (X) for each service to be bid. (Include all that apply)

	All
	Quantitative analysis of Census, ACS, other relevant data regarding inequalities in access to and distribution of housing and community assets for different races, ethnicities, and disabilities
	Qualitative research on racial, ethnic, and disability inequalities in access to and distribution of housing and community assets
	Qualitative research on the impact of judicial decisions, zoning, other local building regulations, and local real estate brokerage, rental, and lending practices on access to housing for protected classes
	Qualitative research on the effectiveness of fair housing testing practices

PART III: DESCRIPTION OF BIDDER

Mark an (X) for the best description of the Bidder.

	Individual scholar or professor (e.g., demography, program evaluation, race relations)
	Individual professional or practitioner
	University-based or independent research, planning &/or policy institute
	Industry-related research, planning &/or policy organization
	National or local intermediary in affordable housing &/or community development
	City or regional planning firm or association
	Community-based housing and community development organization or coalition
	Fair housing research and advocacy organization or firm
	Network, coalition, or association engaged in affordable housing
	Affordable housing & community development consulting firm
	Affordable housing developer &/or financing provider
	Not-for-profit organization
	For-profit business enterprise
	For-profit, certified minority-owned business enterprise
	For-profit, certified woman-owned business enterprise
	M/WBE status current
	M/WBE status pending

PART IV: MWBE COLLABORATIONS

Is the Bidder willing to partner with a minority or women-owned business enterprise to complete the work required for this contract? (Check One.)

	Yes
	No
	Maybe