

David A. Paterson  
Governor



Deborah VanAmerongen  
Chairperson

**New York State Housing Trust Fund Corporation  
Division of Housing and Community Renewal  
Office of Community Renewal**

**Request for Proposals**

**Greater Catskills Flood Remediation Program**

**July 14, 2008**

## **Section 1: Introduction and Statement of Purpose**

### **1.1 Background Information**

The 2008-09 New York State Budget provided \$15 million to the NYS Housing Trust Fund Corporation (HTFC) to develop and administer the Greater Catskills Flood Remediation Program. Under the program, eligible counties in the Southern Tier and Catskill regions will seek to purchase and demolish eligible homes that have been damaged by floods since April 1, 2004, and are determined to be at future risk. Homes purchased would be condemned and property will be dedicated for open space, recreational, wetlands, or flood mitigation purposes.

### **1.2 Statement of Purpose**

The purpose of this Request for Proposals (RFP) is to provide funds to the counties of Broome, Chenango, Delaware, Herkimer, Montgomery, Orange, Otsego, Schoharie, Sullivan, Tioga, and Ulster, upon application by a county and within the amounts available for disbursement to such county, to enable the counties to purchase and demolish one- or two-family homes having been subject to one or more incidents of flooding since April 1, 2004, and as likely to be subject to future flood incidents that would cause substantial damage thereto.

The goal of this program is to help remove people and possessions from harm's way in areas that have been hit particularly hard by flooding in recent years and remain at risk. As part of this RFP process and program implementation, HTFC endeavors to efficiently work with eligible counties in a cost-effective manner in order to achieve the goals of this county managed program.

### **1.3 Definition of terms**

The term "HTFC" or "the Corporation" in this RFP shall mean the New York State Housing Trust Fund Corporation.

The term "eligible county or counties" in this RFP shall mean Broome, Chenango, Delaware, Herkimer, Montgomery, Orange, Otsego, Schoharie, Sullivan, Tioga, and/or Ulster counties.

The term "eligible home" or "home" shall mean a one- or two- family home that is the current primary residence of the owner, or the current owner can demonstrate that the home was occupied as the their primary residence prior to a flood event that rendered the home unsuitable for habitation.

The term "proposal" in this RFP shall mean the section of the applicant's response to this RFP.

The term "incident of flooding" or "incident" in this RFP shall mean a significant flood event having occurred since April 1, 2004 as determined by the county emergency management officer.

The term "demolish" or "demolition" in this RFP shall mean the removal of standing structures in accordance with federal, state, and local laws.

## **Section 2: Functional Description of the RFP**

### **2.1 Direct Provision of Funds for Counties to Acquire Eligible Homes**

HTFC is seeking proposals from counties to include a list of addresses and homeowners (Exhibit A) of eligible homes that the county would acquire to achieve the goals of this program. This list must be accompanied by a completed GCFRP Home Acquisition Form (Exhibit B) for each home. The forms must be certified and signed by the local building inspector and county emergency management officer, in accordance with section 3.1 of this RFP to the satisfaction of the HTFC.

Included in the RFP must be a completed Proposed Budget Form (Exhibit C) of eligible non-property acquisition costs, including demolition, legal fees, appraisals, recordings, and other transaction costs. These proposed costs must be reasonable, quantifiable, and relative to the number of homes proposed to be acquired.

The total of all funds disbursed to the counties will not exceed the amounts available for disbursement to such county.

### **2.2 Funding Availability Amounts**

HTFC expects to make up to \$15 million in funds available to eligible counties under this RFP. The funds disbursed to eligible counties shall not exceed the following amounts: Broome, \$750,000; Chenango \$750,000; Delaware, \$2,000,000; Herkimer, \$750,000; Montgomery, \$750,000; Orange, \$2,000,000; Otsego, \$750,000; Schoharie, \$750,000; Sullivan, \$3,750,000; Tioga, \$750,000; and Ulster, \$2,000,000.

HTFC reserves the right to award counties less than their full funding requests.

### **2.3 Quantifiable Results and Reporting**

It is important that results be measurable with regard to both how many families and homes have been removed from harm's way through the program.

Counties will be required to report to HTFC on the status and results of their program by November 28, 2008 and every 30 days thereafter until the contract obligations are fulfilled and all resources are disbursed. Reporting of status and program results must include information as outlined in Exhibit D.

## **Section 3: Eligibility Requirements & Selection Criteria for Proposed Home Acquisition**

### **3.1 Eligibility Requirements**

One- or two-family homes that have been certified by the local building inspector and county emergency management director, to the satisfaction of the corporation, as having been subject to one or more incidents of flooding since April 1, 2004 and as likely to be subject to a future flood incident that would cause substantial damage thereto.

Prior to any disbursement of funds the county must demonstrate, to the satisfaction of HTFC, that:

1) Subject homes are occupied as the primary residence of an owner with a family income of up to one-hundred fifty percent (150%) of the Area Median Income as defined by the U.S. Department of HUD (see Exhibit E), provided, however, that an otherwise eligible home shall be eligible for purchase under this act if the current owner can demonstrate that the home was occupied as the owner's primary residence prior to a flood event that rendered the home unsuitable for habitation;

2) Current appraised value of the home does not exceed two-hundred fifty thousand dollars and the purchase price for the home will not exceed the appraised value less the amount of any property casualty insurance or disaster relief payments received by the owner as compensation for damage incurred in a flood incident;

NOTE: If the homeowner can document to the satisfaction of the county that they invested some or all of the payments back into the home, those documented amounts may not be deducted from the appraised value on which the offer is based;

3) Counties are giving preference to homes with a current appraised value of less than one-hundred fifty thousand dollars and to homes that have been subject to two or more incidents of flooding since April 1, 2004;

4) All recorded liens or other encumbrances on the home will be released at closing; and

5) The county assures that the home will be condemned and the property will be dedicated and maintained in perpetuity for a use that is compatible with open space, recreational, flood mitigation, or wetlands management practices.

### **3.2 Evaluation Process**

- Proposals will be examined for completeness. Incomplete proposals and those that do not meet the minimum requirements will be rejected; however, the county may re-submit amended proposals that address the deficiencies.
- Proposals will be evaluated based on evaluation criteria outlined within the RFP, in particular Section 3 and Section 4 in their entirety.

## **Section 4: Proposal Deadline and Submission Requirements**

### **4.1 Proposal Submission Deadline**

Proposals will be due on or before October 14, 2008. From the date of this RFP forward, completed proposals will be accepted at anytime up to close of business on October 14, 2008.

## **4.2 Instructions for Submission**

Proposals should be written in a concise manner and the information provided should be directly relevant to the requirements of this RFP.

One (1) response, plus two (2) copies, must be submitted to the address listed below. Faxed or e-mailed responses will not be accepted.

Deliver to: NYS DHCR  
Office of Community Renewal  
38-40 State Street, 9<sup>th</sup> floor  
Albany, NY 12207

The outside of the mailing package must also be clearly marked: "Greater Catskills Flood Remediation Program RFP" or "GCFRP RFP".

## **4.3 Submission**

All proposal submissions must include:

- A. Narrative of no more than four (4) pages that includes:
  - A brief description of flood incidents and associated events affecting the county since April 1, 2004.
  - A description of sources and factors used to prioritize and select the list of proposed homes for acquisition in accordance with Section 3.1 (3) of this RFP.
  - A description of sources used to determine the appraised value; transaction costs; and the amount of any property casualty insurance or disaster relief payments received by the owner.
  - A description of the scope of work associated with the reimbursement of eligible demolition costs.
- B. Exhibit A – List of eligible homes proposed for acquisition
- C. Exhibit B – GCFRP Home Acquisition Forms
- D. Exhibit C – Program Budget

## **4.4. Certification Statement**

The application must include a cover letter on the county's letterhead signed by the Chief Elected Official or another authorized individual, certifying the accuracy of all information in the proposal and that all program activity will be conducted in accordance with local, state, and federal law.

## **Section 5: Proposal Process Instructions**

### **5.1 Affirmative Action Policy Statement**

It is the policy of the HTFC to provide equal opportunity to all people without regard to race, color, sex, religion, age, national origin, disability, or sexual orientation.

### **5.2 Questions and Answers**

All applicants will have the opportunity to submit questions. Questions received will be answered in writing. Questions will be presented exactly as received with only identifying information retracted. Questions must be submitted to Christian Leo at [GCFRP@nysdhcr.gov](mailto:GCFRP@nysdhcr.gov)

All questions, regardless of submission method, will be posted on the NYS Division of Housing and Community Renewal's website at [www.nysdhcr.gov](http://www.nysdhcr.gov). You can access this information on the website by selecting the "Flood Relief Program" link on the left side of the opening page. Questions and answers will be posted as soon as practical after receipt, and will be updated periodically as long as the RFP remains open.

### **5.3 Proposal Costs**

HTFC will not be held liable for any cost incurred by the counties for work performed in the preparation, production, or submission of a proposal. All proposal materials, binders, curriculum, media, etc. that is submitted as part of the proposal becomes the sole property of HTFC and no materials, binders, curricula, media etc. will be returned to the applicant.

### **5.4 Communications**

All communications related to the RFP are to be directed to:

Christian Leo, Senior Community Developer  
Phone: (518) 474-2057  
Email: [GCFRP@nysdhcr.gov](mailto:GCFRP@nysdhcr.gov)

### **5.5 Other Conditions**

HTFC reserves the right to:

- Alter the RFP based upon legislative changes or amendments.
- Reject any and all proposals received.
- Waive or modify minor irregularities in proposals upon notification to the applicant.
- Adjust or correct any arithmetical errors in the proposal.
- Receive clarification from a county for the purpose of assuring a full understanding of responsiveness to the RFP solicitation.
- Utilize any and all ideas submitted in the proposal received unless such ideas are covered by legal copyright, patent or property rights, and HTFC is notified in the proposal submission.
- Adopt or utilize all or any part of a county's proposal.
- Negotiate with the applicant to serve the best interest of HTFC.
- All proposals, upon submission to HTFC, shall become HTFC property for use as deemed appropriate.