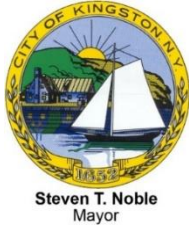


City of Kingston, NY
RFP # K22-09: Legal Consulting Services for Housing Initiatives



REQUEST FOR PROPOSALS

Legal Consulting Services for Housing Initiatives

Steven T. Noble Mayor of the City of Kingston
Bartek Starodaj Director of Housing Initiatives

The City of Kingston, NY ("City") is pleased to issue this Request for Proposals (RFP) from qualified law firms to provide to the City of Kingston to provide legal services in support of the City's tax lien foreclosure process, including handling quiet title actions involving City-owned property, and commence proceedings to enforce Section 1308 of the Real Property Actions and Proceedings Law; you are invited to submit a proposal in accordance with the terms outlined in this RFP.

RFP # K22-09 Release Date: February 7, 2022
Proposals Due: March 8, 2022 by 2:00 PM EST

Definitions:

An "RFP" describes the situation or object for which the goods and or services are required, how they are expected to be used and/or problems that they are expected to be addressed. Vendors are invited to propose solutions that will result in the satisfaction of the City's objectives. The proposed solutions are evaluated against a predetermined set of criteria.

The term "Respondent" means any firm or individual submitting a response for the services listed in this RFP.

The term "response" means the material submitted by a Respondent in reply to this RFP.

RFP/Project Contact Person:

Bartek Starodaj
Director of Housing Initiatives
City Hall, 420 Broadway
Kingston, NY 12401

Telephone: (845) 334-3928 **Email:** bstarodaj@kingston-ny.gov

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RECEIPT CONFIRMATION FORM

PLEASE COMPLETE AND RETURN THIS CONFIRMATION FORM WITHIN 5 WORKING DAYS OF RECEIVING THIS RFP SPECIFICATION TO:

Bartek Starodaj
City Hall, 420 Broadway
Kingston, NY 12401
Telephone: (845) 334-3928
bstarodajk@kingston-ny.gov

Failure to return this form may result in no further communication or addenda regarding this RFP.

Company Name/Contact Person: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ EXT: _____ Fax: _____

Email: _____

I have received a copy of the above noted RFP Specification. Mark one choice below.

We plan to submit a PROPOSAL.

We DO NOT plan to submit a PROPOSAL (please indicate reason below).

Signature: _____

Title: _____

1.0 PROJECT PURPOSE

The City of Kingston seeks a qualified Legal Consultant to provide outside legal counsel to the City of Kingston to (1) reform the City's "in rem" foreclosure process, (2) quiet title in City-owned property, and (3) enforce the Zombie Property Act. Contract between the Legal Consultant and the City of Kingston will begin on or about March 21, 2022 and end on or about July 1, 2022.

2.0 SCOPE OF WORK

The following outlines the minimum expected tasks associated with this RFP:

Task 1: Reform the City's "In rem" process

The City is the tax-foreclosing entity for properties within the city limits and directly takes title to ten to twenty properties per year through property tax foreclosure. The City of Kingston's delinquent property tax enforcement process, as prescribed under New York State's Article 11, has faced challenges in securing clear, marketable titles to abandoned properties; nor has it reached the Hudson Valley Pattern for Progress report's 2020 recommendation that the City begin the tax foreclosure process after two years of tax arrears (see link in Section 7.0 Relevant Links).

The Legal Consultant will review and propose an efficient in rem foreclosure process that produces clear and marketable titles, offers owners a reasonable payment plan, and suggests when potential foreclosure counseling should be offered. Thereafter, the Legal Consultant will initiate foreclosure proceedings on all eligible properties in consultation with the City's Comptroller, Director of Housing Initiatives, and Corporation Counsel.

Task 2: Quiet title of City-Owned Property

The titles of at least six city-owned single family and multifamily properties have unknown or unresolved liens. The Legal Consultant will review these titles and remediate the issues so that a clear and marketable lien can be transferred to a buyer.

Task 3: Enforce the Abandoned Property Neighborhood Relief Act of 2016 and the Zombie Property Remediation Act of 2019

The City of Kingston has preliminarily compiled a list of approximately 300 properties suffering from long term vacancy, a significant portion of which are owned by banks or loan servicing agents. These properties are a community and economic development challenge for Kingston. While in ownership limbo, many of these properties deteriorate, stress the surrounding community, and exert undue pressure on municipal services.

At the same time, Kingston views these vacant properties as potential resources for its transformative affordable housing and economic development initiatives. For example, The Kingston City Land Bank rehabilitates formerly vacant and properties and sells them to first-time homebuyers at an affordable

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price, or determines the best pathway by which a property's future can benefit the City's community and economic development goals.

The Zombie Law requires financial institutions to maintain physically and repair one-to-four-family houses when the bank has a lien on the property, the structures have been vacant for at least 90 days, and the properties are mortgage delinquent or somewhere in the foreclosure process.

The Zombie Law helps identify delinquent properties and hold banks and mortgage servicers accountable for their inaction. It also imposes a duty on mortgagees and their loan servicing agents to report these properties to the Registry and to take earlier (pre-foreclosure) action to identify, secure and maintain so-called Zombie Houses.

Based on the requirements imposed by the Zombie Act, the Legal Consultant will assist the City's Office of Housing Initiatives, the Building and Safety Division, and the Corporation Counsel to incorporate legal strategies requiring the lenders and mortgage servicers to bring properties into compliance and to expedite their foreclosures and perform any other acts which will relieve municipalities from the impacts of current Zombie Properties.

3.0 BUDGET REQUIREMENTS

The cost proposal from the Legal Counsel for tasks 1-3 shall not exceed \$80,000.

4.0 CONTRACT PERIOD

The award term will commence on or about March 21, 2022 and end date on or about July 1, 2022.

The successful Respondent will execute a contract with the City of Kingston in substantial conformance with this RFP and the City of Kingston Agreement for Professional Services.

5.0 SCHEDULE OF PERTINENT DATES

Listed below are specific and estimated dates and times of actions related to this RFP. In the event it is necessary to change the return date, the City will issue a supplemental addendum.

| Dates | Milestone |
|--------------------------|---|
| February 7, 2022 | RFP advertised |
| February 28, 2022 | Last day to submit written inquiries |
| March 1, 2022 | Addendum issued if any questions |
| March 8, 2022 2:00 p.m. | Due Date for Proposals |
| March 10-11, 2022 | Selection Committee evaluates proposals |
| Week of March 14, 2022 | Possible Interviews |
| Week of March 21, 2022 | Notice of Intent to Award |
| Week of March 21, 2022 | Contract Start Date |
| On or about July 1, 2022 | Contract End Date |

6.0 BACKGROUND

The Department of Housing Initiatives is a newly established department dedicated to support housing planning in the City of Kingston. The Department manages housing-related grants, supports the construction of new market-rate and affordable housing, develops policies to protect existing residents, and addresses the connection between housing and sustainability, health, and mobility. The Department also reviews the disposition of city-owned property suitable for housing development and collaborates with local and regional housing organizations.

In 2019, the City of Kingston received a grant from LISC's New York State Housing Stabilization Fund to address housing vacancy remediation and prevention and assist in the enforcement of New York State's [Abandoned Property Neighborhood Reflect Act of 2016](#) and the "[Zombie Property Remediation Act of 2019](#)." These so-called "Zombie Laws" require banks to maintain properties during the foreclosure process and compel banks to complete the mortgage foreclosure proceeding. Zombie properties often sit in legal limbo for years, depressing surrounding property values and stressing municipal services. Meanwhile, the interior and exterior of the properties deteriorate.

7.0 RELEVANT LINKS

Information regarding the City of Kingston, its departments, and Laws and Codes can be found at <https://kingston-ny.gov/>. Respondents are encouraged to review this information.

In 2020, the Hudson Valley Pattern for Progress completed a report summarizing the City's vacant and abandoned properties and suggesting various action items. [A Plan for Redevelopment: The City of Kingston's Vacant and Abandoned Properties](#).

[Abandoned Property Neighborhood Reflect Act of 2016](#)

[Zombie Property Remediation Act of 2019](#)

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8.0 SUBMISSION REQUIREMENTS

All Respondents to this RFP are required to submit detailed information as set forth below. Responses that do not materially conform to this outline will not be considered. Additional material and information, as deemed appropriate by the Respondent, may be included in the submission package.

8.1 Receipt confirmation form which follows the cover page of this RFP should be completed and sent to the City of Kingston immediately if planning on submitting a proposal. Failure to file this form may result in no further communications regarding this RFP.

8.2 RFP submissions must be in a sealed envelope addressed to:

Bartek Starodaj
Director of Housing Initiatives
City Hall - 420 Broadway
Kingston, NY 12401

On the face of the envelope, please include:

- 1) Name and Address of Respondent
- 2) RFP Number & Name: RFP #K22-09 Legal Consulting Services for Housing Initiatives

8.3 Responses are due and must be received no later than **Thursday, March 8 at 2:00 p.m.** after which they will be publicly opened. Responses will not be accepted after the due date and time. It is recommended that proposals be submitted in advance, at least one business day prior to the specified date and time to allow for timely receipt.

8.4 General Submission Guidelines:

- Respondents who plan to deliver their proposals on the deadline date should make a delivery appointment by emailing Bartek Starodaj.
- Proposal must be sent electronically via a thumb drive. Printed proposals will not be accepted. Proposals sent via email will not be accepted.
- Respondents are required to complete, and include within their RFP submission, the Information Sheet and Affidavit of Non-Collusion that are included in this RFP.
- Pages should be paginated.
- Illustrations may be included.
- The response will be evaluated on the basis of its content, not length. The proposal shall be clear, concise and include sufficient detail for effective evaluation.
- The City of Kingston will not be liable for any costs incurred by Respondents in the preparation of responses or for any work performed in connection therein.

9.0 PROPOSAL CONTENT

The proposal should include the following information in the order specified:

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- **TITLE PAGE:** Showing RFP number, responder's name, address, telephone, and Identification of the person(s) with the authority to represent and make legally binding commitments for the Legal Consultant. Responder should also clearly identify the name(s) of the contact person responsible for inquiries, if different.
- **COVER LETTER:** A cover letter signed by the duly authorized member of the Legal Consultant identified above.
- **QUALIFICATIONS AND EXPERIENCE:** Information about the Legal Consultant and its qualifications for this project. Respondents must submit proof of that the lead person for the project is an attorney in good standing, admitted to practice in the State of New York. Include information about prior engagements similar to that being solicited herein by the City. Provide names, resumes, and roles of all staff who will be involved in the project, including a description of the experience of each employee who has worked on similar projects. Provide data on the diversity of Respondent's overall workforce, including total number of employees, and percentages of minorities and females employed.
- **PROPOSED PLAN:** A project narrative that describes the Legal Consultant's understanding of the City's needs and the unique value the Legal Consultant will bring to the process. This narrative should explain what steps will be necessary to implement each of the tasks defined in the scope of work, the plan to work with the City, and any additional information that would be beneficial for the evaluation committee to consider. It should include a description of the Legal Consultant's approach to planning, organization and management.
- **REFERENCES:** Provide a minimum of three (3) references, excluding the City of Kingston, for similar projects completed. Include contact name, telephone number, date of contract, dollar value of contract and brief description of the program.
- **TIMELINE:** Project Timeline: A schedule showing the Legal Consultant's proposed timeframes for completing the tasks defined in the Scope of Work.
- **FINANCIAL CONDITON:** Provide information regarding the Legal Consultant's financial condition along with bank and credit references and three most recent audited financial statements. Also include a list of any prior debts involving monetary defaults, bankruptcies or foreclosures; a description of any current or outstanding litigation pending against the Legal Consultant or any of its members; and a description of any litigation brought by or against any individual involved with the project during the last five years.
- **FEE/COST PROPOSAL:** Fee Proposal: An itemized budget including all costs associated with each of the tasks identified in the Scope of Work. The fee schedule supplied will include all items of labor, materials, travel, equipment and other costs necessary to fully provide the service. Administrative costs for printing, postage, next-day mail, photocopying, telephone, printing, and other reimbursable expenses must be detailed. Travel expenses must be estimated and conform to guidelines adopted by the Municipality. Include a not-to-exceed estimate for completing the work described in the RFP. The Fee Proposal must be a document separate from the other parts of the proposal and appropriately identified as such.

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Submittal Checklist - Submissions should include:

- 1) Proposal with content as described above;
- 2) One (1) copy in digital format (pdf on thumb drive);
- 3) Fee proposal in a separate document and identified as such.
- 4) Completed Affidavit of Non-Collusion found at the end of this RFP;
- 5) Completed Information Sheet found at the end of this RFP.

Restrictions

- 1) Proposal submitted via fax or email will not be accepted;
- 2) Submissions received after the scheduled time and date will not be accepted.

Legal Consultant Selection

- 1) The City of Kingston will only consider proposals that meet satisfactory levels of the above criteria.
- 2) Incomplete proposals that do not address all of the requested components will not be accepted for review and consideration.
- 3) The City is not required to accept the proposal that includes the lowest fee offer.
- 4) The City will review all proposals received as a result of the RFP.
- 5) Based on the reviews of the proposals, the City will prepare a list of the top-ranked candidates. The City may organize and conduct interviews of the top-ranked candidates.
- 6) The Legal Consultant will be selected by the City.

10.0 EVALUATION CRITERIA

Only those proposals that contain complete information and required certifications will be considered. All proposals will be evaluated and examined by a committee of City of Kingston representatives using multiple criteria. The project will be awarded to a qualified Respondent who, based on the committee's evaluation, submits the proposal that best meets the City's needs. The selected firm will have extensive experience and comprehensive technical skills, and work collaboratively with the City to implement the project.

Proposals will be evaluated in accordance with applicable City of Kingston procurement policies and procedures. Evaluation will be performed to determine each Respondent's understanding of work to be performed, technical approach, and potential for completing the work as specified in the RFP components and ranking with competing Respondents.

The Selection Committee will choose the Legal Consultant based upon an evaluation of proposals using the following criteria:

- Respondent's demonstrated practice area expertise (60%);
- Respondent's capacity to achieve the City's goals within the specified time period (30%);
- Cost factors (10%)

Minority and women-owned business enterprises are encouraged to apply.

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11.0 METHOD OF AWARD

The City will award this project to the Respondent whose total proposal, in the opinion of the City of Kingston, best meets the above-listed criteria.

A notice of award will not be binding upon the City until the contract has been fully executed by both parties; and the City's ability to enter into a contract with the notice of award recipient is contingent upon funding available to the City.

The successful Respondent will execute a memorandum of understanding with the City of Kingston in substantial conformance with this RFP.

12.0 INQUIRIES

All questions pertaining to this RFP are required to be made in writing no later than **February 28, 2022** and must be submitted using the questionnaire form included within this specification. All questions must be **emailed to Bartek Starodaj at bstarodaj@kingston-ny.gov**. Respondents with a question directly related to this specification are required to cite the particular page and number, section, and paragraph to which the inquiry refers.

All substantive questions received by the above-mentioned deadline will receive a response in the form of an addendum issued no later than **March 1, 2022**.

The addendum will be sent to all Respondents who have registered to receive the RFP. Only an addendum from the City of Kingston will be considered official. Respondents are advised that the City of Kingston cannot ensure a response to any inquiries received after the due date for question submissions.

13.0 TERMS AND CONDITIONS

Instructions to Respondents: All submissions must be in accordance with this Request for Proposals.

RFP Information: The information provided for Respondents is for informational purposes only. It may not be relied upon and does not constitute a representation or warranty by the City of Kingston, its representatives, employees, officers, agents, or consultants that the information contained therein is accurate or complete. No legal commitment, obligation, or liability of the City of Kingston or its representatives, employees, officers, agents, or consultants will arise by use of, or the information relating to, any of these materials.

Revisions, Interpretations, Corrections: Revisions, interpretations, or corrections of specifications made by the City of Kingston will be by addendum issued before the date set forth for the submission of responses to this RFP. Interpretations, corrections, or changes made in any other manner will not be binding, and Respondents will not rely upon such revisions, interpretations, corrections or changes.

Conflict of Interest: The City of Kingston's employees and the immediate family of City of Kingston employees are not permitted to submit a response to this RFP. Furthermore, no official or employee of the City of Kingston will have any personal interest, direct or indirect, in this transaction, nor will any such elected or appointed official, department head, agent, or employee having such an interest participate in any decision, meeting, or evaluation or exert any opinion or influence relating to this transaction that affects his or her personal interests or the interests of any person or entity in which he or she is directly or indirectly interested.

RFP Award Acceptance: The City of Kingston reserves the right at all times to accept or reject in their sole discretion, any or all responses and to waive any defects or technicalities or advertise for new RFP responses where the acceptance, rejection, waiving, or advertising of such would be in the best interest of the City of Kingston. The RFP process may be terminated or modified without notice at any time.

Notice of Acceptance or Rejection: Notice by the City of Kingston regarding either acceptance or rejection of a response to this RFP will be deemed to have been sufficiently given when mailed to the Respondent, or his or her duly authorized representative, at the address indicated in the cover letter accompanying Respondent's submission of a response to this RFP.

Postponement or Cancellation: The City of Kingston reserves the right to postpone or cancel this RFP, or reject all responses if, in its judgment, it deems such action to be in the best interest of the City.

In the event of a postponement or cancellation of this RFP, the City of Kingston will not be liable for any costs incurred by the Respondent in the preparation of their response or for any work performed in connection therein.

14.0 INTERVIEWS

If the Evaluation Committee determines necessary, interviews may be scheduled with selected Respondents as soon as possible after the initial evaluation. This will permit further evaluation and allow

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the Evaluation Committee to inquire further into the experience the Respondent has had on similar projects, willingness and ability to work closely with City of Kingston Staff and others, understanding of the various aspects of the requirements, ability to maintain a schedule and complete the services on time, and other matters deemed pertinent.

15.0 ALTERNATE PROPOSALS

The City of Kingston reserves the right to consider alternatives that are submitted by Respondents and that provide enhancements beyond the RFP requirements. Proposal alternatives may be considered if deemed to be in the best interest of the City. Respondents will clearly identify and explain in detail where such alternatives deviate from, or qualify the terms of, the proposal and specifications as issued.

16.0 COMPLIANCE WITH LAWS, LICENSES AND PERMITS

The Respondent(s) agree that they will fully comply with all applicable Federal, State and City policies, procedures, standards and laws, rules and regulations.

17.0 PERSONNEL IDENTIFICATION

All personnel must carry on their person photo identification (*e.g.*, City of Kingston Municipal Identification Card, New York State driver's license, employee identification badge, etc.) while on City of Kingston property, and must promptly show such identification when requested to do so by any City employee. Representatives of the City reserve the right to reject and bar from the facility, for good and sufficient reason, in the sole discretion of the City, any employee hired by the Legal Consultant.

18.0 INSURANCE

The successful Respondent will bear sole liability for any claims of legal malpractice, professional misconduct or ethics charges arising out of its performance of duties specified herein.

The successful Respondent will agree to indemnify and hold the City of Kingston, its elected officials, and employees harmless against all loss, cost, or damage, on account of injury to person or damage to property as a result of any action or inaction of the successful Respondent or its representatives or agents or subcontractors in performance of this contract and against all fines, penalties or any other losses which the City will be obliged to pay or incur in connection with the performance of the work under the contract.

In addition, the successful Respondent will procure and maintain at his/her own expense and without expense to the City, insurance for liability for damages imposed by law, of the kinds and amounts hereinafter provided, in insurance companies authorized to do business in the State of New York covering all operations under the contract whether performed by the successful Professional or his/her subcontractors. Before the inception of this contract, the successful Professional will furnish to the City a Certificate of Insurance form(s) satisfactory to the City exhibiting compliance with this paragraph and providing that the policies will not be changed or canceled until thirty (30) days written notice has been given to the City. The types and limits of insurance will be as follows:

- a) Workers Compensation as required by Law

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- b) Disability Benefits as required by Law
- c) Professional Liability \$2,000,000.00 (identified as a claim made or an occurrence policy)

19.0 DISQUALIFICATION

The City reserves the right to refuse to issue an award to Respondents that fail to comply with any pre-qualification regulations of the City, if any such regulations or requirements are cited, or otherwise included in the Request for Proposal.

Proposals received from Respondents who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A proposal may be rejected if the Respondent cannot show that it has the necessary ability, resources, and qualified employees to commence the work at the time prescribed and thereafter to perform and complete the work at the rate or within the time specified. A proposal may be rejected if the Respondent is already obligated for the performance of other work that would delay the commencement, performance, or completion of the work described in this RFP.

20.0 FREEDOM OF INFORMATION

The Respondent agrees that the contents of any client file and all work product generated in performance of the duties specified herein shall be made available to the City upon request.

The Respondent further agrees to comply with the Freedom of Information Law (FOIL) and such rules and regulations as the City and the State may from time to time make, including, but not limited to, such rules as may be devised governing access to public documents pursuant to Article 6 of the Public Officers Law, popularly known as the Freedom of Information Law.

Proposals submitted in response to this RFP will be considered public documents and, with limited exceptions, all proposals, including proposals that are recommended for award, will be available for inspection and copying by the public.

All RFP submission materials become the property of the City of Kingston. Proposal submission material will generally be made available for inspection and copying by interested parties upon written request, except when exempted from disclosure under the New York State Freedom of Information Law. The City of Kingston is subject to the New York State Freedom of Information Law, which governs the process for the public disclosure of certain records maintained by the City of Kingston. Individuals or firms that submit proposals to the City of Kingston may request that the City except all or part of such a proposal from public disclosure, on the grounds that the proposal contains trade secrets, proprietary information, or that the information, if disclosed, would cause substantial injury to the competitive position of the individual or firm submitting the information. Such exception may extend to information contained in the request itself, if public disclosure would defeat the purpose for which the exception is sought. The request for exception must be in writing and state, in detail, the specific reasons for the requested exception. It also must specify the proposal or portions thereof for which the exception is requested. If the City of Kingston grants the request for exception from disclosure, the City will keep such proposal or portions thereof in secure facilities.

21.0 AFFIDAVIT OF NON-COLLUSION

The completion AND submission of the Affidavit of Non-Collusion, which is included with this RFP and is required with the submittal, certifies that the prices in the submitted proposal have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other Respondent or competitor.

22.0 SUSPENSION AND DEBARMENT

By submitting a proposal in response to this RFP, each Respondent warrants that neither it nor any of its officers, employees, subcontractors, or agents is excluded or in any other manner barred from doing business with any federal, state, or local agency, municipality, or department. Any misrepresentation or false statement related to a Respondent's status in this regard will result in rejection of such Respondent's submission.

In addition, if the successful Respondent or any of its officers, employees, subcontractors, or agents become excluded or barred in any manner from doing business with any federal, state, or local agency, municipality, or department, during the period in which goods and/or services are provided pursuant to this RFP, the successful Respondent agrees to immediately notify the City's Corporation Counsel of such status. Any misrepresentation or false statement related to the successful Respondent's status in this regard, or any failure by the successful Respondent to immediately notify the City's Corporation Counsel of any change in such status, will result in immediate termination of the City's business relationship with the successful Respondent in addition to such other remedies as may be provided by law, in equity, pursuant to the terms and conditions of this RFP document, or the conditions of the contract, if any, resulting from this RFP.

23.0 IMPLIED REQUIREMENTS

Products and services which are not specifically requested in this RFP, but which are necessary to provide a complete program/project as described herein, will be included in the submitted proposal.

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PLEASE RETURN THE FOLLOWING SHEETS
WITH YOUR PROPOSAL

INFORMATION SHEET

NAME: _____

ADDRESS: _____

TYPE OF ENTITY: Corp. _____ Partnership _____ Individual _____ LLC _____

If a non-publicly owned Corporation:

NAME OF FIRM: _____

DATE OF ORGANIZATION: _____

If an LP, LLP, or LLLP:

PARTNERS: _____

NAME OF PARTNERSHIP: _____

DATE OF ORGANIZATION: _____

** If the business is conducted under an assumed name, a copy of the certificate required to be filed under the New York General Business Law must be attached.*

AFFIDAVIT OF NON-COLLUSION

NAME OF RESPONDENT: _____

BUSINESS ADDRESS: _____

I hereby attest that I am the person responsible within my firm for the final decision as to the prices(s) and amount of this proposal or, if not, that I have written authorization, enclosed herewith, from that person to make the statements set out below on his or her behalf and on behalf of my firm.

I further attest that:

1. The price(s) and amount of this proposal have been arrived at independently, without consultation, communication or agreement for the purpose of restricting competition with any other contractor, Respondent or potential Respondent.
2. Neither the price(s), nor the amount of this proposal, have been disclosed to any other firm or person who is a Respondent or potential Respondent on this project, and will not be so disclosed prior to proposal opening.
3. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from responding to this RFP, or to submit a proposal higher than the proposal of this firm, or any intentionally high or non-competitive proposal or other form of complementary proposal.
4. The proposal of my firm is made in good faith and not pursuant to any agreement or discussion with, or inducement from any firm or person to submit a complementary proposal.
5. My firm has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any other firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an agreement or promise by an firm or person to refrain from responding to this RFP or to submit a complementary proposal on this project.
6. My firm has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any project, in consideration for my firm's submitting a complementary proposal, or agreeing to do so, on this project.
7. I have made a diligent inquiry of all members, officers, employees, and agents of my firm with responsibilities relating to the preparation, approval or submission of my firm's proposal on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

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8. By submission of this proposal, I certify that I have read, am familiar with, and will comply with any and all segments of these specifications.

The person signing this proposal, under the penalties of perjury, affirms the truth thereof.

Signature & Title

Print Name & Title

Company Name

Date Signed _____ Federal ID _____