

WESTCHESTER COUNTY DEPARTMENT OF PLANNING

REQUEST FOR PROPOSALS

2021 Eviction and Foreclosure Prevention Grants

Issue Date: January 10, 2022

NAME OF ORGANIZATION:

PROGRAM TITLE:

DATE OF SUBMISSION:

Instructions:

Interested parties may obtain the complete RFP, including the application, from the Westchester County website for Requests for Proposals at www.westchestergov.com/rfp.

Please be advised that all matters concerning this RFP, from the date of issuance until the contract awards are made, are to be directed in writing to the below named contact person.

Any questions must be sent to Ms. Tarlow no later than 4 p.m. on January 21, 2022. An addendum with the answers to all questions asked will be issued no later than January 28, 2022.

An e-mail proposal MUST be received no later than 4:00 pm on Friday, February 4, 2022. Please deliver to:

PJTT@westchestergov.com

In addition, submit an original document by mail, postmarked no later than February 4 to:

Pamela Tarlow
Westchester County Department of Planning
148 Martine Avenue, Room 432
White Plains, New York 10601

REQUEST FOR PROPOSALS

Westchester County Department of Planning 2022 Housing Stabilization Program - Eviction and Foreclosure Prevention Grants

I. SCOPE OF WORK

The Westchester County Department of Planning (WCDP) is offering this Request for Proposals (RFP) to enable non-profit agencies to apply for a 2022 Housing Stabilization Program - Eviction and Foreclosure Prevention grants to provide assistance to keep low and moderate income Westchester residents from becoming homeless. The County expects it may have multiple sources of funds to pay for the direct assistance to be provided under this program. At least one of these sources of funds must provide assistance to households who have been impacted by COVID-19.

The eligible activities under the Eviction and Foreclosure Prevention grants are to provide counseling and financial assistance for missed rent, utility, property tax, mortgage payments and associated costs in order to keep residents from losing their homes. Households to be assisted must be low to moderate income residents of Westchester County with incomes at or below 60% and at or below 120% of the County Area Median Income (AMI) adjusted for on household size, as published by the US Department of Housing and Urban Development (HUD). The source of funding will determine the income eligibility.

Households to be assisted may be required to demonstrate that they have the ability to pay their rent/mortgage going forward, after the assistance is provided. Households may be eligible for up to four months of financial assistance. Assistance can only be provided for the primary residence of the households seeking assistance.

Rental households to be assisted may be required to demonstrate that they have been denied assistance by the Department of Social Services for the requested arrears – depending on the program funding source. All households must agree in writing that they will not seek Eviction prevention funds from Westchester County, outside of funding they may be eligible for through the Department of Social Services, for at least two years if they are granted funds under this program, and the Proposer must agree to qualify households to be assisted for these requirements if they are granted funds under this program.

Please note that no more than 10% of the funds to be awarded can be used for administrative costs by the non-profit agency. The County may choose to fund the staffing (program delivery) and administrative costs through another source of funds. There is no match requirement for the non-profit agency for these funds.

The total amount of funds available under this grant is to be determined. A first round of recommendations is expected to be made in late March 2022, with the possibility of

additional funds to be awarded at a later date.

II. CATEGORIES OF ELIGIBLE ACTIVITIES

At least one source of funds expected will have a requirement that the need was based on the household having been impacted by COVID-19. As such, documentation will need to be included in these household case files demonstrating this impact. Below are descriptions of activities that can be funded under this RFP:

- A. Rental, Mortgage or Property Tax Arrears – funds may be used to provide rental, mortgage, or property tax assistance to households who:
1. Are at least one month in arrears on rent or mortgage payments or one payment in arrears on the property taxes of their primary residence;
 2. The Proposer deems do not have any financial means to make such payments (*and may have been as a result of the impact of COVID-19*);
 3. The Proposer deems that such payments (or such payments combined with assistance from other sources including a payment plan) will completely satisfy the arrears to the creditor's satisfaction to prevent eviction or foreclosure;
 4. The Proposer deems are at risk of eviction or foreclosure because of owing such payments;
 5. The Proposer deems will be able to continue to afford future payments to be able to stay in their homes for the foreseeable future without additional uncommitted outside assistance; and
 6. Hold a legally binding, written lease for the rental unit or are listed on the mortgage or deed of the owned unit.
- B. Utility Arrears – funds may be used to pay utility arrears assistance to households who:
1. Are at least one month in arrears in utility payments on their primary residence;
 2. The Proposer deems do not have any financial means to make such payments (*may be a result of the impact of COVID-19*);
 3. The Proposer deems that such payments (or such payments combined with assistance from other sources including a payment plan) will completely satisfy the arrears to the creditor's satisfaction to prevent the utility turn-off;
 4. The Proposer deems are at risk of losing their housing because of owing such payments;
 5. The Proposer deems will be able to continue to afford future payments to be able to stay in their homes for the foreseeable future without additional uncommitted outside assistance; and
 6. This assistance may only be provided if the program participant or a member of the same household has an account in his or her name with the utility company or proof of responsibility to make utility payments. Eligible utility services are gas, heating oil, electric, water, and sewage.

Financial Assistance may be used to pay landlords, banks, municipalities, utility companies and

other third parties. Households may not receive direct payments.

III. APPLICATION

There is no form to complete. A completed submission will include:

1. Proposed annual budget
2. Proposer Certification
3. Non-Profit List of Board of Directors with titles and professional affiliations
4. Non-Profit 501C(3) Status Certification, EXEMPT for organizations that already have contracted with the Westchester County Department of Planning
5. Brief summary detailed immediately below.

Briefly describe your agency's program and proposed use of funds to be funded under this RFP. *The responses to the below questions should be no more than three pages.*

1. Describe the type of Eviction and Foreclosure counseling services that your Agency provides and for how long.
2. Describe and quantify the need for the proposed funds and methodology used to justify the need for the funds.
3. Quantify the total number of persons to be assisted under the proposed services. Successful organizations will be required to report on the number of persons and/or households assisted during the contract period and at the end of contract.
4. Describe the enhancements this grant will permit your agency to provide with this grant. Are the staff and office space currently available to implement the program?
5. Do you have the resources to provide eviction and foreclosure prevention counseling services in both English and Spanish? Is any other language assistance provided by your office?

ANNUAL BUDGET

Eligible Program Activities	Amount Being Requested
Eviction Prevention Assistance	
Foreclosure Prevention Assistance	
Staffing Costs (program delivery)	
Administrative Costs	
Total	

PROPOSER CERTIFICATION:

I certify that the application being submitted is accurate and complete. The undersigned agrees and understands that this proposal and all attachments, additional information, etc. submitted herewith constitute merely an offer to negotiate with the County of Westchester and is NOT A BID. Submission of this proposal, attachments, and additional information shall not obligate or entitle the proposing entity to enter into a service agreement with the County of Westchester for the required services. The undersigned agrees and understands that the County of Westchester is not obligated to respond to this proposal nor is it legally bound in any manner whatsoever by the submission of same. Further, the undersigned agrees and understands that any and all proposals and negotiations shall not be binding or valid against the County of Westchester, its directors, officers, employees or agents unless an agreement is signed by a duly authorized officer of the County of Westchester and approved by the Westchester County Board of Acquisition & Contract and by the Office of the County Attorney. It is understood and agreed that the County of Westchester reserves the right to reject consideration of any and all proposals including, but not limited to, proposals which are conditional or incomplete. It is further understood and agreed that the County of Westchester reserves all rights specified in the Request for Proposals. It is represented and warranted by those submitting this proposal that except as disclosed in the proposal, no officer or employee of the County of Westchester is directly or indirectly a party to or in any other manner interested in this proposal or any subsequent service agreement that may be entered into.

Signature of Authorizing Official

Date

Typed Name & Title of Authorizing Official

Phone #

CONTACT (the best person to respond to questions on the proposal):

Contact Person: _____

Phone #: _____ Fax #: _____

E-mail address: _____

ADDITIONAL PROGRAM REQUIREMENTS

Ensuring Confidentiality

To ensure the safety and security of program participants, especially those persons in domestic violence situations, recipients are required to develop and implement procedures to guarantee the confidentiality of records concerning project participants

Reporting Requirements

Recipients of funds will be required to provide annual accomplishment data on the persons and/or households assisted with funds as follows:

1. Total Number of Persons Served by race and ethnicity.
2. Financial Assistance provided to each person or household.
3. Documentation on eligibility of persons or households.

Proposal Evaluation

The County shall apply the following evaluation criteria in selecting a Proposer with whom to commence contract negotiations. Such criteria are not necessarily listed in order of importance. The County reserves the right to weigh its evaluation criteria in any manner it deems appropriate.

- Completeness of RFP response
- Past performance of Organization/Agency
- Organizational development and experience
- Reasonableness of program costs
- Financial feasibility of program
- Level of service (numbers of persons, etc.)
- Type of counseling services provided to clients
- Languages in which counseling services are provided

Proposal Requirements

An e-mail proposal MUST be received no later than 4:00 pm, Friday on February 4, 2022, to:

PJTT@westchestergov.com

In addition, submit an original document by mail postmarked no later than March 2, 2021 to:

Pamela Tarlow
Westchester County Department of Planning
148 Martine Avenue, Room 432
White Plains, New York 10601

- 1) The proposal must set forth that it will constitute a valid, binding and continuing offer at the prices set forth in the proposal for a period of 180 days from the deadline for acceptance of proposals as set forth herein.
- 2) Winning Proposers must complete and submit the forms attached hereto as Schedules “B”, “C”, and “D” after awards are announced.
- 3) The Proposer must return a signed copy of the “Proposer Certification” in Section III. Unsigned proposals will be rejected.
- 4) Proposers may be required to respond to the County to clarify or elaborate on the written proposal.
- 5) No proposal will be accepted from, nor any agreement awarded to, any Proposer that is in arrears upon any debt or in default of any obligation owed to the County. Additionally, no agreement will be awarded to any Proposer that has failed to satisfactorily perform pursuant to any prior agreement with the County.

LEGAL UNDERSTANDINGS

Please take notice, by submission of a proposal in response to this request for proposals, proposing entity agrees to and understands:

- That any proposal, attachments, additional information, etc. submitted pursuant to this Request for Proposals constitute merely a suggestion to negotiate with the County of Westchester and is not a bid under Section 103 of the New York State General Municipal Law;
- Submission of a proposal, attachments, and additional information shall not entitle the proposing entity to enter into a service agreement with the County of Westchester for the required services;
- By submitting a proposal, the proposing entity agrees and understands that the County of Westchester is not obligated to respond to the proposal, nor is it legally bound in any manner whatsoever by submission of same;
- That any and all counter-proposals, negotiations or any communications received by a proposing entity, its officers, employees or agents from the County, its elected officials, officers, employees or agents, shall not be binding against the County of Westchester, its elected officials, officers, employees or agents unless and until a formal written agreement for the services sought by this RFP is duly executed by both parties and approved by the Westchester County Board of Acquisition & Contract and the Office of the Westchester County Attorney.

In addition to the foregoing, by submitting a proposal, the proposing entity also understands and agrees that the County of Westchester reserves the right, and may at its

sole discretion exercise, the following rights and options with respect to this Request for Proposals, except to the extent restricted by applicable law, including, but not limited to, the Westchester County Procurement Policy, as amended:

- To reject proposals that do not conform in all material respects to the RFP or meet the minimum evaluation criteria;
- To reject proposals;
- To issue additional solicitations for proposals and/or amendments to this RFP;
- To waive any irregularities in proposals received after notification to all Proposers;
- To negotiate for amendments or other modifications to proposals;
- To conduct investigations with respect to the qualifications of each Proposer;
- To exercise its discretion and apply its judgment with respect to any aspect of this RFP, the evaluation of proposals, and the negotiations and award of any contract;
- To enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the proposals with one or more of the Proposers;
- To select the proposal that best satisfies the interests of the County and not necessarily on the basis of price or any other single factor in the evaluation criteria;
- While this is a Request For Proposals and not a bid, the County reserves the right to apply the case law under General Municipal Law § 103 regarding bidder responsibility in determining whether a Proposer is a responsible vendor for the purpose of this RFP process;

The County assumes no responsibility or liability of any kind for costs incurred in the preparation or submission of any proposal;

The County is not responsible for any internal or external delivery delays which may cause any proposal to arrive beyond the stated deadline. To be considered, proposals MUST arrive at the place specified herein and be time stamped prior to the deadline.

Contract

After selection of the successful Proposer, and following contract negotiations, a formal written contract will be prepared by the County of Westchester and will not be binding until signed by both parties and approved by the Westchester County Board of Acquisition & Contract and the Office of the County Attorney.

No rights shall accrue to any proposer by the fact that a proposal has been selected by the County for submission to the Board of Acquisition and Contract for contract approval. Said Board has the right to reject any recommendation and the approval of said Board is necessary before a valid and binding contract may be executed by the County.

Non-Collusion

The Proposer, by signing the proposal, does hereby warrant and represent that any ensuing agreement has not been solicited, secured or prepared directly or indirectly, in a manner contrary to the laws of the State of New York and the County of Westchester, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the agreement by any conduct, including the paying or the giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any County employee, officer or official.

Conflict of Interest

The award of a contract is subject to provisions of all Federal, State and County laws. All firms must disclose with their proposals the name of any officer, director or agent who is also an employee of the County of Westchester. Further, all firms must disclose the name of any County officer, employee, or elected official who owns, directly or indirectly, an interest of ten percent or more in the firm or any of its subsidiaries or affiliates.

Proposals Subject to the Freedom of Information Law

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84-90, mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the Proposer's competitive position or constitute a trade secret. Proposers who have a good faith belief that information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall:

- a) insert the following notice in the front of its proposal:

“NOTICE

The data on pages ___ of this proposal identified by an asterisk (*) contains technical or financial information constituting trade secrets or information the disclosure of which would result in substantial injury to the Proposer’s competitive position.

The Proposer requests that such information be used only for the evaluation of the proposal, but understands that any disclosure will be limited to the extent that the County considers proper under the law. If the County enters into an agreement with this proposer, the County shall have the right to use or disclose such information as provided in the agreement, unless otherwise obligated by law.”

and

- b) clearly identify the pages of the proposals containing such information by typing in bold face on the top of each page " *** THE PROPOSER BELIEVES THAT THIS**

**INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE
FREEDOM OF INFORMATION LAW."**

The County assumes no liability for disclosure of information so identified, provided that the County has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction. The contents of the proposal which is accepted by the County, except portions "Protected from Disclosure", may become part of any agreement resulting from this RFP.

MBE/WBE

Pursuant to Local Law No. 27-1997, it is the goal of the County to use its best efforts to encourage, promote and increase the participation of business enterprises which are owned and controlled by persons of color or women in contracts and projects funded by the County. Therefore, the County will ask that, in the event that a Proposer is awarded funds under this grant, they complete the questionnaire attached hereto as **SCHEDULE "B"**.

Disclosure Form

To avoid conflicts of interest and the appearance of impropriety, the Proposer shall be required to complete the Disclosure Form attached hereto as **SCHEDULE "C"**.

Criminal Disclosure Form

The Proposer agrees to complete the Criminal Background Disclosure as required by Executive Order No. 1-2008 and attached hereto as **SCHEDULE "D" through "D-5"** which is hereby incorporated by reference.

<p>CERTIFICATIONS THAT THE PROPOSER WILL BE REQUIRED TO SIGN UPON EXECUTION OF A CONTRACT.</p>

- 1) SCHEDULE "B" - QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN
- 2) SCHEDULE "C" - REQUIRED DISCLOSURE OF RELATIONSHIPS TO COUNTY (Prior to execution of a contract by the County, a potential County contractor must complete, sign and return this form to the County)
- 3) SCHEDULE "D1" - CONTRACTOR CRIMINAL BACKGROUND DISCLOSURE INSTRUCTIONS
- 4) SCHEDULE "D2" - CONTRACTOR AND ALL PERSONS SUBJECT TO DISCLOSURE CERTIFICATION FORM

- 5) SCHEDULE “D3” - CRIMINAL BACKGROUND DISCLOSURE FORM FOR PERSONS WHO HAVE BEEN CONVICTED OF A CRIME
- 6) SCHEDULE “D4” - CRIMINAL BACKGROUND DISCLOSURE FORM FOR PERSONS WHO ARE SUBJECT TO PENDING CRIMINAL CHARGES
- 7) SCHEDULE “D5” - PERSONS THAT REFUSED TO ANSWER (CRIMINAL BACKGROUND)

For specific language regarding these certifications, contact the Westchester County Department of Planning.