



VILLAGE OF OSSINING

REQUEST FOR PROPOSALS

ANALYSIS OF HOUSING VACANCY RATE

IN THE VILLAGE OF OSSINING

FOR RESIDENTIAL PROPERTIES OF

SIX (6) UNITS OR MORE COMPLETED PRIOR TO JANUARY 1, 1974

MARCH 23, 2018

DEPARTMENT OF PLANNING

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I. Project Overview

A. Purpose

The Village of Ossining is interested in retaining a consultant to conduct a vacancy study of all residential properties in the Village of Ossining that were completed prior to January 1, 1974 and contain at least six (6) dwelling units. This study will be used to calculate the vacancy rate for these properties and assist the Village Board of Trustees in determining whether there is a housing emergency as defined by the Emergency Tenant Protection Act (ETPA). This Request for Proposals (RFP) is intended to help the Village of Ossining select a qualified and experienced consultant.

B. Project Expectations

The proposer shall provide a project management team experienced in the design of this type of project to supervise and assume responsibility for all project tasks, activities, and reports. The proposed project shall require, at a minimum, the following steps:

- 1) Establish a list of Parcel ID's with residential units in buildings completed before January 1, 1974 that contain a minimum of six (6) dwelling units.
- 2) Obtain the necessary Owner/Management Company/Superintendent contact information for each parcel and request accurate vacancy/tenancy information from said Owner/Management Company/Superintendent.
- 3) Establish and verify the methodology that will be employed to conduct the study.
 - a. Indicate the methodology for how information will be obtained from Owners/Property Managers/Superintendents and
 - b. How the consultant will verify the authenticity of said information.
- 4) Establish and verify the vacancy rate of each property stated in number 1.
- 5) Establish an overall vacancy rate for all properties.
- 6) Compare the results to the NYS EPTA regulation.
- 7) Determine which of these properties potentially could be subject to ETPA.
- 8) Submit a clear, concise written narrative that explains and supports the findings in the data.
- 9) Attend meetings with Village staff and the Board of Trustees as required.
- 10) Consultant shall be neutral with respect to the Emergency Tenant Protection Act (ETPA).

The Consultant will be required to formally present their findings to the Village Board of Trustees at a Work Session meeting and may be required to attend additional meetings as necessary.

C. Project Contact

The Village Manager and Corporation Counsel will oversee this project. The Village Manager and Corporation Counsel will be responsible for the direction, review, and approval of all work as well as the program administration of the contract for compliance with, and interpretation of, scope, schedule, and budget.

In carrying out these functions, the Village Manager will utilize the various departments and personnel of the Village as required insuring the project is consistent with Village policies, procedures, and experiences.

D. Period of Performance

The Village Board is actively discussing ETPA regulation. This survey is the first step in the process. Therefore, the Board wishes to receive the results as soon as possible. The Trustees believe that the project should not exceed more than **two (2)** months to complete. The period of performance shall commence upon award of a contract to the selected consultant and shall be consistent with the timeline presented in your proposal.

E. Site Visit

Visits to some of the locations may be required to ensure that the information provided by the Landlord/Owner/Property Manager/Superintendent is accurate. Consultants may need to contact tenants and/or occupants of the dwelling units identified in I(B)1 above to supplement and verify the responses in I(B)2.

II. Scope of Work

A. Project Description

The project is to conduct a housing survey as described under I (A) Purpose. The design shall be in accordance with all Federal, State, and Village codes and regulations. The services to be provided comprise every professional discipline and expertise necessary to achieve the Project in the best interest of, and within the amount authorized by, the Village. The service includes attendance at meetings and conferences with the Village and local officials when necessary.

III. General Provisions

A. Statement of Rights

The Village of Ossining reserves the right, and may at its sole discretion exercise, the following rights and options with respect to this Request for Proposals:

1. to reject any and all proposals;
2. to issue additional solicitations for proposals and/or amendments to this Request for Proposals;
3. to waive any irregularities in proposals received after notification to proposers affected;
4. to select any proposal as the basis for negotiations of a contract, and to negotiate with proposers for amendments or other modifications to their proposals;
5. to conduct investigations with respect to the qualifications of each proposer;
6. to exercise at its discretion and apply its judgment with respect to any aspect of this Request for Proposals, the evaluation of proposals, and the negotiation and award of any contract;
7. to enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the proposals;

8. to select the proposal that best satisfies the interests of the Village and not necessarily on the basis of price or any other single factor.

B. Use of Village Documents

During the project, any documents provided to the consultant by the Village, including, but not limited to, drawings, reports and maps, whether in hard copy or in electronic form, shall remain the property of the Village and shall be returned to the Village at such time as they are no longer necessary for the completion of those elements of the scope of work of this contract for which such documents are necessary, but in no case later than the final completion of the scope of work of this contract. The consultant shall use its best efforts to maintain the confidentiality of such documents. The consultant shall only use such documents for the purposes contemplated in the scope of work of this contract and for no other purpose whatsoever. No information shall be provided to any third party without the prior written consent of the Village.

C. Inquiries

All inquiries regarding the Village and the proposal arising during the process of proposal preparation are to be made *in writing or via email* and submitted no later than one week prior to the proposal due date specified in Proposal Delivery, Section IV, G. Answers to those inquiries will be made via certified, via email to all potential proposers.

Inquiries are to be directed in writing to:

Village of Ossining

- Deborah A. McDonnell, Village Manager, dmcdonnell@villageofossining.org

With a copy to:

- Stuart Kahan, Corporation Council, kahan@villageofossining.org

16 Croton Ave, Ossining, NY 10562

Any oral explanations or interpretations of instructions shall NOT be binding on the Village.

D. Addenda and Supplements to Request for Proposal

In the event that it becomes necessary to revise any part of this request for proposals, or if additional information is necessary to enable the proposer to make an adequate interpretation of the provisions of this request for proposals, a supplement to the request for proposals will be provided to each proposer via certified, return receipt mail.

E. Cost of Proposal Preparation

No reimbursement will be made for any costs incurred for preparation of proposals and/or interviews.

F. Contract

If the Village selects a proposal, a formal written contract shall be entered into between the Village and the successful proposer. The proposal, or any part thereof, submitted by the successful proposer, may be attached or become a part of the contract. The contract shall not become binding until signed by both parties and approved by the office of Corporation Counsel of the Village of Ossining.

IV. Proposal Requirements

A. Proposal Content and Format

This Request for Proposals is intended to provide interested consultants with an opportunity to demonstrate their ability to perform the required tasks. The content of the proposal should respond to information presented in this Request for Proposals. The proposal submission shall strictly adhere to the following format, including page limits, and is not intended to be an expensive or elaborate presentation (i.e., black and white, stapled 8½"x11" only). Any proposal that violates these requirements shall be judged non-responsive regardless of the remainder of its contents.

Proposal Format:

- Part A: A brief understanding of the project objectives and scope of work. The methodology to be used should be detailed and explained. This part is limited to five pages.
- Part B: A listing of recent and relevant experience in similar projects that includes the firm's function during those projects (prime or sub-consultant). Three references from the above list including a contact's phone number and an address at the agency where the work was performed. This part is limited to three pages.
- Part C: One-page resumes of the key personnel of the consultant (principal, project manager and project designer only) and all subconsultants (project manager only) that will be assigned to this project. The resume shall indicate each employee's status with the firm (full-time, part-time, per diem, etc.) and length(s) of such employment and knowledge of NYS laws relative to ETPA.
- Part D: The cost for the proposed work should be detailed.
- Part E: A timeline for completing the survey and providing the written report to the Board of Trustees.
- Part F: Complete, sign and submit Compliance Statement (Attachment A)

In addition, after the proposals have been submitted to Ossining Village, interviews with the most qualified responsive parties may be scheduled. Each party may be expected to make a formal presentation on the content of its proposal and its ability to undertake the required work.

B. Proposer Qualifications

The information will need to be presented in an organized and coherent format using precise and appropriate data. The consultant should provide some information on how the data will be presented to members of the public, staff and public officials that will include the requisite technical information and still make the presentation understandable to the layperson and residents.

C. Professional Liability and Other Insurance Coverage

All proposals shall include a statement by the proposer and its subconsultants, if any, concerning professional liability for negligent acts, errors and omissions and any other insurance coverage that would protect the Village of Ossining from loss or harm should the proposal be accepted. Such insurance must be acceptable to the Corporation Counsel.

D. Proposals to be in Effect

Each proposal shall state that it is valid for a period of one hundred eighty (180) calendar days from the date of submission.

E. Signature Requirements

Proposals must be signed by a duly authorized official(s) of the proposer. Consortia, joint ventures, or teams submitting proposals, although permitted, will not be considered responsive unless it is established that all contractual responsibility rests solely with one firm or one legal entity which shall not be a subsidiary or affiliate with limited resources. Each proposal should indicate the entity responsible for contract execution on behalf of the proposal team.

F. Proposal Submission

All respondents are required to submit one (1) original plus 2 copies of their proposal. Any proposal that fails to meet this requirement may be judge non-responsive regardless of the remainder of its contents.

G. Proposal Delivery

Proposals and all attachments shall be submitted by all proposers in sealed envelopes. All proposals must be received no later than 4:00 p.m. on Friday *April 20, 2018*, and should be addressed as follows:

Mary Ann Roberts, Village Clerk
Village of Ossining
16 Croton Avenue
Ossining, NY 10562

Any materials received at a later time and/or date will be judged non-responsive. The Village is not responsible for any internal or external delivery delays that 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.

H. 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 request for proposals 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 the 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 (*) contain technical or financial information which are trade secrets or information for which disclosure would result in substantial injury to the proposer's competitive position. The proposer requests that such data be used only for the evaluation of this proposal, but understands that the disclosure will be limited to the extent that the Village considers proper under the law. If the Village enters into an agreement with this proposer, the Village shall have the right to use or disclose such information as provided in the agreement, unless otherwise obligated by law.

- 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 Village assumes no liability for disclosure of information so identified, provided that the Village 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, except portions "Protected from Disclosure", which is accepted by the Village may become part of any agreement resulting from this request for proposal.

I. Non-Collusion

The proposer, by signing the proposal, hereby warrants and represents that any ensuing agreement has not been solicited or secured, directly or indirectly, in a manner contrary to the laws of the State of New York and the Village of Ossining, 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 Village employee, officer or official.

J. Avoidance of Conflict of Interest

All proposals shall contain an affirmation that the proposer, its employees, and subconsultants, if any, will not seek to participate in this project, either directly or indirectly, except in accordance with the definitive terms of this Request for Proposal.

K. Prohibited Interest of Members, Officials, or Employees of the State of New York, the Village of Ossining and Local Public Bodies

No official, employee, or member of a governing body of Ossining Village, New York State, or a local public body having jurisdiction within Ossining Village, shall have any interest, direct or indirect, in any resultant contract or the proceeds thereof during his or her tenure or one year thereafter. The award of a contract is subject to provisions of all Federal, State and Village laws. All firms must disclose with their proposals the name of any officer, director or agent who is also an employee of the Village of Ossining. Further, all firms must disclose the name of any Village employee who owns, directly or indirectly, an interest of ten percent or more in the firm or any of its subsidiaries or affiliates.

L. Proposer Certification

Proposals shall not be accepted unless the certification annexed hereto as Attachment A is fully executed by the proposing entity.

V. Factors for Selection

A. General

Selection will be based upon the qualification of the proposer, its ability to satisfy the project requirements, schedule and approach as described in the proposal. The Village of Ossining reserves the right, at its sole discretion, to reject any and all proposals and to waive minor irregularities. The Village also reserves the right to select any proposal as the basis for negotiating a contract; to exercise its discretion and apply its judgment with respect to any aspect of this request for proposals; the evaluation of proposals and the negotiation and award of any contract; and to weigh its evaluation criteria in any manner it deems appropriate.

B. Selection Procedures

Proposals will be evaluated by the Village Manager and Corporation Counsel, in accordance with the criteria below. Respondents may be required to make an oral presentation of their proposal.

C. Proposal Evaluation

Proposals will be evaluated using the following criteria:

1. Responsiveness to the Request for Proposals.
2. Demonstrated understanding of the Project Objectives and Scope of Work.
3. Recent and relevant experience in similar projects.
4. Demonstrated reliability to perform and manage projects of the nature.
5. Qualifications and relevant experience of the consultant team.
6. Cost-effectiveness of the proposal.
7. Schedule, availability to meet the timeline requested.

Evaluation criteria are not necessarily listed in order of importance. The Village reserves the right to weigh its evaluation criteria in any matter it deems appropriate. Preference shall be given to Ossining Village based firms.

VI. Attachment

A. Proposer Certification

PROPOSER CERTIFICATION

The undersigned agrees and understands that this proposal and all attachments, additional information, etc. submitted herewith constitute merely an offer to negotiate with the Village of Ossining 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 Village of Ossining for the required services. The undersigned agrees and understands that the Village of Ossining 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 Village of Ossining, its directors, officers, employees or agents unless an agreement is signed by a duly authorized officer of the Village of Ossining and approved by the Corporation Counsel.

It is understood and agreed that the Village of Ossining 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 Village of Ossining 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 Village of Ossining 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.

(Legal Name of Person, Firm or Corporation)

By: _____

(Signature of Authorized Representative)

(Title)

Dated: _____