

**REQUEST FOR PROPOSALS (“RFP”) TO QUALIFIED BUILDERS AND
CONTRACTORS FOR THE CONSTRUCTION OF AFFORDABLE HOMES**

**Brush Hollow Road, 3rd Street, Covert Street
and Brooklyn Avenue
Westbury, New York**

**PRE-PROPOSAL VIEWING: JUNE 25, 2015 2:30 PM
LAST DAY FOR QUESTIONS: JULY 9, 2015 2:00 PM
PROPOSALS DUE: JULY 15, 2015 12:00 PM**

**By:
Town of North Hempstead Community Development Agency
Long Island Housing Partnership, Inc.**

Issued: June 18, 2015

Revision: July 8, 2015

Introduction

The Town of North Hempstead Community Development Agency (the “CDA” and/or “Owner”) in cooperation with Long Island Housing Partnership, Inc. (LIHP) issues this Request for Proposals (“RFP”) for the construction of four (4) Affordable Homes (the “Project”) on the properties known as 876 Brush Hollow Road, Westbury, NY (Section 11, Block 167, Lot 31); 1 3rd Street, Westbury, NY (Section 11, Block 167, Lot 32); 265 Covert Street, Westbury, NY (Section 11, Block 97, Lots 40, 41, 42); and 216 Brooklyn Avenue, Westbury, NY (Section 11, Block 122, Lots 18 and 19) (the “Site”).

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I. The Project

CDA and LIHP's objective is to facilitate the construction of four (4) Affordable Homes in Westbury, New York. The selected Contractor shall enter into a Construction Contract to construct the homes in accordance with (1) the community's downtown revitalization and affordable housing goals and objectives, (2) state and local laws having jurisdiction over the Homes and (3) the related agreement, conditions, plans, specifications and reports in the appendixes of this RFP.

The Owner and LIHP shall price the homes affordable to low-moderate income households.

CDA will provide available Federal and New York State subsidies to make homes affordable to buyers, market the homes, provide buyers for the homes, and provide legal services for the home sale closings in cooperation with LIHP and their affordable housing homebuyer training and housing Lottery programs.

For each of the three new homes constructed, the selected Contractor will provide its own funding for the project until \$175,000 is remaining of the Contract Sum. Thereafter, CDA will pay the remaining Contract Sum of \$175,000; any remaining Contract Sum balance shall be paid to the Contractor following the homebuyers closing. 876 Brush Hollow Road will be funded in its entirety by CDA with CDBG and HOME funds monthly progress payments during construction.

The Contractor shall provide a schedule of items and their respective costs, which will constitute the Contract Sum for each Home. Each Home shall be constructed as per a fixed-price construction contract.

Pre-construction work (plans, permits, securing cash-flow/funding) shall commence upon the signing of the contract.

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II. Upon Selection of Contractor:

1. The Contractor shall promptly, but no later than fourteen (14) days from notification of award, execute and return via personal delivery all project contracts and form documents annexed hereto.
2. The Contractor is required to complete the construction of each home within six (6) months from the date of notification provided that all permits required to begin construction have been obtained and/or a Notice to Proceed has been issued.
3. The Contractor shall at its sole expense, maintain insurance coverage as outlined in the contract.
4. The Contractor is responsible for the implementation of an Affirmative Action Agreement acceptable to Federal and New York State regulations for its employees and sub-contractors, and others as required by its funding sources.
5. The Contractor is required to guarantee completion of the Project via a Completion Guaranty, or Performance and Payment Bonds, or a Standby Letter of Credit, in an amount equal to the contract sum less the Owner's progress payments.
6. Contractor is limited to profit not greater than 10% and Owner reserves the right to perform a certified audit of Contractors records performed by CDA provided independent certified public accountant to verify profit is not greater than 10%.
7. Contractor must provide proposals reflecting **no** NYS Sales Tax. CDA is tax exempt.
8. The Contractor shall keep the work site safe and free from theft, vandalism, dangerous conditions, and injury.
9. Contractor shall be available to meet with LIHP and the CDA prior to and during construction.

III. Funding

In addition, to the Contractor's own funding, this Project is partly funded by the US Department of Housing and Urban Development Home Investment Partnership, Community Development Block Grant, and the New York State Affordable Housing Corporation.

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IV. Description of Work

The Contractor is responsible for constructing three (3) new Homes and substantially renovating one (1) Home in connection with the related agreement, conditions, plans, specifications and reports in the appendixes of this RFP and provide funding for development and construction of the (4) homes as stated above in Section I.

And the homes shall be constructed and/or renovated as follows:

- i. 876 Brush Hollow Road
Westbury, NY
Section 11, Block 167, Lot 31

Address lead based materials, construct onsite and offsite property and utility improvements, demolish portions of existing house to make way for the new work, demolish cottage, and substantially renovate the existing two-story house into a three (3) bedroom, one (1) full bath, one(1) half bath, with a kitchen, living room, study area and basement, in accordance with the construction document(s), plans, specifications and reports annexed to and incorporated by reference in the Construction Contract.

- ii. 3rd Street
Westbury, NY
Section 11, Block 167, Lot 32

265 Covert Street
Westbury, NY
Section 11, Block 97, Lots 40, 41, 42

216 Brooklyn Avenue
Westbury, NY
Section 11, Block 122, Lots 18 and 19

On each property construct onsite and offsite property and utility improvements and three (3) two story Homes consisting of dining room, living room, kitchen, closets and half bathroom on the first floor and full bathroom, (3) bedrooms, closets and laundry closet on second floor and cellar and attached garage in accordance with Development II-3rd Street plans and specifications annexed to and incorporated by reference in the Construction Contract.

Applicants are expected to engage in due diligence including making a thorough examination of each site. Complete and itemized site improvements and preparation costs are to be included in the proposal for each site (including removal of any existing structures, foundations, fencing and noxious or dying plant or tree growth). Contractor is responsible for researching the Building Department records to uncover any latent issues that may affect development of the Site. Neither the CDA nor LIHP shall honor requests for Contractor

omissions or cost over-runs.

The Contractor shall be responsible for obtaining all permits, authorizations, etc. as set forth in the Owner Contractor Plans and Approvals Schedule located in Appendix C of this RFP.

Whether selected or not the applicant will remain eligible for future development projects assuming there are no changes in the applicant's condition.

V. Tentative Construction Schedule

Construction is expected to begin in August 2015 and to be completed in the winter of 2015

VI. RFP Due Date

Proposals shall be received by Town of North Hempstead Community Development Agency at 51 Orchard Street, Roslyn Heights, NY 11577 no later than **12:00 PM on July 15, 2015** in a sealed envelope marked "Proposals for Scattered Sites".

VII. Questions

Questions regarding this RFP are due by fax or email before 2:00 PM July 9, 2015 and should be addressed to:

Joseph Santamaria, Assistant Executive Director

Fax: (516) 626 3953

Email: santamariaj@northhempsteadny.gov

VIII. Site Visit & Review

A site review and visit shall be held on June **25, 2015 from 2:30 PM to 3:30 p.m.** beginning at 876 Brush Hollow Road, Westbury, New York 11590. The remaining sites shall be visited and reviewed immediately thereafter. A CDA representative will be present to address questions. It is mandatory respondents register for this RFP at the site viewing.

IX. Issuance of Addenda

Should it become necessary to revise any part of this RFP, provide additional information necessary to adequately interpret provisions and requirements of this RFP, or respond to written inquiries concerning the RFP, an Addendum to the RFP shall be provided to all Respondents registered for this RFP.

X. Submission Address

Please address all requirements of the RFP, answer all questions, furnish the requested materials and any other materials you consider pertinent to your submission and return them in a sealed envelope to:

Town of North Hempstead Community Development Agency
51 Orchard Street
Roslyn Heights, NY 11577
Attn: Proposals for Scattered Sites

XI. Proposal Due Date

Sealed proposals must be received by the CDA no later than 12:00 PM on July 15, 2015.
Late proposals will not be considered or returned.

XII. Presentation

The CDA Reserves the right to interview applicants or request that applicants conduct a presentation in conjunction with their proposals.

XIII. Liability for Costs

The CDA shall not be liable for any costs incurred by the applicant prior to, during, and/or after the issuance of a contract pursuant to this RFP unless such liability is expressly stated in the Construction Contract.

XIV. RFP Responses

Applicants must submit a complete response to the RFP in the form of one (1) original, three (3) copies and (1) one digital copy, which shall be recorded on a compact disc.

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XV. Proposal Content

The following documents are required to be submitted with each applicant's response to the RFP:

1. A signed cover letter detailing the company's profile, past experience on similar projects, contract sum per home, the amount of time it will take to construct the homes, the ability to commence work in August 2015, the funding source or sources, and how the proposer chooses to guarantee completion of the projects by either Completion Guarantee, or Payment and Performance Bond or Standing Letter of Credit.
2. A completed Contractor's Qualification Statement, located in Appendix A of this RFP.
3. The financial statements of the applicant for the last two years.
4. Non Collusive Proposal Certification, located in Appendix A of this RFP.
5. Evidence of financing or ability to provide cash flow to meet the obligations of the project (i.e. cash on hand, or from activities, or available line of credit).
6. Evidence of being able to provide at the applicant's choice either a Completion Guarantee, or a Payment and Performance Bond or a Standing Letter of Credit which shall guarantee completion of the project in an amount equal to the Contract Sum less the Owners payments during the agreement. See documents in Appendix C of this RFP.
7. Addenda Acknowledgment Form, if any Addenda(s) are issued by CDA, prior to submission of the applicant's proposal located in Appendix A of this RFP.
8. Statement of intention to hire women and minority owned businesses and to employ local providers of goods and services.
9. Each applicant is required to complete, sign, and submit with their proposal, the Contract Sum for each of the four (4) homes to be constructed, Option Amounts and Contingency Reserve amounts on the Contract Amounts Forms located in Appendix A of this RFP.
10. Each applicant is required to submit a cost out schedule or schedule of values constituting the Contract Sum for each home, which shall include all construction material, fixtures, appliances, services, work, and fees necessary to construct each of the four (4) homes on Cost Out Form located in Appendix A of this RFP.

By submitting a proposal applicant agrees that construction shall begin August 2015.

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XVI. Proposal Evaluation

Proposals shall be evaluated based on how well they meet the objectives of the Project and shall consider the following, but not limited to:

- Affordability
- Related experience
- Strength of references
- Evidence of cash flow and/or funding to meet Contract obligations
- The ability to guarantee completion of the Project (i.e. Completion Guarantee, or Performance and Payment Bonds, or Letter of Credit)
- Schedule of completion

XVII. Distribution of the RFP

This RFP is being distributed to potential applicants from a list of qualified contractors and builders provided by the LIHP, referrals from the Long Island Builders Institute and shall be published on the Town of North Hempstead website, and advertised in a general local newspaper.

XVIII. Proprietary Rights

By submission of plans, specifications, designs, or information, the applicant represents that there are no proprietary rights in any such plans, specifications, designs, or information provided by the undersigned to the CDA, and all of same may be utilized in any fashion by the CDA, its agents, representatives, or employees in any manner in its sole, arbitrary and non-reviewable discretion without any liability to the undersigned thereof.

XVIII. Rights Reserved by the CDA

CDA in their sole discretion may cancel this RFP in whole or in part, reject all or some proposals submitted, or award a contract in whole or in part, when it is determined by the CDA to be in the best interest of CDA.

Material furnished pursuant to this RFP will be shared with the Board of the CDA, Long Island Housing Partnership, Inc., and its affiliates, and the Town of North Hempstead. CDA reserves the right to recommend awarding of a construction contract pursuant to this RFP based upon written proposals received without prior discussion or negotiation with respect to those proposals.

This RFP shall be considered part of the Construction Contract and is incorporated by reference therein.

Any contract awarded by CDA in connection with the RFP shall be subject to approvals as required by applicable federal, state, or local laws, rules, and regulations.

CDA reserves the right to review and approve drawings, plans, specifications, estimates, budgets, financing, and subcontractors for the project with respect to conformance with goals and requirements of this RFP.

CDA reserves the right to request additional information from any or all applicants when it deems it necessary to clarify information contained in a proposal.

CDA is not required to choose the lowest proposal amount.

All decisions of the CDA will be made in its sole, arbitrary, and non-reviewable discretion.

This RFP and any Construction Contract resulting therefrom are subject to all applicable laws, rules and regulations promulgated by any Federal, State or local authority having jurisdiction over the subject matter thereof, as the same may be amended from time-to-time.

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APPENDIX A

PROPOSAL FORMS

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APPENDIX B

CONTRACT, PLANS, SPECIFICATIONS

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APPENDIX C

ADDITIONAL CONTRACT DOCUMENTS

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