HOUSING TRUST FUND CORPORATION

MEETING OF THE MEMBERS

THURSDAY, MARCH 12, 2020
2 P.M.
March 5, 2020

To: Housing Trust Fund Corporation Members

From: Secretary of the Board

Subject: Housing Trust Fund Corporation Meeting

Please find enclosed, the agenda materials for the Housing Trust Fund Corporation board, governance committee and audit committee meetings on Thursday, March 12, 2020 at 2:00 p.m. The meetings will be held at New York State Homes and Community Renewal’s offices at 641 Lexington Avenue, New York, New York and 38-40 State Street, Albany, New York.

We look forward to seeing you.
AGENDA FOR THE MEMBERS’ MEETING OF THE
HOUSING TRUST FUND CORPORATION
MARCH 12, 2020, 2 P.M.

Action Items:

1. Approval of the Minutes of the Meeting held on January 30, 2020
2. Resolution Ratifying Authorization of Signatory Authority for the Office of Finance and Development
3. Resolution Ratifying Authorization of Awards under the Homes for Working Families Program and the Community Investment Fund Program for East Lake Commons
4. Resolution Authorizing the Appointment of SEQRA Officer
5. Resolution Authorizing the Appointment of SEQRA Officer for the Governor’s Office of Storm Recovery
6. Resolution Authorizing the Submission of the Administrative and Programmatic Budget to PARIS
7. Resolution Authorizing an Increase in a Small Rental Development Initiative – HOME Program Award for Interfaith Council for Action
8. Resolution Authorizing 2019 New York State HOME Local Program Awards
9. Resolution Authorizing 2019 New York State CDBG Housing Program Awards
10. Resolution Authorizing Community Development Block Grant Economic Development Funds for the City of Cortland for New York Hemp Oil
11. Resolution Authorizing Community Development Block Grant Economic Development Funds for the Town of Ellicott for Arktura
12. Resolution Authorizing Community Development Block Grant Economic Development Funds for Livingston County for Old Stumpblower Cider Works
13. Resolution Authorizing Community Development Block Grant Economic Development Funds for the Village of Middleburgh for Kaskazini Kitchen
14. Resolution Authorizing Community Development Block Grant Economic Development Funds for Schoharie County
15. Resolution Authorizing Entry into a Legal Contract with Sive Paget for Section 8
16. Resolution Authorizing the Extension of a Contract with Armand
17. Resolution Authorizing the Extension of a Contract with Hill International
18. Resolution Authorizing the Extension of a Contract with Mckissack and Mckissack
19. Resolution Authorizing the Extension of a Contract with M.J. Engineering
20. Resolution Approving the Extension of a Contract with Tectonic Engineering and Surveying Consultants
21. Resolution Authorizing an Award of Imperiled Project Funds for Red Mill Apartments
22. Resolution Authorizing the Transfer of Housing Choice Vouchers Allocated to the Village of Island Park to the Housing Trust Fund Corporation
23. Resolution Authorizing the Transfer of Housing Choice Vouchers Allocated to the Village of Farmingdale to the Housing Trust Fund Corporation
24. Resolution Authorizing Entering into a Contract for Housing Choice Voucher Services

Informational Items:

25. Annual Review of Morris Manning and Martin Contract for Section 8 Services
26. Annual Review of Guidehouse Holdings Contract for Section 8 Services
27. Review of SEQRA Type II Summary
28. Review of Authorized Contracts under the Governor’s Office of Storm Recovery
29. Review of SEQRA Determinations under the Governor’s Office of Storm Recovery
MINUTES OF THE MEETING OF THE MEMBERS OF THE
HOUSING TRUST FUND CORPORATION (“HTFC”)
HELD ON JANUARY 30, 2020 AT 2:45 P.M.

Locations: New York State Homes and Community Renewal, 641 Lexington Avenue, New York, New York
New York State Homes and Community Renewal, 38-40 State Street, Albany, New York

Locations connected by video and phone-conference

MEMBERS PRESENT:
RuthAnne Visnauskas, Chairperson
Alex Valella, representing Kenneth Adams, Member
Holly Leicht, Member

OTHERS PRESENT:
Rachel Bruce
Daniel Buyer
Mark Colon
Rebecca Koepnick
Dwight Kwa
Crystal Loffler
Sara Malkoukian
Betsy Mallow
Stacey Mickle
Diana Nebiolo
Lisa Pagnozzi
Jason Purvis
Nanika Shaw
Heather Spitzberg
Melina Stratos

There was a quorum with three Members present. Mr. Valella made a motion to call to order the meeting of the Members of the HTFC. The motion was seconded by Ms. Leicht.

The first item on the agenda was the approval of the minutes of the meeting held on December 12, 2019. The minutes were deemed approved.

The next item on the agenda was a resolution ratifying the authorization of awards under the New York Main Street Program.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:
Section 1. The Members hereby ratify the authorization of awards under the NYMS Program to the following applicants and in the amounts identified:

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Project Name</th>
<th>Activity Type</th>
<th>Project City</th>
<th>Region</th>
<th>Recommended Award</th>
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<tr>
<td>Livingston County Development Corporation</td>
<td>American Hotel Reuse Analysis</td>
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<td>MARK Project, Inc.</td>
<td>Margaretville NYMS Technical Assistance Project</td>
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Section 2. The Members hereby ratify the approval to enter into regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such terms and conditions as set forth in the NYMS Program guidelines.

Section 3. The Members hereby ratify the authorization of the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall be immediately effective.

The next item on the agenda was a resolution ratifying the authorization of awards under the Community Development Block Grant Program.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby ratify the authorization of awards in the total amount of $20,222,621 under the CDBG Program from the Consolidated Funding Application allocation to the following applicants and up to the amounts identified below:
<table>
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<tr>
<th>Applicant</th>
<th>Activity Type</th>
<th>County</th>
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Section 2. The Members hereby ratify the approval to enter into regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such terms and conditions as set forth in the CDBG Program guidelines.

Section 3. The Members hereby ratify the authorization of the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall be immediately effective.

The next item on the agenda was a resolution authorizing the allocation of surplus Rural Rental Assistance Program funds. Mr. Buyer presented the allocation of funds summarizing the main points contained in the related memo.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize a one-time investment of up to $4 million in energy upgrades and health and safety repairs in RRAP properties through the P+ Initiative.

Section 2. The Members hereby authorize the allocation of funds for up to 400 additional units to receive rental assistance through RRAP.

Section 3. The Members hereby authorize the President or Vice President of the Office of Housing Preservation or any Senior Officer to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

The next item on the agenda was a resolution authorizing an increased award for the Village of Westbury Downtown Revitalization Initiative. Ms. Loffler presented the proposed award increase summarizing the main points contained in the related memo.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

<table>
<thead>
<tr>
<th>Town</th>
<th>Public Water</th>
<th>County</th>
<th>Region</th>
<th>Amount</th>
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<tr>
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Section 1. The Members hereby authorize an increase of the DRI award in an amount up to $576,900 to the Village of Westbury for its Recreation & Community Center and Westbury Arts Council Space projects.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC to execute any documents or contract amendments which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

The next item on the agenda was a resolution authorizing an award of CDBG Economic Development Funds to the Town of Wheatfield for Barge Brewing Company. Mr. Purvis presented the proposed award summarizing the main points contained in the related memo.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby approve an award of $266,000 under the CDBG Program to the Town of Wheatfield to assist Barge Brewing Company, LLC.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

The next item on the agenda was a resolution authorizing the extension of a contract with Enhanced Business Systems. Ms. Mickle presented the proposed contract extension summarizing the main points contained in the related memo. Mr. Valella asked whether the proprietary nature of the EBS platform may create problems in the event EBS went out of business and also asked why the HTFC does not use a non-proprietary system. Chairperson Visnauskas asked if the HTFC would eventually stop using the EBS platform in context of a larger ongoing system overhaul. Ms. Mickle provided additional detail in response to each question.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize the Corporation to extend its contract with EBS for the provision of Accounting System Automation Services for a two year period.

Section 2. Affirmative concurrence is hereby provided by the Board for the determination not to enter into a new competitive award process at this time in connection with the services provided by EBS with the understanding that such
determination will result in the continued retention of the EBS contract exceeding five years in duration without a new competitive selection process being conducted, as indicated in the memorandum accompanying this resolution.

Section 3. The designated Senior Officer of the Corporation is hereby authorized, subject to this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

The next item on the agenda was a resolution authorizing entry into contracts with firms for Davis Bacon Services. Ms. Pagnozzi presented the proposed panel of contract firms summarizing the main points contained in the related memo. Mr. Valella asked whether Clampett Industries and Bureau Veritas were effectively the same party and Ms. Pagnozzi provided additional details.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:

Section 1. The Members hereby authorize the Corporation to enter into contracts with Firms on the Corporation’s Panel for the provision of Davis Bacon Services, on an “as-needed” basis, for up to a seven year period and up to an amount not to exceed $1,120,000 for total expenditures among all firms on the Panel for the period commencing June 2015 and ending January 2022.

Section 2. Affirmative concurrence is hereby provided by the Boards for the determination not to enter into new competitive award processes at this time in connection to the Davis Bacon Services provided by firms on HTFC’s Panel with the understanding that such determination will result in the continued retention of firms under Davis Bacon Services contracts exceeding five years in duration without a new competitive selection process being conducted, as indicated in the memorandum accompanying this resolution.

Section 3. The Chief Executive Officer, or another designated Senior Officer of the Corporation, is hereby authorized, subject to this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

The next item on the agenda was a resolution authorizing the documentation and classification of Canalside Mobile Home Park. Ms. Spitzberg presented the proposed documentation and classification summarizing the main points contained in the related memo.

Mr. Valella moved to adopt the resolution; Ms. Leicht seconded the motion, and the following resolution was adopted:
Section 1. The Members hereby accept the SEQRA documentation for Canalside Mobile Home Park and hereby adopt the recommendation that this project be classified as an unlisted action with a negative declaration under SEQRA.

Section 2. The Members hereby authorize HTFC’s SEQRA Officer or any authorized agent or officer to execute any documents in accordance with the applicable provisions of law to effectuate the purpose of this resolution.

Section 3. This resolution shall take effect immediately.

The next nine items on the agenda were resolutions proposing contract extensions for firms providing services to the Governor’s Office of Storm Recovery. Ms. Shaw presented the proposed extensions summarizing the main points contained in the related memos. Mr. Valella and Ms. Leicht proposed that GOSR complete the currently ongoing competitive RFP process and bring the proposed contract awards before the HTFC Board at a future meeting when the RFP process has been completed. Chairperson Visnauskas noted that the contracts currently in place are effective through March 2020. Chairperson Visnauskas asked whether it was expected that some of the proposed 12-month contract extensions may need to be further extended beyond the 12-month term and Ms. Shaw answered affirmatively. No resolutions were adopted.

The remainder of the items were informational items and did not require board action.

The next item on the agenda was a review of the SEQRA Type 2 Actions.

The next item on the agenda was a review of authorized contracts under the Governor’s Office of Storm Recovery.

The last item was a review of SEQRA Determinations under the Governor’s Office of Storm Recovery.

There being no unfinished business, Chairperson Visnauskas moved to adjourn the Board meeting, Ms. Leicht seconded the motion, and the meeting was adjourned at 3:07 p.m.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
CONFIRMING THE DESIGNATION OF AUTHORIZED SIGNATORIES
OF THE CORPORATION

WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, pursuant to Article V, Section 4, the Members may expressly designate any officer or agent to be an authorized signatory for the Corporation for specific or general purposes; and

WHEREAS, due to need for additional signature authority for the HTFC, staff is recommending that Jason Pearson and Arnon Adler be designated as authorized signatories for all activities undertaken by the Office of Finance and Development;

WHEREAS, on February 11, 2020, the Members authorized certain awards pursuant to Article 3, Section 5 of the HTFC’s By-Laws, with the authorization subject to ratification; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby ratify the designation of Jason Pearson and Arnon Adler to each act as agent of the HTFC and to be an authorized signatory for all activities undertaken by the Office of Finance and Development.

Section 2. This resolution shall be immediately effective.

Dated: March 12, 2020
FROM: Nicole Ferreira, Senior Vice President, Office of Finance and Development  
TO: Housing Trust Fund Corporation Board Members  
SUBJECT: Homes for Working Families ("HWF") and Community Investment Fund Awards Authorization – East Lake Commons  
DATE: February 6, 2020

Project Summary

East Lake Commons ("Project") will use the Agency’s investment to finance the demolition of the existing vacant Midtown Shopping Center and the new construction of a 5-story building consisting of 70 affordable units and a ground floor commercial space. All units will be set aside for households at or below 80% of the Area Median Income ("AMI") adjusted for family size for Syracuse, NY MSA. Of the total, thirty-eight (38) units will be set-aside for households with income at or below 50% AMI. Twenty (20) units will be set-aside for households with income at or below 60% AMI. Twelve (12) units will be set-aside for households with income at or below 80% AMI.

The Project will include eighty-seven (87) outdoor parking spaces, of which, 30 spaces will be reserved for public use and the rest of the spaces (57) will be reserved for the residents. There will be approximately 3,500 square feet of commercial space.

The Project achieves several Agency goals, including addressing specific local housing needs and promoting community revitalization.

Project Location: 18 East Cayuga Street, City of Oswego, Oswego County, NY 13126

Total Units: 70

Unit Distribution:

<table>
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<th>Income</th>
<th># of Units</th>
</tr>
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<tbody>
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</tr>
<tr>
<td>Total</td>
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<td>Total</td>
<td>70</td>
</tr>
</tbody>
</table>
Funding Recommendation:

- Award of Homes for Working Families (“HWF”) Subsidy Loan up to the amount of $2,000,000 ($17,143 per unit).
- Award of Community Investment Fund (“CIF”) Subsidy Loan up to $647,550 ($9,251 per unit).

Agency Priorities:

- Address Specific Local Housing Needs
- Prevent and End Homelessness & Support Vulnerable Populations
- Preserve Housing and Promote Community Revitalization
- Promote Racial and Economic Integration

Projected Job Creation: 128 construction; 2 permanent

HFA Type: ☑ All Affordable ☐ Mixed Income ☐ 80/20

Construction Type: ☑ New Construction ☐ Adaptive Reuse ☐ Preservation

Energy Efficiency Standard & Features:

- ☑ New York State Energy Research & Development Authority (NYSERDA) Incentive Programs
- ☑ U.S. Environmental Protection Agency (EPA) ENERGY STAR Programs
- ☑ Enterprise Green Communities Criteria
- ☑ Passive House Institute US (PHIUS) or Passive House Institute (PHI)
- ☑ National Green Building Standard
- ☑ Leadership in Energy and Environmental Design (LEED)
- ☐ Moderate Rehabilitation
- ☑ HFA Mandatory Green & Energy Conservation Certification

Key Features: Energy Star certified HVAC system and appliances, double pane windows with low emissivity glass, low-flow plumbing fixtures, exterior walls will have high insulation value, exterior LED lighting will have timers or photocell controls.

Total Development Cost (“TDC”): $ 25,416,708 ($363,096 per unit)

HCR Funding Sources and Subsidies (amounts approximate)

- $13,585,000 maximum fixed-rate, tax-exempt bonds and mortgage loan ($194,071 per unit).
- $663,204 estimated annual allocation of 4% “as of right” Low Income Housing Tax Credits (“LIHTC”) ($9,474 per unit).
- $8,657,360 estimated HFA New Construction Program (“NCP”) funds ($123,677 per unit) or another available HFA subsidy source.

Other Sources and Subsidies (amounts approximate)

- Brownfield Tax Credit equity: $2,779,503 ($39,707 per unit)
- NYSERDA funds: $62,700 ($896 per unit)
EAST LAKE COMMONS

- NYS Downtown Revitalization Initiative (“DRI”) Grant: $2,000,000 ($28,571 per unit)
- Empire State Development Grants Program (“ESD Grant”): $800,000 ($11,429 per unit)
- National Grid Grant (“NG Grant”): $250,000 ($3,571 per unit)
- The Project will benefit from a 30-year Payment in Lieu of Taxes Agreement (“PILOT”) with the County of Oswego Industrial Development Agency. The PILOT will be calculated at $60,000 per year for the first year with an annual adjustment of 2% per year. The payment is approximately 9.6% of effective gross income.

**Financial Partners**
Investor Limited Partner: Red Stone Equity Partners, LLC (“Redstone”)
  - LIHTC pricing at $0.95
  - Brownfield Credit pricing at $0.72

Mortgage Credit Enhancer: Construction – Citibank N. A. (“Citi”)
  Permanent – SONYMA Mortgage Insurance Fund (“MIF”)

**Project Team**
Borrower: East Lake Commons LLC, a single-purpose entity controlled by Home Leasing LLC.

Developer: Home Leasing LLC (“Home Leasing”), a for-profit New York limited liability company, whose principal is Nelson Leenhouts.

General Contractor: Home Leasing Construction, whose principal is Tony D’Arpino.

Management Company: Home Leasing LLC.

Architect: Architecteam, whose principal is Brian H. Hanson.

**Project Description**
The Project represents the culmination of several years of planning and design for the site that will transform a city block into a vibrant community near the Oswego River on the City’s east side. The Project will consist of the demolition of the vacant two-story Midtown shopping center built in late 1960s and the new construction of a 5-story mixed-use building containing 70 affordable units and 3,500 square feet of ground-floor commercial space.

**Location**
The Project is located at 18 East Cayuga Street between East 1st Street and East 2nd Street on the east side of the Oswego River in the City of Oswego’s Central Business District. The Project site is within one block from the county courthouse and the public library. Retail shops, houses of worships, schools, banks and medical facilities are within walking distance from the Project site. The Project received the Downtown Revitalization Initiative Grant intended to spur additional development in Oswego. The Project is consistent with Oswego’s 2020 Vision Plan as it will remove blight and develop on underutilized parcel.

**Building**
The proposed 5-story building has been designed to be linear in shape and will utilize a podium style design. The ground-floor commercial area will be constructed of concrete material and the residential units will be composed of fire-resistant wood. The façade of the structure will bring a
modern, vibrant appeal to the busy corner with a variation of colored metal panels, brick veneers, and pre-cast stone sills incorporated into the design. The new building will have a total of 76,000 square feet.

The Project will contain 46 one-bedroom units and 24 two-bedroom units affordable to households earning at or below 80% Area Median Income (‘AMI”) adjusted for family size for Syracuse, NY MSA. Of the total, thirty-eight (38) units will be set-aside for households with income at or below 50% AMI. Twenty (20) units will be set-aside for households with income at or below 60% AMI. Twelve (12) units will be set-aside for households with income at or below 80% AMI. The Project has elected to Income Average.

All units will have air conditioning and dishwashers, and each floor will also have its own lobby and building services room. The building will be serviced by a central elevator accommodating those who live on floors two to five, as well as two stairwells. Amenities for residents will include a laundry room with seating area, a fitness room, public restrooms, bicycle storage and a community room with access to an outdoor patio.

The Project will include approximately 57 parking spaces for the tenants.

Acquisition
The Project site is comprised of two parcels: the shopping center parcel and the adjacent parcel which was formerly a 180-space two-story parking garage demolished in late 2017. Both parcels are currently owned by a subsidiary of Sutton Real Estate (“Sutton”), a seller unrelated to the Borrower. Home Leasing has an executed purchase and sale agreement with Sutton for both parcels at a price of $950,000. The acquisition price is supported by an independent appraisal commissioned by Citibank. The two tax parcels will be merged after closing. Through a lease-lease-back structure, the Borrower will lease the Project to the County of Oswego Industrial Development Agency who will then sublease the Project back to the Borrower.

Development Team Capacity

Developer and Management Company
Based in Rochester, New York, Home Leasing, LLC is a private, family-owned company operating in New York, Pennsylvania and Maryland. The company’s services include development, construction and property management. It most recently closed the 114-unit Penfield Square Apartments and the 72-unit Union Square Apartments with HFA in 2019.

General Contractor
Home Leasing Construction LLC is a full-service construction company licensed to operate in New York, Pennsylvania, and Maryland. The company is responsible for each Home Leasing project, from the funding application phase through construction, and is committed to producing efficient and sustainable designs and exceptional building quality. The company most recently worked on the previously cited Penfield Square Apartments and Union Square Apartments financed by HFA. Its experience includes both multi-family and single-family residential construction as well as commercial construction, with project values ranging from $1M to $27M in total cost. Between 2008 and 2017, the organization successfully constructed 19 multi-family residential projects.
Financing

The requested $12,350,000 of bond financing at construction is an amount sufficient to meet the Fifty Percent Test required under the Internal Revenue Code Section 42(h)(4)(B). At permanent conversion, $1,310,000 of bonds will be outstanding on a permanent basis, accounting for approximately 5.15% of TDC. The Federal LIHTC will generate equity proceeds of $6,299,809, equal to approximately 24.79% of TDC, with the balance of TDC funded by HFA NCP funds, HCR CIF funds, HCR HWF funds, various State grants, National Grid Grant and Borrower equity in the form of deferred developer fee. The Borrower’s aggregate equity exposure will equal at least 10% of TDC.

The bonds for this Project will be issued under the Affordable Housing Revenue Bonds Bond Resolution and will be secured in accordance with the terms of the General Resolution. Supplemental Security will be provided during both the construction and permanent periods. Citibank will provide a letter of credit as security for the construction loan and SONYMA Mortgage Insurance Fund will provide insurance on the permanent loan.

The Agency performed a due diligence investigation of all the relevant parties and entities related to the financing and all issues of potential concern identified by the Agency were addressed and/or resolved. A public hearing will be held on the Project and any material comments made at the hearings by members of the public will be considered by the Agency and reported to the Board.

Environmental Review

- The City of Oswego, acting as lead agency, conducted a coordinated review for a Type I action, pursuant to the State Environmental Quality Review Act. HFA was not an “involved agency” but does not dispute the City of Oswego’s designation as lead agency. Staff recommend that Members concur with the Negative Declaration adopted by the lead agency.

- The proposed action has been reviewed by the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") in accordance with Section 14.09 of the New York State Historic Preservation Act of 1980 and has determined that the project will have “No Impact” upon historical resources.

- The Agency requires a Phase I Environmental Site Assessment (“ESA”) Report. A Phase I ESA was prepared on February 12, 2018 and a Phase II ESA was conducted in May 2018 which identified contamination that will be remediated under NYSDEC oversight.

- The Project has been reviewed by the Agency's Smart Growth Advisory Committee, and the Committee has determined that the proposed Agency financing of the Project complies with the State Smart Growth Public Infrastructure Policy Act.

Economic Opportunity & Partnership Development
EAST LAKE COMMONS

This Project is anticipated to meet the Agency’s Minority and Women-owned Business Enterprise (“MWBE”) and Service-Disabled Veteran-owned Business (“SDVOB”) participation goals. Prior to closing, a cost analysis will be completed to set the final levels of participation.

RECOMMENDATION AND REQUEST FOR AUTHORIZATION

Staff has reviewed the preliminary underwriting data supplied by the Borrower and determined that the Project meets the stated mission of the Agency and (i) the projected revenue and expenses are reasonable, and (ii) given these projections, the Project satisfies the underwriting criteria of the Agency.

Therefore, staff recommends that the Members adopt the resolutions transmitted herewith authorizing:

(i) the award of HWF Subsidy in the amount up to $2,000,000; and
(ii) the award of CIF Subsidy in the amount up to $647,550.
WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article 27 of the New York Private Housing Finance Law created the Rural and Urban Community Investment Fund Program (“CIF Program”); and

WHEREAS, pursuant to Article 27 of the New York Private Housing Finance Law, HTFC has been designated to administer the CIF Program, and within the limit of funds available, HTFC is authorized to enter into contracts and grant awards to eligible applicants for the preservation or improvement of commercial, retail or community facilities component of mixed-use affordable residential developments; and

WHEREAS, HTFC has been designated to administer the Homes for Working Families Program (“HWF Program”) and, within the limit of funds available, is authorized to enter into contracts with eligible applicants for HWF Program funds for the new construction of affordable housing projects; and

WHEREAS, staff has received an application to finance East Lake Commons, a new construction 5-story building consisting of 70 affordable units and a ground floor commercial space with all units expected to be set aside for households at or below 80% of the Area Median Income (“AMI”); and

WHEREAS, after undergoing design, underwriting, scoring, and threshold eligibility review, as well as consideration of other factors, staff is recommending an HWF Program award up to $2,000,000 and a CIF Program award of up to $647,550 for East Lake Commons;

WHEREAS, on February 11, 2020, the Members authorized certain awards pursuant to Article 3, Section 5 of the HTFC’s By-Laws, with the authorization subject to ratification; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby ratify the authorization of an HWF Program award up to $2,000,000 for East Lake Commons.

Section 2. The Members hereby ratify the authorization of a CIF Program award of up to $647,550 for East Lake Commons.

Section 3. The Members hereby ratify the authorization of any officer of the Office of Finance and Development or any Senior Officer as defined by the By-Laws to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall be immediately effective.

Dated: March 12, 2020
March 5, 2020

To: Housing Trust Fund Corporation Members

From: Linda Manley, General Counsel

Subject: SEQRA Officer Appointment

The Housing Trust Fund Corporation (“HTFC”) is subject to Article 8 of the Environmental Conservation Law of the State of New York, as amended, the State Environmental Quality Review Act (“SEQRA”). HTFC is required to comply with SEQRA and the State-wide regulations and guidelines adopted by the New York State Department of Environmental Conservation (6 N.Y.C.R.R, Part 617) and amendments thereto.

This Office recommends the appointment of Lori Shirley. As set forth in her resume, Ms. Shirley possesses the requisite knowledge of the applicable environmental regulations to oversee HTFC’s compliance under SEQRA.

A resolution approving the appointment of Lori Shirley is attached. It is respectfully requested that the resolution be passed.
Professional Summary

Over twenty years of experience in the environmental and planning fields, with comprehensive knowledge of environmental permitting (local, state, federal), environmental impact analysis, community planning, hazardous waste remediation, and consensus building. Strengths include environmental review, project management, research and analysis, writing and editing, communication and understanding and interpreting land use and environmental laws and regulations.

Experience

**Director, Bureau of Environmental Review and Assessment (BERA)**  
**Governor’s Office of Storm Recovery (GOSR), NYS Homes & Community Renewal** – Albany, NY  
December 2016 to Present

Ensure that environmental review is complete for all NY Rising program expenditures and projects in an efficient, timely and thorough manner. Consult with GOSR programs to assess needs and strategize with the General Counsel to select the appropriate course of action and methodology for effectuating environmental responsibilities. Manage environmental reviews for disaster recovery and resiliency efforts by NY Rising, performed pursuant to NEPA and SEQRA, and supervise staff and consultants engaged in such reviews. NY Rising programs include awards for single and multi-family repair and rehabilitation, home buyout and acquisition, small business repair and rehabilitation, infrastructure and community reconstruction. Manage environmental reviews of state-wide affordable housing projects co-sponsored by GOSR and the Housing Trust Fund Corporation (HTFC), Housing Finance Agency (HFA) and the Community Preservation Corporation (CPC). Draft memos, procurement documents, correspondence, reports, manuals, presentations or other documents as needed. Interact with and advise program staff on environmental requirements, timelines for review, and project planning. Interact with grant recipients via meetings, email and telephone, and responding to or redirecting inquiries for technical assistance. Interact with vendors to complete task orders: initiate and scope reviews; periodically monitor deliverables status; review work product; provide edits and comments; finalize and effectuate review; review vendor invoices for environmental services. Interact with federal, state and local regulatory agencies such as HUD, EPA, Army Corps of Engineers, NOAA, USFWS, DEC, SHPO, and other entities with jurisdiction on environmental matters. Monitor and assess ongoing construction project reports to assess compliance with environmental requirements. Act as GOSR Certifying Environmental Officer, authorized to sign HUD environmental documents associated with HUD CDBG-DR awards on behalf of NY Rising environmental programs, as well SEQRA documents associated with the same. Assist in accomplishing all goals, tasks, and assignments relating to the operation of the Bureau of Environmental Review and Assessment. Maintain a working knowledge of the program, policies and procedures, program activities and operational functions in order to disseminate information as directed.

**Deputy Director, Bureau of Environmental Review and Assessment (BERA)**  
**GOSR, NYS Homes & Community Renewal** – Albany, NY  
October 2015 to December 2016

Ensure that environmental review is complete for all NY Rising program expenditures and projects in an efficient, timely and thorough manner by supporting the Director of BERA in the duties and responsibilities outlined above.
Lori A. Shirley

Community Developer - Environmental Services
GOSR, NYS Homes & Community Renewal – Albany, NY
May 2013 to October 2015

Assisted in formulating environmental review process for disaster recovery and resiliency efforts by NY Rising, including HUD NEPA review and SEQRA review.
Conducted environmental reviews for the NY Rising program.
Drafted memos, correspondence, reports, manuals and other documents as needed.
Assisted in accomplishing goals, tasks and assignments related to environmental reviews for the NY Rising program.

Environmental Planner/Scientist
The LA Group, P.C. – Saratoga Springs, NY
April 2005 to July 2011

Completed site development and feasibility studies; conducted environmental impact analysis, including visual impact assessments; prepared environmental impact statements; obtained development project permits and approvals at local, state and federal levels; and conducted environmental assessments under the New York State Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA). Team member on community and recreational planning projects, conducting land-use research and drafting plan components. Project types included: residential, commercial, recreational and educational/institutional facilities development; telecommunications facilities permitting; and commercial wind farm and utilities environmental review and permitting.

Environmental Paralegal
General Electric Company, Corporate Environmental Programs – Albany, NY
March 1992 to March 2005

Provided project management and legal support for hazardous waste site management and remediation through collaboration and negotiation with consultants, government agencies, community groups and other stakeholders. Conducted in-depth research into legal, historical and technical issues to assist in site management and risk management. Coordinated and responded to CERCLA 104(e) requests and other multi-layered document production demands.

Education

University at Albany (SUNY)
Albany, NY
Master of Regional Planning, Environmental Planning

Cornell University, School of Industrial & Labor Relations
Albany, NY satellite school
Graduate Certificate in Conflict Management and Consensus Building

Ithaca College
Ithaca, NY
Bachelor of Arts, Major in Politics

Other Experience and Additional Information

Volunteer, Old Friends at Cabin Creek, Thoroughbred Racehorse Retirement Farm. July 2009 to Present.

Member, American Planning Association.

Member, Adirondack Mountain Club.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
APPROVING THE APPOINTMENTS OF A SEQRA OFFICER

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the Private Housing Finance Law; and

WHEREAS, HTFC is subject to Article 8 of the Environmental Conservation Law of the State of New York, as amended, the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, HTFC is required to comply with SEQRA and the State-wide regulations and guidelines adopted by the New York State Department of Environmental Conservation (6 N.Y.C.R.R., Part 617) and amendments thereto; and

WHEREAS, compliance under SEQRA and the corresponding regulations and guidelines set forth by the New York State Department of Environmental Conservation is ensured by the SEQRA Officer; and

WHEREAS, staff has recommended the appointment of Lori A. Shirley as an HTFC SEQRA Officer; now, therefore, be it

RESOLVED, by the Members as follows:

Section 1. The Members hereby appoint Lori A. Shirley as a SEQRA Officer.

Section 2. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members

From: Linda Manley, General Counsel

Subject: SEQRA Officer Appointment

The Housing Trust Fund Corporation (“HTFC”) is subject to Article 8 of the Environmental Conservation Law of the State of New York, as amended, the State Environmental Quality Review Act (“SEQRA”). HTFC is required to comply with SEQRA and the State-wide regulations and guidelines adopted by the New York State Department of Environmental Conservation (6 N.Y.C.R.R., Part 617) and amendments thereto.

This Office recommends the appointment of James McAllister. As set forth in his resume, Mr. James McAllister possess the requisite knowledge of the applicable environmental regulations to oversee HTFC’s compliance under SEQRA.

A resolution approving the appointment of James McAllister is attached. It is respectfully requested that the resolution be passed.
Environmental Professional experienced in both Public and Private Sector work with time-proven record on Long Island, and NY metro area of successful advancement of complex environmental, planning, and site assessment projects in accordance with the complex maze of federal, state and local regulations. Analytical, industrious and highly effective with ability to prioritize and multi-task diverse responsibilities, and deliver successfully on-budget, and on-time. Possesses expertise in natural sciences, environmental regulations, State Environmental Quality Review Act (SEQRA) and National Environmental Policy Act (NEPA) compliance, project management, public outreach, mixed-use downtown revitalization and green redevelopment planning: hazardous materials management, Smart Growth principles and implementation strategies. Exceptional at client relations, staff management, team building, quality assurance and control, data collection, analysis and report preparation. Core competencies include:

- SEQRA
- NEPA
- Project Management/Team Leadership
- Strategic Thinking/Issue Resolution
- Environmental Assessment and Analysis
- Thoroughness/Attentiveness
- Subject Matter Expert
- Agency and Client Management
- Technical Report Preparation
- Time Management/Cost Control
- Staff Management and Development
- Solution Oriented

PROFESSIONAL EXPERIENCE

SENIOR ENVIRONMENTAL PROJECT MANAGER
January 2017 – Present

NY State Governor’s Office of Storm Recovery (GOSR), Legal Department – Bureau of Environmental Review and Assessment (BERA) NYC/Farmingdale, NY

All projects funded by HUD CDBG-DR monies through the Governor’s Office of Storm Recovery (GOSR) must undergo environmental review pursuant to both the National Environmental Policy Act (NEPA) and State Environmental Quality Review Act (SEQRA). These environmental reviews are conducted by GOSR’s Bureau of Environmental Review and Assessment (BERA) and are informed by information provided by additional engineering, design, and other qualified environmental professionals. Because GOSR must conduct NEPA reviews as the “responsible entity” under the authority of the United States Department of Housing and Urban Development (HUD), for efficiency purposes and as a service to grant recipients, GOSR assumes Lead Agency status pursuant to SEQRA.

Selected responsibilities include:

- BERA’s role in GOSR is to conduct environmental reviews for all projects under HUD’s NEPA and NYS’s SEQRA for GOSR’s Housing, Small Business, Community Reconstruction and Infrastructure Programs.
- As Senior Environmental Project Manager for BERA I initiate the environmental review for the project as soon as a pre-Application or an Application for a project is prepared. Technical and environmental guidance is offered to the CR Program to mitigate or minimize issues and try and avoid significant project delays later in the process.
- An Environmental Review Record (ERR) is developed to document the project’s impact on the environment in accordance with 24 CFR Part 58, 25 CFR Part 55 and 6 NYCRR Part 617 and all other applicable regulations.
- I coordinate with the CR Program Managers, Legal Department, GOSR’s consultants, and the subrecipients and their A/E firms to obtain information necessary for the completion of the ER and to provided technical guidance.
- Consultations to solicit input or concurrence with GOSR’s determination from the United States Fish and Wildlife Service, NYS Department of Environmental Conservation, NYS Historic Preservation Office, NYS Department of State, National Marine Fisheries Service, United States Environmental Protection Agency, are prepared and submitted and coordination is undertaken.
JAMES P. MCALLISTER
360 Shore Road, Long Beach, NY 11561 • (516) 782-8453 • jamespmcallister5@gmail.com

- Review design drawings in order to ensure a complete and accurate project description which satisfies the project’s purpose and need.
- Projects requiring asbestos and lead based sampling are identified and coordination and oversight is provided.
- Technical support is provided for projects with bulk fuel storage to ensure compliance with HUD’s Acceptable Separation Distance (ASD) Requirements under 24 CFR Part 51 Subpart C.
- Federal regulations prohibit the project sponsors from committing or spending CDBG-DR funds until BERA has completed the environmental review process. Therefore, completion of the environmental review process is a pre-requisite to BID approval and the final critical step in enabling funding for construction.
- In completing the Environmental Review Record in an efficient and effective and compliant manner I ensure that the funding for these projects is released to the project sponsors allowing their projects to be constructed.
- Coordination with the CR Project Manager continues after construction is initiated for projects which have environmental conditions requiring monitoring and reporting.

SENIOR PROGRAM MANAGER
October 2013 – December 2016
NY State Governor’s Office of Storm Recovery (GOSR), Community Reconstruction Program
Long Beach/Farmingdale, NY

The New York Rising Community Reconstruction (NYRCR) Program was established to use HUD CDBG-DR funds to provide rebuilding and revitalization assistance to communities damaged by Superstorm Sandy, Hurricane Irene, and Tropical Storm Lee. The Program empowers communities to develop locally driven recovery plans that identify innovative reconstruction projects and actions to build their communities back better, stronger and more resilient. The NYRCR Program is managed by the Governor's Office of Storm Recovery (GOSR) in conjunction with New York State Homes and Community Renewal, and the Department of State under HUD’s CDBG-DR Program.

Earned promotions from Community Planner, Senior Community Planner and then as a Senior Program Manager. As the Nassau County Lead Planner, I played a critical role in developing and coordinating the implementation of the Community Reconstruction Program in both its planning and early implementation phases. I liaised with Community Reconstruction Planning Committees to help lead the development of Community Reconstruction Plans with sub-recipients, including Nassau County, Town of Hempstead, City of Long Beach and most of the municipalities in Nassau County, to coordinate the implementation of projects proposed through the Community Reconstruction planning process. I work closely with program senior staff, engineering consultants and other experts, and local, State and Federal officials.

Selected responsibilities included:

- Provide technical guidance on a range of topics, including NEPA and SEQRA related to the development and implementation of the community-driven projects and assisted the subrecipients to ensure appropriate project design and approvals.
- Guide diverse communities in Nassau County, City of Long Beach, Town of Hempstead, Oyster Bay, and several villages through an eight-month grassroots planning process.
- Organize and execute both planning committee meetings and large-scale public engagement events, delivering presentations and leading meetings, as appropriate.
- Liaise with and build consensus among key stakeholders, including community.
- Work closely with program staff to manage planning consultant team and to review produced materials.
- Manage the implementation of projects developed through the Community Reconstruction planning process.
  - Develop project schedules and work with local government, non-profit, and state agency sub-recipients to ensure that project schedules are maintained.
  - Review project deliverables and hold sub-recipients accountable to deliverable deadlines.
  - Assist in the review of subrecipient procurement materials and other records.
  - Review and approve subrecipient request for payment.
Manage project coordination, consultants and leverage consultant resources to help ensure that all Community Reconstruction projects will be implemented in compliance with local, State, and Federal rules and GOSR requirements.

- Provide technical assistance to subrecipients as necessary.
- Coordinate with GOSR support teams including finance, legal, policy, monitoring and compliance, diversity and civil rights, and procurement and contract administration.
- Brief GOSR senior and executive staff on project and program status as necessary.
- Coordinate public engagement events during the implementation process as necessary and keep Planning Committees and the general public informed on program progress.

PRESIDENT

April 2001 – August 2002; January 2009 – August 2013
McAllister Consulting, Inc.
Rockville Centre, NY

Founder and president of consulting firm, providing environmental and planning services to both the public and private sector clients. Prepared reports related to environmental impact analysis (EIS’s and EAs), land-use and transportation planning, zoning, NEPA, SEQRA, public outreach, regulatory compliance, ecology, wetlands, and solid and hazardous material management. Utilized prior experience in sales, networking, environmental and planning fields including marketing, proposal writing, public outreach and report preparation in order to create a company image, solicit work and successfully develop a strong customer client base.

VICE PRESIDENT/OFFICER/DIRECTOR OF LONG ISLAND

August 2002 – December 2008
AKRF Environmental, Planning, and Engineering Consultants
NYC/Ronkonkoma, NY

Responsible for all aspects of environmental analysis, report preparation, project development and management including identifying and pursuing new business, preparing budgets, developing and managing client relations, and attending networking and other professional functions. Prepared numerous environmental and land use reports. Determined client needs and communicated needs to staff. Acted as liaison and coordinated initiatives between clients, AKRF and federal and state regulatory and other agencies and municipalities. Reviewed requests for proposals, identified needs and prepared proposals to clearly outline our project understanding and approach and performed client presentations. Hired, supervised and performed annual review of staff; designed and implemented diverse staff mentoring and performance management programs. Selected Achievements:

- Pioneered and spearheaded efforts that increased AKRF’s net sales for Long Island by over 60%.
- Initiated weekly staff meetings to discuss projects and ensure appropriate and expeditious completion of all required submissions. Improved communication flow, organized knowledge sharing, successful project delivery to increase customer satisfaction and profitability.
- Proposed and implemented Public Involvement Programs/Outreach and provided both informal and formal presentations for communities, municipalities and regulatory agencies.
- Recognized environmental and planning expert by numerous boards. Provided expert testimony on environmental, zoning, land use, planning and other issues before county, city, town and village boards in both Nassau and Suffolk Counties; provided expert testimony in support of a municipal planning initiative in Federal Court.

As Project Manager, successfully prepared and implemented numerous environmental and planning studies for private and public sector clients, and agencies throughout Nassau and Suffolk Counties for residential, retail, institutional, and transportation components, evaluation of land use, zoning, community character and other technical areas. Successfully delivered economically and environmentally sustainable downtown revitalization and redevelopment plans. These projects also included extensive public outreach and community participation, to create smart growth and green development and redevelopment plans. Selected Achievements:
Performed the preparation of an EIS and Phase I and II Site Assessments and remediation investigations, as part of the planning, renovation, demolition and reconstruction of five schools within the Roosevelt Free School district.

Retained by Town of Babylon as Project Manager for its Brownfield Opportunity Area (BOA) Grant. This grant administered by the New York State Departments of State and Environmental Conservation provided funding to identify contaminated properties and developed a redevelopment/ revitalization plan for downtown Wyandanch which incorporated smart growth principals.

Served on a consultant team, as Project Manager for AKRF, retained by Nassau County to analyze the reuse of an existing building in the Town of North Hempstead as a Nassau County Public Safety Emergency Preparedness Facility. Provided SEQRA and hazardous materials analysis including review of the plans, environmental assessment and recommendations to the County related to the application process.

Served as Deputy Project Manager for the preparation of an EIS and coordinated environmental evaluation and planning of potential future rail yard sites for the Long Island Rail Road in conjunction with the MTA’s East Side Access Program.

Projects Managed: Planning and environmental review of Adelphi University’s Sports and Performing Arts Centers; New York State transportation projects; Town of Riverhead’s Urban Renewal Plan and Generic Environmental Impact Statement for downtown Riverhead; Sustainable East End Development Strategies (SEEDS), a green vision plan prepared for the five Towns and ten Villages of the East End of Long Island.

VICE PRESIDENT
JAC Planning Corp
Great Neck, NY

January 1989 – March 2001

Earned multiple promotions across disciplines from Staff Planner to Senior Environmental Scientist and Vice President. Responsible for project management, document preparation, quality assurance and quality control of Environmental Impact Statements, expanded long Environmental Assessments, Phase I Environmental Site Assessments, land use and zoning studies, conservation management and erosion and sediment control plans and NYSDEC applications. Oversaw the office administration, supervised staff, and coordinated with engineers, architects, and attorneys. Prepared proposals, scheduled projects and managed budgets. Provided accurate data collection, analysis and created comprehensive reports; including analysis of environmental conditions, groundwater, demographics, community character, socioeconomics, ecology, and traffic.

EDUCATION
Hofstra University (Uniondale, NY) Project Management Level I, II and Capstone (Project Implementation)
McGill University (Montreal, Canada) Masters; Bioresource Engineering
SUNY (Plattsburgh, NY) Bachelors; Environmental Science, Resource Management & Land Use Planning
Rutgers University (New Brunswick, NJ) Accredited Coursework in Wetland Identification and Delineation
Penn State University (University Park, PA) Accredited Coursework in Wetland Identification and Delineation
Environmental Assessment Association Certified Environmental Inspector

HONORS
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
APPROVING THE APPOINTMENT OF SEQRA OFFICER

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the Private Housing Finance Law; and

WHEREAS, HTFC is subject to Article 8 of the Environmental Conservation Law of the State of New York, as amended, the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, HTFC is required to comply with SEQRA and the State-wide regulations and guidelines adopted by the New York State Department of Environmental Conservation (6 N.Y.C.R.R., Part 617) and amendments thereto; and

WHEREAS, compliance under SEQRA and the corresponding regulations and guidelines set forth by the New York State Department of Environmental Conservation is ensured by the SEQRA Officer; and

WHEREAS, staff has recommended the appointment of James McAllister as HTFC SEQRA Officer; now, therefore, be it

RESOLVED, by the Members as follows:

Section 1. The Members hereby appoint James McAllister as SEQRA Officer.

Section 2. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Stacey Mickle, Treasurer

Date: March 5, 2020

Subject: Approval of the Annual Budget Request for State Fiscal Year 2020-21

In accordance with Section § 2801 of the Public Authorities Accountability Act of 2005, as amended, “Every state authority or commission heretofore or hereafter continued or created by this chapter or any other chapter of the laws of the state of New York shall submit to the governor, chairman and ranking minority member of the senate finance committee, and chairman and ranking minority member of the assembly ways and means committee, for their information, annually not less than ninety days before the commencement of its fiscal year, in the form submitted to its members or trustees, budget information on operations and capital construction setting forth the estimated receipts and expenditures for the next fiscal year and the current fiscal year, and the actual receipts and expenditures for the last completed fiscal year.”

HTFC’s budget, prepared in the format required by the Authorities Budget Office, was approved and posted as required in December 2019. HTFC is presenting the FY 2020-21 budget as an administrative budget with detailed projections for the offices within the Housing Trust Fund Corporation. In addition, the budget includes program budget tables with information from the proposed State budget for FY 2020-21 and the previously approved ABO budget and financial plan.

Recommendation and Requested Action
HTFC’s 2019-20 Administrative Budget and a resolution authorizing HTFC to adopt the budget is attached for your consideration.
Materials for this item to be distributed under separate cover.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION  
ADOPTING THE ANNUAL BUDGET

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Section 45-a of the New York Private Housing Finance Law establishes HTFC’s fiscal year as the first day of April through the last day of March; and

WHEREAS, in accordance with Section § 2801 of the Public Authorities Accountability Act of 2005, as amended, “Every state authority or commission heretofore continued or created by this chapter or any other chapter of the laws of the state of New York shall submit to the governor, chairman and ranking minority member of the senate finance committee, and chairman and ranking minority member of the assembly ways and means committee, for their information, annually not less than ninety days before the commencement of its fiscal year, in the form submitted to its members or trustees, budget information on operations and capital construction setting forth the estimated receipts and expenditures for the next fiscal year and the current fiscal year, and the actual receipts and expenditures for the last completed fiscal year”; and

WHEREAS, in December 2019, the Members approved a budget report as required by the Authorities Budget Office for years 2019 to 2024; and

WHEREAS, staff has prepared a supplemental detailed budget for the Members review and approval; now, therefore, be it

RESOLVED, by the Members as follows:

Section 1. The Members hereby adopt the annual budget.

Section 2. The Treasurer or other authorized officer is hereby authorized to publish, file, or report the budget in accordance with the requirements of the Public Authorities Law or other governing regulations, as applicable.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members

From: Jason Purvis, Vice President, Federal Programs, Office of Community Renewal

Date: March 12, 2020

Subject: NYS HOME Program – SRDI Project #20173018
Interfaith Council for Action, Inc.

Reason Before the Members

The Office of Community Renewal is presenting a recommendation to increase HOME program funding for a Small Rental Development Initiative (SRDI) project. The awardee, Interfaith Council for Action, Inc. (IFCA) has experienced a funding gap due to increased costs of construction materials since award and unexpected additional work deemed necessary since the walls have been opened during construction. OCR recommends an increase of $900,430 for a new total award of $3,395,222.

Background

Interfaith Council for Action, Inc. was awarded $2,494,792 in HOME funds in April of 2018 to rehabilitate twenty-three apartments at two sites in the Village of Ossining, Westchester County. Property improvements include asbestos abatement, roof replacement, heating system upgrades, substantial rehabilitation of kitchens, bathrooms, flooring, hallways and stairs and energy efficiency improvements to include added insulation, Energy Star rated appliances and lighting fixtures.

Subsequent to the HOME award of $2,494,792, the scope was reviewed by a third-party architect and IFCA was approved to start housing rehabilitation in August 2019. During renovation, additional work was identified to address broken waste and water lines within the walls, rotted sections of cast iron sewer piping, mold remediation and faulty electrical wiring. With the current gap in funding, IFCA would not be able to address all required items, making the project infeasible and ultimately unsustainable and at risk of becoming distressed.

The additional HOME program funds are currently available to award. The project’s new proposed total award of $3,395,222 remains below the HOME maximum per unit subsidy limits.

Project Summary

Awardee: Interfaith Council for Action, Inc.

Project Name: IFCA 2017 Small Rental Development Initiative
273 Spring Street and 13-15 Edwards Street
Ossining, NY Westchester County
Public Benefit: Rehabilitation of 23 rental apartments for low-income individuals and families.

Funding:
- Original Award: $2,494,792
- Proposed Increase: $900,430
- Total Award: $3,395,222

Applicant Contact: Jackie Shaw, Executive Director, Interfaith Council for Action, Inc.
NYS Assembly: Sandra R. Galef, District 095
NYS Senate: David S. Carlucci, District 38
U.S. Congressional: Nita M. Lowey, District 17

Recommendation and Request for Authorization
A resolution authorizing HTFC to provide a $900,430 increase in NYS HOME program funding for Interfaith Council for Action, Inc.’s Small Rental Development Initiative (SRDI) award.
WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, HTFC has been designated to administer the New York State HOME Local Program ("HOME Local Program") along with the Small Rental Development Initiative under the HOME Local Program; and

WHEREAS, within the limit of funds available for the Small Rental Development Initiative under the HOME Local Program, HTFC is authorized to award funds to eligible developer-owners including non-profit corporations, community housing development organizations, and public housing authorities to provide assistance for the rehabilitation, acquisition or new construction of small affordable residential rental housing; and

WHEREAS, Interfaith Council for Action, Inc. was awarded $2,494,792 in HOME funds in April of 2018 to rehabilitate twenty-three apartments at two sites in the Village of Ossining, Westchester County; and

WHEREAS, subsequent to the authorization of the HOME award, during renovation, additional work was identified to address broken waste and water lines within the walls, rotted sections of cast iron sewer piping, mold remediation and faulty electrical wiring; and

WHEREAS, staff recommend an increase of $900,430 for a new total award of $3,395,222 to bridge the funding gap; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the increase of $900,430 in NYS HOME program funding for Clayton Improvement Association’s Small Rental Development Initiative (SRDI) award for a new total award of $3,395,222.

Section 2. The Members hereby authorize the entering into of regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulations as applicable, and upon such terms and conditions as set forth by program guidelines.

Section 3. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.
Section 4. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Crystal Loffler, President, Office of Community Renewal
       Jason Purvis, VP Federal Programs, Office of Community Renewal
       Stephanie Galvin-Riley, Assistant Director, New York State HOME Program

Date: March 12, 2020

Subject: FFY 2019 Award Recommendations
         NYS HOME Local Program

Reason before the Members
The Office of Community Renewal (OCR) is advancing $6,166,000 in NYS HOME Local Program award recommendations for review, consideration and action by the Housing Trust Fund Corporation. The Office of Community Renewal’s NYS 2019 HOME Local Program Notice of Funding Availability (NOFA) and Request for Proposals (RFP) provided for the availability of approximately $6 million in funding.

NYS HOME Application and Awards Process
NYS receives Federal HOME Investment Partnerships Program funds from the Department of Housing and Urban Development to expand the supply of decent, safe, and affordable housing throughout the state. Funds can be used to acquire, rehabilitate or newly construct single-family and small project rental housing assisting households with incomes at or below 80 percent of area median income. Units of local government (counties, cities, towns and villages) that are not Federal HOME Program Participating Jurisdictions, non-profit corporations, Housing Authorities and Community Housing Development Organizations (CHDOs) that have been in existence and providing recent and relevant residential housing services to the community for at least one year prior to application are eligible to apply.

The application and selection process was conducted in a transparent manner using existing federal and state merit-based statutory and regulatory criteria. Recommendations are advanced in accordance with the following:

- New York State 2016-2020 Consolidated Plan
- 2019 New York State HOME Program Annual Action Plan
- 2019 Office of Community Renewal NYS HOME Local Program Notice of Funding Availability (NOFA), Request for Proposals (RFP) and related materials published on October 23, 2019
**HOME Funding Demand and Award Recommendations**

# Applications: 34
Amount Requested: $13,842,000

Recommended Awards: 15
Recommended Award Amount: $6,166,000
Estimated Funds Leveraged by Awards: $2,470,100

### Applications and Award Recommendations by Activity

<table>
<thead>
<tr>
<th>Activity</th>
<th># of Applications</th>
<th>Requested $</th>
<th># of Awards</th>
<th>Total $ Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>Homebuyer Down Payment Assistance</td>
<td>12</td>
<td>$4,153,000</td>
<td>4</td>
<td>$1,227,000</td>
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<tr>
<td>Manufactured Home Replacement</td>
<td>5</td>
<td>$2,700,000</td>
<td>4</td>
<td>$2,100,000</td>
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<tr>
<td>Owner Occupied Rehabilitation</td>
<td>17</td>
<td>$6,989,000</td>
<td>7</td>
<td>$2,839,000</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td>34</td>
<td><strong>$13,842,000</strong></td>
<td>15</td>
<td><strong>$6,166,000</strong></td>
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</tbody>
</table>

### Applications and Award Recommendations by Region

<table>
<thead>
<tr>
<th>REDC Region</th>
<th># of Applications</th>
<th>Requested $</th>
<th># of Awards</th>
<th>Total Award $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital District</td>
<td>9</td>
<td>$4,090,000</td>
<td>3</td>
<td>$1,470,000</td>
</tr>
<tr>
<td>Central New York</td>
<td>3</td>
<td>$1,027,000</td>
<td>2</td>
<td>$577,000</td>
</tr>
<tr>
<td>Finger Lakes</td>
<td>2</td>
<td>$1,050,000</td>
<td>2</td>
<td>$1,050,000</td>
</tr>
<tr>
<td>Finger Lakes &amp; Southern Tier</td>
<td>2</td>
<td>$900,000</td>
<td>1</td>
<td>$450,000</td>
</tr>
<tr>
<td>Long Island</td>
<td>1</td>
<td>$350,000</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mid-Hudson</td>
<td>2</td>
<td>$800,000</td>
<td>1</td>
<td>$400,000</td>
</tr>
<tr>
<td>Mohawk Valley</td>
<td>4</td>
<td>$1,519,000</td>
<td>2</td>
<td>$719,000</td>
</tr>
<tr>
<td>New York City</td>
<td>3</td>
<td>$956,000</td>
<td>-</td>
<td>-</td>
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<tr>
<td>North Country</td>
<td>2</td>
<td>$1,050,000</td>
<td>1</td>
<td>$600,000</td>
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<tr>
<td>Southern Tier</td>
<td>3</td>
<td>$1,000,000</td>
<td>1</td>
<td>$250,000</td>
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<tr>
<td>Western New York</td>
<td>3</td>
<td>$1,100,000</td>
<td>2</td>
<td>$650,000</td>
</tr>
<tr>
<td><strong>Grand Total</strong></td>
<td><strong>34</strong></td>
<td><strong>$13,842,000</strong></td>
<td><strong>15</strong></td>
<td><strong>$6,166,000</strong></td>
</tr>
</tbody>
</table>
Application Review & Selection Criteria
The review and selection process is designed to meet HOME regulations and ensure program funds are awarded to programs and projects that have demonstrated a need for the proposed activity in the area to be served and will advance the State’s housing goals efficiently and effectively, thus producing an impact upon the subject communities.

Applications are scored and ranked based on the following criteria as applicable, depending on the activity to be performed: average income level served, persons with special needs targeted, poverty levels, age of housing, homeownership rates in service area, leverage, program design, capacity, experience, and past performance, green building and energy efficiency practices, tenant rent burden, and affordability.

Recommendation and Required Action by the Members
A resolution authorizing the HTFC to award and enter into contracts as listed below.
<table>
<thead>
<tr>
<th>Project ID</th>
<th>Awarded Organization</th>
<th>Project Name</th>
<th>Activity</th>
<th>County</th>
<th>Regional Council</th>
<th>Recommended Award</th>
<th>Project Abstract</th>
</tr>
</thead>
<tbody>
<tr>
<td>20193080</td>
<td>Home HeadQuarters, Inc.</td>
<td>City of Syracuse Homebuyer Assistance Program</td>
<td>Homebuyer Down Payment Assistance</td>
<td>Onondaga</td>
<td>Central New York</td>
<td>$400,000</td>
<td>HHQ proposes to utilize $400,000 in HOME funds to provide down payment and closing cost assistance to 10 low-income first-time homebuyers in the City of Syracuse.</td>
</tr>
<tr>
<td>20193062</td>
<td>Catskill Mountain Housing Development Corp. Inc.</td>
<td>Greene County Trailer Replacement</td>
<td>Manufactured Housing Replacement</td>
<td>Greene</td>
<td>Capital Region</td>
<td>$600,000</td>
<td>Catskill Mountain Housing Development Corporation is requesting $600,000 in HOME funds to provide replacement of approximately six mobile homes in Greene County.</td>
</tr>
<tr>
<td>20193087</td>
<td>Ithaca Neighborhood Housing Services, Inc.</td>
<td>Chemung Homeownership Program 2019</td>
<td>Homebuyer Down Payment Assistance</td>
<td>Chemung</td>
<td>Southern Tier</td>
<td>$250,000</td>
<td>Ithaca Neighborhood Housing Services (INHS) proposes to use $250,000 in HOME funds to provide down payment assistance loans to at least 9 low-income homebuyers in Chemung County, with moderate rehab in homes that require it.</td>
</tr>
<tr>
<td>20193084</td>
<td>Keuka Housing Council, Inc.</td>
<td>Yates Manufactured HOME Replacement 2019</td>
<td>Manufactured Housing Replacement</td>
<td>Yates</td>
<td>Finger Lakes</td>
<td>$600,000</td>
<td>Keuka Housing Council, Inc. proposes to utilize $600,000 in HOME funds to replace at least 6 mobile homes that are dilapidated in Yates County with new energy star manufactured homes.</td>
</tr>
<tr>
<td>20193064</td>
<td>Rebuilding Together Saratoga County, Inc.</td>
<td>Rebuilding Together Saratoga Co. 2019 HOME Rehab</td>
<td>Owner Occupied Rehabilitation</td>
<td>Saratoga</td>
<td>Capital Region</td>
<td>$450,000</td>
<td>Rebuilding Together Saratoga County proposes to utilize $450,000 in HOME funds to provide renovations to approximately 12 very low and extremely low-income homeowners in Saratoga County.</td>
</tr>
<tr>
<td>20193077</td>
<td>Schoharie County Rural Preservation Corp.</td>
<td>Schoharie County MMRH 2019</td>
<td>Manufactured Housing Replacement</td>
<td>Schoharie</td>
<td>Mohawk Valley</td>
<td>$300,000</td>
<td>The Schoharie County Rural Preservation Corporation proposes to utilize $300,000 in MMHR program funds to replace mobile and manufactured homes for three low to moderate income homeowners in the County of Schoharie.</td>
</tr>
<tr>
<td>20193083</td>
<td>City of Rensselaer</td>
<td>Proud Neighborhoods Initiative</td>
<td>Owner Occupied Rehabilitation</td>
<td>Rensselaer</td>
<td>Capital Region</td>
<td>$420,000</td>
<td>The City of Rensselaer will use $420,000 in HOME funds to rehabilitate 14 single-family homes in neighborhoods also targeted for code enforcement, infrastructure upgrades, and economic development.</td>
</tr>
<tr>
<td>20193055</td>
<td>Bishop Sheen Ecumenical Housing Foundation, Inc.</td>
<td>Sheen Housing Southern Tier HOME 2019-2020</td>
<td>Owner Occupied Rehabilitation</td>
<td>Chemung, Schuyler, Seneca, Tioga</td>
<td>Finger Lakes, Southern Tier</td>
<td>$450,000</td>
<td>Sheen Housing proposes to utilize $450,000 in HOME funds to provide rehabilitation to approximately 15 very low-income (at or below 60% of AMI) households in Chemung (Towns and Villages, Schuyler, Seneca and Tioga Counties. This is a countywide, scattered site, comprehensive rehabilitation program.</td>
</tr>
<tr>
<td>Project ID</td>
<td>Organization</td>
<td>Program</td>
<td>Type</td>
<td>County/Region</td>
<td>Amount</td>
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<tr>
<td>20193074</td>
<td>Housing Action Council, Inc.</td>
<td>Opening Doors to Homeownership III</td>
<td>Homebuyer Down Payment Assistance</td>
<td>Westchester, Mid-Hudson</td>
<td>$400,000</td>
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<tr>
<td>20193070</td>
<td>City of Little Falls</td>
<td>Revitalize Neighborhoods/Revive Our City Program</td>
<td>Owner Occupied Rehabilitation, No Rental</td>
<td>Herkimer, Mohawk Valley</td>
<td>$419,000</td>
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<td>20193069</td>
<td>Rural Housing Opportunities Corporation</td>
<td>RHOC HOMEfirst 2019</td>
<td>Owner Occupied Rehabilitation</td>
<td>Genesee, Monroe, Ontario, Orleans, Wayne</td>
<td>$450,000</td>
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<tr>
<td>20193057</td>
<td>Friends of the North Country, Inc.</td>
<td>Franklin County MMHR P 2019</td>
<td>Manufactured Housing Replacement</td>
<td>Franklin, North Country</td>
<td>$600,000</td>
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<td>20193067</td>
<td>Oswego Housing Development Council, Inc.</td>
<td>Opportunities of Opening Doors in Oswego County</td>
<td>Homebuyer Down Payment Assistance Only</td>
<td>Oswego, Central New York</td>
<td>$177,000</td>
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<td>20193066</td>
<td>Cattaraugus Community Action, Inc.</td>
<td>Housing Opportunities Program VI</td>
<td>Owner Occupied Rehabilitation</td>
<td>Cattaraugus, Western New York</td>
<td>$450,000</td>
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<tr>
<td>20193061</td>
<td>Allegany County Community Opportunity and Rural Development, Inc.</td>
<td>ACCORD HOME LPA - 2019</td>
<td>Owner Occupied Rehabilitation</td>
<td>Allegany, Western New York</td>
<td>$200,000</td>
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</tbody>
</table>

Total $6,166,000
WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, HTFC has been designated to administer the New York State HOME Local Program (“HOME Local Program”), and is authorized to enter into contracts with local program administrators to provide assistance to low-income homebuyers, housing rehabilitation assistance for low-income homeowners and owners of smaller rental properties that are occupied by low-income households; and

WHEREAS, the 2019 Notice of Funding Availability and Request for Proposals provided for the availability of approximately $6 million in funding for the HOME Local Program; and

WHEREAS, in response to the Notice of Funding Availability and a Request for Proposals, a total of 34 eligible applications were submitted; and

WHEREAS, the Office of Community Renewal has reviewed the applications and required documentation of the applicants and is recommending awards under the HOME Local Program to 15 eligible applicants identified herein; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize awards to the following eligible applicants for the HOME Local Program up to the amounts specified below:

<table>
<thead>
<tr>
<th>Project ID</th>
<th>Awarded Organization</th>
<th>Project Name</th>
<th>Recommended Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>20193080</td>
<td>Home HeadQuarters, Inc.</td>
<td>City of Syracuse Homebuyer Assistance Program</td>
<td>$400,000</td>
</tr>
<tr>
<td>20193062</td>
<td>Catskill Mountain Housing Development Corp. Inc.</td>
<td>Greene County Trailer Replacement</td>
<td>$600,000</td>
</tr>
<tr>
<td>20193087</td>
<td>Ithaca Neighborhood Housing Services, Inc.</td>
<td>Chemung Homeownership Program 2019</td>
<td>$250,000</td>
</tr>
<tr>
<td>20193084</td>
<td>Keuka Housing Council, Inc.</td>
<td>Yates Manufactured HOME Replacement 2019</td>
<td>$600,000</td>
</tr>
<tr>
<td>Code</td>
<td>Organization</td>
<td>Project/Program</td>
<td>Amount</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------------------------------------------</td>
<td>------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>20193064</td>
<td>Rebuilding Together Saratoga County, Inc.</td>
<td>Rebuilding Together Saratoga Co. 2019 HOME Rehab</td>
<td>$450,000</td>
</tr>
<tr>
<td>20193077</td>
<td>Schoharie County Rural Preservation Corp.</td>
<td>Schoharie County MMRH 2019</td>
<td>$300,000</td>
</tr>
<tr>
<td>20193083</td>
<td>City of Rensselaer</td>
<td>Proud Neighborhoods Initiative</td>
<td>$420,000</td>
</tr>
<tr>
<td>20193055</td>
<td>Bishop Sheen Ecumenical Housing Foundation, Inc.</td>
<td>Sheen Housing Southern Tier HOME 2019-2020</td>
<td>$450,000</td>
</tr>
<tr>
<td>20193074</td>
<td>Housing Action Council, Inc.</td>
<td>Opening Doors to Homeownership III</td>
<td>$400,000</td>
</tr>
<tr>
<td>20193070</td>
<td>City of Little Falls</td>
<td>Revitalize Neighborhoods/Revive Our City Program</td>
<td>$419,000</td>
</tr>
<tr>
<td>20193069</td>
<td>Rural Housing Opportunities Corporation</td>
<td>RHOC HOMEfirst 2019</td>
<td>$450,000</td>
</tr>
<tr>
<td>20193057</td>
<td>Friends of the North Country, Inc.</td>
<td>Franklin County MMHRP 2019</td>
<td>$600,000</td>
</tr>
<tr>
<td>20193067</td>
<td>Oswego Housing Development Council, Inc.</td>
<td>Opportunities of Opening Doors in Oswego County</td>
<td>$177,000</td>
</tr>
<tr>
<td>20193066</td>
<td>Cattaraugus Community Action, Inc.</td>
<td>Housing Opportunities Program VI</td>
<td>$450,000</td>
</tr>
<tr>
<td>20193061</td>
<td>Allegany County Community Opportunity and Rural Development, Inc.</td>
<td>ACCORD HOME LPA - 2019</td>
<td>$200,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>
Section 2. The Members hereby authorize the entering into of regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulations, and upon such terms and conditions as set forth by HOME Local Program guidelines.

Section 3. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Crystal Loffler, President, Office of Community Renewal
       Jason Purvis, Vice President Federal Programs

Date: March 12, 2020

Subject: FFY 2020 Award Recommendations; CDBG Housing Program

Reason Before the Members
The Office of Community Renewal is advancing more than $12 million in NYS CDBG award recommendations for review, consideration and action by the Members of the Board of the Housing Trust Fund Corporation.

CDBG Application and Awards Process
Applications for the 2019 New York State Community Development Block Grant (NYS CDBG) Housing Rehabilitation funds have been evaluated, scored, and ranked.

Eligible applicants for the NYS CDBG program are units of local government, Cities, Towns, and Villages with populations under 50,000 (except Cities that are designated principal cities of Metropolitan Statistical Areas), and Counties with populations of less than 200,000; some 1,300 communities across NYS. The source of the NYS CDBG program funds for these recommendations is the Federal Fiscal Year 2019 state-administered CDBG allocation from the U.S. Department of Housing and Urban Development (HUD).

The application and selection process was conducted in a transparent manner using existing federal and state merit-based statutory and regulatory criteria, and recommendations are advanced in accordance with the following:

- New York State 2016 - 2020 Consolidated Plan
- 2019 New York State Annual Action Plan
- 2019 Office of Community Renewal Notice of Funding Availability (NOFA) and related materials

CDBG Housing Funding Availability & Demand
A Notice of Funding Availability was published on October 23, 2019, for the CDBG Housing program and provided for the availability of at least $10 million.
In response to the Notice of Funding Availability and Request for Proposals, a total of thirty-nine (39) eligible applications were submitted, from twenty-four (24) counties and eight (8) regions of New York State. Combined, these applications represent a total request of NYS CDBG funds of $17,813,780.

The recommendations being made today will advance 27 of these applications for a total recommended award of $12,213,780. A total of 314 households are projected to benefit from the proposed improvements with NYS CDBG assistance. A summary breakdown of these applications is provided below.

**CDBG Housing Program Application Summary**

<table>
<thead>
<tr>
<th>Total # of applications:</th>
<th>39</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total request:</td>
<td>$17,813,780</td>
</tr>
<tr>
<td>Total available:</td>
<td>$10,000,000</td>
</tr>
</tbody>
</table>

**CDBG Housing Program Award Recommendations & Summary**

| Total # of awards:     | 27 |
| Total award amount:    | $12,213,780 |
| Other leveraged funds: | $4,549,789 |

<table>
<thead>
<tr>
<th>REDC Region</th>
<th># of Applications</th>
<th>Requested</th>
<th># of Awards</th>
<th>Amount Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Region</td>
<td>3</td>
<td>$1,200,000</td>
<td>1</td>
<td>$200,000</td>
</tr>
<tr>
<td>Central NY</td>
<td>2</td>
<td>$1,000,000</td>
<td>2</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Finger Lakes</td>
<td>2</td>
<td>$810,000</td>
<td>1</td>
<td>$310,000</td>
</tr>
<tr>
<td>Mid-Hudson</td>
<td>1</td>
<td>$500,000</td>
<td>0</td>
<td>$0.00</td>
</tr>
<tr>
<td>Mohawk Valley</td>
<td>7</td>
<td>$3,400,000</td>
<td>6</td>
<td>$2,900,000</td>
</tr>
<tr>
<td>North Country</td>
<td>10</td>
<td>$4,570,780</td>
<td>6</td>
<td>$2,770,780</td>
</tr>
<tr>
<td>Southern Tier</td>
<td>6</td>
<td>$2,548,000</td>
<td>5</td>
<td>$2,048,000</td>
</tr>
<tr>
<td>Western NY</td>
<td>8</td>
<td>$3,785,000</td>
<td>6</td>
<td>$2,985,000</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>39</strong></td>
<td><strong>$17,813,780</strong></td>
<td><strong>27</strong></td>
<td><strong>$12,213,780</strong></td>
</tr>
<tr>
<td>Project #</td>
<td>Applicant</td>
<td>Project Name</td>
<td>Activity Type</td>
<td>Project Abstract</td>
</tr>
<tr>
<td>-----------</td>
<td>-----------</td>
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<td>---------------</td>
<td>------------------</td>
</tr>
<tr>
<td>20WS350-19</td>
<td>County of Allegany</td>
<td>Allegany County Well and Septic - 2019</td>
<td>Wells and Septic</td>
<td>Allegany County in partnership with Allegany County Community Opportunities and Rural Development (ACCORD) will use $400,000 in NYS CDBG funds to improve ten water and fifteen wastewater systems for low-income homeowners.</td>
</tr>
<tr>
<td>32HR338-19</td>
<td>City of Amsterdam</td>
<td>City of Amsterdam CDBG Housing Rehab 2019</td>
<td>Housing Rehabilitation</td>
<td>The City of Amsterdam will use $500,000 in NYS CDBG funds to provide housing rehabilitation assistance to low-income homeowners living in one- and two-family homes.</td>
</tr>
<tr>
<td>37HR368-19</td>
<td>Town of Andover</td>
<td>Town of Andover Severely Substandard Housing Program #2</td>
<td>Housing Rehabilitation</td>
<td>The Town of Andover will offer to qualified low to moderate income homeowner/occupant - full grant monies to rehabilitate their substandard homes into safe, sanitary and efficient housing. NYS CDBG funds of $500,000 will provide a minimum of fourteen (14) units with critical housing rehabilitation (severely substandard).</td>
</tr>
<tr>
<td>60HR344-19</td>
<td>Town of AuSable</td>
<td>Town of AuSable MMHR 2019</td>
<td>Manufactured Housing</td>
<td>The town of AuSable will use $500,000 of NYS HCR CDBG funds for necessary, HUD-eligible site- built or manufactured mobile home replacements for low-income homeowners.</td>
</tr>
<tr>
<td>Project Code</td>
<td>County of Origin</td>
<td>Type of Assistance</td>
<td>Description</td>
<td>Region</td>
</tr>
<tr>
<td>--------------</td>
<td>------------------</td>
<td>--------------------</td>
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<td>--------</td>
</tr>
<tr>
<td>199HR348-19</td>
<td>Cattaraugus</td>
<td>Manufactured Housing</td>
<td>Cattaraugus County in partnership with Cattaraugus Community Action's Energy &amp; Housing Division will utilize $600,000 of NYS CDBG grant funding for the replacement of 5 existing, single wide manufactured homes with New Energy Star Rated Single Wide Manufactured Homes, located on private, deeded lots within Cattaraugus County.</td>
<td>Western NY</td>
</tr>
<tr>
<td>225WS337-19</td>
<td>Chemung</td>
<td>Wells and Septic</td>
<td>The County of Chemung, with the assistance of Arbor Housing and Development, proposes to replace or repair a minimum of 16 septic systems, water wells or public utility laterals for low to moderate income households in Chemung County.</td>
<td>Southern Tier</td>
</tr>
<tr>
<td>227HO341-19</td>
<td>Chenango</td>
<td>Homeownership Assistance</td>
<td>Chenango County is requesting $350,000 in NYS OCR CDBG funds for a first-time homebuyer program to provide closing costs and down payment assistance to a minimum of 14 low- moderate-income households across Chenango County.</td>
<td>Southern Tier</td>
</tr>
<tr>
<td>250HR369-19</td>
<td>Clinton</td>
<td>Housing Rehabilitation</td>
<td>The Clinton County Home Purchase Project will assist 14 households with homeownership and housing rehabilitation costs for income eligible households that purchase a home in within the County.</td>
<td>North Country</td>
</tr>
<tr>
<td>Code</td>
<td>Location</td>
<td>Program Name</td>
<td>Service Type</td>
<td>Description</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------</td>
<td>--------------------------------------------------------</td>
<td>----------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>285HR362-19</td>
<td>City of Cortland</td>
<td>City of Cortland Income Property Program 2019</td>
<td>Housing Rehabilitation</td>
<td>The City of Cortland will use $500,000 in NYS CDBG funds to provide housing rehabilitation assistance to renovate 8 income property structures with 27 units on a scattered site basis.</td>
</tr>
<tr>
<td>337HR356-19</td>
<td>Village of Dryden</td>
<td>Village of Dryden Rehabilitation Program 2019</td>
<td>Housing Rehabilitation</td>
<td>The Village of Dryden will use $500,000 in NYS CDBG funds to provide housing rehabilitation assistance to 15 low-to-moderate income homeowners living in severely substandard housing.</td>
</tr>
<tr>
<td>369HR372-19</td>
<td>Town of Ellington</td>
<td>Town of Ellington Trailer Replacement Program 2019</td>
<td>Manufactured Housing</td>
<td>The Town of Ellington will use $499,000 in NYS CDBG funds to provide housing rehabilitation assistance to low-income mobile home owners, providing the funds needed to replace existing units that cannot be repaired for a reasonable amount of money with new, HUD Energy Star compliant units.</td>
</tr>
<tr>
<td>382HR365-19</td>
<td>County of Essex</td>
<td>Essex County Mobile Home Replacement Program</td>
<td>Manufactured Housing</td>
<td>Essex County will use $470,780 in NYS CDBG funds to replace four dilapidated mobile homes with new, Energy Star rated manufactured homes. Funding assistance will include the demolition and removal of the dilapidated home and the installation of a new housing unit on a permanent foundation.</td>
</tr>
<tr>
<td>418HR345-19</td>
<td>Town of Franklin</td>
<td>Town of Franklin Housing Rehabilitation 2019</td>
<td>Housing Rehabilitation</td>
<td>The Town of Franklin will use $450,000 of NYS HCR CDBG funds to provide rehabilitation assistance to 9 low-income mobile home owners.</td>
</tr>
</tbody>
</table>
income homeowners, the estimated total project cost is $472,600.

<p>| 458HR346-19 | Town of Gilboa | Town of Gilboa MHR 2019 | Manufactured Housing | The Town of Gilboa will use $500,000 NYS CDBG MHR funds to remove and demolish mobile/manufactured homes and to install HUD approved Energy Star rated manufactured/modular homes. | Mohawk Valley | $500,000 |
| 462HR340-19 | City of Gloversville | City of Gloversville CDBG Housing Rehabilitation 2019 | Housing Rehabilitation | The City of Gloversville will use $500,000 in NYS CDBG funds to provide housing rehabilitation assistance to low-income homeowners. | Mohawk Valley | $500,000 |
| 552HR357-19 | City of Hornell | City of Hornell Housing Rehabilitation | Housing Rehabilitation | The City of Hornell will utilize $500,000 in NYD CDBG funds to provide housing rehabilitation assistance to low and moderate-income homeowners. | Southern Tier | $500,000 |
| 580HR364-19 | Town of Jefferson | Town of Jefferson MHR 2019 | Manufactured Housing | The Town of Jefferson will use $500,000 NYS CDBG MHR funds to remove and demolish mobile/manufactured homes and to install HUD approved, Energy Star rated manufactured/modular homes. | Mohawk Valley | $500,000 |
| 636HR353-19 | County of Lewis | Lewis County MHR Program | Manufactured Housing | Lewis County proposes to utilize $510,000 in Small Cities CDBG funding to replace five severely substandard and/or dilapidated mobile or manufactured homes with new Energy Star qualified manufactured housing units. | North Country | $510,000 |</p>
<table>
<thead>
<tr>
<th>Code</th>
<th>County</th>
<th>Subrecipient</th>
<th>Program Description</th>
<th>Capital Region</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>975HO349-19</td>
<td>County of Rensselaer</td>
<td>Rensselaer County Homeownership 11</td>
<td>Rensselaer County will use $200,000 in NYS CDBG funds to provide homeownership assistance for low- and moderate-income households looking to purchase homes in the County outside the city of Troy through its subrecipient Rensselaer County Housing Resources.</td>
<td>Capital Region</td>
<td>$200,000</td>
</tr>
<tr>
<td>1042HR342-19</td>
<td>County of Schoharie</td>
<td>Schoharie County Housing Rehabilitation 2019</td>
<td>Schoharie County will use $400,000 in New York State CDBG funds to provide housing rehabilitation assistance to 13 low income homeowners.</td>
<td>Mohawk Valley</td>
<td>$400,000</td>
</tr>
<tr>
<td>1076HR373-19</td>
<td>Village of Silver Creek</td>
<td>Village of Silver Creek Rehab Program 2019</td>
<td>The Village of Silver Creek will use $493,000 in NYS CDBG funds to provide housing rehabilitation assistance to low-income homeowners.</td>
<td>Western NY</td>
<td>$493,000</td>
</tr>
<tr>
<td>1086HR366-19</td>
<td>Town of Solon</td>
<td>Town of Solon Housing Rehab 2019</td>
<td>The Town of Solon will use $500,000 of NYS CDBG funds to provide housing rehabilitation assistance to 15 low-moderate income households.</td>
<td>Central NY</td>
<td>$500,000</td>
</tr>
<tr>
<td>1106HR363-19</td>
<td>County of St Lawrence</td>
<td>Countywide Housing Rehabilitation Program Round #3</td>
<td>St. Lawrence County will use $440,000 to assist 10 low- to moderate-income households, owner-occupants as well as renters, to make repairs to their homes to bring them to a safe, decent, and energy-efficient condition.</td>
<td>North Country</td>
<td>$440,000</td>
</tr>
<tr>
<td>Project Number</td>
<td>Funding Body</td>
<td>Funding Location</td>
<td>Funding Amount</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td>--------------</td>
<td>------------------</td>
<td>---------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1115HR339-19</td>
<td>County of Steuben</td>
<td>Steuben County Well &amp; Septic Program 2020</td>
<td>Southern Tier</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1162HR360-19</td>
<td>Town of Unadilla</td>
<td>Town of Unadilla Housing Rehabilitation Program 2019</td>
<td>Mohawk Valley</td>
<td></td>
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<tr>
<td>1205HR359-19</td>
<td>Town of Waterloo</td>
<td>Town of Waterloo Town Housing Rehabilitation 2019</td>
<td>Finger Lakes</td>
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</tr>
<tr>
<td>1238HR374-19</td>
<td>Town of Westfield</td>
<td>Village of Westfield Housing Rehab Program</td>
<td>Western NY</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION AUTHORIZING AWARDS UNDER COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR HOUSING ACTIVITIES

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, HTFC is authorized to administer the Community Development Block Grant Program (“CDBG Program”); and

WHEREAS, within the limit of funds available for the CDBG Program, HTFC is authorized to grant awards under the CDBG Program to eligible applicants for housing activities including housing rehabilitation and homeownership; and

WHEREAS, a Notice of Funding Availability was published on October 23, 2019 and provided for the availability of at least $10,000,000 under the CDBG Program for housing activities; and

WHEREAS, HTFC staff has received 39 eligible applications and reviewed and evaluated the applications and required documentation of the applicants for funds under the CDBG Program; and

WHEREAS, HTFC staff recommends awards to 27 applicants totaling $12,213,780; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award under the CDBG Program for housing activities with the following applicants and up to the amounts listed below:

<table>
<thead>
<tr>
<th>Project #</th>
<th>Applicant</th>
<th>Project Name</th>
<th>Recommended Award</th>
</tr>
</thead>
<tbody>
<tr>
<td>20WS350-19</td>
<td>County of Allegany</td>
<td>Allegany County Well and Septic - 2019</td>
<td>$400,000</td>
</tr>
<tr>
<td>32HR338-19</td>
<td>City of Amsterdam</td>
<td>City of Amsterdam CDBG Housing Rehab 2019</td>
<td>$500,000</td>
</tr>
<tr>
<td>Code</td>
<td>Town</td>
<td>County</td>
<td>Program</td>
</tr>
<tr>
<td>------------</td>
<td>-----------------------</td>
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<td>----------------------------------------------</td>
</tr>
<tr>
<td>37HR368-19</td>
<td>Andover</td>
<td>Town of Andover</td>
<td>Severely Substandard Housing Program #2</td>
</tr>
<tr>
<td>60HR344-19</td>
<td>AuSable</td>
<td>Town of AuSable</td>
<td>MMHR 2019</td>
</tr>
<tr>
<td>199HR348-19</td>
<td>Cattaraugus</td>
<td>County of Cattaraugus</td>
<td>MHRI 2019-3</td>
</tr>
<tr>
<td>225WS337-19</td>
<td>Chemung</td>
<td>County of Chemung</td>
<td>Septic &amp; Well Program 2020</td>
</tr>
<tr>
<td>227HO341-19</td>
<td>Chenango</td>
<td>County of Chenango</td>
<td>Home Ownership Program IX</td>
</tr>
<tr>
<td>250HR369-19</td>
<td>Clinton</td>
<td>County of Clinton</td>
<td>Home Purchase 2020</td>
</tr>
<tr>
<td>285HR362-19</td>
<td>Cortland</td>
<td>City of Cortland</td>
<td>Income Property Program 2019</td>
</tr>
<tr>
<td>337HR356-19</td>
<td>Dryden</td>
<td>Village of Dryden</td>
<td>Rehabilitation Program 2019</td>
</tr>
<tr>
<td>369HR372-19</td>
<td>Ellington</td>
<td>Town of Ellington</td>
<td>Trailer Replacement Program 2019</td>
</tr>
<tr>
<td>382HR365-19</td>
<td>Essex</td>
<td>County of Essex</td>
<td>Mobile Home Replacement Program</td>
</tr>
<tr>
<td>Project ID</td>
<td>Municipality</td>
<td>Housing Program</td>
<td>Amount</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------</td>
<td>------------------------------------------------------</td>
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</tr>
<tr>
<td>418HR345-19</td>
<td>Town of Franklin</td>
<td>Town of Franklin Housing Rehabilitation 2019</td>
<td>$450,000</td>
</tr>
<tr>
<td>458HR346-19</td>
<td>Town of Gilboa</td>
<td>Town of Gilboa MHR 2019</td>
<td>$500,000</td>
</tr>
<tr>
<td>462HR340-19</td>
<td>City of Gloversville</td>
<td>City of Gloversville CDBG Housing Rehabilitation 2019</td>
<td>$500,000</td>
</tr>
<tr>
<td>552HR357-19</td>
<td>City of Hornell</td>
<td>City of Hornell Housing Rehabilitation</td>
<td>$500,000</td>
</tr>
<tr>
<td>580HR364-19</td>
<td>Town of Jefferson</td>
<td>Town of Jefferson MHR 2019</td>
<td>$500,000</td>
</tr>
<tr>
<td>636HR353-19</td>
<td>County of Lewis</td>
<td>Lewis County MHR Program</td>
<td>$510,000</td>
</tr>
<tr>
<td>975HO349-19</td>
<td>County of Rensselaer</td>
<td>Rensselaer County Homeownership 11</td>
<td>$200,000</td>
</tr>
<tr>
<td>1042HR342-19</td>
<td>County of Schoharie</td>
<td>Schoharie County Housing Rehabilitation 2019</td>
<td>$400,000</td>
</tr>
<tr>
<td>1076HR373-19</td>
<td>Village of Silver Creek</td>
<td>Village of Silver Creek Rehab Program 2019</td>
<td>$493,000</td>
</tr>
<tr>
<td>Number</td>
<td>Town</td>
<td>Project Description</td>
<td>Amount</td>
</tr>
<tr>
<td>------------</td>
<td>----------------</td>
<td>----------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>1086HR366-19</td>
<td>Town of Solon</td>
<td>Town of Solon Housing Rehab 2019</td>
<td>$500,000</td>
</tr>
<tr>
<td>1106HR363-19</td>
<td>County of St Lawrence</td>
<td>Countywide Housing Rehabilitation Program Round #3</td>
<td>$440,000</td>
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Section 2. The Members hereby approve the entering into of regulatory agreements with the applicants, upon their satisfactory compliance with any pre-contract conditions as required by statute or regulation, and upon such terms and conditions as set forth in the program guidelines.

Section 3. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 4. This resolution shall take effect immediately.
MEMORANDUM
To: Housing Trust Fund Corporation Board Members
From: Jason Purvis, Vice-President, Federal Programs, Office of Community Renewal
      Scott LaMountain, Program Director, CDBG Economic Development
Date: March 12, 2020
Subject: NYS CDBG Economic Development Program
OCR ID: 285ED948-20

Executive Summary
Applicant: City of Cortland
Project Name: New York Hemp Oil
Public Benefit: Job Creation: 38 FTE

Project Description and Public Purpose

The City of Cortland has requested $570,000 in NYS CDBG Economic Development funds to assist New York Hemp Oil with equipment and machinery and professional fees to expand production into licensed retail CBD products.

New York Hemp Oil (NYHO) is a licensed hemp processing company that produces high-quality USDA Certified Organic Hemp CBD (Extract) from industrial hemp. NYHO will expand their production facility with a wide variety of specialized equipment to enable production of retail products such as CBD oil tinctures and salves, as well as bulk CBD oil. The business seeks to meet the growing need of New York hemp farmers for hemp processing facilities. NYHO is one of the few licensed hemp processors in the state and estimates that with this expansion it will be able to process over 300 acres of hemp for New York State producers in 2020.

The proposed total project cost of $1,596,000 will create 38 full-time equivalent jobs over two years, with 29 (76%) to benefit low- and moderate-income persons. The project will assist New York Hemp Oil with machinery, equipment, program delivery and administration fees of which the NYS CDBG funds will be allocated to machinery, equipment, program delivery and administration fees. The NYS CDBG cost per job is $15,000. Each dollar in NYS CDBG funds provided will leverage $1.80 in private investment. Without CDBG funds, the business will have a gap in financing that will prevent the business from purchasing equipment and moving the project forward, and the new positions will not be created.
Regions & Districts

County: Cortland
REDC Region: Central NY
Chief Elected: Brian Tobin, Mayor
NYS Assembly: Barbara Lifton
NYS Senate: James Seward
US Congressional: Anthony Brindisi

Financing Structure:

Total Project Cost: $1,596,000

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<td>$1,596,000</td>
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Recommendation and Request for Authorization Action Item

A resolution authorizing HTFC to award NYS CDBG Economic Development funds and enter into a grant agreement with the City of Cortland.
WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, the HTFC is authorized to administer the Community Development Block Grant Economic Development Program (“CDBG Program”); and

WHEREAS, the HTFC staff recommends awarding funds to the City of Cortland to assist New York Hemp Oil with equipment and machinery and professional fees to expand production into licensed retail CBD products; and

WHEREAS, the proposed expansion will create 38 full-time equivalent jobs over two years, with 29 (76%) to benefit low- and moderate-income persons; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award of $570,000 under the CDBG Program to the City of Cortland to assist New York Hemp Oil.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Jason Purvis, Vice-President, Federal Programs, Office of Community Renewal
      Scott LaMountain, Program Director, CDBG Economic Development

Date: March 12, 2020

Subject: NYS CDBG Economic Development Program

OCR ID: 366ED950-20

Executive Summary

Applicant: Town of Ellicott

Project Name: Arktura, LLC

Public Benefit: Job Creation: 50 FTE

Project Description and Public Purpose

The Town of Ellicott has requested $750,000 in NYS CDBG Economic Development funds to assist Arktura, LLC with equipment and machinery required to establish an east coast production facility.

Arktura, a Delaware LLC formed in 2008 with headquarters in Gardena, CA, is a designer and manufacturer of custom architectural wall and ceiling systems, furniture and housewares, canopies, kiosks and sculptures, and lighting. Its custom products, many of which are constructed using recycled materials, are manufactured in-house. Arktura has established a global clientele by providing the expertise to undertake the design and production of challenging architectural systems that involve odd shapes or intricate detail. The business has experienced exponential growth since its founding and wishes to expand its manufacturing and warehousing capacity in a location that would facilitate service to its East Coast market. The company proposes to establish its East Coast factory in the Town of Ellicott in Chautauqua County. The project includes the acquisition of a vacant 134,000 square-foot manufacturing facility, building upgrades, the purchase of production machinery and equipment, furnishings & fixtures, and soft costs required to support the new operations.

The proposed total project will cost $6,251,500 and will create 50 full-time equivalent jobs over two years, with 32 (64%) to benefit low- and moderate-income persons. The project will assist Arktura, LLC with property acquisition, renovations, machinery, equipment, furniture, fixtures, soft costs, and professional fees of which the NYS CDBG funds will be allocated to machinery, equipment and professional fees. The NYS CDBG cost per job is $15,000 and each dollar in NYS CDBG funds provided will leverage $7.33 in private investment. Without CDBG funds, the business will have a gap in short term equipment financing that will prevent the project from moving forward, and the new positions will not be created.
**Regions & Districts**

County: Chautauqua  
REDC Region: Western NY  
Chief Elected: Patrick McLaughlin, Supervisor  
NYS Assembly: Andrew Goodell  
NYS Senate: George Borrello  
US Congressional: Thomas Reed

**Financing Structure:**

**Total Project Cost:** $6,251,500

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**Recommendation and Request for Authorization Action Item**

A resolution authorizing HTFC to award NYS CDBG Economic Development funds and enter into a grant agreement with the Town of Ellicott.
WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, the HTFC is authorized to administer the Community Development Block Grant Economic Development Program ("CDBG Program"); and

WHEREAS, the HTFC staff recommends awarding funds to the Town of Ellicott to assist Arktura, LLC with the purchase of equipment and machinery required to establish an east coast production facility; and

WHEREAS, the proposed expansion will create 50 full-time equivalent jobs over two years, with 32 (64%) to benefit low- and moderate-income persons; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award of $750,000 under the CDBG Program to the Town of Ellicott to assist Arktura, LLC.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members
From: Jason Purvis, Vice-President, Federal Programs, Office of Community Renewal
      Scott LaMountain, Program Director, CDBG Economic Development
Date: March 12, 2020
Subject: NYS CDBG Economic Development Program
OCR ID: 658SB949-20

Executive Summary

Applicant: Livingston County
Project Name: Old Stumpblower Cider Works, LLC
Public Benefit: Job Creation: 6 FTE

Project Description and Public Purpose

Livingston County has requested $100,000 in NYS CDBG Economic Development funds to assist Old Stumpblower Cider Works, LLC with machinery and equipment expenses required to increase production and allow for expansion of its current tasting room.

In 2016, Old Stumpblower Cider Works, LLC began production of various flavors of craft hard cider at a 2,000 square-foot brewery located in Lakeville, NY. The company currently sells its products at the onsite taproom and through distribution to area bars and restaurants, with plans to both expand its distribution network into Syracuse and establish a physical location in Buffalo. The project will allow Old Stumpblower Cider Works, LLC to double the size of its existing production space and tasting room, where it can accommodate additional patrons and provide entertainment options. Since opening, Old Stumpblower Cider Works, LLC has experienced consistent growth and therefore the expansion is necessary to meet growing demand for the products.

The proposed total project will cost $340,000 and will create 6 full-time equivalent jobs over two years, with all 6 (100%) to benefit low- and moderate-income persons. The overall project will assist Old Stumpblower Cider Works, LLC with furniture, fixtures, machinery, and equipment as well as inventory, construction, and building renovations, of which the NYS CDBG funds will be allocated to machinery and equipment. The NYS CDBG cost per job is $16,667 and each dollar in NYS CDBG funds provided will leverage $2.40 in private investment. Without CDBG funds, the business will have a gap in equipment financing that will prevent the project from moving forward, and the new positions will not be created.
Regions & Districts
County: Livingston
REDC Region: Finger Lakes
Chief Elected: David LeFeber, Chairman
NYS Assembly: Marjorie Byrnes
NYS Senate: George Borrello
US Congressional: Currently vacant

Financing Structure:

Total Project Cost: $340,000

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Recommendation and Request for Authorization Action Item
A resolution authorizing HTFC to award NYS CDBG Economic Development funds and enter into a grant agreement with Livingston County.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION AUTHORIZING AN
AWARD UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT
ECONOMIC DEVELOPMENT PROGRAM FOR LIVINGSTON COUNTY

WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to
Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, the HTFC is authorized to administer the Community Development Block
Grant Economic Development Program ("CDBG Program"); and

WHEREAS, the HTFC staff recommends awarding funds to Livingston County to assist
Old Stumpblower Cider Works, LLC with machinery and equipment expenses required to increase
production and allow for expansion of its current tasting room; and

WHEREAS, the proposed expansion will create 6 full-time equivalent jobs over two years,
with all 6 (100%) to benefit low- and moderate-income persons; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award of $100,000 under the CDBG Program
to Livingston County to assist Old Stumpblower Cider Works, LLC.

Section 2. The Members hereby authorize the President of the Office of Community
Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to
execute any documents which may be necessary and appropriate to effectuate the purposes of this
resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Jason Purvis, Vice-President, Federal Programs, Office of Community Renewal
      Scott LaMountain, Program Director, CDBG Economic Development

Date: March 12, 2020

Subject: NYS CDBG Economic Development Program
          OCR ID: 726SB947-20

Executive Summary

Applicant: Village of Middleburgh

Project Name: Kaskazini Kitchen

Public Benefit: Job Creation: 5 FTE

Project Description and Public Purpose

The Village of Middleburgh has requested $100,000 in NYS CDBG Economic Development funds to assist in the expansion of Kaskazini Kitchen, Inc. with equipment, supplies, working capital, and professional services.

Kaskazini Kitchen, Inc. is a raw pet food producer and outlet store located in the downtown business district of Middleburgh, NY. Kaskazini Kitchen processes and sells fresh pet food to high-end markets and conscientious pet owners seeking custom blends, and seasonal, natural ingredients. The last several years have shown steady and continued demand and sales increases. The business plans to continue this growth by outfitting its existing space to accommodate increased production and to establish a stronger retail presence. The business will place an emphasis on creating environmentally sensitive packaging, promoting pet health, and creating a “home kitchen” feel. In addition, the business intends to utilize regional farms for ingredient sourcing, supporting the local economy and employment.

The proposed project, with a total cost of $251,083, will create 5 full-time equivalent jobs over two years, with 5 (100%) to benefit low- and moderate-income persons. The full project will involve the purchase of equipment and supplies as well as assistance with working capital, and professional fees. The NYS CDBG funds will be used for equipment, supplies, working capital, program delivery, and administration. The NYS CDBG cost per job is $20,000. Each dollar in NYS CDBG funds provided will leverage $1.51 in private investment. Without CDBG funds, the business will have a gap in financing that will prevent the project from moving forward, and the new jobs will not be created.
Regions & Districts

County: Schoharie
REDC Region: Mohawk Valley
Chief Elected: Matthew Avitabile, Mayor
NYS Assembly: Chris Tague
NYS Senate: James Seward
US Congressional: Antonio Delgado

Financing Structure:

Total Project Cost: $251,083

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Total Source of Funds: $251,083

Recommendation and Request for Authorization Action Item

A resolution authorizing HTFC to award NYS CDBG Economic Development funds and enter into a grant agreement with the Village of Middleburgh.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION AUTHORIZING AN AWARD UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM FOR THE VILLAGE OF MIDDLEBURGH

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, the HTFC is authorized to administer the Community Development Block Grant Economic Development Program (“CDBG Program”); and

WHEREAS, the HTFC staff recommends awarding funds to The Village of Middleburgh to assist Kaskazini Kitchen with equipment, supplies, working capital, and professional services; and

WHEREAS, the proposed expansion will create 5 full-time equivalent jobs over two years, with 5 (100%) to benefit low- and moderate-income persons; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award of $100,000 under the CDBG Program to The Village of Middleburgh to assist Kaskazini Kitchen.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
MEMORANDUM

To: Housing Trust Fund Corporation Board Members

From: Jason Purvis, Vice-President, Federal Programs, Office of Community Renewal
Scott LaMountain, Program Director, CDBG Economic Development

Date: March 12, 2020

Subject: NYS CDBG Economic Development Program
OCR ID: 1042SB946-20

Executive Summary

Applicant: Schoharie County

Project Name: Wayward Lane Brewing, LLC

Public Benefit: Job Creation: 3 FTE

Project Description and Public Purpose

Schoharie County has requested $75,000 in NYS CDBG Economic Development funds to assist Wayward Lane Brewing, LLC with equipment, building renovations, and professional services to start and grow what will be a destination spot for local patrons and tourists.

Wayward Lane Brewing, LLC will establish a NYS farm brewery and tasting room on scenic farmland in the heart of the Schoharie Valley. The business will prioritize preserving, enhancing and protecting natural resources and historic farming cultures. As such, the company will rehabilitate an existing 19th century barn/hop house to accommodate state-of-the-art craft beer brewing equipment necessary for the project. In addition, adjoining open spaces will be returned to productive agricultural land. This project will increase the viability of the Schoharie County Beverage Trail and provide additional economic growth to the area as a destination for locals and tourists. Wayward Lane will also have a positive effect on the central business district of the nearby Village of Schoharie.

The proposed project, with a total cost of $746,000, will create 3 full-time equivalent jobs over two years, with 3 (100%) to benefit low- and moderate-income persons. The full project will involve the purchase of equipment, building renovation, and professional services. The NYS CDBG funds will be used for equipment. The NYS CDBG cost per job is $25,000. Each dollar in NYS CDBG funds provided will leverage $8.94 in private investment. Without CDBG funds, the business will have a gap in financing that will prevent the business from making the necessary equipment purchases, and the new jobs will not be created.
Regions & Districts

County: Schoharie  
REDC Region: Mohawk Valley  
Chief Elected: William Federice, Chairman  
NYS Assembly: Chris Tague  
NYS Senate: James Seward  
US Congressional: Anthony Delgado

Financing Structure:

Total Project Cost: $746,000

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Recommendation and Request for Authorization Action Item

A resolution authorizing HTFC to award NYS CDBG Economic Development funds and enter into a grant agreement with the Schoharie County.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION AUTHORIZING AN AWARD UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT PROGRAM FOR SCHOHARIE COUNTY

WHEREAS, the Housing Trust Fund Corporation (“HTFC”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, the HTFC is authorized to administer the Community Development Block Grant Economic Development Program (“CDBG Program”); and

WHEREAS, the HTFC staff recommends awarding funds to Schoharie County to assist Wayward Lane Brewing, LLC with equipment, building renovations, and professional services to start and grow what will be a destination spot for local patrons and tourists; and

WHEREAS, the proposed expansion will create 3 full-time equivalent jobs over two years, with 3 (100%) to benefit low- and moderate-income persons; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve an award of $75,000 under the CDBG Program to Schoharie County to assist Wayward Lane Brewing, LLC.

Section 2. The Members hereby authorize the President of the Office of Community Renewal or another authorized officer of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
FROM: Linda Manley  
Senior Vice President and Counsel 

TO: HFA, SONYMA and AHC Members and Directors 
HTFC Members 

SUBJECT: Approval of legal services contract with Sive Paget Riesel, PC 

Reason Before the Members and Directors 

Authorization to enter into a legal services contract with Sive Paget Riesel, PC (“Sive Paget”) for information technology law matters is before the HFA, SONYMA and AHC (collectively, “Agencies”) Members and Directors and the Housing Trust Fund Corporation (“HTFC”) Members for approval, pursuant to Section 2879 of the Public Authorities Law and the respective Procurement and Contract Guidelines of the Agencies and HTFC (“Guidelines”) that require the Agencies’ Members and Directors and the HTFC Members to approve procurement contracts that exceed one year in duration or $100,000 in amount. (Unless otherwise defined herein, capitalized terms appearing in this memorandum adhere to their respective definitions in the Guidelines). 

Criteria for Use of Contractors for Personal Services 

In accordance with the provisions of Article III of the Guidelines, the Agencies and HTFC have made a determination that it is appropriate that legal services be performed by outside contractors under personal services contracts as: (a) such services are necessary or convenient to the performance of the responsibilities of the Agencies and HTFC; and (b) such services are not available from Agency and HTFC employees. Such services are appropriately determined to be personal services proper for "contracting out" as they are substantially akin to other typically contracted out personal services listed in Article III of the Guidelines. 

Description of Vendor Selection & Personal Services to be Performed 

A. The Agencies and their Affiliates (State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation and Housing Trust Fund Corporation) issued a request for proposals (“RFP”) on August 24, 2012 to establish a new prequalified panel of
outside law firms (“Panel(s)”) to represent the Agencies in the following legal areas: (1) real estate, land use, construction, and related lending; (2) environmental law issues; (3) foreclosure; (4) bankruptcy; (5) tax issues affecting real estate transactions and general tax issues; (6) fair housing law, federal and State housing and related subsidies; (7) low income housing tax credits; (8) corporate governance; (9) insurance and related liability issues; (10) negotiation of contracts, leases, etc.; (11) advertising, copyright, trade-marking and internet rights and responsibilities; (12) litigation; (13) condemnation; and (14) labor matters (individually and collectively, “Legal Services”).

As a result of the RFP process, the Agencies established the following two Panels, comprising 24 firms (the “Firms”):

14 Non M/WBE Law Firms

- Anderson Kill & Olick, P.C. (“Anderson”)
- Arent Fox LLP (“Arent”)
- Boylan, Brown, Code, Vigdor & Wilson, LLP (“Boylan”)
- Day Pitney LLP (“Day”)
- Edwards Wildman Palmer LLP (“Edwards”)
- Golenbock, Eisman, Assor, Bell & Peskoe LLP (“Golenbock”)
- Harris Beach, PLLC (“Harris”)
- Holland & Knight, LLP (“H&K”)
- Jaspen Schlesinger Hoffman, LLP (“Jaspan”)
- McKenna Long (acquired by Dentons US LLP on July 1, 2015)
- Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. (“Mintz”)
- Nixon Peabody, LLP (“Nixon”)
- Squire, Sanders & Dempsey, LLP (“Squire”)
- Venable, LLP (“Venable”)

10 M/WBE Law Firms

- Brown & Hutchinson LLP, a MBE (“Brown”)
- Bryant Rabbino LLP, a MBE (“Bryant”)
- Drohan Lee, LLP, a MBE (“Drohan”)
- Gonzalez, Saggio & Harlan LLP (dissolved in 2015)
- Hoguet Newman Regal & Kenney, LLP, a WBE (“Hoguet”)
- McGlashan Law Firm, P.C., a MBE (“McGlashan”)
- Morris, Duffy, Alonso & Foley, a M/WBE (“Morris”)
- Pacheco & Lugo, PLLC, a M/WBE (“Pacheco”)
- Wilson & Chan, LLP, a MBE (“Wilson”)
- Younkins & Schector LLP, a M/WBE (“Younkins”)

The Committees authorized contracts with Firms on the Panels at their January 29, 2013 meetings for a five-year term.
B. On July 10, 2013, HFA issued an RFP for legal services to represent HFA in connection with problem loans and affordable housing multi-family real estate properties in distressed situations relating to HFA’s acquired loan portfolio from New York State’s Empire State Development. As a result of the RFP process, Dentons US LLP, Seyfarth Shaw LLP (“Seyfarth”), Love & Long LLP (“Love & Long”) and Schoeman Updike Kaufman Stern & Ascher LLP (“Schoeman”) were invited to the Agencies for interviews. The HFA Review Committee was impressed with Dentons’ presentation and selected the law firm as the awardee. In addition, the HFA Review Committee was also impressed with the presentations of Schoeman, Love & Long and Seyfarth. After further discussion, the Review Committee recommended the additions of these four firms to the Agencies’ prequalified panel of law firms for legal services, other than those legal services pertaining to municipal finance matters. As a result of the newly added firms to the Agencies’ two Panels, the Panels are now comprised of 26 firms:

15 Non M/WBE Law Firms

- Anderson
- Arent
- Boylan
- Day
- Dentons
- Edwards
- Golenbock
- Harris
- H&K
- Jaspen
- Mintz
- Nixon
- Seyfarth
- Squire
- Venable
11 M/WBE Law Firms

- Brown
- Bryant
- Drohan
- Hoguet
- Love & Long, a M/WBE
- McGlashan
- Morris
- Pacheco
- Schoeman, a WBE
- Wilson
- Younkins, a M/WBE

At their September 10, 2013 meetings, the HFA Governance Committee approved a legal services contract with Dentons to represent HFA in connection with problem loans and affordable housing multi-family real estate properties in distressed situations relating to HFA’s acquired loan portfolio from New York State’s Empire State Development. In addition, the Agencies’ Governance Committees also approved legal services contracts (for legal matters other than those related to municipal finance transactions) with Dentons US LLP, Schoeman, Love & Long and Seyfarth for a five-year term.

C. Increasingly, many of the HFA projects recently financed, or scheduled to be financed, by the Agency (including many so-called “80/20” projects) are opting to subject their projects to a condominium regime while still developing or operating such projects as residential rental developments. As condominium structures and the creation of condominiums are a highly specialized area of real estate practice (and outside the scope of general real estate law practiced by many firms), Agency staff determined that the Agency would benefit from the expertise of outside counsel with significant knowledge in this area of practice.

The Agency conducted outreach and were only able to obtain bids from two firms, (i) Ganfer Shore and (ii) Strook & Stroock & Lava LLP. After reviewing the credentials of the two firms that submitted bids, we concluded that Ganfer Shore was the better candidate.

On May 1, 2015, HFA entered into a single source legal services agreement with Ganfer Shore to represent the Agency in condominium matters for a one-year term with expenditures capped at $100,000. At their January 2, 2016 meeting, the Committee authorized the contract with Ganfer Shore for a one-year period. The Committee subsequently authorized extending the term of the Ganfer Shore contract for one-year period at its January 26, 2017 meeting.

At their January 25, 2018, January 24, 2019 and January 30, 2020 meetings, the Committees authorized renewal of the contract terms with Ganfer Shore and Firms on the Panel for a one-year period.
At this time, the Agencies wish to add the law firm, Sive Paget, to their prequalified list of law firms. The Agencies have been working with a partner at Holland & Knight (H&K”) for a legal matter in the area of information technology law in connection with the BAM project. In accordance with Article IV.b.v of HTFC’s Guidelines, HTFC has also been utilizing the same H&K partner for a legal matter in the area of information technology law in connection with a Section 8 Database Solution project. The information technology partner, formerly a partner at H&K, is now a partner at Sive Paget. Both the Agencies and HTFC wish this partner to continue providing legal services for their respective projects. Accordingly, authorization to add the firm Sive Paget to the Agencies’ prequalified list of law firms is being presented to the Agencies’ Members and Directors for approval. In addition, authorization for the Agencies and HTFC to enter into legal services agreements for their respective projects is being presented to the Agencies’ Members and Directors and the HTFC Members for approval for a one-year term.

Promoted and Prohibited Contracts & Contracts Subject to Other Limitations

The Guidelines provide for consideration to be given to certain kinds of contracts that may be promoted, prohibited or subjected to certain limitations which include but are not limited to contracts with M/WBEs, New York State Business Enterprises (“NYSBEs”) and enterprises from "Discriminatory Jurisdictions.” Sive Paget is a NYSBE but is not a MWBE.

Recommendation

Authorization to add the law firm, Sive Paget, to the Agencies’ prequalified list of law firms is being submitted to the HFA, SONYMA and AHC Members and Directors for approval. Authorization to enter into contracts with Sive Paget is being submitted to the Agencies’ Members and Directors and the HTFC Members for approval. In consideration of the recommendations of staff, it is respectfully requested that the transmitted resolution be adopted by the Agencies’ Members and Directors and the HTFC Members authorizing (i) the Agencies to add Sive Paget to their list of prequalified law firms for legal matters other than those pertaining to municipal finance transactions and (ii) the Agencies and HTFC to enter into legal services contracts with Sive Paget, for their respective contracts, for a one-year period.
A RESOLUTION OF THE
NEW YORK STATE HOUSING FINANCE AGENCY,
STATE OF NEW YORK MORTGAGE AGENCY AND
NEW YORK STATE AFFORDABLE HOUSING CORPORATION AND
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING A LEGAL SERVICES CONTRACT WITH
SIVE PAGET RIESEL, PC

WHEREAS, pursuant to the Bylaws of the New York State Housing Finance Agency ("HFA"), State of New York Mortgage Agency ("SONYMA") and New York State Affordable Housing Corporation ("AHC") (and collectively, the “Agencies”), the Agencies’ Members and Directors are authorized to approve procurement contracts that exceed one year in duration or $100,000 in amount; and

WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to Section 45-a of the New York Private Housing Finance Law ("PHFL"); and

WHEREAS, Section 45-a of the PHFL authorizes HTFC to enter into contracts for goods and services; and

WHEREAS, Section 2879 of the Public Authorities Law and the respective Procurement and Contract Guidelines of the Agencies and HTFC (the “Guidelines”) require the respective Members and Directors to review and approve all procurement contracts that exceed one year in duration or $100,000 in amount; and

WHEREAS, the Agencies wish to add the law firm Sive Paget Riesel PC (“Sive Paget”) to their prequalified list of law firms for legal matters other than those matters pertaining to municipal finance transactions; and

WHEREAS, the Agencies and HTFC wish to enter into contracts with Sive Paget for legal matters related to information technology law; now, therefore be it

RESOLVED, by the Agencies’ Members and Directors and HTFC’s Members as follows:

Section 1. The Agencies’ Members and Directors hereby the authorize the Agencies to add the law firm, Sive Paget, to their prequalified list of law firms for legal matters other than those pertaining to municipal finance transactions.

Section 2. The HFA, SONYMA and AHC Members and Directors hereby authorize the Agencies to enter into a legal services agreement with Sive Paget for a one-year period.
Section 3. The HTFC Members hereby authorize HTFC to enter into a legal services agreement with Sive Paget for a one-year period.

Section 4. The President and Chief Executive Officer, or another designated Senior Officer of the Agencies, is hereby authorized, subject to this resolution, to execute any documents which may be necessary and appropriate to effectuate the purpose of this resolution, in accordance with the memorandum accompanying this resolution.

Section 5. The designated Senior Officer of HTFC is hereby authorized, subject to this resolution, to execute any documents which may be necessary and appropriate to effectuate the purpose of this resolution, in accordance with the memorandum accompanying this resolution.

Section 6. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members
From: Latoya Duncan, Assistant General Counsel, Governor’s Office of Storm Recovery
       Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery
Subject: Contract Extension for Limited Period Without Competitive Award Process

Reason Before the Members

The Governor’s Office of Storm Recovery (GOSR) is seeking an extension of the Armand Corporation (“Armand”) contract for an additional nine (9) months. Extending this contract for nine (9) months will result in the contract going beyond a five (5) year period without a new competitive award process thereby triggering the rules governing Article X(b)(ii) of the GOSR Procurement Policy, which states:

“Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”

An extension of this contract without a new competitive award process is being sought for the following reasons:

On July 1, 2014, GOSR/Housing Trust Fund Corporation (HTFC) initiated a public and open competitive Request for Qualification (RFQ) for Construction Management Support Services (CMSS). This RFP designated the initial term of the contract period as two (2) years, with up to three (3) one-year extension options. Armand was selected to provide five (5) tasks which are: (1) damage assessments, (2) environmental assessments (3) inspection services, (4) demolition services, and (5) project level design and construction management. The selection of Armand was based on the following selection criteria identified in the RFQ: (1) experience and capacity, (2) approach and methodology, (3) price and (4) commitment to compliance. An initial one-year contract was made effective on October 23, 2014 and was issued to Armand on January 9, 2015. The initial total funding allocation for the Armand contract was $1,000,000.00. This amount was established to act as a small placeholder in anticipation that incremental amendments would be executed to increase capacity as necessary.

The following Amendments for the Armand contract (which include extensions and/or funding increases) have been executed:
1) The First Amendment to the Agreement, entered into on February 5, 2015, increased Armand’s contract value to $10,000,000.00 with no Term extension.

2) The Second Amendment to the Agreement, entered into on May 19, 2015, increased Armand’s contract value to $13,976,647.00 with no Term extension.

3) The Third Amendment to the Agreement, entered into on October 22, 2015, increased Armand’s contract value to $36,964,996.00 and extended the Term of the Agreement through September 29, 2016.

4) The Fourth Amendment to the Agreement, entered into on October 11, 2016, increased Armand’s contract value to $48,964,996.00 and extended the Term of the Agreement through November 30, 2017.

5) The Fifth Amendment to the Agreement, entered into on March 9, 2017, extended the Term of the Agreement through March 31, 2018 and increased the contract value to $50,114,996.00.

6) The Sixth Amendment to the Agreement, entered into on August 11, 2017, increased Armand’s contract value to $51,614,996.00 with no Term extension.

7) The Seventh Amendment to the Agreement, entered into on January 19, 2018, extended the Term of the Agreement through June 30, 2019 and increased the contract value to $63,114,996.00.

8) The Eighth Amendment to the Agreement, entered into on October 19, 2018, increased the contract value to $63,814,996.00 with no Term extension.

9) The Ninth Amendment to the Agreement, entered into on July 1, 2019, extended the Term of the Agreement through March 31, 2020 and increased the contract value to $65,989,996.00. While this extension exceeded the RFQ term limitation by five (5) months, the GOSR Procurement Policy manual indicates that a determination not to enter in a new competitive award process immediately can be supported, in part, by verification that services are still being provided at competitive rates. Here, the rates for Armand were still determined to be competitive on a task order basis. Moreover, at this point, GOSR Procurement was within sixty (60) days of providing formal notification to awardees.

10) The Tenth Amendment to the Agreement, entered into on October 17, 2019, increased the contract value to $68,489,996.00 with no Term extension.

Following these contract amendments/extensions, the Armand contract was given a new termination date of March 31, 2020. In 2019, GOSR initiated a new public and open competitive request for proposal (RFP) for Project Management and Support Services (PMSS), to cover continuing Program needs beyond March 31, 2020. The scope of services in the RFP are as follows: (1) project management support, (2) case management, (3) policy and regulatory consulting, (4) inspection, (5) research, analysis and information support, and (6) appraisals. Vendors were selected based on the “best value” for the State utilizing the following selection criteria: project experience, capacity, staffing, approach and methodology, commitment to compliance and price. At the time of the Board meeting held on January 30, 2020, the evaluation of responses for this RFP was still in progress and the recommendation of vendors was not known, although it was known that certain current incumbents did not respond to the new RFP.

At this time, the RFP evaluation process is complete and GOSR is in the contract initiation and execution phase with thirteen (13) awardees that have been identified under the new RFP. Official
Award notifications were sent on February 10, 2020. GOSR is requesting an extension of the Armand contract for up to an additional nine (9) months to complete the use of the current case management system.

GOSR is seeking to extend a contract with Armand based on an examination of several factors, which include a review of: (1) quality of service, (2) timing, (3) cost comparison analysis, and (4) bid responsiveness.

Type/Quality of Service

GOSR established large-scale, temporary housing recovery programs. For five (5) years, more than half of the tenure of the program, Armand provided individualized case management services for applicants to the State’s largest housing recovery programs. As the Program approaches final closure, a small number of applicants remain. As the primary and longest service case management provider, Armand developed irreplaceable, intimate knowledge of the issues concerning the remaining cases. Replacement of Armand for the remaining cases would disrupt closeout and elongate the tenure of the remaining applicants in the Program.

Timing

Armand provides general case management services. Over the course of the next several months, the Program anticipates closing all cases which solely require general support. GOSR expects to obtain specialized case management services through new procurement vehicles within the next nine months to close out the remaining cases with extenuating circumstances. The use of Armand during this time period will be necessary to seamlessly transition the applicants to the new processes.

Cost Comparison Analysis

The cost to bring a new vendor on board is more expensive than retaining Armand’s services during this transition period. A cost comparison analysis conducted by the GOSR procurement team indicated that costs to continue services with Armand will not exceed $2,328,327.32. The procurement cost analysis indicated a general upward pricing trend for all awarded contractors under the new RFP. An examination of comparable vendor price proposals indicate that it would cost between $2,497,956.80 - $3,320,662.40 for case management services. The use of these vendors will ultimately result in higher pricing for services with staff that are not familiar with the Program and its requirements.

Bid Responsiveness

Among current procurements and pre-qualified pools of vendors, GOSR did not contemplate procuring for general case management services. Furthermore, GOSR does not expect interest through a new procurement for these services due to the short duration of remaining time nine (9) months) necessary to complete the project, there will be little incentive for firms to respond to a new mini-bid solicitation needed to procure a replacement firm.

Recommendation and Required Action by Members

Based on the above, there is a compelling programmatic need to extend the existing contract with Armand Corporation. GOSR respectfully requests that the Members approve the Armand Corporation contract extension for (9) months without a new competitive award process.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING EXTENSION OF A CONTRACT WITH ARMAND CORPORATION

WHEREAS, the Housing Trust Fund Corporation (“HTFC” or “Corporation”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article X(b)(ii) of the Governor’s Office of Storm Recovery (“GOSR”) Procurement Policies, states: “Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”; and

WHEREAS, GOSR is seeking a limited extension of the Armand Corporation (“Armand”) contract for an additional nine (9) month period without a new competitive award process; and

WHEREAS, Armand was a successful bidder in a public and open competition held pursuant to a request for qualifications issued by HTFC/GOSR on July 1, 2014 for disaster recovery advisory and project management support services and Armand was selected based on the quality of the company’s proposal, their experience, and their cost reasonable rates; now, therefore be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the Corporation to extend its contract with Armand Corporation for a nine (9) month period without a new competitive award process.

Section 2. The Members hereby authorize the GOSR Procurement Officer, HCR Procurement Officer, or another officer or authorized agent of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members  
From: Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery  
Latoya Duncan, Assistant General Counsel, Governor’s Office of Storm Recovery  
Subject: Contract Extension for Limited Period Without Competitive Award Process  

Reason Before the Members

The Governor’s Office of Storm Recovery (GOSR) is seeking an extension of the Hill International, Inc. (“Hill”) contract for an additional nine (9) months, with anticipated budget increase as determined by the needs of the programs.

Extending this contract for nine (9) months will result in the contract going beyond a five (5) year period without a new competitive award process thereby triggering the rules governing Article X(b)(ii) of the GOSR Procurement Policy, which states:

“Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”

An extension of this contract without a new competitive award process is being sought for the following reasons:

On July 1, 2014, Housing Trust Fund Corporation (HTFC)/GOSR initiated a public and open competitive Request for Qualification (RFQ) for Construction Management Support Services (CMSS). This RFQ designated the initial term of the contract period as two (2) years, with up to three (3) one-year extension options. Hill was selected to provide inspection services (Task 4). An initial one-year contract was made effective on October 23, 2014 and issued on January 9, 2015. The initial funding allocation on this contract was $500,000.00. This amount was established to act as a small placeholder in anticipation that incremental amendments would be executed to increase budget as necessary.
The following Amendments for the Hill contract (which include extensions and/or funding increases) have been executed:

1) The First Amendment to the Agreement, entered into on April 20, 2015, increased Hill’s original contract to $2,500,00.00 with no Term extension.

2) The Second Amendment to the Agreement, entered into on August 12, 2015, increased Hill’s contract value to $5,471,626.00 and extended the Term of the Agreement through October 22, 2016.

3) The Third Amendment to the Agreement, entered into on July 11, 2016, increased Hill’s contract value to $7,966,968.48 and extended the Term of the Agreement through February 28, 2017.

4) The Fourth Amendment to the Agreement, entered into on March 10, 2017, increased Hill’s contract value to $13,716,968.48 and extended the Term of the Agreement through March 31, 2018.

5) The Fifth Amendment to the Agreement, entered into on May 17, 2018 extended the Term of the Agreement through March 31, 2019 with no increase in contract value.

6) The Sixth Amendment to the Agreement, entered into on May 24, 2019, increased Hill’s contract value to $14,216,968.48 and extended the Term of the Agreement through March 31, 2020. While this extension exceeded the RFQ term limitation by five (5) months, the GOSR Procurement Policy manual indicates that a determination not to enter in a new competitive award process immediately can be supported, in part, by verification that services are still being provided at competitive rates. Here, the rates for Tectonic were still determined to be competitive on a task order basis. Moreover, at this point, GOSR Procurement was within sixty (60) days of providing formal notification to awardees.

Following these contract amendments/extensions, the Hill contract was given a new termination date of March 31, 2020.

In 2019, GOSR initiated a new public and open competitive request for proposal (RFP) for Project Management and Support Services (PMSS), to cover continuing Program needs beyond March 31, 2020. The scope of services in the RFP are as follows: (1) project management support, (2) case management, (3) policy and regulatory consulting, (4) inspection, (5) research, analysis and information support, and (6) appraisals. Vendors were selected based on the “best value” for the State utilizing the following selection criteria: project experience, capacity, staffing, approach and methodology, commitment to compliance and price. At the time of the Board meeting held on January 30, 2020, the evaluation of responses for this RFP was still in progress and the recommendation of vendors was not known, although it was known that certain current incumbents did not respond to the new RFP.

At this time, the RFP evaluation process is complete and GOSR is in the contract initiation and execution phase with thirteen (13) awardees that have been identified under the new RFP. Official award notifications were sent on February 10, 2020. GOSR is requesting an extension of the Hill contract for an additional nine (9) months to complete the remaining inspections.
GOSR is seeking to extend the contract with Hill based on an examination of several factors, which include a review of: (1) type and quality of service, (2) cost comparison analysis, and (3) timing.

Type/Quality of Service

For five (5) years Hill has provided construction inspection services for the Housing program. Hill has a small team of five (5) members who evaluate and oversee work performance, quality, safety oversight, coordination effectiveness, and documentation review. When the contract with Hill was first initiated, the staff provided the necessary quality of service required to complete the tasks. As time has progressed, Hill has developed irreplaceable, intimate knowledge of the inspection issues concerning the remaining homes in the Program. Procuring another vendor for the remaining homes would disrupt closeout and elongate the tenure of the remaining applicants in the Program.

Cost Comparison Analysis

The cost to bring a new vendor on board would be more expensive than choosing to retain the Hill contract. Based on a GOSR procurement cost analysis, the five (5) employees currently under Tectonic Engineering’s contract bill between $93.51 and $126.99, per hour. The total cost of extending the five (5) Tectonic Engineering staff members for an additional nine (9) months would be approximately $1,240,623.60.

The procurement cost analysis indicated a general upward pricing trend for all awarded contractors under the new RFP. An examination of comparable vendor price proposals indicate that it would cost between $120.54-$216.54, per hour, depending on the employee’s title for inspection services. The potential cost range to continue these services with comparable vendors would range between $2,374,525.44. Using another vendor would be cost inefficient, as this ultimately will result in GOSR paying higher costs for staff that are unfamiliar with the Program and its requirements.

Timing

A change in vendor may delay the construction of homes. Members of local communities have waited for several years for their respective project completions and many are still in progress. Hill’s inspection services provided to GOSR are also provided to homeowner applicants who serve as their own project managers. In this capacity, Hill provides technical assistance to motivate stalled construction and aid these homeowners in addressing other delays based on building permits, certain instances of contractor fraud, and other atypical issues impacting the timing of the project completion.

Moreover, Hill is intimately familiar with construction projects, including elevations. Transitioning inspections to uninformed parties may cause inherent risks to the projects because every house elevation is unique and the training new employees on these specificities may interrupt GOSR and homeowner deadlines.

Recommendation and Required Action by Members

Based on the above, there is a compelling programmatic need to extend the existing contract. GOSR respectfully requests that the Members approve the Hill contract extension for nine (9) months without a new competitive award process.
WHEREAS, the Housing Trust Fund Corporation (“HTFC” or “Corporation”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article X(b)(ii) of the Governor’s Office of Storm Recovery (“GOSR”) Procurement Policies, states: “Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”; and

WHEREAS, GOSR is seeking a limited extension of the Hill International, Inc. (“Hill”) contract for an additional nine (9) month period which will result in the contract extending beyond a five (5) year period without a new competitive award process; and

WHEREAS, Hill was a successful bidder in a public and open competition held pursuant to a request for qualifications issued by HTFC/GOSR on July 1, 2014 for construction management support services and Hill was selected based on the quality of the company’s proposal, their experience, and their cost reasonable rates; now, therefore be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the Corporation to extend its contract with Hill International, Inc. for a nine (9) month period without a new competitive award process.

Section 2. The Members hereby authorize the GOSR Procurement Officer, HCR Procurement Officer, or another officer or authorized agent of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members  
From: Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery  
Latoya Duncan, Assistant General Counsel, Governor’s Office of Storm Recovery  
Subject: Contract Extension for Limited Period Without Competitive Award Process  

Reason Before the Members

The Governor’s Office of Storm Recovery (GOSR) is seeking an extension of the McKissack & McKissack (“McKissack”) contract for an additional nine (9) months.

Extending this contract for nine (9) months will result in the contract going beyond a five (5) year period without a new competitive award process thereby triggering the rules governing Article X(b)(ii) of the GOSR Procurement Policy, which states:

“Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”

An extension of this contract without a new competitive award process is being sought for the following reasons:

On July 9, 2014, Housing Trust Fund Corporation (HTFC)/GOSR initiated a public and open competitive Request for Qualification (RFQ) for Construction Management Support Services (CMSS). This RFP designated the initial term of the contract period as two (2) years, with up to three (3) one-year extension options. McKissack was selected to perform two (2) tasks which are: (1) demolition services and (2) project level design and construction management services. An initial one-year contract was made effective on October 23, 2014 and issued on February 20, 2015, with an initial funding allocation of $500,000.00. This amount was established to act as a small placeholder in anticipation that incremental amendments would be executed to increase capacity as necessary.
The following Amendments for the McKissack contract (which include extensions and/or funding increases) have been executed:

1) The First Amendment to the Agreement, entered into on April 14, 2015, increased McKissack’s contract value to $7,000,000.00 with no Term extension.

2) The Second Amendment to the Agreement, entered into on July 20, 2015, increased McKissack’s contract value to $14,320,954.75 with no Term extension.

3) The Third Amendment to the Agreement, entered into on November 11, 2015, increased McKissack’s contract value to $18,250,985.11 and extended the Term of the Agreement through October 22, 2016.

4) The Fourth Amendment to the Agreement, entered into on June 20, 2016, increased McKissack’s contract value to $19,919,078.67 with no Term extension.

5) The Fifth Amendment to the Agreement, entered into on December 9, 2016, extended the Term of the Agreement through May 31, 2017 and increased the contract value to $22,159,154.44.

6) The Sixth Amendment to the Agreement, entered into on March 17, 2017, increased McKissack’s contract value to $23,618,309.20 with no Term extension.

7) The Seventh Amendment to the Agreement, entered into on July 21, 2017, extended the Term of the Agreement through July 31, 2018 with no change in contract amount.

8) The Eighth Amendment to the Agreement, entered into on November 9, 2018, extended the Term of the Agreement through October 22, 2019 with no change in contract amount.

9) The Ninth Amendment to the Agreement, entered into on August 5, 2019, extended the Term of the Agreement through March 31, 2020 and increased the contract value to $24,393,309.20. While this extension exceeded the RFQ term limitation by five (5) months, the GOSR Procurement Policy manual indicates that a determination not to enter in a new competitive award process immediately can be supported, in part, by verification that services are still being provided at competitive rates. Here, the rates for McKissack were still determined to be competitive on a task order basis. Moreover, at this point, GOSR Procurement was within sixty (60) days of providing formal notification to awardees.

Following these contract amendments/extensions, the McKissack contract was given a new termination date of March 31, 2020.

In 2019, GOSR initiated a new public and open competitive request for proposal (RFP) for Project Management and Support Services (PMSS), to cover continuing Program needs beyond March 31, 2020. The scope of services in the RFP are as follows: (1) project management support, (2) case management, (3) policy and regulatory consulting, (4) inspection, (5) research, analysis and information support, and (6) appraisals. Vendors were selected based on the “best value” for the State utilizing the following selection criteria: project experience, capacity, staffing, approach and methodology, commitment to compliance and price. At the time of the Board meeting held on January 30, 2020, the evaluation of responses for this RFP was still in progress and the recommendation of vendors was not known, although it was known that certain current incumbents did not respond to the new RFP.
At this time, the RFP evaluation process is complete and GOSR is in the contract initiation and execution phase with thirteen (13) awardees that have been identified under the new RFP. Official award notifications were sent on February 10, 2020. GOSR is requesting an extension of the McKissack contract for an additional nine (9) months prior to utilizing other procurement vehicles.

GOSR is seeking to extend a contract with McKissack based on an examination of several factors, which include a review of: (1) quality of service, (2) cost comparison analysis, and (3) bid responsiveness.

**Type/Quality of Service**

GOSR contracted with McKissack to perform property maintenance services for properties in the NY Rising Buyout Program. When the contract with McKissack was first initiated, McKissack provided the necessary quality of service required to complete the tasks. As time has progressed, McKissack has developed a keen understanding of the required work necessary to maintain GOSR properties. This includes intimate knowledge on maintaining vast continuous lots, parcels between homes, and lots intentionally allowed to “return to nature.”

**Cost Comparison Analysis**

The cost to bring a new vendor on board would be more expensive than choosing to retain the McKissack contract. Based on a cost comparison analysis, the continued use of McKissack for property management is estimated to cost approximately $865,961.28 for nine (9) months.

The cost analysis indicated a general upward pricing trend for all awarded contractors under the new RFP. An examination of comparable vendor price proposals indicate that it would cost between $892,793.88 - $1,145,628.00 for property management services. Thus, retaining McKissack during this transition period would allow for GOSR to benefit from prior competitively priced rates.

**Bid Responsiveness**

Based on historical data, McKissack has been the only or lowest respondent on GOSR solicitations for property management services for the NY Rising Buyout Program. The need for these services is estimated to end by March 31, 2021. At the present time, GOSR is evaluating the best means to continue to procure property maintenance services through the end of the Sandy grant.

**Recommendation and Required Action by Members**

Based on the above, there is a compelling programmatic need to extend the existing contract with McKissack. GOSR respectfully requests that the Members approve the McKissack contract extension for nine (9) months without a new competitive award process.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING EXTENSION OF A CONTRACT WITH
MCKISSACK & MCKISSACK

WHEREAS, the Housing Trust Fund Corporation ("HTFC" or "Corporation") was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article X(b)(ii) of the Governor’s Office of Storm Recovery ("GOSR") Procurement Policies, states: “Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”; and

WHEREAS, GOSR is seeking a limited extension of the McKissack & McKissack ("McKissack") contract for an additional nine (9) month period which will result in the contract extending beyond a five (5) year period without a new competitive award process; and

WHEREAS, McKissack was a successful bidder in a public and open competition held pursuant to a request for qualifications issued by HTFC/GOSR on July 1, 2014 for construction management support services and McKissack was selected based on the quality of the company’s proposal, their experience, and their cost reasonable rates; now, therefore be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the Corporation to extend its contract with McKissack & McKissack for a nine (9) month period without a new competitive award process.

Section 2. The Members hereby authorize the GOSR Procurement Officer, HCR Procurement Officer, or another officer or authorized agent of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members

From: Latoya Duncan, Assistant General Counsel, Governor’s Office of Storm Recovery
     Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery

Subject: Contract Extension for Limited Period Without Competitive Award Process

Reason Before the Members

The Governor’s Office of Storm Recovery (GOSR) is seeking an extension of the M.J. Engineering and Land Surveying, P.C. (“M.J. Engineering”) contract for up to an additional one (1) year.

Extending this contract for one (1) year will result in the contract going beyond a five (5) year period without a new competitive award process thereby triggering the rules governing Article X(b)(ii) of the GOSR Procurement Policy, which states:

“Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”

An extension of this contract without a new competitive award process is being sought for the following reasons:

On December 3, 2014, Housing Trust Fund Corporation (HTFC)/GOSR initiated a public and open competitive request for qualification (RFQ) for Advisory and Project Management Support services (APMS). This RFQ initially contemplated a three (3) year contract for its selected vendors including that of M.J. Engineering; however, an additional two (2) year extension was processed as the extension did not surpass five (5) years. M.J. Engineering was selected to provide four (4) tasks which are: (1) expert policy and regulatory consulting services, (2) information, research, and financial analysis, (3) project management support, and (4) other support services as needed. A one-year initial contract with M.J. Engineering was made effective on April 13, 2015 and issued on June 11, 2015. The initial funding allocation for this contract was $1,000,000.00.

The following amendments for the M.J. Engineering contract (which include extensions and/or funding increases) have been executed:
1) The First Amendment to the Agreement, entered into on May 6, 2016, extended the Term of the Agreement to April 13, 2017 with no change in Total Fee.

2) The Second Amendment to the Agreement, entered into on December 1, 2017, extended the Term of the Agreement to December 31, 2018 with no change in Total Fee.

3) The Third Amendment to the Agreement, entered into on January 25, 2019, extended the Term of the Agreement to December 31, 2019 with no change in Total Fee.

4) The Fourth Amendment to the Agreement, entered into on April 30, 2019, increased M.J. Engineering’s contract value by $250,000.00 to $1,250,000.00 with no change in Term.

5) A Fifth Amendment to the Agreement, entered into on January 20, 2020, extended the Term of the Agreement to March 31, 2020 with no change in Total Fee.

Following these contract amendments/extensions, the M.J. Engineering contract was given a new termination date of March 31, 2020.

In 2019, GOSR initiated a new public and open competitive request for proposal (RFP) for Project Management and Support Services (PMSS), to cover continuing Program needs beyond March 31, 2020. The scope of services in the RFP are as follows: (1) project management support, (2) case management, (3) policy and regulatory consulting, (4) inspection, (5) research, analysis and information support, and (6) appraisals. Vendors were selected based on the “best value” for the State utilizing the following selection criteria: project experience, capacity, staffing, approach and methodology, commitment to compliance and price. At the time of the Board meeting held on January 30, 2020, the evaluation of responses for this RFP was still in progress and the recommendation of vendors was not known, although it was known that certain current incumbents did not respond to the new RFP.

At this time, the RFP evaluation process is complete and GOSR is in the contract initiation and execution phase with thirteen (13) awardees that have been identified under the new RFP. Official award notifications were sent on February 10, 2020. GOSR is requesting an extension of the M.J. Engineering contract for up to an additional one (1) year. Should GOSR still need additional services past the one (1) year extension, GOSR can work with contractors under the new procurement. GOSR will assess whether the potential for this additional need exists and if so, engage with new contractors with adequate transition period.

GOSR is seeking to extend the contract with M.J. Engineering based on an examination of several factors, which include a review of: (1) type and quality of service, (2) timing, (3) cost comparison analysis, and (4) past bid responsiveness.

Type/Quality of Service

A critical task and milestone toward construction and completion of projects funded through GOSR’s Community Reconstruction and Infrastructure (CR&I) programs is a detailed technical review of engineering design documents. M.J. Engineering has demonstrated the technical expertise and proficiency to conduct detailed review of design documents utilizing all necessary architectural and engineering disciplines.

The design documents are prepared by architecture/engineering firms hired by GOSR funded subrecipients. M.J. Engineering conducts reviews related to code compliance, constructability, suitability
of proposed materials of construction, and conformance between the drawings and specifications. These reviews are critical to reduce and minimize additional construction costs and schedule delays resulting from design errors or omissions. Furthermore, as M.J. Engineering has worked with GOSR for five (5) years, this vendor has developed intimate knowledge of design review requirements pertaining to the unique needs of GOSR subrecipients. This knowledge may not be easily replaced with a newly procured vendor.

**Timing**

There are aggressive goals and expectations for completion of projects and projects must complete design review and construction contract bidding no later than Spring 2021. A critical milestone on the schedule is design review and until design review is complete, projects cannot proceed to bidding and construction. M.J. Engineering has demonstrated the ability to efficiently conduct design reviews and has consistently met or exceeded turnaround timeframes.

If another vendor were to be utilized, it would be responsible for complying with stringent completion schedules at the outset of task assignment and would have to quickly adapt, get up to speed and start executing on its design review responsibility with tight turnaround timeframes. The time needed to bring a new vendor on-board and up to speed will be approximately four (4) to six (6) months which will place a detrimental hold on advancing projects to construction as there is no other contractor immediately available. Moreover, in the five (5) years that M.J. Engineering has worked with GOSR, it has gained experience and efficiency which has benefitted the quality of the review and the time to complete a review. To bring a new contractor on board for this work will likely add substantial cost and time to become proficient with design review.

**Cost Comparison Analysis**

The cost to bring a new vendor on board would be more expensive than choosing to retain the M.J. Engineering contract. The Program anticipates that approximately forty (40) more design reviews are required to fulfill Program needs. Based on a cost comparison analysis, the continued use of M.J. Engineering for the remainder of these reviews is estimated to cost approximately $343,320.00 for one (1) year, or approximately $8,500 per review.

The cost analysis indicated a general upward pricing trend for all awarded contractors under the new RFP. An examination of comparable vendor price proposals indicate that it would cost between $341,376.00 - $537,889.60 for the additional reviews. Thus, retaining M.J. Engineering would allow for GOSR to benefit from prior competitively priced rates. Additionally, GOSR has previously used Dormitory Authority of the State of New York (DASNY) to perform the same type of technical design review that M.J. Engineering has been performing. M.J. Engineering rates are also more cost effective than that of DASNY.

**Bid Responsiveness**

Based on historical data, there is a limited number of firms that submitted bids to the solicitation for these design review services, one of which included M.J. Engineering. The need for these services is estimated to end by March 31, 2021. Given that this is a relatively short time period, there may be little incentive for firms to respond to a new solicitation needed to procure a replacement firm. Lack of responses will hamper GOSR’s ability to continue to conduct design reviews in a timely manner, exposing projects to potential construction delays and cost increases resulting from design related errors or omissions.
Recommendation and Required Action by Members

Based on the above, there is a compelling programmatic need to extend the existing contract with M.J. Engineering. GOSR respectfully requests that the Members approve the M.J. Engineering contract extension for one (1) year without a new competitive award process.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING EXTENSION OF A CONTRACT WITH
M.J. ENGINEERING AND LAND SURVEYING, P.C.

WHEREAS, the Housing Trust Fund Corporation (“HTFC” or “Corporation”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article X(b)(ii) of the Governor’s Office of Storm Recovery (“GOSR”) Procurement Policies, states: “Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”; and

WHEREAS, GOSR is seeking a limited extension of the M.J. Engineering and Land Surveying, P.C. (“M.J. Engineering”) contract for an additional one (1) year, and extending this contract for this time period will result in the contract extending beyond a five (5) year period without a new competitive award process; and

WHEREAS, M.J. Engineering was a successful bidder in a public and open competition held pursuant to a request for qualifications issued by HTFC/GOSR on December 3, 2014 for advisory and project management support services and M.J. Engineering was selected based on the quality of the company’s proposal, their experience, and their cost reasonable rates; now, therefore be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the Corporation to extend its contract with M.J. Engineering and Land Surveying, P.C. for a one-year period without a new competitive award process.

Section 2. The Members hereby authorize the GOSR Procurement Officer, HCR Procurement Officer, or another officer or authorized agent of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
To: Housing Trust Fund Corporation Members

From: Latoya Duncan, Assistant General Counsel, Governor’s Office of Storm Recovery
      Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery

Subject: Contract Extension for Limited Period Without Competitive Award Process

Reason Before the Members

The Governor’s Office of Storm Recovery (GOSR) is seeking an extension of the Tectonic Engineering and Surveying Consultants (“Tectonic Engineering”) contract for an additional nine (9) months. Extending this contract for nine (9) months will result in the contract going beyond a five (5) year period without a new competitive award process thereby triggering the rules governing Article X(b)(ii) of the GOSR Procurement Policy, which states:

“Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”

An extension of this contract without a new competitive award process is being sought for the following reasons:

On July 1, 2014, GOSR/Housing Trust Fund Corporation (HTFC) initiated a public and open competitive Request for Proposals (RFP) for Construction Management Support Services (CMSS). This RFP designated the initial term of the contract period as two (2) years, with up to three (3) one-year extension options. Tectonic Engineering was selected to provide five (5) tasks which are: (1) damage assessments, (2) environmental assessments, (3) inspection services, (4) demolition services, and (5) project level design and construction management. The contract for this vendor was made effective on October 23, 2014 and issued on January 20, 2015. The initial total funding allocation for the Tectonic Engineering contract was $150,000.00. This amount was established to act as a small placeholder in anticipation that incremental amendments would be executed to increase capacity as necessary.

The following Amendments for the Tectonic Engineering contract (which include extensions and/or funding increases) have been executed:
1) The First Amendment to the Agreement, entered into on April 14, 2015, increased Tectonic Engineering Engineering’s contract value to $5,000,000.00 with no Term extension.

2) The Second Amendment to the Agreement, entered into on October 7, 2015, increased Tectonic Engineering’s contract value to $17,769,931.26 and extended the Term of the Agreement through September 29, 2016.

3) The Third Amendment to the Agreement, entered into on September 16, 2016, increased Tectonic Engineering’s contract value to $30,869,931.26 and extended the Term of the Agreement through September 29, 2017.

4) The Fourth Amendment to the Agreement, entered into on March 17, 2017, increased Tectonic Engineering’s contract value to $35,369,931.26 and extended the Term of the Agreement through March 31, 2018.

5) The Fifth Amendment to the Agreement, entered into on January 11, 2018, extended the Term of the Agreement through June 30, 2019 and increased the contract value to $44,500,000.00.

6) The Sixth Amendment to the Agreement, entered into on December 13, 2019, extended the Term of the Agreement through March 31, 2020 with no change in contract amount. While this extension exceeded the RFQ term limitation by five (5) months, the GOSR Procurement Policy manual indicates that a determination not to enter in a new competitive award process immediately can be supported, in part, by verification that services are still being provided at competitive rates. Here, the rates for Tectonic were still determined to be competitive on a task order basis. Moreover, at this point, GOSR Procurement was within sixty (60) days of providing formal notification to awardees.

Following these contract amendments/extensions, the Tectonic Engineering contract was given a new termination date of March 31, 2020.

In 2019, GOSR initiated a new public and open competitive request for proposal (RFP) for Project Management and Support Services (PMSS II), to cover continuing Program needs beyond March 31, 2020. The scope of services in the RFP are as follows: (1) project management support, (2) case management, (3) policy and regulatory consulting, (4) inspection, (5) research, analysis and information support, and (6) appraisals. Vendors were selected based on the “best value” for the State utilizing the following selection criteria: project experience, capacity, staffing, approach and methodology, commitment to compliance and price. At the time of the Board meeting held on January 30, 2020, the evaluation of responses for this RFP was still in progress and the final recommendation of vendors was not known, although it was known that certain current incumbents did not respond to the new RFP.

At this time, the RFP evaluation process is complete and GOSR is in the contract initiation and execution phase with thirteen (13) awardees that have been identified under the new RFP. Official award notifications were sent on February 10, 2020. GOSR is requesting an extension of the Tectonic Engineering contract for up to an additional nine (9) months. Should GOSR still need additional services past the nine (9) month extension, GOSR can work with contractors under the new procurement. GOSR will assess whether the potential for this additional need exists and if so, engage with new contractors with adequate transition period.
GOSR is seeking to extend a contract with Tectonic Engineering based on an examination of several factors, which include a review of: (1) type and quality of service, (2) cost comparison analysis, and (3) timing.

**Type/Quality of Service**

Tectonic Engineering has a small team of two (2) members, one full-time and another part-time, that provide staffing support for ongoing closeout and recapture services for the Small Business Program. Both employees have been embedded in the Program for more than five (5) years. Though staffing has been reduced in later stages of the Program on pace with a diminishing workload in preparation for closeout, these two (2) members have been retained for consistently high quality of performance and in-depth knowledge of Program policies and procedures. Their extensive historic Program knowledge and ownership of their areas of specialization make them uniquely qualified to fill their current roles. As these skills and experience are not easily replaceable by hiring new staff, removing them would result in an additional extension of the Program which GOSR is endeavoring to close. This will be necessary to accommodate a complete restructuring of the remaining work to allow existing staff and/or new staff to absorb and be trained in their tasks.

**Cost Comparison Analysis**

The cost to bring a new vendor on board would be more expensive than choosing to retain the Tectonic Engineering contract. Based on a cost analysis, the two (2) employees currently under Tectonic Engineering’s contract each bill approximately $89.50, per hour. The total cost of extending the two (2) Tectonic Engineering staff members for an additional nine (9) months would be less than $160,000.00.

The cost analysis indicated a general upward pricing trend for all awarded contractors under the new RFP. Examination of comparable vendor price proposals indicate that it would cost between $120.54-$216.54, per hour, depending on the employee’s title. The total costs for nine (9) months utilizing new vendor rates are estimated between $337,680.00-$531,201.00. Using another vendor would be cost inefficient, as this ultimately will result in GOSR paying higher costs for staff that are unfamiliar with the Program and its requirements at this critical junction.

**Timing**

The Small Business Program has completed 99% of its grant making and is now entirely dedicated to closeout and recapture activities. Tectonic Engineering’s work involves closing out or working on recapture for the cases that the vendor, and specifically these staff, have been working on for over five (5) years. If GOSR were unable to retain this firm and its experienced staff, there would be a need to develop a less detailed closeout process/restructuring to complete the Small Business Program. Furthermore, closeout of the program could potentially be delayed for up to one (1) year while this new process is developed and staff or new consultants were trained to become intimately familiar with the nuances of the Program.

**Recommendation and Required Action by Members**

Based on the above, there is a compelling programmatic need to extend the existing contract. GOSR respectfully requests that the Members approve the Tectonic Engineering contract extension for nine (9) months without a new competitive award process.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING EXTENSION OF A CONTRACT WITH
TECTONIC ENGINEERING AND SURVEYING CONSULTANTS

WHEREAS, the Housing Trust Fund Corporation (“HTFC” or “Corporation”) was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, Article X(b)(ii) of the Governor’s Office of Storm Recovery (“GOSR”) Procurement Policies, states: “Any determination not to enter into a new competitive award process, pursuant to which a Contract would exceed a projected five (5) years without a new competitive award process, shall require the affirmative concurrence of the Corporation’s Members included in a resolution adopted by the Corporation’s Members. Such affirmative concurrences shall not be required with respect to Single Source Contracts, Sole Source Contracts, existing State Agency or Authority Contracts or existing GSA Contracts.”; and

WHEREAS, GOSR is seeking a limited extension of the Tectonic Engineering and Surveying Consultants (“Tectonic”) contract for an additional nine (9) month period which will result in the contract extending beyond a five (5) year period without a new competitive award process; and

WHEREAS, Tectonic was a successful bidder in a public and open competition held pursuant to a request for qualifications issued by HTFC/GOSR on July 1, 2014 for construction management support services and Tectonic was selected based on the quality of the company’s proposal, their experience, and their cost reasonable rates; now, therefore be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby authorize the Corporation to extend its contract with Tectonic Engineering & Surveying Consultants for a nine (9) month period without a new competitive award process.

Section 2. The Members hereby authorize the GOSR Procurement Officer, HCR Procurement Officer, or another officer or authorized agent of HTFC, subject to the provisions of this resolution, to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 12, 2020
TO: Members of the Housing Trust Fund Corporation  

FROM: Maralyne Fleischman, Vice President  

DATE: March 12, 2020  

SUBJECT: Red Mill – New Berlin Housing and Preservation Company, Inc.  
SHARS ID Number 1990-0836  
Request for Imperiled Project Funds

Reason Before the Members

To request funding under the HTFC’s established Policy for Use of Funds to Preserve HTFC Assisted Projects Imperiled by Disaster or Other Circumstances beyond the Project’s Ability to Remedy.

General Project Information

Project Owner: New Berlin Housing & Preservation Company, Inc. (NB)  
SHARS Number: 19900836/01221  
Location: Route 8 and Red Mill Road, New Berlin, Chenango County  
Number of Units/Assisted Units: 18 Rental Units/ 18 Assisted  
Initial Occupancy: January 21, 1991  
Funding Program: Housing Trust Fund  
HTFC Amount/Term: $828,232 / 30-year term  
Date of HTF Regulatory Agreement: Original Agreement – February 13, 1990  
Date of Final Disbursement: April 23, 1992  
End Date of Regulatory Agreement: April 23, 2022

Current Project Status

1. Description of Reason(s) for Request for Emergency Funds: $44,901.61 will be spent on the following items –

- $22,252.50 for pre-development soft costs plus contingencies;  
- $22,649.11 to reimburse Opportunities for Chenango (OFC) for paid taxes. We have received a foreclosure notice from Chenango County requiring the payment of back taxes by 3/31/2022. Failure to pay the taxes may result in the extinguishment of the HTFC’s interest in the property.
2. **Project History:**

Red Mill has been mismanaged by a weak non-profit with a non-existent and/or active board of directors. Project has maintained minimal housing quality standards but requires major rehabilitation. Reserves have been depleted to make repairs. Deferred maintenance items and replacement of systems that have met or exceeded their useful life cycle are of utmost concern. The laundry facility has been closed for a few years, requiring residents to drive quite a distance to the closest laundry facilities which are in Morris, NY- 9 Miles, or Norwich, NY- 14 Miles.

There continues to be demand for affordable housing in this area. Red Mill is the only affordable housing multifamily development in this school district. Tenants original to the project remain in residence.

On November 5, 2007, DHCR sent a letter notifying NB that the organization was in default of the terms of its Rural Preservation Program (RPP). The default was due to “the company’s failure to document the data” in their Annual Performance Report. A letter was sent on May 12, 2008, notifying NB that their RPP contract was terminated. When New Berlin lost its RPC funding in the spring of 2008, the organization no longer had enough cash flow to pay for staff. As a result, New Berlin’s Executive Director left in April of 2008. The 3 remaining Board Members wished to dissolve the organization.

In March of 2009, DHCR staff met with OFC to discuss the possibility of OFC stepping in as interim manager with the goal of OFC becoming owner and manager on a permanent basis. As a result of these discussions, OFC took over management of NB’s properties and attempted to become owner via a deed-in-lieu of the properties. That proposition never came to fruition due to NB’s in-action.

HCR has again reached out to OFC regarding assuming ownership. Under new executive leadership, OFC is on-board with purchasing all of NB’s properties for $1. This transaction was verbally agreed to by both parties in February 2020. An Exclusive Option to Purchase Agreement is pending execution. It is anticipated that the properties could be self-sustaining with an infusion of rehabilitation dollars to bring the units and common areas back to HTFC standards.

OCR staff has been providing technical assistance to OFC regarding potential funding sources to address the property needs. An application for repositioning is the next step in a plan to secure the HTFC’s financial investment, to fulfill our obligation to the community and to protect the rights of the tenants living in our properties.

- Past approval of Emergency Funds and the uses of such funds:
  - $18,355.92 was spent on the following items:
    - $9,680.92 for Property Management shortfall through June 2010
    - $3,000 for Legal Fees related to evictions
    - $3,000 for Legal Fees related to a deed in lieu transfer of the property
    - $1,800 for a need’s assessment
    - $875 for 2008 audit

**Recommended and Requested HTFC Board Action**

We are requesting conditional approval to commit funds in the amount of $44,901.61 for reimbursement of taxes and pre-development costs from the upcoming fiscal year’s funds (available on April 1), upon actual availability and receipt of funds to the Imperiled Project Funds program.

-REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY-
Attachment A: Request for Emergency HTF Funds

To: Members of the Housing Trust Fund Corp.

From: Maralyne P. Fleischman, Vice President

Date: March 12, 2020

Subject: New Berlin Housing & Preservation Company- Red Mill Apartments

SHARS ID Number: 19900836

General Project Information

Project Owner: New Berlin Housing & Preservation Company, Inc.
SHARS Number: 19900836/01221

Location: Route 8 and Red Mill Road, New Berlin

Number of Units/Assisted Units: 18 Rental Units/ 18 Assisted

Initial Occupancy: January 21, 1991

Funding Program: Housing Trust Fund

HTFC Amount/Term: $828,232 / 30-year term

Date of HTF Regulatory Agreement: Original Agreement – February 13, 1990

Date of Final Disbursement: April 23, 1992

End Date of Regulatory Agreement: April 23, 2022

General Operating Account Balance: Unknown

Operating Reserve Account Balance: Unknown

Replacement Reserve Account Balance: Unknown

I. Financial Analysis

Project has failed to provide any financial documentation.
II. Current Project Status

1. Description of Reason(s) for Request for Emergency Funds:
   $44,901.61 will be spent on the following items:
   - Taxes: 22,649.11
   - Development Soft Cost: $14,835
   - Contingency: $7,417.50

2. Description of Existing Conditions:
   - Asset Management and Office of Community Renewal are coordinating efforts to assist Opportunities for Chenango in order for them to submit an application for HCR funds to address the property’s needs.

III. Project History

1. Brief Summary
   - Project has been mismanaged by a weak non-profit. Project has maintained full occupancy over the years. Reserves were depleted to make repairs/replacement as building systems exceeded their useful lifecycle.

2. Brief Summary of Instances of Non-Compliance, Notices to Cure/IRS Form 8823:
   - Notice of Default. On November 5, 2007, DHCR sent a letter notifying New Berlin that the organization was in default of the terms of its Rural Preservation Program. The default was due to “the company’s failure to document the data” in their Annual Performance Report.
   - A letter was sent on May 12, 2008, notifying New Berlin that their RPP contract was terminated.

3. Current Status of Project Management Capability/Performance:
   - We’re endeavoring with Opportunities for Chenango, Inc. to replace New Berlin Housing and Preservation Company, Inc. as owner and property manager.

4. Past approval of Emergency Funds and the uses of such funds:
   - $18,355.92 was spent on the following items:
     - $9,680.92 for Property Management shortfall through June 2010
     - $3,000 for Legal Fees related to evictions
     - $3,000 for Legal Fees related to a deed in lieu transfer of the property
     - $1,800 for a physical needs’ assessment
     - $875 for 2008 audit
IV. Requested HTFC Board Action

Eighteen units of low-income housing remain at risk of losing their affordability status. We are requesting conditional approval to commit funds in the amount of $44,901.61 for reimbursement of taxes and pre-development costs from the upcoming fiscal year’s funds (available on April 1), upon actual availability and receipt of funds to the Imperiled Project Funds program.
WHEREAS, the Housing Trust Fund Corporation ("HTFC") was created pursuant to Section 45-a of the New York Private Housing Finance Law; and

WHEREAS, HTFC has established a Policy for the Use of Funds to Preserve HTFC Assisted Projects Imperiled by Disaster or Other Circumstances beyond the Project’s Ability to Remedy ("Policy") to address the use of emergency funds for HTFC assisted projects that encounter conditions which threaten their continued viability as affordable housing; and

WHEREAS, the Policy requires that emergency requests for funds which in the aggregate are in excess of $50,000 be approved by the Members before such funds can be released; and

WHEREAS, Red Mill, a housing project currently owned by New Berlin Housing & Preservation Company, Inc. ("NB"), has been mismanaged by a weak non-profit with a non-existent and/or active board of directors; and

WHEREAS, the housing project has maintained minimal housing quality standards but requires major rehabilitation and available reserves have been depleted; and

WHEREAS, in March of 2009, DHCR staff met with Opportunities for Chenango ("OFC") to discuss the possibility of OFC stepping in as interim manager with the goal of OFC becoming owner and manager on a permanent basis and as of February 2020, a verbal agreement for OFC to all of NB’s properties for $1 was reached and an Exclusive Option to Purchase Agreement is pending execution; and

WHEREAS, the staff recommends conditional approval to commit funds in the amount of $44,901.61 for reimbursement of taxes and pre-development costs from the upcoming fiscal year’s funds (available on April 1, 2020), such approval conditioned upon actual availability and receipt of funds to the Imperiled Project Funds program; now, therefore, be it

RESOLVED, by the Members of HTFC as follows:

Section 1. The Members hereby approve disbursement of funds in the amount of $44,901.61 for reimbursement of taxes and pre-development costs to OFC subject to the conditions described herein above in connection with Red Mill and in accordance with the Policy.
Section 2. The Members hereby authorize Mark Colon or another authorized officer of HTFC to execute any documents which may be necessary and appropriate to effectuate the purposes of this resolution.

Section 3. This resolution shall take effect immediately.

Dated: March 3, 2020
Date: March 12, 2020
From: Connie Bruno, Director, Housing Choice Voucher Program
To: HTFC Board Members
Subject: Transfer of (4) Section 8 Housing Choice Vouchers (HCV) to HTFC

Reason
The Office of Housing Preservation recommends the transfer of (4) HCV allocated to the Village of Island Park to HTFC.

Background
The Village of Island Park located in Nassau County administers (4) HCV under a Consolidated Annual Contributions Contract identified by HUD as PHA NY-120.

The voluntary transfer of PHA NY-120, subject to HUD’s approval, will relieve the Village from the administrative expense of administering (4) HCV. Increased administrative requirements have made it difficult for relatively small voucher programs such as the Village Section 8 Voucher Program to operate within the federal resources provided.

As the only Public Housing Authority with the ability to operate statewide in New York, HTFC maintains a large 44,000-unit statewide Housing Choice Voucher Program and has the necessary means to effectively and efficiently administer a voucher program of any size. HTFC has the capacity to assume this additional program responsibility and will be able to handle a transfer in an orderly and seamless manner. The proposed transfer of the HCV program from the Village to HTFC will enhance and streamline financial and program management processes and procedures. Further, the consolidation under HTFC will provide better housing opportunities and services to the very low and extremely low-income participants served and prevent any interruption in the delivery of this important program.

The transfer is proposed for July 1, 2020, or at the earliest date subsequent if HUD is unable to effectuate the transfer by the requested date.

Recommendation
A resolution authorizing transfer acceptance and commitment of administration of (4) HCV under PHA NY-120.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
APPROVING THE TRANSFER AND ASSIGNMENT OF A
HOUSING CHOICE VOUCHER PROGRAM
FROM THE VILLAGE OF ISLAND PARK SECTION 8 VOUCHER PROGRAM
TO THE HOUSING TRUST FUND CORPORATION

WHEREAS, the New York State Housing Trust Fund Corporation ("HTFC") is a Public Housing Agency defined under the United States Housing Act of 1937, as amended, and

WHEREAS, the United States Department of Housing and Urban Development ("HUD") has executed an Annual Contributions Contract with the HTFC for administration of the Housing Choice Voucher Program; and

WHEREAS, the Village of Island Park located in Nassau County administers (4) Housing Choice Vouchers ("HCVs") on behalf of the U.S. Department of Housing and Urban Development ("HUD") under a Consolidated Annual Contributions Contract identified by HUD as PHA NY-120; and

WHEREAS, the voluntary transfer of PHA NY-120, subject to HUD’s approval, will relieve the Village from the administrative expense of administering the HCVs; and

WHEREAS, HTFC has the authority and the capacity to effectively and efficiently administer this additional program; now therefore, be it

RESOLVED, by the Members of the HTFC as follows:

Section 1. The Members hereby approve the negotiation of terms and conditions to transfer and assign the Housing Choice Voucher Program with contract and budget authority from the Village of Island Park Section 8 Voucher Program to HTFC, effective July 1, 2020 or at such subsequent time as HUD may establish.

Section 2. The members hereby authorize the President of the Corporation to execute any documents which may be necessary and appropriate to effectuate the transfer and assignment.

Section 3. This resolution shall take effect immediately.

Date: March 12, 2020
Date: March 12, 2020

From: Connie Bruno, Director, Housing Choice Voucher Program

To: HTFC Board Members

Subject: Transfer of (8) Section 8 Housing Choice Vouchers (HCV) to HTFC

Reason Before the Members
The Office of Housing Preservation recommends the transfer of (8) HCV allocated to the Village of Farmingdale to HTFC.

Background
The Village of Farmingdale located in Nassau County administers (8) HCV under a Consolidated Annual Contributions Contract identified by HUD as PHA-151.

The voluntary transfer of PHA-151, subject to HUD’s approval, will relieve the Village from the administrative expense of administering (8) HCV. Increased administrative requirements have made it difficult for relatively small voucher programs such as the Village Section 8 Voucher Program to operate within the federal resources provided.

As the only Public Housing Authority with the ability to operate statewide in New York, HTFC maintains a large 44,000-unit statewide Housing Choice Voucher Program and has the necessary means to effectively and efficiently administer a voucher program of any size. HTFC has the capacity to assume this additional program responsibility and will be able to handle a transfer in an orderly and seamless manner. The proposed transfer of the HCV program from the Village to HTFC will enhance and streamline financial and program management processes and procedures. Further, the consolidation under HTFC will provide better housing opportunities and services to the very low and extremely low-income participants served and prevent any interruption in the delivery of this important program.

The transfer is proposed for July 1, 2020, or at the earliest date subsequent if HUD is unable to effectuate the transfer by the requested date.

Recommendation and Required Action by the Members
A resolution authorizing transfer acceptance and commitment of administration of (8) HCV under PHA NY-151.
A RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
APPROVING THE TRANSFER AND ASSIGNMENT OF A
HOUSING CHOICE VOUCHER PROGRAM
FROM THE VILLAGE OF FARMINGDALE SECTION 8 VOUCHER PROGRAM
TO THE HOUSING TRUST FUND CORPORATION

WHEREAS, the New York State Housing Trust Fund Corporation ("HTFC") is a Public Housing Agency defined under the United States Housing Act of 1937, as amended, and

WHEREAS, the United States Department of Housing and Urban Development ("HUD") has executed an Annual Contributions Contract with the HTFC for administration of the Housing Choice Voucher Program; and

WHEREAS, the Village of Farmingdale located in Nassau County administers (8) Housing Choice Vouchers ("HCVs") on behalf of the U.S. Department of Housing and Urban Development ("HUD") under a Consolidated Annual Contributions Contract identified by HUD as PHA NY-151; and

WHEREAS, the voluntary transfer of PHA NY-151, subject to HUD’s approval, will relieve the Village from the administrative expense of administering the HCVs; and

WHEREAS, HTFC has the authority and the capacity to effectively and efficiently administer this additional program; now therefore, be it

RESOLVED, by the Members of the HTFC as follows:

Section 1. The Members hereby approve the negotiation of terms and conditions to transfer and assign the Housing Choice Voucher Program with contract and budget authority from the Village of Farmingdale Section 8 Voucher Program to HTFC, effective July 1, 2020 or at such subsequent time as HUD may establish.

Section 2. The members hereby authorize the President of the Corporation to execute any documents which may be necessary and appropriate to effectuate the transfer and assignment.

Section 3. This resolution shall take effect immediately.

Date: March 12, 2020
DATE: March 12, 2020

FROM: Daniel Buyer, Vice President, Section 8

TO: HTFC Board Members

SUBJECT: Temporary Staff for the Section 8 Housing Choice Voucher program

Reason Before the Members

Section 8 staff are seeking Board approval to execute a contract to provide temporary staffing to ensure the successful implementation of a new technology solution for the Housing Choice Voucher program. Specifically, they would like to hire a “technical lead” who will perform duties critical to the project including the verification and validation of vendor deliverables.

Criteria for Use of Contractor/Vendor for Services

In accordance with the provisions of the Guidelines, Corporation staff has determined that it is appropriate that Consultant Services for the Solution be performed by an outside contractor under a personal services contract as: (a) such services are necessary or convenient to the performance of the Corporation’s responsibilities; and (b) such services are not available from Corporation employees. Such services are appropriately determined to be personal services proper for “contracting out” as they are substantially akin to other typically contracted out services listed in Article III of the Guidelines.

Description of Vendor Selection and Services to be Provided

HTFC’s Section 8 HCV program administers over $460 million per year in Housing Assistance Payments ("HAP") for over 44,000 New York families with federal Section 8 vouchers. A team of HCR employees located at 25 Beaver Street in Manhattan administers vouchers directly to families in New York City. For upstate New York and Long Island, voucher services are delivered through a network of not-for-profit, for-profit, and government entities that are referred to as Local Administrators (“LAs”) (for a listing of the LAs, visit HCR’s website at https://hcr.ny.gov/section-8-housing-choice-voucher-hcv-program#section-8-local-program-administrators). The entire HCV
network is connected through the shared use of a common database application known as the Statewide Housing Choice Voucher System (“SHCVS”). SHCVS was originally constructed in the 1980s by former DHCR staff and is now maintained by the Office of Information Technology Services (“ITS”); however, the current version utilizes PowerBuilder 12.5, which is not part of the long-term strategic direction for ITS.

ITS and HTFC jointly determined that the current SHCVS solution should be replaced with a commercial off the shelf (“COTS”) technology solution hosted by a third-party vendor. To pursue this goal, the two agencies assembled a SHCVS Working Group in 2017 to plan for the eventual replacement of the current system. The Working Group consists of staff from the Section 8 program, information technology, project management, legal, procurement and other HCR staff who are responsible for coordinating each stage of the technology transformation process, from inception to procurement to implementation.

In May 2018, HTFC engaged New York State Technology Enterprise Corporation (“NYSTEC”) to provide Request for Proposal (“RFP”) and business requirements document (“BRD”) development services. NYSTEC conducted scoping workshops with the Project Team throughout 2018, eventually leading to the creation of an RFP and BRD. HTFC released its RFP for a Section 8 HCV Technology Solution on January 15, 2019. We received three bids and selected Emphasys Computer Solutions Inc. as the winning bidder. We are now in the process of negotiating a Master Services Agreement (“MSA”) with Emphasys to implement their solution.

Once an agreement is executed, Emphasys estimates that it will take approximately 10 months to complete the transition from the existing SHCVS database to the new system. This includes installation of the Emphasys solution, data migration, and training. During that time, ITS staff recommend that we retain high level, technical expertise to oversee the project. Specifically, HTFC will seek a temporary consultant, to be referred to as the technical lead, to review and approve 36 project deliverables, test the new solution, and ensure that the product received from Emphasys fully complies with the requirements in the MSA Scope of Work. The specialized knowledge and experience required for this role is not currently available either within HCR or ITS. Therefore we will search out a qualified candidate from one of the following three sources:

- Hourly Based Information Technology Services (“HBITS) contracts available through the NYS Office of General Services;
- Technology-related staffing vendors currently available through the Housing Finance Agency;
- Staff Augmentation services available through NYSTEC.

The Working Group will assign a team to consider possible candidates offered by firms available from one or more of the above listed sources. Once a qualified candidate is identified, HTFC will execute a staffing contract with the appropriate entity to retain that person as a temporary, full-time employee for the project. It is anticipated this position will be needed only for the implementation of
the new solution. However, we are requesting approval for up to two years and sufficient funding in case the project encounters delays.

**Recommendation**

Authorization is requested for the President of the Office of Housing Preservation or his designee to negotiate and execute a contract for up to two years and not to exceed $360,000 with a qualified firm to provide temporary staffing.
RESOLUTION OF THE HOUSING TRUST FUND CORPORATION
AUTHORIZING THE EXECUTION OF CONTRACTS
TO PROVIDE TEMPORARY STAFFING FOR CONSULTANT SERVICES

WHEREAS, the Housing Trust Fund Corporation ("HTFC" or "Corporation") was created pursuant to Section 45-a of the New York Private Housing Finance Law ("PHFL"); and

WHEREAS, Section 45-a of the PHFL authorizes HTFC to enter into contracts for goods and services; and

WHEREAS, Section 2879 of the Public Authorities Law and HTFC’s Procurement and Contract Guidelines ("Guidelines") require the Members to approve all procurement contracts that exceed one year in duration or $100,000 in amount; and

WHEREAS, in accordance with the provisions of HTFC’s Guidelines, HTFC staff has made a determination that it is appropriate that technical consultant services ("Technical Services") be performed by outside contractors under services contracts as: (a) such services are necessary or convenient to the performance of HTFC’s responsibilities; and (b) such services are not available from Corporation employees; and

WHEREAS, the Corporation issued a Request for Proposal ("RFP") for a Section 8 HCV Technology Solution on January 15, 2019 and selected Emphasys Computer Solutions Inc. ("Emphasys") as the winning bidder; and

WHEREAS, after an agreement with Emphasys is executed, Emphasys estimates that it will take approximately 10 months to complete the transition from the existing Statewide Housing Choice Voucher System ("SHCVS") database to the new system; and

WHEREAS, during that time, Office of Information Technology Services ("ITS") staff recommend that we retain high level, technical expertise to oversee the transition; and

WHEREAS, ITS and Corporation staff plan to find a qualified candidate from certain pre-identified sources as further described in the memorandum accompanying this resolution; now, therefore be it

RESOLVED, by the Members of the Corporation as follows:

Section 1. The Members hereby authorize the President of the Office of Housing Preservation or his designee to negotiate and execute a contract, or other documents which may be necessary and appropriate to effectuate the purposes of this resolution, in order to retain a qualified firm to provide temporary technical consultant services for up to two years and in an amount not to exceed $360,000.

Section 2. This resolution shall take effect immediately.

Dated: March 3, 2020
DATE: March 5, 2020

FROM: Linda Manley, General Counsel

TO: HTFC Board Members

SUBJECT: Annual review of the contract with Morris, Manning and Martin, LLP

Reason Before the Members

The legal services contract with Morris, Manning and Martin, LLP is before the Members for annual review. In accordance with Section 2879 of the Public Authorities Law and the Corporation’s Procurement and Contract Guidelines (“Guidelines”), procurement contracts that exceed one year in duration or $100,000 in amount are required to be presented to the Corporation’s Members for annual review. (Unless otherwise defined herein, capitalized terms appearing in this memorandum adhere to their respective definitions in the Guidelines.)

Criteria for Use of Contractor/Vendor for Services

In accordance with the Guidelines, Corporation staff made a determination that it was appropriate for legal services to be performed by an outside contractor under a personal services contract as: (a) such services are necessary or convenient to the performance of the Corporation’s responsibilities; and (b) such services are not available from Corporation employees. Such services are appropriately determined to be personal services proper for “contracting out” as they are substantially akin to other typically contracted out services listed in Article III of the Guidelines.

Description of Vendor Selection and Services to be Provided

The legal services contract with Cohen Mohr LLP (“Cohen Mohr”) was approved by the Members in January, 2017. Unexpectedly, Andrew Mohr, our assigned partner at Cohen Mohr, left Cohen Mohr for Morris, Manning and Martin, LLP (“MMM”), a national law firm with more than 200 attorneys with offices in Washington DC. Andrew Mohr was accompanied by his associate, Kelly Kroll, Esq., an associate who assists Mr. Mohr in his area of expertise, i.e., federal procurement. To maintain the necessary continuation of legal services, invoices from MMM were accepted in lieu of Cohen Mohr’s as Andrew Mohr’s official law firm affiliation as of March 1,
2018. New invoices began for services performed in the month of March 2018 that included the same fee structure as the Cohn Mohr contract. HTFC has determined the contract with MMM to be a single source contract due to the federal procurement expertise of Andrew Mohr, Esq. as more fully discussed below.

As stated in the memo to the Board dated January 18, 2018, in December 2017, the U.S. Department of Housing and Urban Development (“HUD”) issued two draft requests for proposals (“RFPs”) for Performance Based Contract Administration (“PBCA”) services presently performed by HTFC through Annual Contributions Contracts (“ACC”) with HUD. HTFC’s PBCA portfolio consists of 982 contracts covering 101,209 units, with an average monthly HAP payment of approximately $132 million. HTFC must be the successful bidder in the expected final RFP(s) to continue earning fees and maintain control of a significant portion of the state’s affordable housing stock. A draft of the RFP is anticipated to be issued in Spring 2020. HCR staff has been diligently preparing for the RFP for several years.

HTFC retained the legal services of Cohen Mohr utilizing a single source contract because, through Andrew Mohr a long-time name partner of the firm, we could access (i) a unique wealth of knowledge for this specific HUD program, (ii) a broad understanding of federal procurement rules and protest procedures, and (iii) experience in the long, convoluted history of this specific contract. Andrew Mohr is nationally known as an expert in federal government contracts and bid protests. His expertise in this particular subject area was demonstrated in previous litigation while representing Massachusetts with Cohen Mohr as his firm of record. That state again retained his services in 2017 along with HTFC, and additional states over the past year bringing the total number sharing costs to seven. All states have followed Andrew Mohr to MMM and continue to share costs. As noted in the January 2018, board memo, the leadership of Andrew Mohr, in particular, was essential to mobilizing attorneys from across these states. He has worked collaboratively to achieve the following:

1. Established a shared strategy for state protests in response to the anticipated re-procurement;
2. Provided guidance specific to New York on our unique public/private partnership to deliver PBCA services;
3. Helped states mobilize in a concerted manner to provide shared and consistent responses to HUD’s most recent draft RFPs;
4. Devised a feasible, legally sound, alternative to the procurement process that could resolve and dispute or provide a basis for settlement in the future;
5. Provided support in the drafting of a teaming agreement between NY and NJ and assisted in the drafting of a prime – subcontract as between NY and NJ for the required sub-regional bid; and
6. Provided specifics on procurement law that will guide our approaches to the RFP and the formation of our altered business model in response.
Utilizing the same law firm as other states aligned with HTFC has helped in the exchange of knowledge, creating a smoother and more unified operating platform while reducing costs. It also ensures that the coalition puts its best foot forward once the anticipated litigation begins. There are many other parties, including other states, who do not share HTFC’s interests, and who may also seek a contract to provide PBCA services in New York. With HUD’s re-solicitation taking place in the near future, the multiplicity of viewpoints and interests in this contract nationwide will place a very limited number of qualified counsels in this field in very high demand. The pre-approved firm, Squire Sanders, used for similar services has since merged and is conflicted out. It is essential to our competitive interest that we maintain our current relationship with Andrew Mohr as lead counsel.

Tasks to be conducted by Andrew Mohr, now of MMM, on behalf of HTFC may include:

- Providing legal guidance regarding states’ rights under the Housing Act of 1937 and many subsequent amendments;
- Interpreting past legal precedents regarding the PBCA contract;
- Advocating to federal agencies and elected officials on HTFC’s behalf;
- Advising HTFC on federal procurement rules and bid protest procedures;
- Helping to structure collaborations among and between states, either to respond to the RFP and/or to initiate a protest action;
- Drafting and reviewing joint venture agreements and other contractual documents, as necessary, with other states, subcontractors and other required partners;
- Providing guidance on meeting federal FAR requirements, such as Small Business Requirements;
- Representing HTFC before the GAO, HUD, and the federal Court of Claims in expected litigation;
- Representing HTFC in litigation, contractual negotiations or other legal matters arising from its administration of the PBCA contract and its relationships with any subcontractors or partners; and
- Other duties necessary to help HTFC retain the PBCA contract and ensure the viability of the portfolio.

We must also remain cognizant of the interests of the New Jersey Housing and Mortgage Finance Agency (“NJHMFA”) in HTFC’s counsel of record on this matter. NJHMFA previously agreed to sign a teaming agreement with HTFC to subcontract for PBCA services in that state in the event that a future procurement requires a multi-state, regional bid. If required to team with NJ, NJHMFA’s interests will be defended by HTFC in the coming bid protests as NJHMFA’s standing will be based on HTFC’s standing as the prime. Andrew Mohr’s reputation as their proxy counsel is a significant aspect of their agreement to sublimate their legal rights to HTFC.
Name partner, Andrew Mohr was always Cohen Mohr’s premier expert in the area of federal procurement and contracting. His experience and expertise among the firm’s partners is most clearly associated with the requirements of HTFC’s legal requirements in this matter. For example, in addition to federal procurement, Andrew is well regarded in the formation of new business arrangements and resolution of the legal and business issues that arise. State public housing agencies (“PHAs”) will be required to form entities or associations to present qualified bids under the terms of the draft RFPs. In addition, Mr. Mohr was attorney of record for Massachusetts in the previous litigation regarding PBCA contracts, appearing before the GAO and then through the federal Court of Claims, appealed ultimately to the US Supreme Court. No other attorney represented state agencies regarding PBCA ACCs to the full extent Andrew Mohr did. Indeed, the federal Court of Claims limited intervenors to those represented by Andrew Mohr while with Cohen Mohr. The juxtaposition of Andrew’s various areas of expertise creates unique qualifications for HTFC’s legal needs in this matter. His specific experience was the main justification for the original single source determination in January 2017.

HTFC determined the legal services agreement with Cohen Mohr to be a single source contract based almost entirely on Andrew Mohr’s expertise together with his track record in litigation regarding PBCA contracts. The reason for Andrew’s change of law firm is that Cohen Mohr will be reducing its size as a result of the expected retirement of certain important partners. Andrew Mohr expects to continue practicing well past these expected retirements. Therefore, he has chosen to move to a larger firm where he can continue to provide robust legal services indefinitely.

At their January 26, 2017 meeting, the Members authorized a contract between HTFC and Cohn Mohr for a three-year period. The contract with Cohn Mohr was presented to the HTFC Members for annual review in January 2018. In March 2018, the contract with MMM was taken to the board as an information item notifying the board of Andrew Mohr’s change in firm from Cohn Mohr to MMM. On March 7, 2019, the legal services contract with MMM was approved by the HTFC Members for a three-year period that commenced in March 2018 and will terminate in March 2021. The contract with MMM is being presented to the HTFC Members for annual review.

Record of Expenditures, Terms & Provisions with Respect to Rates under the Contract

The Corporation paid $35,834.87 to Cohn Mohr in calendar year 2017 and paid $27,203.26 to Cohen Mohr in calendar year 2018. In calendar year 2019, HTFC paid $40,249.31 to MMM.

Promoted and Prohibited Contracts and Contracts Subject to Other Limitations

Article VIII of the Guidelines provides for consideration to be given to certain kinds of contracts that may be promoted, prohibited or subjected to certain limitations which include, but are not limited to, contracts with minority and women-owned business enterprises (“MWBEs”), New
Recommendation with Respect to Length of Contract Terms and When Competitive Selection Process Should Be Renewed

Staff has been satisfied with the legal services provided by MMM. During the next year, staff will: (a) continually evaluate the Contract and the performance of the vendor; and (b) continually give consideration to whether the further use of the vendor's services and the continuation of the Contract is desirable.

Recommendation and Required Action by the Members

The HTFC contract with Morris, Manning and Martin, LLP for the provision of accounting system legal services is being submitted to the Members for annual review. No action in connection with this contract is necessary. However, should any Member consider it appropriate to discuss or take action with respect to this contract at a Board meeting, staff respectfully requests that the Corporation’s Senior Vice President and Counsel be so advised at the earliest convenience of the Board Member. Absent such a request, the contract with MMM will be considered reviewed.
DATE: March 5, 2020

FROM: Mark Colon, President, Office of Housing Preservation (“OHP”)

TO: HTFC Board Members

SUBJECT: Annual review of the Consultant Services Contract with Guidehouse LLP (formerly PricewaterhouseCoopers Public Sector LLP (“PwC”), disregarded entity of Guidehouse Holdings Corporation, for proposal bid support related services

Reason Before the Members

The consultant services contract with Guidehouse LLP (formerly PricewaterhouseCoopers Public Sector LLP, “PwC”), a disregarded entity of Guidehouse Holdings Corporation, for the provision of proposal bid support related services (“Consultant Services”) is before the Members for annual review. In accordance with Section 2879 of the Public Authorities Law and the Corporation’s Procurement and Contract Guidelines (“Guidelines”), procurement contracts that exceed one year in duration or $100,000 in amount are required to be annually reviewed by the Members. (Unless otherwise defined herein, capitalized terms appearing in this memorandum adhere to their respective definitions in the Guidelines.)

Criteria for Use of Contractor/Vendor for Services

In accordance with the provisions of the Guidelines, Corporation staff has made a determination that it is appropriate that Consultant Services be performed by an outside contractor under a personal services contract as: (a) such services are necessary or convenient to the performance of the Corporation’s responsibilities; and (b) such services are not available from Corporation employees. Such services are appropriately determined to be personal services proper for “contracting out” as they are substantially akin to other typically contracted out services listed in Article III of the Guidelines.
Description of Vendor Selection and Services to be Provided

HTFC currently provides Performance Based Contract Administration ("PBCA") services to the U.S. Department of Housing and Urban Development ("HUD") through an Annual Contributions Contract ("ACC") for most Section 8 project-based, multi-family properties located in New York State.

ACCs have been issued for each state and territory to Public Housing Authorities ("PHAs") from across the country since 2000. The ACC has generated significant revenue for HTFC and has supported a wide range of housing and community development initiatives in New York, while sustaining local jobs. HTFC’s PBCA portfolio currently consists of 987 contracts covering 101,579 units, with an average monthly HAP payment of $112.44 million. HTFC has utilized a public/private partnership to deliver these services. The majority of the field work is carried out through a private subcontractor, CGI Federal Inc. ("CGI") with HCR staff providing policy guidance, quality control, and access to federal and New York State ("State") affordable housing resources. CGI has served as HTFC’s subcontractor since 2005 and was last re-procured by HTFC in 2010.

Following a 2007 audit by the HUD Inspector General, HUD attempted two nation-wide PBCA solicitation processes. Each time the results were successfully challenged. As a result, HUD has amended the existing ACCs a total of six times since 2011 to adjust tasks, reduce fees, and extend the term. HTFC has extended CGI’s contract to run concurrently with the term of the extended ACC.

In 2016, HUD issued two Requests for Information again indicating their intention to re-procure, this time introducing a new paradigm utilizing national and regional vendors. In response, the HTFC Board voted on April 13, 2017 to authorize the OHP President and staff to engage in activity and pursue agreements necessary to respond to a potential regionally-based re-procurement. HCR staff then engaged leaders from 13 PHAs in the northeastern United States through a Teaming Agreement to consider possible approaches. The Teaming Agreement included procuring a Bid Support Consultant through MassHousing.

HUD issued two draft Requests for Proposals ("RFPs") in December, 2017, confirming their previously-stated intention to replace the current ACCs with a network of multi-state, regional and national vendors selected through an open procurement in compliance with Federal Acquisition Regulations ("FAR"). HUD also clarified its intended regions and sub regions, placing New York in a sub region with New Jersey. HCR staff moved quickly following the issuance of the draft RFPs to establish a new Teaming Agreement that is limited to the New Jersey Housing and Mortgage Finance Agency ("NJHMFA") and HTFC. The drafts were later cancelled in March 2018 following a lengthy comment period. HUD staff recently stated they will try again sometime in 2019 but declined to clarify whether they will adjust the format or requirements of the RFP.
The future remains highly uncertain, as past timelines for this procurement have not been adhered to, and HUD staff continually decline to discuss their intentions. An open FAR procurement will significantly change the competitive landscape. In 2018, HTFC procured PwC as a consultant to ensure HTFC is sufficiently prepared to submit an acceptable, competitive proposal in response to any future RFP, regardless of timing or terms. To do so, HTFC will need assistance not only in proposal development, but also with evaluating our options related to pricing, management structure, technology, etc. In March 2018, the Board authorized a critical source consultant services contract with PwC for bid proposal support related services. PwC has unique experience in this area as they are currently under contract with HTFC for program and technology management related to the Governor’s Office of Storm Recovery. They are also under contract with the State’s Division of Budget for management consulting and are anticipating a contract for Business Transformation. Recently, it came to our attention that PricewaterhouseCoopers Sector LLP (“PwC PS”) was acquired by Veritas Capital Fund VI, a private equity investment fund managed by Veritas Capital Fund Management LLC. On July 13, 2018, with the change in parental ownership, PwC PS changed its name and rebranded as Guidehouse LLP. Guidehouse LLP (“Guidehouse”), a disregarded entity of Guidehouse Holdings Corporation (“GHC”), was acquired from a third party by GHC. Guidehouse LLP is the main operating entity in the legal structure and the contractual party with Guidehouse U.S. customers.

At the March 8, 2018 meeting, the Members authorized a critical contract with PwC, on an as-needed basis, for the provision of consultant proposal bid support related services for a three-year period in an amount not to exceed $300,000. On March 7, 2019, the contract with Guidehouse was approved by the Members for a two-year period in an amount not to exceed $200,000.

Promoted and Prohibited Contracts and Contracts Subject to Other Limitations

Article VIII of the Guidelines provides for consideration to be given to certain kinds of contracts that may be promoted, prohibited or subjected to certain limitations which include, but are not limited to, contracts with minority and women-owned business enterprises (“MWBE”), New York State business enterprises (“NYSBE”) and enterprises from "Discriminatory Jurisdictions.” Guidehouse is not a MWBE.

Record of Expenditures under Contract

HTFC has not incurred any expenditures to date with PwC.
Recommendation with respect to Length of Contract Terms

Staff is satisfied with the services provided by Guidehouse and wishes to retain their services for another year. During the upcoming year, staff will (a) evaluate the contract and the performance of the contractor; and (b) consider whether the further use of the contractor’s services and the continuation of the contractual agreement is desirable.

Recommendation and Required Action by the Members

The HTFC contract with Guidehouse for the provision of consultant services is being submitted to the Members for annual review. No action in connection with this contract is necessary. However, should any Member consider it appropriate to discuss or take action with respect to this contract at a Board meeting, staff respectfully requests that the Corporation’s General Counsel be so advised at the earliest convenience of the Board Member. Absent such a request, the contract with Guidehouse will be considered reviewed.
March 5, 2020

FROM: Heather M. Spitzberg, Esq.
SEQRA Officer for the Office of Finance & Development
Director, Environmental Analysis Unit

TO: Housing Trust Fund Corporation Members

SUBJECT: SEQRA Type II Summary

The Members authorized the SEQRA Officer for the Office of Finance & Development to execute any documents as are necessary and appropriate to classify Housing Trust Fund Corporation (HTFC) projects as “Type II” under the State Environmental Quality Review Act (SEQRA) in accordance with 6 NYCRR 617.5(c).

The summary of Type II Actions since the last Housing Trust Fund Corporation meeting of the Members on January 30, 2020 is presented for your review.
The SEQR Officer for the Housing Trust Fund Corporation has classified the following projects as Type II actions:

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New York State Housing Trust Fund Corporation
Summary - TYPE II SEQR reviews – (March 12, 2020)
Page 2 of 2

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END OF SUMMARY
To: Housing Trust Fund Corporation Members

From: Emily Thompson, Acting General Counsel, Governor’s Office of Storm Recovery
       Nanika Shaw, Assistant General Counsel, Governor’s Office of Storm Recovery

Subject: Review of Executed Agreements under the Community Development Block Grant
         Disaster Recovery Program

By resolution approved on July 14, 2016, the Members authorized Daniel Greene, the former
General Counsel of Storm Recovery to execute any contracts or instruments on behalf of the
Housing Trust Fund Corporation (“HTFC”) as are necessary and appropriate for carrying out the
State’s Community Development Block Grant Disaster Recovery (“CDBG-DR”) Action Plan
without further action by the Members. The resolution required the General Counsel to certify
compliance with all applicable Federal, State and local laws, rules and regulations, HTFC policies
and CDBG-DR policies and guidelines.

Following Daniel Greene’s departure from GOSR, by resolution adopted on November 8, 2018,
the Members authorized Emily Thompson, Acting General Counsel of Storm Recovery and Shin
Kim, Chief Operating Officer of Storm Recovery as agents and authorized signatories of HTFC
for contracts or instruments utilizing CDBG-DR grants funds or other sources of funding related
to disaster recovery, without further action by the Members. The resolution requires the Acting
General Counsel and/or Chief Operating Officer to certify compliance with all applicable Federal,
State and local laws, rules and regulations, HTFC policies and CDBG-DR policies and guidelines.

Since the last update, the General Counsel, Acting General Counsel, and/or Chief Operating
Officer of Storm Recovery have executed the following:
Second Amendment to the Agreement with Horne LLP
Amendment Execution Date: 2/12/2020
Current Agreement Term: 1/3/18-1/31/2020
Amended Agreement Term: 1/31/2021
Current Contract Amount: $2,760,000.00
Amendment Amount: $1,000,000.00
Total Contract Amount: $3,760,000.00

Purpose: This Second Amendment extends the Contract Term to 1/31/21, and increases the funding by $1,000,000.00, to provide additional time and budget to meet anticipated Program needs, as well as contingency. Work initially provided under task order numbers 1 (for the Housing Program) and 2 (for the Infrastructure Program) will proceed under a combined task order number 3. Horne was initially selected for Housing Program work using the best value evaluation methodology with cost reasonableness being established through an open and competitive procurement. Additionally, GOSR’s Infrastructure Program required URA services for its Sidney Buyout Program, which it assigned to Horne due to its expertise and existing operational efficiencies. All rates are in accordance with those originally procured.

Fifth Amendment to the M.J. Engineering Agreement
Amendment Execution Date: 1/30/20
Current Agreement Term: 4/13/15-12/31/19
Amended Term: 3/31/20
Current Contract Amount: $1,250,000.00
Amendment Amount: N/A
Total Contract Amount: $1,250,000.00

Purpose: This Fifth Amendment extends the Contract Term, with no change in Agreement Amount, to accommodate the additional time required for continued services under task order #1, as well as contingency. Services include on-call independent third-party engineering support services for peer reviews of 100% engineering and design deliverables on an as-needed basis and as directed by GOSR. Specific tasks include addressing continuity and coordination between project plans and project specifications, addressing information gaps, reviewing the constructability of project plans, and reviewing completeness of project documents related to suitability for completeness and competitive bidding.

Fifth Amendment to the Agreement with Holland & Knight
Amendment Execution Date: 2/12/20
Current Agreement Term: 1/7/15-2/28/20
Amended Term: 1/28/21
Current Contract Amount: $1,518,436.48
Amendment Amount: NA
Total Contract Amount: $1,518,436.48

Purpose: This Fifth Amendment extends the Contract Term to 1/28/21, with no change in Agreement Amount, to authorize the Contractor to perform additional legal services in support of existing Housing Program initiatives and otherwise to perform legal services that are within the scope of services under the RFP. Although this Fifth Amendment will extend the Term beyond a five-year period without a new competitive award process, GOSR is relying on the HTFC Resolution dated 1/31/20 that extended the use of HTFC’s PQL Firms to extend its own contract with Holland & Knight, which is a PQL vendor. The term extension through 1/28/21 will align with the HTFC and GOSR contract end dates.
Sixth Amendment to the Tetra Tech Engineers Agreement
Amendment Execution Date: 1/30/20
Current Agreement Term: 7/7/16-1/31/19
Amended Term: 10/6/20
Current Contract Amount: $4,587,390.00
Amendment Amount: NA
Total Contract Amount: $4,587,390.00

Purpose: This Fifth Amendment extends the Contract Term, with no change in Agreement Amount, to allow Tetra Tech to complete project management services to support GOSR’s Rebuild by Design ("RBD") Living with The Bay ("LWTB") Program and project design. Further, the amendment adds Key Objective #13 to the Agreement for the following necessary and related scope of work: 1) preparation of materials for 1 CAC meeting along with attendance and onsite technical support; 2) investigation and concept development of additional project elements to be utilized for compensatory mitigation or Action Plan compliance and incorporated into existing LWTB project designs; 3) updating existing Watershed Management plans; and 4) creation of a post construction Monitoring and Compliance plan for the LWTB project area as required by HUD.

Seventh Amendment to Venable LLP
Amendment Execution Date: 2/6/20
Current Agreement Term: 11/27/13-1/28/20
Amended Term: 1/28/21
Current Contract Amount: $9,363,577.36
Amendment Amount: NA
Total Contract Amount: $9,363,577.36

Purpose: This Seventh Amendment extends the Contract Term to 1/28/21, with no change in Agreement Amount, in order to authorize Venable to perform additional legal services in support of existing litigation and otherwise to perform legal services that are within the scope of services under the RFP. Although the prior Fifth and Sixth Amendments extended the Term beyond a five-year period without a new competitive award process, GOSR relied on the HTFC Resolutions which extended the use of HTFC’s PQL firms to extend GOSR’s own contract with Venable, which is a PQL vendor. With this Seventh Amendment, GOSR now relies on the current HTFC Resolution dated 1/31/20 that extended the use of HTFC’s PQL Firms to extend its own contract with Venable to 1/28/21.

Ninth Amendment to the Almas Construction Agreement
Amendment Execution Date: 1/17/20
Current Agreement Term: 5/16/16-5/15/20
Amended Term: N/A
Current Contract Amount: $50,730,000.00
Amendment Amount: $1,000,000.00
Total Contract Amount: $51,730,000.00

Purpose: This Ninth Amendment increases the Contract Total by $1,000,000.00, to a new NTE of $51,730,000.00, with no Term extension, to reflect the partial award of IFB #041E and to allow for the completion of ongoing existing work. The contractor has been awarded residential construction, new construction, elevation construction, and minor repair project scopes of work and remains eligible for future additional awards of such work. The partial award of work resulted from additional non-elevation work which was previously awarded to another contractor but was unable to be completed due to cost and scheduling demands; award of this work was made to the next lowest bidder- Almas.
First Amendment to the d’Arcambal, Ousley & Cuyler Burk Agreement
Amendment Execution Date: 1/30/20
Current Agreement Term: 12/1/18-11/30/19
Amended Term: 11/30/21
Current Contract Amount: $1,000,000.00
Amendment Amount: $1,000,000.00
Total Contract Amount: $2,000,000.00

Purpose: This First Amendment extends the Contract Term to 11/30/21 and increases the Agreement Amount by an additional $1,000,000 to a new NTE of $2,000,000, in order to accommodate the increased volume of cases since inception of the contract, plus contingency. The Term extension corrects the initial term end date which was mistakenly listed as a one-year term ending 11/30/19. Accordingly, this First Amendment extends the Term of the Agreement to 11/30/21 to correct and properly reflect the three-year term end date as intended. Scope of Services include recapture litigation services, reversionary interest enforcement services-real property, bankruptcy and/or foreclosure litigation, and General Services.

Ninth Amendment to the Almas Construction Agreement
Amendment Execution Date: 1/17/20
Current Agreement Term: 5/16/16-5/15/20
Amended Term: N/A
Current Contract Amount: $50,730,000.00
Amendment Amount: $1,000,000.00
Total Contract Amount: $51,730,000.00

Purpose: This Ninth Amendment increases the Contract Total by $1,000,000.00, to a new NTE of $51,730,000.00, with no Term extension, to reflect the partial award of IFB #041E and to allow for the completion of ongoing existing work. The contractor has been awarded residential construction, new construction, elevation construction, and minor repair project scopes of work and remains eligible for future awards of such work. The partial award of work involves non-elevation work which was previously awarded to another contractor but was uncomplete due to cost and scheduling demands. As such, this award was made to Almas who was the next lowest bidder.
CERTIFICATION OF COMPLIANCE
Second Amendment
Between Horne, LLP, Contractor
and
Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the “Corporation”), I, Shin Kim, in my capacity as New York State’s Chief Operating Officer of Storm Recovery for the Community Development Block Grant, Disaster Recovery (“CDBG-DR”) program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain “Second Amendment” by and between Corporation and Horne, LLP (the “Contractor”); and

2. The Second Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the Second Amendment are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The Second Amendment has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Shin Kim
Chief Operating Officer of Storm Recovery

Date: 2/12/2018
CERTIFICATION OF COMPLIANCE
Fifth Amendment

Between M.J. Engineering and Land Surveying, P.C., Contractor
and

Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the “Corporation”), I, Emily Thompson, in my capacity as New York State’s Acting General Counsel of Storm Recovery for the Community Development Block Grant, Disaster Recovery (“CDBG-DR”) program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain “Fifth Amendment” by and between Corporation and M.J. Engineering and Land Surveying, P.C. (the “Contractor”); and

2. The Fifth Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the Fifth Amendment are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The Fifth Amendment has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Emily Thompson
Acting General Counsel of Storm Recovery

Date: 1-3-2020
CERTIFICATION OF COMPLIANCE
Fifth Amendment

Between Holland & Knight, LLP, P.C., Contractor
and
Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the "Corporation"), I, Shin Kim, in my capacity as New York State's Chief Operating Officer of Storm Recovery for the Community Development Block Grant, Disaster Recovery ("CDBG-DR") program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain "Fifth Amendment" by and between Corporation and Holland & Knight, LLC (the "Contractor"); and

2. The Fifth Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the Fifth Amendment are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The Fifth Amendment has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Shin Kim
Chief Operating Officer of Storm Recovery

Date: 2/12/2023
CERTIFICATION OF COMPLIANCE
Fifth Amendment to Contract for Services

Between Tetra Tech Engineers, Architects, and Landscape Architects, PC. ("Tetra Tech")
and

Housing Trust Fund Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the "Corporation"), I, Emily Thompson, in my capacity as Acting General Counsel of the Governor's Office of Storm Recovery, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain "Fifth Amendment to Contract for Services" by and between Corporation and Tetra Tech; and

2. The Fifth Amendment to Contract for Services is, to the best of my knowledge and belief in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the Fifth Amendment to Contract for Services are in accordance with the State of New York's Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The Fifth Amendment to Contract for Services has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Emily Thompson
Acting General Counsel, GOSR

Date: _/2018/02/26_
CERTIFICATION OF COMPLIANCE
Seventh Amendment
Between VENABLE LLP, Contractor
and
Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the “Corporation”), I, Shin Kim, in my capacity as New York State’s Chief Operating Officer of Storm Recovery for the Community Development Block Grant, Disaster Recovery (“CDBG-DR”) program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain “Seventh Amendment” by and between Corporation and Venable LLP (the “Contractor”); and

2. The Seventh Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the Seventh Amendment are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The Seventh Amendment has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Shin Kim
Chief Operating Officer of Storm Recovery

Date: 2/6/2020
CERTIFICATION OF COMPLIANCE

Ninth Amendment

Between Almas Construction, LLC Contractor
and
Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the "Corporation"), I, Emily Thompson, in my capacity as New York State’s Acting General Counsel of Storm Recovery for the Community Development Block Grant, Disaster Recovery ("CDBG-DR") program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain "Ninth Amendment" by and between Corporation and Almas Construction LLC (the "Contractor"); and

2. The Ninth Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the "Ninth Amendment" are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or another federal agency;

4. The "Ninth Amendment" has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Emily Thompson
Acting General Counsel of Storm Recovery

Date: 1/3/2019
CERTIFICATION OF COMPLIANCE
First Amendment

Between d'Arcambal, Ousley & Cuyler Burk

and

Housing Trust Fund Corporation, Corporation

Pursuant to the resolution adopted on November 8, 2018 by the Members of the Housing Trust Fund Corporation (the “Corporation”), I, Emily Thompson, in my capacity as New York State's Acting General Counsel of Storm Recovery for the Community Development Block Grant, Disaster Recovery (“CDBG-DR”) program, hereby certify to the Corporation as follows:

1. On behalf of the Corporation, I have this day executed a certain “First Amendment” by and between Corporation and d'Arcambal, Ousley & Cuyler Burk (the “Contractor”); and

2. The First Amendment is, to the best of my knowledge and belief, in full compliance with all applicable Federal, State and local laws, rules and regulations, as well as any CDBG-DR and Corporation policies and guidelines;

3. All costs which have been, or will be, incurred and payable pursuant to the First Amendment are in accordance with the State of New York’s Action Plan for CDBG-DR and within the amount permitted by the United States Department of Housing and Urban Development or other federal agency;

4. The First Amendment has been approved by HTFC Disaster Recovery Counsel as to form and by the Treasurer as to financial sufficiency.

Emily Thompson
Acting General Counsel of Storm Recovery

Date: 1-30-2019
To: HTFC Board  
From: Matt Accardi, SEQRA Officer, GOSR  
Re: Summary – SEQRA Determinations of the Governor’s Office of Storm Recovery  
Date: March 5, 2020

The SEQR Officer for the Governor’s Office of Storm Recovery (GOSR) of the Housing Trust Fund Corporation is hereby providing notice to the HTFC Board regarding the following determinations:

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<th>PROJECT/ACTION NAME</th>
<th>PROJECT SPONSOR</th>
<th>Brief Description of Determination</th>
<th>Clearance Date</th>
<th>ENB Notice Date</th>
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<tr>
<td>Ellenville Stream Bank Restoration Project</td>
<td>GOSR</td>
<td>SEQRA Unlisted Action- Negative Declaration- The Governor’s Office of Storm Recovery (GOSR) proposes to use HUD Community Development Block Grant Disaster Recovery (CDBG-DR) program funding for design and construction of stream bank restoration improvements within and along the West Branch of Beer Kill and Sandburg Creek within the Village of Ellenville. The Ellenville Stream Bank Restoration Project involves the restoration of damaged streams and stream corridors, including flood resiliency measures for eight sites within the Village of Ellenville and Town of Wawarsing, in Ulster County, New York. Stream restoration measures include channel realignments to original channel paths, removal of existing structures necessary to return stream banks to previous ground level grades, and placement of materials (soils and riprap armoring) to retain existing and future bank elevations and slopes. The flood mitigation measures include the construction of floodplain benches with rock and/or wood revetment (to reduce cutting at the toe of bank); the lowering of the height,</td>
<td>1/13/2020</td>
<td>Not Applicable</td>
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angle and overall erosion hazard of the eroding streambanks; installation of in-stream rock structures to provide grade control and reduce the erosive force of water upon streambanks (by directing flood flows to the center of the stream channel); and the reconnection of floodplains in select areas (to reduce channel confinement and the corresponding increases in flood velocity that contribute to flood severity).

| Village of Saugerties Water Supply Protection: Supplemental Source | GOSR | SEQR Unlisted Action - Negative Declaration - The Governor’s Office of Storm Recovery (GOSR) proposes to use HUD Community Development Block Grant Disaster Recovery (CDBG-DR) program funding for exploration of groundwater resources, drilling of a production well, pumping and disinfectant equipment with a pump house, and piping infrastructure that will connect with the Village of Saugerties’s water system. This project will be designed and constructed to provide a supplemental water source that will aid the village with continuous protection of the village’s water supply infrastructure from damage and alleviate the risk of interruptions of water service for residents of the Village and Town of Saugerties. | 1/17/2020 | Not Applicable |