

Vendor Assurance of No Conflict of Interest or Detrimental Effect

The Proposer offering to provide services pursuant to this Solicitation process, as a Contractor, joint venture Contractor, subcontractor, or consultant, attests that its performance of the services outlined in this Solicitation does not and will not create a conflict of interest or position the Proposer to breach any other contract currently in force with any agency constituting New York State Homes and Community Renewal (“HCR”)¹.

As such, the Proposer will disclose any existing or contemplated relationship with any other person or entity, including relationships with any member, shareholders of 5% or more, parent, subsidiary, or affiliated contractor, which would constitute an actual or potential conflict of interest or appearance of impropriety, relating to other clients/customers of the Proposer or former officers and employees of the Proposer or their affiliates, in connection with your rendering services enumerated in this Solicitation.

If a conflict does or might exist, describe how the Proposer would eliminate or prevent it.

Indicate what procedures will be followed to detect, notify HCR of, and resolve any such conflicts.

In addition, the Proposer must disclose whether it, or any of its members, shareholders of 5% or more, parents, affiliates, or subsidiaries, have been the subject of any investigation or disciplinary action by the New York State Joint Commission on Public Ethics or its predecessor State entities (collectively, “Commission”), and if so, a brief description must be included indicating how any matter before the Commission was resolved or whether it remains unresolved.

Furthermore, the Proposer attests that it will not act in any manner that is detrimental to any HCR project on which the Proposer is rendering services. Specifically, the Proposer attests that:

1. The fulfillment of obligations by the Proposer, as proposed in the response to this Solicitation, does not violate any existing contracts or agreements between the Proposer and HCR;
2. The fulfillment of obligations by the Proposer, as proposed in the response to this

¹ The agencies constituting New York State Homes and Community Renewal include the New York State Housing Finance Agency, Housing Trust Fund Corporation, New York State Affordable Housing Corporation, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation and New York State Housing and Community Renewal.

Solicitation, does not and will not create any conflict of interest, or perception thereof, with any current role or responsibility that the Proposer has with regard to any existing contracts or agreements between the Proposer and HCR;

3. The fulfillment of obligations by the Proposer, as proposed in the response to this Solicitation, does not and will not compromise the Proposer's ability to carry out its obligations under any existing contracts between the Proposer and HCR;
4. The fulfillment of any other contractual obligations that the Proposer has with HCR will not affect or influence its ability to perform under any contract with HCR resulting from this Solicitation;
5. During the negotiation and execution of any contract resulting from this Solicitation, the Proposer will not knowingly take any action or make any decision which creates a potential for conflict of interest or might cause a detrimental impact to HCR or the State of New York ("State") as a whole including, but not limited to, any action or decision to divert resources from one HCR or State project to another;
6. In fulfilling obligations under each of its HCR contracts, if any, including any contract which results from this Solicitation, the Proposer will act in accordance with the terms of each of its HCR contracts and will not knowingly take any action or make any decision which might cause a detrimental impact to HCR or the State as a whole including, but not limited to, any action or decision to divert resources from one HCR or State project to another;
7. No former officer or employee of HCR who is now employed by the Proposer, nor any former officer or employee of HCR who is now employed by the State, has played a role with regard to the administration of this procurement in a manner that may violate section 73(8)(a) of the Public Officers Law; and
8. The Proposer has not and shall not offer to any employee, member or director of HCR any gift, whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence said employee, member or director, or could reasonably be expected to influence said employee, member or director, in the performance of the official duty of said employee, member or director or was intended as a reward for any official action on the part of said employee, member or director.

Proposer responding to this Solicitation should note that HCR recognizes that conflicts may occur in the future because a successful Proposer may have existing or new relationships. HCR will review the nature of any such new relationship and reserves the right to terminate the contract for cause if, in its judgment, a real or potential conflict of interest cannot be cured.

Name: _____ Title: _____

Signature: _____ Date: _____

This form must be signed by an authorized executive or legal representative