



Homes and Community Renewal

Kathy Hochul, Governor

RuthAnne Visnauskas, Commissioner/CEO

Request for Proposals for Legal Services for Municipal Finance Transactions

Issuance Date:

February 5, 2026

Submission Deadline:

March 20, 2026, 12pm, EDT

Number: HCR-RFP-260205

**NEW YORK STATE HOUSING FINANCE AGENCY
STATE OF NEW YORK MORTGAGE AGENCY
STATE OF NEW YORK MUNICIPAL BOND BANK AGENCY
TOBACCO SETTLEMENT FINANCING CORPORATION
641 LEXINGTON AVENUE • NEW YORK, NEW YORK 10022**

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**REQUEST FOR PROPOSALS
FOR
LEGAL SERVICES
IN CONNECTION WITH MUNICIPAL FINANCE TRANSACTIONS (i.e.,
Bond Counsel Services and/or Disclosure Counsel Services)**

IMPORTANT NOTICE: A Restricted Period under the Lobbying Procurement Law is currently in effect for this procurement process and will remain in effect until approval of the Contract(s). Proposers are prohibited from Contacts related to this procurement process with any employee of the New York State Housing Finance Agency (“HFA”), State of New York Mortgage Agency (“SONYMA”), State of New York Municipal Bond Bank Agency (“MBBA”) and Tobacco Settlement Financing Corporation (“TSFC”) (individually or collectively “Agency” or “Agencies”) or its Affiliates¹, other than the Designated Contact Officer listed below.

Lobbying Law Designated Contact Officer:

Kathryn Mazzeo, Associate Counsel
New York State Homes & Community Renewal
38-40 State Street
Albany, NY 12207
Kathryn.Mazzeo@hcr.ny.gov

If you have inquiries regarding this request for proposal or would like to contact the Agencies regarding issues not relating to Lobbying Procurement Law Contacts, please forward inquiries via electronic email to contractunitinfo@hcr.ny.gov. The subject line of the email should indicate “2026 Municipal Finance Legal Services RFP.”

¹Affiliates shall mean the other agencies comprising New York State Homes and Community Renewal being the Housing Trust Fund Corporation, New York State Affordable Housing Corporation and New York State Division of Housing and Community Renewal.

Further information regarding the Agencies' Lobbying Procurement Law policies is available in the [Agencies' Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A.

1. Introduction

[New York State Homes and Community Renewal](#) (“**HCR**”) consists of all the major housing and community renewal agencies of the State of New York (“**State**”), including HFA, SONYMA, MBBA and TSFC. HCR includes other agencies (“**Affiliates**”) not involved in this request for proposals (“**RFP**”) process.

2. Purpose

The Agencies are seeking proposals from qualified law firms (“**Firms**” or “**Proposers**”) (“**Firms**” or “**Proposers**”) in the State as the basis of re-establishing prequalified lists (“**PQLs**”) to serve as potential bond counsel and/or disclosure counsel (“**Legal Services**”) to one or more of the Agencies for various issues of bonds, notes, obligations, and other municipal finance matters. Using the PQLs, the Agency may select one or more firms to serve as lead bond counsel and/or co-bond counsel (collectively, “**Bond Counsel**”), in addition to a lead disclosure counsel and/or co-disclosure counsel (collectively, “**Disclosure Counsel**”), on an as-needed basis for its issuances. MWBEs and SDVOBs are encouraged to apply. The Agencies will make a determination during the evaluation process of proposals whether an MWBE and/or SDVOB applicant has the qualifications and experience to serve as (i) lead bond counsel and/or disclosure counsel; or (ii) co-bond counsel/co-disclosure counsel.

This solicitation seeks to replace, not supplement, the Agencies' PQLs for Legal Services (excluding PQLs that pertain to legal services other than municipal finance matters). Accordingly, firms on any existing Bond Counsel and/or Disclosure Counsel PQL must, if they wish to continue to be pre-qualified, respond to this RFP. Proposals may be submitted separately for HFA, SONYMA, MBBA or TSFC programs or may be submitted for all the Agencies collectively.

3. Overview of the Agencies

The Agencies are public benefit corporations of the State of New York, co-located and co-administered from their New York City (“**NYC**”) office.

The Agencies actively participate in the issuance of their respective bonds and the Agency staff supervises each step of the financing process.

More detailed information relating to the Agencies and their respective programs may be found at the [Agencies' website](#), hyperlinked herein.

3.1 New York State Housing Finance Agency

The [New York State Housing Finance Agency](#) is a public benefit corporation created in 1960 to finance low- and moderate-income rental housing. HFA issues taxable and tax-exempt bonds to provide mortgage loans to developers of affordable multifamily rental housing. HFA's mission is to create and preserve high quality affordable multifamily rental housing that serves communities across the State of New York. Today, HFA is one of the nation's most prolific issuers of multifamily housing bonds.

3.2 State of New York Mortgage Agency

The [State of New York Mortgage Agency](#) is a public benefit corporation, created in 1970, to provide single-family homeownership opportunities for low- to moderate-income New Yorkers. The Agency funds its mortgage lending activities through the issuance of taxable and tax-exempt bonds under two resolutions: (i) The Homeowner Mortgage Revenue Bond Resolution and (ii) Mortgage Revenue Bond Resolution. The Agency is the only State issuer of single-family housing bonds. In 2025, the Agency issued over \$385 million in bonds and funded over 1,384 mortgages. Together with HFA, the two agencies combined were one of the top four largest housing issuers in the nation last year.

3.3 State of New York Municipal Bond Bank Agency

The [State of New York Municipal Bond Bank Agency](#) was created in 1972 as a public benefit corporation to help municipalities gain access to the capital markets. MBBA has the authority to issue bonds and use the proceeds to purchase bonds and notes issued by local governments to finance public improvements.

3.4 Tobacco Settlement Financing Corporation

The [Tobacco Settlement Financing Corporation](#), created in 2003 as a subsidiary of MBBA, to purchase all or a portion of New York State's share of the Tobacco Settlement Revenues. TSFC has no bonds outstanding.

4. Assessment of Practices relating to Diversity and Service-Disabled Veteran Owned Business Enterprises (“SDVOBs”)

The Agencies have determined, pursuant to New York State Executive Law Article 15-a (“**Article 15-A**”) and New York State Veterans’ Law Article 3 (“**Article 3**”), respectively, that the assessment of participation by minority-and/or women-owned business enterprises (“**MWBEs**”) (assessment of participation by MWBEs hereinafter referred to as “**Diversity**”) and SDVOB practices of Proposers responding to this RFP is practical, feasible, and appropriate.

4.1 Minority and/or Women Owned Business Enterprise Participation

The Agencies are committed to awarding contracts to firms that are dedicated to diversity and provide high-quality services. The Agencies strongly encourage firms that are certified by the State as MWBEs to submit responses to this RFP. All MWBE firms submitting proposals to this RFP should be registered as such with the State’s Empire State Development (“**ESD**”).

The Agencies are required to implement the provisions of Article 15-A and 5 NYCRR Parts 142-144 (“**MWBE Regulations**”) for all Agency contracts, as defined therein, with a value in excess of \$25,000. The Agencies strongly encourage joint ventures of MWBE firms with majority firms and MWBE firms with other MWBE firms. For assistance identifying MWBE partners, review the [list of certified State certified MWBEs](#), hyperlinked herein.

For purposes of this solicitation, the Agencies hereby establish an overall goal of 30% of total contract expenditures for MWBE participation, 15% for minority-owned business enterprises (“**MBEs**”) and 15% for women-owned business enterprises (“**WBEs**”).

4.2 Service-Disabled Veteran-Owned Business Enterprise Participation:

The Agencies are committed to awarding contracts to service-disabled veteran-owned businesses that provide high-quality services. The Agencies strongly encourage firms that are certified as SDVOBs to submit responses to this RFP. All SDVOB firms submitting proposals to this RFP should be certified with the State’s Office of General Services (“**OGS**”).

The Agencies are required to implement the provisions of Article 3 for all Agency contracts, as defined therein, with a value in excess of \$25,000. For assistance identifying SDVOB partners, review the [list of certified State SDVOBs](#), hyperlinked herein.

For purposes of this solicitation, the Agencies hereby establish a goal of 6% of total contract expenditures for SDVOB participation.

4.3 MWBE and SDVOB Partner/Subcontractor Interest:

State certified MWBEs and SDVOBs may request that their firm’s contact information be included on a list of MWBE and SDVOB firms interested in serving as a partner or subcontractor. The listing will be publicly posted on the Agencies’ website for reference by the bidding community. A firm requesting inclusion on this list should send contact information and a copy of its State M/WBE certification and/or State SDVOB certification to contractunitinfo@hcr.ny.gov. Nothing prohibits an MWBE or a SDVOB firm from proposing as a prime contractor.

5. Calendar of Events and Milestones

It is anticipated that contracts resulting from this RFP process will be awarded based on the following schedule:

Event	Date
Issuance of Request for Proposals	February 5, 2026
Deadline for RFP Questions	March 6, 2026, 12:00pm, Eastern Standard Time (“EST”)
Deadline for Responses to RFP Questions	March 12, 2026
Deadline for Submission of Proposals	March 20, 2026, 12:00pm, Eastern Daylight Time (“EDT”)
Interviews/Demonstrations (if necessary)	To Be Determined
Anticipated Selection Date*	December 10, 2026

*Subject to the approval of each Agency’s Board of Directors (“**Board**”).

The Agencies reserve the right to modify this schedule at their discretion. Notification of changes in connection with this RFP will be made available to all interested parties via the Agencies’ web page at: <https://hcr.ny.gov/procurement-opportunities> .

6. Scope of Services (“Scope of Work”)

The Firms selected will be expected to serve as Bond Counsel and/or Disclosure Counsel for the Agencies on all aspects of bond issues, as assigned. The selected Firms must have knowledge of, and expertise in, sophisticated financing structures, including direct experience with single-family mortgage revenue bond indentures, tax-exempt and taxable bond financing, tax treatment of variable rate and fixed rate debt of similar scale and size to the financings that comprise the Agencies’ portfolio. Such services would be expected to include, but need not be limited to, the responsibilities included in this Section.

6.1 General Scope of Services

The overall responsibilities of the successful Proposer(s) will include, at a minimum, the tasks indicated in this section.

6.2 Bond Counsel and Co-Bond Counsel Services

The selected Firm(s) will be expected to advise with respect to the structuring of transactions, as well as offer tax, compliance, and regulatory guidance with respect to each financing and overall single-family program operations.

The selected Firm(s) must have expertise in federal income tax and regulatory matters sufficient to assist in the operation of the single-family mortgage revenue bond program.

With respect to multi-family financings, the selected Firm(s) must have direct recent experience with bond transactions involving Section 42 low-income housing tax credits, rental housing bond financings, financings involving both tax-exempt and taxable bonds, federal housing subsidy programs, public bond sales involving original issue premium and discount, tax treatment of acquisition financing, treatment involving long-term management and short-term tax-exempt loans with banks, operating agreements and long-term restrictive covenants and other financing structures.

The selected Firm(s) must be capable of providing advice with respect to the structuring of transactions, and offer tax, compliance, and regulatory guidance with respect to each financing and overall multi-family and single-family program operations.

Legal Services will entail expertise and proficiency in all aspects of complex and technical (a) mortgage revenue bond financings, (b) real estate matters, and (c) security and tax compliance issues.

Without limitation, these Legal Services will include:

- (i) rendering the Bond Counsel opinion regarding the validity and binding effect of the bonds;
- (ii) the source of payment and security for the bonds, and excludability of interest on the bonds from gross income for federal tax purposes;
- (iii) preparing and reviewing the documents necessary or appropriate to the authorization, issuance, sale, and delivery of the bonds;
- (iv) coordinating the authorization and execution of these documents;
- (v) reviewing applicable enabling legislation;
- (vi) reviewing use of proceeds to ensure compliance with applicable State and federal laws and regulations, particularly arbitrage and rebate compliance;
- (vii) assisting the Agencies in seeking any governmental approvals, permissions, and exemptions necessary or appropriate in connection with the authorization, issuance, sale, and delivery of the bonds;
- (viii) reviewing legal issues relating to the structure of the bond issue;
- (ix) reviewing the offering documents prepared by the Agencies' Disclosure Counsel(s);
- (x) assisting the Agencies in presenting information to, and attending any meetings of, approval boards and authorities, bond rating organizations and credit enhancement providers, as deemed necessary, and related to legal issues affecting the issuance of the bonds;
- (xi) consulting with other parties and professionals engaged in the transaction; and
- (xii) performing such other services as requested or are typically provided or expected to be provided by Bond Counsel.

In addition to providing the above-described Legal Services and expertise relative to individual single-family and multi-family bond transactions, the selected Firm must offer (1) the ability to anticipate regulatory and policy issues facing single-family and multi-family mortgage revenue bond programs, (2) the ability to provide ongoing program compliance guidance, (3) the capacity to respond expeditiously to the Agencies' legal and compliance inquiries, and (4) expertise and capacity sufficient to represent the Agency in the context of inquiries, audits, and investigations by the Internal Revenue Service or Securities and Exchange Commission.

6.3 Disclosure Counsel and Co-Disclosure Counsel Services

The legal services shall include, but not be limited to, the preparation of the Official Statement for the bonds and delivering the opinion in connection therewith, as the Agency may from time to time direct. The selected Firms will provide the following Legal Services without limitation at the Agencies' discretion:

- (i) Lead all due diligence activities;

- (ii) Prepare the Preliminary Official Statement (“POS”) and Official Statement (“OS”) and/or review the POS, OS and all other related bond documents for accuracy and compliance;
- (iii) Provide disclosure opinions;
- (iv) Draft disclosure documents that meet best practices and industry standards, comply with securities law, and serve as a model for future issuances;
- (v) Review all mandatory and/or voluntary continuing disclosure filings to EMMA;
- (vi) Collaborate with Agencies’ staff, Bond Counsel, underwriters, rating agencies, and investors, if necessary, to discuss substantive changes to be made to a disclosure document;
- (vii) Collaborate with the Agencies to develop footnotes to financial statements prior to finalization and release of audited financial reports;
- (viii) Provide updates on changes to all MSRB and SEC disclosure requirements and announcements;
- (ix) Prepare disclosure reports and provide disclosure training sessions, as requested;
- (x) Review additional materials that affect the disclosure documents (i.e. websites, marketing materials, annual and quarterly reports, new programs, etc.);
- (xi) Set up filing schedules to ensure the timely filing of required disclosures; and
- (xii) perform such other services as requested or as are typically provided or expected to be provided by Disclosure Counsel.

7. Questions and Answers

Any questions or requests for clarification regarding this RFP must be submitted via email to contractunitinfo@hcr.ny.gov, citing the RFP page and section, no later than the date identified in the “*Calendar of Events and Milestones*” section of this RFP. The “Subject” line of the email should indicate “2026 Municipal Finance Legal Services RFP.”

Questions will not be accepted orally, and any question received after the deadline may not be answered. The list of questions/requests for clarifications and the official Agency responses will be posted in a timely manner on [HCR’s Procurement Opportunities” webpage](#).

Proposers should note that all clarifications and exceptions are to be resolved prior to submission of the proposal.

An electronic version of this RFP will be posted on [HCR’s website](#) in addition to any subsequent changes, additions or deletions to the RFP, including the timelines and target dates. **Proposers are encouraged to check HCR’s website frequently for notices of any clarifications, changes, additions or deletions to the RFP.**

8. Amendments and Addenda

The Agencies reserve the right to modify any part of this RFP including, but not limited to, the date and time by which proposals must be submitted and received by the Agencies, at any time prior to the Deadline for Submission of Proposals date listed in the “*Calendar of Events and Milestones*” section of this RFP. Modifications to this RFP will be made by issuance of amendments and/or addenda. Any amendment or addendum to this RFP will become part of this RFP.

Prior to the Deadline for Submission of proposals’ date, any such clarifications or modifications as deemed necessary will be posted to [HCR’s website](#).

If the Proposer discovers any ambiguity, conflict, discrepancy, omission, or other error in this RFP, the Proposer will immediately notify the Agencies of such error in writing and request clarification or modification of the document.

There are no designated dates for release of addenda; therefore, interested Proposers should check the Agencies’ website frequently through the Deadline for Submission of Proposals’ date. It is the sole responsibility of the Proposer to be knowledgeable of all addenda related to this RFP process.

9. Contract

The contract(s) resulting from this RFP process will be to provide Bond Counsel services and/or Disclosure Counsel services for a five (5) year period, with two optional two-year renewals and one optional one-year renewal, subject to approval by the Agencies’ Boards. The Agencies at their discretion, may exercise their option to modify any provision in the contract including, but not limited to, the scope of services and compensation, on an as needed basis, with the mutual written consent of the contracting parties. Any contract that exceeds a five-year period will require the affirmative concurrence of the Agencies’ Board to extend the term of the contract beyond a five-year period without undergoing a new solicitation process.

The successful Proposer(s) will be required to execute a contract with the Agency that incorporates the Agencies’ [Standard Clauses for Contracts](#) and [MWBE Participation Requirements and Procedures for Contracts](#), hyperlinked herein as Appendices I and II, respectively.

10. Proposal Requirements

A complete proposal for this RFP is comprised of five (5) separate tabs: (i) Tab One: Application Cover Sheet, Cover Letter and Proposal Certification; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; (iv) Tab Four: Administrative Proposal; and (v) Tab Five: Diversity and SDVOB Proposal.

The Proposal must be complete and prepared in the format consistent with the instructions provided in this RFP. In all instances, the Agencies' determination regarding a proposal will be final. Proposals not organized in the manner prescribed in this RFP may be considered non-responsive at the Agencies' sole discretion. Proposers should not refer to other parts of the proposal, to information that may be publicly available elsewhere, or to the Proposer's or other websites in lieu of answering a specific question.

11. Contents of Proposals

The Proposer must submit a proposal that clearly provides all the information required in this RFP. Emphasis should be made on conformance to the RFP instructions, responsiveness to the RFP requirements, and clarity of content. The Proposer is advised to thoroughly read and follow all instructions contained in this RFP. Proposals that do not comply with these instructions, or do not meet the full intent of all the requirements of this RFP may be subject to scoring reductions during the evaluation process or may be deemed non-responsive.

The Agencies' do not require, nor desire, any promotional material that does not specifically address the proposal requirements in this RFP.

The proposal should demonstrate that the Proposer is qualified to perform the Scope of Work based upon prior relevant professional experience. The Agencies will perform a comprehensive review of each proposal submitted.

Each Proposer is required to submit the information and documentation listed below in the order in which it is requested. A proposal that does not include all required information and completed forms may be subject to rejection.

The completed proposal will include Tabs One through Five, as described in the Proposal Submission Requirements section of this RFP. Each Tab must be electronically bookmarked as "Tab 1," "Tab 2," "Tab 3," "Tab 4," and "Tab 5," and must be presented in the exact order requested in this RFP.

The Proposer's proposal must contain responses to the items listed below.

11.1 TAB 1: Proposal Coversheet, Cover Letter and Proposal Certification

The Proposer shall submit, as part of Proposal Submission, the Proposal Coversheet, Cover Letter and Proposal Submission Certification (collectively titled as "Attachment A" of Tab 1) as outlined below.

11.1.1. Proposal Coversheet

The Proposer shall complete and submit a Proposal Coversheet which contains identifying information for the firm. The Coversheet must be submitted utilizing the template provided in this RFP and attached hereto as Attachment A.

11.1.2. Cover Letter with Executive Summary

The Proposer's cover letter must not exceed three (3) pages and must include:

1. The Proposer's name, address, telephone number, fax number, email address and web site address, if applicable;
2. The name, title, telephone number, fax number and email address of the individual within the Proposer's organization who will be Agencies' primary contact concerning the proposal;
3. The role(s) and the Agency or Agencies the Proposer is applying for.
4. A summary of the Proposer's organizational history and legal structure (e.g. corporation, evidence of MWBE and/or SDVOB certification status, etc.);
5. Indicate whether the Proposer will be subcontracting/partnering with a MWBE and/or SDVOB, and if so, provide the name of the MWBE and SDVOB entity(ies) and principal(s); if the Proposer will not be subcontracting/partnering with an MWBE and/or SDVOB, indicate the reason why there are no subcontracting/partnering opportunities for the Legal Services.
6. A statement affirming the number of years that the Proposer or its principals have provided similar services to those described in the Scope of Work; and
7. The name(s) of the primary staff who will provide services to the Agencies.

11.1.3. Proposal Certification

Proposer shall complete and submit with their Proposal Submission a signed certification (“Proposal Certification”) which affirms that the information contained in the proposal is true and accurate and that the person signing the Proposal Certification is authorized to submit the proposal on behalf of the Proposer. The Proposal Certification must be submitted utilizing the template provided in Attachment A of Tab 1.

11.2 TAB 2: Technical Proposal

This section of the RFP provides instructions to Proposers regarding information that is to be included in the Technical section of the proposal. The content in Tab 2 is limited to ten (10) letter-size pages, double spaced, minimum 12-point font, and at least one-inch margins. The ten-page limit in Tab 2 does not include resumes, references, organizational chart, etc. Proposal documents must be complete, factual and as detailed as necessary to allow the Agency to adequately evaluate capabilities and experience for the Legal Services required under the contract awarded to the successful Proposer. The purpose of the Technical portion of the proposal is to provide the Proposer an opportunity to demonstrate its qualifications, competence and capacity to undertake the Scope of Work described in the Scope of Services section of this RFP, in a manner which complies with the requirements in this RFP. Proposals must specifically detail a Proposer’s qualifications and experience in providing services sought by the Agency. Your response must include responses to the items listed below.

11.2.1 Overview and Experience

1. A brief history of your Firm's experience as Bond Counsel or Disclosure Counsel.
2. The Agencies are seeking evidence of your Firm’s experience in providing the scope of work described in the Scope of Services section of this RFP. Provide a list of up to ten (10) bond issuances in single family housing, multi-family housing, municipal bond bank or tobacco securitization issues (as applicable) in the last five (5) years in which the Firm has served as Bond Counsel and/or Disclosure Counsel and has issued an opinion that clearly delineates the following(excluding bond issuances to the Agencies):
 - a) the name of the issuing entity together with the name, address, telephone number and email address of a contact person who can provide a reference and speak with authority to the Proposer’s performance on the engagement;
 - b) a description of the type of debt instrument issued (*for example, fixed rate bonds, variable rate demand notes, tax-exempt commercial paper, FHA insured bonds, revenue bonds for single family housing, qualified mortgage revenue bonds, bond bank issuances*);
 - c) the size of the issue described; and

d) the date and purpose of the issue.

The Agencies are particularly interested in detailed descriptions of innovative work provided by your Firm in financings of the type that the Agencies undertake or in financings where your Firm faced issues that would be faced by the Agencies. Your Firm must provide evidence of its ability and experience in dealing with issues faced by the Agencies. Be as specific as possible.

3. For bond-counsel services, describe your Firm's tax expertise, with specific reference to your Firm's experience in providing tax advice for tax-exempt bond issuers in the fields of single-family, multi-family and tobacco finance. As it relates to multi-family and single-family issues, provide examples of your Firm's tax analysis as Bond Counsel for new money issues as well as for refunding. As it relates to multi-family tax-exempt bond transactions, provide a list of tax attorneys in your Firm who are responsible for undertaking the "95-5 analysis" and also provide us with examples of your Firm's experience in multi-family financings that involved recycling.
4. For disclosure-counsel services, describe any recent instances in which your firm assisted issuers with developing and implementing written disclosure controls and procedures, provided advice on potential issues related to an issuer's webpage(s) on debt issuance, and conducted municipal finance securities law trainings for issuers and their employees.
5. Is your Firm listed in the directory of municipal bond attorneys in *The Bond Buyer's Municipal Marketplace*?
6. Why should the Agency select your Firm? What can your Firm do for the Agency that other firms cannot? Describe any disciplinary action, administrative proceeding, malpractice claim or other like proceeding against your Firm or any of its attorneys, whether current or pending, as well as any such action, proceeding or claim occurring during the past five years.
7. Provide a description of the instances, if any, in which your Firm has worked with MWBE law firms on previous transactions by engaging in joint ventures or other partnering or subcontracting arrangements. Responses should include the nature of the engagement, how such arrangement was structured and a description of how the services and fees were allocated.
8. Identify the location of your Firm's main office. If there are other locations of your Firm that will be involved in the provision of Legal Services, identify these other location(s) and

include names, telephone numbers and email addresses of contact persons in those locations.

9. Identify the principals and key staff who will be primarily responsible for providing Legal Services to the Agency and include location of principals and key staff. For each staff member listed, provide the number of years of relevant experience, and attach a resume.
10. If the Proposer will be subcontracting/partnering with an MWBE and/or a SDVOB for any portion of the work described in the Scope of Work, provide resumes and a summary of the relevant qualifications and experience of the subcontractor(s) and the staff of each entity. Describe the types of tasks anticipated to be assigned by the subcontractor(s)/partner(s).
11. The Agency issues bonds from time to time as Sustainability Bonds or Social Bonds based on the intended use of proceeds in a manner consistent with the Green, Social and Sustainability Bonds Guidelines promulgated by the International Capital Markets Association and Goals 1, 7, and 11 of the United Nation's Sustainable Development Goals. Describe your firm's experience on issuances involving such ESG Bonds.

11.3 TAB 3: Cost Proposal

In a separate "Tab 3," provide information concerning fees that includes the below items.

1. The customary hourly rate of each person whose resume is provided in Tab 2 of the proposal, and the proposed hourly rate to be charged to the Agencies in connection with those persons.
2. A schedule of all disbursements which your Firm anticipates will result in a charge to the Agencies and the rate for each.
3. The fee per transaction for each issuance of bonds and whether you would be willing to establish a cap of fees and expenses on any given transaction.
4. Any reduced fees or governmental discounts for New York issuers.
5. Any measures proposed by you to reduce the cost to the Agencies of retaining your Firm.

Although proposed fees will be taken into account, the Agencies reserve the right to negotiate a lower or different fee structure with any Firm selected.

11.4 TAB 4: Administrative Proposal

Proposers are subject to the requirements indicated in the Agencies' [Standard Clauses and Requirements for Solicitations](#), hyperlinked herein as Exhibit A. Such requirements include, but are not limited to, submission of the following information and forms: (a) [Vendor Information FORM](#); (b) [Lobbying Procurement Law FORM 1](#) and [Lobbying Procurement Law FORM 2](#); (c) [Non-Collusive Bidding Certification FORM](#); (d) [Vendor Responsibility Questionnaire for For-Profit Business Entity](#); (e) [Vendor Assurance of No Conflict of Interest and Detrimental Effect](#); and (f) [Executive Order #16 – Prohibiting Contracting with Businesses Conducting Business in Russia](#).

In addition to completion of the forms hyperlinked in the paragraph above, Proposers must provide all other information indicated in this Section for Tab 4.

11.4.1 Insurance Requirements

Provide a statement indicating that if selected for a contract, your Firm will (i) agree to adhere to the Agencies' insurance requirements as described in Attachment B, attached hereto, and (ii) submit the original insurance certificates indicated in Attachment B, and any other coverage as required. Failure to provide original certificates with coverages and limits as per this RFP and an awarded contract will result in the Agencies inability to execute a contract.

11.4.2 Financial Capacity

The Proposer must provide the last two years of their firm's most recent audited financial statements. Each financial statement must include a balance sheet.

11.4.3 Licenses, Certifications and other Credentials

The Proposer must respond affirmatively that it, and its subcontractors (if any), will have, prior to commencement of work under the contract resulting from this RFP, all necessary licenses, certifications, approvals, and other needed credentials to perform the Scope of Work in the RFP, as applicable.

11.5 TAB 5: Diversity, SDVOB and Equal Employment Opportunity (“EEO”) Proposal

Proposers are subject to the Article 15-A and Article 3 requirements. Such requirements include, but are not limited to, submission of the following information and forms, hyperlinked herein: (a) [EEO Staffing Plan, PROC-1](#); (b) [Utilization Plan, PROC-2](#); (c) [MWBE & EEO Policy Statement](#).

PROC-4; (d) Company Demographic Profile PROC-7; (e) EEOC Statement, PROC-8, applicable to Proposers with 15 or more employees; and (f) Diversity Practices Questionnaire, PROC-9.

12. Proposal Submission Requirements

Proposals must be delivered, by email, no later than the proposal due date and time indicated in the “*Calendar of Events and Milestones*” section of this RFP.

Proposals must be submitted by email to Nyhomes.proposal@hcr.ny.gov in searchable portable document format (“**PDF**”) compatible with Adobe Reader XI. The Agencies will not accept discs, flash drives, or FTP file references that require the Agencies to download information from the Proposer’s or a third party’s site. If the file is large, it may be submitted in multiple email attachments, with the proper Part One or Part Two label (if applicable) and “1 of X”, “2 of X”, etc., and the last email as “X of X – Final” for each additional email.

The proposal must be bookmarked and divided into five parts: (i) Tab One: Application Cover Sheet, Cover Letter and Proposal Certification; (ii) Tab Two: Technical Proposal; (iii) Tab Three: Cost Proposal; (iv) Tab Four: Administrative Proposal; and (v) Tab Five: EEO, Diversity and SDVOB Proposal. Proposals must be sent in two emails and labeled as follows: (a) one email to include Tabs One, Two and Three and the subject line of the email must be labeled: “2026 Legal Services RFP: Tabs 1, 2 and 3”; and (b) the other email must include Tabs Four and Five and the subject line of the email must be labeled “2026 Legal Services RFP: Tabs 4 and 5”.

Any proposal delivered after the date and time designated as the proposal submission deadline listed in the “*Calendar of Events and Milestones*” section of this RFP may be deemed ineligible. It is the Proposer’s sole responsibility to ensure that all emails and attachments are delivered on time in a legible format. Proposers assume all risk for proposal delivery.

A proposal may be deemed to be non-responsive because it is materially incomplete. The Agencies reserve the right to seek clarification or request additional information.

The determination of whether any proposal is complete or was received on time is at the sole discretion of the Agencies.

All submitted proposals shall become the property of the Agencies.

13. Evaluation of Proposals

13.1 Preliminary Review

The Agencies reserve the right to reject all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in this RFP. Incomplete proposals may be rejected.

13.2 The Evaluation and Criteria for Selection

The evaluation process will begin with the review and evaluation of each of the written proposals. The purpose of the evaluation is two-fold: (1) to examine the responses for compliance with the requirements of this RFP; and (2) to identify the complying firm(s) that have the highest probability of satisfactorily performing the Scope of Work, described herein. The evaluation will be conducted in a comprehensive and impartial manner as set forth herein.

Proposals will undergo an evaluation process conducted by an Agency committee (“**Committee**”). The Committee will evaluate proposals based on the qualifications of both the firm and its current personnel utilizing the following criteria:

- Demonstrated experience and ability to provide the services in the Scope of Work;
- Demonstrated competence, knowledge and technical expertise and capacity to perform the services in the Scope of Work;
- Cost effectiveness;
- Presence of an office in the State of New York;
- Diversity and commitment to equal employment opportunity and MWBE and SDVOB participation/programs;
- Avoidance of any potential conflict of interest or appearance of impropriety and policies designed to ensure the avoidance of such conflicts in the future;
- Financial stability;
- Overall completeness of all information provided in the proposal; and
- Interviews to clarify or expand on the RFP response (to be conducted at the discretion of the Agencies).

13.2 Scoring of Written Proposals

13.2.1 Technical Proposal Evaluation – 70 Points

The Committee will independently score each Technical Proposal to identify Proposers with the highest probability of satisfactorily providing the services described in the Scope of Services

section of this RFP. Evaluations will be based on the Proposer's demonstration of its ability to provide the services required through its Technical Proposal.

13.2.2 Cost Proposal – 20 Points

The Committee will independently score each Cost Proposal for cost reasonableness.

13.2.3 MWBE Scoring – 10 Points

The Agencies' Department of Empowerment, Compliance and Opportunity ("DECO") will examine the MWBE/SDVOB documents and review them for responsiveness to MWBE/SDVOB requirements. Proposals that have identified MBEs, WBEs, MWBEs or SDVOBs as the Proposer to meet the Scope of Services are eligible to receive five (5) percentage points.

All proposals are eligible to receive five (5) percentage points on the representation of minorities and women among the firm's executive/senior-level officials, administrators, and professionals. Additional consideration will be given to the diversity of key staff proposed to work under the contract of the successful Proposer of this RFP process.

13.3 Interviews

The Agencies reserve the right to determine whether interviews will be necessary and the number of firms to be interviewed. If the Agencies deem interviews necessary, selected firms will be notified. The Proposer's primary staff person who would be responsible for the Agencies' relationship with the Proposer, as well as other key personnel proposed to provide services, including its subcontractor's primary staff person, must be present and participate in the interview. The purpose of the interview is to further document the Proposer's ability to provide the required services, and to impart to the Committee an understanding of how specific services will be furnished. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the Proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

The Agencies reserve the right to negotiate or hold discussions with any Proposer.

13.4 Selection and Notification Process

The selected Proposer(s) will be notified via U.S. mail or email. Proposers who are not selected will be notified of the Agencies' determination via U.S. mail or email.

Proposal Checklist

CHECKLIST FOR VARIOUS REQUIRED FORM RELATED ITEMS TO BE COMPLETED AND RETURNED:

- Tab 1 - Application Coversheet
- Tab 1 - Cover Letter

- Tab 2 – Technical Proposal
 - Coversheet, Cover Letter and Proposal Submission Certification, Attachment A

- Tab 3 – Cost Proposal

- Tab 4 - Administrative Proposal
 - [Vendor Information Form](#)
 - [Lobbying Reform Law Form 1](#)
 - [Lobbying Reform Law Form 2](#)
 - [Non-Collusive Bidding Certification Form](#)
 - [Vendor Responsibility Questionnaire – For Profit Business Entity](#)
 - [Vendor Assurance of No Conflict of Interest and Detrimental Effect](#)
 - Proposer’s most recent two years of financial statements or federal tax returns
 - Evidence of Insurance (required upon contract award), Attachment B
 - [W-9 Form](#) (required upon contract award)

- Tab 5 - Administrative Proposal
 - [EEO Staffing Plan, PROC-1](#)
 - [Utilization Plan, PROC-2](#)
 - [MWBE & EEO Policy Statement, PROC-4](#)
 - [Company Demographic Profile, PROC-7](#)
 - [EEOC Statement, PROC-8](#)
 - [Diversity Practices Questionnaire, PROC-9](#)

Exhibits, Appendices, Schedules and Attachments

[Standard Clauses and Requirements for Solicitations, Exhibit A](#)

Coversheet and Proposal Submission Certification, Attachment A

Insurance Requirements, Attachment B

[Standard Clauses for Contracts, Appendix I](#)

[MWBE Participation Requirements and Procedures for Contracts, Appendix II](#)

EXHIBIT A

[Standard Clauses and Requirements for Solicitation](#)
(hyperlinked here)

ATTACHMENT A

Coversheet and Proposal Submission Certification
(Attachment A to follow this page)

Application Coversheet

Request for Proposals for 2026 Legal Services

Attach this form to the top of your proposal.

APPLYING FOR: (Check all that may apply)

- HFA Bond Counsel Services
- SONYMA Bond Counsel Services
- MBBA Bond Counsel Services
- TSFC Bond Counsel Services

- HFA Disclosure Counsel Services
- SONYMA Disclosure Counsel Services
- MBBA Disclosure Counsel Services
- TSFC Disclosure Counsel Services

DATE OF APPLICATION: _____

GENERAL INFORMATION ON FIRM:

Legal Name of Firm:

Firm's Mailing Address:

Firm's Website:

Firm's Main Telephone Number (including area code):

Federal Tax ID Number:

FINRA and/or SEC Registration Number (if applicable):

MWBE Registration Number (if applicable):

Service-Disabled Veteran-Owned Business Registration Number (if applicable):

MAIN CONTACT INFORMATION FOR THIS PROPOSAL:

Please list the individual that will be the main contact *regarding this proposal*:

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

PRINCIPAL IN CHARGE:

Please list the primary staff person(s) who will provide services to HFA. Attach additional sheets if necessary.

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

ADDITIONAL CONTACTS (if applicable):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

Contact Name:

Contact Telephone Number (including area code):

Contact E-mail Address:

Contact Facsimile Number (including area code):

Attachment A (for Tab 1)

Proposal Certification

The Proposal Submission must be fully and properly executed by an authorized person. By signing this Proposal Certification you certify your express authority to sign on behalf of the Proposer and acceptance of the terms included in (i) this RFP, (ii) Appendix A (Agencies' Standard Clauses For New York State Contracts) and (iii) New York State Finance Law §139-j and §139-k (Procurement Lobbying), and that all information provided in the proposal is complete, true and accurate. By signing this Proposal Certification, the Proposer affirms that it understands and agrees to comply with Agency procedures relative to permissible contacts as required by New York State Finance Law §139-j (3) and §139-j (6) (b). Proposer also affirms that it has reviewed the requirements within the RFP and agrees to be bound by said terms.

Legal Business Name of Proposer:	D/B/A Name of Proposer:
Federal Tax Identification Number:	New York State Identification Number:
Printed or Typed Name of Authorized Firm Signatory:	Proposer Signature:
Title:	Date:

ATTACHMENT B

Insurance Requirements
(Attachment B to follow this page)

Insurance Requirements

The successful Proposer(s) of this RFP process (Bidder(s) or Contractor(s)) shall be required to procure, at its sole cost and expense, all insurance required by this Attachment.

The Bidder shall be required to provide proof of compliance with the requirements of this Attachment, as follows:

- Proof of Workers' Compensation and Disability Benefits Insurance should be provided at the time of Bid submission;
- Proof of all other insurance shall be provided in accordance with Section B below;
- After award, the Contractor shall be required to provide proof of all insurance after renewal or upon request according to the timelines set forth in Section A.13 below.

Contractors shall be required to procure, at their sole cost and expense, and shall maintain in force at all times during the term of any Contract resulting from this Solicitation/this Contract, policies of insurance as required by this Attachment. All insurance required by this Attachment shall be written by companies that have an A.M. Best Company rating of "A-," Class "VII" or better. In addition, companies writing insurance intended to comply with the requirements of this Attachment should be licensed or authorized by the New York State Department of Financial Services to issue insurance in the State of New York. The Agency may, in its sole discretion, accept policies of insurance written by a non-authorized carrier or carriers when certificates and/or other policy documents are accompanied by a completed Excess Lines Association of New York (ELANY) affidavit or other documents demonstrating the company's strong financial rating. If, during the term of a policy, the carrier's A.M. Best rating falls below "A-," Class "VII," the insurance must be replaced, on or before the renewal date of the policy, with insurance that meets the requirements above.

Bidders and Contractors shall deliver to the Agency evidence of the insurance required by this Solicitation and any Contract resulting from this Solicitation/Contract in a form satisfactory to the Agency. Policies must be written in accordance with the requirements of the paragraphs below, as applicable. While acceptance of insurance documentation shall not be unreasonably withheld, conditioned or delayed, acceptance and/or approval by the Agency does not, and shall not be construed to relieve Bidders or Contractors of any obligations, responsibilities or liabilities under this Solicitation and any Contract resulting from this Solicitation/Contract.

The Contractor shall not take any action, or omit to take any action that would suspend or invalidate any of the required coverages during the term of any Contract resulting from this Solicitation/the Contract.

A. General Conditions Applicable to Insurance. Only original documents (certificates of insurance and any endorsements and other attachments) or electronic versions of the same that can be directly traced back to the insurer, agent or broker via e-mail distribution or similar means will be accepted.

The Agency requires Contractors to submit only certificates of insurance and additional insured endorsements. Contractors should refrain from submitting entire insurance policies. If an entire insurance policy is submitted but not requested, the Agency shall not be obligated to review it and shall not be chargeable with knowledge of its contents. In addition, the submission of an entire insurance policy not requested by the Agency does not constitute proof of compliance with the insurance requirements and does not discharge Contractors from submitting the requested insurance documentation. The Agency reserves the right to request other proof of insurance, including, but not limited to, policies, and Contractors agree to comply with all reasonable requests.

All policies of insurance required by this Solicitation and any Contract resulting from this Solicitation/Contract shall comply with the following requirements:

- 1. Coverage Types and Policy Limits.** The types of coverage and policy limits required from Bidders and Contractors are specified in Paragraph B *Insurance Requirements* below.
- 2. Policy Forms.** Except as otherwise specifically provided herein, or agreed to in the Contract resulting from this Solicitation, all policies of insurance required by this Attachment shall be written on an occurrence basis. In the event that occurrence-based coverage is not commercially available, the Agency reserves the right to accept claims-made policy forms, in its sole discretion, provided that, at minimum, it includes provisions that allow for (a) reporting circumstances or incidents that may give rise to future claims and (b) an extended reporting period of not less than three (3) years with respect to events that occurred but were not reported during the term of the policy.
- 3. Certificates of Insurance/Notices.** Bidders and Contractors shall provide the Agency with a Certificate or Certificates of Insurance, in a form satisfactory to the Agency as detailed below, and pursuant to the timelines set forth in Section A.13. below. Certificates shall name New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency and Tobacco Settlement Financing Corporation, 641 Lexington Avenue, New York, New York 10022 as the certificate holder.

Certificates of Insurance shall:

- Be in the form acceptable to the Agency and in accordance with the New York State Insurance Law (e.g., an ACORD 25);
- Disclose any deductible, self-insured retention, aggregate limit or exclusion to the policy that materially changes the coverage required by this Solicitation and any Contract resulting from this Solicitation/Contract;
- Be signed by an authorized representative of the referenced insurance carriers; and
- Contain the following language in the Description of Operations / Locations / Vehicles section of the Certificate or on a submitted endorsement: Additional insured protection afforded is on a primary and non-contributory basis. A waiver of subrogation is granted in favor of the additional insureds.

1. Primary Coverage. All Commercial General Liability, Business Automobile Liability, and Umbrella/Excess Liability insurance policies shall provide that the required coverage shall be primary and non-contributory to other insurance available to the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees. Any other insurance maintained by the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency and Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees shall be excess of and shall not contribute with the Bidder/Contractor's insurance.

2. Breach for Lack of Proof of Coverage. The failure to comply with the requirements of this Attachment at any time during the term of any Contract resulting from this Solicitation/the Contract shall be considered a breach of the terms of any Contract resulting from this Solicitation/the Contract and shall allow the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees to avail themselves of all remedies available under any Contract resulting from this Solicitation/the Contract, at law or in equity.

3. Self-Insured Retention/Deductibles. Certificates of Insurance must indicate the applicable deductibles/self-insured retentions for each listed policy. Deductibles or self-

insured retentions above \$100,000.00 are subject to approval from the Agency. Such approval shall not be unreasonably withheld, conditioned or delayed. Bidders and Contractors shall be solely responsible for all claim expenses and loss payments within the deductibles or self-insured retentions. If the Bidder/Contractor is providing the required insurance through self-insurance, evidence of the financial capacity to support the self-insurance program along with a description of that program, including, but not limited to, information regarding the use of a third-party administrator shall be provided upon request.

4. Subcontractors. Prior to the commencement of any work by a Subcontractor, the Contractor shall require such Subcontractor to procure policies of insurance as required by this Attachment and maintain the same in force during the term of any work performed by that Subcontractor. An Additional Insured Endorsement CG 20 38 12 19 (or the equivalent) evidencing such coverage shall be provided to the Contractor prior to the commencement of any work by a subcontractor and pursuant to the timelines set forth in Section A.13. below, as applicable, and shall be provided to the Agency upon request. For subcontractors that are self-insured, the subcontractor shall be obligated to defend and indemnify the above-named additional insureds with respect to Commercial General Liability and Business Automobile Liability, in the same manner that the subcontractor would have been required to pursuant to this section had the subcontractor obtained such insurance policies.

5. Waiver of Subrogation. For all Commercial General Liability, Business Automobile Liability, Umbrella/Excess Liability policies and the workers' compensation insurance required below, the Bidder/Contractor shall cause to be included in its policies insuring against loss, damage or destruction by fire or other insured casualty a waiver of the insurer's right of subrogation against The New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees, or, if such waiver is unobtainable (i) an express agreement that such policy shall not be invalidated if the Contractor waives or has waived before the casualty, the right of recovery against the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees or (ii) any other form of permission for the release of the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees. A Waiver of Subrogation Endorsement shall be provided

upon request. A blanket Waiver of Subrogation Endorsement evidencing such coverage is also acceptable.

6. Additional Insured. The Contractor shall cause to be included in each of the Commercial General Liability, Business Automobile Liability, and Umbrella/Excess Liability policies required below coverage for on-going and completed operations naming as additional insureds (via ISO coverage forms CG 20 10 12 19 and CG 20 37 12 19 and form CA 20 48 10 13, or a form or forms that provide equivalent coverage): New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation/the Contract and their officers, agents, and employees. An Additional Insured Endorsement, or the equivalent, evidencing such coverage shall be provided to the Agency pursuant to the timelines set forth in Section 13 below. A blanket Additional Insured Endorsement evidencing such coverage is also acceptable. For Contractors who are self-insured, the Contractor shall be obligated to defend and indemnify the above-named additional insureds with respect to Commercial General Liability and Business Automobile Liability, in the same manner that the Contractor would have been required to pursuant to this Attachment had the Contractor obtained such insurance policies.

7. Excess/Umbrella Liability Policies. Required insurance coverage limits may be provided through a combination of primary and excess/umbrella liability policies. If coverage limits are provided through excess/umbrella liability policies, then a Schedule of underlying insurance listing policy information for all underlying insurance policies (insurer, policy number, policy term, coverage and limits of insurance), including proof that the excess/umbrella insurance follows form must be provided upon request.

8. Notice of Cancellation or Non-Renewal. Policies shall be written so as to include the requirements for notice of cancellation or non-renewal in accordance with the New York State Insurance Law. Within five (5) business days of receipt of any notice of cancellation or non-renewal of insurance, the Contractor shall provide the Agency with a copy of any such notice received from an insurer together with proof of replacement coverage that complies with the insurance requirements of this Solicitation and any Contract resulting from this Solicitation/Contract.

9. Policy Renewal/Expiration Upon policy renewal/expiration, evidence of renewal or replacement of coverage that complies with the insurance requirements set forth in this Solicitation and any Contract resulting from this Solicitation/Contract shall be delivered to the Agency. If, at any time during the term of any Contract resulting from this Solicitation/the Contract, the coverage provisions and limits of the policies required herein do not meet the provisions and limits set forth in this Solicitation and any Contract resulting

from this Solicitation/Contract, or proof thereof is not provided to the Agency, the Contractor shall immediately cease work. The Contractor shall not resume work until authorized to do so by the Agency.

10. *Deadlines for Providing Insurance Documents after Renewal or Upon Request.*

As set forth herein, certain insurance documents must be provided to the Agency's contact identified in the Contract Award Notice after renewal or upon request. This requirement means that the Contractor shall provide the applicable insurance document to the Agency as soon as possible but in no event later than the following time periods:

- For certificates of insurance: 5 business days from request or renewal;
- For information on self-insurance or self-retention programs: 15 calendar days from request or renewal;
- For other requested documentation evidencing coverage: 15 calendar days from request or renewal;
- For additional insured and waiver of subrogation endorsements: 30 calendar days from request or renewal; and
- For notice of cancellation or non-renewal and proof of replacement coverage that complies with the requirements of this section: 5 business days from request or renewal.

Notwithstanding the foregoing, if the Contractor shall have promptly requested the insurance documents from its broker or insurer and shall have thereafter diligently taken all steps necessary to obtain such documents from its insurer and submit them to the Agency, the Agency shall extend the time period for a reasonable period under the circumstances, but in no event shall the extension exceed 30 calendar days.

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B. Insurance Requirements

Bidders and Contractors shall obtain and maintain in full force and effect, throughout the term of any Contract resulting from this Solicitation/the Contract, at their own expense, the following insurance with limits not less than those described below and as required by the terms of any Contract resulting from this Solicitation/the Contract, or as required by law, whichever is greater:

Insurance Type		Proof of Coverage is Due
Commercial General Liability	No less than \$1,000,000 each occurrence	Upon notification of tentative award and updated in accordance with Contract
General Aggregate	\$2,000,000	
Products-Completed Operations Aggregate	\$2,000,000	
Personal and Advertising Injury	\$1,000,000	
Medical Expenses Limit	\$5,000	
Business Automobile Liability Insurance	No less than \$1,000,000 each accident	
Professional Liability	\$5,000,000	
Workers' Compensation		
Disability Benefits		

1. Commercial General Liability Insurance: Such liability shall be written on the current edition of ISO occurrence form CG 00 01, or a substitute form providing equivalent coverage and shall cover liability arising from premises operations, independent contractors, products-completed operations, broad form property damage, personal & advertising injury, cross liability coverage, liability assumed in a contract (including the tort liability of another assumed in a contract) [and explosion, collapse & underground coverage].

Policy shall include bodily injury, property damage and broad form contractual liability coverage.

- General Aggregate
- Products – Completed Operations Aggregate
- Personal and Advertising Injury
- Each Occurrence

Coverage shall include, but not be limited to, the following:

- Premises liability;
- Independent contractors;
- Blanket contractual liability, including tort liability of another assumed in a contract;
- Defense and/or indemnification obligations, including obligations assumed under any Contract resulting from this Solicitation/the Contract;
- Cross liability for additional insureds; and
- Products/completed operations for a term of no less than three [3] years, commencing upon acceptance of the work, as required by the Contract.

2. Business Automobile Liability Insurance: Such insurance shall cover liability arising out of automobiles used in connection with performance under any Contract resulting from this Solicitation/the Contract, including owned, leased, hired and non-owned automobiles bearing or, under the circumstances under which they are being used, required by the Motor Vehicles Laws of the State of New York to bear, license plates.

In the event that the Contractor does not own, lease or hire any automobiles used in connection with performance under any Contract resulting from this Solicitation/the Contract, the Contractor does not need to obtain Business Automobile Liability Insurance, but must attest to the fact that the Contractor does not own, lease or hire any automobiles used in connection with performance under any Contract resulting from this Solicitation/the Contract on a form provided by the Agency. If, however, during the term of the Contract, the Contractor acquires, leases or hires any automobiles that will be used in connection with performance under any Contract resulting from this Solicitation/the Contract, the Contractor must obtain Business Automobile Liability Insurance that meets all of the requirements of this section and provide proof of such coverage to the Agency in accordance with the insurance requirements of any Contract resulting from this Solicitation/the Contract.

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3. Professional Liability:

Such insurance shall apply to professional errors, acts, or omissions arising out of the scope of services (i.e. professional services, provide legal advice).

- Such insurance shall apply to professional errors, acts, or omissions arising out of the scope of services.
- If coverage is written on a claims-made policy, the Contractor warrants that any applicable retroactive date precedes the start of work; and that continuous coverage will be maintained, or an extended discovery period exercised, throughout the performance of the services and for a period of not less than one (1) year from the time work under any Contract resulting from this Solicitation is completed or must agree to insure for one year following any Contract under award. Written proof of this extended reporting period or agreement must be provided to the Agency upon request.
- The policy shall cover professional misconduct or lack of ordinary skill for those positions defined in the Scope of Services of any Contract resulting from this Solicitation.

4. Workers' Compensation Insurance and Disability Benefits Requirements

Sections 57 and 220 of the New York State Workers' Compensation Law require the heads of all municipal and state entities to ensure that businesses applying for contracts have appropriate workers' compensation and disability benefits insurance coverage. These requirements apply to both original contracts and renewals. **Failure to provide proper proof of such coverage or a legal exemption will result in a rejection of a Bid or any contract renewal. A Bidder will not be awarded a Contract unless proof of workers' compensation and disability insurance is provided to the Agency.** Proof of workers' compensation and disability benefits coverage, or proof of exemption must be submitted to the Agency at the time of Bid submission, policy renewal, contract renewal and upon request. Proof of compliance must be submitted on one of the following forms designated by the New York State Workers' Compensation Board. **An ACORD form is not acceptable proof of New York State workers' compensation or disability benefits insurance coverage.**

The failure to comply with the requirements of this Attachment at any time during the term of any Contract resulting from this Solicitation shall be considered a breach of the terms of any Contract resulting from this Solicitation and shall allow the New York State Housing Finance Agency, State of New York Mortgage Agency, State of New York Municipal Bond Bank Agency, Tobacco Settlement Financing Corporation, any entity authorized by law or regulation to use any Contract resulting from this Solicitation and their officers, agents, and employees to avail themselves of all remedies available under any Contract resulting from this Solicitation, at law or in equity.

Proof of Compliance with Workers' Compensation Coverage Requirements:

- Form CE-200, *Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required*, which is available on the Workers' Compensation Board's website (www.businessexpress.ny.gov/app/answers/cms/a_id/2263/kw/CE) ;
- Form C-105.2 (9/07), *Certificate of Workers' Compensation Insurance*, sent to the Agency by the Contractor's insurance carrier upon request, or if coverage is provided by the New York State Insurance Fund, they will provide Form U-26.3 to the Agency upon request from the Contractor; or
- Form SI-12, *Certificate of Workers' Compensation Self-Insurance*, available from the New York State Workers' Compensation Board's Self-Insurance Office, or
- Form GSI-105.2, *Certificate of Participation in Workers' Compensation Group Self-Insurance*, available from the Contractor's Group Self-Insurance Administrator.

Proof of Compliance with Disability Benefits Coverage Requirements:

- Form CE-200, *Certificate of Attestation for New York Entities With No Employees and Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required*, which is available on the Workers' Compensation Board's website (www.businessexpress.ny.gov/app/answers/cms/a_id/2263/kw/CE);
- Form DB-120.1, *Certificate of Disability Benefits Insurance*, sent to the Agency by the Contractor's insurance carrier upon request; or
- Form DB-155, *Certificate of Disability Benefits Self-Insurance*, available from the New York State Workers' Compensation Board's Self-Insurance Office.

An instruction manual clarifying the New York State Workers' Compensation Law requirements is available for download at the New York State Workers' Compensation Board's website, <http://www.wcb.ny.gov/content/main/Employers/requirements-businesses-applying-government-permits-licenses-contracts.pdf>.

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APPENIDIX I

[Standard Clauses for Contracts, Appendix I](#)
(Appendix I hyperlinked here)

APPENDIX II

[MWBE Participation Requirements and Procedures for Contracts](#)
(Appendix II hyperlinked here)