



Contractor Requirements:

Any contractor interested in participating in an NYS VRP-funded project must be able to provide the following and comply with the following requirements. A copy of these requirements are located on our website at <https://preservationbuffaloniagara.org/techservices/contractor-opportunities/> under the technical services tab to see contractor opportunities.

- **Valid City of Buffalo/ Niagara Falls Contractor License**

- Please submit proof of license for the company
- License must current
- If License is provided through a subcontractor, please provide the name of the contractor firm along with address and phone number and a copy of their license.
- The Contractor agrees to provide a detailed cost breakdown by the categories of work. This shall be incorporated in the work specifications provided to him/her. The work specifications shall be submitted with this bid.

- **General Liability Insurance and evidence of Worker's Compensation and Disability Insurance**

- All contractors must supply references and proof of proper insurance. Proof of insurance must include general liability coverage in a minimum amount of one million dollars and workers' compensation coverage.
- Once the contractor is selected and under contract, you will be required to add the following additional riders to the insurance: Listed as additional insured
 - Preservation Buffalo Niagara (PBN)
 - State of New York (SNY)
 - Housing Trust Fund Corporation (HTC)
- STATEMENT ACKNOWLEDGING LIABILITY FOR WORKMEN'S COMPENSATION CLAIMS IN THE PERFORMANCE OF PROGRAM CONTRACTS
- In consideration for the receipt of program funds, I hereby acknowledge my status as an independent Contractor for the performance of all work to be carried out pursuant to this Agreement. I affirm that such work is being undertaken as neither an employee of the LPA or, of the Owner. I agree to indemnify and hold harmless the LPA, VRP and the Owner from all claims resulting from personal injuries incurred in the performance of work under the terms of such contract, whether claimed on behalf of myself, my employees, a Subcontractor, or employees of such Contractor; and regardless of whether such claims are in the nature of payments pursuant to the Workman's Compensation Law of the State of New York or personal injury actions alleging damages.

- **Compliance with Anti-Discrimination and Employment Practices**

- The policies and procedures found in Section II. (G) Conflict of Interest apply to the contractor procurement process. The process must be free of collusion or



intimidation, and the LPA must exercise appropriate oversight over the entire process to ensure that it is fair, efficient, and free of actual and perceived conflicts of interest. A clear, written, scope of work for the project, as outlined in Work Write-up/Scope of Work above, must be the basis for the bids or proposals. All bidders must have equal access to relevant information on property itself.

- **Compliance with EPA Lead-Based Paint Regulations (when applicable)**

- Project activities are subject to the requirements of the State Environmental Quality Review Act (SEQR) at 6 NYCRR Part 617. The LPA will be required to complete forms and a written scope of work to commit grant funds for a property and receive site-specific environmental review approval from HCR.
- The LPA is responsible for completing the site-specific environmental review for each VRP project.
- Rehab activities may begin prior to the completion of the site-specific environmental review
- Detailed Environmental Review instructions are provided separately on the VRP website: <https://hcr.ny.gov/vrp>

- **Compliance with Anti-Kickback regulations**

- Salaries of Contractor's employees performing work under this Agreement shall be paid unconditionally and not less often than once a month without deduction or rebate on any account except only such payroll deductions that are mandatory by law or permitted by the applicable regulations issued by the Secretary of Labor pursuant to the "Anti-Kickback Act" of June 13, 1934 (48 Stat. 948; 62 Stat. 108; title 18 U.S.C., section 874; and title 40 U.S.C., section 276).
- The LPA shall comply with applicable "Anti-Kickback" regulations and shall insert appropriate provisions in all subcontracts covering work under this Agreement to ensure compliance by Subcontractors with such regulations and shall be responsible for the submission of affidavits required of Subcontractors thereunder except as the Secretary of Labor may specifically provide for variations of or exemptions from the requirements thereof.

- **Compliance with any applicable Arbitration Agreements**

- A. The LPA and Contractor agree that any controversy or claim arising out of or relating to this Agreement, or the breach thereof, shall be settled in accordance with the Rules of the American Arbitration Association as administered by a certified arbitration firm. Judgment upon the Award rendered by such Arbitrator(s) may be entered in any Court having jurisdiction thereof.
- B. The Contractor agrees that the LPA may deduct and cancel the amount of any monetary Arbitration Award made in favor of the Owner from the monies, if any, otherwise due and owing the Contractor under this Contract, upon the LPA's written notice to the Contractor. Such



deduction and cancellation may be made only after the time period for applying to the courts for vacating or modifying the Award has elapsed without such application being made by either the Owner or Contractor.

- C. The LPA agrees that the Contractor may add the amount of any monetary Arbitration Award made in favor of the Contractor to the monies, if any, otherwise due and owing the Contractor under this Contract, upon the Contractor's written notice to the LPA. Such deduction and cancellation may be made only after the time period for applying to the courts for vacating or modifying the Award has elapsed without such application being made by either the LPA or Contractor.
- D. In the event that Judgment upon the Award has been entered, cancellation of the Judgment shall be effective only if the entering party records a Satisfaction of Judgment in the amount canceled and deducted.
- **Certifications for MBE/WBE or SDVOB. If this certification is applicable to your company, please send copies of the certifications.**
 - The contractor must provide a copy of license for MBE/WBE or SDVOB
 - The contractor must provide a copy of the license (s) for each individual that has certifications for MBE/WBE or SDVOB
 - Preservation Buffalo Niagara are required to comply with Articles 15-A and 17-B of the New York State Executive Law. These requirements include equal employment opportunities for minority group members and women (EEO) and contracting opportunities for certified minority and women-owned business enterprises. (MWBEs) and Service-Disable Veteran- Owned Businesses (SDOBs). LPAs demonstration of "good faith efforts" pursuant to 5 NYCRR 142.8 shall be a part of these requirements. Please visit NYS Empire State Development's Division of Minority and Women-Owned Businesses: <https://ny.newcontracts.com>