

**OFFERED BY:**

**SECONDED BY:**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TOWN OF NEW PALTZ FOR THE PROCUREMENT OF GOODS AND SERVICES NECESSARY FOR THE IMPLEMENTATION OF PROJECTS FUNDED BY THE GOVERNOR'S OFFICE OF STORM RECOVERY OF THE NEW YORK STATE HOUSING TRUST FUND CORPORATION**

**WHEREAS**, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the "Act"), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department of Housing and Urban Development ("HUD") for Community Development Block Grant Disaster Recovery ("CDBG-DR") funds for necessary expenses related to disaster relief, long-term recovery, restoration of infrastructure, and housing and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared due to Superstorm Sandy and other eligible events, including Hurricane Irene and Tropical Storm Lee, in calendar years 2011, 2012, and 2013 (the "Storms"), subject to the Federal statutes and regulations governing CDBG grants, as modified by exceptions and waivers previously granted and which may hereafter be granted by HUD; and,

**WHEREAS**, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 14,329), published March 5, 2013, titled, "*Allocations, Common Applications, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State has received an allocation of CDBG-DR funds from HUD in the amount of \$1,713,960,000; and

**WHEREAS**, pursuant to the CDBG-DR Grant Program and Federal Register Notice (78 Fed. Reg. 69,104), entitled *Second Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to Hurricane Sandy* (as amended)," the State has received a second allocation of CDBG-DR funds from HUD in the amount of \$2,097,000,000; and

**WHEREAS**, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,183), entitled *Third Allocation, Waivers, and Alternative Requirements for Grantees Receiving Community Development Block Grant (CDBG) Disaster Recovery Funds in Response to*

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*Hurricane Sandy* (as amended),” the State has received a third allocation of CDBG-DR funds from HUD in the amount of \$605,922,000 (of which \$185,000,000 has been allocated towards the proposals developed through the Rebuild by Design competition); and

**WHEREAS**, the Town of New Paltz has entered into a subrecipient agreement with the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

**NOW, THEREFORE BE IT RESOLVED** by the Town of New Paltz Town Board, on behalf of the Town of New Paltz that the Town of New Paltz shall follow these policies and procedures in the procurement of goods and services necessary for the implementation of projects funded by the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation:

**PROCUREMENT PROCEDURES**

The Town of New Paltz will comply with the procurement standards required under 24 CFR 85.36 for all procurement activities utilizing CDBG-DR funds granted by the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation.

**AVOIDING PROCUREMENT OF UNNECESSARY OR DUPLICATIVE ITEMS OR SERVICES**

The director or supervisor of each department or agency of the Town of New Paltz responsible for procurement of services, supplies, equipment, or construction obtained with Federal, State or Local funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the director or supervisor, an analysis should be made of lease versus purchase alternatives and any other analysis to determine the most economical approach.

**PROCUREMENT AND CONTRACT PROTEST PROCEDURES**

Any actual or prospective contractor may protest the solicitation or award of a contract for serious violations of the principles of this Statement. Any protest against solicitations must be received before the due date for receipt of bids or proposals, and any protest against the award of a contract must be received within ten calendar days after contract award, or the protest will not be considered. All bid protests shall be in writing, submitted to Purchasing Agent or \_\_\_\_\_ [other officer of subrecipient]. The Purchasing Agent or \_\_\_\_\_ [other officer of subrecipient] may, at his/her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.

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