

RESOLUTION

At a regular meeting of the Town Board of the Town of Union, Broome County New York, duly called and held at the Town Office Building, 3111 East Main Street, Endwell, New York, on the 15th day of July, 2015 at 7:30 o'clock P.M. of said day, the following were:

PRESENT: Supervisor Rose A. Sotak
Councilman Thomas R. Augostini
Councilman Leonard J. Perfetti
Councilman Frank Bertoni
Councilman Robert Mack

ABSENT: None

The Resolution set forth below was duly offered by Councilperson Bertoni who moved its adoption and was seconded by Councilperson Mack.

A vote was then taken upon the Motion for the adoption of said Resolution, which resulted as follows:

AYES: All
NAYS: None
ABSENT: None

The Resolution was then declared adopted.

Gail L. Springer
Gail L. Springer,
Town Clerk

RESOLUTION:

WHEREAS, it was recommended that the Town Board adopt the procurement policy for the NY Rising CDBG-DR funding as part of the New York Rising Program; and

NOW, THEREFORE, be it

RESOLVED, that the procurement policy for the NY Rising CDBG-DR funding as part of the New York Rising Program is hereby approved; and be it further

RESOLVED, that the Supervisor, Planning Director and such other officials are authorized to take such additional and further action as is necessary to implement this Resolution.

OFFERED BY: F. Bertoni

SECONDED BY: R. Mack

RESOLUTION NO. 112

A RESOLUTION ADOPTING THE FOLLOWING PROCEDURES AND POLICIES FOR THE TOWN OF UNION 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 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 Union 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 Union Town Board, on behalf of the Town of Union, that the Town of Union 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 Union 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 Union 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 Town Attorney. The Purchasing Agent or Town Attorney may, at his/her discretion, suspend the procurement pending resolution of the protest, if warranted by the facts presented.