



COUNTY OF ERIE

**NOTICE OF FUNDING AVAILABILITY (NOFA)
& REQUEST FOR PROPOSALS (RFP)
RFP# 2023-052VF**

Affordable Multi-Family Housing Development

**Using the American Rescue Plan Act (ARPA)
Coronavirus State and Local Fiscal Recovery Funds (SLFRF)**



Notice of Funding Availability (NOFA) & Request for Proposals (RFP)

Affordable Multi-Family Housing Development

Issue Date:
August 11, 2023

Issuing Agency:
Erie County Environment and Planning Department
95 Franklin Street
Buffalo, New York 14202

Background

The County of Erie, Department of Environment and Planning (ECDEP) is now accepting applications for American Rescue Plan Act (ARPA) Coronavirus State and Local Fiscal Recovery Funds (SLFRF) for development of affordable multi-family housing within Erie County.

The Multi-Family Housing Development Program will facilitate the acquisition, construction, and/or rehabilitation of multi-family affordable housing opportunities in a defined geography of need.

\$6,500,000 has been reserved for use toward the development of affordable multi-family housing in the form of rental, owner-occupied, or mixed use.

Request for Proposals

ECDEP is seeking Proposals from qualified nonprofits, cooperatives, and/or housing developers interested in the acquisition, construction, and/or rehabilitation of affordable rental, owner-occupied, or mixed-use multi-family housing within Erie County. Potential projects must align with the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) Final Rule ([31 CFR Part 35, RIN 1505-AC77](#)). Successful development partners will ensure compliance with local and federal regulations, while seeking to expend ARPA-SLFRF resources in the most effective, efficient, and equitable manner possible. More information about ARPA-SLFRF funding guidance for affordable housing projects can be found online at: [U.S. Treasury ARPA and SLFRF Resources](#).

Application Period

Proposals will be accepted on a rolling basis through **December 31, 2023**. Awards may also be made on rolling basis.

Information Meeting

An information meeting will be held via Webex on Wednesday September 27, 2023 at 10:00am. Please email Principal Planner Marie Thornton at Marie.Thornton@erie.gov to register and receive a link for the meeting.

Eligible Applicants

Developers, community development corporations, not-for-profits, and other qualified housing providers looking to expand the supply of quality affordable housing are encouraged to apply.

Eligible Activities

All development activities such as acquisition, construction, and/or rehabilitation of affordable rental or owner-occupied housing in Erie County are eligible expenses, including soft costs associated with said development. Please note that “owner-occupied housing” encompasses new units of multi-family housing, such as duplex units or townhomes. Single-family housing is not eligible under this RFP.

Funding Availability

\$6,500,000 of Erie County’s ARPA-SLFRF funding is available. There is no minimum or maximum grant amount that can be requested in response to this Notice. Funding allocations will be dependent on the quality and quantity of responses.

Erie County ARPA-SLFRF funds may pay for up to 100 percent of the following eligible costs associated with ARPA-SLFRF rental/owner-occupied units:

- Development hard costs include the actual cost of constructing and rehabilitating housing to meet applicable property standards. Eligible development costs also include site improvements, utility connections and costs to construct or rehabilitate laundry and community facilities located within the same building as the ARPA-SLFRF housing; and
- Acquisition costs of improved or unimproved real property; and
- Related soft costs, including reasonable and necessary costs incurred by the developer or project owner associated with the financing, development, acquisition, or rehabilitation of ARPA-SLFRF rental/owner-occupied housing.

Project Application

Target Populations

ARPA-SLFRF funds are intended for the primary benefit of individuals or families in the following income qualifying categories:

1. Renters earning no greater than 80% AMI, with an affordability period of a minimum of 20 years.
2. Owner-occupied unit buyers earning no greater than 80% AMI, with an affordability period of a minimum of 20 years.

Project Requirements

- Eligibility and Income Certification for Rental Projects: Projects must confirm potential tenants' status as a qualifying population, earning no greater than 80% AMI, based on annual household income at initial occupancy. Tenant household income must then be recertified on an annual basis for period of affordability.
- Eligibility and Income Certification for Owner-Occupied Projects: Projects must confirm potential home buyers' status as a qualifying population, earning no greater than 80% AMI, based on annual household income at time of application, and then again at the time of purchase.
- Property Standards: Must meet current NYS and local building codes, including NYS requirement for all-electric construction of new buildings.
- Rental Limitations: The ARPA SLFRF rent may not exceed 80% AMI rent limits for the duration of the affordability period.
- Tenant Selection and Referral Methods: ARPA SLFRF project grantees will take referrals from multiple sources and will maintain a referral list open to all income qualifying populations. Applicants must then be accepted in chronological order regardless type of qualifying population. Once awarded, projects must submit a *Tenant Selection Plan* to the County which will outline how project developers plan on soliciting tenant application from all qualifying populations.
- Marketing and Homebuyer Counseling: For homebuyer activities, applicants will be responsible for marketing homes for sale, securing an income-eligible homebuyer, and providing homebuyer counseling for said buyer. Prospective buyers will be required to receive a minimum of eight hours of home buyer counseling.
- Environmental Review: Developer to complete NYS SEQR and Federal NEPA environmental review prior to project commencing.
- Fund Expenditure: Funds for this project need to be spent expediently. As per ARPA SLFRF guidelines, funding must be committed by December 31, 2024, and **expended by December 31, 2026**. It is expected that successful proposers begin the development process within a short turnaround from funding award.

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- **Reporting:** Successful proposers will be required to submit status reports to the County. Any additional ARPA SLFRF reporting requirements will be discussed at time of contract execution.

Project Funding Priorities

1. Organizational Experience and Capacity
 - Demonstrate organizational capacity to develop affordable housing within the established timeline and, if rental, to properly manage the property through the affordability period. Past award experience, monitoring results and record keeping will be considered.
2. Project Readiness
 - Demonstrate ability to commence the project no later than January 1, 2026 with construction complete and all required completion documents submitted to County staff by December 31, 2026.
 - Developer has site control of the Project Property for construction.
3. Underwriting and Coordinated Investments
 - Demonstrated financial feasibility and long-term sustainability of the project without the need for additional subsidy through the end of the affordability period. Preference for projects with full financial commitments and leveraged investments.
4. Commitment to all Compliance Requirements
 - Demonstrated commitment to meet all compliance requirements.
 - Rental projects must commit to accepting Housing Choice Vouchers (Section 8) and participating in any current or future County-funded rental assistance programs identified by the Department of Social Services.
 - Rental projects must provide an eviction prevention plan as an attachment to their proposals.

Funded Projects must be completed by December 31, 2026

Proposal Contents

Each proposal shall be prepared simply and economically avoiding the use of elaborate promotional materials beyond what is sufficient to provide a complete, accurate and reliable presentation. Proposer shall complete attached application and also include, at minimum, the following components:

- A. **Project description:** Provide a thorough description of proposed project, including location/address, type of project, type of construction/rehabilitation, qualifying population served, number of SLFRF Project units as well as total number of units in development, description of surrounding neighborhood (priority given to projects located

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near to local community resources, transit, and/or public services), any wrap around or support services proposed, and any other relevant information.

- B. **Applicant Eligibility:** Clearly identify the eligible agency submitting the proposal. Non-profits should include proof of their tax-exempt status.
- C. **Budget:** Include budget breakdown of hard and soft costs, as well as other sources of funding committed or being sought.
- D. **Project Team/Organizational Structure:** The proposal shall list all individuals who will work on the project and include resumes for all. Clearly identify the Project Manager for this engagement. Please note that multiple entities may work together as a comprehensive project team to apply under this RFP. All entities should be clearly identified, as well as designating the lead entity and point of contact.
- E. **Experience and Qualifications:** Successful proposals should clearly demonstrate the experience and capacity of the proposer to complete the project in a timely manner. The proposer should describe relevant experience, specifically as pertains to development of affordable housing, homebuyer assistance and counseling. A description of the organization's management experience in affordable home construction should also be included. Proposals should share comparable projects that have been completed in recent years, or are currently underway.
- F. **Project Approach/Design:** Description of project design, project rent structure, homebuyer screening if pursuing multi-family homebuyer, and terms of affordability.
- G. **Evidence of MBE/WBE Participation:** If proposer is a Certified M/WBE Enterprise, include Erie County Certification Letter with proposal.

Scoring Criteria

All proposals timely received and complete will be evaluated and ranked by a three (3) to five (5) person selection committee. The evaluation is based on the written proposals using a numerical score sheet related to the subsequent selection criteria. Please note that the following selection criteria are provided to assist proposers and are not meant to limit other considerations which may become apparent during the course of the selection process.

1. Experience in similar work. Programmatic expertise and Financial Management experience in designing, funding, developing, and monitoring affordable rental projects. (Up to 20 Available Points)

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2. Strategic Location of proposed development. Proximity to public transit, neighborhood services/amenities, employment centers, and creative/adaptive reuse of existing building. (Up to 15 Available Points)
3. Qualifying Population Served. Additional supportive services included, targeted populations, family units, etc... (Up to 15 Available Points)
4. Project Budget/Readiness. Evidence of commitments from other funding sources, PILOT agreements sought, cost per unit reasonableness, construction timeline, outreach to surrounding neighborhood/community input. (Up to 20 Available Points)
5. Overall Quality of Application. Completeness, project presented in clear manner, innovative design elements. (Up to 15 Available Points)
6. MBE/WBE Participation. (Up to 15 Available Points)

Proposal Submission and Further Questions

Submit Proposals and any questions to:

Thomas E. Baines, Esq., Deputy Commissioner of Planning & Economic Development,
(716) 858-6043

Via Email: Thomas.Baines@erie.gov

or

Via USPS: Erie County Dept. of Environment & Planning, Room 1062
95 Franklin Street
Buffalo, NY 14202

Proposal Submission

Submit (1) original and (3) copies to Thomas Baines at the above address. Please clearly label your response “Sealed Proposal for “County of Erie ARPA Affordable Rental Housing”. Late proposals will not be accepted. All proposals must be received **on or before 4:00 pm on December 31, 2023.**

No proposal will be accepted from, nor any agreement awarded to any proposer that is in arrears upon any debt or in default of any obligation owed to the County. Additionally, no agreement will be awarded to any proposer that has failed to satisfactorily perform pursuant to any prior agreement with the County.

Miscellaneous Information

Small and/or Minority-Owned Businesses

Efforts will be made by ECDEP to utilize small businesses and women- and/or minority-owned businesses.

Notification of Award

Proposals may be awarded on a rolling basis.

Timeframe for Work

Construction and sale of homes shall be completed by December 31, 2026.

Erie County Insurance Requirements

Upon execution of any contract between the proposer and the County, the proposer will be required to provide proof of the insurance coverage described in Schedule "A."

Understandings

Please take notice, by submission of a proposal in response to this request for proposals, the proposer agrees to and understands:

- that any proposal, attachments, additional information, etc. submitted pursuant to this Request for Proposals constitute merely a suggestion to negotiate with the County of Erie and is not a bid under Section 103 of the New York State General Municipal Law;
- submission of a proposal, attachments and additional information shall not entitle the proposer to enter into an agreement with the County of Erie for the required services;
- by submitting a proposal, the proposer agrees and understands that the County of Erie is not obligated to respond to the proposal nor is it legally bound in any manner whatsoever by submission of same;
- that any and all counter-proposals, negotiations or any communications received by a proposing entity, its officers, employees or agents from the County, its elected officials, officers, employees or agents shall not be binding against the County of Erie, its elected officials, officers, employees or agents unless and until a formal written agreement for the services sought by this RFP is duly executed by both parties and approved by the Erie County Legislature, the Erie County Fiscal Stability Authority, and the Office of the Erie County Attorney.

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In addition to the foregoing, by submitting a proposal, the proposer also understands and agrees that the County of Erie reserves the right, and may at its sole discretion exercise, the following rights and options with respect to this Request for Proposals:

- To reject any or all proposals;
- To issue amendments to this RFP;
- To issue additional solicitations for proposals;
- To waive any irregularities in proposals received after notification to proposers affected;
- To select any proposal as the basis for negotiations of a contract, and to negotiate with one or more of the proposers for amendments or other modifications to their proposals;
- To conduct investigations with respect to the qualifications of each proposer;
- To exercise its discretion and apply its judgment with respect to any aspect of this RFP, the evaluation of proposals and the negotiations and award of any contract;
- To enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the proposals with one or more of the proposers;
- To select the proposal that best satisfies the interests of the County and not necessarily on the basis of price or any other single factor;
- To interview the proposer(s);
- To request or obtain additional information the County deems necessary to determine the ability of the proposer;
- To modify dates;
- All proposals prepared in response to this RFP are at the sole expense of the proposer and with the express understanding that there will be no claim whatsoever for reimbursement from the County for the expenses of preparation. The County assumes no responsibility or liability of any kind for costs incurred in the preparation or submission of any proposal;
- While this is a RFP and not a bid, the County reserves the right to apply the case law under General Municipal Law § 103 regarding bidder responsibility in determining whether a proposer is a responsible vendor for the purpose of this RFP process;
- The County is not responsible for any internal or external delivery delays which may cause any proposal to arrive beyond the stated deadline. To be considered, proposals MUST arrive at the place specified herein and be time stamped prior to the deadline.

Contract

After selection of the successful proposer, a formal written contract will be prepared by the County of Erie and will not be binding until signed by both parties and, if necessary, approved by the Erie County Legislature, and the Office of the County Attorney. **NO RIGHTS SHALL ACCRUE TO ANY PROPOSER BY THE FACT THAT A PROPOSAL HAS BEEN SELECTED BY THE COUNTY FOR SUBMISSION TO THE ERIE COUNTY LEGISLATURE FOR APPROVAL. THE APPROVAL OF SAID LEGISLATURE MAY BE NECESSARY BEFORE A VALID AND BINDING CONTRACT MAY BE EXECUTED BY THE COUNTY.**

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The term of the contract shall be for a three (3) year period commencing upon contract execution by both parties. The County, in its sole discretion may extend the agreement beyond its initial term for up to one (1) additional 1-year period at the same prices and conditions.

Indemnification & Insurance

The proposer accepts and agrees that language in substantially the following form will be included in the contract between the proposer and the County:

“In addition to, and not in limitation of the insurance requirements contained herein the Consultant agrees:

- (a) that except for the amount, if any, of damage contributed to, caused by or resulting from the negligence of the County, the Consultant shall indemnify and hold harmless the County, its officers, employees and agents from and against any and all liability, damage, claims, demands, costs, judgments, fees, attorneys' fees or loss arising directly or indirectly out of the acts or omissions hereunder by the Consultant or third parties under the direction or control of the Consultant; and
- (b) to provide defense for and defend, at its sole expense, any and all claims, demands or causes of action directly or indirectly arising out of this Agreement and to bear all other costs and expenses related thereto.

Upon execution of any contract between the proposer and the County, the proposer will be required to provide proof of the insurance coverage described in **Schedule “A.”**

Insurance coverage in amount and form shall not be deemed acceptable until approved by the County Attorney.

Intellectual Property Rights

The proposer accepts and agrees that language in substantially the following form will be included in the contract between the proposer and the County:

All deliverables created under this Agreement by the Consultant are to be considered “works made for hire”. If any of the deliverables do not qualify as “works made for hire”, the Consultant hereby assigns to the County all right, title and interest (including ownership of copyright) in such deliverables and such assignment allows the County to obtain in its name copyrights, registrations and similar protections which may be available. The Consultant agrees to assist the County, if required, in perfecting these rights. The Consultant shall provide the County with at least one copy of each deliverable.

The Consultant agrees to indemnify and hold harmless the County for all damages, liabilities, losses and expenses arising out of any claim that a deliverable infringes upon an intellectual property right of a third party. If such a claim is made, or appears likely to be made, the

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Consultant agrees to enable the County's continued use of the deliverable, or to modify or replace it. If the County determines that none of these alternatives is reasonably available, the deliverable will be returned.

All records compiled by the Consultant in completing the work described in this Agreement, including but not limited to written reports, source codes, studies, drawings, blueprints, negatives of photographs, computer printouts, graphs, charts, plans, specifications and all other similar recorded data, shall become and remain the property of the County. The Consultant may retain copies of such records for its own use.

Non-Collusion

The proposer, by signing the proposal, does hereby warrant and represent that any ensuing agreement has not been solicited, secured or prepared directly or indirectly, in a manner contrary to the laws of the State of New York and the County of Erie, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the agreement by any conduct, including the paying or the giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any County employee, officer or official.

Conflict of Interest

All proposers must disclose with their proposals the name of any officer, director or agent who is also an employee of the County of Erie. Further, all proposers must disclose the name of any County employee who owns, directly or indirectly, an interest of ten percent or more in the firm or any of its subsidiaries or affiliates.

There shall be no conflicts in existence during the term of any contract with the County. The existence of a conflict shall be grounds for termination of a contract.

Compliance With Laws

By submitting a proposal, the proposer represents and warrants that it is familiar with all federal, state and local laws and regulations and will conform to said laws and regulations. The preparation of proposals, selection of proposers and the award of contracts are subject to provisions of all Federal, State and County laws, rules and regulations.

Contents of Proposal

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84 et seq., mandates public access to government records. However, proposals submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the proposer's competitive position or constitute a trade secret. Proposers who have a good faith belief that information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall:

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a) insert the following notice in the front of its proposal:

“NOTICE - the data in this proposal identified by an asterisk (*) contains technical or financial information constituting trade secrets or information the disclosure of which would result in substantial injury to the proposer’s competitive position.

The proposer requests that such information be used only for the evaluation of the proposal, but understands that any disclosure will be limited to the extent that the County considers proper under the law. If the County enters into an agreement with this proposer, the County shall have the right to use or disclose such information as provided in the agreement, unless otherwise obligated by law.”

and

b) clearly identify the pages of the proposals containing such information by typing in bold face on the top of each page" *** THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW."**

The County assumes no liability for disclosure of information so identified, provided that the County has made a good faith legal determination that the information is not protected from disclosure under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction. The contents of the proposal which is accepted by the County, except portions "Protected from Disclosure," may become part of any agreement resulting from this RFP.

APPLICATION

*See “Additional Files” for fillable Word version of
Application*

Project Application

Part A – Applicant Organization Information

Applicant Organization: (Legal Name)			
Entity Type: (Check all that apply)	<input type="checkbox"/> For Profit <input type="checkbox"/> Non-Profit <input type="checkbox"/> Government	<input type="checkbox"/> Authority <input type="checkbox"/> Corporation <input type="checkbox"/> LLC	<input type="checkbox"/> Joint Venture <input type="checkbox"/> Association <input type="checkbox"/> _____
Contracting Organization: (Legal name of contracting entity)			
Years in Operation:			
Required Organizational Documents (submit as attachments, if applicable)			
<input type="checkbox"/> IRS 501(c)(3) Letter for Non-Profits. File name to include “App IRS” <input type="checkbox"/> Articles of Incorporation. File name to include “App Articles” <input type="checkbox"/> Proof of Liability Insurance. File name to include “App Insurance” <input type="checkbox"/> Copy of SAM.gov entity overview. File name to include “App SAM”			

Application Contact (Person that County staff will contact for all communication about this application)	
Contact Person:	
Address:	
City, State, Zip:	
Phone:	
Email:	
Website:	

Project Application

Part B – Project Overview

Project Overview	
Project Name:	
Applicant Organization:	
Project Address:	
Land/Building Acquisition Cost:	
Project Soft Cost:	
Total Project Development Cost:	
Total ARPA Funds Requested:	
Total of Other Funds (by Source):	
Total Number of Units in Project Development:	
Total Number of Units to be Funded with Erie County ARPA-SLFRF Funds:	
Project Summary (100-word short summary)	

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Part C – Project Description

Project Narrative
<p>Please submit a short, numbered narrative explaining the following:</p> <ol style="list-style-type: none">1. Description of proposed project, including location/address, type of project, type of construction/rehabilitation, qualifying population served, total number units (number affordable units).2. Description of plan to meet all project requirements listed in Target Population section.3. Description of surrounding neighborhood (priority given to projects located near to local community resources, transit, and/or public services), any wrap around or support services proposed, and any other relevant information.4. Description of project design, project rent structure, and terms of affordability.5. Include budget proposal with breakdown of hard and soft costs, as well as other sources of funding committed or being sought.6. Describe how your organization will reach out to racial and ethnic minority groups, persons with disabilities, families with children, and persons who may not otherwise learn of this opportunity for affordable housing. Project must comply with all applicable federal and state laws on fair housing and housing accessibility.
Photos as Attachments
<p>Please submit the following as attachments with files named by the Project Property Address. Google street view are not acceptable images.</p> <ul style="list-style-type: none">• Current photos (within the last month) of the project site from each cardinal direction.• For Rehab Projects – photos of exterior and interior of the building.• For projects with demolition – photos of exterior of building. File name must include “demolition photos”.• Aerial photograph of each project site, adjacent properties, and property lines identified. One photo can be submitted with all properties identified, if project properties are close. Google images are acceptable. File name must include “aerial”.

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Part D – Project Readiness

Complete the below project timeline indicating the number of units that will be at each major development milestone in each month of the years 2024 and 2025. The blank categories are for other milestones you wish to indicate as part of your plan.

Project Timeline												
2024	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Site Acquired												
In-Spec Process												
Bid Process												
Demolition Work												
Under Construction												
Completed Const.												
Completed Inspect.												
Lease/Sale Units												
2025	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Site Acquired												
In-Spec Process												
Bid Process												
Demolition Work												
Under Construction												
Completed Const.												
Completed Inspect.												
Lease/Sale Units												

SCHEDULE A
ERIE COUNTY INSURANCE REQUIREMENTS

Erie County ARPA SLFRF Multi-Family RFP 2023
 Project Application

County of Erie Standard Insurance Certificate



LAW-1 INS (Rev. 3/06)

This certificate does not amend, extend or alter the coverage afforded by the standard form policies listed below.

I Insured Name Address Zip Phone No.	III Companies Affording Coverages
	A
	B
	C
II Issuing Agency Name Address Zip Phone No.	D

IV This is to certify that the policies listed below have been issued to the insured named above and are in force at this time.

Company Letter - from III above	Indicate Type of Insurance By Checking the Box	Policy Number	Effective Date & Expiration	Limits of Liability in Thousands																				
				Check the Box	Occurrence	Aggregate																		
1. General Liability <input type="checkbox"/> Comprehensive Form <input type="checkbox"/> Premises and Operations <input type="checkbox"/> Products/Completed Operations <input type="checkbox"/> Independent Contractors <input type="checkbox"/> Contractual <input type="checkbox"/> Personal Injury <input type="checkbox"/> Broad Form Property Damage <input type="checkbox"/> Explosion, Collapse <input type="checkbox"/> Underground Hazard	<input type="checkbox"/> Bodily Injury <input type="checkbox"/> Property Damage OR <input type="checkbox"/> Combined Single Limit																							
							2. Automobile Liability <input type="checkbox"/> Comprehensive Form OR <input type="checkbox"/> Schedule Form <input type="checkbox"/> owned <input type="checkbox"/> hired <input type="checkbox"/> non-owned	<input type="checkbox"/> Bodily Injury <input type="checkbox"/> Property Damage OR <input type="checkbox"/> Combined Single Limit																
													3. Excess Liability <input type="checkbox"/> Umbrella Form OR <input type="checkbox"/> other than umbrella <input type="checkbox"/> auto <input type="checkbox"/> general <input type="checkbox"/> both	Bodily Injury & Property Damage Combined \$ _____ Self Insured Retention \$ _____										
																			4. Worker's Compensation & Employer's Liability Disability Benefits	Statutory Statutory				

V. County of Erie is included as an additional insured under the following Policy numbers:

VI. Description of Operations: It is understood that this coverage on behalf of the insured is for all locations in the County of Erie, NY.

VII. Cancellation/Non-Renewal: Should any of the policies noted above be cancelled before expiration thereof or not renewed by the Insured, the issuing company will endeavor to mail _____ days advance written notice to the Certificate Holder, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

VIII. Name and Address of Certificate Holder & Recipient of Notice: County of Erie c/o Department of Law 95 Franklin Street, Room 1634 Buffalo, NY 14202 716-858-2200	Date Issued	_____
	Auth. Representative	_____
	Firm name & address	_____

FOR COUNTY USE ONLY:

Name of County Dept. Requesting Certificate	_____
Purchase Order or Contact Number	_____
Vendor Insurance Classification	_____

Updated County of Erie Insurance Requirements – 2022

INSTRUCTIONS FOR COUNTY OF ERIE STANDARD INSURANCE CERTIFICATE

- I. Insurance shall be procured and certificates delivered before commencement of work or delivery of merchandise or equipment.
- II. **CERTIFICATES OF INSURANCE**
 - A. Shall be made to the "County of Erie, 95 Franklin St, Buffalo NY, 14202"
 - B. Coverage must comply with all specifications of the contract.
 - C. Must be executed by an insurance company, agency or broker, which is licensed by the Insurance Department of the State of New York. If executed by a broker, notarized copy of authorization to bind or certify coverage must be attached.
- III. Forward the completed certificate to: County of Erie, (Department or Division) responsible for entering into the agreement for construction, purchase, lease or service.
- IV. Minimum coverage with limits are as follows:

Vendor Classification	A Construction and Maintenance	B Purchase or Lease of Merchandise or Equipment	C Professional Services	D Property Leased To Others Or Use Of Facilities Or Grounds	E Concessionaires Services	F Livery Services	G All Purposes Public Entity Contracts
Commercial Gen. Liab.	\$1,000,000 per occ.	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL	\$1,000,000	\$1,000,000 CSL
General Aggregate	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Products Completed Operations Liability	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Blanket Broad Form Contractual Liability	INCLUDE						
Contractual Liability		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Broad Form P.D.	INCLUDE						
X.C.U. (explosion, collapse, Underground)	INCLUDE						
Liquor Law				INCLUDE	INCLUDE		
Auto Liab.	\$1,000,000 CSL		\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL	\$1,000,000 CSL
Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Hired	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Non-Owned	INCLUDE		INCLUDE	INCLUDE	INCLUDE	INCLUDE	INCLUDE
Excess/Umbrella Liab.	\$5,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$5,000,000	\$1,000,000
Worker's Compensation & Employer's Liability	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Disability Benefits	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY	STATUTORY
Professional Liability			\$5,000,000				
Erie County, To Be Named Additional Insured	Gen. Liab., Auto Liab., & Excess	Broad Form Vendors May Be Required	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess	Gen. Liab., Auto Liab., & Excess

- V. Construction contracts require excess Umbrella Liability limits of \$5,000,000.

Project Application

- VI Coverage must be provided on a primary-noncontributory bases.
- VII. Designated Construction Project General Aggregate Limit Per Project Endorsement CG 25 03 is required.
- VIII. In the event the concessionaire is required to have a N.Y.S. license to dispense alcoholic beverages an endorsement for liquor liability is required.
- IX. Waiver of Subrogation: Required on all lines unless noted
- X. Transportation of people in buses, vans or station wagons requires \$5,000,000 excess liability.
- XI. Workers Compensation: State Workers' Compensation/Disability Benefits Law.
Use Applicable Certificates Below:

Workers Compensation Forms

CE-200	Exemption
C105.2	Commercial Insurer
SI-12	Self Insurer
GSI-105.2	Group Self Insured
U-26.3	New York State Insurance Fund

DBL (Disability Benefits Law) Forms

CE-200	Exemption
DB-120.1	Insurers
DB-155	Self Insured

- XII. The "ACORD" form certificate may be used in place of the County of Erie Standard Insurance Certificate, provided that all of the above referenced requirements are incorporated into the "ACORD" form certificate.