STATEMENT OF WORK

FOR THE

SCOPING OF FLOOD PROTECTION DESIGNS FOR VULNERABLE AFFORDABLE MULTI-FAMILY DEVELOPMENTS

ePIN: 80625Z0017

October, 2024

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AUTHORIZED AGENCY CONTACT PERSON

Proposers are advised that the Authorized Agency Contact person for all matters concerning this Statement of Work is:

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NEW YORK CITY DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

STATEMENT OF WORK FOR THE PROVISION OF TECHNICAL ASSISTANCE

I. INVITATION: The New York City Department of Housing Preservation and Development ("HPD") is hereby soliciting proposals in regard to developing feasible schematic designs for multi-hazard flood mitigation strategies at seven Mitchell-Lama Cooperative housing developments (the "Focus Properties"). Through conducting primary research, facilitating interagency collaboration, and managing direct engagement with residents, the proposer awarded the Contract (the "Consultant") shall produce deliverables that achieve the following objectives:

1. Evaluate site conditions and assess vulnerability of the Focus Properties to primary climate hazards and identify mitigative actions for each of the seven housing developments;
2. Engage Focus Property representatives in the Study by conducting regular Community Working Group meetings, outreach, and coordination with Board representatives, residents, and other community members;
3. Develop schematic design, aggregated benefit cost analysis and subapplication materials for feasible risk mitigation design strategies at each of the Focus Properties;

The Study is funded through the FEMA Hazard Mitigation Grant Program (HMGP), with additional funding provided through CDBG-DR funds. The New York State Division of Homeland Security and Emergency Services ("DHSES") received the HMGP DR-4480 grant on July 26, 2023, with a period of performance to be completed by February 2026. An extension to the period of performance may be requested if warranted. Any extension would be subject to approval by DHSES and FEMA.

This Task Order will be registered on the current NYCEM Master Service Agreement and is expected to extend through to any future renewal of the contract. Applicants should provide an anticipated project timeframe within the Proposal Outline that shows achievements of project deliverables by **January 31, 2027**.

HPD will lead all aspects of the Study on behalf of DHSES. From time to time, HPD will engage other agencies, including but not limited to staff from the Mayor's Office of Climate and Environmental Justice ("MOCEJ"), NYC Emergency Management ("NYCEM"), and other agencies as needed (collectively the "Agency Team").

Background: Following Hurricane Sandy in 2012, a federal post-disaster recovery program funded the repair of devastating damages to a limited number of properties in New York City's "Mitchell-Lama" affordable housing portfolio that is overseen by New York City's Department of Housing Preservation and Development (HPD). The recovery work not only repaired damaged buildings but also built back resiliently by replacing and elevating mechanical systems above the base flood elevation, hardening foundations, and introducing a range of retrofits that anticipate

future climate hazards. Many buildings that saw major damages in Hurricane Sandy are now equipped to withstand the next major storm and shelter the communities they house. However, many other Mitchell-Lama affordable housing developments were not repaired after Sandy and remain at risk of flooding today. Further, a number of the properties where resiliency measures were introduced were unable to undertake some of the recommended improvements due to funding limits or other constraints. These properties remain exposed to various flood hazards. Some are in coastal areas that did not flood during Hurricane Sandy but are still exposed to storm surge flooding; others are also at risk of future chronic tidal flooding due to Sea Level Rise. Several are not located in the coastal flood plain but rather in inland areas that are susceptible to deep and contiguous flooding during heavy rainfall events. This hazard was made broadly evident in New York City following Post Tropical Storm Ida in September 2021, when over 3-inches of rain fell within one hour, causing catastrophic flooding that damaged or destroyed buildings, infrastructure, personal property, and livelihoods in communities across the city.

The Study focuses on seven affordable Mitchell-Lama cooperative housing developments, the "Focus Properties", all part of the HPD Mitchell-Lama program. Selected properties face significant risk of future losses due to coastal storm surge flooding, tidal flooding, and/or projected stormwater flooding during heavy rains.

The properties include (See **Appendix A** for all Focus Property building addresses):

- Big Six Towers Inc, cooperatively owned high-rise campus in Woodside, Queens (982 apartments)
- Aguilar Gardens Inc, cooperatively owned mid-rise apartment block in Flushing, Queens (256 apartments)
- Dayton Towers Inc, cooperatively owned high-rise towers in The Rockaways, Queens (1,752 apartments)
- Riverbend Inc, cooperatively owned high-rise apartment block in Harlem, Manhattan (622 apartments)
- Sam Bert Inc, cooperatively owned high-rise apartment block in Coney Island, Brooklyn (146 apartments)
- Luna Park Inc, cooperatively owned high-rise campus in Coney Island, Brooklyn (1,573 apartments)
- Kings Bay I Inc, cooperatively owned high-rise apartment block in Sheepshead Bay, Brooklyn (538 apartments)

These Focus Properties are home to approximately 14,800 residents, including many who are among the most vulnerable groups in New York City's population, with US Center for Disease Control Social Vulnerability Index (SVI) scores in the range of 0.6 to 0.9 indicating a high potential to experience significant negative effects and prolonged recovery times following a climate disaster. Additionally, these properties are located in areas that are on the intermediate to high risk of displacement on New York City's Displacement risk maps where adverse climate events could exacerbate neighborhood instability. Residents are also moderately or highly vulnerable to extreme

heat on the New York State Department of Health Heat Vulnerability Index, compounding flood hazard with other health and safety hazards. Mitchell-Lama cooperative residents are among New York City's more vulnerable, aging, and middle-to-lower income homeowners.

To address these challenges, Study outcomes shall develop feasible schematic designs for flood mitigation strategies at each of the Focus Properties. This work will be used to complete Hazard Mitigation Subapplications, including an aggregated BCA analysis, to be submitted for future Project Scoping Subapplication 8 Hazard Mitigation Funding Opportunities during a future grant application period.

II. SCOPE OF SERVICES

A. Description of Services Required

Consultant shall provide the following services (the "Services") which shall include, but not be limited to, the tasks and related deliverables more fully described below (each, a "Task," and collectively, the "Tasks"). Although Consultant is expected to adhere to the Tasks, Consultant may suggest alternative approaches to the Project and additional tasks if they effectively achieve the Project objectives. If an alternative approach is accepted, the Contract's Scope of Services will be amended to reflect such changes. To the extent new subcontractors are required, Consultant shall ensure accordance with City, State, and Federal procurement regulations.

Consultant shall provide HPD with all final deliverables as digital files in native and editable format.

B. Outline of Tasks and Deliverables

Task 1. Site Data Collection and Resiliency Assessment	
	Deliverable 1.1: Gather relevant building documentation and information
	Deliverable 1.2: Initial Outreach Plan and Property Owner Statement of Interest
	Deliverable 1.3: Document current condition of stormwater system for each site
	Deliverable 1.4: Gather preliminary subsurface and geotechnical information for each site
	Deliverable 1.5: Map each site's elevation and document assets located in areas below design flood elevation
	Deliverable 1.6: Develop high-level estimates of expected damages from future coastal and rainstorm events
	Deliverable 1.7: Assess intersections with key sustainability and building performance opportunities
	Deliverable 1.8: Identify opportunities to intersect with concurrent facility upgrades and community needs
	Deliverable 1.9: Develop criteria and assess which Focus Properties proceed to Task 3.0 (Develop Schematic Designs)
	Deliverable 1.10: Grant Management Costs
Task 2. Building Owners Collective Community Engagement	
	Deliverable 2.1: Assign a trained and qualified Community Working Group facilitator
	Deliverable 2.2: Hold a virtual kick-off meeting with Community Working Group
	Deliverable 2.3: Conduct walk-throughs of each property with members of Community Working Group
	Deliverable 2.4: Organize minimum two workshops with Community Working Group to share information and discuss risks, costs, options, priorities
	Deliverable 2.5: Convene two to three meetings with each Focus Property's representatives to present findings and hear owner reactions and goals
	Deliverable 2.6: Conduct a final Sign-off meeting with each building's representatives
	Deliverable 2.7: Prepare agenda and presentations for meetings
Task 3. Develop Schematic Designs	
	Deliverable 3.1: Explore possible risk mitigation design strategies
	Deliverable 3.2: Finalize Basis of Design for mitigation strategies
	Deliverable 3.3: Recommend a vetted conceptual solution to mitigate multi-hazard climate risk that aligns with building owner priorities
	Deliverable 3.4: Document mitigation strategy to 30% design completion
Task 4. Assemble Technical Materials for Future Hazard Mitigation Funding Opportunities and Prepare Final Study Documents	
	Deliverable 4.1: Perform aggregated BCA with Cost Consultant
	Deliverable 4.2: Complete necessary Environmental and Historic Preservation (EHP) review
	Deliverable 4.3: Assemble FEMA Hazard Mitigation Assistance Subapplication material package
	Deliverable 4.4: Prepare final study report

Task 1: Site Data Collection and Resiliency Assessment: Consultant will gather the background and analytical content needed to proceed with the project. For each Focus Property the team will gather historical and existing documents, assess prior damages, gather existing information on subsurface and geotechnical conditions where available, and document any in-place flood mitigation systems. The Consultant will map each site's elevation, understand the relative elevation within the urban context, and document assets located in areas below current and future projected design flood elevation on each site. The consultant will conduct walk-throughs of each property with the City representatives and the developments' representatives, conduct meetings after walk-throughs to present findings from the data collection phase, and hear City and development representatives' reactions and goals. At the conclusion of this stage, primary hazards and mitigative actions will be defined.

Deliverable 1.1: Gather relevant building resiliency documentation and information. Consultant shall collect and prepare a summary of all relevant documentation on the Focus Properties, including in coordination with property owner representatives as needed. This should include any materials related to the general state of each development, its building systems and in-place flood mitigation systems, including relevant financial and legal documents, building repair histories, capital needs assessments, and any related documents.

Consultant will be expected to align assessment methodology and structure as reasonably as possible with other existing needs assessments tools utilized by HPD, such as the Integrated Physical Needs Assessment (IPNA).

Deliverable 1.2: Initial Outreach Plan and Property Owner Statement of Interest. Consultant shall create an outreach plan to engage Property Owners to participate in the Study (the "Initial Outreach Plan"). The Initial Outreach Plan shall include:

1. A list of key stakeholders consisting of but not limited to a property point of contact, building management contact, and property Board members for each development.
2. A proposed schedule for engagement events, workshops, and Community Working Group meetings in accordance with Task 2.
3. Creation of a secure project folder where Consultant, Agency Team, and Focus Property stakeholders, where needed, can access and share project materials.
4. A plan for staffing and facilitating all meetings and events.

Upon direction from HPD, Consultant shall begin the Initial Outreach Plan by reaching out to key stakeholders to inform them of forthcoming community engagement.

Deliverable 1.3: Document current condition of stormwater system for each site. Consultant will examine and document the stormwater management system for each site and development, including but not limited, to onsite detention/retention, connections to public sewer system, and

related building systems. The Consultant must assess and document the current condition of existing stormwater management system and provide detailed information on damage and repair needs based on in-person inspection and review of relevant property documentation.

Deliverable 1.4: Gather preliminary subsurface and geotechnical information for each site. The Consultant shall identify and review subsurface and geotechnical conditions and information for each site through a review of existing building documentation and on-site survey, as needed.

Deliverable 1.5: Map each site's elevation and document assets located in areas below design flood elevation. Based on information collected in Deliverables 1.3 and 1.4, Consultant shall create a map of site elevation, including highest and lowest building- and curb-adjacent grades, and establish current Base Flood Elevations (BFEs) and Design Flood Elevations (DFEs) and future projected Sea Level Rise-adjusted Design Flood Elevations (SLR-adjusted DFEs) in NAVD88 utilizing the existing effective and Preliminary Flood Insurance Rate Maps (FIRMS) along with best available mapped data on future projected coastal and stormwater flooding, as directed by HPD. SLR-adjusted DFEs will likely correspond to 2050, 2080s, and 2100s sea level rise projections.

Consultant will develop materials establishing the location of assets in relation to these elevations. These assets should include, at minimum, primary and accessory buildings or structures, residential units, other cellar and ground floor uses, critical mechanical, electrical and life safety equipment and controls, services critical to building function, and points of egress. This assessment should also include any other critical infrastructure or assets on the property.

Deliverable 1.6: Develop high-level estimates of expected damages from future coastal and rainstorm events. Utilizing the City's Climate Resiliency Design Guidelines, the New York City Stormwater Flood Maps, other available resources on current and future flood risk, and reviews of damage assessments from past storm events where available, Consultant shall estimate projected damages in different storm event scenarios, choosing years based on expected useful life of buildings and equipment. Consultant shall provide total estimated cost and description of damage that would occur during different storm scenarios for each building and development, assessing for both coastal and rainwater events as applicable.

Deliverable 1.7: Assess intersections with key sustainability and building performance opportunities. Consultant will assess opportunities to incorporate building decarbonization, energy efficiency, and other building modernization improvements where feasible, informed by scope of work, budgetary constraints, and Task 2 community input. Consultant shall review applicable HPD and City climate sustainability regulatory mandates, such as Local Laws 92/94 and 97, as well as key design and policy guidance materials, including but not limited to, HPD's Design Guidelines and the NYC Climate Resiliency Design Guidelines. Consultant will provide a high-level assessment of each Focus Property buildings' key mechanical systems, including but

not limited to, type and age, as well as the building's benchmarking so as to ensure that associated costs and benefits are properly assessed and integrated. Local Law 97 compliance requirements should be considered when proposing scope options.

Deliverable 1.8: Identify co-benefit opportunities related to concurrent facility upgrades and community needs. Consultant shall assess each property for potential co-benefits from flood resiliency improvements and repairs, including but not limited to building program and community needs, building performance, and open space resources. Consultant shall establish feasibility of incorporating co-beneficial elements informed by scope of work and budgetary constraints, as well as Task 2 community input.

Deliverable 1.9: Develop criteria and assess which Focus Properties proceed to Task 3.0 (Develop Schematic Designs). Following completion of site analysis (Deliverables 1.1 through 1.8) and sufficient community engagement (at minimum Deliverables 2.1 through 2.3), and in close consultation with HPD and Agency Team, Consultant shall develop criteria to preliminarily assess if all projects proceed to Task 3.0 based on established criteria for anticipated success in future Hazard Mitigation Subapplications.

Deliverable 1.10: Grant Management Costs. The Consultant shall assist with the administrative requirements associated with external funding sources and grants. This includes but is not limited to: preparing and submitting quarterly progress reports, reimbursement requests, and scope modifications; preparing monitoring reports for funding source entities, such as NY State and FEMA; compliance activities associated with federal, state, and local procurement requirements; preparing documentation of the quality of work verification for quarterly reports and closeout; closeout review and liquidation; records retention; and other administrative activities as needed.

Please note associated costs for this deliverable shall not exceed $36,600.

Task 2: Building Owners Collective Community Engagement: Consultant will ensure that community engagement informs the mitigation design strategies for each Focus Property. The operational and management staff from each of the Focus Properties have already signed on to support this project and participate in the design studies. A minimum of two (2) representatives from each of the seven Mitchell-Lama housing cooperatives will gather throughout the course of the project with HPD staff, the Agency team and the Consultant team to discuss current flood problems, any planned or ongoing capital improvements, and resiliency design ideas.

The Consultants will ensure local community input and involvement throughout the design process to strengthen the viability of the resilient design concepts, the likelihood of construction implementation to construction, and the replicability of ideas that are meaningful to residents.

Deliverable 2.1: Assign a trained and qualified Community Working Group facilitator. Consultant

shall assign a facilitator who is qualified to maintain timely communication with stakeholders, and who will facilitate a virtual kick-off meeting and Community Working Group workshops.

Community Working Group will be established and convened at the direction of HPD and will aim to include at least two (2) representatives from each Focus Property who are authorized to participate on the property's behalf.

Deliverable 2.2: Hold a virtual kick-off meeting with Community Working Group. Consultant shall lead a kick-off meeting with the Community Working Group to commence building owners' collective community engagement. The Community Working Group facilitator will give a presentation to the Community Working Group that includes an overview of the Scoping Study, and a description of goals of the Study with a preliminary schedule of walk-throughs, workshops, meetings, and deliverables.

With direction and assistance from HPD, Consultant will be responsible for coordinating with representatives and managing logistical and administrative tasks related to kick-off meeting.

Deliverable 2.3: Conduct walk-throughs of each property with members of Community Working Group. Consultant shall conduct walk-throughs of sites and buildings on each Focus Property with representatives of the Community Working Group from that property. If possible, walk-through should include at least one member involved in property operation and one member involved in property management. Walk-throughs are intended to confirm or assess existing site and building conditions and design constraints, investigate flood mitigation systems, and collect required property information, such as photos/video, measurements and elevations.

Deliverable 2.4: Organize minimum two workshops with the Community Working Group to share information and discuss risks, costs, options, priorities. Consultant will conduct two workshops with Community Working Group members. These should include at minimum:

- A summary of information gathered in Task 1 including current state of projects and stormwater management systems, site elevation, location of assets, and a summary of damage scenario estimates from Deliverable 1.6.
- Presentation of potential facility upgrades as analyzed in Deliverable 1.8 with facilitated conversation about which improvements are priorities for building.
- A facilitated conversation about relative efficacy and costs of different improvement scenarios.

Deliverable 2.5: Convene two to three meetings with each Focus Property's representatives to present findings and hear owner reactions and goals. Consultant shall develop clear, site-specific presentations for property representatives to convey key summary, analytical and design information.

Consultant is responsible for coordinating with Focus Property representatives and managing logistical and administrative tasks related to meetings.

Deliverable 2.6: Conduct a final Sign-Off meeting with each Focus Property's representatives. The Consultant shall provide each building's representatives a copy of the report for their property, and any relevant associated data, and sufficient time to review it carefully together. At the end of the meeting, the Focus Property owner will be instructed to identify their preferred mitigation option(s) to be subsequently recorded in a Letter of Preference. Next steps will also be clearly communicated to the property representatives, to be established ahead of time in discussion between Consultant, HPD and the Agency team.

Deliverable 2.7: Prepare agenda and presentations for meetings. Consultant shall develop agenda and presentation materials for each working group meeting. Agenda should be distributed ahead of meeting and presentation materials and notes should be shared with Community Working Group members after each meeting.

Task 3: Develop Schematic Designs: Task 3.0 will use the information gathered in Tasks 1.0 and 2.0 to finalize the basis of design for mitigation strategies. These strategies should solve for the predominant existing and future projected flood risk(s) presented at each site, and respond to or address attendant hazards, offer co-benefits for residents, and identify opportunities to intersect with concurrent facility upgrades and hardening where relevant.

These strategies should all meet or exceed design standards established in HPD's Design Guidelines and/or the NYC Climate Resiliency Design Guidelines, whichever are more comprehensive, to the maximum extent feasible. Other best practices determined to be more appropriate may be considered in coordination with HPD. Given likely future funding sources, any schematic designs should align with FEMA Federal Flood Risk Management Standards (FFRMS), where applicable.

An iterative exploration of flood mitigation alternatives will be developed to address the specific conditions at each property, including at minimum two conceptual design mitigation strategies for each site. A final flood risk mitigation design strategy for each Focus Property, to be identified in consultation with HPD, the Agency Team, and the Community Working Group, will be carried-through and documented to 30% design in support of the creation of future FEMA Hazard Mitigation Subapplications. The specific conditions at each Mitchell-Lama property require exploration of alternatives and the development of tailored solutions. Options will be assessed based on criterion for utility, feasibility, cost effectiveness, risk reduction, and performance of critical function.

Holistic solutions and solutions that can be implemented at multiple sites are expected to include a range of elements that may include - but not be limited to - site or perimeter flood retaining structures, communal refuge spaces, floodproofing of ground floor spaces, permanent or deployable flood protection structures, bioswales, rain gardens, other nature-based solutions, pervious pavement, and elevation or hardening of mechanical systems.

Deliverable 3.1: Explore possible risk mitigation design strategies. Based on the results of Tasks 1.0 and 2.0, Consultant shall develop at least two (2) conceptual possible risk mitigation design strategies for each Focus Property that consider the capital needs and specific existing and future projected flood risk(s) of each site, community vulnerabilities, as well as feedback collected in community engagement.

Mitigation design strategies should include:

1. Hazards addressed by the mitigation option and level of protection provided by the mitigation option, including increased risk of flooding related to Sea Level Rise and other climate change projections. Design strategies must meet or exceed design requirements established in HPD's Design Guidelines for New Construction and Preservation:
    i. Stormwater flooding from moderate and extreme precipitation events;
    ii. Coastal flood (corrosive saltwater) hazards, including storm surge and tidal flooding;
    iii. Combined hazards.
2. Estimated cost of each mitigation option, including initial cost of construction (including an accounting of the elements that are attributable to deferred maintenance and the cost impact) and annualized maintenance and operating costs over time, as well as costs of relocation or temporary housing.
3. Projected useful life of each mitigation option, i.e., the estimated amount of time that the mitigation will be effective.
4. Description of potential co-benefits and anticipated costs of mitigation options and sustainability enhancements identified in Tasks 1.7 and 1.8.
5. Residual risk to the developments, including projected losses for flood events greater than the designed level of protection.
6. Outstanding deferred maintenance issues not related to implementing the flood mitigation options.
7. Other considerations such as the impact of neighboring mitigated properties and/or protective infrastructure like levees or flood walls; or topography and conditions that may indicate the area is better suited for neighborhood-scale flood mitigation assistance.

Deliverable 3.2: Finalize Basis of Design for mitigation strategies. Consultant will prepare an outline of how the potential mitigation design strategies meet the requirements and expectations outlined in the Tasks. It will document the rationale for the design, including codes and standards, direction from the City and Community Working Group, concepts, design methods, relevant assumptions regarding building elements lifespan, building use, systems performance, maintenance, and operations, and other relevant information.

A refined draft Basis of Design for each Focus Property vetted conceptual design will be finalized and submitted along with Deliverable 3.4.

Deliverable 3.3: Recommend a vetted conceptual solution to mitigate multi-hazard climate risk that aligns with building owner priorities. Consultant will recommend a final risk mitigation design strategy for each Focus Property that is informed by HPD and Agency Team review and is responsive to the building owner's feedback.

Deliverable 3.4: Document mitigation strategy to 30% design completion. Consultant shall prepare a final draft Basis of Design for each Focus Property vetted design mitigation strategy that provides a narrative summary evaluating the project-specific analysis for the proposed work and future functions of the project to serves as the basis for exploring options and advancing design.

Task 4. Assemble Technical Materials for Future Hazard Mitigation Funding Opportunities and Prepare Final Study Documents: The primary goal of Task 4.0 is to prepare materials for future Hazard Mitigation Subapplications. The schematic designs developed in Task 3.0 should form the basis of these submissions. The Consultant will produce an aggregated BCA based on those schematic documents and will undertake necessary permit reviews. The final study report should compile all findings and records from this study in a way to best prepare the City to further this work.

Deliverable 4.1: Perform aggregated BCA. Consultant will calculate the future risk reduction benefits of the vetted design mitigation strategy projects and compares those benefits to its costs consistent with FEMA funding requirements.

Deliverable 4.2: Complete necessary Environmental and Historic Preservation (EHP) review. Consultant shall complete an Environmental and Historic Preservation (EHP) review, including collecting all necessary data and documentation, preparing project scope descriptive materials, identifying necessary permits, and initiating any EHP analysis that would be required at time of submission of the FEMA federal funding subapplication to ensure compliance with all applicable environmental and historic preservation laws and regulations.

Deliverable 4.3: Assemble FEMA Hazard Mitigation Assistance Subapplication materials package
Based on results of Task 3, Consultant shall prepare a recommended strategy for eligible/competitive FEMA HMA Subapplications which is intended to result in one or multiple subapplications grouped by criteria. Consultant will consider application pathways based on:

- Aggregated BCA result;
- Overall project eligibility and competitiveness;
- Type of mitigation options pursued;
- Phasing of applications;
- Different funding sources (FMA, HMGP, BRIC, or others identified by Consultant, including sustainability-focused grant sources that can support resilient adaptive co-benefits);
- Alignment with HUD and FEMA Federal Flood Risk Management Standard (FFRMS)

- Environmental and historic preservation strategy

Deliverable 4.4: Prepare final Study report. Consultant shall compile all documents prepared throughout the Study into an organized digital file format. Consultant shall convey the Final Study Documents, along with relevant recommendations and reflections, to HPD at the conclusion of the Study.

III. CONTRACTOR QUALIFICATIONS: These criteria must be addressed in the Proposer's narrative, and documented as listed below. The City must find that the selected Proposer:

- Has demonstrable expertise and/or experience in multifamily residential flood mitigation analysis, evaluation, and implementation including a licensed engineer, architect, and/or certified floodplain manager;
- Has demonstrable expertise and/or experience in multifamily decarbonization and electrification;
- Has demonstrable expertise and/or experience in competing for, securing and managing FEMA or other federal grants, preferably Flood Mitigation Assistance (FMA) grants;
- Has demonstrable experience and/or expertise in community outreach, case management and counseling, and contains or has access to interpretation / translation services;
- Submits a proposal which demonstrates a strong understanding of the local environmental, social and economic and/or real estate and affordable housing context; and
- Submits a proposal which outlines a comprehensive, realistic and feasible project plan and timeline.
- Has adequate financial resources for full performance, or has the ability to access such resources, to be documented by most recent financial statements that the organization has cash flow reserves of 5% of the value of the contract budget and a letter from the Contractor's CFO, VP, or similar manage stating the same.

IV. COMPENSATION: A. The Contract awarded as a result of this RFP for a Total Contract Price that will not exceed **$772,800.00**, of which $36,800 is reserved solely for qualifying Grant Management Costs as defined in Deliverable 1.10.

V. TERM OF AGREEMENT: The Agreement shall be for a period not to exceed 24 months effective from the date of the receipt of the Notice to Proceed.

PASSPort Questionnaire

I. PROPOSAL OUTLINE

Proposal: The Proposal is a clear, concise narrative, which shall include the following.

1. Summary (suggested 500 words max): Provide a detailed statement of the important features of the proposal, including the following:

   a. Proposed approach:

   b. Overall timeline; and

   c. Qualifications of the proposed team and key staff person (s).

2. Statement of Task (suggested 800 words max): State the Proposer's understanding of the Scope of Work as delineated herein and the tasks to be accomplished in order to provide the work specified in this solicitation. Proposals must include the following:

   a. Strategic and operational approach for conducting the tasks outlined in the Scope of Work, including strategic approach to: participant outreach and recruitment, identification of mitigation options, and preparation of FMA sub-application strategy;

   b. Detailed timeline including a gantt chart and a schedule for submitting deliverables.

3. Experience and Qualifications (10 pages max): Describe the successful relevant experience of the proposer and the proposed key staff in providing the services described in the solicitation. In addition, the proposer shall:

   a. Provide a listing of at least three (3) references, including the name of the reference entity, a brief statement describing the relationship between the proposer and reference entity, and the name, title and telephone number of a contact person at the reference entity, for the proposer.

   b. Provide for each key staff person a one page resume and job description of the qualifications that will be required to provide the services specified in this solicitation.

   c. Provide a synopsis of the scope of any similar service(s) conducted by the proposer as a whole and/ or in which proposed key personnel participated.

   d. State whether or not the proposer has had any other prior or present FEMA, CDBG-DR, or Federal grants. If so, provide the name of the project, the grant and the funding agency, as well as a brief summary of the nature of the grant scope of work and the approximate dollar value.

   e. State whether or not the proposer has had any experience with New York City construction, and affordable housing, including any work with cooperative housing developments.

f. State whether or not the proposer has had any other prior or present New York City contracts, including with NYC HPD. If so, provide the name, address, contact and telephone number of the contracting Agency, a brief summary of the nature of the contract and the approximate dollar value.

4. Proposer Responsibility and Capability (suggested 800 words max): Demonstrate the proposers' organizational (i.e., programmatic, managerial and financial) capability to perform the services described in this solicitation.

   a. Attach an explanation of how, the proposed services will fit into the structure and capabilities of the proposed respondent team. Include a proposed project team organizational chart, as well as organizational charts for each involved organization.

   b. State whether or not there are any pending legal proceedings to which the proposer and any of its subsidiaries or key personnel are a party to, of which any of their property is subject and any proceedings known to be contemplated by governmental authorities. If so, describe the nature and circumstances of the pending proceeding in detail.

5. Proposed Approach (suggested 800 words max):

   a. Describe in detail how the proposer will provide the services and deliverables required in this solicitation and demonstrate that the proposer's proposed approach will fulfill HPD's requirements. Note that although a detailed Scope of Work has been outlined, HPD and the evaluation committee are open to and encouraging of submissions which propose innovative approaches and methodologies.

      - Applicants should provide an anticipated project timeframe within the Proposal Outline that shows achievements of project deliverables by **January 31, 2027**.

   b. Describe the project methodology including but not limited to: project management, software tools, risk assessment, subject matter expertise, and technical capabilities.

   c. Provide a statement affirming the proposer's availability in the New York City area and for all aspects of Services required herein.

   d. Describe and demonstrate the effectiveness of the methods of quality assurance the proposer will utilize.

   e. Include a cost proposal with estimated costs for each task/deliverable as per the table below. Describe the justification (basis of assumptions) for each item's cost.

Item	Cost	Justification
Task 1. Site Data Collection and Resiliency Assessment		
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	minimum two workshops with Community Working Group to share information and discuss risks, costs, options, priorities		
	Deliverable 2.5: Convene two to three meetings with each Focus Property's representatives to present findings and hear owner reactions and goals		
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	Deliverable 3.3: Recommend a vetted conceptual solution to mitigate multi-hazard climate risk that aligns with building owner priorities		
	Deliverable 3.4: Document mitigation strategy to 30% design completion		
Task 4. Assemble Technical Materials for Future Hazard Mitigation Funding Opportunities and Prepare Final Study Documents			
	Deliverable 4.1: Perform aggregated BCA with Cost Consultant		
	Deliverable 4.2: Complete necessary Environmental and Historic Preservation (EHP) review		
	Deliverable 4.3: Assemble FEMA Hazard Mitigation Assistance Subapplication materials package		

f. Provide a milestone payment schedule for the services to be provided.

6. Proposer Exceptions: Define any exceptions taken to the requirements of this

solicitation. The exceptions shall be included in a separate section of the Proposal Outline and clearly identified as such.

II. PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Selection Process: Properly submitted proposals will be reviewed by an HPD Evaluation Committee (the "Committee") to determine whether they are responsive or non- responsive to the requisites of this Solicitation. Proposals, which are determined by the Committee to be incomplete or non-responsive, will be disqualified. The Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. HPD reserves the right to request responses to clarification questions, conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations to the Committee, as HPD deems applicable and appropriate. The Committee will consider both the written and oral presentation/demonstration in evaluating the proposal. Although discussions may be conducted with proposers submitting acceptable proposals, HPD reserves the right to award the contract on the basis of initial proposals received, without discussions; therefore, the proposal should contain its best programmatic and pricing terms.

1. Evaluation of the technical proposals shall be based on a combination of the responsiveness of the proposal, acceptability of the proposed system, and the qualifications of the proposer as outlined below:

   a. A proposal shall be deemed responsive only if all of the requirements of the RFP have been met.

   b. The proposer must demonstrate satisfactory financial resources, stability, and project and team qualifications.

B. Evaluation Criteria: The criteria and the relative weight of each that will be utilized to evaluate proposals are:

1. Responsiveness, Quality, and Approach 35%:

   a. 25% Quality of the information submitted in the proposal based on completeness, relevance, conciseness, and organization of material presented. Consultant presents a clear vision and complete understanding of the purpose and intended outcomes of the scope of work.

   b. 10% Consultant has demonstrated an awareness of and responsiveness to the nuances, complexities and sensitivities of evaluating and implementing residential flood mitigation.

2. Experience 35%: Consultant has experience with the areas of the scope as outlined in the Scope of Work.

a. Has demonstrable expertise and/or experience in residential flood mitigation analysis, evaluation, and implementation including engineering and architectural expertise;

b. Has demonstrable expertise and/or experience in multifamily decarbonization and electrification;

c. Has demonstrable expertise and/or experience in competing for, securing and managing FEMA and/or federal grants, including Flood Mitigation Assistance (FMA) grants;

d. Has demonstrable experience and/or expertise in community outreach, case management and counseling, including housing and financial counseling expertise;

3. Organizational Capacity 20%: Consultant has demonstrated capacity and available staff to complete the work on the proposed schedule.

4. Feasibility of Project Plan and Schedule 10%: Proposed schedule is feasible, efficient and aligned with overall project timeline.

C. Oral Interviews: After completion of the technical evaluations, the Evaluation Committee may request oral presentations from qualified proposers for further evaluation.

1. At the sole option of HPD and if the evaluation committee deems it necessary, respondents will be required to present a thirty (30) minute overview of their proposal, to be held either virtually or at the HPD Headquarters located at 100 Gold Street, New York, NY 10038.

2. The oral presentation shall be followed by a question-and-answer session. A total maximum of one (1) hour in duration will be set-aside for each oral session.

3. As a result of the oral interview, the Evaluation Committee may re-assess its initial technical proposals based on an assessment of:

- How well the total proposal meets the stated requirements; and
- The proposers demonstrated expertise and organizational capabilities.
- Oral and/or Visual presentations shall not include any information that is not included in the written proposal or provided in response to clarification questions. The purpose of the oral/visual presentation should be solely to clarify the information contained in the written proposal.

NOTE: NO PRICE INFORMATION IS TO BE DISCLOSED IN THE TECHNICAL PROPOSAL OR THE ORAL PRESENTATION/INTERVIEW. Respondents that disclose any price information during the evaluation process will be declared non-responsive to this solicitation. Respondents shall be held solely responsible for ensuring that no price information is disclosed to any Agency personnel or other City employee during the oral presentation process.

D. Basis for Contract Award: The Contract will be awarded to the responsible proposer whose proposal is determined to be the highest technically rated and most advantageous to the

City, taking into consideration the overall quality and price of the proposal as measured against the criteria set forth in this Statement of Work. The Committee will determine the reasonableness of each price proposal by taking into consideration the hourly rates for professional titles listed in the price proposal to market rates for similar services. HPD reserves the right to make an award to a Contractor whose proposal is determined to be the most beneficial to the City

Appendix A

Site Descriptions

Note: Seven multifamily housing properties, all part of the HPD Mitchell-Lama program, are included in this proposal. They are located throughout the Boroughs of Brooklyn, Queens and Manhattan in New York City. Each property is described in the following section to provide additional building, neighborhood and flood risk information. Because each property consists of multiple buildings, building addresses for specific buildings are included as well. Flood hazards are mapped on current and projective flood maps published by New York City.

The NYC Flood Hazard Mapper, used to generate coastal flood maps in this appendix, can be found at the following link: https://www.nyc.gov/site/planning/data-maps/flood-hazard-mapper.page

The NYC DEP Stormwater Flood Hazards Maps, used to generate stormwater flood maps in this appendix, can be found at the following link: https://experience.arcgis.com/experience/6f4cc60710dc433585790cd2b4b5dd0e

The NYC DOHMH Heat Vulnerability Index, used for Heat Vulnerability Index scores, can be found at the following link: https://a816-dohbesp.nyc.gov/IndicatorPublic/data-features/hvi/

ORIENTATION MAP

Properties

Seven affordable housing properties, all part of the HPD Mitchell-Lama program, are included in this proposal. They are located throughout New York City:

1. **Big Six Inc,** Woodside QUEENS
   982 apartments
2. **Aguilar Gardens Inc,** Kew Gardens QUEENS
   256 apartments
3. **Dayton Towers Inc,** Rockaways QUEENS
   1,752 apartments
4. **Riverbend Inc,** East Harlem MANHATTAN
   622 apartments
5. **Sam Burt Inc,** Coney Island, BROOKLYN
   146 apartments
6. **Luna Park Inc,** Coney Island, BROOKLYN
   1,573 apartments
7. **Kings Bay I Inc,** Sheepshead Bay BROOKLYN
   538 apartments

SITE DESCRIPTIONS

(1) Big Six Towers (Queens, NY)

View of the towers

Addresses:

47-30 61 Street
59-02 47 Avenue
60-10 47 Avenue
59-55 47 Avenue
46-10 61 Street
59-15 47 Avenue
59-50 47 Avenue
59-40 Queens Boulevard
59-10 Queens Boulevard

Building Data:

Year Built: 1959

Buildings: 7

Units: 982

Population: 3,000

Age 65+: 62%

Neighborhood Data:

Heat Vulnerability Index: 3

Social Vulnerability Index: 0.66 (med-high)

Displacement Risk Index: 4 of 5 (higher)

Population Race: 80.9% non-white

Limited English Speaking: 39%

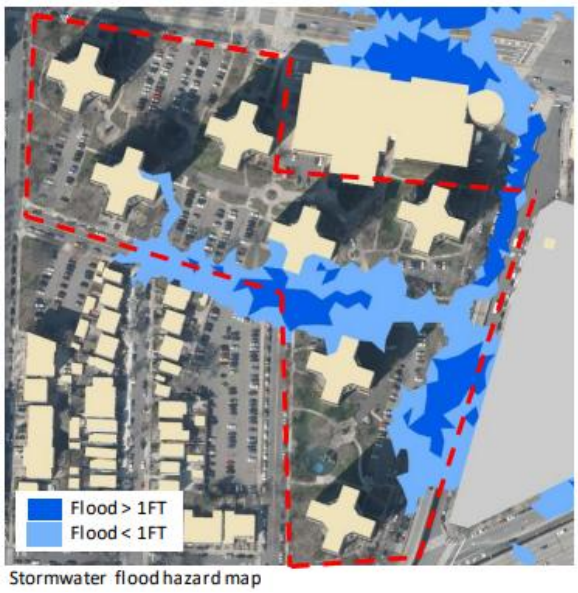
Flood Hazard:

Prior Flood: Yes

Type: Stormwater, PTC Ida

Damage: $5M

Flood Zone(s): Stormwater



Stormwater flood hazard map

Mechanical room flooding following PTC Ida, Sept 2021

(2) Aguilar Gardens (156-11 Aguilar Ave, Flushing, NY 11367)

View of building

Addresses:

156-11 Aguilar Avenue
71-50 Parsons Boulevard

Building Data:

Year Built: 1961

Buildings: 2

Units: 256

Population: 1000+

Age 65+: unknown

Neighborhood Data:

Heat Vulnerability Index: 2

Population Race: 73.1% non-white

Limited English Speaking: 25%

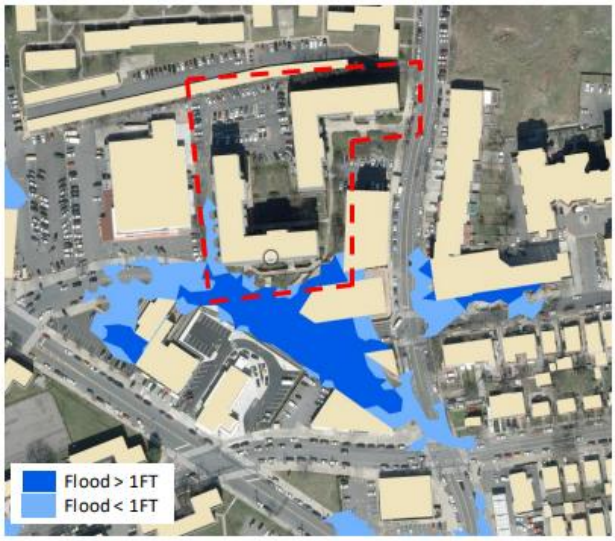
Flood Hazard:

Prior Flood: Yes

Type: Stormwater, PTC Ida

Damage: $150,000

Flood Zone(s): Stormwater



Stormwater flood hazard map

Typical floor plan

(3) Dayton Towers (Far Rockaway, NY)

View of the towers

Addresses:

190 Beach 102 Lane
105-00 Shore Front Parkway
102-00 Shore Front Parkway
1-91 Beach 102 Street
1102-02 Rockaway Beach Blvd
8000 Short Front Parkway
7800 Shore Front Parkway
7600 Shore Front Parkway
145 Beach 77 Street
7400 Short Front Parkway
103-00 Shore Front Parkway

Building Data:

Year Built: 1967

Buildings: 7

Units: 1752

Population: 3070

Age 65+: 1,296

Neighborhood Data:

Heat Vulnerability Index: 2

Population Race: 85.5% non-white

Limited English Speaking: 13%

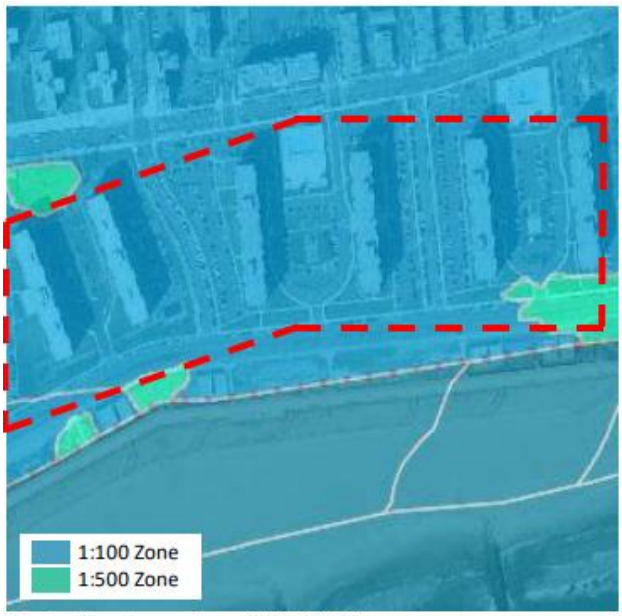
Flood Hazard:

Prior Flood: Yes

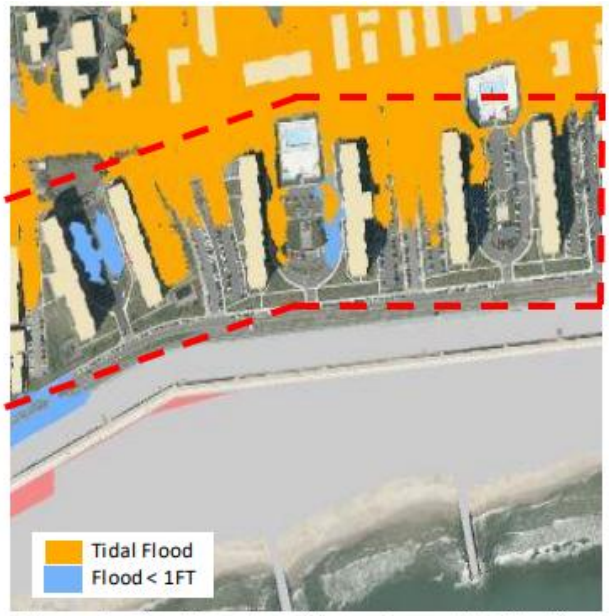
Type: Coastal, Hurricane Sandy, Stormwater, PTC Ida

Damage: Unknown

Flood Zone(s): Coastal and Tidal, Stormwater



Coastal flood hazard map, 2015 PFIRM



Stormwater flood hazard map (stormwater and tidal flood)

(4) Riverbend (Manhattan, NY)

View of the towers

Addresses:

2289 5 Avenue
2301 5 Avenue
2311 5 Avenue
2333 5 Avenue

Building Data:

Year Built: 1958

Buildings: 4

Units: 624

Population: 1,500

Age 65+: 46%

Neighborhood Data:

Heat Vulnerability Index: 5

Population Race: 90% non-white

Limited English Speaking: 16%

Flood Hazard:

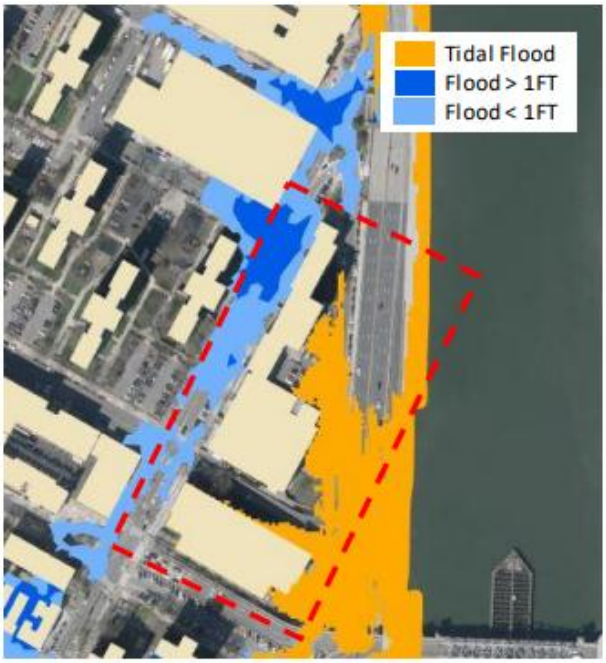
Prior Flood: Yes

Type: Coastal, Hurricane Sandy, Stormwater, PTC Ida

Damage: $10M

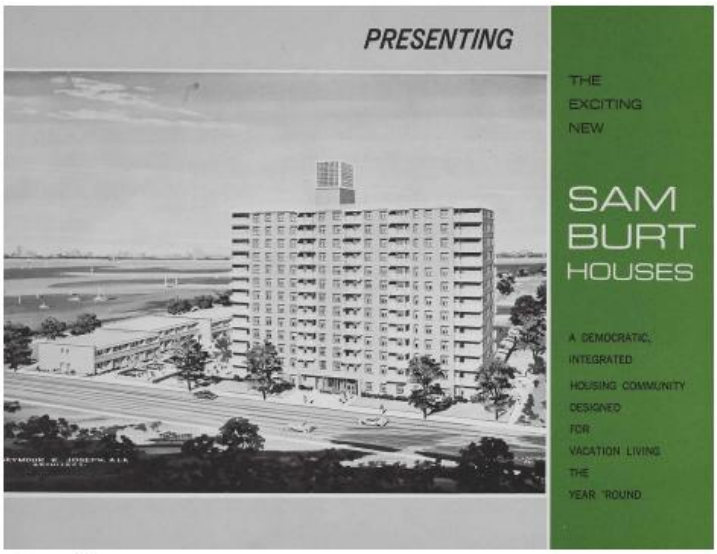
Flood Zone(s): Coastal and Tidal, Stormwater

Coastal flood hazard map, 2015 PFIRM



Stormwater flood hazard map (stormwater and tidal flood)

(5) Sam Burt Houses (Brooklyn, NY)



View of the tower

Addresses:

3504 Bay View Avenue
2675 West 36 Street
3502 Bay View Avenue

Building Data:

Year Built: 1967

Buildings: 1

Units: 147

Population: 350

Age 65+: 15%

Neighborhood Data:

Heat Vulnerability Index: 2

Population Race: 71.5% non-white

Limited English Speaking: 33%

Flood Hazard:

Prior Flood: Yes

Type: Coastal, Hurricane Sandy, Stormwater, PTC Ida

Damage: $9.5M

Flood Zone(s): Coastal and Tidal, Stormwater

Coastal flood hazard map, 2015 PFIRM

Stormwater flood hazard map (stormwater and tidal flood)

(6) Luna Park (2879 W 12th Street, Brooklyn, NY 11224)

View of the towers

Addresses:

2954 West 8 Street
2879 West 12 Street
2880 West 12 Street
2892 West 8 Street
825 Surf Avenue
2823 West 12 Street
2817 West 12 Street
828 Neptune Avenue
2909 West 8 Street

Building Data:

Year Built: 1960

Buildings: 6

Units: 1,576

Population: 5,000

Age 65+: 14%

Neighborhood Data:

Heat Vulnerability Index: 4

Population Race: 8.3% non-white

Limited English Speaking: 49%

Flood Hazard:

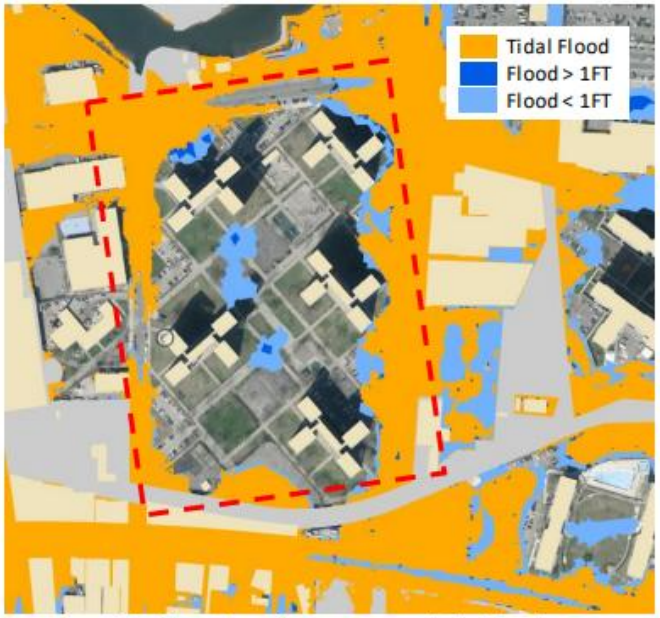
Prior Flood: Yes

Type: Coastal, Hurricane Sandy, Stormwater, PTC Ida

Damage: $3M

Flood Zone(s): Coastal and Tidal, Stormwater

Coastal flood hazard map, 2015 PFIRM



Stormwater flood hazard map (stormwater and tidal flood)

(7) Kings Bay I (2520 Batchelder St, Brooklyn, NY 11235)

View of the tower

Addresses:

2965 Avenue Z
2560 Batchelder Street
2540 Batchelder Street
2520 Batchelder Street

Building Data:

Year Built: 1959

Buildings: 4

Units: 540

Population: 1,007

Age 65+: 49%

Neighborhood Data:

Heat Vulnerability Index: 2

Population Race: 40.2% non-white

Limited English Speaking: 36%

Flood Hazard:

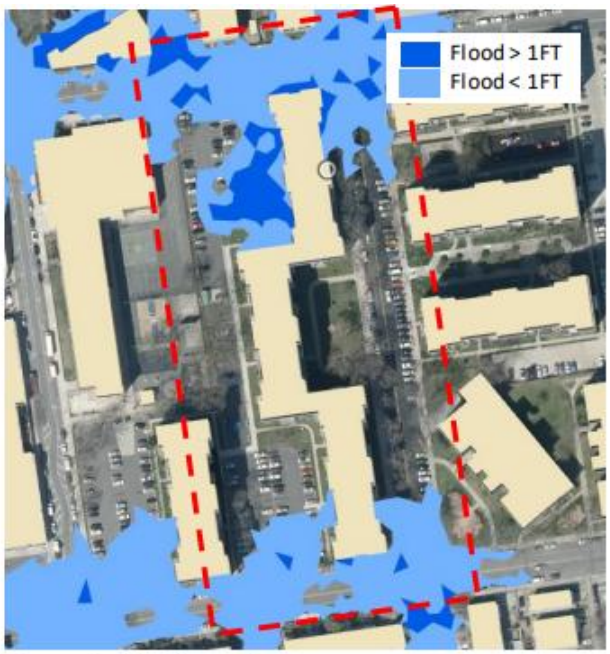
Prior Flood: Yes

Type: Coastal, Hurricane Sandy, Stormwater, PTC Ida

Damage: unknown

Flood Zone(s): Coastal and Tidal, Stormwater

Coastal flood hazard map, 2015 PFIRM



Stormwater flood hazard map

Appendix B

Example Physical Risk Assessment

Note: This content represents illustrative information to inform a Physical Risk Assessment Questionnaire that would be deployed in Task 2. Consultant shall submit a revised Physical Risk Assessment to HPD for review and approval.

(A) PROPERTY CHARACTERISTICS

ADDRESS: If Multiple Buildings on Site, Building identifier:

OWNER:

Year of Construction:

Number of Stories: Building Height (Feet)

Total Residential Units:

Unit Breakdown by Type/Mix _____

Ground Floor Uses: _____

Additional Building Uses: _____

Ground Floor Area (Sq. Ft): Total Building Area (Sq. Ft):

Dates of any recent inspections or IPNAs consulted:

General Building Comments:

(B) FLOOD RISK INFORMATION (All Elevation data to be provided in Feet NAVD88, except where noted)

Building Lowest Adjacent Grade: Building Highest Adjacent Grade:

Lowest Floor Elevation, Top of Floor:

Next Floor Elevation:

Is the Lowest Floor Elevation below Lowest Adjacent Grade?

Is there a Cellar, Basement or other Sub-grade space?

<u>Coastal Flooding and Sea Level Rise</u>

Does building have an Elevation Certificate?

Current Flood Risk Zone: Flood Map (2007 FIRM/2015 PFIRM):

Estimated Future 2080'S Future Projected Flood Zone:

Current Base Flood Elevation (BFE):

Estimated Future Projected 2080s BFE:

Is the Lowest Floor Elevation below current BFE? Below Projected 2080s Future BFE?

Is the Next Floor Elevation below the Projected 2080s Future BFE?

Stormwater Flooding

Are any of the buildings adjacent to street flooding mapped under the NYC DEP Stormwater Flood Maps?

Scenarios - Current Moderate: 2050s Moderate: 2080s Extreme:

Describe any documented stormwater flooding on building or property.

Describe any existing engineered or nature-based stormwater management practices on-site.

(C) EXTERIOR

Roof

Roof Shape: Other Roof Type: Roof Material:

Description of Roof Top Systems: _____

Roof Resiliency Comments: _____

Drainage (Supplement with "Cellar" section below)

Describe Exterior Grading conditions around Building:

Has the Building experienced sewer backflow?

Backflow entry point(s):

Drainage Resiliency Comments:

Building-specific Appurtenant Structures

Structure Description:

Structure Resiliency Comments:

(D) HEATING AND COOLING EQUIPMENT

Heating Equipment

Type and Fuel Source: Location:

Date of Installation:

Condition:

Heating Equipment Resiliency Comments:

Cooling Equipment

Type: Location:

Date of Installation:

Cooling Equipment Condition:

Cooling Equipment Resiliency Comments:

(E) ELECTRICAL EQUIPMENT

Electrical Panel Condition: Location:

Electrical Meter Condition: Location:

Electrical Equipment Resiliency Comments

(F) WATER

Water Treatment Condition: Location:

Date of Installation:

Water Pump Condition: Location:

Water Treatment Resiliency Comments:

Fuel Tank on Property?

Hot Water Heater on Property?

Hot Water Heater Condition: Location:

Hot Water Heater Resiliency Comments:

(G) LAUNDRY EQUIPMENT

Laundry Room Condition: Location

Laundry Resiliency Comments:

(H) ELEVATORS

Number of Elevators: Date of Installation:

Elevator Systems below Current or Future Projected 2080s SLR DFE?

Utilities on Ground Floor: Complete entry for each utility system on Ground Floor

Utility System	Location	Condition	Notes on Elevation, Hardening or Relocation Feasibility
1.			

(I) SUBGRADE SPACES (CELLARS, BASEMENTS

Building foundation type:

Is there a Crawlspace above grade?

How many feet below Lowest Adjacent Grade does Cellar descend?

Subgrade wall conditions:

Describe any backwater valve, sump pump, ejector pump, and/or containment tank systems:

Stormwater Detention Tank or other stormwater retention structure?

List Subgrade uses:

Utilities in Cellar/Basement: Complete entry for each utility system in Cellar

Utility System	Location	Condition	Notes on Elevation, Hardening or Relocation Feasibility
1.			

Subgrade space Resiliency Comments:

(J) FLOOD MITIGATION OPTIONS

Feasibility of relocating vulnerable uses from below BFE within building or site?

Feasibility of i-n-filling subgrade spaces?

Feasibility of abandoning active first floor uses below BFE?

Feasibility of mechanical, electrical or plumbing systems Elevation, Hardening or Relocation?

Feasibility of dry floodproofing installation in active or mechanical spaces below BFE?

Is dry floodproofing recommended for mechanical and/or electrical equipment?

Is dry floodproofing recommended for floor drains?

Feasibility of additional stormwater flood management strategies

Cost Estimation

For each of the options above, consider:

Estimated cost range: From ____ to _____

Useful life:

Hazards addressed:

Efficacy in mitigating flood risks:

Efficacy in meeting sustainability benchmarking, where applicable:

Temporary displacement of Property Owners or tenants, including estimated time and associated

Costs:

Estimated cost for demolition and site remediation?

Other ancillary costs?

Cost Estimation General Assumptions and Notes:

U.S. Department of Homeland Security
Federal Emergency Management Agency
FEMA Region 2
26 Federal Plaza
Suite 1307
New York, New York 10278

FEMA

July 26, 2023

Ms. Rayana Gonzales
Alternate Governor's Authorized Representative
New York State Division of Homeland Security and Emergency Services
1220 Washington Avenue
Building 7A, Suite 710
Albany, NY 12242

Attn: Marlene White – Chief of Mitigation

Re: FEMA-4480-DR-NY
Hazard Mitigation Grant Program (HMGP)
HMGP Project: #4480-0028
New York City Department of Housing Preservation and Development
Scoping Flood Protection Designs for Vulnerable
Affordable Multi-Family Housing Developments – Approval Letter

Dear Ms. Gonzales:

The Federal Emergency Management Agency (FEMA) has completed review of the New York State Division of Homeland Security and Emergency Services (DHSES) request for funding of the Hazard Mitigation Grant Program (HMGP) project number 4480-0028 for the NYC HPD: Scoping Flood Protection Designs for Vulnerable Affordable Multi-Family Housing Developments. DHSES as the grant recipient (hereinafter known as the Recipient) will administer this sub-grant to New York City Department of Housing Preservation and Development. (hereinafter known as the Sub-Recipient).

Funding has been made available in an amount not to exceed total project costs of $736,000.00 with a Federal share of $662,400.00 and the required non-Federal matching share of $73,600.00 In addition, Sub-recipient management costs were requested and will be made available for an amount not to exceed at total cost of $36,800.00 funded at a 100% Federal share for a total Federal share of $699,200.00 obligated for this project. The necessary costs of requesting, obtaining, and administering federal disaster sub-grants will only be covered by an allowance as defined in 44 CFR Part 207. Approval is contingent upon the fulfillment of all conditions identified by FEMA (see the attached Conditions of Approval (COA).

The Period of Performance (POP) deadline of February 1, 2026 has been established for this grant program. The POP is in accordance with Hazard Mitigation Assistance Guidance dated February 27, 2015, Part. VI. Award Administration Information, D.4 Program Period of Performance. DHSES will administer this sub-grant within the grant program POP.

The scope of work (SOW) outlined in the application is to develop feasible schematic designs for multi-hazard flood mitigation strategies at each of the eight housing developments. This work will be used to complete eight Hazard Mitigation Subapplications, including an aggregated BCA analysis, to be submitted for future Hazard Mitigation Funding Opportunities during the 2025 or 2026 grant application periods. The proposed scope of work includes tasks that will be completed over 24 months, of which the technical work will take 12 months preceded by a requisite 12-month procurement period for a technical consultant. The eight schematic designs will be developed for multiple properties at once so the overall project can identify scalable solutions and efficiencies, identify, and highlight themes among communities, and optimize the possibility of common flood-mitigation infrastructures across properties.

Any change to the approved Scope of Work as identified within the application must be submitted to FEMA Region 2 for consideration and approval prior to implementation. This includes any potential extension of the sub-recipient project schedule as identified within the conditions of approval. Execution of any modification to the approved scope of work without prior FEMA Region 2's approval may jeopardize funding for the sub-grant project as a whole. In accordance with 2 CFR Part 200, the Recipient must ensure that Sub-recipients are aware of requirements imposed upon them by Federal Statute and regulations.

FEMA urges your office to meet with the Sub-recipient to review the project requirements as soon as possible. At this meeting, please discuss in detail the COA and project schedule including quarterly performance reporting and fiscal documentation requirements. FEMA is available to assist the Recipient and Sub-recipient in the implementation of this project.

Should you have any questions or require additional information, please contact Sharon Edwards, Hazard Mitigation Assistance Branch Chief at (212) 680-3633 or by email at Sharon.Edwards@fema.dhs.gov.

Sincerely,

WILLIAM MCDONNELL

Digitally signed by WILLIAM MCDONNELL
Date: 2023.07.26 12:44:09 -04'00'

William McDonnell
Mitigation Division Director
FEMA Region 2

cc: Ms. Marlene White, State Hazard Mitigation Officer

Attachment: Conditions of Approval (COA)
Record of Environmental Consideration

FEMA Region 2 approval is contingent upon fulfillment of all the following conditions:

1. **Approved Scope of Work**
   The scope of work (SOW) outlined in the application is to develop feasible schematic designs for multi-hazard flood mitigation strategies at each of the eight housing developments. This work will be used to complete eight Hazard Mitigation Subapplications, including an aggregated BCA analysis, to be submitted for future Hazard Mitigation Funding Opportunities during the 2025 or 2026 grant application periods. The proposed scope of work includes tasks that will be completed over 24 months, of which the technical work will take 12 months preceded by a requisite 12-month procurement period for a technical consultant. The eight schematic designs will be developed for multiple properties at once so the overall project can identify scalable solutions and efficiencies, identify, and highlight themes among communities, and optimize the possibility of common flood-mitigation infrastructures across properties.

2. **Scope of Work Changes**
   In accordance with 2 CFR Section 200.308, pass-through entities (the program Recipient) must obtain prior approval from FEMA prior to implementation of any proposed SOW change. Requests must be made in writing and demonstrate the need for the SOW change. The request should also include a revised SOW, schedule, and budget. Any SOW changes are subject to all programmatic requirements, including EHP review requirements. All approvals will be at FEMA's discretion.

3. **Other Regulatory Requirements**
   As part of our approval, the Sub-recipient is required to adhere to all applicable Federal regulations including the following: 2 CFR 200: Uniform administrative requirements, cost principles, and audit requirements for federal award.

4. **Environmental Review Project Conditions**
   Any change to the approved SOW will require re-evaluation for compliance with NEPA and other Laws and Executive Orders. Subrecipients should be made aware that this document does not address all federal, state, and local requirements. Acceptance of federal funding requires Recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may also jeopardize federal funding.

   a) Archaeology

   If during the course of work, archaeological artifacts (prehistoric or historic) or human remains are discovered, the Subrecipient shall stop work immediately in the vicinity of the discovery and notify FEMA Region 2 within twenty-four (24) hours. The Sub-recipient will ensure that archaeological discoveries are secured in place, that access to the sensitive area is restricted, and that all reasonable measures are taken to avoid further disturbance of the discoveries. In

addition, if unmarked graves are present, the Subrecipient shall notify the local law enforcement agency within twenty-four (24) hours of the discovery and FEMA Region 2 within seventy-two (72) hours. Work in the vicinity of any discovery will not resume until FEMA Region 2 has completed consultation with the State Historical Preservation Office, Tribal Nations, and other consulting parties as necessary.

b) Solid and Hazardous Waste

The Sub-recipient shall handle, manage, and dispose of all found solid and hazardous waste in accordance with requirements of local, state, and federal laws, regulations, and ordinances. The Subrecipient shall ensure that all debris is separated and disposed of in a manner consistent with New York State Department of Environmental Conservation (NYSDEC) guidelines at a permitted site or landfill.

c) Permitting

Prior to the commencement of work, the Sub-recipient is responsible for obtaining all Federal, State, and/or local permits that are required, including those that may be issued by the US Army Corps of Engineers, NYSDEC, and NYS Department of State. A copy of all permits and applicable documentation, e.g., permit applications, project plans, etc. must be submitted to DHSES, and subsequently to FEMA, to ensure compliance with the project's approved scope of work. Failure of the Subrecipient to obtain all required permits violates the conditions of this project approval and will jeopardize federal funding.

d) Record of Environmental Consideration

A copy of FEMA's Record of Environmental Consideration (REC) is included. The REC summarizes the results of the environmental review and outlines requirements of environmental and historic preservation compliance.

As part of our approval, the Sub-recipient is required to adhere to all applicable Federal regulations including the following: 2 CFR 200: Uniform administrative requirements, cost principles, and audit requirement for federal award.

5. **Budget Changes**

Recipients and Sub-recipients are permitted to re-budget within the approved direct cost budget to meet unanticipated requirements and may make limited program changes to the approved budget. For more information on direct cost categories, please see 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments. Projects will require the prior written approval of FEMA as follows:

- Cost overrun and underruns can result from a scope, schedule or budget change.

- Recipients must notify FEMA prior to redirecting funds from an underrun to other approved sub-grants for which an overrun has been requested. The sub-grant must continue to programmatic eligibility requirements to include cost share.

6. **Project Completion Schedule**

The sub-grant project must be completed under the project schedule provided by the Sub-recipient within the project application, as finalized prior to project approval. The project completion date for this sub-grant award is February 1, 2026. Changes to this schedule would be considered a SOW change and therefore must be pre-approved by FEMA and the grant Recipient. Please note, the sub-grant project schedule is unique and separate from the grant Period of Performance (POP). The grant POP is the period during which the Recipient (DHSES) is expected to administer all HMGP activities under the declared disaster.

7. **Period of Performance Extensions**

In order for the sub-recipient to be considered for a period of performance extension, DHSES must submit a formal written request to the Regional Administrator no later than sixty (60) days prior to the expiration of the period of performance and must include a justification for the extension. This justification is a written explanation of the reason or reasons for the delay; an outline of remaining funds available to support the extended performance period; and a description of performance measures necessary to complete the project within the requested extended period of performance.

Other information required with this request includes: a revised budget information form (regardless of whether or not there are changes to the budget); copies of any contracts entered by sub recipient with vendors; percentage of work completed, and a description of all work completed. Extensions may not be considered for projects that are a result of delays in project initiation and implementation.

8. **Reporting Requirements**

Once funding has been obligated, in accordance with 44 C.F.R. 206.438 (d), the Governor's Authorized Representative is required to submit a claim to FEMA Region 2 for reimbursement of allowable costs prior to the drawing down of those funds. These submitted claims must also certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure complies with the provisions of the FEMA-State Agreement.

Recipients and Sub-recipients must maintain records of work and expenditures. Recipients submit quarterly financial and performance reports to FEMA on January 30, April 30, July 30, and October 30. The first quarterly reports are due 30 days of the end of the first federal quarter following the initial grant award. FEMA may waive the initial reports.

The Recipient shall submit quarterly financial status and performance reports thereafter until the grant ends. Failure to submit financial and performance reports to FEMA in a timely manner may

result in an inability to access grant funds until proper reports are received by FEMA. Recipients are encouraged to contact FEMA should this occur.

9. **Performance Reports**

The Recipient shall submit a quarterly performance report for each grant award. Performance reports should include:

- Reporting period, date of report, and Recipient POC name and contact information.
- Project identification information, including FEMA project number (including disaster number and declaration date for the HMGP), Sub-recipient, and project type using standard NEMIS project type codes.
- Significant activities and developments that have occurred or have shown progress during the quarter, including a comparison of actual accomplishments to the work schedule objectives established in the grant.
- Percent of work completed and whether completion is on schedule, a discussion of any problems, delays, or adverse conditions that will impair the ability to meet the timelines stated in the grant, and anticipated completion date.
- Status of costs, including whether the costs are: (1) unchanged, (2) overrun, or (3) underrun. If there is a change in cost status, the report should include a narrative describing the change.
- A statement of whether a request to extend the grant POP is anticipated.

Requests for additional project time extensions would only be considered in instances where the sub-recipient has provided the Recipient with accurate quarterly status reports. FEMA may suspend drawdowns from SMARTLINK if quarterly reports are not submitted on time.

10. **Financial Reports**

Recipients shall submit a quarterly Federal Financial Report (FFR). Obligations and expenditures must be reported on a quarterly basis through the FFR (SF-425), which is due to FEMA within 30 days of the end of each calendar quarter (e.g., for the quarter ending March 31, the FFR is due no later than April 30). A report must be submitted for every quarter of the POP, including partial calendar quarters, as well as for periods where no grant activity occurs. Future awards and fund drawdowns may be withheld if these reports are delinquent. The final FFR is due 90 days after the end of the POP.

The Office of Management and Budget (OMB) has directed that FFR (SF-425) replace the use of the SF-269, SF-269A, SF-272, and SF-272-A. The SF-425 is intended to provide Federal agencies and grant recipients with a standard format and consistent reporting requirements. FEMA may suspend drawdowns from SMARTLINK/PARS if quarterly reports are not submitted on time.

11. **Closeout**

As required by 44 CFR 206.438(d), the Recipient will submit a letter signed by the Governor's Representative or equivalent certifying that:

- The report costs were incurred in the performance of eligible work.
- The approved work was completed, and the mitigation measure follows the provisions of the FEMA-STATE Agreement.
- Each sub-grant has been completed in compliance with the approved SOW.
- Actual expenditures have been documented and are consistent with the SF-424A or SF-424C.
- All program income has been deducted from total project costs as specified in 2 CFR Part 200.80.
- All project work was performed in accordance with all required and applicable building codes as modified or protected by the approved project. (If applicable)
- For new or updated hazard mitigation plans, a final copy of the FEMA-approved and community-adopted plan has been submitted to FEMA. (If applicable)
- The activity is consistent with 44 CFR Part 201 and 206.
- The Sub-Recipient can claim management costs incurred up to whichever of the following occurs first:
    - 180 days after work is completed for the non-management cost HMGP project for the declaration. OR
    - 180 days after the latest performance period for the non-management cost HMGP project. OR
    - The recipient management cost award has been closed out.

  When one of the conditions is triggered, the timeframe for the Sub-Recipient to submit their management cost claim begins.

Sub-Recipients must submit final reporting to the pass-through entity no later than 90 days after the end of the Period of Performance. To ensure that this requirement is met, the Recipient will ask the Sub-Recipient to submit final payment request within sufficient time after project completion to allow time to close the project. The Recipient must submit a final SF-425 and Performance Report no later than 120 days after the end date of the POP, per 2 CFR Sections 200.343 and 200.344.