

Poughkeepsie Housing Authority

4 Howard Street

Poughkeepsie, NY 12601

Request for Proposals For Professional Insurance Brokerage Services RFP# 26-001

Deadline: On or before 3:00 pm EST February 19th 2026

At Poughkeepsie Housing Authority

Attn: Thomas Shanley

4 Howard Street

Poughkeepsie, NY 12601

Issue Date: January 29th 2026

INTRODUCTION

The Poughkeepsie Housing Authority is seeking an Insurance Broker of Record to act as its broker to perform services related to the acquisition of competitive premium costs for comprehensive property and casualty coverage on all of its properties and operations including but not limited to the following: 1) Commercial Property; 2) Commercial General Liability; 3) Workers Compensation and Employers Liability; 4) Owned and Non-Owned Automobile Liability; 5) Theft, Disappearance, and Destruction; 6) Employee Dishonesty (Fidelity).

The Poughkeepsie Housing Authority (The Agency) is a public housing agency created by resolution of the city of Poughkeepsie in 1952 under the statutes and laws of the State of New York. The Agency is a unit of government, and its functions are essential governmental functions. The property of the Agency is used for essential public and government purposes, and is exempt from all taxes, including sales tax on all its purchases of supplies and services.

The Agency is governed by a 7-member Board of Commissioners which sets policy for the Agency and which awards all contracts. Oversight of the Agency and program guidance is provided by the US Department of Housing and Urban Development (HUD).

The Agency has 359 Low Rent Public Housing program units at 5 properties and administers 169 Housing Choice vouchers. The Agency operates its housing developments to provide decent, safe, sanitary, and affordable housing to low-income families, the elderly, and the disabled, and implements various programs designed and funded by HUD. All properties are currently insured for (See Schedule A)

The Agency has approximately 21 employees, of whom 19 are full-time. The Agency's employees are eligible for Workers' Compensation benefits while employed by the Agency. The Agency has 8 vehicles which includes service vehicles (dump trucks), pick-up trucks, sedans, and maintenance vans. The Agency also has 2 Dump Trailers. and 1 ATV.

Additional information about the Agency can be obtained from our website at <https://poughkeepsiehousingauthority.org>.

The RFP contains the following information that are provided as Exhibits.

- A current schedule of the Agency's insurance
- A current statement of values which lists all locations including the number of units
- Current automobile fleet and driver information
- Currently valued loss runs
- Required insurance coverages

* * * * *

The Agency seeks Proposals from qualified Insurance Brokers of Record to provide comprehensive property and casualty coverage to the agency. All proposals submitted in response to this solicitation must conform to all of the requirements and specifications outlined within this document and any designated attachments in its entirety. In particular, the following minimum requirements must be met.

Provide proof that the insurance representative is duly licensed by, and in good standing with, the State of New York.

- Offerors must have experience in providing services for governmental organizations.
- All quotes must be from companies that are licensed to conduct business in New York State and have an A.M. Best's rating of A or better. For each quote, a copy of the insurance carrier's most recent Best's rating must be included with the proposal.

Prospective offerors requiring any explanation or interpretation of the solicitation must request it in writing no later than 4:00 pm EST on 02/19/2026. The request must be addressed to:

Tom Shanley
Poughkeepsie Housing Authority
4 Howard St.
Poughkeepsie, NY 12601

Any information given to a prospective offeror about this solicitation will be furnished to all other prospective offerors as a written amendment to this solicitation.

Intention to Bid / Not Bid. We request that your firm indicates whether it plans to submit a bid by completing the attached Intention to Bid / Not Bid form and return this form to Thomas Shanley at the following email address: tshanley@poughkeepsiehousingauthority.org by 02/18/2026.

All responses to the RFP must be enclosed in a sealed envelope and labeled with the specific information:

RFP: Insurance Broker of Record for Poughkeepsie Housing Authority Due Date and Time: 02/19/2026, 4:00 pm EST. Note: Incomplete or non-compliant proposal submissions cannot be considered.

The Agency intends to award the contract pursuant to a "best value" basis, not a "lowest bid" basis. An evaluation committee shall review and rank each of the offeror's proposals using the method of evaluation described in this request. The evaluation committee shall enter into negotiations with the highest ranked proposal first, and if necessary, any or all of the other proposals and submit the list of ranked offerors to the Executive Director. The Executive Director shall make a recommendation to the Board of Commissioners to award a single contract to the most competent, responsive, and responsible offeror submitting a proposal in accordance with the proposal evaluation criteria.

The Agency reserves the right to award contracts to multiple offerors, to reject any or all bids, to waive for all applicants, any information in the specifications or bidding process or to cancel in whole or in part this solicitation if it is in the best interest of the Agency to do so.

The awarded contract will be for three (3) years with the option to renew in increments of one-year for two (2) additional years.

CURRENT PHA INSURANCE

The Agency's current insurance carriers are Philadelphia and Selective Auto. The following information is provided as exhibits to the RFP.

1. **Schedule of the Agency's Insurances**
 - Schedule A: Property and Liability (Philadelphia)
 - Schedule B: Automobile (Selective)
 - Schedule C: Commerical Lines Policy (Philadelphia)
2. **Statement of Values**
 - Schedule A
3. **Automobile Fleet and Driver Information**
 - Schedule B
4. **Currently Valued Loss Runs**
 - Schedule D: Property & Liability Loss Runs
 - Schedule E: Commercial Lines Loss Runs
 - Schedule F: Auto Loss Runs
5. **Required Insurance Coverage changes N/A**

Additional Underwriting Information

1. The Agency is a non-smoking Housing Authority.
2. The Agency has both Low Income and Senior Citizen units.
3. For Senior Citizen housing, call for aid pull cords have been removed.
4. Property values for insurance have been increased to reflect current Replacement Cost.
5. Security cameras are attached to buildings at all locations.

AGENCY'S RESERVATION OF RIGHTS

The Agency reserves the following right in association with the RFP process and upon contract award.

1. **Right to Terminate the RFP or Reject, Waive Proposals.** The Agency reserves the right to terminate the RFP process, if deemed by the Agency, to be in its best interest. Additionally, the Agency reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to, incomplete proposals and /or proposals offering alternative or non-requested services.
2. **Right to Not Award.** The Agency reserves the right to not award a contract pursuant to this RFP.
3. **Right to Make Multiple Awards.** The Agency reserves the right to make an award to more than one offeror and to award with or without negotiations or a "Best and Final Offer" (BAFO).
4. **Right to Terminate.** The Agency reserves the right to terminate a contract award pursuant to this RFP at any time for the Agency's convenience upon 10 days written notice to the contractor.
5. **Right to Retain Proposals.** The Agency reserves the right to retain all proposals submitted and not permit withdrawal for a period of 90 days subsequent to the deadline for receiving proposals.
6. **Right to Negotiate.** The Agency reserves the right to negotiate the fees proposed by the offeror(s). If such negotiations are not, in the opinion of the Agency successfully concluded within a reasonable timeframe as determined by the Agency, the Agency shall retain the right to end such negotiations.
7. **No Obligation to Compensate.** The Agency has no obligation to compensate any offeror(s) for any costs incurred in responding to this RFP.
8. **Right to Reduce or Increase Estimated / Actual Quantities.** The Agency reserves the right to reduce or increase estimated or actual quantities in whatever amount necessary without prejudice or liability to the Agency, if: 1) funding is not available; 2) legal restrictions are placed upon the expenditure of monies for this category of service or supplies; or 3) the Agency's requirements in good faith change after award of the contract.
9. **Right to Request Additional Information.** The Agency reserves the right to request additional information from all proposers, if needed to evaluate proposals. Such information shall be submitted in the form required by the Agency within two (2) days of written request.
10. **Assignment of Personnel.** The Agency shall retain the right to request and receive a change in personnel assigned to the work if the Agency believes that such change is in the best interest of the Agency and the completion of the contracted work.
11. **Office Hours.** The Agency reserves the right to determine the days, hours, and locations that the successful offeror shall provide the services called for in this RFP.
12. **Unauthorized Sub-Contracting Prohibited.** The successful offeror shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFP (including, but not limited to, selling or transferring the contract) without the prior written consent of the Agency. Any purported assignment of interest or delegation of duty, without the prior written consent of the Agency shall be void and may result in the cancellation of the contract with the Agency, or may result in the full or partial forfeiture of funds paid to the successful offeror as a result of the proposed contract as determined by the Agency.

SCOPE OF SERVICES

Minimum Requirements

To be considered for selection, Offerors must meet the following qualifications. Please indicate for each item listed below whether the Offeror meets the requirements. If not, please explain.

1. Provide proof that the insurance representative is duly licensed by, and in good standing with, the State of New York.
2. Offerors must have experience in providing services for governmental organizations.
3. All quotes must be from companies that are licensed to conduct business in the State of New York and have an A.M. Best's rating of A or better. For each quote, a copy of the insurance carrier's most recent Best's rating must be included with the proposal.

Specific Services

The Offeror will provide the following insurance brokerage and risk management services.

1. Insurance Brokerage Services. The services listed below are requested for all insurance products required by the Agency: 1) Commercial Property; 2) Commercial General Liability; 3) Workers Compensation and Employers Liability; 4) Owned and Non-Owned Automobile Liability; 5) Theft, Disappearance, and Destruction; 6) Employee Dishonesty (Fidelity)

Note: The offeror is not required to provide services for all insurance products requested in the RFP. Please identify the insurance product where the offeror will not provide services.

- a. The insurance broker will provide the necessary experience to assess the Agency's insurance needs and provide recommendations regarding the appropriate type of insurance for the Agency, the levels of coverage necessary to protect the Agency from reasonable risks, the levels of deductible for each policy to provide the best balance of risk limitation and lower premium and such other factors as the broker shall recommend.
- b. Based on the insurance coverage selected by the Agency, the insurance broker will organize, develop, and obtain bids from insurers that meets the minimum requirements provided in the RFP. A copy of the most recent Best's rating must be provided with the quote.
- c. The insurance broker will evaluate the bids and present to the Agency, the package of insurance policy terms, conditions, and premiums. The insurance broker is required to present three (3) competitive quotes for each type of insurance.
- d. The insurance broker must be in full compliance with HUD's and the Agency's requirements for insurance coverage and the procurement of insurance. The insurance broker must maintain full documentation for the procurement of insurance coverage, including documentation from insurance carriers that declined to submit a quote.
- e. The insurance broker will represent the Agency, as directed, in any negotiations with insurers or prospective insurers and other parties regarding insurance matters.
- f. The insurance broker will administer claims submittals, as needed, in a manner best representing the interests of the Agency and provide quarterly reports of financial and claims experience for all policies.
- g. The insurance broker will notify the Agency of invoicing of premiums for all outstanding policies to assure that no policy lapses because the Agency is unaware that an invoice is due.
- h. The insurance broker will meet with the Agency at least semi-annually to review the Agency's coverage to ensure that the Agency maintains appropriate levels of insurance and

shall notify the Agency of any new developments in the insurance industry or markets that may impact the Agency or impact the insurance coverage or policies sought by the Agency.

- i. The insurance broker will provide the Agency with an annual report within 45 days of the end of the Agency's fiscal year, detailing a schedule of the policies in force, the coverage amounts, deductible amounts, premiums paid, and fees and commissions received by the insurance broker in connection with each policy.
- j. The insurance broker will obtain a certificate of insurance for each insurance policy for the Agency's submittal to HUD.

Time Expectations and Insurance Renewal Timeframe.

- a. Respond to phone calls and emails the same business day in general, if not practical, response should be within twenty-four hours.
- b. Key personnel should be available between 8:30am to 4:00 pm Eastern time.
- c. Submit insurance policies within 30 days of binding (i.e., the insurance coverage is in place but the policy has not been issued).
- d. Premium – The premium must be renegotiated no later than sixty (60) days before the anniversary of the policy.
- e. Cancellation – A sixty (60) day notice of cancellation, major changes in terms, or intent not to renew is required from the insurance carrier.

The items listed below are all value-added components of a complete Risk Management and Insurance program that the Agency wishes to receive. Please provide the firm's qualifications, experience, and plan to execute these services.

(Optional) Loss Control & Safety.

- a. Provide onsite review of facilities and risk analysis.
- b. Awareness Training – Make educational presentations to Agency staff on requested risk and/or benefits related topics.
- c. Provide awareness through safety bulletins and newsletters.

(Optional) Property Appraisals.

- a. Perform building valuations.
- b. Perform content valuations.

INSTRUCTIONS TO OFFERORS

1. Proposals are to be submitted in a sealed envelope clearly marked **RFP: Insurance Broker of Record for Poughkeepsie Housing Authority** and will be received until Due Date and Time: 02/19/2026, 4:00 pm EST time at Poughkeepsie Housing Authority, 4 Howard St. Poughkeepsie, NY 12601. Any proposal received/time-stamped after 02/19/2026, 4:00 pm EST time will be considered late and will be returned. If the proposal is hand-delivered, please allow enough time as there may be other clients, etc. at the front desk and you may have to wait to get your proposal time-stamped. Proposal must be time-stamped. If proposal is sent by mail or courier, the proposal will be time-stamped upon receipt.
2. The offeror should submit a signed original and one copy of its proposal.
3. No proposal may be withdrawn or modified in any way after the deadline for proposal submittal. Proposals shall remain firm and valid for ninety (90) days from said deadline.
4. The proposals must be completed in their entirety, completing all forms included in the proposal packet. If the offeror should have any questions regarding the forms, contact Tom Shanley at (845)485-8862 ext 103 or via email at tshanley@poughkeepsiehousingauthority.org
5. Proposals are to be submitted in narrative form and are to include the **Price Proposal Template** included in this package.
6. Offerors may supplement their proposal with attached sheets for the purpose of adding or otherwise explaining any further conditions the offeror wishes to have considered. Such supplemental attachments are to be considered items to be reviewed, accepted, rejected, or further considered by the evaluation committee.
7. During the period when proposals are accepted, responses to questions on the RFP will not be provided to any prospective offeror. Responses to questions must be made in writing before the deadline for the submission of written questions.

PROPOSAL FORMAT

The Agency intends to retain the successful offeror(s) pursuant to a “Best Value” basis, not a “Lowest Bid” basis, i.e., the Agency will consider other factors than cost in making the award decision. All proposals submitted in response to this RFP must be formatted in accordance with the sequence and instructions provided below. **Proposals are limited to thirty (30) pages excluding Price Proposal, attachments, and supporting documentation as noted below. Any proposal which fails to include all of these items will be considered a non-responsive proposal and will not be considered for evaluation.**

Tab 1. Firm’s Qualifications and Experience.

- a. Provide firm’s name, state of organization, and supervisory and regulatory authorities that oversee the firm.
- b. Provide address of the branch office that will provide services to the Agency, website, and contact person name and information for the proposal.
- c. Provide background and attributes of the firm including information on the firm’s size and number of offices within the state, a description of the services that the firm provides, and the firm’s experience in providing insurance services to government agencies.
- d. Provide a summary of the firm’s premium volume for each of the past three (3) years by the insurance product category (e.g., property and casualty, general liability, fidelity, etc.) requested in the RFP. Note: If the office that will service the Agency’s account is a branch or subsidiary of a national or regional firm, the aforementioned information should be provided for both the office providing services to the Agency and the entire firm.
- e. Provide proof that the firm is licensed by, and in good standing with the State of New York.
- f. Provide the firm’s performance history including accreditation, certification, and other regulatory compliance.

Tab 2. Staff Qualifications and Experience.

- a. Identify the person that will serve as the primary representative on behalf of the Agency and provide contact information for that person. Include a brief description of the representative’s background, experience and qualifications, and the representative’s role and responsibilities for the firm.
- b. Provide information on other staff that will be assigned to the Agency’s account, their roles and responsibilities, background, and experience.

Tab 3. Understanding and Approach.

- a. Describe the offeror’s understanding and ability to meet the Scope of Services.
- b. If the offeror is unable to provide any of the requested services such as a quote for an insurance product(s) requested in the RFP, specifically identify those exceptions.
- c. Describe the firm’s internal compliance controls on binder, policy issuance, and review of contracts for the complete and final agreement of all terms.
- d. Provide a list in order of preferences from most to least preferred of the insurance markets the firm would seek to access on behalf of the Agency for each insurance product specified in the RFP. Identify those markets on the list, if any, which would submit bids through only one broker.
- e. Describe other products or service enhancements that the offeror would provide or believe is necessary to the services described in the RFP.

Tab 4. References.

(Supporting Documentation not included in 30-page limitation) (See attachment) Provide up to five (5) recent professional references from clients with insurance needs similar to the Agency, in particular, governmental entities.

Tab 5. Financial Position.

(Supporting Documentation not included in 30-page limitation) Submit copies of the firm's audited financial statements for the past two (2) years.

Tab 6. Licensing and Insurance Requirements.

(Supporting Documentation not included in 30-page limitation) Prior to award, but not as part of the proposal submission, the successful offeror will be required to provide the following documents.

- a. An original certificate evidencing the contractor's current industrial (worker's compensation) insurance carrier and coverage amount. (See attachment)
- b. An original certificate evidencing the contractor's General Liability coverage; naming the Agency as an additional insured, together with the appropriate endorsement to said policy reflecting the addition of the Agency as an additional insured under said policy.
- c. An original certificate evidencing the contractor's Professional Liability and/or "errors and omissions" coverage.
- d. A copy of the offeror's business license allowing the entity to provide such services within the jurisdiction.
- e. If applicable, a copy of the offeror's license issued by the State of record allowing the contractor to provide the services provided in the RFP.

Tab 7. Price Proposal.

- a. *(Price Proposal and forms are not included in 30-page limitation)* Provide the quote for each insurance category and associated fee using the provided forms. Submit signed forms, 1) Certificate of Independent Premium Determination and 2) Non-Collusive Affidavit (see attachments). *[The use of the forms are optional but strongly recommended.]*

Tab 8. HUD Form 5369-B, Instructions to Offerors, Non-Construction.

- a. *(Attachment not included in 30-page limitation)* Read and initial each page indicating that you have read and agree with the contents.

Tab 9. HUD Form 5369-C, Certifications and Representations of Offerors, Non-Construction.

- a. *(Attachment not included in 30-page limitation)* Read and initial each page indicating that you have read and agree with the contents.

Tab 10. PHA Required Contract Provisions.

- a. *(Attachment not included in 30-page limitation)* Read and initial each page indicating that you have read and agree with the contents. (note this tab will only be needed if the PHA has their own PHA required contract provisions).

Tab 11. Section 3 Business Requirements.

- a. *(attachment not included in 30-page limitation)* To be provided in accordance with the PHA's procurement policy and procedures.

PRICE PROPOSAL TEMPLATE

The awarded contract will be for three (3) years with the option to renew in increments of one-year for two (2) additional years. The Agency requires fixed fees for the first three years of the contract. Requests for fee increases in years 4 and 5 shall be submitted by the firm in writing, six (6) months prior to the anniversary date of the contract to be effective for the subsequent year.

INVOICE AND PAYMENT

1. Insurance Brokerage Services. The firm shall invoice the Agency monthly based on 1/12th of the total fees provided for the services provided under this task. The Agency will provide payment within 30 days of an acceptable invoice.
2. Optional Services. The firm shall invoice the Agency monthly for the optional services as these costs are incurred. The Agency will provide payment within 30 days of an acceptable invoice.
3. Equitable Adjustment. At any time, the Agency may, by written notice, make changes in or additions to work or services within the general scope of the agreement. If such changes are made, an equitable adjustment will be made. If the firm believes that a change in or addition to work is beyond the general scope of the agreement, the firm must notify the Agency in writing within 10 days of notification to begin such work. The final administrative authority in settling such disputes shall rest with the Agency.

Insurance Product Quote.

The offeror may elect to provide a quote for any or all insurance products requested in the RFP. Please duplicate the quote sheet provided below and complete a quote sheet for each insurance product that the offeror wishes to submit a quote.

- All quotes must be from companies that are licensed to conduct business in the state and have an A.M. Best's rating of A or better. A copy of the most recent Best's rating for each insurance carrier must be provided with the quote.
- The Agency will select a firm that will only receive compensation for the services requested in the RFP through the proposed fee structure. The offeror will not receive commissions, other fees, kickbacks, etc. in any form for the services provided under this RFP. The awarded firm will be required to annually execute a certificate attesting that the only compensation received for services were from the fees allowed in the awarded contract and that no additional fees, commissions, etc. were or will be received.
- Submit signed forms, 1) Certificate of Independent Premium Determination and 2) Non-Collusive Affidavit (see attachments).

INSURANCE PRODUCT QUOTE SHEET

1. Quote for the following insurance product:

- a. Commerical Property
- b. Commerical General Liability
- c. Workers Compensation
- d. Owned andNon-Owned Automobile Liability
- e. Theft, Disappearance, and Destruction
- f. Employee Dishonesty (Fidelity)
- g. Boiler and Machinery
- h. Flood Insurance

2. Name of Insurance Company:

3. AM Best Rating:

4. Annual Premium based on the deductibles provided in the table and the Brokerage Fee (indicate if fee is based on percentage or flat rate).

Annual Premium Based on Deductible of:	Proposed Brokerage Fee
\$5,000	
\$10,000	
\$15,000	

4. Provide details of any discrepancies in the RFP request including coverages not provided or any additional coverage as compared to the Agency’s current insurance schedule. Attach separate sheet if necessary.

Summary – Insurance Premiums & Fees.

Based on the insurance quotes provided and using the table below, summarize the premiums and associated fee for each insurance product based on the deductibles requested. Indicate “N/A – not applicable” for any insurance product where a quote was not submitted.

#	Insurance Product	Premium based on deductible of:			Proposed Broker Fee		
		\$5,000	\$10,000	\$15,000	\$5,000	\$10,000	\$15,000
1	Commercial Property						
2	Commercial General Liability						
3	Workers Compensation						
4	Owned andNon-Owned Automobile Liability						
5	Theft, Disappearance, and Destruction						
6	Boiler and Machinery						
7	Flood Insurance						
TOTAL, Premium & Fees							

Pricing – Optional Services (Loss Control & Safety and Property Appraisals).

The price proposal template provided below is required to be provided for Year 1. For the subsequent years (Years 2 and 3 and Option Period 1 and Option Period 2), provide the proposed rate for each labor category, including the percentage rate of increase proposed.

For Year 1, for each proposed personnel, provide the labor category, hourly rate, and estimated hours to be performed for the optional tasks – Loss Control & Safety and Property Appraisals. The number of hours in Year 1 or subsequent years should not exceed 100 hours annually. The services provided under these tasks must be approved by the Agency prior to services being rendered and billed.

Pricing for this service will be billed at the rate shown in the offeror’s table below. Invoicing for this service will be supported with a narrative of the work performed.

Rate, Hours, and Total Cost by Staff – Loss Control & Safety, and Property Appraisals Services				
Year 1 Period				
Staffing	Labor Category	Year 1 Hourly Rate	Year 1 Hours	Year 1 Total Cost
Name of Lead Contractor Firm				
Name 1	Category 1	\$20.00	10	\$200.00
Name 2	Category 2	\$10.00	10	\$100.00
Name 3	Category 3	\$6.00	10	\$60.00
		Total Hours (NTE 100)	30	
		Total Annual Fee		\$360.00
		Total Monthly Fee		\$30.00

SAMPLE LANGUAGE (RFP SECTION #9) – SAMPLE EVALUATION CRITERIA

The Agency intends to award the contract to the successful offeror(s) pursuant to a “Best Value” basis. An evaluation committee will review and rank each proposal using the evaluation factor and point system shown. The award of points for each listed factor will be based upon the documentation that the offeror submits with the proposal.

#	Evaluation Factor	Maximum Points
1	Firm’s Qualifications and Experience Firm’s overall experience with providing insurance service to clients comparable to the Agency; quality of references and experience with governmental entities; and strength and financial stability of the firm.	20
2	Staff Qualifications and Experience Offeror’s level of staff and experience and qualifications of specific staff assigned to provide insurance services to the Agency.	20
3	Responsiveness – Understanding and Approach The proposal demonstrates the firm’s ability to provide the services requested, understanding and access to insurance markets, and maintain adequate internal control procedures.	20
4	Costs and Fees. The proposed costs provide the best value to the Agency. The offeror with the lowest price will receive the maximum points. All other proposals will receive a proportionally lower total score for this category.	30
5	Section 3 Requirements. The offeror is a Section 3 firm or has provided a plan committing to achieve certain targets with respect to training, employment, contracting, or other economic opportunities for the Agency’s low-income residents.	10
6	Responsiveness to Terms & Conditions & Financial Viability <ul style="list-style-type: none"> • Proposal contains the required documentation and all terms and conditions are addressed and documentation included. • Financial strength of the offeror based on a review of the firm’s audited financial statements. 	Acceptable / Unacceptable
Total Points		100

Method of Award.

Once each offeror’s proposal has been evaluated and ranked, final negotiations will be scheduled for the top ranked offeror. If the final negotiation is successful, the Executive Director will make a recommendation to the Board of Commissioners to award a single contract to that offeror. The Board may require additional information or negotiations before the Board will approve an award of the contract.

Should negotiations with the selected offeror become unsuccessful, the Agency reserves the right to cease negotiations with the offeror. In the event of cessation of negotiations with the first selected offeror, the Agency reserves the right to either enter into similar interviews and negotiations with the next highest ranked offeror or take other action as it deems most beneficial.

SAMPLE LANGUAGE (RFP SECTION #10) – HUD MANDATORY CONTRACT PROVISIONS

HUD requires that certain contract provisions be contained in the contract. These contract provisions should be provided as part of the procurement package. HUD has provided the mandatory contract clause provisions as PIH forms, which can be searched via the internet by the PIH form number and simply attached to the procurement proposal or the PHA may type the clauses into the procurement package. Some PHA's procurement module in their management information system already have these HUD required clauses, which can be printed and included as part of the RFP package.

HUD Mandatory Contract Provisions

1. Form HUD 5369-B, Instructions to Offerors – Non-Construction.
2. Form HUD 5369-C, Certifications and Representations of Offerors – Non-Construction Contract.
3. **(Optional)** Form HUD 5370-C, General Conditions for Non-Construction Contracts.

While not mandatory, HUD highly recommends the use of Form HUD 5370-C, General Conditions for Non-Construction Contracts. This form provides 18 other contract provisions that protect the PHA's interests, via clauses such as handling disputes with the offeror, termination of the contract for convenience and default and provides other federal requirements that may not be known to some offerors, such as Equal Employment Opportunities requirements and conflicts of interest.

If the PHA elects not to include the contract provisions, the PHA should review the form and determine if the PHA should modify and include many of these contract provisions by adding them to the PHA contract provisions section of the procurement package.

As a reminder, when reviewing Form HUD 5370- C, PHAs should specifically look at the PHA's contract provisions that mirror or are similar to those contract clauses in the HUD Form 5370-C. In the event of duplicate or similar contract provisions, the PHA should modify the provisions into one clause as the PHA deems most proper.