



THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK

Date: May 20, 2015

Sponsored by Council Members: Mihalko, Matzo, Berg, Papastrat

Introduced by Committee: Planning & Community Development

RESOLUTION

*entitled*

A RESOLUTION AUTHORIZING THE  
ADOPTION OF A PROCUREMENT POLICY OF  
GOODS AS REQUIRED UNDER THE NYS  
COMMUNITY DEVELOPMENT BLOCK  
GRANT-DISASTER RECOVERY PROGRAM

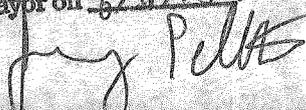
WHEREAS, in the aftermath of Superstorm Sandy, the United States Congress, through Public Law passed the Disaster Relief Appropriations Act of 2013 (Public Law 113-2, approved January 29, 2013), as amended (the "Act"), appropriating \$16 billion, later reduced to \$15.18 billion, to the U.S. Department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

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

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

WHEREAS, pursuant to the CDBG-DR Grant Program and Federal Register Notice (79 Fed. Reg. 62,183), entitled "*Third Allocation, Waivers, and Alternative Requirements for Grantees*

I hereby certify the above to be a true copy  
of the legislation adopted by the Council  
of the City of Binghamton at a meeting  
held on 6/3/15. Approved by the  
Mayor on 6/19/15.



**THE COUNCIL OF THE CITY OF BINGHAMTON  
STATE OF NEW YORK**

Date: May 20, 2015

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

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

NOW, THEREFORE, the Council of the City of Binghamton, duly convened in regular session, does hereby:

RESOLVE by the City of Binghamton City Council, on behalf of the City of Binghamton that the City of Binghamton shall follow these policies and procedures in the procurement of goods and services necessary for the implementation of projects funded by the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation; and be it further

RESOLVED that The City of Binghamton will comply with the procurement standards required under 24 CFR 85.36 for all procurement activities utilizing CDBG-DR funds granted by the Governor’s Office of Storm Recovery of the New York State Housing Trust Fund Corporation; and be it further

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

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

Introductory No. R15-55

Permanent No. R15-56

Sponsored by City Council Members:  
Mihalko, Matzo, Berg, Papastrat

A RESOLUTION AUTHORIZING THE ADOPTION OF  
A PROCUREMENT POLICY OF GOODS AS  
REQUIRED UNDER THE NYS COMMUNITY  
DEVELOPMENT BLOCK GRANT-DISASTER  
RECOVERY PROGRAM

The within Resolution was adopted by the Council of  
the City of Binghamton.

Date June 3, 2015

City Clerk Jenny Pellet

Date Presented to Mayor June 4, 2015

Date Approved 6/4/15

Mayor Michael J. Dowd

	Ayes	Nays	Abstain	Absent
Motsavage	✓			
Mihalko	✓			
Rennia	✓			
Webb	✓			
Papastrat	✓			
Matzo	✓			
Berg	✓			
Total	7	0	0	0

Code of the City of Binghamton

Adopted  Defeated

7 Ayes 0 Nays 0 Abstain 0 Absent