BETTER COMMUNITY NEIGHBORHOODS, INC

816 Union Street
Schenectady, NY 12308
518-372-7616
bcnihousing.org

REQUEST FOR PROPOSALS

Environmental Review, Lead-Based Paint, Asbestos, Radon

Pre- and Post-Construction Testing Services

For federally funded Owner-Occupied Rehabilitation and Homeownership Assistance Programs

Issue Date: November 5, 2026

1. Introduction and Background

Better Community Neighborhoods, Inc. (BCNI) is a nonprofit affordable housing and community development organization. Our mission is to build and support resilient neighborhoods where residents of all backgrounds can flourish. With a primary focus on low- and moderate-income households, BCNI provides a range of services funded by state, federal, and private sources with different requirements.

BCNI seeks proposals from qualified environmental consulting firms to provide pricing for the services listed below.

2. Scope of Work

BCNI anticipates undertaking an estimated twenty (20) owner-occupied rehabilitation projects and an estimated twenty (20) homeownership assistance projects, with or without rehab, for one- to four-unit properties across Schenectady and Montgomery County. Pricing should be considered for each activity listed below, including all deliverables per project.

A. Environmental Review

1. Tier II Site-Specific Review – Owner-Occupied Rehabilitation
2. Tier II Site-Specific Review – Homeownership Assistance with or without rehab

B. Lead-Based Paint

1. Risk Assessment
2. Visual Lead Assessment
3. Lead Clearance

C. Asbestos Survey

D. Radon Testing

A certified environmental professional must complete the hazardous materials or contamination review. The American Society for Testing and Materials (ASTM) defines “environmental professional” as:

1. A person who holds a Baccalaureate or higher degree in a relevant science or engineering field plus the equivalent of five years of relevant work experience.

2. A person who holds a current engineer's or professional geologist license or registration from a state, tribe, or U.S. territory.

3. An official of the site locality's Building Department with expertise in assessing environmental conditions.

4. A person who has the equivalent of ten years of relevant work and field experience in performing environmental site assessments.

The selected firm must provide all facilities, materials, supplies, equipment, supervision, personnel, and other services necessary to complete the evaluations and related work described in this RFP. All services must comply with applicable federal, state, and local laws, regulations, work-practice standards, and reporting requirements.

3. Submission Requirements/Proposal Format

Proposals must provide a detailed response and supporting documentation for each section listed below. All bidders must organize their proposals in the following format; if not, the proposal will be rejected.

A. Cover Page

i. Company name, address, telephone number, email address, and the name and contact information for the party responsible for submitting the proposal.

B. Company Information and Past Experience

i. A brief overview of the firm, including its organizational structure and qualifications.

ii. A description of the key personnel who will be assigned to the project.

ii. A summary of the firm's recent, relevant experience in the previous five (5) years' in performing the services requested in this RFP.

iii. Documentation must be submitted for employees working on the project to meet the definition of an "environmental professional" as listed in Section 2 of this RFP.

C. Pricing

Provide standard rates and itemized pricing for each of the following services:

i. Environmental Review

A. Tier II Site-Specific Review – Owner-Occupied Rehabilitation

B. Tier II Site-Specific Review – Homeownership Assistance with or without rehab

ii. Lead-Based Paint

A. Risk Assessment

B. Visual Lead Assessment

C. Lead Clearance

iii. **Asbestos Survey**

iv. **Radon Testing**

D. Period for Completion of Work

i. Provide the anticipated period to complete the work for each type of activity once the contract for services is executed.

E. References

i. Provide contact information for a minimum of three (3) current or recent clients for whom the firm has performed comparable services.

ii. At least one reference must address the bidder's experience working with a non-profit organization that does federal, state, or local funded housing rehabilitation or homeownership assistance programs.

Proposals should follow the outline above and be clear, concise, and professionally presented. Technical terms should be explained in plain language whenever appropriate.

4. Insurance Requirements

The selected firm must provide and maintain insurance and furnish BCNI with valid Certificates of Insurance before commencement of work as follows:

- Workers' Compensation
- New York State Disability Benefits
- General Liability – minimum coverage of $1,000,000 per occurrence/$2,000,000 aggregate
- Better Community Neighborhoods, Inc. named as additional insured

All Certificates of Insurance must identify Better Community Neighborhoods, Inc., located at 816 Union Street, Schenectady, NY 12308, and the Housing Trust Fund Corporation or the City of Schenectady as an additional insured certificate holder (as applicable by project site).

5. BCNI Reference Material

- **Appendix A** – Sample Environmental Review (Tier II Site-Specific Statutory Checklist)

6. Submission of Proposals and Closing Time

- **All completed proposals must be submitted electronically via email to** dyapp@bcnihousing.org

Proposals are due on or before December 7, 2026, by 3:00 p.m.

- Late proposals will not be accepted.

- BCNI welcomes questions concerning this RFP. Please submit questions by email to dyapp@bcnihousing.org. Telephone inquiries may be made during regular business hours (8:30 am to 4:30 pm M-F) at (518) 372-7616.

7. Proposal Evaluation

BCNI is committed to conducting a fair and equitable review of all proposals received. The objective of the evaluation process is to identify the proposal that best meets BCNI's ongoing needs while providing the greatest overall value.

Proposals will be evaluated based on, but are not limited to:

- Relevant industry experience
- Qualifications and availability of proposed staff
- Scope and quality of services offered
- Proposed pricing and overall value
- Period for completion for each type of activity

8. Solicitation Terms

Following the evaluation process:

- BCNI may, at its sole discretion, elect not to enter into any agreement as a result of this solicitation.
- BCNI reserves the right to reject any or all proposals received in response to this RFP.

RFP APPENDIX A:

NYS Housing Trust Fund Corporation HOME LPA Program

- Tier 2 Site-Specific Statutory Checklist – Owner-Occupied Rehabilitation
- Tier 2 Site-Specific Statutory Checklist – Homeownership Assistance

APPENDIX A

Tier 2 Site-Specific Statutory Checklist - Owner-Occupied Rehabilitation

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

APPROVED FOR:

SHARS No: 20243096
LPA Name: Better Community Neighborhoods, Inc.
Program Name: BCNI City of Schenectady FY2024 Homeowner Rehab
Program Activities: Rehabilitation of single-family homes
Target Area: Scattered sites within Schenectady County and Montgomery Counties

TIER 2 SITE SPECIFIC INFORMATION: (to be filled in by LPA upon choosing site)
[Replace or delete bracketed language [and the brackets] with site-specific information – including this bracket]

1. Site address (including county):

2. Number of units:

3. Project description (this project description must fit within the "Program Activities" described above):

   Better Community Neighborhoods, Inc. proposes rehabilitation of a _-story building for [families, persons 55 or older], with __ residential units at [address] in the [Village or Town or City] of _____, _____ County. The rehabilitation work includes _____. Public water and sewer [are or are not] available at the site. [An existing [structure] will be demolished on the site.] Site work will include [installation or repair of water supply system or septic system, clearing, grading and excavation, construction of driveways, parking areas and sidewalks, finish grading and landscaping]. [Pre-work radon testing results were above the EPA action level of 4 pCi/L and a passive radon mitigation system has been incorporated in the project scope of work.]

4. Ground disturbance and/or tree cutting – please specify and include in project description: [Yes / No]

5. Has work or site altering activities begun on the site (if yes, stop and contact EU and Program, this site may not be eligible for funding): [Yes / No]

6. If project involves acquisition, has acquisition already occurred for the site (if yes, stop and contact EU and Program, this site may not be eligible for funding): [NA/ Yes / No]

Directions: Use this form to create a template Tier 2 Site Specific Checklist. It should include the instructions that were developed during the Tier 1 review and language options for the Tier 2 review. For each Tier 2 site specific review, choose the most appropriate language option.

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	**Provide description of compliance for all issues not resolved at the Tier 1 programmatic level** **Additional supporting material must be attached.**
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6	
Airport Hazards 24 CFR Part 51 Subpart D	[Projects in Montgomery County] No civilian airports are within 2,500 feet or military airports are within 15,000 feet of Montgomery County. No further action is necessary. [Projects in Schenectady County] The site location was reviewed and determined to be outside the Airport Protection Zone (APZ) for the ANGB Stratton military airport (map[s] attached). OR The site location was reviewed and determined to be inside the Airport Protection Zone (APZ) for the ANGB Stratton military airport (map attached). AND [within the APZ] The project sponsor has confirmed that the project conforms with Department of Defense (DOD) guidelines (see attached). AND It was determined at the Tier 1 level review that there are no civilian airports within 2,500 feet of the Schenectady County.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Resolved during Tier 1 review.

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	According to FIRM No. _____, dated _____ (attached), this site is not located in a floodway or a 100-year flood-zone. OR According to FIRM No. _____, dated _____ (attached), a portion of the site, but not the building, is located in the 100-year flood-zone. No flood insurance is required. OR According to FIRM No. _____, dated _____ (attached), the project building (activity) is not located in a floodway, but is located in a 100-year flood-zone. Flood insurance will be purchased and maintained for this site, in compliance with the HOME Award Agreement.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5	
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Resolved during Tier 1 review.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Resolved during Tier 1 review.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	The site was visited by ____ on ____ and determined to be free from any hazardous materials or contamination (see attached report). OR The site was visited by ____ on ____ and determined to have the following contamination concerns: _____. The environmental professional recommended the following _____, which will be undertaken during project work (and not prior).

	AND Radon testing was conducted prior to any work by _____on_____. The test results were below the EPA action level of 4 pCi/L. Therefore, a passive radon mitigation system is not required. OR Radon testing was conducted prior to any work by _____on_____. The test results indicated concentrations of radon exceeding the EPA action level of 4 pCi/L. Therefore, a passive radon mitigation system is required and has been included in the project scope of work. Radon testing will be conducted at the completion of the implementation of the radon mitigation system and other work activities to ensure the effectiveness of the passive radon mitigation system. Acceptable post work activity radon testing results must be submitted to environmental.reviews@hcr.ny.gov prior to project closeout submission to OCR project management. Should the post work radon testing indicate concentrations of radon above the EPA action level of 4 pCi/L, the radon mitigation system must be activated and retested. Acceptable activated radon mitigation system retesting results must be forwarded to EU prior to project closeout submission to OCR project management. AND Regarding asbestos containing materials (ACM), all project work will comply with NYS Department of Labor Part 56 requirements including the need for surveys and clearance reports, as required. A contractor will be involved in the project construction and will be instructed by the LPA regarding the need for compliance with Part 56. Regarding lead-based paint (LBP), in homes constructed prior to 1978, all work will be conducted according to the HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" and the EPA Renovation, Repair and Painting Rule (RRP rule).

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	All ACM and LBP must be properly disposed of at a properly licensed facility. The LPA must maintain all ACM/LBP compliance documentation for potential audit by OCR.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	The project does not involve ground disturbance outside of the existing footprint or tree cutting. OR The project involves ground disturbance outside of the existing footprint and/or tree cutting. The EAF Mapper indicates that no rare, threatened, or endangered species inhabit the project area. The USFWS Official Species List indicates that no endangered species inhabit the project area. No further review necessary. OR The project involves ground disturbance outside of the existing footprint and/or tree cutting. The EAF Mapper indicates the following rare, threatened, or endangered species in the project area: [*xxx species*]. The USFWS Official Species List indicates that the (*xxx species*) is a concern in the project area. ***If EAF Mapper or the USFWS Official Species List indicates rare, threatened, or endangered species inhabit the project area, contact EU for a finding or further consultation as necessary. Appropriate comment language will be provided once a finding has been made.** All maps and/or letters are attached.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	*[Use with no new tanks on site and no need for off-site thermal survey due to listed conditions being met]* The project will not allow for installation of any new outdoor above ground storage tanks (ASTs) on the project site. It does not involve new construction, conversion of non-residential to residential use, an increase in unit density, a new footprint, or an increase

	in the size of a mobile home by 122% or more, so a thermal explosive survey is not required. OR *[Use with no new tanks on site, but off-site thermal survey needed because the project involves either new construction, conversion of non-residential to residential use, an increase in unit density, or an increase in the size of a mobile home by 122% or more]* The project will not allow for installation of any new outdoor above ground storage tanks (ASTs) on the project site. However, it does involve either new construction, conversion of non-residential to residential use, an increase in unit density, or an increase in the size of a mobile home by 122% or more, so a thermal explosive survey is required. OR *[Use when new tanks on site]* The project will install [insert number] new outdoor above ground storage tanks (ASTs) and the tank[s] will either be (1) beyond the applicable Acceptable Separation Distance (ASD), which is [insert number of feet] OR (2) in compliance with National Fire Prevention Association regulations at NFPA 58 with compliance documented by the company servicing the tank. AND *[Use 1, 2 or 3 depending upon survey needs]* [1.] The project does not involve new construction, conversion of non-residential to residential use, an increase in unit density, a new footprint, or an increase in the size of a mobile home by 122% or more, so a thermal explosive survey is not required. OR [2.] A survey conducted on [insert date] demonstrates that no currently existing above-ground storage tanks are located within a radius that can affect the site. OR

	[3.] A [insert date] survey identified [insert description of tanks, including distance and location]. [insert language after EU review: EU determined that an ASD exists and/or that the tanks wouldn't affect the site based upon intervening topography or structures and/or any tanks existing on the project site comply with NFPA 58.]
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Resolved during Tier 1 review.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	According to FIRM No. _____, dated _____ the project site is not located within a regulatory floodway that would prohibit this action from proceeding per 24 CFR Part 55. AND [No mapped 500-floodplain] The project site does not contain a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA). The project site is also located further than 1 mile from the nearest mapped SFHA area, so further Future Flood Risk Management Standard (FFRMS) review is not required per HUD guidance. No further action required. OR [500-year floodplain is mapped] The project site does not contain a 100-year (also referred to as a Special Flood Hazard Area (SFHA)) or a 500-year floodplain. Therefore, this project site is not located within a Future Flood Risk Management Standard (FFRMS). No further action required. OR The project site contains a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA)) and/or a mapped 500-year floodplain, and therefore,

	also requires Future Flood Risk Management Standard (FFRMS) and NYS Building Code compliance [EU will conduct further review and provide the appropriate path of FFRMS and NYS Building Code compliance upon Tier 2 submission]. OR The project site does not contain a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA)), and the 500-year floodplain is not mapped on the FIRM. The FIRM's legend explicitly distinguishes between [Zone B (Areas between the 100 year and 500-year floodplain) and Zone [C, X, etc.] (Areas of Minimal Flooding)]. Therefore, it was determined that the project site is not within the FFRMS as the site is located within Zone [C, X, etc.]. No further action required.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Per the Programmatic Agreement for the Review of HUD-Assisted Projects and Programs in the State of New York, this project is exempt from further review under Section 106. See attached NYSHCR Historic Preservation Worksheet for HUD-Funded Projects applicable to this project. EU will add the project to its tracking system for yearly reports to HUD. OR This project is not exempt per the Programmatic Agreement for the Review of HUD-Assisted Projects and Programs in the State of New York. According to a letter dated _____from OPRHP, there are no historic properties affected by this undertaking. AND THPO was not contacted because no ground disturbance will be conducted. OR Ground disturbance is included in the project and EU will consult with the appropriate tribal contacts and supply one of the following bracketed comments accordingly.

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	[All THPO contacts for _____ County listed on TDAT were contacted on _____ and provided with a project location map, a detailed project description and all documents related to the OPRHP submission (attached). No response was received. OR All THPO contacts for _____ County listed on TDAT were contacted on _____ and provided with a project location map, a detailed project description and all documents related to the OPRHP submission (attached). A ____ response letter from ____ states: ___ (attached).]
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	[*Use if the site **is not within** any of the listed distances]* The project is not within 1,000 feet of a roadway with data in the NYS Traffic Data Viewer (TDV) www.dot.ny.gov/tdv, 3,000 feet of a railroad or 15 miles of a commercial airport listed on the FAA's 139 list or a military airport, as listed in the Tier 1 review. OR [*Use if the site **is within any** of the listed distances; may require editing language for accuracy]* The project is within 1,000 feet of a roadway with data in the NYS Traffic Data Viewer (TDV) www.dot.ny.gov/tdv [insert name of roadway] [and/or], 3,000 feet of a [insert name of railroad] and/or 15 miles of ANGB Stratton but the project is rehabilitation. The LPA understands that noise mitigation is strongly encouraged. [Insert either 1) a description of any work that will mitigate noise that is currently contemplated, including new windows, doors, insulation, etc. OR 2) "The Program will not divert funds to noise attenuation since that might jeopardize the viability of the intended project scope of work."]
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Resolved during Tier 1 review.

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Wetlands Protection Executive Order 11990, particularly sections 2 and 5	The project will not involve any ground disturbance. Or The project will involve ground disturbance. AND **State wetlands** The project ground disturbing activities only involve the replacement of a [deck, porch, footers, stairs]. Therefore, the submission for a Parcel Jurisdictional Determination (JD) to NYSDEC is not required. No further State compliance is necessary. OR The project ground disturbance involves activities other than the replacement of a deck, porch footers, or stairs. A Parcel JD was submitted for NYSDEC review at https://survey123.arcgis.com/share/be5c071ff72d4876986b18488721e55f, and a Negative Parcel JD was received (attached). No further State compliance required. OR The project ground disturbance involves activities other than the replacement of a deck, porch footers, or stairs. A Parcel JD was submitted for NYSDEC review at https://survey123.arcgis.com/share/be5c071ff72d4876986b18488721e55f, and a Positive Parcel JD was received (attached). *[EU was contacted for further State wetland compliance and it was determined that _____]* AND **Federal wetlands** Federal wetland maps were checked and no Federal wetlands are located on or near the project site. No further Federal wetland compliance required.

	OR Federal Wetland maps were checked [and, as requested by EU, a wetland habitat assessment was completed for the site] and the project site work is not in or adjacent to a federal wetland area, or wetland habitat (attachment). OR Federal Wetland maps were checked [and, as requested by EU, a wetland habitat assessment was completed for the site] and the project site work is located in or adjacent to a federal wetland area, or wetland habitat. (attachment). [EU will be consulted to determine how to proceed with regard to ACOE requirements]
Wild and Scenic Rivers (WSRs) Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	The project is not within the designated control area (0.25 mile from river) of the Schoharie Creek. The nearest WSR is the [insert name of nearest WSR River], located approximately ____ miles from the project site. See attached map. OR The project is within the designated control area (0.25 mile from river) of the [insert name of WSR rivers]. See attached map. Upon further consultation with ____, it was determined that _____.
ENVIRONMENTAL JUSTICE	
Environmental Justice Executive Order 12898	The proposed project site is not located in an Environmental Justice Area according to NYSDEC mapping or a HUD designated 60% AMI qualified census tract according to the HUDuser map at https://www.huduser.gov/portal/sadda/sadda_qct.html OR The proposed project site is located in an Environmental Justice Area or a HUD designated 60% AMI qualified census tract according to NYSDEC and

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	HUD mapping. The project is intended to serve an existing need for affordable housing and is not expected to facilitate development which would result in disproportionate adverse environmental impacts on low income or minority populations. It will improve the living conditions of the residents of the home by providing needed upgrades and repairs. There are adequate services in the area for the residents.
STATE OR LOCAL STATUTES	
Agricultural Districts	The project does not involve new construction or mobile home replacement. No further action is required.
Wild, Scenic and Recreational Rivers (WSRRs) NYSDEC Part 666	Resolved during Tier 1 review.

"I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read this Tier 2 Site Specific Statutory Checklist and by signing this document agree with the statements made herein and agree that this Tier 2 site specific review was conducted in conformance with the Tier 1 programmatic review procedures."

Prepared by: **Date:**

Title: **Email Address:**

Preparer's Signature: **Phone Number:**

_____

APPENDIX A

Tier 2 Site-Specific Statutory Checklist - Homeownership Assistance

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

APPROVED FOR:

SHARS No: 20253114
LPA Name: Better Community Neighborhoods, Inc.
Program Name: BCNI FY2025 Homebuyer Down Payment Assistance
Program Activities: Down payment assistance with possible rehabilitation
Target Area: Scattered sites within Montgomery and Schenectady Counties

TIER 2 SITE SPECIFIC INFORMATION: (to be filled in by LPA upon choosing site)
[Replace or delete bracketed language [and the brackets] with site-specific information – including this bracket]

1. Site address (including county):

2. Number of units:

3. Project description (this project description must fit within the "Program Activities" described above):
   [*Downpayment Assistance Only*]
   Better Community Neighborhoods, Inc. proposes downpayment assistance of a _-story building for [families, persons 55 or older], with __ residential units at [address] in the [Village or Town or City] of _____, [Montgomery or Schenectady] County. There will be no rehabilitation associated with this project.

   [*Downpayment Assistance with Rehab*]
   Better Community Neighborhoods, Inc. proposes down payment assistance with rehabilitation of a _-story building for [families, persons 55 or older], with __ residential units at [address] in the [Village or Town or City] of _____, [Mongomery or Schenectady] County. The rehabilitation work includes _____. Public water and sewer [are or are not] available at the site. [An existing [structure] will be demolished on the site.] Site work will include [installation or repair of water supply system or septic system, clearing, grading and excavation, construction of driveways, parking areas and sidewalks, finish grading and landscaping]. [Pre-work radon testing results were above the EPA action level of 4 pCi/L and a passive radon mitigation system has been incorporated in the project scope of work.]

4. Ground disturbance and/or tree cutting – please specify and include in project description: [Yes / No]

5. Has work or site altering activities begun on the site (if yes, stop and contact EU and Program, this site may not be eligible for funding): [Yes / No]

6. If project involves acquisition, has acquisition already occurred for the site (if yes, stop and contact EU and Program, this site may not be eligible for funding): [NA/ Yes / No]

Directions: Use this form to create a template Tier 2 Site Specific Checklist. It should include the instructions that were developed during the Tier 1 review and language options for the Tier 2 review. For each Tier 2 site specific review, choose the most appropriate language option.

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR 50.4, 58.5, and 58.6	**Provide description of compliance for all issues not resolved at the Tier 1 programmatic level** **Additional supporting material must be attached.**
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.6	
Airport Hazards 24 CFR Part 51 Subpart D	The site location was reviewed and determined to be outside the [Runway Clear Zone (RCZ) for Albany International commercial airport (map attached). OR The site location was reviewed and determined to be inside the Runway Clear Zone (RCZ) for _____ airport (map attached). AND The project does not meet the criteria to be classified as substantial rehab (the project cost is less than 75% of property value after rehab). [For purchase assistance] The potential buyer's acknowledged receipt of the required notification regarding potential safety risks is attached. It was determined at the Tier 1 level that there are no military owned airports within 15,000 feet of the program target area.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Resolved during Tier 1 review.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	According to FIRM No. _____, dated _____ (attached), this site is not located in a floodway or a 100-year flood-zone. OR

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	According to FIRM No. _____, dated _____ (attached), a portion of the site, but not the building, is located in the 100-year flood-zone. No flood insurance is required. OR According to FIRM No. _____, dated _____ (attached), the project building (activity) is not located in a floodway, but is located in a 100-year flood-zone. Flood insurance will be purchased and maintained for this site, in compliance with the HOME Award Agreement.
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §58.5	
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	N/A, Downpayment Assistance Only. OR The site was visited by ____ on ____ and determined to be free from any hazardous materials or contamination (see attached report). OR The site was visited by ____ on ____ and determined to have the following contamination concerns: _____. The environmental professional recommended the following _____, which will be undertaken during project work (and not prior).

	AND Radon testing was conducted prior to any work by _____on_____. The test results were below the EPA action level of 4 pCi/L. Therefore, a passive radon mitigation system is not required. OR Radon testing was conducted prior to any work by _____on_____. The test results indicated concentrations of radon exceeding the EPA action level of 4 pCi/L. Therefore, a passive radon mitigation system is required and has been included in the project scope of work. Radon testing will be conducted at the completion of the implementation of the radon mitigation system and other work activities to ensure the effectiveness of the passive radon mitigation system. Acceptable post work activity radon testing results must be submitted to environmental.reviews@hcr.ny.gov prior to project closeout submission to OCR project management. Should the post work radon testing indicate concentrations of radon above the EPA action level of 4 pCi/L, the radon mitigation system must be activated and retested. Acceptable activated radon mitigation system retesting results must be forwarded to EU prior to project closeout submission to OCR project management. AND Regarding asbestos containing materials (ACM), all project work will comply with NYS Department of Labor Part 56 requirements including the need for surveys and clearance reports, as required. A contractor will be involved in the project construction and will be instructed by the LPA regarding the need for compliance with Part 56. Regarding lead-based paint (LBP), in homes constructed prior to 1978, all work will be conducted according to the HUD "Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing" and the EPA Renovation, Repair and Painting Rule (RRP rule).

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	All ACM and LBP must be properly disposed of at a properly licensed facility. Where pervasive mold conditions are identified prior to, or during the work of any project, such conditions shall be remediated in accordance with applicable protocols established by the New York State Department of Labor Mold Program at NYSDOL Article 32 and HCR NYS HOME Program Rehabilitation Standards. The LPA must maintain all ACM/LBP/Mold compliance documentation for potential audit by OCR.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	N/A, Downpayment Assistance Only. OR The project does not involve ground disturbance outside of the existing footprint or tree cutting. OR The project involves ground disturbance outside of the existing footprint and/or tree cutting. The EAF Mapper indicates that no rare, threatened, or endangered species inhabit the project area. The USFWS Official Species List indicates that no endangered species inhabit the project area. No further review necessary. OR The project involves ground disturbance outside of the existing footprint and/or tree cutting. The EAF Mapper indicates the following rare, threatened, or endangered species in the project area: [*xxx species*]. The USFWS Official Species List indicates that the (*xxx species*) is a concern in the project area. ***If EAF Mapper or the USFWS Official Species List indicates rare, threatened, or endangered species inhabit the project area, contact EU for a finding or further consultation as necessary. Appropriate comment language will be provided once a finding has been made.**

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

	All maps and/or letters are attached.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	N/A, Downpayment Assistance Only. OR According to FIRM No. _____, dated _____ the project site is not located within a regulatory floodway that would prohibit this action from proceeding per 24 CFR Part 55. AND [No mapped 500- floodplain] The project site does not contain a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA). The project site is also located further than 1 mile from the nearest mapped SFHA area, so further Future Flood Risk Management Standard (FFRMS) review is not required per HUD guidance. No further action required. OR [500-year floodplain is mapped] The project site does not contain a 100-year (also referred to as a Special Flood Hazard Area (SFHA)) or a 500-year floodplain. Therefore, this project site is not located within a Future Flood Risk Management Standard (FFRMS). No further action required.

	OR The project site contains a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA)) and/or a mapped 500-year floodplain, and therefore, also requires Future Flood Risk Management Standard (FFRMS) and NYS Building Code compliance [EU will conduct further review and provide the appropriate path of FFRMS and NYS Building Code compliance upon Tier 2 submission]. OR The project site does not contain a 100-year floodplain (also referred to as a Special Flood Hazard Area (SFHA)), and the 500-year floodplain is not mapped on the FIRM. The FIRM's legend explicitly distinguishes between [Zone B (Areas between the 100 year and 500-year floodplain) and Zone [C, X, etc.] (Areas of Minimal Flooding)]. Therefore, it was determined that the project site is not within the FFRMS as the site is located within Zone [C, X, etc.]. No further action required.
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	N/A, Downpayment Assistance Only. OR Per the Programmatic Agreement for the Review of HUD-Assisted Projects and Programs in the State of New York, this project is exempt from further review under Section 106. See attached NYSHCR Historic Preservation Worksheet for HUD-Funded Projects applicable to this project. EU will add the project to its tracking system for yearly reports to HUD. OR This project is not exempt per the Programmatic Agreement for the Review of HUD-Assisted Projects and Programs in the State of New York. According to a letter dated _____from OPRHP, there are no historic properties affected by this undertaking. AND

	THPO was not contacted because no ground disturbance will be conducted. OR Ground disturbance is included in the project and EU will consult with the appropriate tribal contacts and supply one of the following bracketed comments accordingly. [All THPO contacts for [Montgomery or Schenectady County] listed on TDAT were contacted on _____ and provided with a project location map, a detailed project description and all documents related to the OPRHP submission (attached). No response was received. OR All THPO contacts for [Montgomery or Schenectady County] listed on TDAT were contacted on _____ and provided with a project location map, a detailed project description and all documents related to the OPRHP submission (attached). A ____ response letter from ____ states: ___ (attached).]
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	N/A, Downpayment Assistance Only. OR [*Use if the site **is not within** any of the listed distances]* The project is not within 1,000 feet of a roadway with data in the NYS Traffic Data Viewer (TDV) www.dot.ny.gov/tdv, 3,000 feet of a railroad or 15 miles of a commercial airport listed on the FAA's 139 list, as listed in the Tier 1 review. OR [*Use if the site **is within any** of the listed distances; may require editing language for accuracy]* The project is within 1,000 feet of a roadway with data in the NYS Traffic Data Viewer (TDV) www.dot.ny.gov/tdv [insert name of roadway] [and/or], 3,000 feet of a [insert name of railroad] and/or 15 miles of [insert name of commercial airport

	listed on the FAA's 139 list] but the project is rehabilitation. The LPA understands that noise mitigation is strongly encouraged. [Insert either 1) a description of any work that will mitigate noise that is currently contemplated, including new windows, doors, insulation, etc. OR 2) "The Program will not divert funds to noise attenuation since that might jeopardize the viability of the intended project scope of work."] AND [For All] It was determined on a Tier 1 level of review that there are no military owned airports located within 15 miles of the target area.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	N/A, Downpayment Assistance Only. OR The project will not involve any ground disturbance. Or The project will involve ground disturbance. AND **State wetlands** The project ground disturbing activities only involve the replacement of a [deck, porch, footers, stairs]. Therefore, the submission for a Parcel Jurisdictional Determination (JD) to NYSDEC is not required. No further State compliance is necessary. OR

	The project ground disturbance involves activities other than the replacement of a deck, porch footers, or stairs. A Parcel JD was submitted for NYSDEC review at https://survey123.arcgis.com/share/be5c071ff72d4876986b18488721e55f, and a Negative Parcel JD was received (attached). No further State compliance required. OR The project ground disturbance involves activities other than the replacement of a deck, porch footers, or stairs. A Parcel JD was submitted for NYSDEC review at https://survey123.arcgis.com/share/be5c071ff72d4876986b18488721e55f, and a Positive Parcel JD was received (attached). *[EU was contacted for further State wetland compliance and it was determined that _____]* AND **Federal wetlands** Federal wetland maps were checked and no Federal lands are located on or near the project site. No further Federal wetland compliance required. OR Federal Wetland maps were checked [and, as requested by EU, a wetland habitat assessment was completed for the site] and the project site work is not in or adjacent to a federal wetland area, or wetland habitat (attachment). OR Federal Wetland maps were checked [and, as requested by EU, a wetland habitat assessment was completed for the site] and the project site work is located in or adjacent to a federal wetland area, or wetland habitat. (attachment). [EU will be consulted to determine how to proceed with regard to ACOE requirements]

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Wild and Scenic Rivers (WSRs) Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	N/A, Downpayment Assistance Only. OR The project is not within the designated control area (0.25 mile from river) of the Schoharie Creek. The nearest WSR is the [insert name of nearest WSR River], located approximately ____ miles from the project site. See attached map. OR The project is within the designated control area (0.25 mile from river) of Schoharie Creek. See attached map. Upon further consultation with ____, it was determined that _____.
ENVIRONMENTAL JUSTICE	
Environmental Justice Executive Order 12898	N/A, Downpayment Assistance Only. OR The proposed project site is not located in an Environmental Justice Area according to NYSDEC mapping or a HUD designated 60% AMI qualified census tract according to the HUDuser map at https://www.huduser.gov/portal/sadda/sadda_qct.html OR The proposed project site is located in an Environmental Justice Area or a HUD designated 60% AMI qualified census tract according to NYSDEC and HUD mapping. The project is intended to serve an existing need for affordable housing and is not expected to facilitate development which would result in disproportionate adverse environmental impacts on low income or minority populations. It will improve the living conditions of the residents of the home by providing needed upgrades and repairs. There are adequate services in the area for the residents.
STATE OR LOCAL STATUTES	

NYS HOUSING TRUST FUND CORPORATION
HOME LPA PROGRAM
Tier 2 Site Specific Statutory Checklist
Attachment to Tier 1 Programmatic ERR

Agricultural Districts	N/A, Downpayment Assistance Only. OR The project does not involve new construction or mobile home replacement. No further action is required.
Wild, Scenic and Recreational Rivers (WSRRs) NYSDEC Part 666	N/A, Downpayment Assistance Only. OR Resolved during Tier 1 review.

"I am the authorized signatory for the HTFC HOME LPA award to the entity named below. I have read this Tier 2 Site Specific Statutory Checklist and by signing this document agree with the statements made herein and agree that this Tier 2 site specific review was conducted in conformance with the Tier 1 programmatic review procedures."

Prepared by: **Date:**

Title: **Email Address:**

Preparer's Signature: **Phone Number:**

_____