

STATE OF NEW YORK
HOMELESS HOUSING AND ASSISTANCE CORPORATION

**A RESOLUTION OF THE HOMELESS HOUSING AND ASSISTANCE
CORPORATION DECLARING AND ADDRESSING AN EMERGENCY**

WHEREAS, Section 45-c of the Private Housing Finance Law created and established the Homeless Housing and Assistance Corporation (“Corporation”); and

WHEREAS, Section 45-c of the Private Housing Finance Law authorizes the Corporation to enter into contracts with eligible entities and also provides that all other state departments, boards, commissions, etc. may render such services to the Corporation as it may request; and

WHEREAS, the New York State Governor issued Executive Order No. 151 on January 3, 2016, declaring an emergency and seeking to mitigate the drastic effects of inclement winter weather on those experiencing homelessness; and

WHEREAS, the Corporation has adopted Guidelines Establishing Policy and Instructions for the Use, Awarding, Monitoring and Reporting of Procurement Contracts (“Procurement Guidelines”) pursuant to Section 45-C of the Private Housing Finance Law and Section 2879 of the Public Authorities Law; and

WHEREAS, the law and the Corporation’s Procurement Guidelines stipulate that the Corporation may enter into procurement contracts on the basis of an emergency determination made by the President, an officer designated by the President, or the Members, and further, the law and the Procurement Guidelines set forth the conditions under which such determination may be made; and

WHEREAS, the Corporation’s Procurement Guidelines provide that “In the case of a public emergency arising out of . . . other unforeseen occurrence or condition whereby circumstances affecting . . . life, health or safety require immediate action, the President or an officer designated by the President or the Members may award a contract without competitive procedures”; and

WHEREAS, homelessness is an issue that impacts everyone in the State, becoming a crisis of unprecedented proportions in certain parts of the state and jeopardizing the life, health and/or safety of thousands of individuals and families; and

WHEREAS, In order to address this emergency in a timely manner, the Corporation must enter into contracts on an expedited basis with qualified and experienced not-for profit corporations to establish and operate projects to reach homeless persons on the street, provide them with a safe and secure environment to sleep, eat and stay; offer services to address the needs of these persons; track participation and prepare reports for the Corporation, including outcomes; and provide avenues to safe, permanent housing for such individuals; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Members of the Corporation as follows:

Section 1. That a public emergency exists, arising from the unforeseen explosion of homelessness in certain parts of the state requiring immediate action at this time of inclement weather, and which will affect the life, safety and/or health of individuals and families unless immediate action is taken;

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Section 2. Time is of the essence in this matter, due to the emergency nature of the crisis and the drastic winter weather, to ensure that the Corporation can provide the greatest amount of assistance to address the housing needs of those experiencing homelessness at this time.

Section 3. The President, Vice President, or other officer of the Corporation designated by either, is hereby authorized, after obtaining any necessary approvals, to execute an agreement with qualified not-for-profit entities in accordance with this Resolution and state law, regulations, policies, and orders to address the purposes set forth herein. The Corporation may also seek and obtain services in connection with such agreements from other state agencies, authorities and/or public benefit corporations.

Section 4. This resolution shall take effect immediately.