



ANDREW M. CUOMO
Governor

NY Rising Rental Properties Program RIDER TO DESIGN PROFESSIONAL AND/OR CONSTRUCTION CONTRACTOR'S AGREEMENT

July 20, 2017

(This Rider is only required for rental properties consisting of 8+ units and this rider along with the HUD appendices, provided to you by the Program, must be attached to the construction contract you entered into with your contractor)

NY Rising Rental Properties Program

This **Rider** forms a part of that certain design professional and/or construction contractor's agreement made and entered into, as of __, 20 __, by and between the Applicant and the Design Professional and/or Construction Contractor. The Design Professional and/or Construction Contractor's Agreement, together with this Rider, is referred to herein collectively as the "Contract".

- 1. In the event of any conflict or inconsistency between the terms of the printed form to which this Rider is attached and this Rider, the terms and conditions of this Rider shall prevail.**
2. The funding for this Contract has been provided to the State of New York (the "State") pursuant to a Federal grant by the U.S. Department of Housing and Urban **Development** ("HUD") under its Community Development Block Grant-Disaster Recovery ("CDBG-DR") program. The Housing Trust Fund Corporation ("HTFC"), acting through the Governor's Office of Storm Recovery ("GOSR"), has been tasked with administering the State's CDBG-DR grant funds.
3. The State is required to comply with certain terms and conditions with respect to CDBG- DR grant funds, among which is the inclusion of certain terms and conditions in contracts and subcontracts funded by CDBG-DR grant funds. The State is also required to ensure that certain persons and/or entities ("Applicants") to which it has granted CDBG-DR funds, include many of those terms and conditions in their respective contracts and subcontracts.
4. Accordingly, to the extent necessary to fulfill the obligations described above, references to the State and HTFC, or any other term used to define these persons and/or entities, in the following appendices shall be construed as referring to the Applicant that is procuring goods and/or services under the subject contract. However, the term shall not be construed to refer to the Applicant in those



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instances where a provision relates to a right or activity that is of a governmental nature (e.g., enforcement of laws, audit rights, etc.).

5. Design Professional and/or Construction Contractor agrees to and is hereby bound by the terms of this Rider, including the provisions set forth in the appendices attached hereto.

Contractor Signature Date

Print Name (Contractor)