

City of Miami



OCTOBER 2007 REQUEST FOR PROPOSALS

CDBG DISASTER RECOVERY PROGRAM

Date of Issuance: 10/8/2007

Copies of this RFP application are available at: City of Miami Department of Community Development, 444 SW 2nd Avenue, 2nd Floor, Miami, Florida 33130 or www.miamigov.com/communitydevelopment/pages/rfq

**2007 REQUEST FOR PROPOSALS (RFP)
FUNDING FOR CDBG DISASTER RECOVERY PROGRAM**

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A. INTRODUCTION / ELIGIBLE PROJECTS

Through the Military Construction Appropriations and Emergency Hurricane Supplemental Appropriations Act, Community Development Block Grant ("CDBG") disaster relief funding was made available to the State of Florida by the United States Department of Housing and Urban Development (HUD). Florida received a total amount of \$82,904,000, of CDBG funds to assist in recovery from the "federally declared disasters" that occurred between July 10, 2005 and October 24, 2005. Miami-Dade County ("County") was allocated the amount of \$16,000,000, to be shared by all municipalities in the County based on need and the scope of proposed projects. The City of Miami was allocated \$2,000,000 of that funding.

This CDBG Disaster Recovery Program RFP, issued by the City of Miami Department of Community Development (City), is intended to rehabilitate hurricane damaged multi-family rental properties that were not eligible for FEMA assistance, and had no or inadequate insurance. This RFP will consider proposals from owners of multi-family properties that can demonstrate: damages by hurricanes Wilma and Katrina; they did not receive damage assistance from other funding sources; and, that they have at least fifty-one percent (51%) of its residents having low to moderate incomes. The City is looking to fund at least one project per Commission District; total funding available is two million dollars (\$2,000,000). Funding award is anticipated for December of 2007; all projects will be expected to be completed by June 16, 2008.

- **Eligible activities:** Hurricane Wilma and Katrina related damage repairs to multi-family housing developments, with at least 51% of their residents having low to moderate income, defined as 80% or less of Area Median.

Proposals will be reviewed for program eligibility, soundness, and merit. Qualifying proposals will be awarded on a first come, first served basis.

B. PROPOSAL SUBMISSION REQUIREMENTS

SUBMITTAL SPECIFICATIONS:

Four proposal packages (one original, two copies, and one unbound, untabbed copy for reproduction purposes) must be submitted and presented as follows:

- Sequenced and tabbed according to the Sections as specified below under Application Contents;
- Be on 8 ½ " X 11" paper;
- Only one-sided page text with standard margins of 1";
- 12-point font size;
- Pages and attachments must be sequentially numbered; and
- Be contained in a secure binder or report binding.

APPLICATION CONTENTS (Present in order as listed):

Section I: Project Application and Narrative

Under this section, the application contained herein must be completed. In addition, the following narrative is to be included in this section:

Description of the project: Provide a summary description of the type of hurricane damage repair work needed.

Proposals: Provide copies of proposals for work scope from licensed general contractor or appropriate tradesman.

Current rental rates: Provide a list of renters and the current rental rates charged. This list should include the number of families in the household and the total household income.

Section II: Business Structure

Under this section, the applicant must provide documents showing ownership of property, and copies of business license and articles of incorporation, if applicable.

Section III: Project Information

- LEGAL DESCRIPTION OF PROPERTY
- DETAIL(S) OF DAMAGE(S) CAUSED BY THE HURRICANE
- NUMBER OF UNITS WITH HURRICANE DAMAGE(S)
- INFORMATION REGARDING UNRESOLVED CODE VIOLATIONS
- ESTIMATE PREPARED BY LICENSED CONTRACTOR OF THE DOLLAR AMOUNT NECESSARY TO REPAIR HURRICANE DAMAGED UNITS
- PHOTOS, OTHER RELEVANT BACK UP DOCUMENTATION

Section IV: Supplemental Forms

- Authorized Representative Statement
- Debarment Certification
- Declaration of Financial Interests

Applications will be accepted at the Miami Riverside Center. Proposals submitted in person or by mail must be submitted to the following:

**CDBG Disaster Relief Program
City of Miami Department of Community Development
444 SW 2nd Avenue, 2nd Floor
Miami, Florida 33130**

Proposals will be on an ongoing basis, until further notice. Proposals submitted via facsimile will not be accepted.

C. GENERAL CONDITIONS

- Funding will be provided in the form of a deferred payment loan with a six percent (6%) interest rate. **Repayment of principal and interest will be required only in the event of non-compliance during the affordability term.** Loans will have a twenty (20) year affordability period; the principal and accrued interest will only be forgiven at maturity of the loan. In the event of a default due to an incomplete project, full payment of the principal and accrued interest at the highest rate allowed by law will apply.
- Maximum funding is \$200,000; the City reserves the right to increase grant amounts based upon RFP responses received.
- The threshold requirement of 51% of the project renters being at or below 80% Area Median Income (AMI), adjusted for household size, will not be waived.
- The construction RFP process will be overseen by the City for each successful applicant, and will be open and competitive. Construction bid packages, advertising, and the selection process will be developed with and approved by the City. The City will assign a Housing Inspector to assist the successful applicant during all phases of the process.
- The City will provide a list of contractors that are qualified by the City; however, the bid process will be open to all qualified contractors.
- All costs of proposal preparation shall be borne by the applicant. The City shall not, in any event, be liable for any pre-contractual expenses incurred by the applicant in the preparation and/or submission of the proposal. The applicant shall not include any such expense as part of the budget in the proposal.
- The proposal must set forth full, accurate, and complete information as required by the RFP. No contextual changes, additions, or amendments to the proposal will be accepted after submission. Proposals that are incomplete, out of order, have inadequate number of copies, lack required attachments, or have other content errors or deficiencies will be disqualified.
- The proposal must be submitted in the legal name of the corporation or agency applying for the allocation of funds and the corporate seal. A representative of the applicant with legal authority to bind the organization in contract with the City must sign the documents and attachments required herein.
- Applicants will be subject to a credit report review as per City Resolution No. 98-581. Such a review may include credit reports on individual partners /owners and/or principals.

- Contractors engaged by the successful applicant will be required to comply with applicable federal, state, and local rules and regulations including but not limited to 24 CFR 570. The form of contract between the successful applicant and the general contractor shall be a Standard Form of Agreement Between Owner and Contractor, and shall include Federal Supplementary Conditions of the Contract for Construction as provided by the American Institute of Architects (AIA)
- A standard ten percent (10%) retainage, as established by the AIA, will be applied to each reimbursement request until a Certificate of Occupancy is submitted.
- Submission of a proposal shall constitute acknowledgement and acceptance of all terms and conditions contained in this RFP.

D. REGULATORY REQUIREMENTS (FEDERAL AND LOCAL)

Period of Affordability: The affordability compliance period will be twenty (20) years, commencing with the issuance of the final Certificate of Occupancy.

Code Compliance: All projects must comply with the Florida Building Code, Section 8 Housing Quality Standards, and the Model Energy Building Code or U.S. Department Housing and Urban Development (U.S. HUD)-accepted equivalent.

Davis-Bacon Requirements: The Davis-Bacon Act requires prevailing wage rates be paid for any projects in which CDBG funds are used for construction costs in projects consisting of eight (8) or more units. If applicable, all related agreements must be subject to Davis-Bacon labor standards requirements and must contain labor standards clauses and a Davis-Bacon wage decision.

Section 3: Section 3 of the Housing Development Act of 1968, will apply as amended (12 U.S.C. 1701U), relative to the hiring and training of low- and moderate-income persons and the use of local Section 3 certified businesses. The purpose of Section 3 is to ensure that employment and other economic opportunities generated as a result of U.S. HUD Assistance or by a U.S. HUD-assisted project covered by Section 3, shall to the greatest extent feasible, be directed to low-and very low-income persons, particularly persons who are recipients of U.S. HUD assistance for housing.

Environmental Clearance: Construction must not commence and funds will not be disbursed for a project until the Environmental Review is completed. If the project is already under construction at the time of application for federal funds, construction must cease immediately upon application, until an environmental review for the project is completed by the City and U.S. HUD.

Insurance Requirements: At the time of award, the applicant will be required to provide the City with insurance certificates at limits satisfactory to the City's Risk

Management Division. For properties in flood zones, federal flood insurance will be required.

Public Entity Crimes: A person or affiliate who is placed on the convicted bidders list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a response on a contract with a public entity for the construction or repair of a public building or public work's project, may not submit a response on a lease of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 of Florida Statutes for Category Two for a period of 36 months from the date of being placed on the convicted Bidder / Proposer list.

E. GENERAL CITY OF MIAMI RESERVATIONS

The City reserves the right to:

- Terminate the period of acceptance of RFP's at any time, if such action be in the best interest of the City.
- Withdraw this RFP at any time without prior notice. Furthermore, the City makes no representation that funding will be awarded to any applicant responding to this RFP.
- Retain all proposals submitted. The proposals shall become the property of the City. Any department or agency of the City shall have the right to use any or all ideas presented in proposals submitted in response to this RFP without any change or limitation. Selection or rejection of a proposal does not affect these rights.
- Require any or all organizations or agencies receiving grants funded through this RFP to use a centralized accounting system selected by the City, if it be determined that this would be in the best interest of the City.
- Withdraw funding upon the City's determination that reasonable attempts to negotiate a loan agreement failed. Prior to accepting the award, the applicant must meet applicable administrative and regulatory rules, and/or federal and local requirements, codes or other conditions as determined by the Housing and Commercial Loan Committee and/or the City Attorney. It is the applicant's responsibility to be familiar with these requirements prior to accepting the award and commencing loan agreement negotiations.

- Deny a funding recommendation to an applicant with outstanding disallowed costs, defaulted loans, debarment actions or any other legal encumbrance, regardless of the merits of the proposal submitted.
- Reject any proposal from any developer, principal or relative entity that defaulted on past loans or had unmet debt obligations with the City contrary to the terms set forth in the original lending agreement in any of the housing-related categories addressed in this RFP.
- Waive any informalities or minor irregularities; reject any and all proposals which are incomplete, conditional, obscure, or which contain additions not allowed for; accept or reject any proposal in whole or in part with or without cause; and accept the proposal(s) which best serves the City.

F. EVALUATION AND APPROVAL PROCESS

Each proposal will be evaluated by the City. An initial review will be performed to determine whether the project is eligible and that the application is complete. The applicant will be notified in writing if the initial review determines the proposal is either ineligible or incomplete. Incomplete applications will be returned to the applicant. The applicant may, at their discretion, cure the proposal and resubmit it to the City.

Projects must score a minimum of 50 points to be qualified for recommendation to the Housing and Commercial Loan Committee (see scoring matrix). However, obtaining a score of 50 or above is not a guarantee that the project will be recommended to the Housing and Commercial Loan Committee. The number of projects to be recommended for funding will be determined by the number of qualifying applicants and the amounts requested for each. Recommendations may not reflect the full amount requested in the application.

Staff will notify qualifying applicants in writing whether or not their proposals are being recommended and for what amount. The City Housing and Commercial Loan Committee will determine which of the proposals are to be approved and the level of funding to be awarded.

An appeal process will be made available to applicants that are not recommended for funding. The appeal must be based on an error in fact or law. To have an appeal hearing scheduled, the applicant must request this appeal by notifying the City in writing within five (5) days from the date of the notice of non-funding recommendation. A panel of three (3) reviewers will hear any appeals granted by the City.

**AFFORDABLE HOUSING-RELATED PROJECTS EVALUATION /CRITERIA
SCORING MATRIX**

ITEM	POTENTIAL MAXIMUM POINTS	ACTUAL POINTS
BLDG(S) HAVE CURRENT CODE VIOLATIONS RELATED TO HURRICANE DAMAGE	30	
PERCENTAGE OF UNITS WITH HURRICANE DAMAGE	100	
<ul style="list-style-type: none"> • UP TO 25% • UP TO 50% • UP TO 75% OR MORE 	50 75 100	
TOTAL POINTS AVAILABLE	130	

A MINIMUM OF 50 POINTS IS REQUIRED FOR A PROJECT TO BE CONSIDERED FOR FUNDING RECOMMENDATION

Timeline

➤ RFP Available for Distribution	10/8/2007
➤ Proposers develop/issue construction RFP	Ongoing
➤ Submission of Written Questions	Ongoing
➤ Proposal Due Date	Ongoing
➤ Proposal Evaluation by Community Development (CD)	As received
➤ CD sends notice to proposers recommended for funding	Within 14 days of receipt
➤ Housing and Commercial Loan Committee Review	At next scheduled meeting
➤ Agreement, Note and Mortgage Executed	Within 5 days of award
➤ Contract Executed with General Contractor	Within 14 days after mortgage execution
➤ Construction Commences	Within 30 days after agreement execution
➤ Final Certificate of Occupancy Issued	Before 6/16/2008

Area Median Annual Income Chart

1 Person	2 Persons	3 Persons	4 Persons	5 Persons	6 Persons
Maximum \$33,200	Maximum \$37,950	Maximum \$42,700	Maximum \$47,450	Maximum \$51,250	Maximum \$55,050



RFP FUNDING APPLICATION –ALL AFFORDABLE HOUSING-RELATED PROJECTS

APPLICATION

APPLICANT INFORMATION:

NAME: _____

STREET ADDRESS: _____

CITY, STATE, ZIP CODE: _____

PHONE: _____

FAX: _____

CONTACT PERSON: _____

EMAIL: _____

LEGAL ENTITY TYPE: _____

TAX ID #: _____

CITY OF MIAMI FUNDING:

AMOUNT OF CITY FUNDS REQUESTED: \$ _____

DID THIS PROJECT PREVIOUSLY RECEIVE CITY FUNDING? YES NO

IF YES, LIST AMOUNT AND FUNDING YEAR: _____

COMMISSION DISTRICT:

- 1 (ANGEL GONZALEZ) 2 (MARC SARNOFF) 3 (JOE SANCHEZ)
 4 (TOMAS REGALADO) 5 (MICHELE SPENCE-JONES)

PROJECT DESCRIPTION:

PROJECT NAME: _____

PROJECT'S ADDRESS: _____

NUMBER OF BUILDINGS TO BE CONSTRUCTED/REHABILITATED: _____

NUMBER OF FLOORS PER BUILDING: _____

NUMBER OF TOTAL HOUSING UNITS: _____

HOUSING TYPE (HIGH RISE, TOWN HOMES ETC.): _____

LOT DIMENSIONS / TOTAL SQUARE FOOTAGE: _____

IF MIXED USE, PROVIDE DESCRIPTION OF COMMERCIAL PORTION: _____

- *ATTACH A LEGAL DESCRIPTION OF PROJECT SITE*

APPLICANT:

AUTHORIZED REPRESENTATIVE STATEMENT

Provide the name(s) and telephone number of the person(s) who has been designated the responsibility within the following areas:

1. PERSON(S) AUTHORIZED TO SIGN CHECKS

NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
TELEPHONE: _____	TELEPHONE: _____
SIGNATURE: _____	SIGNATURE: _____

2. PERSON(S) AUTHORIZED TO SIGN REIMBURSEMENT PACKAGES

NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
TELEPHONE: _____	TELEPHONE: _____
SIGNATURE: _____	SIGNATURE: _____

3. PERSON(S) AUTHORIZED TO SIGN CONTRACTS

NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
TELEPHONE: _____	TELEPHONE: _____
SIGNATURE: _____	SIGNATURE: _____

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS**

1. The Applicant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph 1.b of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall submit an explanation to the City of Miami.

SIGNATURE OF APPLICANT

DATE

DECLARATION OF FINANCIAL INTERESTS

1. Do you have any past due financial obligations with the City of Miami?

	YES	NO
Single Family Housing Loans	<input type="checkbox"/>	<input type="checkbox"/>
Multi-Family Housing Rehab	<input type="checkbox"/>	<input type="checkbox"/>
CDBG Commercial Loan Project	<input type="checkbox"/>	<input type="checkbox"/>
U.S. HUD Section 108 Loan	<input type="checkbox"/>	<input type="checkbox"/>
Other HUD Funded Programs	<input type="checkbox"/>	<input type="checkbox"/>
Others (liens, fines, loans, Occupational licenses, etc.)	<input type="checkbox"/>	<input type="checkbox"/>

If YES, please explain:

2. Do you have any past due financial obligations with Miami Capital Development, Inc. (MCDI)?

YES NO

If YES, please explain:

3. Are you a relative of or do you have any business or financial interests with any elected City of Miami Official, City of Miami Employee, or Member of the City's Advisory Boards?

YES NO

If YES, please explain:

Any false information provided on this application will be reason for rejection and disqualification of your project-funding request to the City of Miami.

The answers to the foregoing questions are correctly stated to the best of my knowledge and belief.

DATE: _____

Name and Title of Authorized Representative

DATE: _____

Signature of Authorized Representative

Davis-Bacon

General Decision Number: FL070001 07/13/2007 FL1

Superseded General Decision Number: FL20030001

State: Florida

Construction Type: Building

County: Miami-Dade County in Florida.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including four (4) stories)

Modification Number	Publication Date
0	02/09/2007
1	03/23/2007
2	06/15/2007
3	07/13/2007

* ASBE0060-001 04/01/2007

	Rates	Fringes
Asbestos Worker/Heat and Frost Insulator.....	\$ 25.60	9.94

ELEC0349-001 09/01/2006

Including Fire Alarm Installation

	Rates	Fringes
Electrician (Including Fire Alarm Installation)		
Electrical contracts including materials that are over \$2,000,000.....	\$ 26.46	6.05+8%
Electrical contracts including materials that are under \$2,000,000.....	\$ 24.00	6.05+8%

ELEV0071-001 01/01/2005

	Rates	Fringes
Elevator Mechanic.....	\$ 29.805	12.115

FOOTNOTE FOR ELEVATOR CONSTRUCTORS:

A: Employer contributes 8% basic hourly rate for 5 years or more of service or 6% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit; Paid Holidays: New Year's Day; Memorial Day; Independence Day;

Thanksgiving Day; Christmas Day, plus the Friday after Thanksgiving.

ENGI0487-001 01/01/2007

	Rates	Fringes
Power equipment operators:		
Boom Truck Operator.....	\$ 25.50	7.10
Crane (Including Truck Crane).....	\$ 25.50	7.10
Crane Oiler (Including Truck Crane).....	\$ 17.90	7.10
Piledrivers.....	\$ 25.50	7.10

IRON0272-001 04/01/2003

	Rates	Fringes
Ironworkers:		
Ornamental.....	\$ 19.75	4.70
Reinforcing.....	\$ 19.75	4.70
Structural.....	\$ 19.75	4.70

PLUM0519-001 03/16/2007

	Rates	Fringes
Plumber.....	\$ 24.62	7.73

PLUM0725-001 06/30/2006

	Rates	Fringes
Pipefitter (Including HVAC).....	\$ 26.60	9.35

* SFFL0821-001 07/01/2007

	Rates	Fringes
Sprinkler Fitter.....	\$ 27.60	11.89

SHEE0032-001 08/12/2003

	Rates	Fringes
Sheet metal worker (Including HVAC duct work).....	\$ 20.96	8.97

SUFL1999-001 03/04/1999

	Rates	Fringes
Acoustical Tile Installer.....	\$ 10.00	0.62
Bricklayer/Blocklayer.....	\$ 15.36	

Carpenter (Including Drywall Hanging and Batt Installation)...	\$ 12.90	2.40
Carpet Layer.....	\$ 14.25	
Cement Mason/Concrete Finisher...	\$ 14.50	3.15
Drywall Finisher.....	\$ 12.50	
Glazier.....	\$ 13.05	2.42
Laborers:		
Pipelayers.....	\$ 13.81	
Plasterer Tenders.....	\$ 10.09	
Unskilled (Including Mason Tending).....	\$ 8.70	
Painter, Brush.....	\$ 9.61	
Plasterer.....	\$ 15.05	
Power equipment operators:		
Backhoe.....	\$ 15.71	2.85
Bulldozer.....	\$ 14.58	2.85
Concrete Pump Operator.....	\$ 14.78	
Grader.....	\$ 15.93	2.85
Loader.....	\$ 15.04	2.85
Roller.....	\$ 12.84	2.85
Roofer (including Built Up, Composition and Single Ply).....	\$ 9.99	
Tile Setter.....	\$ 12.50	0.87
Truck Driver.....	\$ 10.95	1.83

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29CFR 5.5(a)(1)(ii)).

In the listing above, the "SU" designation means that rates listed under the identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION