



Community, Housing and Human Services Department (CHHS)

NOTICE OF FUNDING AVAILABILITY

Land Acquisition, Rehabilitation, Affordable Housing, Public Facilities and Improvements



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REQUEST FOR PROPOSAL

The Community, Housing and Human Services (CHHS) Department is pleased to announce a Notice of Funding Availability (NOFA) for capital improvements that support low-to-moderate income individuals within the City of Spokane. In general, public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned, or that are owned by a nonprofit and open to the general public.

CHHS is making available approximately **\$2,500,000.00** through this NOFA. CHHS intends to fund proposals for land acquisition, rehabilitation, affordable housing, public facilities and improvements in excess of \$250,000.00. Activities funded under public facilities and infrastructure improvements must be able to demonstrate (or have a solid plan to gain) site control at the time of application. Successful applicants will be able to show ownership of the facility for which improvements are being proposed. Leased facilities will not be evaluated as favorably as those owned at the time of application.

The most competitive proposals must be able to clearly demonstrate the following:

1. Matching/leveraged funds (30% of points possible);
2. Clear and well thought out project scope (20% of points possible);
3. Clearly defined performance measures (are they reasonable/attainable) that align with project scope (10% of points possible);
4. Project milestones are reasonable and well thought out (10% of points possible); and
5. Quality of entire application packet (30% of points possible)

ABOUT THE FUNDING

Funding to support this request comes from the Community Development Block Grant Program (CDBG)¹. The CDBG Program is a federal program administered by the Department of Housing and Urban Development (HUD). CDBG funds are intended to primarily benefit low-and-moderate income individuals through jobs, housing and access to services. Projects selected for funding through this RFP will be able to demonstrate how their project will address positive impacts for low-and-moderate income individuals.

CHHS reserves the right to amend this NOFA at any time.

NOFA CONTACT

Questions related to this funding notice should be directed to the Community, Housing, and Human Services Department.

spokanechhs@spokanecity.org

Spokane City Hall – 6th Floor
808 W. Spokane Falls Blvd.
Spokane, WA 99201
(509) 625-6325

¹ Follow this [link](https://www.hudexchange.info/programs/cdbg-entitlement/) for more information about the CDBG program.
<https://www.hudexchange.info/programs/cdbg-entitlement/>

TIMELINE

Friday	9/14/18	Announce RFP on CHHS department website, https://my.spokanecity.org/chhs/ , and by email distribution to the CHHS department Interested Parties List.
Friday	9/21/18	Technical Assistance Workshop #1 – City Council Briefing Center (808 W. Spokane Falls Blvd- lower level) 2:30 pm - 4:00 pm
Wednesday	9/26/18	Technical Assistance Workshop #2 – City Council Briefing Center (808 W. Spokane Falls Blvd- lower level) 8:30 am – 10:00 am
Tuesday	10/2, 10/9, 10/16	Time reserved for staff technical assistance. RSVP required. 9:00 am – 11:30 am. Location TBD.
Thursday	10/4, 10/11, 10/18	Time reserved for staff technical assistance. RSVP required. 3:30 pm – 4:30 pm. Location TBD.
Thursday	10/18/18	Last day for interested applicants to receive CHHS staff technical assistance
Friday	10/26/18	Applications DUE by 5:00 PM. Late submittals will not be accepted. ➤ Please submit electronic copies to spokanechhs@spokanecity.org <ul style="list-style-type: none"> ○ Printed hard copies will not be accepted ○ Don't forget the required attachments – last page of application
	November	Applications reviewed
	December	CHHS Board approval of award recommendations
	January 2019	City Council approval of recommendations (date subject to change)
	January/February	Contracting

PERIOD OF PERFORMANCE/TERM

Funding for this NOFA will be made available following City Council approval in January 2019. Contract terms between the City of Spokane and Subrecipient will not extend beyond December 31, 2019.

ELIGIBLE APPLICANTS

Eligible applicant/recipients include:

- Governmental entities serving within the City of Spokane
- Public and private nonprofit organizations – typically 501(c)(3)
- Private for-profit organizations (24 CFR 570.200(j))
 - For-profit applicants may be required to partner with a nonprofit entity to meet the minimum eligibility requirement.
 - For-profit applicants must meet with CHHS staff prior to submitting application for funds.
- Faith based organizations

ELIGIBLE PROJECT TYPES

- I. **LAND ACQUISITION:** The acquisition and/or rehabilitation of real property for the benefit of affordable housing or public facilities. >51% of all beneficiaries must meet HUD's definition of low and moderate income (earning <80% area median income). *CDBG funds cannot be used to construct new housing.* Please consult with CHHS staff if requesting funds to build new housing. If a proposal is requesting funds to acquire and rehab an existing multifamily housing complex, the proposal must demonstrate that >51% of all units will be reserved for affordable housing.

- II. **REHABILITATION:** Rehab of existing commercial or residential structures. Proposals seeking rehabilitation funds must be aware of the time required to complete a full rehabilitation process. In some cases, a rehabilitation project may not be feasible within the timeline identified in this NOFA (12/31/19). Please consult with CHHS staff if requesting funds for rehabilitation activities.
- III. **AFFORDABLE HOUSING:** Proposals seeking funding to support the expansion/rehabilitation of affordable housing must be able to demonstrate financial feasibility (underwriting) and a period of affordability. Affordable housing in this RFP is limited to acquisition and rehabilitation. New construction of affordable housing is not allowable using CDBG funds. CHHS has access to other funding sources that may be able to assist with new construction. Please consult with CHHS staff regarding all affordable housing proposals.
- IV. **PUBLIC FACILITIES AND IMPROVEMENTS:** Under the CDBG Program, grantees may use funds to undertake a variety of public facilities and public improvement projects. In general, public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned, or that are owned by a nonprofit and open to the general public.

Examples of Public Facilities and Infrastructure Improvements include:

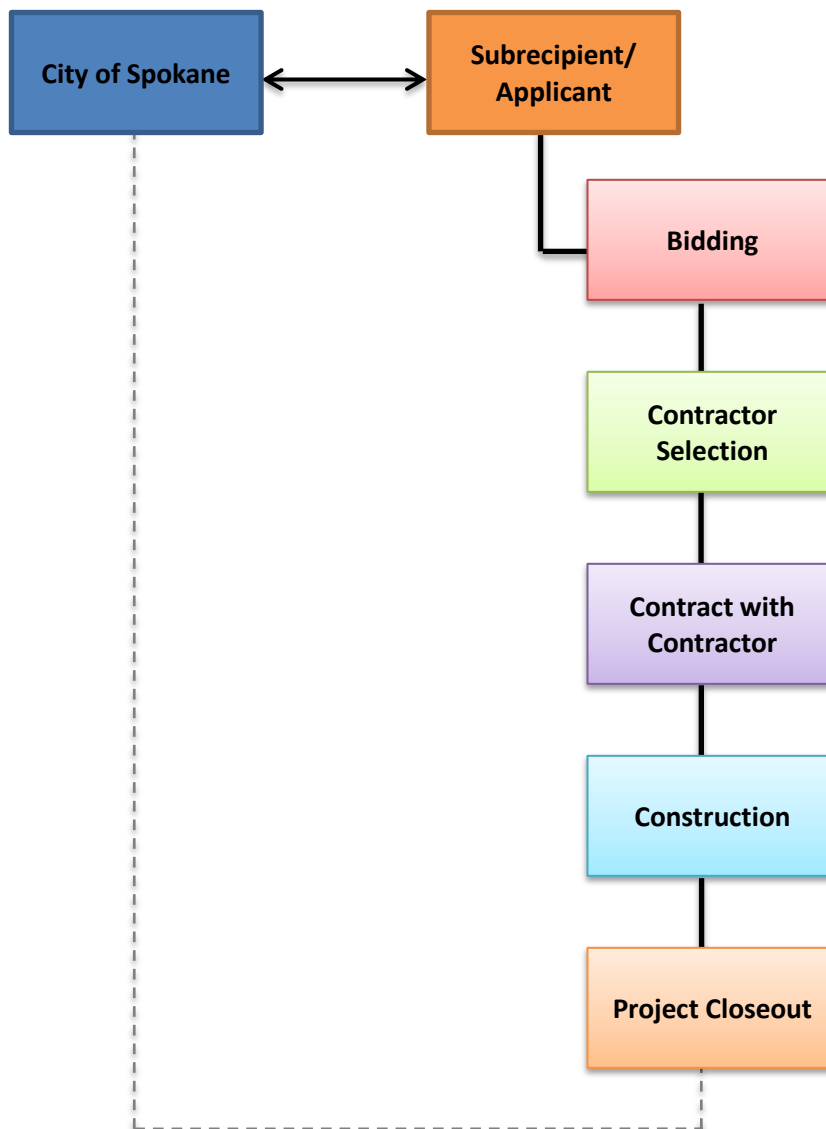
- 1. Senior Centers
 - a. Acquisition, construction, or rehabilitation of facilities (except permanent housing) for seniors.
- 2. Handicapped Centers
 - a. Acquisition, construction, or rehabilitation of centers, group homes, and other facilities (except permanent housing) for the handicapped.
- 3. Homeless Facilities (not operating costs)
 - a. Acquisition, construction, or rehabilitation of temporary shelters and transitional housing for the homeless, including battered spouses, disaster victims, runaway children, drug offenders, and parolees.
- 4. Youth Centers
 - a. Acquisition, construction, or rehabilitation of facilities intended primarily for young people age 13 to 19. These include playground and recreational facilities that are part of a youth center.
- 5. Neighborhood Facilities
 - a. Acquisition, construction, or rehabilitation of facilities that are principally designed to serve a neighborhood and that will be used for social services or for multiple purposes (including recreation). Such facilities may include libraries and community centers.
- 6. Child Care Centers
 - a. Acquisition, construction, or rehabilitation of facilities intended primarily for children age 12 and under. Examples are daycare centers and Head Start preschool centers.
- 7. Health Facilities
 - a. Acquisition, construction, or rehabilitation of physical or mental health facilities. Examples of such facilities include neighborhood clinics, hospitals, nursing homes, and convalescent homes.
- 8. Facilities for Abused and Neglected Children
 - a. Acquisition, construction, or rehabilitation of daycare centers, treatment facilities, or temporary housing for abused and neglected children.
- 9. Other Public Facilities and Improvements
 - a. Use this only when none of the above project types match with the proposed project. If selecting other, please contact spokanechhs@spokanecity.org to ensure the proposal is eligible for funding.

SUBRECIPIENT RELATIONSHIP WITH THE CITY OF SPOKANE

The City of Spokane will enter into a subrecipient agreement with successful applicants. The regulations define a subrecipient as *a public or private nonprofit agency, authority, or organization, or a for-profit entity authorized under §570.201(o), receiving CDBG funds from the recipient or another subrecipient to undertake activities eligible for such assistance*. The subrecipient agreement between the City of Spokane and awarded entity includes regulatory requirements associated with the CDBG Program.

The diagram below is intended to illustrate the relationship between the City of Spokane and the successful applicant/subrecipient. All subrecipients will be responsible for conducting their own procurement process with the assistance of CHHS staff. Following the bidding process, each subrecipient will be required to enter into a contract with the most responsible bidder. CHHS staff will assist subrecipients through this process, but the contractual agreement with the contractor will be with the subrecipient and ***not*** the City of Spokane.

Real estate transactions will differ from the diagram below, but will still require a subrecipient agreement with the City of Spokane. Please contact CHHS staff for questions related to real estate transactions.



COMPLIANCE REQUIREMENTS

Funding to support capital projects requires compliance with federal regulations associated with the CDBG Program². CDBG specifically requires that any funded activity must meet a national objective³ and an eligible activity⁴.

CDBG National Objectives:

1. Activities benefiting low- and moderate-income persons
 - a. *Low and moderate income: Area Benefit*
 - b. *Low and moderate Limited Clientele*
 - c. *Low and Moderate Housing*
 - d. *Low and moderate Job Creation or Retention*
2. Activities which aid in the prevention or elimination of slums or blight
3. Activities designed to meet community development needs having a particular urgency

Additional compliance requirements include:

- Competitive Procurement (Subrecipient)
- Environmental Review (Grantor/City of Spokane)
- Labor Standards (All)
 - All construction activities are subject to Washington State Department of Labor and Industries prevailing wage requirements and the Federal Labor Standards provision and the Davis-Bacon Act⁵
- Lead-based Paint (All)
- Relocation and Acquisition (Subrecipient)
- Fair Housing, Accessibility, and Equal Employment (Subrecipient)
- Expense Reimbursement (All)

FUNDING PRIORITIES AND KEY ASSUMPTIONS

General Requirements

- Agencies awarded funds will maintain an active City of Spokane business license
- Agencies awarded funds will maintain an active DUNS number and SAM.gov registration
- Agencies awarded funds will maintain the following minimum insurance thresholds:
 - General Liability Insurance on an occurrence basis with a combined single limit of not less than \$1,500,000.00 each occurrence for Bodily Injury and Property Damage. Supplemental umbrella insurance coverage combined with the General Liability Insurance of not less than \$1,500,000.00 each occurrence for Bodily Injury and Property Damage is also acceptable. It shall provide that the CITY, its agents, officers and employees are Additional Insureds but only with respect to the GRANTEE's services to be provided under this Agreement; and
 - Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000.00 each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles.
- Agencies awarded funds will not sub-award funds to any other entity, excluding construction/capital projects.
- Awarded funds will be paid to Subrecipient for eligible expenses on a ***reimbursement*** basis.

² [24 CFR Part 570](#)

³ [24 CFR Part 570.208](#)

⁴ [24 CFR Part 570.201](#)

⁵ <https://www.dol.gov/whd/govcontracts/dbra.htm>

FUNDS AVAILABLE

CHHS is making available approximately **\$2,500,000.00** through this NOFA to support the following activities: land acquisition, rehabilitation, affordable housing, public facilities and improvements. Applications seeking less than \$250,000.00 will not be considered for funding in this NOFA. Maximum funding requests are limited to the total amount of funds available in this NOFA.

CHHS reserves the right to reduce, or increase the total amount of funds available in this funding notice.

APPLICATION DEADLINE

Applications will be available beginning **September 14, 2018** on the Community, Housing and Human Services department website <https://spokanechhs.org/>.

Application submission deadline is October 26, 2018 at 5:00 PM

Applications submitted after this deadline will not be considered for funding.

Complete applications will be submitted electronically (via email) to spokanechhs@spokanecity.org. CHHS will not accept hard copies of the application. Applications that do not contain the required attachments will be considered incomplete and not eligible for funding consideration. In some instances the required attachments may require multiple email submissions.

It is the responsibility of the applicant to be sure the proposals are submitted ahead of time. Applicants are encouraged to submit proposals in advance of October 26, 2018 at 5:00 PM.

APPLICATION ASSISTANCE

Technical Assistance workshops will be available as follows:

Workshop #1

Friday, September 21st from 2:30 pm - 4:00 pm at the City Council Briefing Center

Workshop #2

Wednesday, September 26th from 8:30 am - 10:00 am at the City Council Briefing Center

Staff will review the contents of the funding notice, application process and provide guidance that will make proposals more competitive. Applicants are advised to attend one of the two sessions offered.

One-on-one technical assistance: CHHS staff has set-aside time to meet with applicants during the following dates and times:

- Tuesday, October 2nd, 9th, and 16th between the hours of 9:00 am and 11:30 am
- Thursday, October 4th, 11th, and 18th between the hours of 3:30 pm and 4:30 pm

Applicants seeking technical assistance ***must* RSVP** with CHHS staff 24 hours in advance of the dates and times specified above. The last day to receive CHHS technical assistance is Thursday, October 18th at 4:30 pm.

HUD INCOME LIMITS

2018 Area Median Income (AMI) Limits: Spokane, WA

		1 Person	2 Person	3 Person	4 Person	5 Person	6 Person
Area Median Income	(100% AMI)	\$45,700.00	\$52,200.00	\$58,700.00	\$65,200.00	\$70,500.00	\$75,700.00
Low-Income	(80% AMI)	\$36,550.00	\$41,750.00	\$46,950.00	\$52,150.00	\$56,350.00	\$60,500.00
Very Low-Income	(50% AMI)	\$22,850.00	\$26,100.00	\$29,350.00	\$32,600.00	\$35,250.00	\$37,850.00
Extremely Low-Income	(30% AMI)	\$13,700.00	\$15,650.00	\$17,600.00	\$19,550.00	\$21,150.00	\$22,700.00

APPLICATION REVIEW AND RATING PROCESS

All applications will go through the following evaluation and review process:

1. Part I- Initial Review (Pass/Fail)

- a) Proposal/Application Review – Staff
 - i. Was the application submitted on time
 - ii. Does the request meet the minimum funding threshold (250k)
 - iii. Does the proposal meet a CDBG national objective and eligible activity requirement
 - iv. Are the proposed costs eligible
 - v. Does the applicant have experience managing a federal procurement process
 - vi. Has the applicants past performance been satisfactory
 - vii. Are the milestones reasonable and well thought out
 - viii. Advance for funding consideration
- b) Organization Risk Assessment - Staff
 - i. Evaluation of organization's capacity to administer public funds
 - ii. Review of policies and procedures
 - iii. Evaluation of past/current performance
 - iv. Financial management capacity
 - v. Review of organization audit/monitoring report
- c) Communication with Applicants – Staff
- d) Applicant debriefs to unsuccessful applicants
 - i. Upon request, a debriefing conference may be scheduled with successful/unsuccessful applicants. Debriefing may be conducted in person or on the telephone.
- e) Appeal Procedure
 - i. Applicants wishing to appeal a funding decision must make their appeal to the CHHS Director.

2. Part II -Project Proposal Evaluations (Scored)

- a) Staff and Members of the CHHS Board Affordable Housing Committee
 - i. Score, rank and make funding recommendations (November)
 1. Does the proposal have an adequate amount of leverage from other funding sources? Do the leverage letters support matching funds/leverage claimed in the application? (30 points possible)
 2. Is the proposed scope of work clear and well thought out? (20 points possible)
 3. Do the performance measures fit with the proposal scope? Are they reasonable and attainable outcomes? (10 points possible)
 4. Do the (proposal) milestones appear reasonable and well thought out? (10 points possible)

- 5. *How do you rate the overall application? (30 points possible)*
 - ii. Forward funding recommendations to CHHS Board (November/December)
 - iii. Funding Recommendations Approved by CHHS Board (December)
 - iv. Forward approved recommendations to the Spokane City Council (January)

3. Part III- - Notice to Applicants

- a. Notice to Applicants on funding recommendation authorized by Spokane City Council, on or before January 31, 2019
- b. Applicant debriefs to unsuccessful applicants
 - i. Upon request, a debriefing conference may be scheduled with successful/unsuccessful applicants. Debriefing may be conducted in person or on the telephone.
- c. Appeal Procedure
 - i. Applicants wishing to appeal a funding decision must make their appeal to the CHHS Director.

4. Part IV- Contracting

- a. Contract Negotiations
- b. Contract Execution

GENERAL INFORMATION

PROPRIETARY INFORMATION / PUBLIC DISCLOSURE

Materials submitted in response to this competitive process shall become the property of the City.

All applications received shall remain confidential until the award of contract recommendation has been filed with the City Clerk for City Council action. Thereafter, the Applications shall be deemed public records as defined in RCW 42.17.250 to 42.17.340, "Public Records."

Any information in the application that the applicant desires to claim as proprietary and exempt from disclosure under the provisions of state law shall be clearly designated. Each page claimed to be exempt from disclosure must be clearly identified by the word "Confidential" printed on it. Marking the entire application exempt from disclosure will not be honored.

The City will consider an applicant's request for exemption from disclosure; however, the City will make a decision predicated upon state law and regulations. If any information is marked as proprietary in the application, it will not be made available until the affected applicant has been given an opportunity to seek a court injunction against the requested disclosure.

All requests for information should be directed to the RFP Coordinator.

REVISIONS TO THE RFP

In the event it becomes necessary to revise any part of this RFP, addenda will be posted on the Community, Housing and Human Services Department website. Applicants are encouraged to monitor the website for any changes and/or notifications.

The City also reserves the right to cancel or to reissue the RFP in whole or in part, prior to final award of a contract.

RESPONSIVENESS

All applications will be reviewed by the RFP Coordinator or designee to determine compliance with administrative requirements and instructions specified in this RFP. The applicant is specifically notified that failure to comply with any part of the RFP may result in rejection of the application as non-responsive.

The City reserves the right at its sole discretion to waive minor administrative irregularities.

MINORITY & WOMEN-OWNED BUSINESS PARTICIPATION

The City encourages participation in all of its contracts by firms certified by the Washington State Office of Minority and Women's Business Enterprises (OMWBE). Applicants may contact OMWBE at 360/753-9693 to obtain information on certified firms.

MOST FAVORABLE TERMS

The City reserves the right to make an award without further discussion of the application submitted. Therefore, the application should be submitted initially on the most favorable terms which the Contractor can propose. There will be no best and final offer procedure. The City does reserve the right to contact an applicant for clarification of its application.

CONTRACT TERMS

CITY OF SPOKANE BUSINESS LICENSE

Persons / firms doing business in the City or with the City must have a valid City of Spokane business license. Questions may be directed to the Taxes and Licenses Division at (509) 625-6070.

ANTI-KICKBACK

No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to contracts resulting from this RFP shall have or acquire any interest in the contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the contract.

ASSIGNMENT

Agency shall not assign, transfer or subcontract its interest, in whole or in part, without the written consent of the authorizing official for the City of Spokane.

NON-WAIVER

No delay or waiver, by either party, to exercise any contractual right shall be considered as a waiver of such right or any other right.

SEVERABILITY

In the event any provision of a resulting contract should become invalid, the rest of the contract shall remain in full force and effect.

DISPUTES

Any contract resulting from this RFP shall be performed under the laws of Washington State. Any litigation to enforce said contract or any of its provisions shall be brought in Spokane County, Washington.

NONDISCRIMINATION

No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this agreement because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities.

LIABILITY

The applicant will be considered an independent contractor and the Agency, its officers, employees, agents or subcontractors shall not be considered to be employees or agents of the City. The Agency shall defend, indemnify and hold harmless the City from all loss, liability, damage, death or injury to any person or property arising from the performance or omission of the Agency, its agents or employees, arising directly or indirectly, as a consequence of this contract.

INTERNAL AUDITING CONTROL

The Agency shall establish and maintain a system of internal accounting control which complies with applicable generally accepted accounting principles and governmental accounting and financial reporting standards. A copy of the Agency's most recent audited financial statement shall be kept on file in the Community, Housing and Human Services Department. The City has the right to supervise and audit the finances of the Agency to ensure that actual expenditures remain consistent with the

spirit and intent of any contract resulting from this RFP. The City of Spokane and/or its funding agencies and auditors may inspect and audit all records and other materials and the Agency shall make such available upon request.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: The City of Spokane is committed to providing equal access to its facilities, programs, and services for persons with disabilities. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 West Spokane Falls Boulevard, Spokane, Washington, 99201; or ccavanaugh@spokanecity.org. Persons who are deaf or hard of hearing may contact Ms. Christine Cavanaugh at (509) 625-6383 through the Washington Relay Service at 7-1-1. Please contact the City forty-eight (48) hours before the meeting date.

EQUAL CREDIT OPPORTUNITY ACT INFORMATION: The federal Equal Credit Opportunity Act (ECOA), 15 U.S.C. 1691 et seq., prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex or marital status, or age (provided the applicant has the capacity to contract); because all or part of the applicant's income derives from any public assistance program; or because the applicant has in good faith exercised any right under the Consumer Credit Protection Act. The federal agency that administers compliance with this law concerning this creditor is the Consumer Response Center, Federal Trade Commission, 600 Pennsylvania Ave, NW, Washington, D.C. 20580. For information regarding the ECOA, see http://www.justice.gov/crt/about/hce/housing_ecoa.php.

EQUAL HOUSING OPPORTUNITY INFORMATION: The City is pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. The City encourages and supports an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin.

WASHINGTON LAW AGAINST DISCRIMINATION INFORMATION: We do business in accordance with the Washington Law Against Discrimination, RCW 49.60, which prohibits discrimination on the basis of race, color, creed, national origin, disability, HIV/Aids and Hepatitis C status, use of guide dog or service animal, sex, marital status, age (employment only), families with children (housing only), sexual orientation/gender identity, and honorably discharged veteran or military status.

GLOSSARY

RFP: Request for Proposals

NOFA: Notice of Funding Availability

CDBG: Community Development Block Grant Program

AMI: Area Median Income

LMI: Low/moderate Income

CHHS: Community, Housing, and Human Services Department

TA: Technical Assistance

HUD: Department of Housing and Urban Development