RFP #: CDBG-11
Title: Fair Housing Services

I. INTRODUCTION AND BACKGROUND

The purpose of this document is to provide interested parties with information to enable them to prepare and submit a proposal and to inform them of basic requirements that the County uses as part of its standard contract process. Your proposal should include the completed CDBG Application for Public Services and information requested in Section III below.

Standard contract requirements concerning Affirmative Action, the Americans with Disabilities Act, the County’s Living Wage ordinance, contract termination and modification, etc. are included in the County’s boilerplate contract. This contract is subject to change. For further information you can view a copy of the contract on our website at: http://www.danecountyhumanservices.org/providers.htm

II. SCOPE OF THE PROJECT

A. PROJECT DESCRIPTION

The CDBG Program is currently seeking projects that will provide fair housing education and outreach services within the 55 participating jurisdictions of the Dane County Urban County Consortium or at agencies/organizations that provide services to participating jurisdictions.

Background

Title VIII of the Civil Rights Act of 1968, as amended (the Fair Housing Act), prohibits discrimination in all housing-related activities on the basis of race, color, religion, sex, national origin, familial status, and disability. Section 808(e)(5) of the Fair Housing Act also requires the Secretary of HUD to administer the Department’s housing and community development programs in a manner to affirmatively further fair housing. Actions to affirmatively further fair housing are to further policies of the Fair Housing Act by actively promoting wider housing opportunities for all persons while maintaining a nondiscriminatory environment in all aspects of public and private housing markets.

Chapter 31 of the Dane County Ordinances covers the Dane County Fair Housing regulations. This ordinance states, “that all persons shall have an equal opportunity for housing regardless of race, gender, age, religion, color, national origin, ancestry, marital status, domestic partnership status, family status, mental illness, disability, physical appearance, lawful source of income, student status, arrest or conviction record, sexual orientation, military discharge status, political beliefs, status as a victim of domestic violence, or the fact that a person declines to disclose his or her Social Security Number when such disclosure is not compelled by state or federal law, or the person is associated with a tenant union.”

Eligible Applicants

Eligible applicants include State and local government agencies and non-profit agencies.

Preference will be given HUD-approved agencies in both the Fair Housing Initiative Program (FHIP) and Fair Housing Assistance Program (FHAP). These are defined under 24 CFR 125.103 as:
Qualified Fair Housing Enforcement Organization (QFHO) – an organization, engaged in fair housing enforcement activities, whether or not enforcement is its sole activity, that: (1) is organized as a private, tax-exempt, nonprofit, charitable organization; (2) has at least 2 years experience in complaint intake, complaint investigation, testing for fair housing violations and enforcement of meritorious claims; and (3) is currently engaged in complaint intake, complaint investigation, testing for fair housing violations and enforcement of meritorious claims.

Fair Housing Enforcement Organization (FHO) – an organization, engaged in fair housing enforcement activities, whether or not enforcement is its sole activity, that: (1) is organized as a private, tax-exempt, nonprofit, charitable organization; (2) is currently engaged in complaint intake, complaint investigation, testing for fair housing violations and enforcement of meritorious claims; and (3) upon receipt of FHIP funds, will continue to be engaged in complaint intake, complaint investigation, testing for fair housing violations and enforcement of meritorious claims.

Eligible Activities

Eligible fair housing activities as defined under 24 CFR 570.206 (c ) are “making all persons, without regard to race, color, religion, sex, national origin, familial status or handicap, aware of the range of housing opportunities available to them; other fair housing enforcement, education and outreach activities; and other activities designed to further the housing objective of avoiding undue concentrations of assisted persons in areas containing a high proportion of low and moderate income persons.”

The CDBG Program is interested in efforts to provide information to persons whose primary language is not English, such as Asian and Latino populations regarding their fair housing rights and the complaint process to address fair housing issues. In addition the Program is interested in the provision of education and outreach to residents and housing providers in the Dane County Urban County Consortium to make them aware of the expanded Dane County Fair Housing Ordinance.

Eligible Costs

The standards for determining the reasonableness, allowability, and allocability of costs incurred as part of CDBG-financed activities may be found in OMB Circular A-87 for governmental subrecipients, OMB Circular A-122 for non-profit subrecipients, and OMB Circular A-21 for educational institutions.

Expenditures must be necessary, reasonable, and directly related to the grant. These may include: staff and overhead costs directly related to carrying out the fair housing activities; and costs to provide activity related information services, such as affirmative marketing and fair housing information to prospective homeowners and tenants.

Ineligible Costs

The standards for determining the reasonableness, allowability, and allocability of costs incurred as part of CDBG-financed activities may be found in OMB Circular A-87 for governmental subrecipients, OMB Circular A-122 for non-profit subrecipients, and OMB Circular A-21 for educational institutions.

Ineligible costs include, but may not be limited to:

Entertainment,
Contributions and donations,
Fines and penalties,
Bad debts,
Political activities,
General governmental expenses,
Purchase of construction equipment,
Personal property, furnishings, fixtures, or motor vehicles;
Operating and maintenance expenses, and
Income payments.

B. OBJECTIVES

To promote fair housing activities that will affirmatively further fair housing in the 55 participating jurisdictions in the Dane County Urban County Consortium.

C. NEEDS/EXPECTATIONS

1. Projects must assist low-and-moderate-income persons in the participating municipalities of the Dane County Urban County Consortium.

2. It is expected that projects will meet documented community needs. This includes needs identified in the Analysis of Impediments to Fair Housing Choice in Dane County, Wisconsin 2010, a draft of which is available on the County web site at: http://pdf.countyofdane.com/humanservices/cdbg/2011/Analysis_of_Impediments_to_Fair_Housing_Choice_2011_draft_rev_II.pdf and through other “hard” data sources.

3. Subrecipients that are directly funded under the CDBG Program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the program. If a Subrecipient conducts such activities, the activities must be offered separately in time or location, from the CDBG-funded program, and participation must be voluntary for the beneficiaries of the CDBG-funded program.

4. The project may not begin until the environmental review requirements at Part 58 are met and the County has given notice to proceed.

5. Any additional funding needed to make the project viable must be secured in order for a contract to be executed.

6. Projects must be able to begin and end in the year in which the contract is awarded, i.e., 2011.

D. CURRENT OPERATIONS

In 2010, a grant was awarded to the Metropolitan Milwaukee Fair Housing Council for Fair Housing Education and Outreach Services.

E. MAXIMUM FUNDING

Grants for up to $10,000 in 2011. The contract may be renewed for one additional year (2012). The amount of funds available in 2012 will be dependent on receipt of an Entitlement Allocation by Dane County and the amount of that allocation. Funds for Fair Housing services are paid under the CDBG Program Administrative costs which are limited under federal rules.
The County reserves the right to reject any and all proposals and to negotiate the terms of the contract, including the award amount, with the selected proposer prior to entering into a contract. If contract negotiations cannot be concluded successfully with the highest scoring proposer, the County may negotiate a contract with the next highest scoring proposer.

III. APPLICATION

Proposal Organization and Format – Required Form

Proposals should be submitted using the Dane County Application for 2011-12 CDBG Funds Fair Housing Education and Outreach Services.

This application requires that resumes of key staff be attached to the application.

Multiple Proposals

Multiple proposals from a vendor will be permissible, however each proposal must conform fully to the requirements for proposal submission. Each such proposal must be separately submitted and labeled as Proposal #1, Proposal #2, etc.

Required Copies

Proposers must submit an original and six (6) of copies of all materials required for acceptance as stated in this RFP. Proposers are required to submit one electronic copy in either PDF or Word format to CDBG@countyofdane.com.

IV. EVALUATION CRITERIA

Proposals will first be reviewed for project eligibility; those that are deemed eligible will then be scored. Scoring of proposals will be as follows:

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<tr>
<th>Criteria</th>
<th>Percent</th>
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<tbody>
<tr>
<td>Target Population</td>
<td>10%</td>
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<tr>
<td>Project Approach</td>
<td>30%</td>
</tr>
<tr>
<td>Experience and Qualifications</td>
<td>30%</td>
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<tr>
<td>Program Budget</td>
<td>20%</td>
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<tr>
<td>Past Performance (If previously funded, ability to meet timelines and goals in a reasonable fashion, compliance with prior contracts. Maximum points will be awarded to new applicants.)</td>
<td>10%</td>
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</tbody>
</table>

TOTAL 100%

Target Population (10 points maximum)

The application clearly describes the population targeted to receive fair housing education and outreach services.
Project Approach (30 points maximum)

The application describes what the program/project will do; how it will be implemented, operated, and administered within a realistic time period; how it will be provided; and how participants will benefit. The description should include:

- A description of the work that will be undertaken and a description of how the work will address the identified problems.
- Identifies any partnerships that have been or will be formed to ensure the success of the project.
- Provides a description of the outcomes or expected benefits of this project for the population to be served.
- A work plan for how the project/program will be organized, implemented, operated, and administered, and the timeline and milestones from initiation to completion. Work on the project – meaning funds will be spent – will be done in the year in which funds are awarded.

Experience and Qualifications (30 points maximum)

The application provides documentation to justify the organization’s capacity to conduct this project. The project is consistent with the mission of the organization. The organization has undertaken projects of similar complexity to the one for which funds are being requested. There are staff resources with the skills and experience to administer and conduct an accountable and responsible project. There appears to be adequate board and management oversight.

Budget (20 points maximum)

The application clearly explains and justifies each proposed budget line item. The budget is realistic.

Past Performance (10 points maximum)

If the organization has been previously funded, a review of past expenditures and performance shows that the organization has been able to meet timelines and goals in a reasonable fashion. Compliance with the contract will include, but not be limited to, submission of reports and adherence to scope of services. (Worth up to 10 points with maximum points being awarded to new projects.)

V. SPECIAL CONTRACT TERMS AND CONDITIONS

Procurement

1. Contractors of County CDBG funding will comply with the procurement standards under 24 CFR 85.36 for governmental contractors and 24 CFR 84.40-48 for contractors that are non-profit organizations, including the requirements for bonding in procurement.
2. The Contractor is the responsible authority, without recourse to HUD or the County regarding the settlement of all contractual and administrative issues arising out of the procurement entered in support of the award or other agreement.
3. The Contractor shall conduct all procurement in a manner to provide to the maximum extent practicable, open and free competition. Contractors that develop or draft specifications, requirements, statement of work, invitations for bids or requests for proposals shall be excluded from competing for a project.
4. General requirements for procurement include, but are not limited to:
a. Contractors must maintain records to detail the significant history of procurement. These records include, but are not limited to: files on the rationale for selecting the method of procurement used, selection of the contract type, the contractor selection/rejection process, and the basis for the cost or price of a contract.
b. Pre-qualified lists of vendors/contractors, if used, must be current, developed through open solicitation, include adequate numbers of qualified sources, and must allow entry of other firms to qualify at any time.
c. Steps should be taken to assure that women and minority businesses are utilized when possible as the sources of supplies, equipment, construction and services.
d. Contractors must ensure that awards are not made to any party that is debarred or suspended or is otherwise excluded from or ineligible for participation in the Federal assistance programs under Executive Order 12549.
e. There must be written selection procedures for procurement transactions.
f. Contractors must not use cost plus a percentage of cost pricing for contracts. In addition, Contractors should use time and material type contracts only after a determination is made that no other contract type is suitable and the contract includes a ceiling price that the contractor exceeds at its own risk.
g. Contractors must have protest procedures in place to handle and resolve disputes relating to their procurement and in all instances report such disputes to the County.
h. There must be a documented system of contract administration for determining the consistency of contractor performance.
i. Contractors must have a written code of conduct governing employees, officers, or agents engaged in the award or administration of contracts.

Excluded Parties List System (EPLS)

No contracts may be awarded to any party that is debarred or suspended or is otherwise excluded from participation on federal assistance programs.

Domestic Partner Equal Benefits Requirement

The contractor [or grant beneficiary] agrees to provide the same economic benefits to all of its employees with domestic partners as it does to employees with spouses, or the cash equivalent if such a benefit cannot reasonably be provided. The contractor [or grant beneficiary] agrees to make available for County inspection the contractor's payroll records relating to employees providing services on or under this contract or subcontract [or grant]. If any payroll records of a contractor [or grant beneficiary] contain any false, misleading or fraudulent information, or if a contractor [or grant beneficiary] fails to comply with the provisions of s. 25.016, D. C. Ords., the contract compliance officer may withhold payments on the contract; terminate, cancel or suspend the contract in whole or in part; or, after a due process hearing, deny the contractor the right to participate in bidding on future County contracts for a period of one year after the first violation is found and for a period of three years after a second or subsequent violation is found.

Living Wage Requirement

All employees working on this project are covered by the Dane County Living Wage Ordinance Section 25.015 (d). See Section 28.0 Standard Terms and Conditions. The minimum living wage rate for 2011 is $10.61. The successful Proposer will be required to sign a Living Wage Certification upon completion of the contract. Details are available on the Dane County Purchasing Division web site at www.co.dane.wi.us/purch/purch.htm.

Lobbying Certification

Prior to entering into an agreement to provide services, the contractor will be required to sign a certification attesting to the following:
1. No federally appropriated funds have been paid, or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal contract, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

3. The contractor shall require that the language of this CERTIFICATION be included in the award documents for all sub-awards at all tiers (including subcontractors, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

**Equal Opportunity Clause**

During the performance of this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

3. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order 11246 of Sept. 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

4. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 of October 13, 1967 and with the rules, regulations, and relevant orders of the Secretary of Labor.

5. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965 as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his/her books, records, and accounts by the contracting agency, County of Dane, HUD, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
6. In the event of the contractor’s noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, the contract may be cancelled, terminated, or suspended in whole or in part and the contract may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965 as amended, and such other sanctions may be imposed or remedies invoked as provided in Executive Order No. 11246 of September 24, 1965 as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

The contractor will include the provisions of paragraphs 1 through 7 in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965 as amended, so that such provisions will be binding upon each subcontract or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency and/or County of Dane may direct as a means of enforcing such provisions, including sanctions for noncompliance.

VI. Contact Information

Please check the website routinely to receive any updates or changes to this RFP. For clarifications or questions concerning this application your contact is listed below. Responses to questions submitted will be posted to the website.

Contact: Lori Bastean
E-Mail: Bastean@countyofdane.com

VII. Timeline

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<td>April 15, 2011</td>
<td>Consolidated Application Workshop</td>
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<td>Dane County Job Center Ballroom</td>
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<td>1819 Aberg AVE</td>
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<td>Madison, WI</td>
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<td>May 27, 2011</td>
<td>Applications due from vendors</td>
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<td>12 Noon</td>
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<td>June 25, 2011</td>
<td>Application Review Team</td>
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<td>Village of McFarland Municipal Center</td>
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<td>Conference Room A</td>
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<td>5915 Milwaukee ST</td>
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<td>McFarland, WI</td>
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<tr>
<td>August 25, 2011</td>
<td>Public Hearing for citizen input on activities proposed for funding in</td>
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<td>2012. CDBG Commission will make final recommendations to</td>
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<td>County Executive and County Board for funding.</td>
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Your completed proposal should include the following:

1) An electronic copy of the application and supporting materials submitted to:

   cdbg@countyofdane.com

2) Seven (7), 3-hole punched, copies of the completed Dane County Application for 2011-12 CDBG Funds Fair Housing Education and Outreach Services.

3) Additional information requested in Section III above.

   Submit your completed proposal to:
   Dane County CDBG/HOME
   Attn:  RFP #11
   1202 Northport Drive
   Madison, Wisconsin  53704

Proposals are due no later than May 27th, 12 noon.