

# **Jacksonville Housing Authority**

## **REQUEST FOR PROPOSALS (RFP) No. PS-004-23**

### **Banking Services**



**REQUEST FOR PROPOSAL (RFP) No. PS-004-23, Banking Services**

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# REQUEST FOR PROPOSAL (RFP) No. PS-004-23, Banking Services

## INTRODUCTION

The Jacksonville Housing Authority (hereinafter, “the Agency”) is a public entity that was formed to provide federally subsidized housing and housing assistance to low-income families in the Duval County, Baldwin, and Jacksonville Beach areas. The Agency is headed by a President / CEO and is governed by a seven-person board of commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, “CFR”), Florida Statute Chapter 287, and the Agency’s procurement policy.

In keeping with its mandate to provide efficient and effective services, the Jacksonville Housing Authority (JHA) is now requesting proposals from qualified, licensed, and insured entities to provide banking services to the Agency. All proposals submitted in response to this solicitation must conform to all the requirements and specifications outlined within this document and any designated attachments in its entirety.

## RFP INFORMATION AT A GLANCE

[Table No. 2]

<b>JHA CONTACT PERSON</b> (NOTE: Unless otherwise specified, any reference herein to “Contracting Officer” or CO” shall be a reference to the Agency contact person listed)	Colene Orsini Telephone: (904) 366-6078  Email: corsini@jaxha.org
<b>HOW TO OBTAIN THE RFP DOCUMENTS ON THE EPROCUREMENT MARKETPLACE</b>	1. Access ha.internationaleprocurement.com (no “www”). 2. Click on the “Login” button in the upper left side. 3. Follow the listed directions. 4. If you have any problems in accessing or registering on the Marketplace, please call customer support at (866)526-9266.
<b>PRE-BID MEETING TIME &amp; LOCATION</b>	<b>June 12, 2023, at 2:00 p.m. EST</b> VIA Microsoft Teams – please contact Colene Orsini for meeting details
<b>WRITTEN INQUIRIES SUBMITTAL DEADLINE</b>	<b>June 26, 2023, at 12:00 p.m. (Noon) EST</b>
<b>HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL SUBMITTAL</b>	<b>1</b> - As directed within Section 3.2.1 of the RFP document, enter proposed pricing where provided within the eProcurement Marketplace website.  <b>2</b> - As instructed within Section 3.4 of the RFP document, submit 4 (four) copies of your “hard copy” proposal to the Agency Procurement Office.
<b>PROPOSAL SUBMITTAL RETURN &amp; DEADLINE</b>	<b>July 10, 2023, at 3:00 p.m. EST</b> Jacksonville Housing Authority 1300 Broad Street N. Jacksonville, FL 32202

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### 1.0 THE AGENCY'S RESERVATION OF RIGHTS. The Agency reserves the right to

- 1.1 **Right to Reject, Waive, or Terminate the RFP.** Reject any or all proposals, to waive any informality in the RFP process, or terminate the RFP process at any time if deemed by the Agency to be in its best interests.
- 1.2 **Right to Not Award.** Not to award a contract pursuant to this RFP.
- 1.3 **Right to Terminate.** Terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days' written notice to the successful proposer(s).
- 1.4 **Right to Determine Time and Location.** Determine the days, hours, and locations that the successful proposer(s) shall provide the services called for in this RFP.
- 1.5 **Right to Retain Proposals.** Retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the Agency Contracting Officer (CO).
- 1.6 **Right to Negotiate.** Negotiate the fees proposed by the proposer entity.
- 1.7 **Right to Reject any Proposal.** Reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
- 1.8 **No Obligation to Compensate.** Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.
- 1.9 **Right to Prohibit.** At any time during the RFP or contract process prohibit any further participation by a proposer or reject any proposal submitted that does not conform to any of the requirements detailed herein. By accessing the eProcurement Marketplace (hereinafter, a.k.a. "the Marketplace") and by downloading this document, each prospective proposer is thereby agreeing to abide by all terms and conditions listed within this document and within the eProcurement Marketplace, and further agrees that he/she will inform the CO in writing within 5 days of the discovery of any item listed herein or of any item that is issued thereafter by the Agency that he/she feels needs to be addressed. Failure to abide by this timeframe shall relieve the Agency, but not the prospective proposer, of any responsibility pertaining to such issue.
- 1.10 **Right to Reject – Obtaining Competitive Solicitation Documents.** The eProcurement Marketplace is the only official and appropriate venue to obtain the competitive solicitation documents (and any other information pertaining to the competitive solicitation such as addenda). Accordingly, by submitting a response to this competitive solicitation the respondent thereby affirms that he/she obtained all information on the eProcurement Marketplace. Any other group such as a proposal depository that informs potential respondents of the availability of such competitive solicitations is hereby instructed to not distribute these documents to any such potential respondents, but to instruct the potential respondents to visit the eProcurement Marketplace to obtain the documents. The Agency will reject without consideration any response submitted from a firm that has not obtained the documents from the eProcurement Marketplace.

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**2.0 SCOPE OF PROPOSAL/TECHNICAL SPECIFICATIONS.** The Agency is seeking proposals from qualified and licensed banks (a/k/a “the Bank” or “the successful proposer”) to provide the Agency with the following detailed services:

**2.1 Areas of Service.** As further detailed herein, the Agency is seeking proposals to provide the following services. The information or work plan proposed by the proposer under Tab No. 4 shall fully detail the proposer’s offer pertaining to each of the following, including the submittal of sample forms, if appropriate.

**2.1.1** At least one full-service branch or banking location reasonable and convenient to the Agency so that the Agency can reasonably and conveniently make deposits and provide all other required services herein. This means that if the Agency must travel long distances to complete such required work, the Bank will offer, at no additional charge, courier services to the Agency that will allow the Agency to complete such transactions in a reasonable time frame (“reasonable,” as defined by the Agency).

**2.1.2** The Bank must participate in the Federal Deposit Insurance Corporation (FDIC) system. All Agency individual accounts must be insured to the extent authorized by Federal law governing the FDIC.

**2.1.2.1** All transactions must be conducted in accordance with the U.S. Department of Housing and Urban Development (HUD) Low Income Housing Financial Management Handbook – Publication No. 7475.1 – Chapter 4, Section 1. Any portion of Agency funds not insured by a Federal Insurance Organization shall be fully (100%) and continuously collateralized with specific and identifiable investments prescribed by HUD.

**2.1.3** The Bank must participate in both the Federal Reserve System’s electronic funds transfer services; Fedwire and ACH.

**2.1.4** The Bank must provide a secure business line of credit. The JHA is looking for:

**2.1.4.1** A secured line of credit that can be accessed for the purchase of single and multifamily properties before permanent financing can be put in place;

**2.1.4.2** Size: \$10,000,000 (ten million) +;

**2.1.4.3** Competitive terms  $\leq 0.250\%$ , not subject to a minimum floor rate;

**2.1.4.4** Secured by business assets;

**2.1.4.5** Monthly interest-only payment option with no maturity date.

**2.1.5** The Bank must provide the Agency a fully secured web-based banking system that does not require the addition of any proprietary software to the Agency server system, and can provide the following:

**2.1.5.1** Processing of standard format ACH credit files for direct deposit;

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- 2.1.5.2** Processing positive pay files and subsequent edit for prevention of check fraud, with e-mail notification to the Agency of any noted positive pay exceptions;
  - 2.1.5.3** Processing of intra-bank account transfers, with the ability to create and edit transfer form templates for frequently requested transfers;
  - 2.1.5.4** Processing of Wire Transfer initiation;
  - 2.1.5.5** Processing of stop payment order initiation;
  - 2.1.5.6** Processing of routine balance inquiries;
  - 2.1.5.7** Processing of routine transactions inquiries;
  - 2.1.5.8** Processing of request to view/print cancelled check images on-line;
  - 2.1.5.9** Ability to establish pre-set, pre-authorized wire transfer template and dollar limits not requiring additional Bank or Agency interaction;
  - 2.1.5.10** Ability to generate and print/save/export requested reports;
  - 2.1.5.11** Remote scan/deposit capabilities.
- 2.1.6** Other required services include:
  - 2.1.6.1** A monthly electronic copy (.pdf) of all cancelled check images (front & back) for all accounts;
  - 2.1.6.2** Provision of phone support services for computerized banking system at a minimum of 8:00 a.m. – 6:00 p.m., eastern standard time, Monday thru Friday, with pre-defined banking holidays excluded;
  - 2.1.6.3** The Bank must designate and assign one primary contact person/Relationship Manager for all matters pertaining to the Bank’s management of the Agency’s banking services;
  - 2.1.6.4** Provision of monthly Bank statements for each account by the 8th day subsequent month;
  - 2.1.6.5** Monthly Bank statements must be presented for actual discrete months (example: January 1-31, NOT January 3rd – February 2nd);
  - 2.1.6.6** Interest earnings and services fees shall be presented on the Bank statement of actual discrete month earned or incurred;
  - 2.1.6.7** Monthly Account Analysis Statements for actual discrete months must be provided, with a detailed analysis of all monthly service charges and interest earnings, for each individual account;
  - 2.1.6.8** Zero Balance Account (ZBA) Set-up capability;
  - 2.1.6.9** Favorable Purchasing Card (P-Card) program;
  - 2.1.6.10** Interest earned;
  - 2.1.6.11** Other ancillary services such as Mergers & Acquisition support.
- 2.1.7** The Agency reserves the right to close any of the accounts if the account is no longer required without any alteration to the previously agreed upon service charges or interest rates for other accounts.

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- 2.1.8 The Agency reserves the right to open any additional accounts during the contract period with the same requirements for services, service charges and interest earnings rates as specified in the proposal.
- 2.1.9 The Agency intends to pay for all service charges by direct payment of monthly service charges, rather than the use of compensating balances. Monthly service charges must be computed using the transactions prices specified in the proposal for the actual number of transactions for the month, for each individual account. Since service charges will be paid directly, the Agency expects to earn interest on the full balances of the accounts, with the earnings credit rate identified as a basis point factor tied to the 90-day T-bill rate.
- 2.1.10 All Bank accounts for the Agency must be Demand Deposit Accounts to permit the Agency to deposit or withdraw funds as required for operations.
- 2.1.11 The Bank will provide sufficient on-site training to ensure that Agency staff are proficient in the use of the Bank's systems and other services provided.
- 2.1.12 The Bank must provide contingency plans or systems for PHA to access data in the event of system breakdowns or other emergencies.
- 2.1.13 Any unauthorized charges made to the Agency's accounts may result in termination of the contract at the Agency's option.
- 2.1.14 The Bank will be required to defend, indemnify, and hold harmless the Agency against the negligent acts or omissions of the Bank in discharging its duties and obligations under the ensuing agreement for services. The Bank shall also be liable for any losses to the Agency due to the unauthorized wire transfers initiated or controlled by the Bank so long as the Agency had not authorized the transfer or was not negligent in ordering or causing any wire transfer to occur and the Bank had acted directly in response to such order.
- 2.1.15 Proposing banks must consult with their own Operations or Treasury Department to ensure that the proposed services fee structure can be implemented as proposed. Any awarded contract will require signing off by the awarded Bank's Operations or Treasury Department.
- 2.1.16 FDIC insurance assessments are considered an overhead cost to the Bank, and as such are not considered a cost directly chargeable to the Agency.

2.2 **Current Accounts.** The Agency currently has a total of 46 accounts.

2.3 **One System Only.** The successful proposer must provide one system only for all accounts. The Agency must be able to go to the banking Internet system and download all reports and conduct all services.

2.4 **FDIC Insured.** The successful proposer will be required to present proof that it is an FDIC insured institution.

2.5 **Current Bank.** The Agency's current provider of these services for several years is TD Bank.

### 3.0 PROPOSAL FORMAT.

3.1 **Tabbed Proposal Submittal.** The Agency intends to retain the Bank pursuant to

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a “Best Value” basis, not a “Low Bid” basis (“Best Value,” in that the Agency will, as detailed within the following Section 4.0, consider factors other than just cost in making the award decision). Therefore, so that the Agency can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted within the table below. Each category must be separated by numbered index dividers (which number extends so that each tab can be located without opening the proposal) and labeled with the corresponding tab reference also noted below. None of the proposed services may conflict with any requirement the Agency has published herein or has issued by addendum.

**[Table No. 3]**

<b>(1) RFP Section</b>	<b>(2)Tab No.</b>	<b>(3) Description</b>
<b>3.1.1</b>	<b>1</b>	<b>Form of Proposal.</b> This Form is attached hereto as Attachment A to this RFP document. This 2-page form must be fully completed, executed where provided thereon, and submitted under this tab as a part of the proposal submittal.
<b>3.1.1.2</b>		<b>Non-Collusive Affidavit (Attachment A1)</b> Please complete this form and include it in this tab.
<b>3.1.1.3</b>		<b>Addendums.</b> Any addendums issued will need to be completed and included under this tab, if applicable
<b>3.1.2</b>	<b>2</b>	<b>form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract.</i></b> This Form is attached hereto as Attachment B to this RFP document. This 2-page form must be fully completed, executed where provided thereon, and submitted under this tab as a part of the proposal submittal.
<b>3.1.3</b>	<b>3</b>	<b>Profile of Firm Form.</b> The Profile of Firm Form is attached hereto as Attachment C to this RFP document. This 2-page form must be fully completed, executed, and submitted under this tab as a part of the proposal submittal.
<b>3.1.4</b>	<b>4</b>	<b>Proposed Services.</b> The proposer shall place under this tab documentation further explaining the proposer’s services and showing how the proposer intends to fulfill the requirements of the preceding Section 2.0 – <i>Scope of Proposal / Technical Specifications</i> herein, including, but not limited to:
<b>3.1.4.1</b>		As detailed within Section 4.1, Evaluation Factor No. 2, herein, the proposer’s <b>DEMONSTRATED UNDERSTANDING of the AGENCY’S REQUIREMENT.</b>
<b>3.1.4.2</b>		As detailed within Section 4.1, Evaluation Factor No. 3, herein, the <b>QUALITY</b> of the <b>TECHNICAL APPROACH</b> and the <b>SERVICES PROPOSED.</b>
<b>3.1.4.3</b>		As detailed within Section 4.1, Evaluation Factor No. 4, the proposer’s <b>TECHNICAL CAPABILITIES</b> (in terms of personnel) and the <b>MANAGEMENT PLAN</b> (including the ability to provide the services detailed herein).



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<b>3.1.4.4</b>		As detailed within Section 4.1, Evaluation Factor No. 5, the proposer's <b>DEMONSTRATED RELEVANT EXPERIENCE</b> in performing similar work and the proposer's <b>DEMONSTRATED SUCCESSFUL PAST PERFORMANCE</b> (including meeting costs, schedules, and performance requirements) of contract work substantially similar to that required by this solicitation as verified by reference checks or other means. (NOTE: The Agency will place particular emphasis on the proposer's above-described EXPERIENCE and PAST PERFORMANCE with Public Housing- and HUD-related work).
<b>3.1.4.5</b>		If appropriate, how staff is retained, screened, trained, and monitored.
<b>3.1.4.6</b>		The proposed quality assurance program.
<b>3.1.4.7</b>		An explanation and copies of forms that will be used and reports that will be submitted and the method of such reports (i.e. written; fax; internet; etc.).
<b>3.1.4.8</b>		A complete description of the products and services the firm provides.
<b>3.1.5</b>	<b>5</b>	<b>Managerial Capacity/Financial Viability/Staffing Plan.</b> The proposer entity must submit under this tab a concise description of its managerial and financial capacity to deliver the proposed services, including brief professional resumes for the persons identified within areas (5) and (6) of Attachment C, <i>Profile of Firm Form</i> . Such information shall include the proposer's qualifications to provide the services; a description of the background and current organization of the firm (including a current organizational chart).
<b>3.1.6</b>	<b>6</b>	<b>Client Information.</b> The proposer shall submit a listing of former or current clients, including Public Housing Authorities, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include:
<b>3.1.6.1</b>		The client's name;
<b>3.1.6.2</b>		The client's contact name;
<b>3.1.6.3</b>		The client's telephone number and e-mail address;
<b>3.1.6.4</b>		A brief narrative description and scope of the service(s) and the dates the services were/are provided.
<b>3.1.7</b>	<b>7</b>	<b>Equal Employment Opportunity/Supplier Diversity.</b> The proposer must submit under this tab a copy of its Equal Opportunity Employment Policy and a complete description of the positive steps it will take to ensure compliance, to the greatest extent feasible, with the regulations detailed within the following Section 3.5 herein pertaining to supplier diversity (i.e., small, minority-, and women-owned businesses).
<b>3.1.8</b>	<b>8</b>	<b>Subcontractor/Joint Venture Information (Optional Item).</b> The proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Please remember that all information required from the proposer under the proceeding tabs must also be included for any major subcontractors (10% or more) or from any joint venture.

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<b>3.1.9</b>	<b>9</b>	<b>Other Information (Optional Item).</b> The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the Agency in its evaluation.
<b>3.1.10</b>		<b>Attachment H, Proposed Earning Credit Rate.</b> One copy of this form shall be completed by each proposer and submitted unfolded in a sealed envelope clearly labeled “Attachment H, Proposed Earnings Credit Rate Form,” with the proposers identifying information within the “return address” area of the envelope. This sealed envelope shall be placed within or attached to the inside front cover of the original signature proposal copy submitted. Please note that if a proposer does not complete and submit this Form as detailed herein, such shall not automatically cause that firm’s proposal to be rejected—at the Agency’s discretion the Agency may still consider that proposal; however, the Agency will consider the offer to be a “0” which may (and probably will) have a corresponding negative impact on the points awarded to that proposer pertaining to Evaluation Factor No. 1 and, based on the subjective opinion of the evaluation committee members, may have a negative corresponding effect on the points awarded pursuant to the Subjective Factors.
<b>3.1.11</b>		<b>Optional Tabs.</b> If no information is to be placed under any of the above noted tabs (especially the "Optional" tabs), please place there under a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." <u>DO NOT</u> eliminate any of the tabs.
<b>3.1.12</b>		<b>Proposal Submittal Binding Method.</b> It is preferable and recommended that the proposer bind the proposal submittals in such a manner that the Agency can, if needed, remove the binding (i.e., “comb-type” etc.) or remove the pages from the cover (i.e. 3-ring binder; etc.) to make copies, then conveniently return the proposal submittal to its original condition.

### **3.2 Entry of Proposed Fees.**

- 3.2.1** The proposed fees shall be submitted by the proposer and received by the Agency where provided on the eProcurement Marketplace only. Do not submit, enter, or refer to any fees or costs within the 10-tab “hard copy” proposal submittal detailed within Section 3.0—any proposer that does so may, at the Agency’s discretion, be rejected without further consideration. Further, there is not a charge by the Marketplace to the proposers for entering any of these costs on-line.
- 3.2.2** Unless otherwise stated, the proposed fees are all-inclusive of all related costs that the successful proposer will incur to provide the eProcurement Marketplace, including, but not limited to: employee wages and benefits; clerical support; overhead; profit; licensing; insurance; materials; supplies; tools; equipment; long distance telephone calls; travel; and document copying not specifically agreed to by the Agency; etc.

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[Table No. 4]

RFP Section	Item No.	Service Description	Qty (Yearly Avg)	U/M
		<b>General Account Services</b>		
3.2.2.1	1	Account Maintenance - 46 Accounts	552	Monthly
3.2.2.2	2	DDA Paper Statement Fee	36	Each
3.2.2.3	3	Digital Express Deposit Correction	36	Each
		<b>ACH Services</b>		
3.2.2.4	4	ACH Maintenance Direct	12	Each
3.2.2.5	5	ACH Originated Items	612	Each
3.2.2.6	6	ACH Received Credits	1,368	Each
3.2.2.7	7	ACH Received Debits	156	Each
3.2.2.8	8	ACH Returns Per Item	180	Each
3.2.2.9	9	ACH File Transmission	144	Each
3.2.2.10	10	ACH Filter (Max cost \$100.00)	216	Each
3.2.2.11	11	ACH Positive Pay Accounts	84	Each
3.2.2.12	12	ACH Notice Of Change	444	Each
3.2.2.13	13	Bank Assisted Noc Correct Surcharge	432	Each
		<b>Depository Services</b>		
3.2.2.14	14	Deposits Processed	2,064	Each
3.2.2.15	15	Checks Deposited	25,584	Each
3.2.2.16	16	Branch Cash Processing	24,972	Each
3.2.2.17	17	Remote Capture Checks Deposited	21,264	Each
3.2.2.18	18	Digital Express Monthly Maint	12	Each
3.2.2.19	19	Digital Express - Addtl Scanner	36	Each
3.2.2.20	20	Checks Paid	15,276	Each
		<b>Paper Disbursement Services</b>		
3.2.2.21	21	Returned Checks Final Pres	24	Each
		<b>Account Reconciliation</b>		
3.2.2.22	22	Positive Pay Maint	36	Each
3.2.2.23	23	Positive Pay Return Item	108	Each
3.2.2.24	24	Stale Dating Monthly Maintenance	84	Each
3.2.2.25	25	Payee POS Pay Monthly Maintenance	84	Each
3.2.2.26	26	ARP-Full Recon W/POS Pay Maint.	84	Each
3.2.2.27	27	ARP Paid Items	15,384	Each
3.2.2.28	28	ARP-Issue File Transmission	120	Each
3.2.2.29	29	ARP-Issue File Transmission	360	Each

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3.2.2.30	30	ARP-Pd/Dep Item Output File	36	Each
3.2.2.31	31	ARP-Optional Reports	48	Each
		<b>Information Reporting Services</b>		
3.2.2.32	32	ETRS-Base Pkg Maint - Gold	12	Each
3.2.2.33	33	ETRS-Transaction Record	20,028	Each
3.2.2.34	34	ETRS-Online Accounts	552	Monthly
3.2.2.35	35	ETRS-ACH Module Maintenance	12	Each
3.2.2.36	36	ETRS-ACH Initiated	66,444	Each
3.2.2.37	37	ETRS-Extended Image Search	12	Each
3.2.2.38	38	ETRS-Online Security	144	Each
3.2.2.39	39	ETRS-Stop Payments	72	Each
3.2.2.40	40	ETRS-Book Transfer	60	Each
3.2.2.41	41	ETRS-Wire Transfer Module	12	Each
3.2.2.42	42	ETRS-Wire Out Domestic	84	Each
3.2.2.43	43	ETRS-Issue / Cancel Transactions	648	Each
3.2.2.44	44	ETRS-Customer Maint Wire Templates	276	Each
3.2.2.45	45	ETRS-ACH Batch Initiated	480	Each
		<b>Wire &amp; Other Funds Transf Svcs</b>		
3.2.2.46	46	EFT_Wire Notification Paper	72	Each
3.2.2.47		<b>Potential Additional Charges.</b> It is the responsibility of each proposer to carefully review the charges listed within this Table No. 4 herein and ASAP notify the Agency in writing of any services that the proposer wishes to propose fees for. Such written notification shall include a description of the noted services. The Agency will consider such requests; however, the Agency reserves the right to not include such charges as a requirement of the RFP if the Agency feels that doing so is in its best interests.		
3.2.2.48		<b>Potential Precision Decimals.</b> The Agency has allowed precision decimals for certain of the above Pricing Items. "Precision decimals" means that instead of just allowing the proposer to respond with proposed pricing with just two digits after the decimal point of the proposed cost (e.g. 1.10), the Agency has changed the response area to allow more decimals for certain Pricing Items if the proposer wishes such (e.g. 1.000000000000). A proposer would typically desire such an option for high volume Pricing Items where the proposed cost per each would be less than \$0.01. If any proposer desires such an option for additional Pricing Items, please send the request in writing to the CO and we will consider adjusting the Pricing Items to accommodate the request.		

### 3.3 Additional Information Pertaining to the Pricing Items:

**3.3.1 Quantities:** All quantities entered by the JHA herein and within are for calculating purposes only. As may be further detailed herein, the JHA does not guarantee any

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minimum or maximum amount of work as a result of any award ensuring from this RFP, as the JHA anticipates that the ensuing contract will be a Requirements Contract, in that the JHA shall retain one Bank only and shall retain the right to order from that Bankr (successful proposer), on a task order basis, any amount of services the Agency requires.

**3.3.2 IMPORTANT NOTICE!!! Entry of Proposed Fees.** Except as provided for otherwise (e.g. a “No Charge” option), proposers must submit, where provided within the eProcurement Marketplace, a realistic cost for each and every Pricing Item detailed within the preceding Table No. 4. The eProcurement Marketplace will automatically perform all required calculations.

**3.3.2.1 Realistic Cost for each Pricing Item.** Each proposer is strongly encouraged to enter where provided within the eProcurement Marketplace a realistic cost for each Pricing Item. For example, if the successful proposer enters \$.01 for any Pricing Item (proposers typically do so in an effort to improve their position in regard to Evaluation Factor No. 1, as detailed within the following Table No. 6 herein), then the \$.01 is what the successful proposer will charge the Agency for any work that the Agency may retain the successful proposer to provide if the Agency deems such retention is in the Agency's best interests to do so. Accordingly, it is the Agency's opinion that it is very much in the best interests of the proposer to propose a realistic cost for each Pricing Item. If, despite this warning, the successful proposer proposes cost that the Agency deems is not realistic, then the Agency reserves the right to require the successful proposer to, at contract execution, present a cash bond in a suitable amount (e.g. \$4,000.00, which the Agency will hold during the term of the ensuing contract period) to ensure that the successful proposer will fulfill his/her obligation in this matter.

**3.3.2.2 No Charge.** For any proposer that enters a "No Charge," such shall mean that the proposer will provide the listed service if required by the Agency but will not during the term(s) of the ensuing contract charge the Agency a cost for providing such service. Proposers are allowed to submit a “No Charge” for any of the Pricing Items detailed within the preceding Table No. 4 and listed within the applicable area of the eProcurement System.

**3.3.2.3 No Bid Not Allowed.** There is not a "No Bid" allowed for any of the Pricing Items (a "No Bid" means that the proposer will not provide the service).

**3.3.2.4 No Deposit.** The Agency will NOT pay any deposits as a result of award of the ensuing contract.

**3.3.2.5 Pricing Item No. 1.** This fee will be for the Bank to provide all services to the Agency as detailed within the preceding Section 3.2.2 herein, but excepting those services detailed within the immediate-preceding Pricing Items 2-46, which services the Agency will pay individually for when required.

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- 3.3.2.6 Potential Missing Charges.** It is the responsibility of each proposer to carefully review the charges listed within the immediate-preceding Table No. 4 herein and ASAP notify the Agency in writing of any services that the proposer wishes to propose fees for. Such written notification should include a description of the noted services. The Agency will consider such requests, but the Agency reserves the right to not include such charges as a requirement of the RFP.
- 3.3.2.7 Review the Entry of Proposed Fees.** After a proposer has entered where provided within the eProcurement Marketplace his/her proposed unit costs for the Pricing Items, the Marketplace will automatically multiply the proposed unit costs by the listed quantities. The Agency strongly recommends that each proposer, after entry of these proposed fees within the eProcurement Marketplace, print the receipt provided and review the entry to ensure that the proposer has entered the proposed fees correctly (the Marketplace will allow the proposer to immediately re-enter the Marketplace at any time prior to the posted deadline to correct any such entry). The proposer will NOT be able to correct this entry after the posted deadline has expired, which means that the Agency will utilize such entry, correct or incorrect, to assign the points pertaining to Evaluation Factor No. 1 detailed within the following Table No. 6 herein.
- 3.3.2.8 Determination of the Calculated Costs.** After a proposer has entered where provided within the Marketplace his/her proposed unit costs for the Pricing Items, the Marketplace will automatically multiply the proposed unit costs by the listed quantities. The total sum of all the line items shall be the Total Calculated Cost that the Agency will utilize to determine the points assigned for cost as identified for Evaluation Factor No. 1 within the following Table No. 6 herein.
- 3.3.2.9 No Negotiation of Proposed Fees after the Submittal Deadline.** The Agency WILL NOT, after the submittal deadline, negotiate an increase to any unit costs or fees proposed prior to the submittal deadline; accordingly, proposers are strongly cautioned to submit a realistic price for each Pricing Item identified within the preceding Table No. 4 herein that the proposer chooses to submit a proposed cost for.
- 3.3.3 Potential Escalation of Rates.** At the discretion of the CO, at the end of the second one-year contract period (and at the end of any ensuing extended contract period), there may be an escalation of costs allowed to any/all the Pricing Items in the same amount of any escalation that occurs pertaining to the corresponding or most similar Producer Price Index (PPI) rate. For example, if at the end of the second contract period the applicable PPI rate 5% as compared with the listed rates for the immediately preceding one-year period, then the Bank will, at the CO's discretion, be entitled to a 5% increase in the rates in affect during the immediate preceding contract period. Similarly, for ensuing years, the end-date of the previous contract period shall be the base-line date to determine the

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applicable PPI rate. NOTE: Any proposer that submitted a “No Charge” for any of the Pricing Items detailed within the preceding Table No. 4 herein shall not be entitled to any increase in costs for such Pricing Items at any time during the ensuing contract periods, if awarded (Reason: It is not possible to calculate a percentage increase when the base line cost is “No Charge” or “0”). Also, this Section 3.3.3 applies to the Proposed Earnings Credit Rate submitted within Attachment H, attached hereto.

**3.3.3.1 Notification Must Be Received From the Bank.** The Bank must notify the CO, in writing, of such desired escalation at least 60 days prior to the end of the noted contract period(s). Such escalations may occur no more than once in any 12-month period without the express written consent of the CO.

**3.3.3.2 Right to Reject.** As stated within this Section 3.3.3, the Agency reserves the right to reject any such request for an increase in fees if the Agency feels doing so is in its best interests. Similarly, the Bank has the right to terminate services if the Agency rejects the request for an increase. This will occur in the following manner (procedure):

**3.3.3.2.1 Step No. 1.** The Bank submits his/her written request for an increase, accompanied by the required documentation, to the Agency CO within the required 60-day period (please see the preceding Section 3.3.3.1 herein);

**3.3.3.2.2 Step No. 2.** The Agency considers the requested increase and, within 10 days of receipt of such, issues a written response to the Bank as to whether the request is approved or rejected;

**3.3.3.2.3 Step No. 3.** If rejected and the Bank wishes to, as a result, cease providing the services to the Agency, the Bank has 10 days from the receipt of the written notice of rejection to deliver to the Agency CO a written notice that he/she is hereby invoking his/her right to discontinue the services within 120 days of the date this notice was delivered to the Agency (the specific date 120-days hence shall be identified within the notice);

**3.3.3.2.4 Step No. 4.** The Agency will then endeavor to ensure that it makes other arrangements to replace the Bank (e.g. award to the next-rated firm as a result of the RFP; do another RFP; etc.); further, if such other arrangements are completed by the Agency prior to the aforementioned 120-day date, the Agency shall retain the right to deliver to the original Bank a 10-

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day written notice to cease services (meaning, the 120-day period is a maximum additional contract period that the Agency may, at its discretion, shorten with such written notice).

**3.3.4 Prior Written Approval Required from the JHA.** Please note that the successful proposer shall NOT, at any time during the ensuing contract period(s), conduct any work without the prior written authorization received from the designated Agency representative (via delivery of a Task Order, which may take the form of an e-mail). Failure to abide by this directive shall release the Agency of any obligation to pay the successful proposer for any such work conducted without the noted prior written authorization.

**3.3.5 No Deposit/No Retainer.** The Agency will NOT pay any deposit or retainer fees at any time as a result of award of the ensuing contract (though the Agency may consider, under certain circumstances, a reasonable and justified payment for mobilization).

**3.4 Proposal Submission Responsibilities:** All pricing must be entered where provided within the eProcurement Marketplace and all “hard-copy” proposals must be submitted and time-stamped received in the designated Agency office by no later than the submittal deadline stated herein (or within any ensuing addendum). **A total of 1 (one) original signature copy (marked "ORIGINAL") and 3 (three) exact copies marked as “COPY” of the proposal submission must be submitted.** Each of the 4 (four) separate proposal submittals shall have a cover and extending tabs and shall be placed unfolded in a sealed package and addressed to:

**Jacksonville Housing Authority  
RFP No. PS-004-23  
Attention: Colene Orsini, Procurement Supervisor  
1300 Broad Street N. Jacksonville, Florida 32202**

**3.4.1 Labeling of the Sealed Proposal Submission Package.** The package exterior must clearly denote the above noted RFP number and must have the proposer’s name and return address.

**3.4.2 Submission Conditions: DO NOT FOLD OR MAKE ANY ADDITIONAL MARKS, NOTATIONS OR REQUIREMENTS ON THE DOCUMENTS TO BE SUBMITTED!** Proposers are not allowed to change any requirements or forms contained herein, either by making or entering onto these documents or the documents submitted any revisions or additions; and if any such additional marks, notations or requirements are entered on any of the documents that are submitted to the JHA by the proposer, such may invalidate that proposal. If, after accepting such a proposal, the JHA decides that any such entry has not changed the intent of the proposal that the JHA intended to receive, the JHA may accept the proposal and the proposal shall be considered by the JHA as if those additional marks, notations or requirements were not entered on such. By downloading these documents, each



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prospective proposer that does so is thereby agreeing to confirm all notices that the JHA delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFP.

- 3.4.3 Submission Responsibilities:** It shall be the responsibility of each proposer to be aware of and to abide by all dates, times, conditions, requirements and specifications set forth within all applicable documents issued by the JHA, including the RFP document, the documents listed within the following Section 3.8, and any addenda and required attachments submitted by the proposer. By virtue of completing, signing and submitting the completed documents, the proposer is stating his/her agreement to comply with all the conditions and requirements set forth within those documents. Written notice from the proposer not authorized in writing by the CO to exclude any of the JHA requirements contained within the documents may cause that proposer to not be considered for award.

- 3.5 Proposer's Responsibilities — Contact with the Agency.** It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the CO only. Proposers must not make inquiries or communicate with any other Agency staff member or official (including members of the Board of Commissioners) pertaining to this RFP. Failure to abide by this requirement may be cause for the Agency to not consider a proposal submittal received from any proposer who may not have abided by this directive.

- 3.5.1 Addendums.** All questions and requests for information must be addressed in writing to the CO. The CO will respond to all such inquiries in writing by an addendum to all prospective proposers (i.e., firms or individuals that have obtained the RFP Documents). During the RFP solicitation process, the CO will NOT conduct any *ex parte* (a substantive conversation— “substantive” meaning, when decisions pertaining to the RFP are made—between the Agency and a prospective proposer when other prospective proposers are not present) conversations that may give one prospective proposer an advantage over other prospective proposers. This does not mean that prospective proposers may not call the CO—it simply means that other than making replies to direct the prospective proposer where his/her answer has already been issued within the solicitation documents, the CO may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that the CO may more fairly respond to all prospective proposers in writing by addendum.

- 3.6 Proposer's Responsibilities — Equal Employment Opportunity and Supplier Diversity.** Both the Bank and the Agency have, pursuant to HUD regulation, certain responsibilities pertaining to the hiring and retention of personnel and subcontractors.

- 3.6.1** Within 2 CFR §200.321 it states:

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- 3.6.1.1** Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
- 3.6.1.2** (a) The non-federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.
- 3.6.1.3** (2) Affirmative steps must include:
  - 3.6.1.3.1** (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
  - 3.6.1.3.2** (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  - 3.6.1.3.3** (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises;
  - 3.6.1.3.4** (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  - 3.6.1.3.5** (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  - 3.6.1.3.6** (6) Requiring the prime Bank if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

**3.6.2** Within **HUD Procurement Handbook 7460.8 REV 2** it states:

- 3.6.2.1** **Section 15.5.A, Required Efforts.** Consistent with Presidential Orders 11625, 12138, and 12432, the [Agency] shall make every effort to ensure that small businesses, MBEs, WBEs, and labor surplus area businesses participate in [Agency] contracting.
- 3.6.2.2** **Section 15.5.B, Goals.** [The Agency] is encouraged to establish goals by which they can measure the effectiveness of their efforts in implementing programs in support of . . . contracting with disadvantaged firms. It is important to ensure that the means used to establish these goals do not have the effect of limiting competition and should not be used as mandatory set-aside or quota, except as may otherwise be expressly authorized in regulation or statute. Some localities have adopted minority contracting set-aside policies or geographic limitations, which may be in conflict with Federal requirements for full and open competition.

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**3.6.3** Within our **Agency Procurement Policy** it states that our Agency will:

**3.6.3.1 Assistance to Small and Other Business, Required Efforts:**

- 3.6.3.1.1** Including such firms, when qualified, on solicitation mailing lists;
- 3.6.3.1.2** Encouraging their participation through direct solicitation of proposals or proposals whenever they are potential sources;
- 3.6.3.1.3** Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- 3.6.3.1.4** Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
- 3.6.3.1.5** Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
- 3.6.3.1.6** Including in contracts, to the greatest extent feasible, a clause requiring Banks, to provide opportunities for training and employment for lower income residents of the project area and to award subcontracts for work in connection with the project to business concerns which provide opportunities to low-income residents, as described in 24 CFR Part 135 (so-called Section 3 businesses); and
- 3.6.3.1.7** Requiring prime Banks when subcontracting is anticipated, to take the positive steps listed above.

**3.6.4 Requirements.** Accordingly, please see Section 3.1.7 within Table No. 3 herein which details the information pertaining to this issue that the proposer must submit in response to this proposal showing compliance, to the greatest extent feasible, with these regulations.

**3.7 Pre-proposal Conference.** The scheduled pre-proposal conference identified in Table 2 of this document, pursuant to HUD regulation, is not mandatory but highly suggested. Many prospective proposers have previously responded to an RFP with a multi-tabbed submittal and feel comfortable doing so without attending the pre-conference. Typically, such conferences last 1 hour or less, though such is not guaranteed. The purpose of this conference is to assist prospective proposers to have a full understanding of the RFP documents so that he/she feels confident in submitting an appropriate proposal; therefore, at this conference, the JHA will conduct a brief overview of the RFP documents, including the attachments. Prospective proposers may also ask questions, though the CO may require that some such questions are delivered in writing prior to a response being

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delivered. Whereas the purpose of this conference is to review the RFP documents, attendees should bring a copy of the RFP documents to this conference; the JHA will not distribute any copies of the RFP documents at this conference.

- 3.8 Recap of Attachments.** It is the responsibility of each proposer to verify that he/she has downloaded the following attachments pertaining to this RFP, which are hereby, by reference, included as a part of this RFP:

[Table No. 5]

RFP Section	Attachment	Attachment Description
3.8.1		This RFP Document
3.8.2	A	Form of Proposal
3.8.2.1	A1	Non-Collusion Affidavit
3.8.3	B	form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract</i>
3.8.4	C	Profile of Firm Form
3.8.5	D	Section 3 Explanation
3.8.6	E	form HUD-5369-B (8/93), <i>Instructions to Offerors, Non-Construction</i>
3.8.7	F	<i>Supplemental Instructions to Proposers &amp; Contractors (SIPC)</i>
3.8.8	G	Sample Contract
3.8.8.1	G1	Sample Contract Appendix No. 1: form HUD-5370-C (01/2014), <i>General Conditions for Non-Construction Contracts Section I (With or without Maintenance Work)</i>
3.8.8.2	G2	Sample Contract Appendix No. 2: Form HUD-51999 (01/2021), <i>General Depository Agreement</i>
3.8.8.3	G3	Sample Contract Appendix No. 3: form HUD 50071 (01/14), Certification of Payments to Influence Federal Transactions (NOTE: This form will only be completed and included as a part of the ensuing contract if the Agency anticipates that total awards pursuant to the ensuing contract may or will exceed \$100,000.)
3.8.8.4	G4	Sample Contract Appendix No. 4: Standard Form LLL (Rev. 01/14), Disclosure of Lobbying Activities (NOTE: This form will only be completed and included as a part of the ensuing contract if the Bank designates an affirmative answer to Item No. (2) within the immediate identified form 50071.)
3.8.8.5	G5	Sample Contract Appendix No. 5: <i>Florida E-Verify Affidavit</i>
3.8.7	H	Proposed Earnings Credit Rate Submittal Form
3.8.8	I	Agency Profile of Properties

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**4.0 PROPOSAL EVALUATION.**

**4.1 Objective/Subjective Evaluation Factors.** The following factors will be utilized by the Agency to evaluate each proposal submittal received; the award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal and online (specifically, the pricing submitted online):

[Table No. 6]

(1) No.	(2) Max Point Value	(3) Factor Type	(4) Factor Description
1	30 points	Objective	The <b>PROPOSED COSTS</b> submitted by the proposer to charge the Agency, including, as further detailed within Attachment H attached hereto, the Proposed Earnings Credit Rate for all investment balances.
2	15 points	Subjective (Technical)	The proposer's <b>DEMONSTRATED UNDERSTANDING</b> of the <b>AGENCY'S REQUIREMENT</b> .
3	15 points	Subjective (Technical)	The <b>QUALITY</b> of the <b>TECHNICAL APPROACH</b> and the <b>SERVICES PROPOSED</b> .
4	15 points	Subjective (Technical)	The proposer's <b>DEMONSTRATED TECHNICAL CAPABILITIES</b> (in terms of personnel) and the <b>MANAGEMENT PLAN</b> (including the ability to provide the services detailed herein).
5	20 points	Subjective (Technical)	The proposer's <b>DEMONSTRATED RELEVANT EXPERIENCE</b> in performing similar work and the proposer's <b>DEMONSTRATED SUCCESSFUL PAST PERFORMANCE</b> (including meeting costs, schedules, and performance requirements) of contract work substantially similar to that required by this solicitation as verified by reference checks or other means. (NOTE: The Agency will place particular emphasis on the proposer's above described EXPERIENCE and PAST PERFORMANCE with Public Housing- and HUD-related work).
6	5 points	Subjective (Technical)	The <b>OVERALL QUALITY, ORGANIZATION, and PROFESSIONAL APPEARANCE</b> of the <b>PROPOSAL SUBMITTED</b> , based upon the opinion of the evaluators.
	100 points		<b>Total Points (other than preference points)</b>
*NOTE: Points will be awarded for each Subjective Factor by each of the appointed evaluation committee members based on his/her opinion after a thorough review of the information submitted by each proposer within his/her proposal.			

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**4.2 Evaluation Method.** The eventual award will occur based on the following detailed brief procedures.

**4.2.1 Initial Evaluation for Responsiveness.** Each proposal received will first be evaluated for responsiveness (i.e. meets the minimum of the requirements).

**4.2.2 Evaluation Packet.** An evaluation packet will be prepared for each evaluator, typically including the following documents:

- 4.2.2.1** Instructions to Evaluators;
- 4.2.2.2** Proposal Tabulation Form;
- 4.2.2.3** Written Narrative Form for each proposer;
- 4.2.2.4** Recap of each proposer's responsiveness;
- 4.2.2.5** Copy of all pertinent RFP documents.

**4.2.3 Evaluation Committee.** The Agency anticipates that it will select a minimum of a three-person committee to evaluate each of the responsive "hard copy" proposals submitted in response to this RFP. PLEASE NOTE: No proposer shall be informed at any time during or after the RFP process as to the identity of any evaluation committee member. If, by chance, a proposer does become aware of the identity of such person(s), he/she **SHALL NOT** make any attempt to contact or discuss with such person anything related to this RFP. As detailed within Section 3.5 of this document, the designated CO is the only person at the Agency that the proposers shall contact pertaining to this RFP. Failure to abide by this requirement may (and most likely will) cause such proposer(s) to be eliminated from consideration for award.

**4.2.4 Evaluation.** The appointed evaluation committee, independent of the CO or any other person at the Agency, shall evaluate the responsive proposals submitted and award points pertaining to Evaluation Factors No. 1 through No. 5 (the "Subjective" Factors). Upon final completion of the proposal evaluation process, the evaluation committee will forward the completed evaluations to the CO.

**4.2.4.1 Points Awarded Range.** Pertaining to the Subjective Factors, please note the following range of points awarded (points pertaining to this RFP are shaded—please also see the Evaluation Factors detailed within the preceding Section 4.1):

[Table No. 7]

Points Awarded Range						
Classification*	Rating	%	10	20	30	100**
Acceptable	Excellent	95%/+	10	19-20	29-30	95-100
Acceptable	Very Good	90%/+	9	18	27-28	90-94
Potentially Acceptable	Good	80%/+	8	16-17	24-26	80-89
Potentially Acceptable	Average	70%/+	7	14-15	21-23	70-79

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Unacceptable	Poor	<70%	0-6	0-13	0-20	0-69
<b>*Pursuant to Section 7.2.N.3 of HUD Procurement Handbook 7460.8 REV 2.</b> <b>**Total available points to be awarded, including cost points, minus preference points.</b>						

- 4.2.5 Potential "Competitive Range" or "Best and Finals" Negotiations.** The Agency reserves the right to, as detailed within Section 7.2.N through Section 7.2.R of HUD Procurement Handbook 7460.8 REV 2, conduct a "Best and Finals" Negotiation, which may include oral interviews, with all firms deemed to be in the competitive range. Any firm deemed not to be in the competitive range shall be notified of such in writing by the Agency in as timely a manner as possible, but in any case within no longer than 10 days after the beginning of such negotiations with the firms deemed to be in the competitive range.
- 4.2.6 Determination of Top-ranked Proposer.** Typically, the subjective points awarded by the evaluation committee will be combined with the objective points awarded by the CO to determine the final rankings. If the evaluation was performed to the satisfaction of the CO, the final rankings may be forwarded to the Housing Authority Board of Commissioners (BOC) at a scheduled meeting for approval. Contract negotiations may, at the Agency's option, be conducted prior to or after the BOC approval.
- 4.2.6.1 Minimum Evaluation Results.** To be considered to receive an award a proposer must receive a total calculated average of at least 70 points (of the 100 total possible points detailed within Section 4.1 herein).
- 4.2.6.2 Ties.** In the case of a tie in points awarded, the award shall be decided as detailed within Section 6.12.C of HUD Procurement Handbook 7460.8 REV 2, by "drawing lots or other random means of selection."
- 4.2.7 Notice of Results of Evaluation.** If an award is completed, all proposers will receive by e-mail a Notice of Results of Evaluation. Such notice shall inform all proposers of:
- 4.2.7.1** Which proposer received the award;
- 4.2.7.2** Where each proposer placed in the process as a result of the evaluation of the proposals received;
- 4.2.7.3** The cost or financial offers received from each proposer;
- 4.2.7.4** Each proposer's right to a debriefing and to protest.
- 4.2.8 Restrictions.** All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the Agency evaluation committee. Similarly, all persons having ownership interest in and/or contract

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with a proposer entity will be excluded from participation on the Agency evaluation committee.

### 5.0 CONTRACT AWARD.

**5.1 Contract Award Procedure.** If a contract is awarded pursuant to this RFP, the following detailed procedures will be followed:

**5.1.1** By completing, executing and submitting a proposal, the “proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the Agency, either in hard copy or on the Marketplace” including the contract clauses already attached as Attachment G-1, each attached hereto. Accordingly, the Agency has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses already published.

**5.2 Contract Conditions.** The following provisions are considered mandatory conditions of any contract award made by the Agency pursuant to this RFP:

**5.2.1 Contract Form.** The Agency will not execute a contract on the Bank’s form—contracts will only be executed on the Agency form (please see Sample Contract, Attachment G and G1 through G6, each attached hereto), and by submitting a proposal the Bank agrees to do so (please note that the Agency reserves the right to amend this form as the Agency deems necessary). However, the Agency will during the RFP process (prior to the posted question deadline) consider any contract clauses that the proposer wishes to include therein and submits in writing a request for the Agency to do so; but the failure of the Agency to include such clauses does not give the Bank the right to refuse to execute the Agency’s contract form. It is the responsibility of each prospective proposer to notify the Agency, in writing, prior to submitting a proposal, of any contract clause that he/she is not willing to include in the final executed contract and abide by. The Agency will consider and respond to such written correspondence, and if the prospective proposer is not willing to abide by the Agency’s response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

**5.2.1.1 Mandatory HUD Forms.** Please note that the Agency has no legal right or ability to (and will not) at any time negotiate any clauses contained within ANY of the HUD forms included as a part of this RFP.

**5.2.1.2 E-Verify Affidavit.** The Bank must certify compliance with Florida E-Verify requirements, in that the Bank is registered, uses, and will continue to use the E-Verify, Federal Work Authorization Program throughout the contract period. This Form is attached hereto as Attachment G-6 to this RFP document. This 1-page form will be fully completed and executed where provided thereon by the successful proposer and will be a part of the ensuing contract (NOTE: It is NOT



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necessary to complete and submit this form as a part of the proposal submittal—only the awarded proposer(s) will be required to do so as a part of the contract execution).

- 5.2.2 Assignment of Personnel.** The Agency shall retain the right to demand and receive a change in personnel assigned to the work if the Agency believes that such change is in the best interest of the Agency and the completion of the contracted work.
- 5.2.3 Unauthorized Sub-contracting Prohibited.** The Bank shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFP (including, but not limited to, selling or transferring the contract) without the prior written consent of the CO. Any purported assignment of interest or delegation of duty, without the prior written consent of the CO shall be void and may result in the cancellation of the contract with the Agency, or may result in the full or partial forfeiture of funds paid to the Bank as a result of the proposed contract; either as determined by the CO.
- 5.3 Contract Period.** The Agency anticipates that it will initially award a contract for the period of 1 year with the option, at the Agency's discretion, of 4 additional one-year option periods, for a total maximum contract period of 5 years.
- 5.4 Licensing and Insurance Requirements.** Prior to award (but not as a part of the proposal submission) the successful proposer will be required to provide:
- 5.4.1 Workers Compensation Insurance.** An original certificate evidencing the proposer's current industrial (worker's compensation) insurance carrier and coverage amount (NOTE: Workers Compensation Insurance will be required of any Contractor that has employees other than just the owner working on-site to provide the services);
- 5.4.2 General Liability Insurance.** An original certificate evidencing General Liability coverage, naming the Agency as an additional insured, together with the appropriate endorsement to said policy reflecting the addition of the Agency as an additional insured under the said policy (minimum of \$1,000,000 each occurrence, the general aggregate minimum limit of \$1,000,000, together with damage to premises and fire damage of \$50,000 and medical expenses any one person of \$5,000), with a commercially reasonable deductible (i.e., "commercially reasonable," meaning not greater than 1% of the "general aggregate minimum" of the policy, with a maximum deductible amount of \$50,000);
- 5.4.3 Professional Liability Insurance.** An original certificate showing the proposer's professional liability and/or "errors and omissions" coverage (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$1,000,000), with a commercially reasonable deductible (i.e., "commercially reasonable," meaning not greater than 1% of the "general aggregate minimum" of the policy, with a maximum deductible amount of \$50,000);

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- 5.4.4 Automobile Insurance.** An original certificate showing the proposer's automobile insurance coverage in a combined single limit of \$1,000,000. For every vehicle utilized during the term of this program, when not owned by the entity, each vehicle must have evidence of automobile insurance coverage with limits of no less than \$50,000/\$100,000 and medical pay of \$5,000.
- 5.4.5 City/County/State Business License.** If applicable, a copy of the proposer's business license allowing that entity to provide such services within the City of Jacksonville and/or the State of Florida.
- 5.4.6 Certificates/Profile of Firm Form.** Pertaining to the aforementioned (within Sections 5.4.1 through 5.4.5) insurance certificates and licenses, each proposer is required to enter related information where provided for on the Profile of Firm Form (do not attach or submit copies of the insurance certificates or licenses within the proposal submittal—we will garner the necessary documents from the successful proposer prior to contract execution).
- 5.5 Right to Negotiate Final Fees.** The Agency shall retain the right to negotiate the amount of fees that are paid to the Bank, meaning the fees proposed by the top-rated proposer may, at the Agency's options, be the basis for the beginning of negotiations. Such negotiations shall begin after the Agency has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO successfully concluded within 5 business days, the Agency shall retain the right to end such negotiations and begin negotiations with the next-rated proposer. The Agency shall also retain the right to negotiate with and make an award to more than one proposer.
- 5.6 Contract Service Standards.** All work performed pursuant to this RFP must conform and comply with all applicable local, state, and federal codes, statutes, laws, and regulations.
- 5.7 Prompt Return of Contract Documents.** Any and all documents required to complete the contract, including contract signature by the successful proposers, shall be provided to the Agency within 10 workdays of notification by the Agency.

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