



**WAUKEGAN HOUSING AUTHORITY  
REQUEST FOR PROPOSALS (RFP)  
No. IL026-RFP-24-001**

**Project Based Vouchers**

**Date of Issuance: February 1, 2024  
Date of Submission: Open**

RFP Document

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INTRODUCTION

**REQUEST FOR PROPOSALS (RFP) No. IL026-RFP-24-001, Project Based Vouchers**

The Waukegan Housing Authority (hereinafter, "Agency") is a public entity that was formed in 1949 to provide federally subsidized housing and housing assistance to low-income families, within the City of Waukegan, Illinois. The Agency is headed by an Executive Director (ED) and is governed by a five- person Board of Commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, "CFR") and the Agency's procurement policy. Though brought into existence by a Resolution of the City of Waukegan, it is a separate entity from the City.

Currently the Agency owns, manages and/or is in partnership for: (a) 5 sites totaling 448 units of HUD Public Housing; (b) administrates a total of 913 Section 8 Housing Choice Vouchers. The Agency currently has approximately 16 employees.

In keeping with its mandate to provide efficient and effective services, the Agency is now soliciting proposals from qualified, licensed and insured entities to provide the above noted 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]

AGENCY CONTACT PERSON (NOTE: Unless otherwise specified, any reference herein to "Contracting Officer" or "(CO)" shall be a reference to Ms. Lisa Kennedy	Lisa Kennedy, Procurement Officer Telephone: (847)244-8500 ext. 4603 E-Mail: lrivi@waukeganhousing.com 215 S Martin Luther King Jr Ave, Waukegan, IL 60085 TDD/TTY: (800)526-0844
HOW TO OBTAIN THE RFP DOCUMENTS ON THE EPROCUREMENT MARKETPLACE	1. Access <a href="http://ha.internationaleprocurement.com">ha.internationaleprocurement.com</a> (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.
PRE-PROPOSAL CONFERENCE	NONE SCHEULED
<b>DEADLINE TO SUBMIT QUESTIONS</b>	Open
HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL SUBMITTAL	1. As directed within Section 3.2.1 of the RFP document, submit proposed pricing were provided for within the eProcurement Marketplace. 2. As instructed within Section 3.0 of the RFP document, submit 3 copies of your "hard copy" proposal to the Agency Administrative Office.
<b>PROPOSAL SUBMITTAL RETURN &amp; DEADLINE</b>	Proposals will be submitted on a "ongoing" basis. WHA will have this procurement open until all 120 vouchers have been committed.

**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 to terminate the RFP process at any time, if deemed by the Agency to be in its best interests.

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- 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 to 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 also “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 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 time-frame 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 RFP documents (and any other information pertaining to this RFP such as addenda). Accordingly, by submitting a response to this RFP the respondent thereby affirms that he/she obtained all information on the Marketplace. Any other group such as an association or a bid depository that informs potential respondents of the availability of such competitive solicitations are hereby instructed to not distribute these documents to any such potential respondents, but to instruct the potential respondents to visit the 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 Marketplace.
- 2.0 **SCOPE OF WORK/TECHNICAL SPECIFICATIONS.** The Agency is seeking proposals from qualified, licensed, and insured entities to provide the following detailed services listed herein (NOTE: The services detailed within the following Sections 2.1 and 2.2 herein will be

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provided by the Contractor for the firm-fixed month fee submitted by the Contractor in response to Pricing Items No. 1-5 shown with the following Table No. 4 herein):

**2.1 Special Award Conditions pertaining to this RFP.** As a result of this RFP, awards may be funded to either a single or multiple projects depending on the availability of resources. Waukegan Housing Authority (WHA) reserves the right, as the result of our review, to determine the best mix of resources. WHA encourages proposals from developers that will assist in increasing the availability of affordable housing stock in the Waukegan and surrounding Lake County communities.

Successful applications will demonstrate how their project can advance WHA development goals. These include:

- Increased opportunities for affordable housing.
- De-concentration of low-income housing.
- Developments that seek to house those experiencing homelessness.
- Development of housing that increases access to community services (e.g. social services, health care, transportation, youth programs, adult education & job training).
- Increased units that would be available to households at or below 30% of Area Median Income (AMI)
- Developments that add to the long-term financial sustainability of WHA.

### Project Developer

WHA is looking for developers with a demonstrated ability to successfully finance, construct and operate projects of comparable type, size, scale and complexity. Developers must demonstrate the ability to:

- Deliver projects on time and within the forecasted budget; and
- Work with the public sector in public/private real estate development projects; and
- Take on a new project, given the developer's other commitments; and
- Successfully utilize Project Based Vouchers and comply with Fair Housing and all federal regulations; and
- Implement a relocation plan, if applicable, per the necessary rules and regulations based on funding requirements; and
- Operate the project in compliance with funding requirements throughout the period of affordability; and
- Must be in good financial, legal and organizational standing.

### Description of PBV Program

#### PBV Eligibility

Project Based Vouchers (PBV) are an optional component of the Housing Choice Voucher (HCV) program that Public Housing Authorities may choose to implement. WHA is

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accepting PBV proposals for up to 120 vouchers that can meet the following minimum requirements:

- Expand the affordable housing stock available to residents in WHA's services area; and
- Serve families at or below 50% of the Area Median Income (AMI); and
- Work directly with local Continuum of Care and their Coordinated Entry Systems to fill homeless set-aside units; and
- Increase the affordability of housing currently not affordable to households below 30% of AMI; and
- Demonstrate evidence of site control.

Through the PBV program, WHA will enter into a Housing Assistance Payment (HAP) contract with the selected property owner(s) for an initial term of no less than one year and up to 20 years. The term of all PBV HAP contracts will be negotiated with the owner on a case-by-case basis.

Any time before the expiration of the HAP contract, WHA may extend the term of the contract for an additional term of up to 15 years if WHA determines an extension is appropriate to continue providing affordable housing for low-income families or to expand housing opportunities.

Housing assistance subsidies will be provided while eligible families occupy the rental housing units and the units meet other program standards. WHA will maintain the waiting list and refer program participants to the project owner in order to fill vacant units. WHA occupancy standards will determine the appropriate unit size for the family size and composition.

Certain types of housing units and/or developments are not eligible for PBV assistance [24 CFR 963.53], including:

- Share housing;
- Units on the grounds of a penal, reformatory, medical, or similar public or private institution;
- College or other school dormitories;
- Nursing homes or facilities providing continuous psychiatric, medical, nursing service, board and care, or intermediate care;
- Units that are owned or controlled by an educational institution or its affiliate and designed for occupancy by the students of the institution;
- Manufactured homes;
- Cooperative housing;
- Transitional housing;
- Owner-occupied housing units;
- Units occupied by an ineligible family at the time of proposal submission or prior to the execution of the Housing Assistance Payment (HAP) contract.

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Additionally, WHA may not attach or pay PVB assistance to units in any of the following types of subsidized housing [24 CFR 983:54]:

- A public housing unit;
- A unit subsidized with any other form of HCV Section 8 assistance;
- A unit subsidized with any governmental rent subsidy;
- A unit subsidized with any governmental subsidy that covers all or any part of the operating costs of the housing;
- A unit subsidized with Section 236 rental assistance payments (except that a PHA may attach assistance to a unit subsidized with Section 236 interest reduction payments);
- Section 202 project for non-elderly with disabilities;
- Section 811 project-based supportive housing for persons with disabilities;
- Section 202 supportive housing for the elderly;
- A Section 101 rent supplement project;
- A unit subsidized with any form of tenant-based rental assistance;
- A unit with any other duplicative federal, state, or local housing subsidy, as determined by HUD or WHA in accordance with HUD requirements.

The number of PBV-assisted units in the project cannot exceed the greater of 25 units or 25% of the total number of dwelling units in the project, except:

Units that are exclusively for elderly families,

Units that are for households eligible for supportive services available to all families receiving PBV assistance in the project (although the family is not required to accept or receive such services), and

Units where the project is located in a census tract with a poverty rate of 20% or less, as determined in most recent American Community Survey Five-Year estimate. The cap is the greater of 25 units or 40% of the units in the project. HUD created a PBV lookup tool that establishes whether an address falls into a tract that has an average poverty level of 20% or less located at: [www.huduser.gov/portal/maps.hcv/home.html](http://www.huduser.gov/portal/maps.hcv/home.html)

Site Selection Standards [24 CFR 983.57]

It is the goal of the WHA to select sites for PBV housing that provide for deconcentrating poverty and expanding housing and economic opportunities. In complying with this goal, WHA will limit the approval of sites for PBV housing in census tracts that have poverty concentrations of 20% or less.

WHA will grant exceptions to the 20% standard where WHA determines that the PBV assistance will complement other local redevelopment activities designed to deconcentrate poverty and expand housing and economic opportunities in census tracts with poverty concentrations greater than 20%, such as sites in:

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- A census tract in which the proposed PBV development will be located in a HUD-designated Enterprise Zone, Economic Community, or Renewal Community;
- A census tract where the concentration of assisted units will be or has decreased as a result of public housing demolition and HOPE VI or RAD redevelopment;
- A census tract in which the proposed PBV development will be located is undergoing significant revitalization as a result of state, local, or federal dollars invested in the area;
- A census tract where new market-rate units are being developed where such market-rate units will positively impact the poverty rate in the area;
- A census tract where there has been an overall decline in the poverty rate within the past five years; or
- A census tract where there are meaningful opportunities for educational and economic advancement.

A site for new constructed housing must be consistent with WHA's Administrative Plan, Chapter 17, Project-Based Vouchers. The Plan is located at the WHA's main office located at 215 MLK Jr. Ave.

The PBV project must also be in compliance with the Conduct of Development Work [24 CFR 983. 154].

Activities under the PBV program are subject to HUD environmental review regulations and may be subject to review by local authorities under the National Environmental Policy Act.

For properties with nine or more PBV units, the owner's contractors and subcontractors must pay Davis-Bacon wage rates to laborers.

### Fair Housing

All Projects must comply fully with all federal, state and local nondiscrimination laws and rules and regulations governing fair housing and equal opportunity in housing and employment. WHA is pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. WHA requires affirmative advertising and marketing in which there are no barriers to obtaining housing because of race, color, religion, sex (including gender identity, sexual orientation, and sexual harassment) disability, familial status, and national origin. All projects must have completed and submitted to WHA an Affirmative Fair Housing Marking Plan (AFHMP) (HUD-935.2A) prior to award of PBV's.

### PBV Contract Rents

For each unit type and size, the proposed contract rent must be provided as well as a breakdown of the utilities to be paid by the tenant and by the owner.

WHA's goal is to provide as many households with vouchers as possible. Given the budget limitations of the program, WHA must implement policies that control its HAP



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expenditures. It is expected that developers will build units that will fit within the FMR’s for the County where the project is sited. Where we do have the flexibility to go above the FMR in 2024, this should be an exception and not the norm for the request.

- The rent to owner including utility allowances must not exceed the lowest of:
- An amount determined by WHA, not to exceed 110% of Fair Market Rent (FMR). The contract rent is determined by the applicable FMR minus the applicable utility allowance; and
- The contract rent must be rent reasonable.

**3.0 PROPOSAL FORMAT.**

**3.1 Tabbed Proposal Submittal.** The Agency intends to retain the successful proposer pursuant to 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 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 following. 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.

**3.1.1 Cover Letter**

Cover letter signed and submitted by the principal party authorized to contract on the organization’s behalf. The cover letter should include a brief overview of the project, the number of PBV units requested, and projected population.

**3.1.2 Proposal Structure and Evaluation Criteria**

<p><b>SITE LOCATION – HIGH OPPORTUNITY OR CITY-DESIGNATED REVITALIZATION AREA</b></p> <p>Minimum Points Required: 10 Maximum Points: 30</p> <p>Development located in a census tract with a poverty rate &lt; 20%. The highest score will be awarded to a proposal that is located in a high opportunity areas within a census tract that has a poverty rate of &lt; than 20% and which provides increased educational and economic opportunities for residents</p>	<p>20 Points</p>
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<p>Development located in a census tract with a poverty rate &gt; 10% below the local average. A high scoring proposal will be located in a high opportunity area that provides improved educational and economic opportunities for residents and that has a poverty rate of at least 10% lower than the citywide average.</p>	15 Points
<p>Development located in a census tract that has been designated as a revitalization area the local jurisdiction (new construction or substantial rehab only) and that has a poverty rate lower than the county average: A midpoint scoring proposal will be located in either an area that has been designated for revitalization by the local jurisdiction in which the project is sited (applies to new construction or substantial rehab only) or in a census tract with a poverty rate lower than the local average. In evaluating this factor, WHA will consider information provided in the proposal including information presented relative to conformance with HUD's Site and Neighborhood Standards.</p>	10 Points
<p>Development located in census tracts that are not designated as a revitalization area by the local jurisdiction or that have poverty rates equal to or greater than the county average.</p>	0 Points
<p><b>Bonus Points</b> A maximum of 10 points (5 points for each factor) will be awarded to proposals which adequately detail one or more of the following factors for the area in which the site is in:</p> <ul style="list-style-type: none"> <li>• An area in which there has been an overall decline in poverty within the last five years. (5 points)</li> <li>• A census tract where a significant number of new market units have been constructed in the past two years. (5 points)</li> </ul>	10 Points
<p><b>SITE LOCATION – Minority Concentration</b> Minimum Points Required: 10 Maximum Points: 25</p> <p>Census Tract with Minority Concentration of 10% or less Census Tract with Minority Concentration of 25% or less: or Census Tract with Minority Concentration of greater than 52.2%</p>	25 Points 10 Points 0 Points
<p><b>TERM OF CONTRACT REQUESTED</b> Minimum Points Required: 5 Maximum Points: 10</p> <p>Fifteen (15) years Eight (8) to 11 years One (1) to 7 years</p>	10 Points 5 Points 0 Points
<p><b>ACCESSIBILITY REQUIREMENT</b> Minimum Points Required: 10 Maximum Points:15</p>	

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More than 5% of the units will be targeted for the physically disabled plus 1% visual and 1% hearing impaired	15 Points
5% of the units will be targeted for the physically disabled plus 1% visual and 1% hearing impaired	10 Points
No provision for accessible units in the project	0 Points
<b>DEVELOPMENT SERVES AT LEAST 50% OF UNITS FOR HOMELESS OR CHRONICALLY HOMELESS INDIVIDUALS OR FAMILIES</b> Minimum Points Required: 10	
At least 25% of the Development Serves Chronically Homeless Individuals or Families or Transition Age Youth (TAY)	10 Points
Less than 25% of the Development Serves Chronically Homeless Individuals or Families or Transition Age Youth (TAY)	0 Points
<b>OWNER EXPERIENCE</b> Maximum Points: 5	
Applicant has 20 or more years' experience in owning affordable rental housing.	5 Points
Applicant has 10 to 19 years' experience in owning affordable rental housing.	4 Points
Applicant has 20 or more years' owning other types of rental housing.	3 Points
Applicant has 10 to 19 years' experience in owning other types of rental housing.	1 Point
Less than 10 years ownership in affordable or rental housing.	0 Points
<b>PROPERTY MANAGEMENT EXPERIENCE</b> Minimum Points Required: 2 Maximum Points: 5	
Applicant or contracted property management firm has 20 or more years of experience in managing and maintaining affordable rental housing.	5 Points
Applicant or contracted property management firm has 10-19 years of experience in managing and maintaining affordable rental housing.	4 Points
Applicant or contracted property management firm has 20 or more years of experience in managing and maintaining other types of rental housing.	3 Points
Applicant or contracted property management firm has 10 to 19 years of experience in managing and maintaining other types of rental housing.	2 Points

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Applicant or contracted property management firm has less than 10 years of management experience	0 Points
<p><b>SUPPORTIVE SERVICES PLAN</b>                  Minimum Points Required: 10                  Maximum Points: 15</p> <p>Supportive Services Plan indicates onsite supportive services are actively offered and provided to residents.</p> <p>Supportive Services Plan indicates residents are actively offered access to offsite services upon request and this plan must identify what agency/agencies are being relied upon once short/medium term subsidy ends.</p> <p>Supportive services not provided</p>	<p>15 Points</p> <p>10 Points</p> <p>0 Points</p>
<p><b>BONUS POINTS FOR PERMANENT SUPPORTIVE HOUSING</b>                  Maximum Points: 5</p> <p>Applicant agrees to utilize the local Continuum of Care</p> <ul style="list-style-type: none"> <li>• Transition is a voluntary process that tenants choose.</li> <li>• Formal counseling and written tenant plan/exit strategy must be adopted.</li> <li>• Must include collaboration of mainstream housing and services required.</li> <li>• Must include connections to community-based supports that are necessary for housing stability.</li> </ul>	5 Points

**3.2 Proposal Submission.** All 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 original signature copy (marked "ORIGINAL") and 2 exact copies (each of the 2 separate proposal submittals shall be marked "EXACT COPY" and shall, as with the "ORIGINAL," have a cover and extending tabs) of the proposal submittal, shall be placed unfolded in a sealed package and addressed to:

**Waukegan Housing Authority**  
**Attention: Charles J. Chambers Jr., Executive Director/CEO**  
**Waukegan, IL 60085**

**3.2.1 Labeling Proposal Package.** The package exterior must clearly denote the above noted RFP number and must have the proposer's name and return address. Proposals received after the published deadline will not be accepted.

**3.2.2 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 Agency by the proposer, such may invalidate that proposal. If, after accepting such a proposal, the Agency decides that any such entry does not changed the intent of the proposal that the Agency intended to receive, the Agency may accept the proposal and the proposal shall be considered by the Agency as if those additional marks, notations or requirements were not entered on such. By accessing the eProcurement Marketplace, registering and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that the Agency 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.

**3.2.3 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 Agency, including the RFP document, the documents listed within Section 3.1, 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 the all 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 Agency requirements contained within the documents may cause that proposer to not be considered for award.

**3.3 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 designated CO only. Proposers must not make inquiry 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 Agency not abided by this directive.

**3.3.1 Addenda.** All questions and requests for information must be addressed in writing to the CO. The CO anticipates that it will respond to all such inquiries in writing by 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 Agency 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.

3.4 Proposer's Responsibilities – Equal Employment Opportunity and Supplier Diversity. Both the Contractor and the Agency have, pursuant to HUD regulation, certain responsibilities pertaining to the hiring and retention of personnel and subcontractors.

3.4.1 Within 2 CFR §200.321 it states:

3.4.1.1 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

3.4.1.2 (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.

3.4.1.3 (2) Affirmative steps must include:

3.4.1.3.1 (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists.

3.4.1.3.2 (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

3.4.1.3.3 (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;

3.4.1.3.4 (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises;

3.4.1.3.5 (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

3.4.1.3.6 (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative

steps listed in paragraphs (1) through (5) of this section.

3.4.2 Within HUD Procurement Handbook 7460.8 REV 2 it states:

3.4.2.1 **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.

3.4.2.2 **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.

3.4.3 Within our Agency Procurement Policy it states that our Agency will:

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

3.4.3.1.1 Including such firms, when qualified, on solicitation mailing lists;

3.4.3.1.2 Encouraging their participation through direct solicitation of proposals or proposals whenever they are potential sources;

3.4.3.1.3 Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;

3.4.3.1.4 Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;

3.4.3.1.5 Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;

3.4.3.1.6 Including in contracts, to the greatest extent feasible, a clause requiring contractors, 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

3.4.3.1.7 Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

3.5 **Pre-proposal Conference.** There is not a Pre-proposal Conference scheduled as a part of this RFP competitive solicitation process.

#### 4.0 CONTRACT AWARD.

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

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

4.2.1 **Contract Form.** The contract will take the form of an AHAP and HAP agreement. The AHAP is an "Agreement to Enter into a Housing Assistance Payment. The HAP contract is a Housing Assistance Payment agreement

4.2.1.1 **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.

4.3 **Contract Period.** The Agency anticipates that it will initially award a contract for the period of 15 years for each project. Additional extensions may be provided on a project by project basis.

4.4 **Licensing and Insurance Requirements.** Prior to award (but not as a part of the proposal submission) the *successful proposer* will be required to provide:

4.4.1 **Workers Compensation Insurance.** An original certificate evidencing the proposer's current industrial (worker's compensation) insurance carrier and coverage



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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);

- 4.4.2 **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 said policy (minimum of \$1,000,000 each occurrence, 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 (e.g. "commercially reasonable," meaning not greater than 1% of the "general aggregate minimum" of the policy, with a maximum deductible amount of \$50,000;
- 4.4.3 **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 (e.g. "commercially reasonable," meaning not greater than 1% of the "general aggregate minimum" of the policy, with a maximum deductible amount of \$50,000;
- 4.4.4 **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 \$100,000/\$300,000 and medical pay of \$5,000.
- 4.4.5 **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 Waukegan, the County of Lake, and/or the State of Illinois.
- 4.4.6 **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).
- 4.5 **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.
- 4.6 **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.