



Find yourself in good company®

Request for Proposals (RFP)
RFP#23-24-26

Acquisition and Development of Non-Congregate
Shelters

“HOME American Rescue Plan
(HOME-ARP) Funding Project”

Proposal Due Date:
Friday, March 8, 2024 @ 12:00 PM

Contact Person: Renee Skeen, Program Manager
Neighborhood & Business Services Department/Community Development
Division

Phone Number: 252.329.4487
Email: rskeen@greenvillenc.gov

Acquisition and Development of Non-Congregate Shelters (RFP)

Date: February 29, 2024

Subject: Acquisition and Development of Non-Congregate Shelters (RFP)

Contact: Renee Skeen, Program Manager

The City of Greenville Neighborhood and Business Services Department/Community Development Division is now accepting proposals for Acquisition and Development of Non-Congregate Shelters. The requirements for submitting a Proposal are stated in the attached Request for Proposals document (the "RFP"). This is a federal funded project and is subject to federal guidance and timeline.

Sealed proposals endorsed for Acquisition and Development of Non-Congregate Shelters cost to be furnished to the City of Greenville (the "City") will be received by the Neighborhood and Business Services Department, Municipal Building at 201 W. 5th Street (3rd floor), Greenville, North Carolina 27834 until **Friday, March 8, 2024 @ 12:00 PM**. The City reserves the right to reject any or all proposals.

This RFP outlines a description of the services sought and the documents interested firms will be required to submit one (1) original proposal and signed in ink by a company official authorized to make a legal and binding offer. The RFP must be submitted in a sealed envelope plainly marked with the Proposal number and service description as follows by mail or at Neighborhood and Business Services Department, Municipal Building, 201 W. 5th Street (3rd Floor), Greenville North Carolina 27834:

Request for Proposals
Attention: Renee Skeen
[Name of Company Submitting Proposal]
Acquisition and Development of Non-Congregate Shelters

Written questions concerning this RFP may be submitted to Renee Skeen by email only at rskeen@greenvillenc.gov by Tuesday, March 5, 2024 by 5:00 pm. Please insert **"Acquisition and Development of Non-Congregate Shelters"** in the subject line.

Acquisition and Development of Non-Congregate Shelters (RFP)

SECTION ONE: GENERAL INSTRUCTIONS

- 1. READ, REVIEW, AND COMPLY:** It shall be the Vendor's responsibility to read this entire document, review all enclosures and attachments, and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to Vendors or elsewhere in this RFP document.
- 2. LATE PROPOSALS:** Late proposals, regardless of cause, will not be opened or considered, and will automatically be disqualified from further consideration. It shall be the Vendor's sole responsibility to ensure delivery at the designated office by the designated time.
- 3. ACCEPTANCE AND REJECTION:** The City reserves the right to reject any and all proposals, to waive any informality in proposals and, unless otherwise specified by the Vendor, to accept any item in the proposal.
- 4. WITHDRAWAL OF PROPOSAL:** No proposal may be changed or withdrawn after the time of the proposal due date. Any modifications or withdrawals requested before this time shall be acceptable only when such request is made in writing to the Financial Services Manager.
- 5. CONFLICT OF INTEREST:** Each proposer shall affirm that no official or employee of the City of Greenville is directly or indirectly interested in this proposal for any reason of personal gain.
- 6. EQUAL EMPLOYMENT OPPORTUNITY:** The City of Greenville, NC is an equal opportunity employer and strictly prohibits discrimination against any employee or applicant for employment because of the individual's race, color, religion, age, gender, disability, national origin, genetic information, sexual orientation, gender identity/reassignment or expression, military or veteran status, marital status, or any characteristic protected by applicable law.
- 7. TITLE VI NONDISCRIMINATION NOTIFICATION:** The City of Greenville, North Carolina in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all respondents that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit proposals in response to this advertisement and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.
- 8. New vendors must register online at the City of Greenville Vendor Self Service portal:**
<https://selfservice.greenvillenc.gov/vss>.
- 9. MINORITY AND WOMEN BUSINESS ENTERPRISE (MWBE) PROGRAM:** It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with

Acquisition and Development of Non-Congregate Shelters (RFP)

this policy, the City has adopted a Minority and Women Business Enterprise (MWBE) Plan and subsequent program, outlining verifiable goals.

The City has established a 10% Minority Business Enterprise (MBE) and 6% Women Business Enterprise (WBE) goal for the participation of MWBE firms in supplying goods and services for the completion of this project. All firms submitting bids agree to utilize minority and women-owned suppliers and service providers whenever possible. Questions regarding the City's MWBE Program should be directed to the MWBE Office at (252) 329-4462.

10. LOCAL PREFERENCE: The City of Greenville has adopted a Local Preference Policy, Resolution No. 056- 13, and a Professional and other Services Policy, Resolution No. 057-13 that may pertain to this project. For more information, please see the City of Greenville's webpage at www.greenvillenc.gov/government/financial-services/purchasing.

11. REHABILITATION ACT AND ADA: Federal law prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

12. TAXES: Sales taxes may be listed on the proposal, but as a separate item. No charge will be allowed for Federal Excise and Transportation tax from which the City is exempt.

13. CITY RIGHTS AND OPTIONS: The City, at its sole discretion, reserves the following rights:

- To supplement, amend, substitute or otherwise modify this RFP at any time.
- To cancel this RFP with or without the substitution of another RFP.
- To take any action affecting this RFP, this RFP process, or the Services subject to this RFP that would be in the best interests of the City.
- To issue additional requests for information or clarification from Offeror's or to allow corrections of errors or omissions.
- To require one or more Service Providers to supplement, clarify or provide additional information in order for the City to evaluate the Responses submitted.
- To negotiate a contract with a Service Provider based on the information provided in response to this RFP.

14. PUBLIC RECORDS: Any material submitted in response to this RFP will become a "public record." Proposers must claim any applicable exemptions to disclosure provided by law in their response to this RFP. Proposers must identify materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary and legal. The City reserves the right to make all final determination(s) of the applicability of North Carolina General Statutes § 132-1.2, Confidential Information.

15. ACCURACY OF RFP AND RELATED DOCUMENTS: Each Company must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFP, or otherwise made available during this procurement process, and

Acquisition and Development of Non-Congregate Shelters (RFP)

assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions presented in this RFP, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions regarding this RFP or any related documents other than those provided by an addendum issued by the City. Companies may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Company identifies potential errors or omissions in this RFP or any other related documents, the Company should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification is necessary. Each Company requesting an interpretation will be responsible for delivering such requests to the City's designated representative as directed in RFP Section Three.

16. EXPENSE OF SUBMITTAL PREPARATION: The City accepts no liability, and Companies will have no actionable claims, for reimbursement of any costs or expenses incurred in participating in this solicitation process. This includes expenses and costs related to Proposal submission, submission of written questions, attendance at pre-proposal meetings or evaluation interviews, contract negotiations, or activities required for contract execution.

17. PROPOSAL BINDING: This proposal is binding from May 1, 2024 - May 1, 2026.

SECTION TWO: GENERAL TERMS AND CONDITIONS

1. NON-DISCRIMINATION: The City of Greenville does not discriminate on the basis of race, color, sex, national origin, religion, age or disability. Any contractors or vendors who provide services, programs or goods to the City are expected to fully comply with the City's non-discrimination policy.

2. NON-COLLUSION: Respondents, by submitting a signed proposal, certify that the accompanying submission is not the result of, or affected by, any unlawful act of collusion with any other person or company engaged in the same line of business or commerce, or any other fraudulent act punishable under North Carolina or United States law.

3. PAYMENT TERMS: The City agrees to pay all approved invoices net thirty (30) days from the date received and approved. The City does not agree to the payment of late charges or finance charges assessed by the seller or vendor for any reason. Invoices are payable in U.S. funds.

4. GOVERNING LAW: Any agreement, contract or purchase order resulting from this invitation to bid, request for proposals or request for qualifications or quotes, shall be governed by the laws of the State of North Carolina.

5. SERVICES PERFORMED: All services rendered under this agreement will be performed at the Seller's own risk and the Seller expressly agrees to indemnify and hold harmless the City of Greenville, its officers, agents, and employees from any and all liability, loss or damage that they may suffer as a result of claims, demands, actions, damages or injuries of any kind or nature whatsoever by or to any and all persons or property.

6. INDEPENDENT CONTRACTOR: It is mutually understood and agreed the Seller is an independent contractor and not an agent of the City of Greenville, and as such, Seller, his or her agents and employees shall not be entitled to any City employment benefits, such as but not limited to vacation, sick leave, insurance, worker's compensation, pension or retirement benefits.

7. VERBAL AGREEMENT: The City will not be bound by any verbal agreements.

8. INSURANCE REQUIREMENTS: Contractor shall maintain at its own expense (a) Commercial General Liability Insurance in an amount not less than \$1,000,000 per occurrence for bodily injury or property damage; City of Greenville, 200 W. Fifth St. Greenville, NC 27834 shall be named as additional insured. (b) Professional Liability insurance in an amount not less than \$1,000,000 per occurrence-if providing professional services; (c) Workers Compensation Insurance as required by the general statutes of the State of North Carolina and Employer's Liability Insurance not less than \$1,000,000 each accident for bodily injury by accident, \$1,000,000 each employee for bodily injury by disease, and \$1,000,000 policy limit; (d) Commercial Automobile Insurance applicable to bodily injury and property damage, covering all owned, non-owned, and hired vehicles, in an amount not less than \$1,000,000 per occurrence as applicable. Certificates of Insurance shall be furnished with your bid packet and prior to the commencement of Services if the expiration date has passed.

Acquisition and Development of Non-Congregate Shelters (RFP)

9. E-VERIFY COMPLIANCE: The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if the Contractor utilizes a Subcontractor, the Contractor shall require the Subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. By submitting a proposal, The Proposer represents that their firm and its Subcontractors are in compliance with the requirements of Article 2 Chapter 64 of the North Carolina General Statutes.

10. IRAN DIVESTMENT ACT: By submitting a proposal, the Vendor certifies that: (i) it is not on the Iran Final Divestment listed created by the N.C. State Treasurer pursuant to N.C.G.S. 147-86.58; (ii) it will not take any actions causing it to appear on said list during the term of any contract with the City, and (iii) it will not utilize any subcontractor to provide goods and services hereunder that is identified on said list.

Acquisition and Development of Non-Congregate Shelters (RFP)

SECTION THREE: PROPOSAL

1. Introduction:

The City of Greenville, NC (City) is seeking proposals from qualified non-profit entities to provide Non-Congregate Shelter (NCS) to individuals and households experiencing homelessness or other eligible Qualified Populations (QP) described herein and as defined in the *CPD Notice: Requirements for the Use of Funds in the HOME-American Rescue Plan Program*. The funded activities aim to reduce the frequency, severity, and duration of homelessness in the City of Greenville, NC and provide additional safe *temporary* living environments for individuals, couples, and families experiencing homelessness and other QPs who want an alternative to available congregate shelter options.

Instructions to Bidder

The person, firm or corporation making a proposal shall submit it in a sealed envelope to the Greenville, Neighborhood Business Services Department/Community Development Division, Municipal Building at 201 West Fifth Street, P.O. Box 7207, Greenville NC 27835-7207 on or before **Friday, March 8, 2024 at 12:00 pm**. This sealed envelope shall be submitted directly to Renee Skeen, Program Manager. The words "Acquisition and Development of Non-Congregate Shelters" shall appear on the outside of the sealed envelope.

The bidder shall supply all the information indicated in the Proposal and Attachment A. The prices inserted shall be the full cost including all factors whatsoever to include overhead and material costs and the like. Failure to have all required documentation in the sealed envelope can result in the application not being considered. Any proposals not submitted on the attachment provided will not be considered. No proposal may be changed or withdrawn **after 12:00 pm on March 8, 2024**. Any modifications or withdrawals requested before this time shall be acceptable only when such request is made in writing to the Community Development Division Program Manager, other City Official responsible for the Community Development Division, and the reasons for the modification/withdrawal are stated. The Community Development Division reserves the right to reject any and all bids, to waive any informality, and to accept the bid or any portion thereof that is deemed most advantageous to the City of Greenville.

The specifications noted further in this document represent the minimum performance characteristics desired in the service to be provided. These requirements are not intended to prevent obtaining fair responses or to eliminate competition, but they are intended for the protection of each and every bidder and to ensure, if possible, that all proposals submitted shall be upon a fair and comparable basis. Any changes in address, telephone, fax, or other electronic communication shall be sent immediately to the Neighborhood and Business Services Department, Community Development Division. If the bidder fails to perform the requirements of the purchase order within the time prescribed on the work order, the bidder shall be in default. The City of Greenville reserves the right to cancel the work order and issue an order to another bidder under this agreement. The

Acquisition and Development of Non-Congregate Shelters (RFP)

bidder in default will be responsible for any additional costs or expenses incurred by the City to have the work order not completed or completed satisfactorily by the defaulting bidder, completed or performed.

It is expressly understood by the bidders that written notice of award by the City of Greenville will constitute an agreement by the City of Greenville and will consummate the transaction and will serve together with proposal, advertisement, these instructions, and the detailed specification, as the entire form of contract between the parties except in cases where formal contracts are warranted. Each bidder shall affirm that no official or employee of the City of Greenville is directly or indirectly interested in the proposal for any reason of personal gain.

The City has adopted an "Equal Employment Opportunity Clause" which is incorporated into all specifications, purchase orders, and contracts, whereby a vendor agrees not to discriminate against any employee or applicant for employment because of race, color, religion, gender, national origin or ancestry.

The City of Greenville has adopted an Affirmative Action Statement. Firms submitting a proposal are attesting that they also have taken affirmative action to ensure equality of opportunity in all aspects of employment.

Federal Law (Rehabilitation Act and ADA) prohibits handicapped discrimination by all governmental units. By submitting a proposal, the vendor is attesting to its policy of nondiscrimination regarding the handicapped.

It is expressly understood by the bidder, that the bidder and any employees of the bidder are not employees or agents of the City of Greenville.

The bidder acknowledges and understands that inclusive in the award and part of the subsequent contract the bidder agrees to indemnify and hold harmless the City of Greenville, its managers, directors, council members, officers and employees for any negligence resulting in injury, death or damage to property caused by the bidder including any of its employees during the performance of this Agreement. The bidder assumes all liability and responsibility for injuries, claims for suits for damages to persons or property of whatsoever kind of character whether real or asserted, occurring during the time the services are being performed and arising out of the negligent performance of same incurred by any employee, agent or of the bidder in the performance of the terms and conditions of this Agreement. Failure to perform any of the duties or assignments within the time period shall result in the assessment of liquidated damages in the amount of One Hundred (\$100) dollars per day until the task has been completed and passed inspection.

The City reserves the right to award this Agreement as a single award or if it is determined the best interests of the City as determined solely by the City. Questions regarding any part of this proposal shall be directed to Renee Skeen, Program Manager by email at rskeen@greenvillenc.gov.

Acquisition and Development of Non-Congregate Shelters (RFP)

2. BACKGROUND INFORMATION:

The American Rescue Plan Act (ARPA) provided the City of Greenville, NC with \$1,988,461.00 million in HOME-American Rescue Plan (HOME-ARP) funding. This funding is a one-time allocation and differs from regular HOME allocations due to the populations targeted and the variety of eligible projects and activities. In addition, projects developed with HOME-ARP funding must serve the Qualified Populations (QP), as defined by the US Department of Housing and Urban Development (HUD).

The City gathered information, performed outreach, and planned the use of this funding. Because of that outreach and analysis, the City drafted and submitted HOME-ARP Funding Allocation Plan to HUD. The Plan outlines the priorities and intended uses of the HOME-ARP funds and describes the outreach and consultation process in more detail. The consultation process and development of the Plans concluded and identified the Acquisition and Development of Non-Congregate Shelter as a high priority for this community.

This Request for Proposal (RFP) solicits proposals from experienced and established agencies and organizations. Only responders and project teams with demonstrable knowledge and experience in developing and operating emergency shelters, including non-congregate shelters or transitional housing, and providing supportive services should apply. Eligible applicants may include private, not-for-profit, and public entities. Additional consideration will be given to Applicants that will provide or otherwise arrange for low or no-cost, high-speed broadband internet service to all residents. Collaborative submittals are encouraged.

Part 3: TIMELINE

RFP Timeline - Respondents must adhere to the RFP timeline below:

Event	Date
RFP	February 29, 2024
Proposals Due	Friday, March 8, 2024
Review Committee Meetings	Week of March 11-15
Applicant Follow-Up Meetings	Week of March 25-29
Support Letters Distributed	TBD

Project Timeline: Projects do not need to be shovel-ready, but we expect applicants to have a detailed development timeline, a clear understanding of what activities they still need to undertake and be ready to start construction within a reasonable period. A more thorough due diligence period will follow for any projects chosen. Due to the variety of project types and readiness, the City anticipates issuing support letters with unique timelines and levels of support dependent on the application and subsequent information meetings.

Acquisition and Development of Non-Congregate Shelters (RFP)

Example: An applicant submits a rehab-only funding request. The project team owns an under-utilized single-room occupancy rental project and has already completed a capital needs assessment, defined a scope, established that site-plan review is not required, and has construction drawings complete. This support letter may indicate that the applicant must enter into an agreement within six months and start construction within an additional six months.

After support letters are distributed, the City expects applicants to complete the remaining pre-development activities within a reasonable amount of time, as defined in the support letter. These activities may include securing site control and local/State approvals, obtaining commitments from other funding sources, developing a project scope and construction drawings, finalizing the development team, and other pre-closing activities. We encourage applicants to contact the City with any questions or concerns before submitting a proposal.

In addition, support letters will clearly define what each applicant needs to accomplish before entering into an agreement for any funding. After entering into a contract for funding, per funding requirements, Acquisition only projects must start providing bed nights within six months, and Rehabilitation and Construction projects within 24 months.

¹ The dates shown above may be subject to change per the City of Greenville's discretion and upon written notification as set forth herein.

Acquisition and Development of Non-Congregate Shelters (RFP)

4. NCS PROJECT AND FUNDING INFORMATION (SCOPE OF WORK)

The City seeks proposals from qualified applicants for the acquisition, rehabilitation, and new construction of NCS projects. Project teams may propose using City HOME-ARP funding allocations to support eligible costs of their developments.

NCS According to HOME-ARP: HOME-ARP regulation largely follows Emergency Solutions Grants (ESG) regulation regarding emergency shelter standards, with some modifications related to the NCS. A non-exclusive list includes:

- Requirement of in-unit (non-communal) bath facilities - toilets, showers, sinks.
- Shared spaces like communal kitchens and living areas are OK, but bedrooms and bathrooms must be individual.
- Households can share the same space - including families, couples, and single parents with children.
- If the shelter is specific for families, one bathroom may serve more than one bedroom, but it must be only accessible by that family.

Eligible Activities and Costs: The City is ultimately trying to add Non-Congregate Shelter (NCS) beds to the community, and respondents can accomplish that in several ways. Applicants may propose one of several eligible activities, and proposals should support the requested funding amount from the City for eligible activities and costs. Respondents may use HOME-ARP funding for the following activities:

1. Acquisition: An acquisition-only project means no rehabilitation or construction is required to get a Certificate of Occupancy other than *de minimis* work. In other words, the structure is currently in condition to shelter QPs. **Example** - Buying a hotel or Single Room Occupancy (SRO) development that is in good condition, but the owner or management needs to replace mattresses or rekey locks before operating as NCS.

2. Rehabilitation: (with or without Acquisition) Includes converting or redeveloping existing structures, hotels, nursing homes, schools, and current *congregate* shelters to NCS. Applicants seeking rehab funding must demonstrate site control at the time of submittal (current owner, purchase option, etc.). The scope must review the remaining useful life of the systems. Applicants may include replacement reserves but must complete a capital needs assessment. **Example** - A non-profit operating an under-utilized SRO or congregate shelter wants to convert to NCS or intends to serve families and must convert to NCS before doing so. The scope of work includes installation of walls, bathrooms, shared space, lead and asbestos remediation, and replacement of all major mechanical systems.

1. New Construction: (with or without Acquisition) Includes the new construction of non-congregate shelters or the addition of non-congregate shelter beds and structures. If development teams are unsure if the scope of work is Rehab or New Construction, refer to local or State codes to determine classification.

Eligible Costs: Project teams may use HOME-ARP funding to pay for the following NCS-related

Acquisition and Development of Non-Congregate Shelters (RFP)

eligible costs:

- Acquisition (land/structures)
- Demolition
- Development hard costs
- Site improvements
- Soft costs
- Replacement reserve (must complete Capital Needs Assessment)

**Note - If the remaining useful life of a system is only a few years, replacement should be included in the scope of the HOME-ARP project.*

Ineligible Costs:

- Operating costs of NCS
- Rehab and construction costs to turn HOME-ARP NCS units into permanent supportive housing (PSH)

**Owners may transition NCS to PSH after the minimum use period. However, projects cannot use HOME- ARP to fund the conversion. For project teams submitting proposals that intend to convert to PSH or affordable housing units after the minimum use period, please consider what that means during the initial project design and development. How does this decision impact design standards, and what form of site control or ownership is most appropriate?*

Qualifying (Eligible) Populations: Projects must serve all of the QPs or be able to establish through data and analysis that there is a higher need for one of the populations (if applicants choose to serve one QP, please reach out to the City contact at the end of this document to discuss what that entails). HOME-ARP funds must benefit individuals or families from the following qualifying populations:

- a. **Homeless**, as defined in 24 CFR 91.5 Homeless (a), (b), or (c);
- b. **At risk of Homelessness**, as defined in 24 CFR 91.5 At risk of homelessness;
- c. **Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking**, as defined by HUD Notice CPD-21-10; or
- d. **Other Populations**, where providing supportive services or assistance under 212(a) of NAHA (42 USC 12742(a)) would prevent the family's homelessness or would serve those with the greatest risk of housing instability. Includes households earning no greater than 50% AMI and exhibiting characteristics associated with instability and an increased risk of homelessness, such as high to severe rental housing cost burden (paying more than 30%-50% of gross household income toward housing costs).

Additionally, NCS occupants must:

- Not be charged occupancy fees or other charges to occupy a unit
- Meet the criteria for one of the four qualifying populations
- Not be subject to a length of stay cap/requirement

HOME-ARP Program Fact Sheet: Non-Congregate Shelter (Overview):

HOME-ARP funds may be used to acquire and develop non-congregate shelter (HOME-ARP

Acquisition and Development of Non-Congregate Shelters (RFP)

NCS) for individuals and families that meet one of the Qualifying Populations defined in the CPD Notice: *Requirements for the Use of Funds in the HOME-American Rescue Plan Program* ("the Notice"). NCS provides private units or rooms as temporary shelter to individuals and families and does not require occupants to sign a lease or occupancy agreement. This activity may include the construction of new structures or the acquisition and/or rehabilitation of existing structures (such as motels, nursing homes, or other facilities) to be used as HOME-ARP NCS. The Notice establishes requirements applicable to HOME-ARP NCS.

Eligible Activities and Costs:

- Eligible Activities: HOME-ARP funds may be used to acquire, rehabilitate, or construct NCS units to serve individuals and families Qualifying Populations.
- Eligible Costs: HOME-ARP funds may be used for:
 - Acquisition Costs: Costs to acquire improved or unimproved real property for use as or development of HOME-ARP NCS.
 - Demolition Costs: Costs to demolish existing structures for the purpose of developing HOME-ARP NCS.
 - Development Hard Costs: Costs to rehabilitate or construct HOME-ARP NCS units to meet the HOME-ARP minimum habitability standards. Costs to make improvements to the project site, including installation of utilities or utility connections, laundry facilities, community facilities, on-site management, or supportive service offices.
 - Related Soft Costs: Reasonable and necessary costs incurred by the PJ, subrecipient, or project owner associated with financing, acquisition, and development of HOME-ARP NCS projects.
 - Replacement Reserve: Costs to capitalize a replacement reserve to cover reasonable and necessary costs of replacing major systems and their components.
- Ineligible Costs: HOME-ARP funds may not be used to pay ongoing costs of operating HOME-ARP NCS or to convert NCS to housing.

Admission and Occupancy:

- HOME-ARP NCS units may only be occupied by individuals or families that meet the criteria for one or more of the Qualifying Populations.
- Program participants may not be charged occupancy fees or other charges to occupy a HOME-ARP NCS unit unless the PJ determines such fees and charges are

Acquisition and Development of Non-Congregate Shelters (RFP)

customary and reasonable and the charges comply with [24 CFR 578.77\(b\)](#).

- PJs are encouraged to incorporate HOME-ARP NCS units into the CE established by the CoC(s) for the area the NCS is funded to serve, if the CE complies with the requirements established in the HOME-ARP Notice.
- HOME-ARP supportive services may also be provided, if needed, to Qualifying Populations served by the NCS.

Project Requirements:

- Property and Habitability Standards: At project completion, HOME-ARP NCS units and common areas must meet all applicable State and local codes, ordinances, and requirements and HUD's Lead Safe Housing Rules at [24 CFR Part 35](#). Project classification as acquisition only, rehabilitation, or new construction is determined by the PJ's local code requirements based on specific work to be performed. Projects must meet HOME-ARP NCS ongoing property standards throughout the restricted use period.
- Restricted Use Period: HOME-ARP NCS projects must comply with HOME-ARPA requirements during the restricted use period established in the HOME-ARPA Notice.

New	15 years
Construction:	10 years
Rehabilitation:	10 years
Acquisition Only	

- Use as NCS: The NCS may remain as HOME-ARP NCS for the restricted use period or may be used as NCS under the Emergency Shelter Grant (ESG) program.
- Conversion to Housing: ARP permits HOME-ARP NCS units to be converted into permanent housing under the Continuum of Care (CoC) program or permanent affordable housing during the restricted use period in accordance with requirements established in the Notice. No HOME-ARP funds may be used for conversion.
 - Minimum Use Period: All HOME-ARP NCS projects must be operated as NCS for a minimum period of time prior to conversion. The minimum use period prior to conversion varies based on the original HOME-ARP NCS eligible activity undertaken and the amount of funds invested in the project.

Acquisition and Development of Non-Congregate Shelters (RFP)

- o Permanent Affordable Housing: During the restricted use period, but only after the HOME-ARP NCS minimum use period, a PJ may provide written approval to convert the project from HOME-ARP NCS to permanent affordable housing (e.g., affordable multifamily rental housing, transitional housing) in accordance with the requirements prescribed in the PJ's written agreement with the HOME-ARP NCS owner.
- o CoC Permanent Housing: During the restricted use period, but only after the HOME-ARP NCS minimum use period has been met, a PJ may permit conversion of a HOME-ARP NCS project to permanent housing under 24 CFR 578.43 (acquisition) and/or 24 CFR 578.45 (rehabilitation) of the CoC program regulations. Conversions must comply with any conversion requirements established in the PJ's written agreement with the HOME-ARP NCS owner. If conversion is planned, the HOME-ARP NCS use restrictions must remain in place until the project is approved for Coe funding and the required restrictions are imposed on the property.

PJ Management and Oversight:

- Project Development Due Diligence: Before awarding HOME-ARP funds to a HOME-ARP NCS project, PJs must determine that acquisition and/or development is financially feasible. The PJ is responsible for maintaining continued operation of the NCS and must consider whether the HOME-ARP NCS project has secured or has a high likelihood of securing operating funding, because operating costs cannot be paid with HOME-ARP.

PJs must assess HOME-ARP NCS projects, including a review of information from the owner and/or developer that demonstrates the project's financial feasibility throughout the restricted use period.

Before committing funds, PJs should also determine whether the owner intends to continue operating the project as HOME-ARP NCS or emergency shelter NCS under ESG for the restricted use period or plans to convert the HOME-ARP NCS to housing after the minimum use period has been met. In such instances, the PJ should consider the physical design needs of an eventual conversion in its evaluation of the HOME-ARP NCS project.

Part 5: PROPOSAL COMPONENTS

Respondents should submit proposals to Renee Skeen, Program Manager, Neighborhood and

Acquisition and Development of Non-Congregate Shelters (RFP)

Business Services Department, Municipal Building 201 W. 5th Street, (3rd) Floor, Greenville, North Carolina 27835. The City must receive proposals by the date and time included in Part 3: Timeline. Please label all files, preferably with similar file naming conventions throughout the submittal. Each file name should clearly refer to one of the sections below, and sections can include multiple submittals/files.

1. Letter of Intent & Cover Page

Letter of Intent: Include a letter summarizing your organization's project and funding request.

Cover Page (template included): Please fill out the Cover Page template (included as Attachment A). Include all relevant lead agency/application information, current contact information, project type, funding request, and the proposed number of shelter units added.

2. Section 1: Team Composition and Experience

Project Team Experience: Please use Section 1 narrative to highlight the various members of your organization and development team that will play a role in the creation of the proposed NCS. Identify any key organizational partners and describe how you will collaborate with them to deliver the program and achieve results for the target population. List and describe all relevant experience your organization and partners (if applicable) have in developing, funding, constructing, or operating emergency shelters, providing services, coordinating supportive resources, and collecting and gathering data about the population you would be serving. Applicant must provide evidence of the understanding of the needs of the target population and the applicant's ability to provide such services. Highlight any experience with low-barrier, harm-reduction-informed NCS is preferred. Include a description of any emergency shelter(s) the project team developed or operates. Describe:

- your organization's experience providing services and supports that help reduce a person's length of time experiencing homelessness
- any eligibility criteria to access and the number/percentage of people in your shelter using these services and supports
- applicant's experience providing trauma-informed services
- experience using the Homeless Management Information System (HMIS) for data collection and reporting

Provide documentation if the relationships between development team members are formalized through a Memorandum of Understanding, joint venture, or other.

3. Section 2: Project Narrative & Description

At a minimum, this section should include:

Project Overview and Description: Respondents should use this section to describe the project, including information on the characteristics of the project, and provide a general description of how your successful implementation will address clients' needs.

Acquisition and/or Site Development: Describe the status of the project, site control, or how site control will be secured, and the type and scope of work to be undertaken. Includes new construction, conversion, rehabilitation, etc. Discuss design choices and if low-barrier and harm-reduction considerations were included.

Timeline: Provide a detailed development schedule for the NCS project, including any remaining pre-construction activities through intake and provision of services.

Operations & Staffing: What will daily operations look like? What policies or program decisions have been made to create a low-barrier, harm-reduction-informed NCS? Describe the staffing model for the proposed project. What supportive services does your proposal envision being offered, and when? What is the ratio of direct-service staff to participants?

Service Plan and On-Site Support Services: Including substance use disorder and mental health assessment and counseling, supportive services, housing search and placement, other case management and support as needed. If services and on-site support services include telehealth, employment search, job training, and other services delivered or augmented by online support, describe how the Applicant will provide or otherwise arrange for low or no-cost, high-speed broadband internet service to all residents. Describe how the applicant is part of the larger system of services and housing resources for people experiencing homelessness. What criteria must participants meet before receiving services? What factors would cause someone to be denied entry into the proposed project? And what steps would your organization take to find alternative shelter space? And what project rules do participants have to follow? And what happens if a participant does not follow the rules?

4. Section 3: Project Development Budget and Operating Pro-forma

Development Budget: Submit a detailed budget, including construction and permanent sources and uses, terms, and indicate if funding is already secured or a timeline for when that will occur. Budgets must include lines for hard costs, soft costs, environmental investigation and remediation, professional services, finance costs and fees, and any contingency or reserves.

Operating Pro-Forma: Applicants must submit an operating budget, although the City does not expect all operating revenue to be secured or identified at this time. Identify the project operations, administration, and service

Acquisition and Development of Non-Congregate Shelters (RFP)

expenses, and include any justification or rationale for those assumptions and estimates (e.g., other shelters managed by the applicant have similar costs, quote from insurance provider).

Other Considerations: Does the applicant have other committed sources of funding that will support the sustainability of this program? If so, please detail the source and the terms for when the funds will be available for the project. Describe what applicant is doing to attract, develop, and leverage a variety of financial, volunteer, and other in-kind resources to support the project.

5. Section 4: Project Support

Include support letters from neighborhood groups, evidence of other funding, a Memorandum of Understanding between team members or service providers, or other documentation demonstrating the need for and support of the proposed project.

6. PROPOSAL REVIEW PROCESS

Awards will be determined through a competitive RFP review process. The City will convene a panel to review proposals. Written proposals should provide sufficient information to enable the review team to form a recommendation. The City reserve the right to reject any and all applications, including those that contain incomplete and/or incorrect information or otherwise not meeting the requirements set forth in this RFP or failing to demonstrate the ability to carry out the proposed activities effectively and timely.

Further, the City reserves the right to request individual applicants to submit additional information needed to make determinations of support. The City also reserves the right to engage any or all respondents in a telephone conversation and/or to invite any or all respondents to an interview to explore further the possibility of an engagement. The request for additional information does not indicate the outcome of the proposal review. Participation in a telephone conversation or interview would be voluntary and does not indicate the outcome of the proposal review. The applicant will enter into written agreements with the City upon selection and mutual agreement. The City does not discriminate in any aspect of contracting based on age, creed, color, disability, gender or gender identification, marital status, national origin, race, or sexual orientation.

7. EVALUATION CRITERIA & SCORING:

The City's selection of proposals will adhere to local and Federal policies and regulations relative to HOME-ARP and will score proposals based on the following categories:

Acquisition and Development of Non-Congregate Shelters (RFP)

Program Proposal Evaluation Criteria Elements	Maximum Point Value
1. Responsiveness to the service categories selected by the City.	10
2. Anticipated impact proposed NCS on advancing or expanding services and reducing the frequency or duration of homelessness.	10
3. Soundness and efficacy of the proposed NCS and incorporation of low-barrier and hard-reduction informed policies, design principles, and programming.	10
4. Demonstrated engagement in strategic and sound collaboration with community partner(s).	10
5. Feasibility of proposed NCS development project, Including reasonable financial projections, site control, evidence of other funding or support, adequate fundraising capacity and infrastructure or viable operating plan and projections.	25
6. Consultant's and team's demonstrated capacity for Shelter and management, including the provision of essential services, based on relevant experience and reference checks.	25
7. Additional points for shovel-ready projects (e.g. applicant has site control, funding commitments, permits, local approvals, etc.	10
Total	100 pts.

Questions and Inquiries:

Written questions concerning this RFP may be submitted to Renee Skeen by email only rskeen@greenvillenc.gov by Tuesday, March 5, 2024 by 5:00 pm. Please insert **“Acquisition and Development of Non-Congregate Shelters”** in the subject line.

END OF DOCUMENT

Attachment A

City of Greenville, North Carolina

HOME-ARP Non-Congregate Shelter RFP - Cover Page

SUMMARY OF REQUEST

Lead/Respondent Organization Name _____

Project Type (acquisition, rehab, and/or new-construction)	Number of NCS Units	Funding Request	Total Development Cost

PROJECT & OWNER (SITE-CONTROL) INFORMATION

Site Address _____
Street
City
State, Zip

Owner Contact _____
Owner Org. Name
Phone
Email

Name _____
Org. Name
Director Name & Title

APPLICANT INFORMATION

Name _____
Org. Name
Director Name & Title

Address _____
Street
City
State, Zip

Contact _____
Name & Title
Phone
Email

Tax ID# _____ UEID # _____ CAGE# _____

PROJECT TEAM (IF APPLICABLE)

(e.g. "TBF Architects - Site Design & Local Approvals")

Org. Name & Role *Contact Name & Phone or Email*

Org. Name & Role *Contact Name & Phone or Email*

Org. Name & Role *Contact Name & Phone or Email*

**City of Greenville/Greenville Utilities Commission
Minority and Women Business Enterprise (MWBE) Program**

**City of Greenville
Construction Guidelines and Affidavits
\$100,000 and above**

These instructions shall be included with each bid solicitation.

City of Greenville/Greenville Utilities Commission Minority and Women Business Enterprise Program

\$100,000 and Construction Guidelines for MWBE Participants

Policy Statement

It is the policy of the City of Greenville and Greenville Utilities Commission to provide minorities and women equal opportunity for participating in all aspects of the City’s and Utilities’ contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchases, and professional and personal service contracts.

Goals and Good Faith Efforts

Bidders responding to this solicitation shall comply with the MWBE program by making Good Faith Efforts to achieve the following aspiration goals for participation.

	CITY	
	MBE	WBE
Construction This goal includes Construction Manager at Risk.	10%	6%

Bidders shall submit MWBE information with their bids on the forms provided. This information will be subject to verification by the City prior to contract award. **As of July 1, 2009, contractors, subcontractors, suppliers, service providers, or MWBE members of joint ventures intended to satisfy City MWBE goals shall be certified by the NC Office of Historically Underutilized Businesses (NC HUB) only.** Firms qualifying as “WBE” for City’s goals must be designated as a “women-owned business” by the HUB Office. Firms qualifying as “MBE” for the City’s goals must be certified in one of the other categories (i.e.: Black, Hispanic, Asian American, American Indian, Disabled, or Socially and Economically Disadvantaged). Those firms who are certified as both a “WBE” and “MBE” may only satisfy the “MBE” requirement. **Each goal must be met separately. Exceeding one goal does not satisfy requirements for the other.** A complete database of NC HUB certified firms may be found at <http://www.doa.nc.gov/hub/>. An internal database of firms who have expressed interest to do business with the City and GUC is available at www.greenvillenc.gov. However, the HUB status of these firms must be verified by the HUB database. The City shall accept NCDOT certified firms on federally funded projects only. Please note: A contractor may utilize any firm desired. However, for participation purposes, all MWBE vendors who wish to do business as a minority or female must be certified by NC HUB.

The Bidder shall make good faith efforts to encourage participation of MWBEs prior to submission of bids in order to be considered as a responsive bidder. Bidders are cautioned that even though their submittal indicates they will meet the MWBE goal, they should document their good faith efforts and be prepared to submit this information, if requested.

The MWBE’s listed by the Contractor on the **Identification of Minority/Women Business Participation** which are determined by the City to be certified shall perform the work and supply the materials for which they are listed unless the Contractors receive prior authorization from the City to perform the work with other forces or to obtain materials from other sources. If a contractor is proposing to perform all elements of the work with his own forces, he must be prepared to document evidence satisfactory to the owner of similar government contracts where he has self-performed.

The Contractor shall enter into and supply copies of fully executed subcontracts with each MWBE or supply signed Letter(s) of Intent to the Project Manager after award of contract and prior to Notice to Proceed. Any MBForms 2002- Revised July 2010 Updated 2019

Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid
amendments to subcontracts shall be submitted to the Project Manager prior to execution.

Instructions

The Bidder shall provide with the bid the following documentation:

- Identification of Minority/Women Business Participation
(if participation is zero, please mark zero—Blank forms will be considered nonresponsive)
- Affidavit A (if subcontracting)

OR

- Identification of Minority/Women Business Participation
(if participation is zero, please mark zero—Blank forms will be considered nonresponsive)
- Affidavit B (if self-performing; will need to provide documentation of similar projects in scope, scale and cost)

Within 72 hours or 3 business days after notification of being the apparent low bidder who is subcontracting anything must provide the following information:

- Affidavit C (if aspirational goals are met or are exceeded)

OR

- Affidavit D (if aspirational goals are not met)

After award of contract and prior to issuance of notice to proceed:

- Letter(s) of Intent or Executed Contracts

****With each pay request, the prime contractors will submit the Proof of Payment Certification, listing payments made to MWBE subcontractors.**

*****If a change is needed in MWBE Participation, submit a Request to Change MWBE Participation Form. Good Faith Efforts to substitute with another MWBE contractor must be demonstrated.**

Minimum Compliance Requirements:

All written statements, affidavits, or intentions made by the Bidder shall become a part of the agreement between the Contractor and the City for performance of contracts. Failure to comply with any of these statements, affidavits or intentions or with the minority business guidelines shall constitute a breach of the contract. A finding by the City that any information submitted (either prior to award of the contract or during the performance of the contract) is inaccurate, false, or incomplete, shall also constitute a breach of the contract. Any such breach may result in termination of the contract in accordance with the termination provisions contained in the contract. It shall be solely at the option of the City whether to terminate the contract for breach or not. In determining whether a contractor has made Good Faith Efforts, the CITY will evaluate all efforts made by the Contractor and will determine compliance in regard to quantity, intensity, and results of these efforts.

City of Greenville **AFFIDAVIT A – Listing of Good Faith Efforts**

County of _____

(Name of Bidder)

Affidavit of _____

I have made a good faith effort to comply under the following areas checked:

Bidders must earn at least 50 points from the good faith efforts listed for their bid to be considered responsive. (1 NC Administrative Code 30 I.0101)

- 1 – (10 pts)** Contacted minority businesses that reasonably could have been expected to submit a quote and that were known to the contractor, or available on State or local government maintained lists, at least 10 days before the bid date and notified them of the nature and scope of the work to be performed.
- 2 --(10 pts)** Made the construction plans, specifications and requirements available for review by prospective minority businesses, or providing these documents to them at least 10 days before the bids are due.
- 3 – (15 pts)** Broken down or combined elements of work into economically feasible units to facilitate minority participation.
- 4 – (10 pts)** Worked with minority trade, community, or contractor organizations identified by the Office of Historically Underutilized Businesses and included in the bid documents that provide assistance in recruitment of minority businesses.
- 5 – (10 pts)** Attended prebid meetings scheduled by the public owner.
- 6 – (20 pts)** Provided assistance in getting required bonding or insurance or provided alternatives to bonding or insurance for subcontractors.
- 7 – (15 pts)** Negotiated in good faith with interested minority businesses and did not reject them as unqualified without sound reasons based on their capabilities. Any rejection of a minority business based on lack of qualification should have the reasons documented in writing.
- 8 – (25 pts)** Provided assistance to an otherwise qualified minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letters of credit, including waiving credit that is ordinarily required. Assisted minority businesses in obtaining the same unit pricing with the bidder's suppliers in order to help minority businesses in establishing credit.
- 9 – (20 pts)** Negotiated joint venture and partnership arrangements with minority businesses in order to increase opportunities for minority business participation on a public construction or repair project when possible.
- 10 - (20 pts)** Provided quick pay agreements and policies to enable minority contractors and suppliers to meet cash-flow demands.

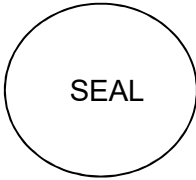
The undersigned, if apparent low bidder, will enter into a formal agreement with the firms listed in the Identification of Minority/Women Business Participation schedule conditional upon scope of contract to be executed with the Owner. Substitution of contractors must be in accordance with GS143-128.2(d) Failure to abide by this statutory provision will constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of the minority/women business commitment and is authorized to bind the bidder to the commitment herein set forth.

Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid Attach to Bid
Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

City of Greenville --AFFIDAVIT B-- Intent to Perform Contract with Own Workforce.

County of _____

Affidavit of _____

I hereby certify that it is our intent to perform 100% of the work required for the _____

(Name of Bidder)
_____ contract.
(Name of Project)

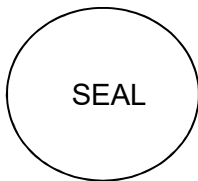
In making this certification, the Bidder states that the Bidder does not customarily subcontract elements of this type project, and normally performs and has the capability to perform and will perform all elements of the work on this project with his/her own current work forces; and

The Bidder agrees to provide any additional information or documentation requested by the owner in support of the above statement.

The undersigned hereby certifies that he or she has read this certification and is authorized to bind the Bidder to the commitments herein contained.

Date: _____ Name of Authorized Officer: _____

Signature: _____



Title: _____

State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20__

Notary Public _____

My commission expires _____

City of Greenville - AFFIDAVIT C - Portion of the Work to be Performed by MWBE Firms

County of _____

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the portion of the work to be executed by MWBE businesses as defined in GS143-128.2(g) and the COG/CITY MWBE Plan sec. III is equal to or greater than 16% of the bidders total contract price, then the bidder must complete this affidavit. This affidavit shall be provided by the apparent lowest responsible, responsive bidder within **72 hours** after notification of being low bidder.

Affidavit of _____ I do hereby certify that on the
(Name of Bidder)

(Project Name)

Project ID# _____ Amount of Bid \$ _____

I will expend a minimum of _____% of the total dollar amount of the contract with minority business enterprises and a minimum of _____% of the total dollar amount of the contract with women business enterprises. Minority/women businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. Attach additional sheets if required

Name and Phone Number	*MWBE Category	Work description	Dollar Value

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

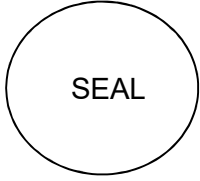
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with MWBE Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____

Subscribed and sworn to before me this _____ day of _____ 20____

Notary Public _____

My commission expires _____

City of Greenville **AFFIDAVIT D – Good Faith Efforts**

County of _____

(Note this form is to be submitted only by the apparent lowest responsible, responsive bidder.)

If the goal of 16% participation by minority/women business **is not** achieved, the Bidder shall provide the following documentation to the Owner of his good faith efforts:

Affidavit of _____ I do hereby certify that on the _____

(Name of Bidder)

(Project Name)

Project ID# _____ Amount of Bid \$ _____

I will expend a minimum of _____% of the total dollar amount of the contract with minority business enterprises and a minimum of _____% of the total dollar amount of the contract with women business enterprises. Minority/women businesses will be employed as construction subcontractors, vendors, suppliers or providers of professional services. Such work will be subcontracted to the following firms listed below. (Attach additional sheets if required)

Name and Phone Number	*MWBE Category	Work description	Dollar Value

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

Examples of documentation required to demonstrate the Bidder's good faith efforts to meet the goals set forth in these provisions include, but are not necessarily limited to, the following:

- A. Copies of solicitations for quotes to at least three (3) minority business firms from the source list provided by the State for each subcontract to be let under this contract (if 3 or more firms are shown on the source list). Each solicitation shall contain a specific description of the work to be subcontracted, location where bid documents can be reviewed, representative of the Prime Bidder to contact, and location, date and time when quotes must be received.
- B. Copies of quotes or responses received from each firm responding to the solicitation.
- C. A telephone log of follow-up calls to each firm sent a solicitation.
- D. For subcontracts where a minority business firm is not considered the lowest responsible sub-bidder, copies of quotes received from all firms submitting quotes for that particular subcontract.
- E. Documentation of any contacts or correspondence to minority business, community, or contractor organizations in an attempt to meet the goal.
- F. Copy of pre-bid roster.
- G. Letter documenting efforts to provide assistance in obtaining required bonding or insurance for minority business.
- H. Letter detailing reasons for rejection of minority business due to lack of qualification.

Do not submit with the bid Do not submit with the bid Do not submit with the bid Do not submit with the bid

I. Letter documenting proposed assistance offered to minority business in need of equipment, loan capital, lines of credit, or joint pay agreements to secure loans, supplies, or letter of credit, including waiving credit that is ordinarily required.

Failure to provide the documentation as listed in these provisions may result in rejection of the bid and award to the next lowest responsible and responsive bidder.

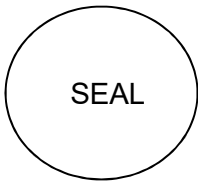
Pursuant to GS143-128.2(d), the undersigned will enter into a formal agreement with MWBE Firms for work listed in this schedule conditional upon execution of a contract with the Owner. Failure to fulfill this commitment may constitute a breach of the contract.

The undersigned hereby certifies that he or she has read the terms of this commitment and is authorized to bind the bidder to the commitment herein set forth.

Date: _____ Name of Authorized Officer: _____

Signature: _____

Title: _____



State of _____, County of _____
Subscribed and sworn to before me this _____ day of _____ 20____
Notary Public _____
My commission expires _____

LETTER OF INTENT MWBE Subcontractor Performance

Please submit this form or executed subcontracts with MWBE firms after award of contract and prior to issuance of notice to proceed.

PROJECT: _____
(Project Name)

TO: _____
(Name of Prime Bidder/Architect)

The undersigned intends to perform work in connection with the above project as a:

____ Minority Business Enterprise _____ Women Business Enterprise

The MWBE status of the undersigned is certified the NC Office of Historically Underutilized Businesses (required). ___ Yes ___ No

The undersigned is prepared to perform the following described work or provide materials or services in connection with the above project at the following dollar amount:

Work/Materials/Service Provided	Dollar Amount of Contract	Projected Start Date	Projected End Date

(Date)

(Address)

(Name & Phone No. of MWBE Firm)

(Name & Title of Authorized Representative of MWBE)

(Signature of Authorized Representative of MWBE)

REQUEST TO CHANGE MWBE PARTICIPATION

(Submit changes only if notified as apparent lowest bidder, continuing through project completion)

Project: _____

Bidder or Prime Contractor: _____

Name & Title of Authorized Representative: _____

Address: _____ **Phone #:** _____

_____ **Email Address:** _____

Total Contract Amount (including approved change orders or amendments): \$ _____

Name of subcontractor: _____

Good or service provided: _____

Proposed Action:

Replace subcontractor

Perform work with own forces

For the above actions, you must provide one of the following reasons (Please check applicable reason):

The listed MBE/WBE, after having had a reasonable opportunity to do so, fails or refuses to execute a written contract.

The listed MBE/WBE is bankrupt or insolvent.

The listed MBE/WBE fails or refuses to perform his/her subcontract or furnish the listed materials.

The work performed by the listed subcontractor is unsatisfactory according to industry standards and is not in accordance with the plans and specifications; or the subcontractor is substantially delaying or disrupting the progress of the work.

If replacing subcontractor:

Name of replacement subcontractor: _____

The MWBE status of the contractor is certified by the NC Office of Historically Underutilized Businesses (required). ___ Yes ___ No

Dollar amount of original contract \$ _____

Dollar amount of amended contract \$ _____

Other Proposed Action:

___ Increase total dollar amount of work

___ Add additional subcontractor

___ Decrease total dollar amount of work

___ Other

Please describe reason for requested action: _____

If adding additional subcontractor:*

The MWBE status of the contractor is certified by the NC Office of Historically Underutilized Businesses (required). ___ Yes ___ No

**Please attach Letter of Intent or executed contract document*

Dollar amount of original contract \$ _____

Dollar amount of amended contract \$ _____

Interoffice Use Only:

Approval Y N

Date _____

Signature _____

Proof of Payment Certification

MWBE Contractors, Suppliers, Service Providers

Pay Application No. _____

Purchase Order No. _____

Project Name: _____

Prime Contractor: _____

Current Contract Amount (including change orders): \$ _____

Requested Payment Amount for this Period: \$ _____

Is this the final payment? Yes No

Firm Name	MWBE Category*	Total Amount Paid from this Pay Request	Total Contract Amount (including changes)	Total Amount Remaining

*Minority categories: Black, African American (**B**), Hispanic or Latino (**L**), Asian American (**A**) American Indian (**I**), Female (**F**) Socially and Economically Disadvantaged (**S**) Disabled (**D**)

Date: _____

Certified By:

Name

Title

Signature

CERTIFICATION REGARDING LOBBYING
(must be submitted with bid if \$100K or more)

Certification for Contracts, Grants, Loans, and Cooperative Agreements The undersigned [Contractor] certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal Contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal Contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for making lobbying contacts to an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal Contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form--LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions [as amended by "Government wide Guidance for New Restrictions on Lobbying," 61 Fed. Reg. 1413 (1/19/96). Note: Language in paragraph (2) herein has been modified in accordance with Section 10 of the Lobbying Disclosure Act of 1995 (P.L. 104-65, to be codified at 2 U.S.C. 1601, et seq.)]

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subContracts, subgrants, and Contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995). Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

[Note: Pursuant to 31 U.S.C. § 1352(c)(1)-(2)(A), any person who makes a prohibited expenditure or fails to file or amend a required certification or disclosure form shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure or failure.]

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. A 3801, et seq., apply to this certification and disclosure, if any.

Signature of Contractor's Authorized Official

Name and Title of Contractor's Authorized Official

Date