



SAN DIEGO
HOUSING
COMMISSION

We're About People

San Diego Housing Commission



Request for Qualifications

RFQ# HHI-21-39

**Description: Case Management &
Supportive Services**

Release Date: March 16, 2021

Qualifications Due: March 30, 2021

San Diego Housing Commission
1122 Broadway, Suite 300
San Diego, CA 92101
www.sdhc.org

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**San Diego Housing Commission Request for Qualifications – Case Management & Supportive Services
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I. SUMMARY STATEMENT

The San Diego Housing Commission (hereinafter referred to as the “Commission”) is accepting Statement of Qualifications (SOQ) from operators (hereinafter referred to as “Operators” or “Respondents”) for Case Management and Supportive Services to persons experiencing homelessness who may have high service needs, and who may also be impacted by chronic health conditions that potentially put them at high risk for COVID-19.

The Commission is seeking to gauge capacity from experienced homeless service Operators interested in providing intensive Case Management and Supportive Services to persons experiencing homelessness with potentially high service needs, who may also be impacted by chronic health conditions that potentially put them at high risk for COVID-19 (“Program”), which could be located at various locations within the City of San Diego (“City”). These locations would be retained by the City or another entity via a formal Memorandum of Understanding with the City. Operators would be expected to have an on-site presence, 7 days per week at the City determined site locations. Service expectations would include regular virtual and in-person delivery of supportive service provision and connection to appropriate community resources, tailored to best meet each Program participant’s unique needs.

This Request for Qualifications (RFQ) is the first step in the Commission’s procurement process for the selection of qualified Operators for the Program. Should funding be identified by the City for such purpose, and should the Commission determine that any of the SOQ’s submitted meet the necessary qualifications to support a successful Program, the qualified Operator(s) will be eligible to enter into negotiations to enter into an agreement with the Commission for the operation of such Program.

A summary of the required work is contained in the Statement of Work section of this Request for Qualifications. Interested and qualified Operators, including Section 3, Small, Disabled-Veteran, Disadvantaged, Minority and Women-Owned businesses are invited to submit qualifications.

Responses identified as “**(RFQ# HHI-21-39) Case Management and Supportive Services**” will be received electronically via PlanetBids portal or email on or before **March 30, 2021 at 4:00pm Pacific Standard Time (PST)**. Due to the COVID-19 pandemic, only electronic submissions will be accepted. Please contact the individual below should you experience any issues with electronic submission. **Late responses will not be accepted.**

Attn: Debra Fischle-Faulk
Sr. Vice President of Compliance & Equity Assurance
619-578-7411
debraf@sdhc.org

The Commission reserves the right to reject any or all responses, waive any informality in the specifications or solicitation process, or to cancel in whole or in part this Request for Qualifications if it is determined by the Commission that it is in the best interest of the Commission to do so.

SAN DIEGO HOUSING COMMISSON

Maurcell Gresham
Director of Procurement

II. INSTRUCTIONS TO OFFERORS

SUBMISSION OF QUESTIONS

1. Questions received less than **five (5) calendar days** prior to the SOQ due date shall not be considered.
2. The Commission, at its option may respond to any or all questions submitted in writing in the form of an addendum. No other responses to questions, oral or written, shall be of any force or effect with respect to this RFQ.
3. Only questions answered by formal written addenda shall be binding. Oral and other interpretations or clarification shall be without legal effect. It is the Operator's responsibility to become informed of any addenda that have been issued and to include all such information in its SOQ.

NOMINATING AND SELECTION PROCESS

1. A 3-5 person Evaluation Panel ("Panel") will be established prior to the closing date of this RFQ and will include representatives from the Commission.
2. After the Commission receives the SOQs, the Panel will review the qualifications based on the established evaluation criteria set forth in Section IV of this RFQ.
3. The Panel will recommend to the Sr. Vice President of Compliance & Equity Assurance or designee the short-listing of no more than three (3) of the most highly qualified operators and, upon approval, only those operators will be allowed to participate in the negotiation process; should the City identify funding available for such purpose and determine it appropriate to move forward with the Program as described in the RFQ.
4. A minimum score of 60 points must be achieved in order to be further considered as a potential Operator and be eligible to enter into negotiations to enter into an agreement with the Commission for the operation of such Program

SPECIAL CONDITIONS

General

1. The Commission reserves the right to cancel, in part or in its entirety, this RFQ including but not limited to selection schedule, submittal date, and submittal requirements. If the Commission cancels or revises the RFQ, all potential Operators will be notified in writing by the Commission.
2. The Commission reserves the right to interview and request additional information and clarifications from any responders to this RFQ.

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3. This RFQ does not commit the Commission to award a contract, or to procure or contract for work.
4. The Commission will not reimburse the Operator(s) for costs incurred in the preparation, submittal and participation in the RFQ process.

Allocation of Risk

1. The selected Operator(s) shall indemnify and hold harmless the Commission for claims, suits, losses or damages arising out of the negligent acts, errors, or omissions of the Operator, or subcontractors attributable to the Program.

Equity & Inclusion

1. The Operator shall include a description of how they will address racial equity and inequities for the target population, including any local disproportionate impact of COVID-19 and homelessness by race and other protected classes. The description should include supporting evidence of the strategies' effectiveness if available.

Nondiscrimination

1. The Operator warrants and certifies that it will not during the term of the Project discriminate against any employee, person, or applicant for employment because of race, age, sexual orientation, marital status, color, religion, sex, handicap, or national origin. The Operator will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, age, sexual orientation, marital status, color, religion, sex, handicap, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Operator agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Commission setting forth the provisions of this nondiscrimination clause.
2. As part of its SOQ, the Operator shall provide to the Commission a list of all instances within the last five (5) years where a complaint was filed or pending against the Operator in a legal or administrative proceeding alleging that the Operator discriminated against its employees, the Subcontractors, or Suppliers, and a description of the status or resolution of that complaint, including any remedial action taken. If there have not been any complaints filed or pending against the Operator, a written statement from the Operator to confirm shall be included in the SOQ and Response.

Public Disclosures

1. Upon receipt by the Commission, SOQs shall become public records subject to public disclosure. It is the responsibility of the respondent to clearly identify any confidential, proprietary, trade secret or otherwise legally privileged information contained within the SOQ. General references to sections of the California Public Records Act (PRA) will not suffice. If the Operator does not provide/supply applicable case law that clearly establishes that the requested information is exempt from the disclosure requirements of the PRA, the Commission shall be free to release the

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information when required in accordance with the PRA, pursuant to any other applicable law, or by order of any court or government agency, and the Operator will hold the Commission harmless for release of this information.

2. Selection announcements, contract awards, and all data provided by the Commission shall be protected from public disclosure. Operator(s) desiring to release information to the public shall receive prior written approval from the Commission.

III. STATEMENT/SCOPE OF WORK/SERVICES

The Commission is seeking to gauge capacity and demonstrated ability by one or several Respondents interested in operating Intensive Case Management and Supportive Services to persons experiencing homelessness with potentially high service needs, who may also be impacted by chronic health conditions that potentially put them at high risk for COVID-19 (“Program”). The potential Operator would be expected to deliver the Program at one or more locations throughout the City. The Program would be open to persons currently experiencing unsheltered homelessness.

Program Services

Operator must provide the following to demonstrate experience:

- Operator’s Profile, identification of Principals & Partners, principal place of business and location of other offices;
- Capacity and Readiness:
 - Number of employees;
 - Total budgeted positions and vacant positions under recruitment as of March 1, 2021;
 - Annual staff turn-over/attrition rate for CY 2020;
 - Average number of vacant positions during the last 12 months, ending February 28, 2021;
 - For the past 12 month period (ending 2/28/21), average recruitment timeline from initial job posting to hire date for the following positions:
 - Peer Support Specialist (or equivalent)
 - Case Manager (or equivalent)
 - Supervising Case Manager (or equivalent)
 - Licensed Clinical Social Worker (or equivalent);
 - The total number of Case Management and Supervisory Case Management level positions available for immediate deployment towards the Program;
 - Documentation that demonstrates the utilization of staff made available for immediate deployment would not have a negative consequence to delivery of existing programming;
 - The anticipated case management ratio for the target population and the number of Program participants that could be served with the staff available for immediate deployment;
 - Demonstrated readiness (through references for previous contracts/programs and/or other documentation) of ability to expeditiously negotiate and execute a contract, recruit, train and deploy staff, and implement a program that serves persons experiencing homelessness who may have high service needs and co-occurring health conditions;

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- **Qualifications, Experience and Interest:**
 - A minimum of three (3) years' experience in delivering Housing Navigation services through activities such as; developing an Individual Housing and Services Plan, identifying ways to increase participant income, housing search, landlord negotiation, identifying available community resources to provide interim or longer term housing options, and case conferencing;
 - A minimum of three (3) years' experience in general supportive services/case management at a residential care or permanent supportive housing facility level or higher;
 - A minimum of three (3) years' experience in coordinating a variety of community services to best meet needs of persons experiencing homelessness and support stabilization and a pathway to housing;
 - A minimum of three (3) years demonstrated experience in best practices for service delivery to vulnerable populations including both an agency culture of and practical training for staff in: Critical Time Intervention, Cultural Competency, Harm Reduction and Trauma Informed Care;
 - Demonstrated ability to serve the needs of unique sub-populations, examples of which include, but may not be limited to, elderly persons, persons with physical disability, persons with behavioral health needs, persons with Substance Use Disorder, veterans and Transition Age Youth; and
- **References:** Please provide a minimum of three references that further support some or all of the qualification criteria listed above.

Definitions:

- Care Coordination: Care coordination involves deliberately organizing a resident's support/care activities and sharing information among all of the partners involved with supporting a residents housing and quality of life needs to achieve long-term housing stabilization.
- Case Management: Case Management is a collaborative process of assessment, planning, facilitation, care coordination, evaluation and advocacy to meet an individual's or households supportive housing needs, including developing and supporting a residents housing plan throughout their tenancy, through communication and available resources to promote quality of life, and long term stabilization.
- Critical Time Intervention: Critical Time Intervention (CTI) is a time-limited evidence-based practice that seeks to prevent recurrent homelessness in people with mental health needs leaving shelters, hospitals, or other institutions during periods of transition. It facilitates community integration and continuity of care by promoting a person has ties to their community and support systems during these critical periods.
- Cultural Competency: Cultural competence is the ability of an individual to understand and respect values, attitudes, beliefs, and mores that differ across cultures, and to consider and respond appropriately to these differences in planning, implementing, and delivering supportive services and other programs, including supportive housing.
- Harm Reduction: Harm reduction models use a variety of strategies to reduce the harmful consequences associated with substance misuse. Harm reduction strategies seek to reduce morbidity and mortality associated with substance misuse for those for whom abstinence is not an immediate and/or feasible goal.

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- Housing First: Housing First is an approach to quickly and successfully connect individuals and families experiencing homelessness to permanent housing *without preconditions and barriers to entry, such as sobriety, treatment, income or service participation requirements*.
- Trauma Informed Care: Trauma Informed Care is an organizational structure and treatment framework that involves understanding, recognizing, and responding to the effects of all types of trauma. Trauma Informed Care also emphasizes physical, psychological and emotional safety for both consumer and providers, and helps consumers rebuild a sense of control and empowerment.

IV. HOUSING FIRST PRINCIPLES

In alignment with HUD, all homeless programming will adhere to Housing First principles as noted below:

- 1) Housing First is an approach to quickly and successfully connect individuals and families experiencing homelessness to permanent housing without preconditions and barriers to entry, such as sobriety, treatment, income or service participation requirements.
- 2) Supportive services are offered to maximize housing stability and prevent returns to homelessness as opposed to addressing predetermined treatment goals prior to permanent housing entry.
- 3) In alignment with Housing First principles, examples of criteria that may not be used to determine Program eligibility and continued stay include, but are not limited to, the following:
 - a) Sobriety and/or commitment to be drug-free;
 - b) Requirements to take medication if the participant has a mental illness;
 - c) Participation in religious services or activities;
 - d) Participation in drug treatment services (including NA/AA);
 - e) Payment or ability to pay; and
 - f) Identification

Additional information can found at:

United States Interagency Council on Homelessness, <https://www.usich.gov/tools-for-action/housing-first-checklist>

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| V. EVALUATION CRITERIA | | POINT VALUES |
|--|---|---------------------|
| Respondent's Profile | <ul style="list-style-type: none"> • Clear and concise description of Respondent's institution, including number of employees, identification of Principals & Partners, principal place of business and location of other offices. | 10 Points |
| Capacity and Readiness | <ul style="list-style-type: none"> • Number of employees; • Total budgeted positions and vacant positions under recruitment as of March 1, 2021; • Annual staff turn-over/attrition rate for CY 2020; • Average number of vacant positions during the last 12 months, ending February 28, 2021; • For the past 12 month period (ending 2/28/21), average recruitment timeline from initial job posting to hire date for the following positions: <ul style="list-style-type: none"> • Peer Support Specialist (or equivalent) • Case Manager (or equivalent) • Supervising Case Manager (or equivalent) • Licensed Clinical Social Worker (or equivalent); • The total number of Case Management and Supervisors Case Management level positions available for immediate deployment towards the Program; • Documentation that demonstrates the utilization of staff made available for immediate deployment would not have a negative consequence to delivery of existing programming; • The anticipated case management ratio for the target population and the number of Program participants that could be served with the staff available for immediate deployment; and • Demonstrated readiness (through references for previous contracts/programs and/or other documentation) of ability to expeditiously negotiate and execute a contract, recruit, train and deploy staff, and expeditiously implement a program that serves persons experiencing homelessness who may have high service needs and co-occurring health conditions. | 35 Points |
| Qualifications, Experience and Interest | <ul style="list-style-type: none"> • A minimum of three (3) years' experience in delivering Housing Navigation services through activities such as: developing an Individual Housing and Services Plan, identifying ways to increase participant income, housing search, landlord negotiation, identifying available community resources to provide interim or longer-term housing options, and case conferencing; • A minimum of three (3) years' experience in general supportive services/case management at a residential care or permanent supportive housing facility level or higher; • A minimum of three (3) years' experience in coordinating a variety of community services to best meet needs of persons experiencing homelessness and support stabilization and a pathway to housing; • A minimum of three (3) years demonstrated experience in best practices for service delivery to vulnerable populations including both an agency culture of and practical training for staff in, Critical Time Intervention, Cultural Competency, Harm Reduction and Trauma Informed Care; • Demonstrated ability to serve the needs of unique sub-populations, examples of which include but may not be limited to; elderly persons, persons with physical disability, persons with behavioral health needs, persons with Substance Use Disorder, veterans, and Transition Age Youth; and | 45 Points |

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| | | |
|-------------------------------|---|------------------|
| | <ul style="list-style-type: none"> References: Please provide a minimum of three references that further support some or all of the qualification criteria. | |
| Equity & Inclusion | <ul style="list-style-type: none"> Clear and concise description of how Respondent will address racial equity and inequities for the target population, including any local disproportionate impact of COVID-19 and homelessness by race and other protected classes, including supporting evidence of the strategies' effectiveness | 10 Points |
| TOTAL | | 100 |

VI. REQUIRED SUBMITTAL DOCUMENTS

CERTIFICATION OF EXCEPTIONS TO THE REQUEST FOR QUALIFICATIONS

Supportive Housing Services & Property Management Operations

The undersigned, a duly authorized representative of _____
(Company Name)

hereby stipulates that _____takes no exceptions to this
(Company Name)

Request for Qualifications and its attachments as referenced in this RFQ.

Authorized Representative

Date _____

Authorized Representative's Title

Company

OR

The undersigned, a duly authorized representative of _____
(Company Name)

hereby stipulates that _____ takes the following exceptions
(Company Name)

to this Request for Qualifications and its attachments as referenced in this RFQ.

Authorized Representative

Date _____

Authorized Representative's Title

Company

RESPONDENT’S DECLARATION

I, _____, hereby declare that I am the
(Printed Name)

_____ of _____
(Title) (Name of Firm)

Submitting this response; that I am duly authorized to sign this response on behalf of the above named firm; and that all information set forth in this response and all attachments hereto are, to the best of my knowledge, true, accurate and complete as of its submission date.

The undersigned declares under penalty of perjury that all of the prequalification information submitted with this form is true and correct and that this declaration was executed in

_____ (County), _____, (State)

on _____ (Date).

(Signature)

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NON-COLLUSIVE DECLARATION

(To Be Executed By OPERATOR and Submitted With RFQ)

The undersigned declares:

I am the _____ of _____, the party making the foregoing RFQ Response.

The response is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation. The response is genuine and not collusive or sham. The Operator has not directly or indirectly induced or solicited any other Operator to put in a false or sham response. The Operator has not directly or indirectly colluded, conspired, connived, or agreed with any Operator or anyone else to put in a sham response, or to refrain from submitting a response. The Operator has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the Response submittal information of the Operator or any other Operator. All statements contained in the Response are true. The Operator has not, directly or indirectly, submitted his or her response or any information contained therein, or divulged information to any corporation, partnership, company association, organization, or to any member of agent thereof to effectuate a collusive or sham response, and has not paid, and will not pay, any person or entity for such purpose.

Any person executing this declaration on behalf of an Operator that is a corporation, partnership, joint venture, limited liability company, limited liability partnership, or any other entity, hereby represents that her or she has full power to execute, and does execute, this declaration on behalf of the Operator.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on _____ [date], at _____ [city], _____ [state].

(Individual Signature)

(Partner Signature)

(Officer of Corporation Signature)

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

My commission expires: _____

CONSENT TO PUBLIC DISCLOSURE BY OPERATOR

By providing the “Personal Information”, (if any) as defined in Section 1798.3(a) of the Civil Code of the State of California (to the extent that it is applicable, if at all), requested herein and by seeking a loan from, a grant from, a contract with, the sale of real estate to, the right to develop from, and/or any and all other entitlements from the San Diego Housing Commission (“COMMISSION”), the HOUSING AUTHORITY OF THE CITY OF SAN DIEGO (“AUTHORITY”) and/or the CITY OF SAN DIEGO (“CITY”), the OPERATOR consents to the disclosure of any and all “Personal Information” and of any and all other information contained in this Public Disclosure Statement. OPERATOR specifically, knowingly and intentionally waives any and all privileges and rights that may exist under State and/or Federal Law relating to the public disclosure of the information contained herein. With respect to “Personal Information”, if any, contained herein, the OPERATOR, by executing this disclosure statement and providing the information requested, consents to its disclosure pursuant to the provisions of the Information Practices Act of 1977, Civil Code Section 1798.24(b). OPERATOR is aware that a disclosure of information contained herein will be made at a public meeting or meetings of the Commission, the AUTHORITY, and/or the CITY at such times as the meetings may be scheduled. OPERATOR hereby consents to the disclosure of said “Personal Information”, if any, more than thirty (30) days from the date of this statement at the duly scheduled meeting(s) of the Commission, the AUTHORITY and/or the CITY. OPERATOR acknowledges that public disclosure of the information contained herein may be made pursuant to the provisions of Civil Code Section 1798.24(d).

OPERATOR represents and warrants to the Commission, the AUTHORITY and the CITY that by providing the information requested herein and waiving any and all privileges available under the Evidence Code of the State of California, State and Federal Law, (to the extent of this disclosure that the information being submitted herein), the information constitutes a “Public Record” subject to disclosure to members of the public in accordance with the provisions of California Government Section 6250 et seq.

OPERATOR specifically waives, by the production of the information disclosed herein, any and all rights that OPERATOR may have with respect to the information under the provisions of Government Code Section 6254 including its applicable subparagraphs, to the extent of the disclosure herein, as well as all rights of privacy, if any, under the State and Federal Law.

Executed this _____ day of _____, 2021, at San Diego, California.

OPERATOR

By: _____
Signature

(Print name)

Title

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CERTIFICATION

The OPERATOR, _____, hereby certifies that this OPERATOR's Statement for Public Disclosure and the attached information/evidence of the Contractor's qualifications and financial responsibility, including financial statements, are true and correct to the best of Contractor's knowledge and belief.

By: _____

By: _____

Title: _____

Title: _____

Dated: _____

Dated: _____

WARNING: 18 U.S.C. 1001 provides, among other things, that whoever knowingly and willingly makes or uses a document or writing containing any false, fictitious or fraudulent statement or entry, in any matter within the jurisdiction or any department or agency of the United States, shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

ATTEST:

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

Signature of Notary

My Commission Expires: _____

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DESIGNATION OF SUBCONTRACTOR/SUBCONSULTANT

SDHC Solicitation/Contract Number: _____ Description _____

Prime Contractor/Consultant: _____ Contact Name: _____

Address: _____ Phone: _____ Email: _____

Public Works Contractor Registration Number: _____ Taxpayer ID Number: _____

Total Bid/Proposal Amount: _____ Total Awarded to Section 3, ELBE, SLBE, SB, DBE,
 MBE, WBE and DVBE: _____

Provide information for each subcontractor/subconsultant, all tiers, who will perform work, labor, render service, consult or provide and install material and/or equipment on the project. Indicate whether subcontractor/subconsultant is a certified Section 3 Business Concern, ELBE, SLBE, SB, DBE, MBE, WBE, or DVBE. Upon contract award, please submit proof of each listed certification. Each intended subcontractor/subconsultant must be listed for construction and non-construction contracts. If no subcontractors/subconsultants are to provide services related to this contract, enter "None".

Prior to the issuance of job orders, task orders, work orders, purchase orders and/or contract renewals, the prime contractor/consultant may be required to submit an additional Designation of Subcontractor/Subconsultant form for all subcontractors/subconsultants to be utilized on the contract.

MANDATORY: List all subcontractors (ALL TIERS) in Table 1 and/or Table 2, as applicable. Complete Table 1 to list subcontractors on construction contracts whose subcontract award exceeds ½ of one percent of bidder's total bid amount. Complete Table 2 to list all other subcontractors on the construction contract, and subcontractors/subconsultants on non-construction contracts. Use additional form if necessary.

| TABLE 1: (For Construction Projects) <i>List each subcontractor or supplier who will perform work, labor, render service or provide and install material and/or equipment to the Contractor in an amount in excess of one-half of one percent (0.5%) of the Contractor's total Bid.*</i> | | | | | |
|--|---|---|---------------|--|--|
| Service/ Trade Category: | Name, Address, Phone Number Taxpayer ID Number and Public Works Contractor Registration Number** of Subcontractor/ Subconsultant: | Professional License #, Classification & Expiration, if applicable: | Dollar Value: | % Of Total Prime Contract Award: | List Diverse Certification(s): Section 3, ELBE, SLBE, SB, DBE, MBE, WBE or DVBE |
| | Name: Address: Phone: Taxpayer ID #: Public Works Contractor Registration#: | | | | |
| | Name: Address: Phone: Taxpayer ID #: Public Works Contractor Registration#: | | | | |

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| | | | | | |
|--|---|--|--|--|--|
| | Name: Address: Phone: Taxpayer ID #: Public Works Contractor Registration#: | | | | |
|--|---|--|--|--|--|

TABLE 2: (For Construction and Non-Construction)
Bidder shall list each subcontractor, subconsultant or supplier who will perform work, labor, render service, consult or provide and install material and/or equipment.

| Service/ Trade Category: | Name, Address, Phone Number Taxpayer ID Number and Public Works Contractor Registration Number of Subcontractor/ Subconsultant: | Professional License #, Classification & Expiration, if applicable: | Dollar Value: | % Of Total Prime Contract Award: | List Diverse Certification(s): Section 3, ELBE, SLBE, SB, DBE, MBE, WBE or DVBE |
|--------------------------------|--|---|---------------|---|--|
| | Name: Public Works Contractor Registration#: | | | | |
| | Name: Public Works Contractor Registration#: | | | | |
| | Name: Public Works Contractor Registration#: | | | | |

***For Construction Contracts Only:** In accordance with the "Subletting and Subcontracting Fair Practices Act", Sections 4100-4114 of the Public Contract Code of the State of California, and any amendments thereto, each Bidder shall list the dollar amount, name, location, California contractor license number, public works contractor registration number and trade of each Subcontractor or Supplier who will perform work, labor, render service or provide and install material and/or equipment to the Contractor in the construction of the Work in an amount in excess of one-half of one percent (0.5%) of the Contractor's total Bid (Example: one-half of one percent (0.5%) of a \$1,500,000 project is equal to \$7,500). Only one Subcontractor for each such trade shall be listed. If the Contractor fails to specify a Subcontractor for any portion of the Work to be performed under the Contract, he shall be deemed to have agreed to perform such portion himself, and he shall not be permitted to subcontract that portion of the Work. For the convenience of the Contractor, rounding-off values to the nearest thousand dollars is permitted.

****Public Works Contractor Registration:** Public Works Contractors are required to register with the California Department of Industrial Relations (DIR) in order to submit a bid, to be listed on a bid, or perform work on a public works contract. Contractor/subcontractor shall maintain its DIR registration throughout contract performance. A public works contractor is anyone who bids on or enters into a contract to perform work that requires the payment of prevailing wages. It includes subcontractors who have entered into a contract with another contractor to perform a portion of the work on a public works project. It includes sole proprietors and brokers who are responsible for performing work on a public works project, even if they do not have employees or will not use their own employees to perform the work. Anyone who fits within the definition of public works contractor (above) is required to register with the DIR.

Submitted by _____
 (Firm)

Date _____

 (Signature)

 (Print Name and Title)

Only the following certifications from the specified agencies will be accepted:

| | |
|--|---|
| Minority Business Enterprise (MBE) | Pacific Southwest Minority Supplier Development Council (PSWMSDC), California Public Utilities Commission (CPUC) or City of Los Angeles |
| Woman Business Enterprise (WBE) | California Public Utilities Commission (CPUC) or City of Los Angeles |
| Disadvantaged Business Enterprise (DBE) | State of California, Department of Transportation (DOT); or DBEs certified under the California Unified Certification Program (CUCP) |
| Small Business (SB) | State of California, Department of General Services (DGS) |
| Emerging/Small Local Business Enterprise (ELBE/SLBE) | City of San Diego |
| Disabled Veteran Business Enterprise (DVBE) | State of California, Department of General Services (DGS) |
| Section 3 Business Concern (Section 3) | San Diego Housing Commission (SDHC) |

If you have any questions, please contact Ms. Ena Walters, Contract Compliance Analyst, at (619) 578-7572 or eoc@sdhc.org.

CONTRACTORS CERTIFICATION OF PENDING ACTIONS

As part of its response, the Respondent shall provide to the Commission a list of all instances within the past 5 years where a complaint was filed or pending against the Respondent in a legal or administrative proceeding alleging that the Respondent discriminated against its employees, subcontractors, vendors or suppliers, and a description of the status or resolution of that complaint, including any remedial action taken.

CHECK ONE BOX ONLY.

- ☐ The undersigned certifies that within the past 5 years the Respondent has NOT been the subject of a complaint or pending action in a legal administrative proceeding alleging that Respondent discriminated against its employees, subcontractors, vendors or suppliers.
- ☐ The undersigned certifies that within the past 5 years the Respondent has been the subject of a complaint or pending action in a legal administrative proceeding alleging that Respondent discriminated against its employees, subcontractors, vendors or suppliers. A description of the status or resolution of that complaint, including any remedial action taken and the applicable dates is as follows:

| DATE OF CLAIM | LOCATION | DESCRIPTION OF CLAIM | LITIGATION (Y/N) | STATUS | RESOLUTION/REMEDIAL ACTION TAKEN |
|---------------|----------|----------------------|------------------|--------|----------------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

Contractor Name: _____

Certified By _____ Title _____
Name

Signature Date _____

USE ADDITIONAL FORMS AS NECESSARY



SECTION 3 OF THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968 CERTIFICATION OF COMPLIANCE

The purpose of Section 3 of the Housing and Urban Development Act of 1968, as amended (12. U.S.C. 1701u) (Section 3), is to ensure that employment and other economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with existing Federal, State and Local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons. Section 3 is implemented and regulated by Part 135 of Title 24 of the Code of Federal Regulations (24 CFR 135).

APPLICABILITY

- Recipients and sub-recipients of Section 3 covered assistance, including contractors and subcontractors that perform work on Section 3 covered contracts/projects, are required to comply with Section 3 requirements.
- Section 3 requirements are triggered when there is a need for new hires, contractors, and/or subcontractors.
- Section 3 requirements do not apply to contractors who furnish only materials or supplies and do not undertake the installation of the materials or supplies.

DEFINITIONS

Section 3 Business Concern means a business concern that is:

- I. 51% or more owned by Section 3 Residents ; or
- II. Whose permanent, full-time employees include at least 30 percent of Section 3 Residents, or within three years of the date of first employment with the business concern were Section 3 Residents; or
- III. Provides evidence of a commitment to subcontract in excess of 25 percent of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications above.

Section 3 Resident means a: (1) A resident of public housing who resides in the County of San Diego; or (2) An individual who resides in the County of San Diego, and who meets the following family income limits:

| 2018 FAMILY INCOME LIMITS | | | | | | | | |
|------------------------------------|----------|----------|----------|----------|----------|----------|----------|-----------|
| FAMILY Size | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Maximum Gross Annual Family Income | \$54,500 | \$62,300 | \$70,100 | \$77,850 | \$84,100 | \$90,350 | \$96,550 | \$102,800 |

New Hire means full-time employees for permanent, temporary or seasonal employment opportunities.

NUMERICAL GOALS

Contractors and subcontractors may demonstrate compliance with Section 3 by committing to the following:

- I. Employ Section 3 Residents as 30 percent of total new hires;
- II. Award Section 3 Business Concerns at least 10 percent of the total dollar amount of all Section 3 covered construction and renovation contracts; and
- III. Award Section 3 Business Concerns at least 3 percent of the total dollar amount of all other Section 3 covered contracts.



Contractors and subcontractors must document their efforts to realize the numerical goals.

SECTION 3 REQUIREMENTS FOR BIDDERS/PROPOSERS

Section 3 and Equal Opportunity Contracting Project Utilization Plan

- I. Submittal of Section 3 and EOC Project Utilization Plan:
Bidder/Proposer AND its first-tier subcontractors are to submit a completed Section 3 and Equal Opportunity Contracting Project Utilization Plan(s) in bid. If not, Utilization Plan(s) must be submitted within 24 hours, upon request by SDHC. **A “non-responsive” determination may be made due to non-submittal within 24 hours.**
- II. Submittal of Supporting Documentation:
Bidder/Proposer AND its first-tier subcontractors whose Utilization Plans indicate no subcontract awards to certified Section 3 Business Concerns will be required to submit, within 24 hours upon request by SDHC, supporting documentation for review and approval verifying efforts to outreach to and award subcontracts to Section 3 Business Concerns. **A “non-responsive” determination shall be made due to a lack of documented outreach to Section 3 Business Concerns by the Bidder/Proposer.** With the exception of bids/proposals indicating no projected opportunities for hiring new employees and/or awarding subcontracts.
- III. Waivers:
At its discretion, SDHC may grant waivers for noncompliant contractors who have demonstrated “good cause” as to why the Section 3 numerical goals were not met. SDHC will not execute a contract/agreement that does not incorporate by reference an approved plan to utilize certified Section 3 Business Concerns and/or Residents, or reference the waiver granted by SDHC. Bids/proposals that indicate that there are no plans to hire new employees and award subcontracts may receive a waiver.

SECTION 3 REQUIREMENTS FOR AWARDEES

Section 3 Clause

All Section 3 covered contracts and subcontracts shall include the following clause set forth at 24CFR135.38:

- a) The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- b) The parties to this contract agree to comply with HUD’s regulations in 24 CFR part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the part 135 regulations.
- c) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers’ representative of the contractor’s commitments under this Section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d) The contractor agrees to include the Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR part 135.



- e) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f) Noncompliance with HUD's regulations in 24 CFR part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- g) With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Compliance Monitoring

Section 3 compliance monitoring will be performed by SDHC Section 3/EOC Unit. **Contractors and subcontractors who submitted approved Utilization Plans shall maintain their approved percentages of Section 3 participation throughout the term of the contract/project. Contractors and/or subcontractors whose Utilization Plans projected no new hires must, to the greatest extent feasible, hire certified Section 3 Residents if the need to hire occurs.** Contractors and subcontractors will be required to submit certified payroll and/or new hire reports.

| FREQUENCY OF MONITORING | | | | |
|--|--------------------|---------|-----------|------------|
| Contract Description | Award/ Negotiation | Monthly | Quarterly | Completion |
| Construction | X | X | | X |
| Non-Construction (<3 months' performance) | X | X | | X |
| Non-Construction (>3 months' performance) | X | | X | X |
| Note: SDHC will periodically conduct unscheduled job-site/work-site interviews of contractor's and/or subcontractors' employees. | | | | |

Noncompliance with HUD's regulations in 24CFR135 may result in sanctions, termination of contract for default, and debarment or suspension from future HUD-assisted contracts.

The undersigned hereby agrees to comply with all the provisions of Section 3 as set forth in 24CFR135.38 and SDHC's Section 3 requirements.

Acknowledged By:

Name of President or Authorized Officer

Company Name

Signature and Title

Date

Please contact the Section 3 Program Analyst at section3@sdhc.org for a list of certified Section 3 Business Concerns and/or Residents, or to verify the Section 3 certification eligibility of any prospective subcontractor or new hire.