

City of Albuquerque
Department of Family & Community Services
Division of Community Development
Request for Proposals (RFP) from Non-Profit or Governmental Agencies for
Social Services – Affordable Housing for Program Year 2020

Brown Property RFP

RFP Number: RFP-DFCS-CD-AHD-20-03-BROWN

REQUEST FOR PROPOSALS

Contents:

- 1.0 Background**
- 2.0 Purpose**
- 3.0 Administrative Requirements**
- 4.0 Community Building and Scope of Work**
- 5.0 Design Submission Requirements**
- 5.0 Eligible Responders**
- 6.0 Eligible Beneficiaries**
- 7.0 Technical Assistance**
- 8.0 Instructions for Completing Application**
- 9.0 Compliance with Social Services Agreements, Procurement Rules and Regulations**
- 10.0 Submission Process/Deadlines**

1.0 Background

The City of Albuquerque has established priorities for funding and they include the following goals:

Goal 1: Human and Family Development: People of all ages have the opportunity to participate in the community and economy and are well sheltered, safe, healthy, and educated.

Goal 2: Public Safety: The public is safe and secure, and shares responsibility for maintaining a safe environment.

The Department of Family and Community Services mission is to improve the quality, delivery, and effectiveness of health, social, recreational, nutritional, educational, housing, and other human service programs for residents of the Albuquerque metropolitan area; to increase the available services through resource sharing and coordination; and to improve the quality of life for low and moderate income residents.

In addition, the Department of Family and Community Services has established a priority to fund projects that address the Social Determinants of Health to achieve greater well-being and equity for all. Substantial evidence confirms the link between social, economic and physical conditions and health outcome disparities. Social Determinants of Health include access to healthcare

services, availability of services to support housing and behavioral health stability, lifelong education options, public safety and social services¹.

The City of Albuquerque, Department of Family and Community Services has established a series of priorities for funding outlined in the 2018-2022 Consolidated Plan. Priority Activities described in Section 4.0 may be eligible for two additional funding renewals after the original contract term as indicated under each Scope of Service Description. Funds for this program are subject to final approval of the City Council, availability of City General Funds and where applicable, receipt of Community Development Block Grant, (CDBG) HOME Investment Partnership Programs (HOME) and Emergency Solutions Grant (ESG) funds from the U.S. Department of Housing and Urban Development.

1.0 City Acknowledgement of Federal Funding

A contract awarded pursuant to this RFP does not include federal funds. However, please prepare and attach APPENDIX #13 to illustrate all funding sources.

2.0 Purpose

The purpose of this Request for Proposals (RFP) is to solicit innovative and effective proposals from qualified non-profit or governmental organizations interested in developing a mixed-use project to include residential home ownership and multi-family rental units, which further affordable housing opportunities. The funding requires that a minimum of 30% of the total number of residential units on the project site must be affordable to households earning at or below 80% of Area Median Income (AMI) for the Albuquerque area. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI.

Furthermore, the proposals must include an economic development component, as part of the mixed-use Multi-Family development. While non-profit or governmental organizations shall be the respondent entity to this RFP, they may partner with for-profit entities as part of the development team, as long as the non-profit or governmental organization is the managing member of any such partnership.

I. OVERVIEW, COMMUNITY INVOLVEMENT, GOALS, AND OTHER BACKGROUND:

A. Overview

The City, through the Family and Community Services Department (FCS) is requesting redevelopment for City-owned property. The Subject Site is located at 3525 4th Street NW, Albuquerque, NM 87107 and referred to herein as the “Project Site.” It consists of 5.0014 acres, extending from 4th Street to 7th Street in an L shape. The Project Site has been cleared of any previous buildings and is surrounded by fencing and a CMU wall. The Project Site is zoned as

¹ U.S. Department of Health and Human Services. Healthy People 2020 “Social Determinants of Health.” 2015

R-1A and MX-M (**EXHIBIT A**). Any zoning changes for development are up to the developer, which may be authorized to act on behalf of the City in its Development Agreement.

The Project Site was purchased using Workforce Housing Trust Funds from the City of Albuquerque referred to herein as “Trust Funds” and Economic Development Funds from Bernalillo County herein known as “County Funds.” The Trust Funds require that housing be constructed on the site in which a minimum of 30% of the housing units must be affordable to household with incomes at or below 80% AMI. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI. The County Funds require a certain portion of the Project be dedicated to design and construction of space for economic development purposes. Based on the proration of funds used for acquisition approximately 80% of the Multi-Family Project Site must include housing and related amenities and 20% must be used for economic development activities. These percentages are based on straight acquisition and closing costs provide by both the City of Albuquerque and Bernalillo County, respectively.

An appraisal conducted in September 2010 determined a Fee Simple Market Value “As Is” of \$1,720,000. The City purchased the Project Site for \$1,102,595 inclusive of closing costs and has since addressed all environmental remediation requirements identified of the soils and building on site, prior to the demolition of all structures.

The total number of housing units to be constructed has not been defined. However, it is anticipated the Project will contain multi-family units on the East Parcel and single-family and/or townhouse residential home ownership units on the West Parcel.

After acquisition, all buildings and structures on site were abated and demolished, leaving the site ready for development.

In addition to being economically feasible any proposed development of the Project Site should complement the neighborhood and take into consideration the history of North 4th Street, as well as the Community Goals and Objectives, Community Recommendations, and the community’s suggested site concepts developed for this Project (**EXHIBIT B**).

B. Community Involvement

With the exception of the eastern boundary the Project Site abuts a residential neighborhood. Because of this, a working committee known as the Brown Property Working Group, consisting of City Councilor Isaac Benton, County Commissioner Debbie O’Malley, area residents and businesses owners, Near North Valley Neighborhood Association representatives, and other community members, participated in numerous meetings and other discussions about redevelopment of the Project Site. City, County and Council staff provided technical assistance to the Working Group.

A series of Working Group meetings culminated in two public interactive workshops with community members including residents, business owners, and other stakeholders. The goal of the workshops was to actively engage stakeholders in a design process to identify site concepts that are “both desirable and feasible.” Other goals for the workshops were to “provide guidelines for a developer RFP that addresses the concerns and priorities of all stakeholders,” and “facilitate

the design and development process by establishing stakeholder priorities and resolving potential conflicts early in the process.”

Sites Southwest and Huitt-Zollars facilitated the primary workshop. A second workshop was conducted by the Near North Valley Neighborhood Association. The complete report regarding the outcomes of the workshops is attached as **EXHIBIT B**.

Prior to the workshops, Working Group members developed a set of Community Goals and Objectives. These goals and objectives were discussed and reviewed in depth before being adopted by the Working Group. They were presented at the workshops as guidance and for further review. The overarching goal is as follows: “The Brown Property will be developed as a high-quality mixed-use site with neighborhood commercial and higher density residential uses on 4th Street and Fitzgerald (“East Parcel”) and lower density residential to the rear along 7th Street, Fairfield Place, 6th Street, and Northfield Court (“West Parcel”), and with pedestrian and bicycle connections, public space, and quality landscaping throughout.” The Community Goals and Objectives are included in the Brown Property Public Process Report (**EXHIBIT B**).

During the workshops, the community produced several site design concepts for the Project. This effort included first choosing a road layout from a series of road layouts developed in advance by the Working Group, or choosing to develop an alternative road layout upon which to place commercial and residential buildings. Discussions around the road layouts were key to deciding how the new commercial and residential areas on the Project Site would be integrated with the existing, surrounding residential area and school. Workshop participants did not agree on a single preferred road layout, but did identify the pros and cons of the various alternatives. Resolving ingress/egress from the Project Site is a basic issue that must be given careful thought.

In addition to traffic, workshop participants also expressed concern about parking, density, security, privacy, solar access, building height and design, undesirable commercial uses, capitalizing on east and west views, and compatibility with the existing residential and school area. The community also identified off-site concerns, particularly with current traffic controls, beyond the scope of this RFP. Nevertheless, these concerns should be kept in mind as the Project Site is designed to accommodate future improvements to the surrounding area.

Workshop participants developed a series of recommendations to deal with these on-site and off-site concerns which are included in **EXHIBIT B**.

C. Project Goals

Community Goals:

The following goals were established for the Project through the community input process, and were reviewed and adopted by the Working Group.

- Convert a heavy commercial zoned property with a history of uses incompatible with the surrounding (on three sides) residential areas to a residential and commercial development that is compatible with and beneficial to the neighborhood.
- Develop a high-quality project with participation of the impacted community that will serve as a model of infill development in Albuquerque’s transit corridors.

-
- Integrate the development with the surrounding commercial, residential, and public-school area.
 - Add value to and enhance the surrounding neighborhood.
 - Demonstrate the planning and design potential for higher density, mixed-use development permitted by the North Fourth Street Character Protection Overlay.
 - Create an active urban street along the project's 4th Street frontage.
 - Mitigate and minimize conflicts between residential, commercial, and school traffic.
 - Incorporate well-designed and sustainable landscaping throughout the site as a critical element of the project.
 - Provide affordable housing for the neighborhood as required by the funding source and market rate housing.
 - Provide economic development for the neighborhood as required by the funding source.

Community Recommendations:

These Community Recommendations are based on the goals, objectives, and recommendations developed during the extensive community input process. The recommendations below are a partial summary of the complete recommendations included in the Brown Property Public Process Report provided in **EXHIBIT B**. The Report recommendations will be an important consideration in the project evaluation process.

- Traffic - Distribute vehicular access to and from streets adjacent to the Brown Property to avoid traffic congestion. Avoid vehicular connection between the high-density East Parcel and the lower-density West Parcel. Provide adequate customer/visitor parking onsite and street curbside parking.
- Security – Provide eyes on the street and a clear demarcation of public, communal, and private spaces. Garages should not cut off views and surveillance of streets.
- Site Design – The Project should be compatible with the surrounding neighborhood in scale and height, protecting privacy and solar access of adjacent houses. Higher density development on the East Parcel should step down to moderate two-story buildings adjacent to existing low-density residential. The Project should be designed as one integrated site.
- Building Design - Three stories is the desired maximum on 4th Street; taller buildings should be stepped back at the third or fourth story to reduce perceived height. It is important that the commercial and higher density residential buildings be well articulated with private outdoor space for all residential units and with communal spaces at ground and/or roof level. In addition to commercial spaces at ground level, commercial and/or

communal spaces on rooftops are encouraged, along with features that capitalize on views to the east and west.

- Energy and Sustainability –The development should conform to the latest energy code, while also providing passive solar heating and natural ventilation, solar shading of units and public spaces and minimizing water use through harvesting. On-site photovoltaic generation is highly encouraged.
- Landscaping, Open Space, Connections – High quality, sustainable landscaping throughout the Project is a high priority, with safe well-lit pedestrian/bicycle routes, walkable streets with street trees, shared communal spaces, and possibly a plaza on 4th Street being key elements. A well landscaped, shaded parking area for the higher density development is also essential to avoid a “sea” of parking.

City of Albuquerque DFCS Requirements:

Quality of Design and Impact -The redevelopment of the Project must have a high-quality building and site design that respects the historical nature of North 4th Street, assists in catalyzing additional housing and economic development activity in the surrounding area, and furthers adopted plans and policies, community goals, while creating minimal adverse impact on the surrounding area.

Affordable Housing and Economic Development Components - The Project Site was purchased by the City using Workforce Housing Trust Funds and County Economic Development funds. It is anticipated that there will be two housing components on the site. One would be a multi-family rental project and the other a low-density residential home ownership project. The City does not require a certain number of units. However, a minimum of 30% of the total number of residential units on the project site must be affordable to households earning at or below 80% of AMI for the Albuquerque area. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI. The goal is a mix of affordable and market rate housing, so that future residents reflect the socio-economic mix prevalent throughout the North Valley.

It is anticipated that the economic development component will have frontage on 4th Street and possibly on Fitzgerald Road close to the intersection with 4th Street and be located on the first floor and possibly the upper levels (third and fourth floors) of the multi-family rental building. The uses of the economic development component have not been determined, although certain automobile-focused uses, e.g., drive-ups, drive-throughs, and vehicular pick-up windows, are not desired. The goal is a pedestrian- and neighborhood-friendly mix of small businesses and non-profits, with the least possible negative impact on traffic patterns and congestion.

Timing - Redevelopment/development of the Project Site will not commence until there is a fully executed Development Agreement approved by City Council. Each proposal will include a time schedule that details the milestones to be achieved in the development of the Project Site. This schedule will be included in the Development Agreement.

City Policies - Adherence to adopted City goals, policies, and regulations is required including the Integrated Development Ordinance, the North 4th Character Protection Overlay and the Comprehensive Plan.

D. Brief History of the Project Site

Since its original construction in 1938 and until the City purchased it, the Project Site was owned by Theodore R. Brown and his son Theodore Brown Jr. Brown Construction Company was New Mexico's leading highway contractor into the 1970's. The yard was then rented to transient contractors as a parking area and for other construction and shop purposes.

E. Context of the Project Site

The Project Site is part of the established urban fabric and is located near Garfield STEM School (a magnet middle-school), Garfield Park, the North Valley Center for Family and Community Health (a UNMH health clinic), and St. Therese Catholic Church and School. The City's Alameda Drain Trail, which eventually will extend from I-40/Rio Grande Boulevard to the northern end of 2nd Street, is within walking distance. The City's North Valley Senior Center, a US Post Office, and banks are nearby. These assets are highly regarded.

The Project Site is bordered on the east by North 4th Street, a designated Main Street in the Comprehensive Plan. North 4th Street is primarily commercial although in recent years it has seen an increase in multi-family apartment developments. In the immediate area, the North Valley Center for Family and Community Health has been a significant and catalytic redevelopment. Nevertheless, a significant portion of 4th Street near the Project Site remains blighted and has vacant buildings. Development of the Project Site should help revitalize the area.

On all other sides, the L-shaped Project Site is tucked into a long-established, predominantly single-family residential area. On the north, the East Parcel of the Project Site is bordered by Fitzgerald Road. The West Parcel backs into the single-family homes on the south side of Fitzgerald Road.

On the west, the Project Site is bordered by 7th Street. Other than the Project Site, 7th Street is residential, mostly single-family homes, including the former Fitzgerald Farmhouse built in 1896.

On the south, starting from 7th Street, the Project Site is bordered by Fairfield Place, then by the single-family homes on the north ends of 6th Street and Northfield Court, and last by the tire company that fronts 4th Street. Garfield STEM School is located on Fairfield Place, across the street from the Project Site's West Parcel.

South of the Project Site, the 24 single-family homes along 6th Street and Northfield Court make up the "Northfield Addition," built in 1954. This subdivision is bisected by Mildred Avenue which, along with 6th Street, Fairfield Place, and 7th Street, carry the bulk of the residential, school, and business traffic (vehicular and pedestrian) throughout the area.

F. The State Metropolitan Redevelopment Code and Creation of an MR Area and MR Plan

As defined by the State of New Mexico Redevelopment Code §3-60A-7, a MR Area may be established by a local governing body, such as the Albuquerque City Council, with the adoption of a finding that “rehabilitation, conservation, slum clearance, redevelopment or development, or a combination thereof, and in such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the municipality.”

Following adoption of an MR Area, the local governing body may adopt a MR Plan. Under State of New Mexico Redevelopment Code §3-60A-9, it must be found that:

- (1) The proposed activities will aid in the elimination for prevention of slum or blight;
- (2) A feasible method is included in the plan to provide individuals and families who occupy residential dwellings in the metropolitan redevelopment, and who may be displaced by the proposed activities, with decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such individuals and families;
- (3) The plan conforms to the general plan for the municipality as a whole; and
- (4) The plan affords maximum opportunity consistent with the needs of the community for the rehabilitation or redevelopment of the area by private enterprise r persons, and the objective of the plan justify the proposed activities as public purposes and needs.

Once a MR Area is designated and the respective MR Plan adopted, the local governing body may utilize §3-60A-12 of the New Mexico Code to dispose of property under municipal control:

A municipality may sell, lease or otherwise transfer real property or any interest therein acquired by it in a metropolitan redevelopment area and may enter into contracts with respect thereto for residential, commercial, industrial or other uses, or for public use, or may retain such property or interest for public use, in accordance with the plan. The purchases or lessees and their successors and assigns shall be obligated to devote real property only to the uses specified in the metropolitan redevelopment plan for a period of years as set out in the sale or lease agreements and may be obligated to comply with other requirements which the municipality may determine to be in the public interest, including the obligations to begin within a reasonable time any improvements on the real property required by the plan. The real property or interest shall be sold, leased, otherwise transferred or retained at not less than its fair value for uses in accordance with Redevelopment Law as determined by the governing body of the municipality or by the metropolitan redevelopment agency, if so authorized.

G. The North Corridor Metropolitan Redevelopment Area

In August 2016, the Albuquerque City Council designated the 4th Street corridor from south of Mountain Road to north of Montano as the North Corridor Metropolitan Redevelopment Area . The Project Site is located within this MR area. The Metropolitan Redevelopment Agency has completed an MR plan, which was reviewed through a public process. The NCMRA Plan creates funding and other opportunities for infrastructure around the Project Site.

H. City Acquisition

The City purchased the Project Site in 2015 for approximately \$1.1 million for the purpose of redeveloping the property as a high-quality mixed used project meant to make the best use of this large, underutilized site, and spur economic development elsewhere along North 4th Street. The

funds to purchase the site consisted of \$902,595 of the City's Workforce Housing Trust Fund and \$200,000 from the County of Bernalillo. The Project Site has been placed under control of the Department of Family and Community Services.

The successful Proposer will be required to use approximately 80% of the Multi-Family Project Site for housing and related uses such as streets, parking, open space, etc. and approximately 20% of the Multi-Family Project Site must be dedicated to economic development usage. Because of the City funding source at least 30% of the total residential units must be available to households earning at or below 80% AMI. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI.

The site is offered "AS IS" and a standard title insurance policy will be provided at closing. Closing or delivery of the premises shall occur after the developer is selected by the City and a Development Agreement is negotiated. Construction shall follow thereafter.

I. Offering of the Site

- Ownership: City of Albuquerque
- Location: The Project Site is shown on an aerial map as shown in **EXHIBIT B**.
- Legal Description & Size:

Tracts numbered 90B2 & 90C MRGCD Map 33 and Lots 1, 2, & 3 Block 1 of REPLAT OF FITZGERALD ADDITION, Bernalillo County, New Mexico. The Project Site is zoned R-1A and MX-M.

- General Conditions: As the City will be demolished the final three buildings, the 5.0013 acre site is vacant. Three concrete (CMU masonry) walls border the north, south and west boundaries of the property. There is chain link fencing on the east and north along the East Parcel and at the southwest corner, at the intersection of 7th Street and Fairfield Place. There is one vehicle access point off of Fitzgerald.

II. DEVELOPMENT:

DFCS will allocate up to **\$3,500,000.00** of local Workforce Housing Trust Funds (WHTF), and plans to convey City-owned Real Property towards the construction of a mixed-use, mixed-income residential development to include: low-density residential home ownership units and multi-family rental housing units, which will also include a commercial component as part of the multi-family development. The development shall leverage the City's contribution in accordance with the City's Workforce Housing Ordinance, funding no more than 20% of the Total Development Cost of any one project, and provide that a minimum of 30% of all units are affordable to households at/or below 80% AMI. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI.

Furthermore, to align with the goals of the Workforce Housing Opportunity Act and Affordable Housing ordinances, there are point incentives for projects that incorporate residential units at or below 30% AMI and 50% AMI. Proposed affordable housing development projects need to demonstrate the capacity to obtain additional project financing from available sources such as the Low Income Housing Tax Credit Program, other HUD Programs, bank loans, etc. The development should be pedestrian friendly and designed to create a sense of community through a site plan including building arrangement, amenities, onsite service coordination, and open space appropriate to the needs of populations to be served.

The City's Department of Family and Community Services has recently completed a series of City-wide Community Needs Assessments. The City sought input from Albuquerque residents and program stakeholders by circulating the Housing and Community Development Survey of its 2018-2022 Consolidated Plan to rate the need in Albuquerque for additional or improved housing facilities, housing services, infrastructure, community facilities, community services, special needs population services, and business and job services of low-income individuals and families, homeless individuals and families, and youth and/or other persons with special needs.

Although these are not the only populations that are eligible for and the focus of City funding, they are Department priorities. Therefore, when applicable to the specific project, please address in the proposal narratives how proposed projects will support the Department in meeting its 2018-2022 identified priorities.

There are additional populations and priorities set forth by the Department that are also contained within this RFP, that are to be addressed with equal diligence as those detailed in the 2018-2022 Consolidated Plan.

In consideration of community input, available data and the results of the Approved Assessment of Fair Housing (AFH), the priority needs listed below were established:

1. Location and type of affordable housing
2. Availability of affordable units in a range of sizes
3. Availability, type, frequency and reliability of public transportation
4. Availability of affordable, accessible units in a range of unit sizes
5. Location of employment
6. Location of proficient schools
7. Access to safe neighborhoods
8. Access to low poverty neighborhoods
9. Community opposition
10. Lack of private investment in specific neighborhoods
11. Lack of assistance for housing accessibility modifications
12. Private discrimination
13. Lack of affordable integrated housing for individuals in need of supportive services
14. Need for homeownership assistance
15. Need for new / improved public facilities and infrastructure
16. Need for public services
17. Need for economic opportunity for Low-Income Residents

Proposals will be accepted between the hours of 9:00 a.m. and 4:00 p.m. **Friday, December 4 2020**, and are to be submitted to:

Department of Family and Community Services
Old City Hall
400 Marquette NW
5th Floor, Room 504
Albuquerque, NM 87102

Due to COVID-19, anyone entering a City facility must undergo a limited health screening. This is located at the 1 Civic Plaza entrance (immediately south of Old City Hall).

3.0 Administrative Requirements

Potential responders to this RFP are strongly advised to become familiar with the content of the most current version of the publication entitled "*Administrative Requirements for Contracts Awarded under the City of Albuquerque, Department of Family and Community Services Social Services Program*" (hereinafter referred to as the "*Administrative Requirements*"). The publication contains uniform administrative rules for contracts awarded pursuant to the Department's Social Services Program. Contractors are expected to understand and comply with all applicable rules contained within the publication.

The *Administrative Requirements* are available online on the Department's website at <https://www.cabq.gov/family/documents/administrative-requirements-coa-family-and-community-services-july-2019-nosp.pdf>

In addition, it is advisable that interested responders are familiar with the City's Consolidated Plan. The document is available online on the Department's website at <http://www.cabq.gov/family/services/housing-services-programs/consolidated-plans>.

4.0 Community Building and Input, and Scope of Work

4.1 Community Building and Input

The City of Albuquerque is focused on improving the well-being of all people and has identified racial equity as a priority goal to address longstanding, racially disparate economic and social outcomes.

The City of Albuquerque Department of Family and Community Services is committed to developing housing and economic development projects that increase Behavioral Health Stability, increase Housing Stability, increase Public Safety, and increase Family Resilience. The City is dedicated to helping all our residents and neighborhoods to be their best selves. Applicants are expected to engage with the community by building collaborative and productive relationships with their prospective neighbors. In order to engage the community prior to submitting an application, Applicants are expected to:

- Engage and work cooperatively with the neighborhood association;
- Address the community goals and recommendations in the planning and design of the Project;
- Present the Project to the community and other stakeholders for review and comment;

-
- Endeavor to incorporate community input to benefit both the Project and the community.

Successful applicants will be expected to:

- Continue to engage and work cooperatively with the neighborhood throughout the term of the project;
- Keep the neighborhood association and community informed about construction impacts and progress;

4.2 Scope of Work

The successful Proposer will be required to use approximately 80% of the Multi-Family Project Site for housing and related uses such as streets, parking, open space, etc. and approximately 20% of the Multi-Family Project Site must be dedicated to economic development usage. Because of the City funding source at least 30% of the total residential units must be available to households earning at or below 80% AMI. Additional affordability requirements of this RFP include that a minimum of 40% of the total number of residential units on the project site must be affordable to households earning at or below 60% of AMI.

In addition, the Project must comply with all requirements of this RFP, the details proposed in its application documents, and also the following requirements of the City's 2018-2022 Consolidated Plan:

- A. Using both primary and secondary assessment tools and data, demonstrate how the proposed project's unit-mix, overall design, amenities, respond to the needs of the income-eligible populations, and provide a HUD-935.2B- Affirmative Fair Housing Marketing Plan indicating how the developer plans to market to groups least likely to apply, such as: minority populations, elderly, persons with disabilities, families with children, etc.
- B. Demonstrate the capacity of the Development Team to obtain all necessary project financing.
- C. Demonstrate the capacity of the Development Team to implement a plan to administer City mortgages pursuant to City Resale or Recapture provisions, in addition to homebuyer's ability to obtain a Qualified Residential Mortgage as defined by the Consumer Financial Protection Bureau or equivalent First Mortgage, ensuring that the project meet the required Affordability Period.
- D. Demonstrate how the proposed project fits with the overall programing priorities of the Department's 2018-2022 Consolidated Plan and 2020 Action Plan.

4.3 Service Period

Services funded by this RFP are to commence upon execution by the City's Chief Administrative Officer, of a City Council-approved Development Agreement and continue through the term of construction and occupancy of the development.

4.4 Compliance with Federal Funding Source Requirements

No Federal funds are allocated under this RFP. However, if Federal funding from non-City sources are used in the future development, the associated regulations and 2 CFR Part 200 related to the Uniform Administrative Requirements for federal awards will apply to this project.

5.0 Eligible Responders

5.1 General Eligibility

An agency which is a unit of state or local government and/or an agency currently incorporated as a nonprofit corporation, duly registered and in good standing with the State of New Mexico Public Regulation Commission, which has not-for-profit status under 501(c)(3) of the U.S. Internal Revenue Service Code and which has demonstrated capability in providing the services for which it is applying is an eligible responder for award of a contract pursuant to this RFP. Basic eligibility requirements are identified in the *Administrative Requirements*, § 10 (A)(1). Ineligible entities as defined in Section 7.3 of the f the Department are restricted from submitting a proposal.

In addition, non-profits must submit documentation to be certified by DFCS as a Community Housing Development Organization (CHDO) or an Affordable Housing Development Organization (AHDO), prior to award of contract.

5.2 Limitations on Assistance to Primarily Religious Organizations

Contractors are required to assure that no funds awarded through the program will be used for sectarian religious purposes. Independent, not-for-profit entities established by primarily religious organizations, however, may be assisted as long as: a) there is no religious test for admission for services; b) there is no requirement for attendance at religious services; c) there is no inquiry as to a client's religious preference or affiliation; d) there is no proselytizing; and e) services provided are secular and non-sectarian. *See Administrative Requirements*, § 10 (E)(2). This provision does not prohibit a primarily religious organization from carrying out the eligible activities as long as such activities are carried out in a manner free from religious influences pursuant to conditions prescribed in the Representations and Certifications form (Appendix #8) attached to this RFP and required as an attachment to the responder's proposal.

5.3 Cultural Equity

The City of Albuquerque has identified racial equity as a priority goal to address longstanding, racially disparate economic and social outcomes. Local government dollars used for contracting, consulting and procurement should benefit the communities we serve, proportionate to the demographics in our community. Responder organizations must address how their proposal will contribute to addressing racial inequities by describing: (1) the demographics of the leadership of

their organization; (2) the demographics of the proposal's beneficiaries as specifically as possible; and (3) any racial equity practices, programs or initiatives of the organization.

5.6 ADA Compliance

Contractors must agree to meet all the requirements of the Americans with Disabilities Act of 1990 (ADA), and all applicable rules and regulations which are imposed directly on the Contractor or which would be imposed on the City as a public entity. The Contractor must agree to be responsible for knowing all applicable requirements of the ADA.

5.7 Additional Requirements

a. Personnel Policies:

Organizations applying for a contract under this solicitation must have a written set of personnel policies and procedures that have been formally adopted by its governing board. This document must specify policies governing terms and conditions for employment; compensation and fringe benefits; holidays, vacation and sick leave; conflict of interest; travel reimbursement; and employee grievance procedures.

b. Conflict of Interest Policies:

Organizations submitting proposals under this solicitation must have in force a written conflict of interest policy that at a minimum:

(1) Applies to the procurement and disposition of all real property, equipment, supplies, and services by the agency and to the agency's provision of assistance to individuals, businesses, and other private entities.

(2) Provides that no employee, board member, or other person who exercises any decision making function with respect to agency activities may obtain a personal or financial benefit from such activities for themselves or those with whom they have family or business ties during their tenure with the agency or for one year thereafter.

c. Accounting Policies:

Responder organizations must have in place a set of financial, accounting, and procurement policies and procedures that meet the standards established by the City in the *Administrative Requirements*, Accounting for DFCS Social Services Contract Funds.

d. Active Board:

Nonprofit responders must be able to document that its governing board is constituted in compliance with approved bylaws and that it actively fulfills its responsibilities for policy direction, including regularly scheduled meetings for which minutes are kept. The organization must verify board compliance with the Open Meetings Act.

e. Nepotism:

The organization shall not employ "immediate family" or any "close relative" of any board member, officer or managing employee and shall not employ any two people who are immediate family or close relatives of each other. *See* definitions contained in the *Administrative Requirements*, § 10 (A)(2)(e)(iii).

f. Background Checks:

If the Social Services provided require the contractor selected through this RFP to work with or be in proximity to children, or other vulnerable populations, the contractor will not employ any person or volunteer who is registered as a sex offender in any United States jurisdiction, or who has a criminal background unacceptable to the City. The contractor shall ensure that all its employees and volunteers directly involved in performing services have been screened for a criminal background and reference checks, finger-printing, and interviews. *See Administrative Requirements*, § 10 (A)(2)(a).

g. Reporting Requirements

The final contract between the successful responder(s) and the City will contain specific reporting requirements that include, but may not be limited to, program data and data regarding outcomes for program participants. A critical component of initiatives funded through the City of Albuquerque, Department of Family and Community Services will be a rigorous evaluation to determine program success and cost-effectiveness. Selected Offerors must comply with participant data reporting requirements conducted by the City or evaluation and research partners as part of ongoing evaluation activities.

6.0 Eligible Beneficiaries

Programs supported, in whole or in part, with funding awarded as a result of this RFP must be targeted to residents of Albuquerque.

a. Income:

Programs should target those whose annual household incomes are at or below 80% of the median family income for the Albuquerque Metropolitan Statistical Area (MSA) as established by the U.S. Department of Housing and Urban Development, unless otherwise specified. All household must be “Income Qualified” in accordance with 24 CFR Part 5.

b. Other Characteristics:

Specific characteristics, such as persons with disabilities, senior citizens or other individual requirements applicable to specific funding sources.

c. Community Development Strategy Areas:

Certain public facilities improvement activities which contribute to the development of local communities must be targeted primarily to benefit designated Community Development Strategy Areas.

7.0 Technical Assistance

Technical assistance will be provided at the request of responder agencies by the City of Albuquerque Department of Family & Community Services, Rick Giron II, Community Services Project Manager, at rickgiron@cabq.gov.

8.0 Instructions for Completing Applications

8.1 Proposal Format

The proposal should be completed and assembled as indicated below. Appendices or non-required attachments including letters of endorsement, agency brochures, or news clips may be included if copied onto 8 1/2" x 11" paper. To expedite handling, please use binders with tabs, paginate, and collate.

8.2 Cover Sheet

Responders must use the attached Proposal Summary and Certification Form (APP #1) as a cover sheet for their proposals. An authorized official of the governmental agency or of the policy board of a non-profit agency to whom agency staff are responsible must sign the form.

8.3 Project Narrative

The project narrative, not including attachments, shall not exceed thirteen (13) typed, double-spaced, single-sided 8 1/2" x 11" pages, with 12 point font. The narrative should be prepared according to the format outlined below.

a. Need for Project

The responder should clearly describe their understanding of the community conditions, as well as the specific population and its needs, to be addressed by the project, including gaps and overlaps in services and how this project will alleviate those gaps and/or overlaps. The responder should also include a rationale for the overall need for the project as well as their understanding of best practices to address the target population and the community needs. The responder should take into account current socio-economic factors and how Project fits with City programming priorities.

b. Inputs

What are the resources invested in this project (money, staff, organizational skills, volunteers, time, in-kind contributions, materials, facilities, equipment)? Are there any constraints on resources that may affect success of the project? Identify linkages to other agencies and resources: who are your referral sources? Who are your partners? Do you have specific Memorandum of Understandings (MOU's) in place and with whom? Identify specific source, type and amount of leveraged funding for the project. Identify if the leveraged funds are committed or anticipated, pending approval.

c. Project Methods

The responder should describe specific plans for conducting the project that identifies the responder's specific designs and plans for the defined goals and recommendations for the project, including (1) characteristics of the project, (2) major subtasks, subdivisions or sub-activities to be performed in order to complete the project, (3) specific and measurable objectives for each task, (4) time frame within which these objectives are to be accomplished, and (5) personnel (by position) who will complete the tasks, including the specific responsibilities and levels of experience and training required. Résumés of existing personnel filling these positions, or job descriptions for unfilled positions, should be included as an attachment.

d. Plan for Monitoring and Evaluation

The responder should describe a specific plan by which the agency will monitor and evaluate the project objectives and activities to include output and outcome indicators; schedule and process

for monitoring project activities; and overall process for monitoring project activities, and, overall process for collecting, compiling and analyzing Project data. The responder should include in this plan a method for monitoring staff performance in attaining the above-mentioned goals, implementing the project methods and tracking performance. In addition, the responder should propose a process to monitor customer and stakeholder satisfaction with specific projects. The responder needs to also describe the method the agency will monitor outcomes for effectiveness of the proposed project. The plan should also include methods to monitor the outcomes and the effectiveness of the project, as well as detail how information is collected to ensure accuracy of data.

e. Organizational Capability

The responder should describe the organization of the proposing nonprofit agency and the types and quantities of goods and/or services it provides, including descriptions of its experience and outcomes in providing services required in Section 4.0 Priority Activities.

f. Management and Maintenance Plan

8.4 Design Submission

A clear and effective presentation of project planning and design is essential to the project evaluation and selection process. Applicants are expected to describe their projects with an accurate and complete written and graphic design submittal including required and supplemental drawings and a written Design Statement. Discussion on how to include a clear intent and/or process for requiring additional approval of final architectural drawings. Developer is asked to provide conceptual design prior to OR as a condition of Development Agreement. Expand on list and any other drawings to expand on design concept.

a. Design Statement

Applicants must provide a written statement describing how their project addresses the goals, recommendations, and requirements of the RFP and the Brown Property Public Process Report (Exhibit B).

b. Required Drawings

- **Site Plan(s)**
- **Building Elevations**
- **Understanding of the site and context** (illustrate massing and scale relationships between buildings.)

c. Supplemental Material

Applicants are urged to submit additional drawings, diagrams, perspectives, or other descriptive material to supplement the required documentation and fully describe the proposed project.

d. Building materials and construction

Provide a description of proposed building construction and materials.

e. Design Submission Format

The Design Submission should be completed and assembled as indicated below:

- **Design Statement**
8 1/2" x 11" paper. To expedite handling, please use binders with tabs, paginate, and collate.
- **Required Drawings and Supplemental Material**
Original and presentation drawings may be any size at the Applicant's discretion. However, it is recommended that drawing size be no larger than 36" x 24".

Drawings and printed submission materials must be reduced to 8 1/2" x 11" paper, unbound, paginated and collated. If necessary, for clarity, prints may be printed on 17" x 11" and folded.

The scale of drawings is at the Applicant's discretion unless otherwise noted. Care should be taken that drawings will be legible when reduced.

8.4 Work Program Summary

On the attached Applicant Work Program Summary form (APP# 7), the responder should summarize the major activities to be performed through the project, detailed in the methods section, the specific objective for each activity (in quantifiable terms where possible), and the dates that these objectives will be completed.

8.5 Project Budget

The responder must submit a complete budget on the attached forms (APPENDIX #2-APPENDIX #6).

There must be a separate budget for each type of development (multi-family residential, single-family residential, economic development).

8.6 Insurance Requirements

All contractors selected pursuant to this RFP will be required to procure and maintain, through the life of each of their contracts, a commercial general liability and an automobile liability insurance policy each with liability limits in amounts not less than \$1,000,000 per occurrence and in the aggregate. If any part of the contract is sublet, the contractor must include the subcontractor in its coverage or require the subcontractor to obtain all necessary coverage. Policies must be written by companies authorized to write such insurance in the State of New Mexico.

Policies must include coverage for all operations performed for the City by the contractor, coverage for the use of all owned and all non-owned hired automobiles, vehicles, and other equipment both on and off work, and contractual liability coverage shall specifically insure the hold harmless provision of the contract. The City must be named an additional insured on commercial general liability and the policies must provide that 30 days written notice will be given to the City before a policy is canceled, materially changed, or not renewed.

The contractor shall ensure that all staff for whom professional liability is required by their licensing agent, including but not limited to, professionals providing health and behavioral health services, maintain professional liability insurance, errors and omissions coverage, or other

additional coverages the city deems necessary, in amounts not less than required by the New Mexico Tort Claims Act as it is amended from time to time, for single limit of liability per occurrence and for the general aggregate.

The contractor must also comply with the provisions of the Worker's Compensation Act, the Subsequent Injury Act, and the New Mexico Occupational Disease Disablement Law.

During construction, if any, a contractor must maintain Builders Risk Insurance in an amount equal to the full construction cost to cover the construction work for fire, theft, extended coverage, vandalism and malicious mischief.

If, during the life of the contract, the Legislature of the State of New Mexico increases the maximum limits of liability under the Tort Claims Act (Section 41-4-1 through 41-4-27 NMSA 1978), the City may require the contractor to increase the maximum limits of any insurance required.

Proof of insurance is not a requirement for submission of a proposal, but responders should be aware that no work may begin under a contract funded through this program until the required insurance has been obtained and proper certificates (or policies) are filed with the City. Before submitting a proposal, the agency should contact its insurance agent to determine if it can obtain the required coverage.

8.7 Other Assurances

a. Compliance with Civil Rights Laws and Executive Orders

Contractors are required to comply and act in accordance with all federal laws and Executive Orders related to the enforcement of civil rights. In addition, recipients will be required to comply with all New Mexico State Statutes and City of Albuquerque Ordinances regarding enforcement of civil rights (APPENDIX #8).

b. Assurance of Drug Free Facilities

Applicants for funding must submit an assurance that they will administer a policy designed to ensure that the assisted program is free from the illegal use, possession or distribution of drugs or alcohol by its staff and beneficiaries (APPENDIX #10).

c. Certification of Receipt of Administrative Requirements

Applicants for funding must submit a certification signed by an authorized board official and the organization director of receipt and adherence to the [Department Administrative Requirement for Social Services Contracts](#).

d. Audit Requirements

Contractors who expend \$750,000 or more of federal funds during the year must have an audit conducted in accordance with the Federal Government's Office of Management and Budget Circular A-133 as amended. The audit shall be made by an independent auditor in accordance with generally accepted government auditing standards. Contractors who receive \$25,000 or more in funding from the City, and who do not fall under A-133, must have a financial statement audit conducted by an independent auditor in accordance with generally accepted auditing standards. If the contractor is not subject to this requirement

because it has not previously had a contract with the City, the Contractor must provide Form 990. Additional audit requirements are set out in the *Administrative Requirements*.

e. Goods Produced Under Decent Working Conditions

It is the policy of the City not to purchase, lease, or rent goods for use or for resale at City owned enterprises that were produced under sweatshop conditions. The responder certifies, by submittal of its proposal in response to this solicitation, that the goods offered to the City were produced under decent working conditions. The City defines “under decent working conditions” as production in a factory in which child labor and forced labor are not employed; in which adequate wages and benefits are paid to workers; in which workers are not required to work more than 48 hours per week (or less if a shorter workweek applies); in which employees can speak freely about working conditions and can participate in and form unions.

8.8 Required Attachments

The responder, including all parties to a joint venture or consortium, an individual or a non-profit agency, as applicable, must attach to its proposal (unless current information is on file with the Department and the responder so indicates in the proposal):

- (1) Acknowledgment of Amendments to the RFP, if applicable;
- (2) APPENDIX #1: Proposal Summary and Certification Form, completed and signed by an authorized official;
- (3) Project Narrative (maximum thirteen (13) typed, double-spaced, 8 1/2" x 11" pages, with 12 pt. font);
- (x) Design Submission Requirements
- (4) APPENDIX #7: Applicant Work Program Summary;
- (5) Budget Forms as detailed in checklist;
- (6) Résumés of key personnel or job descriptions of unfilled positions;
- (7) List of references, including name of organization, contact person and telephone number, to verify performance history and customer satisfaction;
- (8) Copy of the organization’s most recent audit as required by Section 8.7(d), above;
- (9) APPENDIX #8: Representations and Certifications;
- (10) Certificate of Non-Profit Incorporation;
- (11) Organization’s Articles of Incorporation filed with the State of New Mexico;
- (12) Copy of current by-laws;
- (13) Relevant licenses to operate as a business and conduct proposed activities;
- (14) Listing of current board members;
- (15) Current organizational chart;
- (16) Copy of the organization’s travel reimbursement policies, if travel funds are requested;
- (17) Copy of the organization’s written accounting policies and procedures, which include procurement procedures;
- (18) Copy of the organization’s personnel policies and procedures;
- (19) Copy of the organization’s conflict of interest policy;
- (20) Certificate of Good Standing and Comparison issued by the State of New Mexico within the past 30 days;
- (21) APPENDIX #9: Attachments on File;
- (22) APPENDIX #10: Drug Free Work Place Requirement Certification Form;
- (23) APPENDIX #11: Debarment, Suspension, Ineligibility and Exclusion Certification;

-
- (24) APPENDIX #12: Certification of Receipt of Administrative Requirements;
 - (25) Copy of the Internal Revenue Service (IRS) status letter indicating tax exempt status and documentation showing that the status has not been revoked by the IRS;
 - (26) APPENDIX #13: Certification of Compliance with Federal Funding Requirements;
 - (27) APPENDIX #14: City of Albuquerque Preference Affidavit of Eligibility
<https://www.cabq.gov/dfa/documents/vendor-documents/vendor-preference-affidavit-of-eligibility.pdf/@@download/file/vendor-preference-affidavit-of-eligibility.pdf>
 - (28) APPENDIX #15: City of Albuquerque Request for Supplier Information, Form W-9
 - (29) APPENDIX #16: Disclosure of Lobbying Activities

9.0 Compliance with Social Services Contracts Procurement Rules and Regulations

Applicants must comply with all applicable procurement rules and regulations, including, but not limited to, the City of Albuquerque Procurement Rules and Regulations for the Department of Family and Community Services, found at:

<https://www.cabq.gov/family/documents/publications/FCS-Social-Services-Procurement-Guidelines-06.pdf> Applicants should also be guided by the Albuquerque Code of Ordinances,

Article 5, which may be found at:

[http://library.amlegal.com/nxt/gateway.dll/New%20Mexico/albuqwin/cityofalbuquerque/newmexicocodeofordinanc?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:albuquerque_nm_mc\\$anc=JD_TopofInfobase](http://library.amlegal.com/nxt/gateway.dll/New%20Mexico/albuqwin/cityofalbuquerque/newmexicocodeofordinanc?f=templates$fn=default.htm$3.0$vid=amlegal:albuquerque_nm_mc$anc=JD_TopofInfobase)

9.1 Review Criteria: Proposals will be reviewed based on the criteria that follow in 9.1.a through 9.1.e. **Please note:** it is acceptable for proposals to offer services for a specific portion of the Scope of Work 4.2.1. If so, please provide a clear listing of the specific scopes of work you propose to serve and the associated budget requested in the narrative, work plan and budget. Scoring will be allocated for the quality of the proposed work within the budget context.

All proposals will be reviewed based on the following criteria:

The Ad Hoc committee will review and score all project proposals that are received by the deadline and that also meet the threshold criteria. The project with the highest overall score will receive a recommendation of funding award. The review and scoring of the project proposals is based on the following:

- Project's ability to meet the affordable housing needs of low-income residents in Albuquerque in accordance with the City's 2018-2022 Consolidated Plan and 2019 Action Plan, based on the information provided in the DFCS Project Application;
- Project's ability to meet the all Threshold Requirements listed in Part 1 of the DFCS Project Ranking Matrix (**EXHIBIT C**);
- Financial Feasibility of the Project, based on the information provided on the DFCS Project proposal;
- Highest Overall Project Score, as assessed by evaluation matrix. The Brown Property Ranking Matrix is included as (**EXHIBIT C**).

9.2 Review Process/Deadlines

Preliminary Staff Review

Proposals will be initially reviewed by staff of the Department of Family and Community Services to determine if the proposal is complete and conforms to this RFP. Completeness means that all required forms and attachments are included and comply with the *Administrative Requirements*. Conformity means that the proposal has been prepared according to guidelines regarding length, organization, and format as specified in section 8.0 above. Incomplete, nonconforming or late proposals may be deemed unresponsive.

Review Panel

The Ad Hoc selection committee will consist of nine members: 2 neighborhood representatives, 1 architect with completed projects of a similar nature, 2 representatives from the Family and Community Services Department, 2 representatives from City Council, 1 representative from Bernalillo County, and 1 member of the Affordable Housing Committee or City's Metropolitan Redevelopment Agency. The proposals will be rated according to the review criteria specified in section 9.1 above. Based on these ratings, the committee will recommend contract awards and amounts to the Director of the Department. A recommendation for award does not constitute an award of contract. The award occurs after a contract is negotiated and Approved by the City.

If, during the review process, additional information is needed regarding a proposal, the Department staff will request such information from the responder. In addition, responders may be interviewed directly as part of the review process. Agencies will be advised of the time and date of such interviews.

During evaluation, proposals submitted shall be kept confidential. The Department will use its best efforts to restrict distribution to those individuals involved in the review and analysis of the proposals, but in any event, the City shall not be liable for disclosure of any information contained in the proposals during the review process. The proposals shall be open to public inspection after award of contract.

9.3 Competitive Considerations

Proposals will be rated according to the review criteria in section 9.1 above. The Department may require responders being considered for an award to participate in interviews or other discussions to explain or verify any aspect of the proposal submitted. The Department reserves the right to reject any or all proposals. The Department may negotiate the terms of any proposal after making a recommendation of award, in order to development a contract in the best interest of the City or the target population. The Department may award more than one contract per Priority Activity.

9.4 RFP Appeals Process

Responders whose proposals are not selected may submit a written appeal. Letters of Appeal must be submitted and arrive in the office of the Department Director not later than ten (10) working days after receipt of the notice of non-selection. Letters must be specific as to the matter being appealed. Appeals not submitted in writing, not specific in nature, or which arrive late may not be considered. The Department Director's decision concerning the Appeal is final

and will be provided within 30 days of receipt of the Appeal letter. Letters must be addressed as follows:

Carol M. Pierce, Director
Department of Family and Community Services
City of Albuquerque
P.O. Box 1293
Albuquerque, NM 87103

The envelope must clearly indicate:
APPEAL, DFCS – Social Services – RFP-DFCS-CD-AHD-20-03-BROWN
All Appeals will be responded to by the Department Director in writing.

10.0 Submission Process

10.1 Submission Requirements

Submit one (1) complete original and seven (7) copies of the proposal, including all required attachments.

Sealed proposals for the Brown RFP will be received in the office of the City's Department of Family and Community Services, 400 Marquette NW, 5th Floor, Room 504, Albuquerque, New Mexico, 87102 from **9:00 am to 4:00 pm local time on Friday, December 4, 2020**. Due to COVID-19, anyone entering a City facility must undergo a limited health screening. This is located at the 1 Civic Plaza entrance (immediately south of Old City Hall).

Both the complete original and 8 copies are required for the proposal to be considered a complete submission. Label the submitted sealed packages **RFP-DFCS-CD-AHD-20-03-BROWN** and as "ORIGINAL" or "COPY" as appropriate. Please paginate and collate. Please use covers, binders and tabs. Proposals must be received prior to **4:00 p.m. local time, Friday, December 4, 2020** at the City of Albuquerque, Department of Family and Community Services. Proposals will be date/time stamped when they are received. Proposals stamped later than 4:00 p.m. local time, on **Friday, December , 2020** will be ruled non-responsive to this RFP and will not be considered for award.

The Department recommends that responders hand deliver their proposals, between the hours of 9:00 a.m. and 4:00 p.m. the day of deadline to:

Department of Family and Community Services
Old City Hall
400 Marquette NW
5th Floor, Room 504
Albuquerque, NM 87102

Due to COVID-19, anyone entering a City facility must undergo a limited health screening. This is located at the 1 Civic Plaza entrance (immediately south of Old City Hall).

If the responder chooses to mail its proposal, certified mail is recommended and it should be sent to the following address:

City of Albuquerque
Department of Family and Community Services
P.O. Box 1293; Room 504
Albuquerque, NM 87103

Sufficient mailing time should be allowed to ensure delivery in advance of the deadline.

10.2 Clarification

Any explanation desired by a responder regarding the meaning or interpretation of this RFP must be requested in writing not less than ten (10) working days prior to the hour and date specified for the receipt of proposals to allow sufficient time for a reply to each responder before the submission of their proposals. All inquiries must be directed to Rick Giron II, Community Services Project Manager, 505-768-2968 or rickgiron@cabq.gov. Oral explanations or instructions given before the deadline for receipt of proposals will not be binding. Any information given to a prospective responder concerning this RFP will be furnished to all by posting on the City's website, as Questions and Answers or as an amendment of this RFP, if such information is necessary to responders in submitting proposals on this RFP or if the lack of such information would be prejudicial to uninformed responders.

10.3 Acknowledgment of Amendments to the Request for Proposal

Receipt of an amendment to the RFP by a responder must be acknowledged (a) by signing and returning the amendment or (b) by letter. Such acknowledgment must be received prior to the hour and date specified for receipt of proposals.

10.4 Modification

Proposals may be modified or withdrawn by written notice provided such notice is received prior to the hour and date specified for receipt of proposals.

PROPOSAL CHECKLIST

Prior to submitting the proposal, the following checklist should be used to ensure that the proposal contains all elements required for a complete submittal. This checklist is used in the technical review of the Application. Items in the check list with identifying numbers refer to the numbers to be found on required Department of Family & Community Services forms included as attachments to this RFP.

- Acknowledgment of Amendments to the RFP, if applicable.**
- Proposal Summary and Certification Form (APPENDIX #1) completed and signed by an authorized official.**
- Original Project Narrative (maximum thirteen (13) pages).**
- DESIGN SUBMISSION REQUIREMENTS**
- Original Applicant Work Program Summary (APPENDIX #7)**
- Original Budget Forms**
 - Expense Summary Form (APPENDIX #2)
 - Revenue Summary Form (APPENDIX #3)
 - Project Budget Detail Form -- Personnel (APPENDIX #4)
 - Project Budget Detail Form -- Operating Costs (APPENDIX #5)
 - Budget Detail Form: Projected Drawdown Schedule (APPENDIX #6)
- Résumés of key personnel or job descriptions of unfilled positions.**
- List of references, including name of organization, contact person and telephone number, to verify performance history and customer satisfaction.**
- Copy of the organization's most recent audit or applicable financial statement.**
- Attachments on File (APPENDIX #9)**
- Certificate of Non-Profit Incorporation**
- Organization's Articles of Incorporation filed with the State of New Mexico**
- Copy of current by-laws.**
- Relevant licenses to operate as a business.**
- Listing of current board members.**
- Current organizational chart.**

-
- ❑ **Copy of the organization’s travel reimbursement policies, if travel funds are requested.**
 - ❑ **Copy of the organization’s written accounting policies and procedures, which include procurement procedures.**
 - ❑ **Copy of the organization’s personnel policies and procedures.**
 - ❑ **Copy of the organization’s conflict of interest policy.**
 - ❑ **Certificate of Good Standing and Comparison issued by the State of New Mexico.**
 - ❑ **Representations and Certifications (APPENDIX #8)**
 - ❑ **Drug Free Work Place Requirement Certification Form (APPENDIX #10)**
 - ❑ **Debarment, Suspension, Ineligibility and Exclusion Certification (APPENDIX #11)**
 - ❑ **Certification of Receipt of Administrative Requirements (APPENDIX #12)**
 - ❑ **Certification of Compliance with Federal Funding Requirements, Refer to Section 1.1 for further information (APPENDIX #13)**
 - ❑ **Vendor Preference Affidavit of Eligibility, if applicable (APPENDIX #14)**
 - ❑ **Modified W-9 (APPENDIX #15)**
 - ❑ **Disclosure of Lobbying Activities (APPENDIX #16)**
-

City of Albuquerque
Department of Family and Community Services
APPENDIX #1: Proposal Summary and Certification Form - *Instructions*

Instructions for Completing the Proposal Summary and Certification Form

1. Enter the name of the organization submitting the Application.
2. Enter the mailing address of the organization.
3. Enter the name and telephone number of a contact person from whom information about the proposal can be obtained.
4. Enter the name of the City program from which funding is being requested. The name of the program should be taken from the Request for Proposals.
5. Enter the number assigned to the RFP from the Request for Proposals.

-
6. Enter the priority number from the Request for Proposals if one is assigned to the area in which the Applicant is seeking funds.
 7. Enter the date the proposal is due to be received by the City of Albuquerque from the Request for Proposals.
 8. Enter the title of the project for which the Applicant is seeking funds and a brief narrative description of that project. The length of the narrative must be limited to the space available.
 9. Enter the total amount of City funding requested in the proposal.

Enter the amount of matching funds to be provided by the Applicant, if matching funds are requested in the Request for Proposal.

City of Albuquerque
Department of Family and Community Services
APPENDIX #1: Proposal Summary and Certification Form

1. Name of Applicant Organization:

2. Mailing Address (City, State, and Zip Code)	3. Name and telephone number of contact person
--	--

City Program Name (from Request for Proposals):

RFP Number: RFP-DFCS-CD-AHD-20-03-BROWN	Priority # (if Applicable)	Due Date: December 4, 2020
---	----------------------------	--------------------------------------

Title of Applicant's Project and Brief Descriptive Summary:

Amount of City Funding requested:	Matching Funds Amount (if requested):	Date Submitted:
-----------------------------------	---------------------------------------	-----------------

Certification: It is understood and agreed by the undersigned that: 1) Any funds awarded as a result of this request are to be expended for the purposes set forth herein and in accordance with all Applicable Federal, state, and city regulations and restrictions; and 2) the undersigned hereby gives assurances that this proposal has been prepared according to the policies and procedures of the above named organization, obtained all necessary Approvals by its governing body prior to submission, the material presented is factual and accurate to the best of her/his knowledge, and that she/he has been duly authorized by action of the governing body to bind the Corporation.

a. Typed Name of Authorized Board Official:	b. Title	c. Telephone Number
Signature of Authorized Board Official		d. Date signed:

City of Albuquerque
Department of Family and Community Services
APPENDIX #2: Expense Summary Form - Instructions

Instructions for Completing Expense Summary Form

Expenditure Category

Expenditures charged to Social Services category must conform to Administrative Requirements, be reasonable, allowable and allocable

Personnel Costs

Salaries and Wages: Enter the amounts budgeted to pay salaries and wages for regular staff of the organization employed to carry out project-related activities.

Payroll and Benefits: Enter the amounts budgeted to pay payroll taxes, and employee benefits. Payroll taxes should include legally mandated payroll taxes for regular employees of the organization, including FICA and unemployment insurance tax. . The amounts charged to the City must constitute an allocable percentage of salaries and wages.

Total Personnel Costs: Enter the sum of salaries and wages, payroll taxes, and employee benefits.

Operating Costs

Contractual Services: Enter the amount budgeted to pay the costs of services provided to the project through contractual agreements with organizations and individuals who are not regular employees, with the exception of the costs for conducting annual or special audits.

Audit Costs: Enter the amount budgeted to pay the costs of conducting annual or special audits of the organization. The amount budgeted to the City shall not exceed the proportion that the City contract revenue is of the total agency revenue budget.

Consumable Supplies: Enter the amount budgeted to pay the costs of supplies and equipment utilized by the project which have a price which does not exceed \$5,000 per unit.

Telephone: Enter the amount budgeted to pay for the costs of project telephone services, including installation, local service, and long-distance tolls.

Postage and Shipping: Enter the amount budgeted for project postage and shipping.

Occupancy

Rent: Enter the amount budgeted for space lease/rental costs allocable to the project.

Utilities: Enter the amount budgeted for the cost of project allocable electrical services, heating and cooling, sewer, water, and other utilities charged not otherwise included in rental or other charges for space.

Other: Enter the amount budgeted for other project allocable occupancy costs including the costs of security, janitorial services, elevator services, upkeep of grounds, leasehold

improvements not exceeding \$5,000, and related occupancy costs not otherwise included in rental or other charges for space.

Equipment Lease: Enter the amounts budgeted for the purchase or lease of equipment allocable to the project

Equipment Maintenance: Enter the amount budgeted to maintain or repair existing agency equipment utilized in a funded project.

Printing and Publications: Enter the amount budgeted for the purchase and/or reproduction of project- printed materials, including the cost of photo-reproduction.

Travel Costs

Local Travel: Enter the amount budgeted for the costs of project travel within Bernalillo County, including costs for mileage reimbursement and/or allocable operating and maintenance costs of agency owned or hired vehicles use to provide transportation to staff or clients within Bernalillo County.

Out-of-Town Travel: Enter the amount budgeted for the costs of project travel outside of Bernalillo County, including costs for transportation, lodging, subsistence, and related expenses incurred by employees, board members, or clients who are in travel status on official business allocable to the project.

Conferences, Meetings, etc.: Enter the amount budgeted for the costs of registration and materials for staff, board, or client's attendance at meetings and conferences allocable to the funded project or for the costs of meetings conducted by the agency in connection with that contract.

Direct Assistance to Beneficiaries: Enter the costs budgeted for the payment of participant wages and benefits, stipends, food, clothing, and other goods and services purchased directly on behalf of clients.

Membership Dues: Enter the amount budgeted to pay the costs of dues paid by the agency on behalf of staff, board members, or the agency itself to professional organization related to the purposes of the project.

Equipment, Land, Buildings: Enter the amount budgeted for the purchase of equipment, land, and for the acquisition or construction of buildings allocable to the project, the cost of which exceeds \$5,000. Costs charged to Equipment, Land, Buildings, or renovation capital costs must conform to Administrative Requirements

Insurance: Enter the amount budgeted to pay the costs of insurance, including bonding, allocable to the project.

Total Operating Costs: Enter the sum of all line items under operating costs.

Total Direct Costs: Enter the sum of Total Personnel Costs and Total Operating Costs.

Indirect Costs: Enter the amounts budgeted to pay indirect costs for the project. Costs charged to Indirect must conform to Administrative Requirements

Total Project Expenses: Enter the sum of Total Direct Costs and Indirect Costs.

City of Albuquerque
 Department of Family and Community Services
APPENDIX #2: Expense Summary Form

Agency Name: _____ Project Title: _____

Expenditure Category	Project Total	City Funding Requested	Percent Request
Personnel Costs			
Salaries & Wages			
Payroll Taxes and Employee Benefits			
Total Personnel Costs			
Operating Costs - Direct			
Contractual Services			
Audit Costs			
Consumable Supplies			
Telephone			
Postage and Shipping			
Occupancy			
a. Rent			
b. Utilities			
c. Other			
Equipment Lease			
Equipment Maintenance			
Printing & Publications			
Travel			
a. Local Travel			
b. Out of Town Travel			
Conferences, Meetings, Etc.			
Direct Assistance to Beneficiaries			
Membership Dues			
Equipment, Land, Buildings			
Insurance			
Total Operating			
Total Direct Costs (Personnel & Operating)			
Indirect Costs (_____ %; attach Rate Letter)			
Total Project Expenses			

City of Albuquerque
Department of Family and Community Services
APPENDIX #3: Revenue Summary Form- *Instructions*

Instructions for Completing Revenue Summary Form

For government revenues received by the agency, list each agency of the federal or state government providing funding in the column “Revenue Source.”

Enter the anticipated revenues for the total agency budget from each of the listed funding sources in the column headed “Agency Total,” and show the percentage of all agency funding from that source.

DEFINITIONS:

Government Revenues

Fees from Government Agencies are funds paid to the Agency by a unit of Federal, State or local government for goods or services provided as a contractor.

Grants from Government Agencies are funds paid to the agency as a recipient or sub-recipient by a unit of Federal, State or local government.

[2 CFR Section 200.300 Subrecipient and contractor determinations sets forth the considerations in determining whether payments constitute a Federal award or a payment for goods or services provided as a contractor.]

Other Revenues

Other Revenue means income to the agency from sources not falling into another category.

United Way Revenue

United Way Allocation means all funding provided by the United Way of Central New Mexico.

City of Albuquerque
 Department of Family and Community Services
APPENDIX #3: Revenue Summary Form

Agency Name: _____ Project Name: _____

Revenue Sources	Agency Total	% of Agency Budget
1. Government Revenues		
Revenues from Federal Government other than Medicaid Reimbursement. <i>(List each Agency of the Federal Government)</i>		
Fees from Federal Government Agencies:		
Grants from Federal Government Agencies:		
Medicaid Reimbursements		
Subtotal Federal Agencies		
Revenues from State Government <i>(List each Agency of the State Government providing funding and the amount of funding)</i>		
Fees from State Government Agencies:		
Grants from State Government Agencies:		
Subtotal State Agencies		
Total Revenues from County Government		
Total Revenues from the City of Albuquerque		
Total Other Municipal Government Revenue		
TOTAL GOVERNMENT REVENUES FROM ALL SOURCES		
2. Other Revenue:		
Contributions		
United Way Revenue		
Other Revenue		
TOTAL OTHER REVENUES		
3. Total Revenues:		

City of Albuquerque
Department of Family and Community Services
APPENDIX #4: Project Budget Detail Form – Personnel - Instructions

Instructions for Completing Project Budget Detail Form – Personnel

- Line 1.* Enter the name of the agency submitting the proposal.
- Line 2.* Enter the project title as shown on the Proposal Summary and Certification form.
- Line 3.* For the column labeled “Number FTE on Project”, show the number of full time equivalent staff for each position working on this project, regardless of funding source. For the column labeled “Position Title,” give the title of each position working on this project. For the column labeled “Annual Salary,” enter the annual salary for the positions multiplied by the number of FTE for that position. For the column labeled “Amount Requested,” enter the amount of funding for the position requested from the City. For the column “Percent Requested,” enter the percent of the annual salaries for the position to be charged to the City.
- Line 4.* Enter the sums of the column “Annual Salary,” and “Amount Requested.” Enter the “Percent Requested” for total salary and wages.
- Line 5.* Enter the total amount of payroll taxes and employee benefits for project salaries in the column labeled “Annual Salary,” the “Amount Requested” from the City, and the percent of the total to be charged to the City.
- Line 6.* Enter the sum of the lines 4 and 5 in the column’s labeled “Annual Salary,” and “Amount Requested.” Enter the percentage of the total amount to be charged to the City.
- Line 7.* Enter the percentage of salaries and wages charged to FICA, Unemployment Compensation, health insurance, retirement, and other employee benefits.

City of Albuquerque
Department of Family and Community Services
APPENDIX #5: Project Budget Detail Form – Operating - Instructions

Instructions for Completing Project Budget Detail Form -- Operating

1. Enter the name of the agency.
2. Enter the project title.
3. For each operating cost line item on the Expense Summary Form, the Applicant should describe all elements included in the line item costs and indicate the basis used for determining the costs. If cost is allocated, provide the allocation plan. For indirect cost line item provide an explanation of basis for the indirect cost or an Approved cost rate letter from cognizant Federal agency.

In the column headed “Project Total,” enter the total costs of the line item; in the column headed “Amount Requested,” enter the amount requested from the City, in the column headed “Amount Other,” enter the amount to be paid from other sources, and in the column headed “Percent Requested,” enter the percent of the total amount requested from the City.

City of Albuquerque
 Department of Family and Community Services
APPENDIX #5: Project Budget Detail Form – Operating
 Page 1 of _____

1. Agency Name:

2. Project Title:

3. Direct and Indirect Costs: For each operating cost line item on the Expense Summary Form, the Applicant should describe all elements included in the line item costs and indicate the basis used for determining the costs. If cost is allocated, provide the allocation plan. For indirect cost line item provide an explanation of basis for the indirect cost or an Approved cost rate letter from cognizant Federal agency. (e.g., travel calculated as # of miles/month x \$/per mile x # months = total local travel). Use additional sheets as necessary.

Line Item (Non-Personnel)	Project Total	Amount Requested	Amount Other	Percent Requested

City of Albuquerque
Department of Family and Community Services
APPENDIX #6: Budget Detail Form: Projected Drawdown Schedule - *Instructions*

Instructions for Completing Budget Detail Form: Projected Drawdown Schedule

The Applicant must estimate the amount and percent of City funding it anticipates expending during each quarter of the fiscal year.

For each of the quarterly periods indicated, enter the amount of funding it projects expending in the column headed "Amount to be Requested." In the column headed "Percent of Total" enter the percentage of all City funds which will be expended during the quarter. If the Applicant anticipates expending more than 25% of the total requested from the City in any one quarter, provide a brief explanation of these expenditures in the space provided.

City of Albuquerque
Department of Family and Community Services
APPENDIX #6: Budget Detail Form: Projected Drawdown Schedule

Indicate the amount and percent of total requested funds which you anticipate expending on a quarterly basis, providing a written explanation of any projected drawdowns which exceed 25% of the total requested funds in any one quarter.

Quarter Ending	Amount to be Requested	Percent of Total

Explanation:

City of Albuquerque
Department of Family and Community Services
APPENDIX #7: Applicant Work Program Summary - Instructions

Instructions for Completing Form

1. Enter the name of the agency.
2. Enter the project title, from the Proposal Summary and Certification form.
3. If the work summary is submitted as part of an initial Application, check the box marked “new”; if it is submitted as a renewal, check the box “renewal”; if it is submitted as part of a request for work program revision, check the box marked “revision.”
4. Measurable Results:
 - A. Under the column headed “Major Project Activities and Services,” enter the major tasks or activities to be undertaken through the project.
 - B. Under Timeframe, enter the quarters in the fiscal year that these activities will be performed / services will be provided
 - C. For each task listed, enter the measurable outputs of the task in the column headed “Outputs from Requested City Funds” with the service units that match the requested City funding level and proposed budget allocation in Appendix #5. The expectation is that funding of service outputs are directly associated with the budget allocation and must not reflect funding from multiple sources per service unit.

Measurable outcomes in the column headed “Measurable Outcomes” refer to Section 4.0 and add other outcomes that apply.

and the data collection or progress assessment tool used in the column titled “Measurement Tool”, and the name of the personnel who will be assigned responsibility to carry out the activity and data collection and progress measurement in the column titled “Responsible Personnel” and the date those objectives will be completed in the column headed “Date to be Completed.”

Applicants should not try to include every project activity, but should restrict their entries to major activities for which measurable objectives can be provided and for which they will be accountable if a contract is awarded. Please separate different outputs associated with an activity in different rows. Multiple outcomes associated with an activity may be listed in one row.

Applicants may format the work plan as landscape orientation to improve readability.

City of Albuquerque
 Department of Family and Community Services
APPENDIX #7: Applicant Work Program Summary

1. Agency Name:

2. Project Title	3. Applicant Type <input type="checkbox"/> New <input type="checkbox"/> Renewal <input type="checkbox"/> Revised
------------------	---

4. Measurable Results: List the major project tasks/activities, the outputs for each that will be associated with City funds only, outcomes, outcome indicators and measurement tools					
Major Project Activities and Services	Timeframe	Outputs from Requested City Funds	Outcomes	Outcome Progress Indicator	Measurement Tool(s)

(Format as Landscape and use additional sheets as necessary)

City of Albuquerque
Department of Family and Community Services
APPENDIX #8: Representations and Certifications

The undersigned HEREBY GIVE ASSURANCE THAT:

The Applicant agency named below will comply and act in accordance with all federal laws and Executive Orders relating to the enforcement of civil rights, including but not limited to, Federal Code, Title 5, USCA 7142, Sub-Chapter 11, Anti-discrimination in Employment, and Executive Order number 11246, Equal Opportunity in Employment; and

That the Applicant agency named below will comply with all New Mexico State Statutes and City Ordinances regarding enforcement of civil rights; and

That no funds awarded as a result of this request will be used for sectarian religious purposes, as specified in the *Administrative Requirements for Contracts Awarded Under the City of Albuquerque, Department of Family and Community Services*, § 10 (E)(2), that: (a) there shall be no religious test for admission for services; (b) there shall be no requirement for attendance of religious services; (c) there shall be no inquiry as to a client's religious preference or affiliations; (d) there shall be no proselytizing; and (e) services provided shall be essentially secular, however, eligible activities, as determined by the fund source, and inherently religious activities may occur in the same structure so long as the religious activity is voluntarily and separated in time and/or location.

Agency Name _____

Typed Name of Authorized Board Official: _____

Title: _____

Signature: _____ Date: _____

City of Albuquerque
 Department of Family and Community Services
APPENDIX #9: Attachment on File

Instructions: If an Applicant has received a human services contract from the Department of Family and Community Services **Community Development Division** within the past 12 months and submitted the required attachments, it is not necessary to resubmit the attachments if there has been no change in the information requested. If the documents currently on file with the City remain current, check the box marked current. If there has been any change in status of documents currently on file (e.g. changes in board members, organizational structure, etc.) check the box marked “Revised Attached” and submit the revised document with the project proposal.

Document	Current	Revised Attached
Certificate of Non-Profit Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
Articles of Incorporation	<input type="checkbox"/>	<input type="checkbox"/>
Current Bylaws	<input type="checkbox"/>	<input type="checkbox"/>
Applicable Licenses	<input type="checkbox"/>	<input type="checkbox"/>
Listing of Current Board Members	<input type="checkbox"/>	<input type="checkbox"/>
Organization Chart	<input type="checkbox"/>	<input type="checkbox"/>
Travel Reimbursement Policies (if Applicable)	<input type="checkbox"/>	<input type="checkbox"/>
Accounting Policies and Procedures	<input type="checkbox"/>	<input type="checkbox"/>
Personnel Policies and Procedures	<input type="checkbox"/>	<input type="checkbox"/>
Conflict of Interest Statement	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of Good Standing and Comparison	<input type="checkbox"/>	<input type="checkbox"/>
Resumes of Key Personnel/Job Descriptions of Open Positions	<input type="checkbox"/>	<input type="checkbox"/>
Agency’s Most Recent Audit	<input type="checkbox"/>	<input type="checkbox"/>

City of Albuquerque
Department of Family and Community Services
APPENDIX #10: Drug Free Workplace Requirement Certification Form

The agency certifies that it will provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the agency's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
2. Establishing a drug-free awareness program to inform employees of:
 - a. The dangers of drug abuse in the workplace;
 - b. The agency's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of an agreement with the City be given a copy of the agency's drug-free workplace statement.
4. Notifying each employer that as a condition of employment under the City's agreement, that employee will:
 - a. Abide by the terms of the agency's drug-free workplace statement, and
 - b. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace, no later than five (5) days after such conviction.
5. Notifying the City of Albuquerque, Department of Family and Community Services within ten (10) days after receiving an employee notice or otherwise receiving actual notice of an employee drug statute conviction for a violation occurring in the workplace.
6. Taking one of the following actions within thirty (30) days of receiving notice of an employee's drug statute conviction for a violation occurring in the workplace:
 - a. Taking appropriate personnel action against such an employee, up to and including termination; or
 - b. Requiring such employee to participate satisfactorily at a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; and
7. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of the above requirements.
8. The agency also certifies that the agency's drug-free workplace requirements will apply to all locations where services are offered under the agreement with the City of Albuquerque.
Such locations are identified as follows:

Street Address: _____ City: _____

State: _____ Zip: _____ E-mail: _____

Typed Name of Authorized board Official: _____ Title: _____

Signature of Authorized Board Official

Date Signed

City of Albuquerque
Department of Family and Community Services
**APPENDIX #11: Debarment, Suspension, Ineligibility and Exclusion
Certification**

I certify that the agency has not been debarred, suspended or otherwise found ineligible to receive funds by any agency of the executive branch of the federal government.

I further certify that should any notice of debarment, suspension, ineligibility or exclusion be received by the agency, the City of Albuquerque, Department of Family and Community Services will be notified immediately.

Agency: _____

Typed Name of Authorized Board Official

Title:

Signature of Authorized Board Official

Date Signed:

City of Albuquerque
Department of Family and Community Services
APPENDIX #12: Certification of Receipt of *Administrative Requirements*

The undersigned HEREBY CERTIFY THAT:

1. The agency/organization has received a copy of the *Administrative Requirements for Contracts Awarded Under the City of Albuquerque, Department of Family and Community Services, revised September 2010*; and
2. The agency/organization named below will adhere to the *Administrative Requirements* in its operation of City-funded programs.

Agency/Organization Name: _____

Typed Name of Authorized Board Official

Typed Name of Executive Director

Signature

Signature

Date: _____

Date: _____

City of Albuquerque
Department of Family and Community Services
APPENDIX #13: Certification of Compliance with Federal Funding Requirements

The undersigned HEREBY GIVE ASSURANCE THAT:

If the percentage of federal funds that makes up the total program or project costs is greater than 0%, the Applicant agency named below will specifically comply and act in accordance with all applicable federal law governing programs receiving federal funds, including but not necessarily limited to:

1. Age Discrimination Act of 1975, prohibiting discrimination on the basis of age. 45 CFR Part 91.
2. Civil Rights Act of 1964 (Title VI), providing that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination. 45 CFR Part 80.
3. Education Amendments of 1972 (Title IX of the Education Amendments of 1972, 20 U.S.C. 1681, 1682, 1683, 1685, and 1686), providing that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity. 45 CFR Part 86.
4. Rehabilitation Act of 1973 (Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, as amended, providing that no otherwise qualified handicapped individual in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination.
5. USA Patriot Act (amending 18 U.S.C. 175-175c), prescribing criminal penalties for possession of any biological agent, toxin, or delivery system of a type or in a quantity that is not reasonably justified by a prophylactic, protective, bona fide research, or other peaceful purpose. The act also establishes restrictions on access to specified materials. "Restricted persons," as defined by the act, may not possess, ship, transport, or receive any biological agent or toxin that is listed as a select agent.
6. Public Health Security and Bioterrorism Preparedness and Response Act, provides protection against misuse of select agents and toxins, whether inadvertent or the result of terrorist acts against the US homeland, or other criminal act. 42 U.S.C. 262a; 42 CFR Part 73.
7. Controlled Substances Act provides that grantees are prohibited from knowingly using appropriated funds to support activities that promote the legalization of any drug or other substance included in Schedule I of the schedule of controlled substances established by Section 202 of the Controlled Substances Act, 21 U.S.C. 812. This limitation does not apply if the recipient notifies the GMO that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.
8. Limited English Proficiency. Recipients of federal financial assistance must take reasonable steps to ensure that people with limited English proficiency have meaningful access to health and social services and that there is effective communication between the service provider and individuals with limited English proficiency. Title VI of the Civil Rights Act of 1964.
9. Construction-Related Requirements
 - a. Architectural Barriers Act of 1968 (as amended 42 U.S.C. 4151 et seq.) sets forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with HHS grant support must comply with these requirements. 41 CFR 102-76; 36 CFR 1191.
 - b. Clean Air and Clean Water Act provides for the protection and enhancement of the quality of the nation's air resources to promote public health and welfare and for restoring and maintaining the chemical, physical, and biological integrity of the nation's waters. 42 U.S.C. 7606 and EO 11738.
 - c. Safe Drinking Water Act provides for the protection of underground sources of drinking water that have an aquifer, which is the sole source of drinking water. No grant may be entered into for any project that the EPA Administrator determines may contaminate such aquifer.

10. Health, Safety, and Related Requirements

- a. HHS funds may not be spent for an abortion.
- b. Funds appropriated for HHS may not be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.
- c. Standards for Privacy of Individually Identifiable Health Information (the Privacy Rule) implements the Health Insurance Portability and Accountability Act (HIPAA) of 1996, 42 U.S.C. 1320d et seq., which governs the protection of individually identifiable health information. The Privacy Rule is administered and enforced by HHS's OCR and is codified at 45 CFR Parts 160 and 164. The Privacy Rule applies only to covered entities.
- d. Confidentiality of Patient/Client Records. Section 543 of the PHS Act, 42 U.S.C. 290dd-2, requires that records of substance abuse patients be kept confidential except under specified circumstances and purposes. The covered records are those that include the identity, diagnosis, prognosis, or treatment of any patient maintained in connection with any program or activity relating to substance abuse education, prevention, training, treatment, rehabilitation, or research that is conducted, regulated or directly or indirectly assisted by any department or agency of the United States. 42 CFR Part 2.
- e. Drug Free Workplace Act of 1988, requires that all organizations receiving grants from any federal agency agree to maintain a drug free workplace. The recipient must notify the awarding office if any employee of the recipient is convicted of violating a criminal drug statute. 42 U.S.C. 701 et seq.; 45 CFR Part 82.
- f. Pro-Children Act imposes restrictions on smoking in facilities where federally funded children's services are provided. The Act specifies that smoking is prohibited in any indoor facility (owned, leased, or contracted for) used for the routine or regular provision of kindergarten, elementary, or secondary education or library services to children under the age of 18. In addition, smoking is prohibited in any indoor facility or portion of a facility (owned, leased or contracted for) used for the routine or regular provision of federally funded health care, day care, or early childhood development. 20 U.S.C. 7183.

Agency Name _____

Typed Name of Authorized Board Official: _____

Title: _____

Signature: _____ Date: _____

City of Albuquerque
Department of Family and Community Services
APPENDIX #14: Vendor Preference Form and Instructions

<https://www.cabq.gov/dfa/documents/vendor-documents/vendor-preference-affidavit-of-eligibility.pdf/@@download/file/vendor-preference-affidavit-of-eligibility.pdf>

Instructions for PREFERENCE CERTIFICATION FORM

For City Local, Small, or Pay Equity Preferences and/or State Resident Business and Veteran Preferences (Goods & Services)

ALL INFORMATION MUST BE PROVIDED. A 5% Small Business Preference, a 5% Local Business Preference, a 5% State Resident Business Preference, a 5% Pay Equity Preference and/or a 5% State Resident Veteran Business Preference (collectively the latter two, “State Preference”) are available for this procurement. To qualify, an Offeror **MUST** complete and submit this Preference Certification Form **WITH ITS PROPOSAL**. For a Pay Equity Preference, the City Pay Equity Business Certificate **MUST** be attached. For State Preference the New Mexico State certification of eligibility **MUST** be attached. If a Proposal is received without this Preference Certification Form and any required certifications attached, completed, signed and certified, or if this Preference Certification Form is received without the required information, the preference shall not be applied. **NO FORM SHALL BE ACCEPTED AFTER THE DEADLINE FOR RECEIPT OF BIDS OR PROPOSALS.**

PHYSICAL LOCATION MUST BE STATED. To qualify for the Small business or Local Business Preference, a business must have its principal office and place of business in the Greater Albuquerque Metropolitan Area. The business location identified on the Preference Certification Form must be a physical location, street address or such. **DO NOT** use a post office box or other postal address.

PREFERENCE CERTIFICATION FORM MUST BE COMPLETED BY PRINCIPAL OFFEROR. This Preference Certification Form must be completed for the Principal Offeror, or one of the Principal Offerors if the Offeror is a joint venture or partnership, or by an individual authorized to sign for the Offeror. Subcontractors of the Offeror shall not be used to qualify a Proposal for a preference and should not complete or submit the Form.

APPLICATION OF PREFERENCES. The State Resident Business Preference or State Resident Veteran Business Preference shall be applied to any Proposals submitted that include a valid, State of New Mexico-issued, Resident Business or Resident Veteran Business Certification Number. The Small Business Preference, and the Local Business Preference shall be applied to all Proposals submitted by eligible small businesses. The local preference only will be applied to all Proposals submitted by eligible local businesses which are not small businesses. The Pay Equity Preference shall be applied to all Proposals submitted that include a City Pay Equity Business Certificate. The total percentage of all preferences awarded shall not exceed ten percent (10%).

DEFINITIONS. The following definitions apply:

The Greater Albuquerque Metropolitan Area includes all locations within the City of Albuquerque and Bernalillo County.

A Local Business is a business with its Principal Office and Place of Business in the Greater Albuquerque Metropolitan Area.

A Small Business is a Local Business that employs an average of fewer than fifty (50) full-time employees in a calendar year. The calendar year immediately prior to the request for the preference should be used.

A Principal Office is the headquarters, main or home office of the business as identified in tax returns, business licenses and other official business documents.

A Place of Business a business’ location in the Greater Albuquerque Metropolitan Areas that is staffed and open to the public on a regular basis.

A full-time employee is an employee of the business who is hired to work at least forty (40) hours per week, whether in a permanent, temporary or seasonal status. If all full-time employees of the business are hired to work a shorter work week, the Chief Procurement Officer may reduce this requirement, upon receipt of adequate documentation.

Pay Equity Preference shall be applicable as provided in City Ordinance 5-5-31 (as amended by C/S O-17-33).

State Resident Business and State Resident Veteran Business shall be applicable as provided in 13-1-21 NMSA 1978.

ADDITIONAL DOCUMENTATION. If requested, a business shall provide, within three (3) working days of receipt of the request, documentation to substantiate the information provided on the Preference Certification Form. The Chief Procurement Officer shall determine the sufficiency of such documentation.

NO PREFERENCES SHALL BE APPLIED IF FEDERAL FUNDS ARE USED.



APPENDIX #15: FOR DEMONSTRATION PURPOSE ONLY. DOWNLOAD

SECTION 1: CONTACT INFORMATION AND TAXPAYER IDENTIFICATION NUMBER

Form section 1 containing fields for Name, Business Name, Primary Address, Remittance Address, City, State, and ZIP Code, Phone, Social Security Number, Tax Classification, and Exemptions.

SECTION 2: CERTIFICATION

Certification section with numbered statements (1-4) and instructions regarding backup withholding and FATCA reporting.

Signature and Date fields for the U.S. person.

SECTION 3: BUSINESS DEMOGRAPHICS (PLEASE CHECK ALL THAT APPLY)

Business demographics section with checkboxes for Local Business, Doing Business Locally, Woman Owned Business, MBE, and race/ethnicity options.

PURCHASE ORDERS (COMPLETE ONLY IF YOU ACCEPT POs)

Invoice submission fields including checkboxes for Electronic methods and email addresses for Remit to and Order From.

Form is provided for information purposes only. Please download and fill out the form at this website:

<https://www.cabq.gov/dfa/documents/modified-w9-supplier-form-2018.pdf>

Section 1- Supplier Information

Information on how to fill-out Section 1 can be found at: <https://www.irs.gov/pub/irs-pdf/fw9.pdf>

Section 2 – Business Demographics

- A. Select all for which the business has self-certified or for which it believes it is eligible.
- B. The Greater Albuquerque Metropolitan Area includes all locations within the City of Albuquerque and Bernalillo County.
- C. A local business is a business with its principal office and place of business in the Greater Albuquerque Metropolitan Area.
- D. A principal office is the main or home office of the business as identified in tax returns, business licenses and other official business documents.
- E. A place of business is a location where the business conducts its daily operations, for the general public, if applicable.
- F. Minority is defined to include Hispanic Americans, Black Americans, Native Americans, Asian-Pacific Americans, Asian-Indian Americans, Female, or belonging to groups found to be economically and socially disadvantaged by the U.S. Small Business Administration.

The State of New Mexico and the U.S. Federal Government have their own certification programs. State of New Mexico Certifications Include: State Resident Business; State Resident Contractor; Resident Veteran Business; and Resident Veteran Contractor. More information can be found at:

<http://www.tax.newmexico.gov/Businesses/in-state-veteran-preference-certification.aspx>

Federal Certifications include: SBE (Small Business Enterprise with SBA); MBE (Minority Business Enterprise); WBE (Women Business Enterprise); VOSB (Veteran-Owned Small Business). More information can be found at: www.sba.gov

Section 3- Purchase Order Acceptance

- A. To obtain purchase orders and procurement contracts electronically, suppliers must provide a current e-mail address.
- B. Transcepta, is an electronic purchase order and invoicing system that delivers purchase orders from the City to suppliers and in turn, receives inbound invoices, purchase order acknowledgements and advance shipping notices from City suppliers. Transcepta also provides a portal for suppliers to check document processing. To participate in Transcepta follow the instructions at <http://connect.transcepta.com/abq/>

Appendix # 16

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Appendix # 16

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: ^{4c}	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)