

**REQUEST FOR PROPOSALS (RFP)**

**Town of Peshtigo  
Marinette County, Wisconsin  
REQUEST FOR PROPOSALS (RFP)  
For  
Grant Administration of CDBG-CV Grant**

**Town of Peshtigo CDBG-CV Grant  
A Community Development Block Grant  
CDBG Coronavirus Program Project**

July 5<sup>th</sup>, 2022

# REQUEST FOR PROPOSALS (RFP)

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## Invitation to Submit Proposal

### Introduction

The Town of Peshtigo, Wisconsin, is seeking proposals for consulting services for the Town of Peshtigo CDBG, CV Grant Project, for which the Town of Peshtigo has secured Community Development Block Grant (CDBG) Coronavirus (CDBG-CV) funding. Proposals will be accepted for grant administration services for the CDBG project (three scope of work options will be detailed).

Minimum requirements include previous experience in Grant Administration on CDBG or similar state/federally funded projects. Proposals will be accepted from individuals, firms, or groups of firms with the demonstrated expertise and experience in these areas of practice.

### Contact Information

All interested persons and firms should contact Cindy Boyle, Chairwoman, Monday-Friday at 715-923-5274 or [topchair@townofpeshtigo.org](mailto:topchair@townofpeshtigo.org) to request the RFP packet or additional information, as needed.

Persons/firms that intend to submit a proposal should send notification of intent to the Town of Peshtigo with the person's/firm's name and contact information in case of addenda or other changes. Those who the Town of Peshtigo has sent an RFP and those who have provided contact information through a request for a copy of the RFP or through a notification of intent will receive all information regarding the RFP. The information may include, but is not limited to, any amendments to the RFP, answers to inquiries received regarding the RFP, or changes to the RFP schedule.

### Questions Regarding This RFP

This solicitation contains a description of the project and services required. Interested proposers have the responsibility of understanding what is required by this solicitation. During the review of the RFP, if the Proposer discovers any errors, omissions or ambiguities within the RFP, they should identify them in writing and call them to the immediate attention of the Town of Peshtigo prior to the RFP submission deadline. The Town of Peshtigo shall not be held responsible for any person's/firm's lack of understanding of the project.

Questions for clarification concerning this RFP must be in writing and received via email to Cindy Boyle, Town Chairwoman at [topchair@townofpeshtigo.org](mailto:topchair@townofpeshtigo.org) on or before August 1, 2022. After this date, questions involving the content or intent of the proposal will not be answered. All questions will be responded to by Cindy Boyle, Town Chairwoman, in writing via email, and provided to all parties via the [Townofpeshtigo.org](http://Townofpeshtigo.org) website; all parties requesting an RFP for which the UGLG has the contact information will receive copies of the UGLG's responses to questions via email, and treated as an addendum to the RFP packet.

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The Town of Peshtigo makes no representations as to the conditions of the project other than those representations made herein, and no employee or any other representative of the Town of Peshtigo has the authority to make any oral or written representations as to the conditions of the project. Persons/firms should only contact the person designated above regarding this RFP and should not contact the Town of Peshtigo CDBG-CV committee members, or any other Town of Peshtigo staff for clarification on this RFP.

## Addenda Interpretations

If it becomes necessary to revise any part of this RFP, a written addendum will be provided. The Town of Peshtigo is not bound by any oral clarifications changing the scope of the work for this project. All addenda issued by the Town of Peshtigo will become part of the official RFP and will be emailed to all Proposers of record based upon contact information on record at the original time of issuance or subsequently provided.

## Proposal Requirements

### Directions for Submittal

Proposals must be received via direct submittals to Cindy Boyle, Town Chairwoman, Town of Peshtigo, labeled "ATTN: Town of Peshtigo CDBG-CV Project RFP Review Committee", via email to [topchair@townofpeshtigo.org](mailto:topchair@townofpeshtigo.org) with the Subject of "ATTN: CDBG-CV Administration Proposal, Project RFP Review Committee", no later than August 1, 2022. The Town of Peshtigo reserves the right to reject any and all Proposals not meeting the requirements of this Request for Proposals for consulting services.

Persons requesting ADA assistance accommodations for hearing and speech impaired may contact Cindy Boyle, Town Chairperson at [topchair@townofpeshtigo.org](mailto:topchair@townofpeshtigo.org)

Individuals/firms interested in being considered for this project must submit a proposal detailing qualifications, technical expertise, management and staff capabilities, related prior experience, and a detailed cost estimate for the Scope of Services described above. The objective of the competitive process is to objectively select the firm that will provide high-quality, efficient, and cost-effective services. The selected person(s)/firm(s) will be invited to contract with the Town of Peshtigo for grant administration services.

**Exhibit III**, attached to this RFP, represents the qualifications sought for the Grant Administration services. These criteria have been established to assure the Community of professional expertise with adequate experience and capacity to ensure successful completion of the proposed project within the allocated time constraints.

**Exhibit IV**, attached hereto, is a Rating System that will be utilized for selection of the consultant. This rating system will be employed in determining which proposal best meets the needs as outlined in this RFP.

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## Proposal Contents

1. Cover Letter.
2. Project scope statement describing the work to be undertaken, include the services outlined in the RFP, and any modifications or expansion of the scope provided in order to deliver the administration services.
3. Project coordination plan indicating mechanisms proposed to coordinate the work effort.
4. Proposer's profile and a clear concise statement with:
  - a. Example indicating past performance and familiarity with the type of work detailed
5. Copy of professional services agreement.

## Proposal Format

The proposal must be submitted in typed format with the items to be included in the proposal placed in the same order as described in above. The proposal must be signed by the submitter or authorized representative and dated. The pages of the proposal must be numbered in consecutive order and should not exceed the maximum sheet size of 8.5" x 11." The name, mailing address, phone number and email address of the Proposer should be placed in the upper left corner on the cover page of the Proposal.

## Selection Process Schedule

The Town of Peshtigo anticipates authorizing a contract for this work in August, 2022 with a notice to proceed no later than September, 2022. The scope of services will take place over 18-month period. The Town of Peshtigo's goal is to have the CDBG-CV administration project completed within timelines specified in grant award schedules. Responding persons/firms should comment on the above schedule as part of their proposal and state how realistic it is to achieve substantial completion of the work within the schedule.

## Other Conditions of Proposal Submittal

1. No proposal will be accepted from any person, firm or entity that is in arrears for any obligation to the The Town of Peshtigo, is debarred from contracting for federally funded projects, or that otherwise may be deemed irresponsible, unqualified or unresponsive by the Town of Peshtigo.
2. All Proposals submitted become public information and may be reviewed by anyone requesting to do so at the conclusion of the evaluation process.
3. Requirements and conditions of employment and contracting to be observed for compliance with Conflict of Interest and Lobbying regulations apply to this project. Please review the construction contract and construction contractors listed in *Chapter 3: Procurement & Contracting* of the *CDBG Implementation Handbook*, e.g. Affirmative Action, Equal Opportunity, Minority Business Enterprise/Woman Business Enterprise (MBE/WBE), Federal Labor Standards Provisions, Davis-Bacon and Related Acts (DBRA), and Section 3. <https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx> Refer to **Exhibit II** attachments for the CDBG project requirements.

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4. All activities for the project must comply with the CDBG program regulations and policies set forth in [24 CFR 570](#) and the State of Wisconsin CDBG Program *Implementation Handbook* referenced in **Exhibit II**.

### Scope of Services & Deliverables

The selected person(s)/firm(s) will serve as and perform the functions of the Grant Administrator for a Community Development Block Grant award including the following:

- Preparing and submitting CDBG contract and amendment documents, as applicable
- Managing the CDBG Project records
- Preparing and submitting applicable Environmental Record documents for the CDBG Project
- Coordinating Citizen Participation meeting(s) and maintaining and submitting required records for Citizen Participation for the CDBG Project
- Completing compliance activities for CDBG Project federal labor standards as applicable
- Preparing and submitting CDBG reporting documents for the CDBG Project, including but may not be limited to Semi-Annual Reports, Single Audit Statements, Section 3 Reports, Equal Opportunity/Minority Business Enterprise/Women Business Enterprise (MBE/WBE) Reports, Labor Standards Reports.
- Preparing and submitting CDBG monitoring documents and responding to monitoring requirements as applicable for the CDBG Project.
- Manage/execute procurement and purchasing of materials and equipment as listed in the "Scope of Work" of this RFP.
- Managing financial records for the CDBG Project and preparing and submitting CDBG requests for payment and related required documentation.
- Attending and participating in Town of Peshtigo CDBG-CV Committee and/or Board meetings as necessary for the CDBG Project.
- Preparing and submitting the CDBG Project Completion Report and Financial Certification of Completion and supporting documents.
- Complying with CDBG regulations and policies applicable to the Project.
- Participate in the Fall 2022 CDBG Implementation Training webinar presented by the Department of Administration Division of Energy, Housing and Community Resources (date TBA)

**SCOPE OF WORK OPTIONS:** Applicant may provide a proposal for any of the scopes detailed below and are NOT required to bid on all. *(see comprehensive grant overview for details of each project: attached PDF)*

#### **SCOPE A: Professional services to include all 8 activities**

**Activity 1.** Procurement/purchasing of Covid-19 Response Related Protective Equipment and Supplies for EMS - Fire Dept.: Purchasing budget = \$9,000 (multiple items).

**Activity 2.** Procurement/purchasing and installation of Covid-19 Response Related Protective Equipment and Apparatus Measures: Purchasing/Installation budget = \$31,000 (multiple items).

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**Activity 3.** Purchasing/procurement of Covid-19 Response Related Protective Equipment and Supplies for Town Hall: Purchasing budget = \$500 (multiple items).

**Activity 4.** Purchasing/procurement of Electronic/Online Training Equipment (includes High Tech Smartboard): Purchasing budget = \$10,000 (multiple items).

**Activity 5.** Procurement/purchasing of Emergency Rescue Squad (sub-grantee) COVID-19 Response Equipment and Supplies: Purchasing budget = \$50,000 (multiple items).

**Activity 6.** Procurement and contracting and oversight of labor standards compliance for Town Hall Air Filtration/Quality System Installation: Total System Installation budget = \$150,000.

**Activity 7.** Procurement and contracting and oversight of labor standards compliance for Town Hall Office Remodel: Remodel budget = \$20,000.

**Activity 8.** Procurement/purchasing of Peshtigo Food Pantry (sub-grantee) Covid-19 Response Resources and Supplies: Purchasing budget of \$65,000.

### **SCOPE B: Professional services to include 6 activities**

**Activity 1.** Procurement/purchasing of Covid-19 Response Related Protective Equipment and Supplies for EMS - Fire Dept.: Purchasing budget = \$9,000 (multiple items).

**Activity 2.** Procurement/purchasing and installation of Covid-19 Response Related Protective Equipment and Apparatus Measures: Purchasing/Installation budget = \$31,000 (multiple items).

**Activity 3.** Purchasing/procurement of Covid-19 Response Related Protective Equipment and Supplies for Town Hall: Purchasing budget = \$500 (multiple items).

**Activity 4.** Purchasing/procurement of Electronic/Online Training Equipment (includes High Tech Smartboard): Purchasing budget = \$10,000 (multiple items).

**Activity 5.** Procurement/purchasing of Emergency Rescue Squad (sub-grantee) COVID-19 Response Equipment and Supplies: Purchasing budget = \$50,000 (multiple items).

**Activity 8.** Procurement/purchasing of Peshtigo Food Pantry (sub-grantee) Covid-19 Response Resources and Supplies: Purchasing budget of \$65,000.

### **SCOPE C: Professional services to include 4 activities**

**Activity 5.** Procurement/purchasing of Emergency Rescue Squad (sub-grantee) COVID-19 Response Equipment and Supplies: Purchasing budget = \$50,000 (multiple items).

**Activity 6.** Procurement and contracting and oversight of labor standards compliance for Town Hall Air Filtration/Quality System Installation: Total System Installation budget = \$150,000.

**Activity 7.** Procurement and contracting and oversight of labor standards compliance for Town Hall Office Remodel: Remodel budget = \$20,000.

**Activity 8.** Procurement/purchasing of Peshtigo Food Pantry (sub-grantee) Covid-19 Response Resources and Supplies: Purchasing budget of \$65,000.

### **SCOPE D: Professional services to include 2 activities**

**Activity 5.** Procurement/purchasing of Emergency Rescue Squad (sub-grantee) COVID-19 Response Equipment; implement bid process on Lucas Three Chest Compression and Cardiac Monitor based on Town supplied specifications: Purchasing budget = \$50,000 (multiple items).

**Activity 8.** Procurement/purchasing of Peshtigo Food Pantry (sub-grantee) Covid-19 Response Resources and Supplies: Purchasing budget of \$65,000.

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## Evaluation and Selection

Final selection of the planning and grant administration provider will be based upon the maximum total points scored as set forth in the Rating System in **Exhibit IV**.

The Town of Peshtigo reserves the right to negotiate a contract with the services provider selected to perform the professional services required.

The Town of Peshtigo, Marinette County, Wisconsin reserves the right to reject any and all responses submitted.

The Town of Peshtigo, Marinette County, Wisconsin reserves right to determine how many scopes of work it chooses to do based on funds available for use within CDBG-CV grant.

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## EXHIBIT I

### State and Federal Regulatory Requirements for CDBG-Assisted Projects

#### REFER TO EXHIBIT II ATTACHMENTS FOR:

1. POTENTIAL CONFLICT OF INTEREST DISCLOSURE: [See Attached](#)
2. CONFLICT OF INTEREST CLAUSE:

STATE OF WISCONSIN CDBG IMPLEMENTATION HANDBOOK: ATTACHMENT 3-C:  
24 CFR 570.489(h) CONFLICT OF INTEREST CLAUSE  
Page 1 of 2

24 CFR 570.489(h) CONFLICT OF INTEREST CLAUSE  
FOR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAMS  
Code of Federal Regulations Title 24 570.489(h) Program  
administrative requirements

(h) Conflict of interest:

(1) Applicability. (i) In the procurement of supplies, equipment, construction, and services by the States, units of local general governments, and sub-recipients, the conflict of interest provisions in paragraph (g) of this section shall apply.

(ii) In all cases not governed by paragraph (g) of this section, this paragraph (h) shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance with CDBG funds by the unit of general local government or its sub-recipients, to individuals, businesses and other private entities.

(2) Conflicts prohibited. Except for eligible administrative or personnel costs, the general rule is that no persons described in paragraph (h)(3) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this subpart or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

(3) Persons covered. The conflict of interest provisions for paragraph (h)(2) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub-recipients which are receiving CDBG funds.

(4) Exceptions: Thresholds requirements. Upon written request by the State, an exception to the provisions of paragraph (h)(2) of this section involving an employee, agent, consultant, officer, or elected official or appointed official of the state may be granted by HUD on a case-by-case basis. In all other cases, the state may grant such an exception upon written request of the unit of general local government provided the state shall fully document its determination in compliance with all requirements of paragraph (h)(4) of this section including the state's position with respect to each factor at paragraph (h)(5) of this section and such documentation shall be available for review by the public and by HUD.

An exception may be granted after it is determined that such an exception will serve to further the purpose of the Act and the effective and efficient administration of the program or project of the state or unit of general local government as appropriate. An exception may be considered only after the state or unit of general local government, as appropriate, has provided the following:

(i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and

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### STATE OF WISCONSIN CDBG IMPLEMENTATION HANDBOOK: ATTACHMENT 3-C: 24 CFR 570.489(h) CONFLICT OF INTEREST CLAUSE

(ii) An opinion of the attorney for the state or the unit of general local government, as appropriate, that the interest for which the exception is sought would not violate state or local law.

(5) Factors to be considered for exceptions. In determining whether to grant a requested exception after the requirements of paragraph (h)(4) of this section have been satisfactorily met, the cumulative effect of the following factors, where applicable, shall be considered:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project which would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low or moderate income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (h)(3) of this section;
- (vi) Whether undue hardship will result either to the State or the unit of general local government or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

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GRANTEE/UGLG NAME: \_\_\_\_\_  
DEHCR GRANT AGREEMENT #: \_\_\_\_\_

## LOBBYING CERTIFICATION FROM THE

Municipality/UGLG:

Contractor/Sub-Contractor

Other: \_\_\_\_\_

The undersigned certifies, to the best of his/her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federal appropriated funds have been paid or will be paid to any person for 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 this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-contracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

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

\_\_\_\_\_  
*Name of Municipality/UGLG/Business/Firm*

\_\_\_\_\_  
*Signature of the Chief Elected Official, Owner, or Chief Executive Officer*

\_\_\_\_\_  
*Title*

\_\_\_\_\_  
*Date Signed*

\_\_\_\_\_  
*Printed Name of the Chief Elected Official, Owner, or Chief Executive Officer*

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### 3. DISCLOSURE OF LOBBYING ACTIVITIES *See Attached*

For professional services that will involve construction oversight for the CDBG project, refer to the attachments that are required for the construction contract and construction contractors listed in *Chapter 3: Procurement & Contracting* of the *CDBG Implementation Handbook*, e.g. Affirmative Action, Equal Opportunity, Minority Business Enterprise/Woman Business Enterprise (MBE/WBE), Federal Labor Standards Provisions, and Davis-Bacon and Related Acts (DBRA), and Section 3 and 6-B(2) Section 3 Contract Requirements for Project Awards post 11/30/2020. See Attachments 6-A, 6-C, 6-D, 7-B, 7-G, 7-I, 7-J, 7-R, 7-T, 9-K(2), 9-L, 9-M.

**THE CDBG ATTACHMENTS LISTED ABOVE ARE FROM THE CDBG IMPLEMENTATION HANDBOOK AND HANDBOOK CHAPTER ATTACHMENTS ON THE BUREAU OF COMMUNITY DEVELOPMENT WEBSITE AT:**

<https://doa.wi.gov/Pages/LocalGovtsGrants/CDBGImplementationHandbook.aspx>

**Also refer to [24 CFR 570](#).**

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## EXHIBIT II

### Minimum Qualifications

- A. The person(s)/firm(s) must have successfully provided CDBG Grant Administration services for at least 2-5 similar types of projects. The person/firm may not be selected if there have been any unresolved issues relative to the services provided.
- B. The principal responsible for coordination of the administration must have a minimum 1-5 years of experience with this specific type of work.
- C. The principal responsible for provided grant administration must have a minimum of 1-5 years of experience with the CDBG Program **or** other federal/state funded programs or projects.
- D. The person(s)/firm(s) must submit references as to their professional qualifications from a minimum of 2 previous clients for which the person(s)/firm(s) has/have performed work (include contact name, title, firm/organization/government name, email address, mailing address and telephone number).

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## EXHIBIT III

Selection Rating System will be applied to Scopes A, B, C, D for respective scoring of each.

- |   |                          |
|---|--------------------------|
| 1. Project Coordinator/Lead's Experience  | <u>Maximum 20 Points</u> |
| A. 3 or more years experience with CDBG or other federal/state programs   | 20 Points                |
| B. 2 years experience   | 15 Points                |
| C. 1 years experience   | 10 Points                |
| D. Less than 1 year experience  | 5 Points                 |
| E. No experience  | 0 Points                 |
| 2. Firm's Project Completion Background   | <u>Maximum 20 Points</u> |
| A. Completion of 3 or more previous, similar type projects within proposed time frame & budget                                | 20 Points                |
| B. Completion of 2 similar projects   | 15 Points                |
| C. Completion of 1 similar project  | 10 Points                |
| D. Working on 1 similar project; not completed  | 5 Points                 |
| E. No work on a similar project   | 0 Points                 |
| 3. References from Similar Projects   | <u>Maximum 20 Points</u> |
| A. Respondent lists 2 previous clients with similar projects and all references give excellent response on quality of service | 20 Points                |
| B. Respondent lists 1 previous clients  | 10 Points                |
| C. Respondent lists no previous references  | 0 Points                 |
| 4. Responsiveness to Specifications of Project/RFP  | <u>Maximum 20 Points</u> |
| A. Needs of project are fully addressed in Proposal   | 20 Points                |
| B. Needs of project are somewhat addressed in Proposal  | 10 Points                |
| C. Needs of project are not addressed/resolved in Proposal  | 0 Points                 |
| 5. Cost Effectiveness   | <u>Maximum 10 Points</u> |
| A. Budget/proposal includes 3 or more cost effectiveness Components   | 10 Points                |
| B. Budget/proposal includes 1-2 cost effectiveness components   | 5 Points                 |
| C. Budget/proposal does not include cost effectiveness components   | 0 Points                 |
| 6. Budget   | <u>Maximum 10 Points</u> |
| A. Budget within Town of Peshtigo's capacity as proposed  | 20 Points                |
| B. Budget slightly above Town of Peshtigo's capacity as proposed; potentially feasible with modest adjustment                 | 10 Points                |
| C. Budget not reasonably within Town of Peshtigo's capacity as proposed; would require extensive adjustment to be feasible    | 0 Points                 |

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- |   |                         |
|---|-------------------------|
| 7. Minority or Women Business Enterprise or Disadvantaged Business Enterprise firm* | <u>Maximum 5 Points</u> |
| A. Firm is MBE, WBE or DBE firm   | 5 Points                |
| B. Firm is not MBE, WBE or DBE firm   | 0 Points                |
| 8. Small Business Firm  | <u>Maximum 5 Points</u> |
| A. Firm is a small business   | 5 Points                |
| B. Firm is not a small business   | 0 Points                |

**MAXIMUM TOTAL POINTS: 110 POINTS**

**Note to Responders of RFP:**

***Proposal submittals are to be organized to address the submittal specifications listed in the RFP and the evaluation criteria listed above.***

*\*MBE/WBE/DBE Firms are Defined As Follows:*

Minority Business Enterprise (MBE) – Business with at least 51% ownership and control held by minority person(s).

Woman Business Enterprise (WBE) – Business with at least 51% ownership and control held by a woman or women.

Disadvantaged Business Enterprise (DBE) – Small business with at least 51% ownership and control held by person(s) classified as “disadvantaged” individual(s) according to the Wisconsin Department of Transportation standards

(<https://wisconsindot.gov/Documents/doing-bus/civil-rights/dbe/dbe-program-brochure.pdf>)

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## GRANT ADMINISTRATION SERVICES

*Provider Selection Certification will be applied to Scopes A, B, C, D for respective rating of each*  
**BY TOWN OF PESHTIGO**

Town of Peshtigo DCBG-CV PROJECT  
 Town of Peshtigo  
 Marinette County, Wisconsin

### TOTAL POINTS

| CRITERIA |  | POINTS AWARDED              |                             |                             |                             |
|----------|--|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
|          |  | [Proposer/<br>Firm<br>Name] | [Proposer/<br>Firm<br>Name] | [Proposer/<br>Firm<br>Name] | [Proposer/<br>Firm<br>Name] |
| 1.       | Project Coordinator's/Lead Person's Experience |                             |                             |                             |                             |
| 2.       | Firm's Project Completion Background           |                             |                             |                             |                             |
| 3.       | References from Similar Projects               |                             |                             |                             |                             |
| 4.       | Responsiveness to Project/RFP Specifications   |                             |                             |                             |                             |
| 5.       | Cost Effectiveness                             |                             |                             |                             |                             |
| 6.       | Budget   |                             |                             |                             |                             |
| 7.       | MBE/WBE/DBE Firm                               |                             |                             |                             |                             |
| 8.       | Small Business Firm                            |                             |                             |                             |                             |
|          | <b>TOTAL POINTS:</b>                           |                             |                             |                             |                             |

*Signed Upon Completion of Proposal Review and Selection:*

Certification: I hereby certify that the Town of Peshtigo, Marinette County, Wisconsin selection committee reviewed all proposals from eligible responders/submitters of proposals. The proposals were evaluated and ranked based on the information provided in the proposal documents and the criteria set forth above.

\_\_\_\_\_   
 Cindy Boyle – Town Chairwoman  
 Town of Peshtigo

Date \_\_\_\_\_

## SECTION 3 CONTRACT REQUIREMENTS [24 CFR 75]

(For Projects Awarded ON or AFTER November 30, 2020)

*Insertion of this document is required in all prime contracts and sub-contracts funded in whole or in part with U.S. Department of Housing and Urban Development (HUD) funds (including Community Development Block Grant (CDBG) projects) when the HUD/CDBG Award to the Grantee is greater than \$200,000 and the project includes construction activities.\**

### SECTION 3 TERMS OF CONTRACT

1. **Section 3 of the Housing and Urban Development Act of 1968:** The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3), [24 CFR 75](#). The purpose of Section 3 is to ensure that employment and other economic opportunities generated by the U.S. Department of Housing and Urban Development (HUD) assistance or HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
2. **Contractor Certification of Compliance:** The parties to this contract agree to comply with HUD's regulations in [24 CFR 75](#), which implement Section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the [24 CFR 75](#) regulations.
3. **Contract Language Requirement:** The contractor agrees to include this *Section 3 Contract Requirements* document in every sub-contract subject to compliance with regulations in [24 CFR 75](#), and agrees to take appropriate action, as provided in an applicable provision of the sub-contractor in this *Section 3 Contract Requirements* document, upon a finding that the sub-contractor is in violation of the regulations in [24 CFR 75](#). The contractor will not sub-contract with any sub-contractor where the contractor has notice or knowledge that the sub-contractor has been found in violation of the regulations in [24 CFR 75](#).
4. **Section 3 Definitions:** Definitions for key Section 3 terms per [24 CFR 75](#) are as follows:
  - Section 3 Worker:** An employee who *currently* fits (if hired *more than* 5 years before starting work on the project), or fit *at the time of hire* (if hired *within* 5 years of starting work on the project), *at least one* of the following categories:
    - (1) is employed by a Section 3 Business Concern; **or**
    - (2) is a low- or very low-income resident (i.e., a local person living within the Section 3 service area, with an *individual* annualized income at the time of hire (if hired within 5 years of starting work on the project), or currently as of the date of starting work on the project (if hired more than 5 years before starting work on the project) that was/is at or below the low-income (80%) threshold established by HUD for a Family of 1 for the county in which the person lives) [Note: The HUD income threshold must be from the [HUD Income Limits for the CDBG program](#) in effect at the time of hire (if hired within 5 years of starting work on the project), or currently in effect as of the date the worker started work on the project (if hired more than 5 years prior to starting work on the project)]; **or**
    - (3) is a [YouthBuild](#) participant.
  - Targeted Section 3 Worker:** A Section 3 Worker who:
    - (1) is employed by a Section 3 Business Concern, **or**
    - (2) currently fits (or when hired fit) *at least one* of the following categories as documented within the past 5 years:
      - (i.) lives/lived in the neighborhood or within the Section 3 service area of the project; **or**
      - (ii.) is a [YouthBuild](#) participant.
  - Section 3 Business Concern:** A business that fits *at least one* of the following categories:
    - (1) 51% or more owned by low- or very low-income persons; **or**
    - (2) 75% or more of the labor hours are performed by low- or very low-income persons; **or**
    - (3) 51% or more owned by current residents of public housing or Section 8-assisted housing.
  - Section 3 Service Area:** An area within one mile of the project's location (i.e., street address); **or** an area within a circle centered around the project site that encompasses 5,000 people [if less than 5,000 people live within a one mile radius of the project site].
7. **Contracting Requirements:** To the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, the Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to ensure contracts and sub-contracts for work awarded in connection with the project are awarded to business concerns that provide economic opportunities to Section 3 Workers; and where feasible in the following order of priority: (1) Section 3 Business Concerns that provide economic opportunities to Section 3 Workers residing within the metropolitan area (or nonmetropolitan county) in which the HUD funded assistance is provided/in which the HUD/CDBG funded project is occurring; and (2) [YouthBuild](#) programs.
8. **Employment and Training Requirements:** To the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, the Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to ensure employment and training opportunities generated in connection with the project are filled by Section 3 Workers; and where feasible, in the following order of priority: (1) low- and very low-income persons residing within the metropolitan area (or nonmetropolitan county) in which the HUD/CDBG assistance is expended (i.e., in which the HUD/CDBG funded project is occurring); and (2) participants in [YouthBuild](#) programs.

*\* This language is **required** to be included in prime contracts and sub-contracts for a project that are funded in whole or in part with HUD/CDBG funds, and the HUD/CDBG Award to the Grantee is greater than \$200,000, and the HUD/CDBG funds were awarded to the Grantee on 11/30/2020 or later, and the HUD/CDBG funded project includes construction activities (including new construction, rehabilitation, renovation, site demolition and/or clearance). HUD/CDBG funded projects awarded on or after 11/30/2020, for which the HUD/CDBG funded Award is \$200,000 or less and/or for which there are no construction activities in the scope of work (e.g., Planning-only, Public Services-only, Housing Counseling-only, Financial Assistance-only [such as housing or economic development loans], etc.) are not subject to the Section 3 requirements of [24 CFR 75](#). Insertion of this Section 3 Contract Requirements document is **required** for contracts funded in whole or in part with the HUD/CDBG funds and **strongly recommended** for ALL contracts, regardless of funding source for the specific contract, for a project that is subject to [24 CFR 75](#), to help avoid issues with compliance and reporting later in the project cycle in the event that the funding source for the contract changes. All sub-contractors of a prime contractor that is funded in whole or in part with HUD/CDBG funding are subject to the same Section 3 requirements as the prime contractor.*

## SECTION 3 CONTRACT REQUIREMENTS [24 CFR 75]

9. **Reporting Labor Hours:** The Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to report all worker (see **exception** below)\*\* labor hours on the project as follows: (1) the total number of labor hours worked on the project by each worker; (2) the total number of labor hours worked on the project by Section 3 Workers; and (3) the total number of labor hours worked on the project by Targeted Section 3 Workers. The labor hours reported shall include the total number of labor hours worked on the HUD/CDBG funded project by workers employed by the Grantee, their prime contractors and the sub-contractors of the project, during the reporting period specified by HUD and the State CDBG Program. The labor hours reported may be based on the employer's good faith assessment of the labor hours of a full-time or part-time employee informed by the employer's existing salary or time and attendance based payroll systems, unless the project or activity is otherwise subject to requirements specifying time and attendance reporting. [Note: Construction contractors required to maintain certified payroll records to meet federal labor standards requirements agree to report actual work hours as reported on the certified payroll records.]

**\*\*Exception** for positions that require an advanced degree, a professional license or a professional certification: Reporting of hours for positions requiring an advanced degree, a professional license or a professional certification is not required, but the hours may be reported to demonstrate Section 3 "best efforts". The Grantee, prime contractors and sub-contractors may report the labor hours by Section 3 Workers and Targeted Section 3 Workers without including labor hours from employees covered by the exception in the total number of labor hours worked. If the contract covers both work completed by employees covered by the exception and other work completed by employees not covered by the exception, then the labor hours for the other work by employees not covered by the exception must be reported.

10. **Section 3 Goals/"Safe Harbor" Benchmarks:** The Grantee *and* prime contractors and sub-contractors agree to strive to meet the "safe harbor" benchmarks (as established by the HUD Section 3 Final Rule ([24 CFR 75](#)), which established quantitative benchmarks and prioritized qualitative efforts for funding recipients to achieve to assist low- and very low-income persons with employment and training opportunities. The "safe harbor" benchmarks are to: (1) have 25% or more of all labor hours worked on the project be by Section 3 Workers; and (2) have 5% or more of all labor hours worked on the project be by Targeted Section 3 Workers. If the "safe harbor" benchmarks are not met over the course of the project, then the Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to provide evidence of completing qualitative efforts to assist low- and very low-income persons with employment and training opportunities. Supporting documentation of these completed efforts must also be maintained in the Grantee's and contractors' project files, to be made available upon request for monitoring purposes.
11. **Demonstrating Best Efforts:** When the Section 3 benchmarks are not met, the Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to demonstrate and report qualitative efforts made in an attempt to meet the benchmarks, which may include but are not limited to the following:
- (1) Engage in outreach efforts to generate job applicants who are Targeted Section 3 Workers.
  - (2) Provide training or apprenticeship opportunities.
  - (3) Provide technical assistance to help Section 3 Workers compete for jobs (e.g., resume assistance, coaching, etc.).
  - (4) Provide or connect Section 3 Workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services.
  - (5) Hold one or more job fairs.
  - (6) Provide or refer Section 3 Workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, child care, etc.).
  - (7) Provide assistance to Section 3 Workers to apply for and/or attend community college, a four-year educational institution, or vocational/technical training.
  - (8) Assist Section 3 Workers to obtain financial literacy training and/or coaching.
  - (9) Engage in outreach efforts to identify and secure bids from Section 3 Business Concerns.
  - (10) Provide technical assistance to help Section 3 Business Concerns understand and bid on contracts.
  - (11) Divide contracts into smaller jobs to facilitate participation by Section 3 Business Concerns.
  - (12) Provide bonding assistance, guaranties, or other efforts to support viable bids from Section 3 Business Concerns.
  - (13) Promote use of business registries designed to create opportunities for disadvantaged and small businesses.
  - (14) Conduct outreach, engagement, or referrals with the [State one-stop Supplier Diversity Program system](#) as defined in [Section 121\(e\)\(2\) of the Workforce Innovation and Opportunity Act](#).
12. **Recordkeeping & Reporting:** The Grantee *and* prime contractors and sub-contractors for the HUD/CDBG funded project agree to maintain all records demonstrating compliance with [24 CFR 75](#), including contracting information and documents, Section 3 Business Concern Certification forms, employee income certifications (for Section 3 Worker and Targeted Section 3 Worker status determinations), and worker labor hours; *and* provide data and reporting documents as requested and required by the State CDBG Program and/or HUD. Grantee and contractor records may be monitored for compliance by the State CDBG Program and/or HUD.
13. **Non-Compliance:** Non-compliance with HUD's regulations in [24 CFR 75](#) may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
14. **Indian Housing Assistance Project Specifications:** For work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the [Indian Self-Determination and Education Assistance Act \(25 U.S.C. 46\)](#) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible: (i) preference and opportunities for training and employment shall be given to Indians; and (ii) preference in the award of contracts and sub-contracts shall be given to Indian organizations and Indian-Owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with section 7(b).

**SECTION 3 DOCUMENTATION & RECORDKEEPING SUMMARY***(For Grant Awards post-11/30/2020)*

Grantees and Contractors for projects subject to the Section 3 requirements of [24 CFR 75](#) are subject to the Section 3 documentation and recordkeeping requirements, as summarized below. The "Employer" refers to a Grantee or Contractor. The "Grantee" refers to the direct recipient of the HUD/CDBG award and their grant subrecipient(s) (i.e., the organization(s) on which behalf the Grantee submitted the grant application), if applicable; and "Contractors" refer to prime contractors and sub-contractors (all tiers) for construction and/or non-construction activities and/or services.

- 1) **Section 3 Requirements [24 CFR 75] contract language insertion (Attachment 6-B(2)):** If the project is subject to the Section 3 requirements of [24 CFR 75](#), then this must be included in all prime contracts and subcontracts funded in whole or in part with HUD/CDBG funds. When HUD/CDBG funding will cover the costs (in whole or in part) for a prime contractor's work, then all subcontracts of that prime contract are also considered to be funded (in whole or in part) with the HUD/CDBG funds and therefore subject to the same Section 3 requirements as the prime contractor.
- 2) **Section 3 Employee Income Certification forms (Attachment 9-K(2)):** Employers (i.e., the Grantee and all Contractors) must provide this form (after entering the employee name, address, hire date, and applicable income threshold on page 1) to all employees\*\* working on the project to complete upon their starting work on the project. The employer must complete page 2 of the form after the employee completes page 1 (or goes on record as refusing to complete it). While it is optional for the employee to complete, the employer must encourage employee completion to demonstrate "best efforts" for Section 3 compliance.
- 3) **Labor Hours Tracking:** The labor hours worked by all employees\*\* who work on the HUD/CDBG funded project must be tracked and reported semi-annually on the Contractor's *Section 3 Contractor Report (Attachment 9-M)* or similar document and on the Grantee's *CDBG Project Data Report (Attachment 9-C)*.

**\*\*Exception:** An exception is allowed for employees in positions requiring an advanced degree, a professional license or a professional certification. It is optional (not required) for the employer to ask these employees to complete the Section 3 Employee Income Certification form and to track their hours. If the employee may qualify as a Section 3 Worker, then it is beneficial to have the employee complete the form and to track their hours to help the employer meet the Section 3 "safe harbor" benchmarks.

- 4) **Section 3 Business Concern Certification forms (Attachment 9-L):** All Contractors must be provided this form to complete; and all Contractors that qualify as a Section 3 Business Concern must complete this form; and the Grantee must maintain them (along with the *Section 3 Employee Income Certification* forms collected from the Contractor) in the project file.
- 5) **Section 3 Contractor Report (Attachment 9-M):** All Contractors must complete this form or a similar type of reporting form with the same information each semi-annual reporting period in which they worked on the project (the semi-annual reporting periods are April 1 – September 30, and October 1 – March 31 each year); and the Grantee must maintain them in the project file.
- 6) **CDBG Project Data Report (Attachment 9-C):** The Grantee must complete this form, reporting all Section 3 data from the Grantee and Contractors (data from the Attachment 9-K(2), 9-L, and 9-M forms); and submit it to DEHCR by the due dates specified in the Grant Agreement – Attachment A – Time Table, and in Chapter 9: Reporting of the [CDBG Implementation Handbook](#).
- 7) **Achieving Section 3 Goals/"Safe Harbor" Benchmarks:** Grantees and Contractors must strive to meet the HUD Section 3 "safe harbor" benchmarks for assisting low- and very low-income persons with employment and training opportunities, which are to:
  - have 25% or more of all labor hours worked on the project be by Section 3 Workers; and
  - have 5% or more of all labor hours worked on the project be by Targeted Section 3 Workers.

To accomplish this, Grantees *and* Contractors must, to the greatest extent feasible, award contracts to Section 3 Business Concerns and [YouthBuild](#) programs; and fill employment and training opportunities generated in connection with the project with low- and very low-income persons (i.e., Section 3 Workers and Targeted Section 3 Workers).

- 8) **"Best Efforts" Reporting:** If the "safe harbor" benchmarks are not met over the course of the project, then the Grantee *and* Contractors for the project must provide evidence of completing qualitative "best efforts" to assist low- and very low-income persons with employment and training opportunities. "Best efforts" examples are listed on page 2 of this *Section 3 Requirements [24 CFR 75]* document (**Attachment 6-B(2)**), the *CDBG Project Data Report (Attachment 9-C)*, and the *Section 3 Contractor Data Report (Attachment 9-M)*. Efforts must be reported by the Grantee on the *CDBG Project Data Report (Attachment 9-C)*; and reported by the Contractor on the *Section 3 Contractor Data Report (Attachment 9-M)* or similar document with the same information.

NOTE: The "Attachment" documents listed in this document refer to "attachments" that appear within Chapter 6 and Chapter 9 of the [CDBG Implementation Handbook](#) and that are linked under the "Chapter Attachments/Fillable Forms" section of the [CDBG Implementation Handbook website](#).