

HOUSING AUTHORITY OF THE CITY OF LIVE OAK



**REQUEST FOR BID
FOR
ACOP UPDATE/REWRITE
2024-01**

April 2, 2024

REQUEST FOR BID FOR ACOP UPDATE/REWRITE

PART I **PROCUREMENT INFORMATION**

The Housing Authority of The City of Live Oak's ACOP Committee will accept bids from licensed and insured consulting firm to update/rewrite our ACOP.

Interested consulting firms shall submit one (1) original signature copy (marked "ORIGINAL") with two (2) exact copies with your bid submission. Bids should be marked "ACOP" and must be submitted to the following address no later than 4:00 PM on April 25, 2024.

Live Oak Housing Authority
Attn: Nathaniel Smith, Executive Director
406 Webb Drive NE
Live Oak, FL 32064
administration@liveoakha.org

All bids shall be time and date stamped upon receipt. Late bids will not be accepted. All bids received will become a part of The Housing Authority of The City of Live Oak's official files without any obligation on The Housing Authority of The City of Live Oak's part to return submitted material.

The Bidder will provide all commercial equipment and supplies that are necessary to perform normal lawn care maintenance services on the above-mentioned properties.

Bidder may request a copy of The Housing Authority of The City of Live Oak's current ACOP to review before submitting a bid.

All BIDS received in accordance with the Request for BID will be reviewed and evaluated by the Housing Authority. Bidders will then be ranked based on their evaluation of the best-qualified, experienced, bid price and responsive Bidder.

Live Oak Housing Authority reserves the right to reject any or all Bids and to select the Bidder which, in its judgement, best meets the needs of Live Oak Housing Authority.

BACKGROUND

Live Oak Housing Authority (LOHA) has 104 low rent units, 2 playgrounds, ½ acre vacant land, and approximately 1 acre pond with grass area surrounding it.

PART II
OBJECTIVES

The Live Oak Housing Authority requires that the consulting firm review the current Public Housing Admissions and Continued Occupancy Plan (ACOP). Interview management staff on the daily operations of the housing authority. Updated the current ACOP utilizing Nan McKay’s model plan and template.

PART III
BID QUOTE

DESCRIPTION	
	Review the current Public Housing Admissions and Continued Occupancy Plan (ACOP).
	Update the current ACOP utilizing Nan McKay’s model plan and template.
	Interview management staff to ensure that the plan meet HUD current language, requirements, and any discretionary areas.
	Webinar fees/# hours required (if applicable)
	Total Amount Quoted \$

1. What is the estimated time of completion? _____
2. What is the estimated start date of interviewing staff? _____
3. Affirm that your business is properly licensed for operation in the City of Live Oak, Florida. (if applicable)
4. Provide evidence that your company is properly licensed in the State of Florida
5. Provide evidence of professional insurance policies carried.
 - An original certificate evidencing General Liability coverage, name the HA as an additional insured, together with the appropriate endorsement to said policy (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$1,000,000, together with damage to premises and fire damage of \$50,000 and medical expenses any one person of \$5,000), with a deductible of not greater than \$1,000.
6. Client Reference: List the names, addresses, and phone numbers of client references.

In the case of any discrepancy between the “Total Amount Quoted” and the recalculated sum of adding each of the individual quote amounts entered (e.g. the quoter makes a mistake in adding the amount to arrive at a Total Amount Quoted), The Housing Authority of the City of Live Oak reserves the right to choose either the new calculated sum or the original Total Amount Quoted submitted, either as may be in the favor of The Housing Authority of the City of Live Oak.

PART IV
OTHER INFORMATION

Respondent should also include the following in its submission:

CERTIFICATIONS/ACKNOWLEDGEMENT

- Submit a completed DBE/MBE/WBE Certification (ATTACHMENT A).
- Submit a completed Section 3 Business Certification (ATTACHMENT B).
- Submit a completed Certification of Respondent Regarding Debarment, Suspension and Other Responsibility Matters (ATTACHMENT C)
- Submit a completed Non-Collusive Affidavit (ATTACHMENT D).
- Submit a completed Sworn Statement Under Section 287.133(3)(A), Florida Statutes, On Public Entity Crimes (ATTACHMENT E).
- Submit a completed Certification Regarding Lobbying (ATTACHMENT F).
- Submit a completed Conflicts Certification (ATTACHMENT G).
- Submit a completed ACKNOWLEDGEMENT OF RECEIPT OF HUD FORMS (See Attachment):
 1. FORM HUD-5369, Instructions to Bidders for Contracts Public and Indian Housing Programs (Attached).
 2. Submit a completed FORM HUD-5370-C, General Contract Conditions, Non-Construction Contract (Attached).

PART V
SELECTION PROCESS

All bids received in accordance with the Request for Bid will be reviewed and evaluated by the Housing Authority's review panel. After the top ranked bid is determined, the panel will then present the most advantageous bid to the Board of Commissioners for review and approval. The company that is selected will be notified at the earliest feasible date.

The Housing Authority of The City of Live Oak reserves the right to waive any minor informality in any bid when these actions appear to be in the Housing Authority's best interest, cancel the RFB, reject any or all bids, make an award based solely on the bids, or to negotiate further with one or more bidders. The Housing Authority also reserves the right to reject the bid of any company who has previously failed to perform satisfactorily, or has failed to complete on time, a contract or contracts of a similar nature. The Housing Authority also reserves the right to select the bid designed to deliver the most favorable overall impact upon the agency and the right

to ask questions of the company, interview company, or negotiate the services and price before awarding the contract.

The award will be made without regard to race, color, religion, gender, age, mental or physical disability (or history thereof), marital or family status, beliefs, and national origin. All who submit a bid will be notified of the selected company at the earliest feasible date. The selection of a company to conduct the lawn service will be made based on qualifications, experience and price. Interested parties may contact Nathaniel Smith, Executive Director regarding questions about this bid via email at administration@liveoakha.org.

POINT VALUES FOR EVALUATION CRITERIA

CRITERIA	MAXIMUM POINTS
Experience with HUD current language and requirement for small PHAs	10
Professional qualifications and evidence of the bidder’s ability to perform the work, as indicated in RFB.	10
Organization, size and structure of the company	5
Capability to provide professional services in a timely manner.	25
Cost	50
TOTAL	100

TENTATIVE SCHEDULE FOR SELECTION AND AWARD

1. Public Advertisement: April 2, 2024
2. Release of RFB
3. Responses due: April 25, 2024
4. Proposals and statements of qualifications reviewed by The Housing Authority of The City of Live Oak’s Audit Committee. If requested oral presentation will be scheduled by The Housing Authority of The City of Live Oak’s ACOP Committee.
5. The Housing Authority of The City of Live Oak’s Board of Commissioners will select the firm at a special meeting TBD.

ATTACHMENTS

ATTACHMENT A

Use of Disadvantaged Business Enterprises (DBEs), Minority Business Enterprises (MBEs), and Women's Business Enterprises (WBEs) and Section 3 Requirements

A. REQUIRED EFFORTS

1. Consistent with Presidential Executive Order 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, the Authority shall make efforts to ensure that small and minority-owned businesses, women's business enterprises, disadvantaged business enterprises, labor surplus area businesses, and individuals or firms located in or owned in substantial part by persons residing in the area of an Authority project are used when possible. Such efforts shall include, but shall not be limited to:
 - a. Including such firms, when qualified, on solicitation mailing lists;
 - b. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
 - d. Establishing delivery schedules, where possible, which encourage participation by such firms;
 - e. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
 - f. Including in contracts a clause requiring contractors, to the greatest extent feasible, to provide opportunities for training and employment generated from the expenditure of Section 3 covered funds to Section 3 residents in the order of priority prescribed in 24 CFR 135.34(a), and to award Section 3 covered subcontracts to Section 3 business concerns in the order of priority set forth in 24 CFR135.36(a), requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed herein.
2. Goals may be established periodically by the Authority for participation by small businesses, minority-owned businesses, women's business enterprises, disadvantaged business enterprises, labor surplus area businesses, and business concerns which are located in, or owned in substantial part by persons residing in the area of an Authority project, in the Authority's prime contracts and subcontracting opportunities

B. DEFINITIONS

1. A small business concern is defined as a business which is independently owned and operated, not dominant in the field of operation in which it is bidding on government contracts, and qualified as a small business under the criteria and size standards in 13 CFR Part 121.

2. A minority-owned business is defined as a business which is at least 51% owned by one (1) or more minority group members; or, in the case of a publicly-owned business, one (1) in which at least 51% of its voting stock is owned by one (1) or more minority group members, and whose management and daily business operations are controlled by one (1) or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, and Hasidic Jewish Americans.
3. A women's business enterprise is defined as a business that's at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.
4. A labor surplus area business is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the U. S. Department of Labor in 20 CFR 654, Subpart A, and in lists of labor surplus areas published by the Employment and Training Administration.
5. A Section 3 Business concern is defined as one (a) that is 51% or more owned by Section 3 Residents; or (b) whose permanent, full-time employees include persons, at least 30% of whom are currently Section 3 Residents, or within three (3) years of the date of first employment with the business concern were Section 3 Residents; or (c) that provides evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "Section 3 business concern."
6. A Disadvantaged Business Enterprise is a small business concern that is certified as being (a) at least 51 percent owned by one (1) or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one (1) or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one (1) or more of the socially and economically disadvantaged individuals who own it. "Socially and Economically Disadvantaged individuals" means those individuals who are citizens or lawfully admitted permanent residents of the United States and who are minorities or individuals found by the Small Business Administration pursuant to Section 8(a) of the Small Business Act to be disadvantaged.

C. SECTION 3 REQUIREMENTS

1. Section 3 Purpose - Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) (Section 3) requires the Authority to ensure that employment and other economic and business opportunities generated by HUD financial assistance, to the greatest extent feasible, are directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low- and very-low income persons.

2. Section 3 Contracting Policy and Procedure - All contractors/businesses seeking Section 3 preference must complete certifications, as appropriate, as acknowledgement of the Section 3 contracting and employment provisions required by this section. Such certifications shall be adequately supported with appropriate documentation as referenced in the form.
3. Resident Hiring Requirements - The Authority has adopted the following threshold for resident hiring that is to be used on all construction contracts, service contracts and professional service contracts that contain a labor component. It is expected that an appropriate number of Section 3 persons with particular qualifications or a willingness to begin unskilled labor will be able to participate in the Authority's contracted labor efforts. A prime contractor may satisfy the Authority's resident hiring requirements through its own work force, its subcontractors, or any combination thereof.

CONTRACT THRESHOLD AMOUNT FOR CONSTRUCTION OR SERVICE CONTRACTS	SECTION 3 INVOLVEMENT AS A % OF TOTAL LABOR DOLLARS
\$25,000 or more	5% of the labor dollars

4. It is expected that an appropriate number of Section 3 persons with particular qualifications or willingness to begin unskilled labor will be able to participate in contracted labor efforts. If that does not occur, a prime contractor, on its own or through its subcontractor(s), may satisfy the Section 3 requirement set forth above by doing the following:
 - a. Subcontracting or joint venturing with a resident owned business. The business must be 51% or more owned by public housing residents, or subcontract/joint venture with a business that employs full-time, 30% or more public housing residents, or low and very-income individuals within the City of Pompano Beach or other qualified low income persons, or
 - b. Direct hiring of public housing residents and/or low and very low-income neighborhood residents, or
 - c. Incurring the cost of providing skilled training for public housing residents in an amount commensurate with 5% of the total contract amount, or

DBE/MBE/WBE CERTIFICATION

I, _____, hereby certify that said bidder/offeror has fully understood the Housing Authority of The City of Live Oak’s program requirements and certifies that bidder/offeror has/has not (circle one), in good faith-faith, performed outreach to DBEs, MBEs, and WBEs as described in the Bid/RFP documents.

The Bidder/Offeror also certifies that upon the Authority’s request, bidder/offeror shall provide all information, documents, records, and proofs verifying its DBE/MBE/WBE requirement.

Date: _____

Signature of Key Principal of Respondent

ATTACHMENT B

SECTION 3 BUSINESS CERTIFICATION

I, (print name and title) _____ hereby certify

that the business entity known as _____

(please check one) **satisfies** _____ **does not satisfy** _____ one or more of the definitions of a Section 3 Business Concern:

If you are a Section 3 Business Concern, please select the basis of your certification:

____ Status as a Section 3 resident-owned enterprise (at least 51% owned by Section 3 residents);

____ At least 30% of permanent, full-time employees are currently Section 3 Residents or were Section 3 residents within the past 3 years;

____ Commitment to subcontract 25% of the dollar awarded to qualified Section 3 business (only applicable to prime contractors)

I hereby certify that the information provided here is true and correct and understand that any falsification of any information provided could subject me to disqualification and punishment under the law.

Authorized Name and Signature

Date

Witness Name and Signature

Date

ATTACHMENT C

**CERTIFICATION OF RESPONDENT REGARDING DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS**

I, _____, hereby certify on behalf of _____ and its
(insert name of Respondent)

key principals that we:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by a Federal, State or Local department or agency; and
2. Have not, within a three (3) year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and
3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in Paragraph (2) of this certification; and
4. Have not within a three (3) year period preceding this bid, had one or more public transactions (Federal, State or Local) terminated for cause of default.

Signature of Key Principal of Respondent

ATTACHMENT D

NON-COLLUSIVE AFFIDAVIT

State of _____
County of _____

_____, being first duly sworn, deposes and states:

That he/she is _____
(a partner or officer of the firm, etc.)

The party making the foregoing proposal, that such proposal is genuine and not collusive or sham, that said Respondent has not colluded, conspired, connived or agreed, directly or indirectly, with any person, to put in a sham proposal or to refrain from proposing and has not in any manner directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the proposed price of affiance or any other Respondent, to fix any overhead, profit or cost element of said proposed price, or that of any other Respondent, or to secure any advantage against the:

The Housing Authority of The City of Live Oak

or, any person interested in the proposed contract, and that all statements in said proposal are true.

Signature _____
(Respondent, if Respondent is an individual)
Partner, if the Respondent is a partnership
Officer, if Respondent is a corporation

ATTACHMENT E
SWORN STATEMENT UNDER SECTION 287.133(3)(a), FLORIDA STATUTES, ON
PUBLIC ENTITY CRIMES

THIS FORM MUST BE SIGNED IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted to _____ (print name of the public entity) by _____ (print individual's name and title) for _____ (print name of entity submitting sworn statement) whose business address is _____

_____ and (if applicable) its Federal Employer Identification Number (FEIN) is _____ (If the entity has no FEIN, include the Social Security Number of the individual signing this sworn statement: _____.)

2. I understand that a "public entity crime" as defined in Paragraph 287. 133(1)(g), Florida Statutes, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, inducing but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" as defined in Paragraph 287.133(1)(b) Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" as defined in Paragraph 287. 133(1)(a), Florida Statutes, means:

- A. A predecessor or successor of a person convicted of a public entity crime; or
- B. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Paragraph 287. 133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors,

executives, partners, shareholders, employees, members, and agents who are active in the management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. (Indicate which statement applies.)

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity nor any affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. (Please indicate which additional statement applies.)

_____ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. (Please attach a copy of the final order.)

_____ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. (Please attach a copy of the final order.)

_____ The person or affiliate has not been placed on the convicted vendor list. (Please describe any action taken by or pending with the Department of General Services)

(Signature)

Date

STATE OF _____
COUNTY OF _____

PERSONALLY APPEARED BEFORE ME, the undersigned authority,
_____ who, after being sworn by me, affixed his/her
signature in the space above on this _____ day of _____, 2024.

Sworn to and subscribed before me this _____ day of _____, 2024.
Personally known _____ OR Produced identification _____
(type of identification)

(Signature of Notary Public)

(seal)

My commission expires _____

ATTACHMENT F

CERTIFICATION REGARDING LOBBYING

I, _____, hereby certify on behalf of

_____ (insert name of Respondent) and its key principals that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, or 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 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 and submit 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 subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclosure 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.

Signature of Key Principal of Respondent

ATTACHMENT G

CONFLICTS CERTIFICATION

I, _____, hereby certify on behalf of

_____ and its key principals that:
(insert name of Respondent)

- (i) No actual or apparent conflict of interest exists with regard to The Housing Authority of The City of Live Oak,
- (ii) No actual or apparent conflict exists with regard to Respondent's or its key principal's possible performance under this Request for Proposal, and
- (iii) No actual or potential claim exists against The Housing Authority of The City of Live Oak.

Signature of Key Principal of Respondent

ACKNOWLEDGEMENT OF RECEIPT OF HUD FORMS

Respondent hereby acknowledges receipt of the following:

1. HUD-5369, Instructions to Bidders for Contracts Public and Indian Housing Programs
2. HUD-5370-C, General Conditions for Non-Construction Contracts

Date: _____

Signature of Key Principal of Respondent