Request for Proposals
Consulting Services for the Preparation of the U.S. Department of Housing and Urban Development (HUD) 2023-2027 Community Development Block Grant Consolidated Plan, 2023 Annual Action Plan, and Analysis of Impediments to Fair Housing Choice

Background
Rapid City’s Community Enrichment Division, a division of the Community Development Department, is seeking a qualified consultant to prepare the City’s five-year Community Development Block Grant (CDBG) Consolidated Plan for 2023-2027, 2023 Annual Action Plan, and update the City’s Analysis of Impediments to Fair Housing Choice.

Proposed Project
The City of Rapid City (“the City”) is soliciting proposal from consulting services and individuals or firms with expertise and understanding of the U.S. Department of Housing and Urban Development (HUD) regulations as it relates to the Community Development Block Grant entitlement program for the development of a five-year Consolidated Plan, Annual Action Plan, and to update the City’s Analysis of Impediments to Fair Housing Choice. The City is an entitlement jurisdiction and receives an annual CDBG allocation directly from HUD. Rapid City’s CDBG program year is April 1 – March 31. The current Consolidated Plan is in effect through March 31, 2023.
Contact

The lead contact for this RFP is:

Michelle Schuelke
Community Enrichment Division Manager
City of Rapid City
Michelle.Schuelke@rcgov.org
(605) 394-4181

Inquiries

Responders may submit written inquiries via email to Michelle.Schuelke@rcgov.org on or before 4pm Mountain Time, on April 13, 2022. The responder may also submit written inquiries via mail to:

Attn: Michelle Schuelke
City of Rapid City
Community Enrichment Division
300 6th Street Rapid City, SD 57701

Telephone inquiries will not be entertained.

Scope of Services

CDBG Consolidated Plan and Annual Action Plan Scope of Work

The Consultant shall obtain factual information to assist with the preparation of the Consolidated Plan and Annual Action Plan including a review of the current HUD regulations and guidance, particularly changes made since 2018. The specific requirement for the Consolidated Plan can be found in the Code of Federal Regulations 24 CFR 91.

Consultant should follow guidance provided at:

Consolidated Plan requirements at [HUD CPD Notice 12-009](https://www.huduser.gov/portal/notice-12-009.html) and [Consolidated Plan Guides, Tools, and Training](https://www.huduser.gov/portal/notice-12-009.html).

The Consultant shall integrate meaningful public participation and consultation into the scope of the project to include outreach to the following:

- Low- and moderate-income persons
Residents of slum and blighted areas, predominantly low- and moderate-income neighborhoods

- Minorities
- Non-English-speaking persons
- Persons with disabilities
- Persons experiencing homelessness
- Public housing residents
- Local and regional institutions including the Continuum of Care (CoC), businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith-based organizations, the Rapid City School district, Pennington County Housing and Redevelopment Commission, and other City departments

At a minimum, the public participation and consultation process shall include: one (1) resident survey, attendance at two (2) pre-established neighborhood meetings, two (2) interviews and/or focus groups, one (1) public comment hearing of the plans, and two (2) final presentations at pre-established public hearings.

Consultant shall integrate consultation efforts administered directly by the Community Enrichment division staff. Consultant shall compile, analyze, and address any public comments received.

Consolidated Plan and Annual Action Plan Components

The Consultant will provide the City with five (5) copies of each plan, and an electronic copy, in word processing format (Microsoft® Word) and as a Portable Document Format (Adobe® .pdf), of the draft plans prior to the completion of the final plans. The Consultant will provide five (5) copies, and an electronic copy, in word processing format (Microsoft® Word) and as Portable Document Format (Adobe® .pdf), of the final plans to the City.

The plans shall be visually appealing and must include the prescribed sections within the Consolidated Plan and Annual Action Plan templates in IDIS regulatory requirements, including but not limited to:
• Executive Summary
• Consultation
• Participation
• Needs Assessment
• Market Analysis
• Strategic Plan (Consolidated Plan)
• Anti-Poverty Strategy (Consolidated Plan)
• Lead Based Paint Hazards
• Priority Needs
• Five-Year Goals (Consolidated Plan) and One-Year Goals (Annual Action Plan)
• Barriers to Affordable Housing
• Identified Projects
• Program Specific Requirements
• Affirmatively Furthering Fair Housing shall be incorporated into the Consolidated Plan. Consultant should refer to the Con Plan Guide Incorporating the AFH into the Consolidated Plan for CPD Grantees released February 2018 into the plan.
• Resiliency to natural hazards including the vulnerability of housing occupied by low- and moderate-income households to natural hazard risk shall be incorporated into the Consolidated Plan.
• Consideration of Broadband needs including the availability of Broadband access shall be incorporated into the Consolidated Plan.
• All other required components of the plans Note: Final HUD CDBG allocations may not be available at the time of the preparation of the plans. Consultant shall use estimated allocation figures provided by the Community Enrichment Division.

IDIS Scope of Work

Once final approval of the Consolidated Plan and Annual Action Plan is secured by City Council, consultant shall enter the plans into IDIS. Expected resources section may be omitted if the final CDBG allocation figure is not yet released by HUD.

Approval by HUD Scope of Work
The Consultant shall provide additional information/responses as needed for the Consolidated Plan and Annual Action Plan and make any corrections or alterations as required by HUD in accordance with the City’s Resident Participation Plan until the Consolidated Plan and Annual Action Plan is approved by HUD.

**Analysis of Impediments to Fair Housing Choice Report (AI) Scope of Work**

The Consultant will provide the City with five (5) copies, and an electronic copy, in word processing format (Microsoft® Word) and as a Portable Document Format (Adobe® .pdf), of the draft report prior to the completion of the final report. The Consultant will provide five (5) copies, and an electronic copy, in word processing format (Microsoft® Word) and as Portable Document Format (Adobe® .pdf), of the final report to the City.

The Consultant will review the current AI and updated the City’s AI in accordance with regulatory requirements. The consultant will be charged with working with City departments including the Community Development Department, Human Resources, and the Attorney’s Office. The consultant shall make two (2) final presentations at pre-established public hearings.

The Civil Rights Act of 1968, Title VIII, commonly known as the Fair Housing Act of 1968 (42 U.S.C. 3601) states that it is the policy of the United States to provide fair housing throughout the country. This Act prohibits discrimination in the sale or renting of housing, the financing of housing, or in the provision of brokerage services, including or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, disability, or familial status. The CDBG is a program of the U.S. Department of Housing and Urban Development (HUD) and as such must undertake actions in keeping with the obligation to ‘affirmatively further fair housing’ (AFFH). AFFH is a legal requirement that federal grantees further the purposes of the Fair Housing Act. An Analysis of Impediment to Fair Housing Choice is one component in ensuring AFFH obligations are met. The proposed AFFH rule¹ includes an updated approach that sets out four fair housing goals for all communities to ensure greater opportunities:
1. Reduce segregation and build on the nation’s increasing racial, geographic, and economic diversity;
2. Eliminate racially and ethnically concentrated areas of poverty;
3. Reduce disparities in access to important community assets such as quality schools, job centers, and transit;
4. Narrow gaps that leave families with children, people with disabilities, and people of different races, colors, and national origins with more severe housing problems, aka., disproportionate housing needs.

The Consultant will undertake tasks with the guidance provided in “A New Assessment Process to Affirmatively Further Fair Housing,” the “Fair Housing Planning Guide,” and “Rapid City’s Community Development Block Grant Program Resident Participation Plan.”

The Analysis of Impediments to Fair Housing Choice report will have the following components:

i. Executive Summary

ii. Introduction
   a. Fair Housing Complaint contact information
   b. Definition of Fair Housing and the purpose of the report
   c. Methodology and public participation process
   d. Socio-demographic profile of the City
   e. Housing profile and overview of housing characteristics of the City

iii. Assessment of Past Goals and Actions

iv. Analysis
   a. Status of neighborhood segregation and integration, including AFFH Data Map or equivalent
   b. Prevalence of racially/ethnically concentrated areas of poverty
   c. Disparities of neighborhoods in accessing community assets by protected classes
   d. Disproportionate housing needs across protected classes
   e. Existing regulations, procedures, policies, and trends affecting fair housing choice including a discussion of:
      i. Lending practices and differential origination and denial rates
ii. Foreclosure and eviction data as represented by % race, % ethnicity, and neighborhood

iii. Public housing policies and practices and the impacts on fair housing choice

iv. Trends and patterns associated with discriminatory housing practices including advertising and denial or discouragement from inspections, sales, or rentals of units

v. Public policies and practices that shape the ability of individuals and households to obtain housing

vi. Barriers to developing housing for protected classes including evaluation of zoning and land-use policies

vii. Barriers to rehabilitating housing for protected classes including code and permitting requirements

viii. Transit access to housing types and prices consistent with the needs of protected classes

ix. Compliance with Section 504, Reasonable Accommodations, Reasonable Modifications, ADA, and other regulatory requirements

x. Other trends and patterns

f. Fair Housing Profile
   i. Analysis of fair housing programs, activities, and resources

v. Key Findings and Recommendations
   Summary of the leading fair housing challenges and opportunities in the community with prioritized goals and implementation strategies for progress. Key personnel, departments, or organization recommendations should be included.

vi. Supporting Documentation
   All plans, calculations, maps, digital files, reports, survey results, correspondence, meeting minutes and agendas, and related data generated for the report must be provided. Newspaper affidavits documenting public notice publications must be included.

This Scope of Services is subdivided into separate tasks that outline the basic requirements of the report. Unless otherwise noted, the Consultant is expected to
fulfill each of the defined tasks and provide written documentation in the form of memorandums. The tasks to complete the report include:

Public Involvement

The Consultant will develop a public involvement strategy for the study and planning process consistent with “Rapid City’s Community Development Block Grant Program Resident Participation Plan” and will be conducted to include protected classes, the elderly, minorities, low-income individuals, persons with limited English proficiency, and other groups traditionally under-represented. Strategies to solicit input from housing agencies, lenders, and real estate professionals must be outlined. There will be a minimum of two (2) public meetings during the project period at which the Consultant will be the lead to gather public input. Due to the Coronavirus Pandemic, public meetings gathering community input may be conducted virtually as long as under-represented outreach is conducted and documented. These meetings are expected at the following intervals:

- Two public meetings to gather community input and public comments
- Final report presentation with recommendations presented at two (2) pre-established public forums.

The Consultant shall provide additional information/responses as needed for the AI and make any corrections or alterations as required by HUD in accordance with the City’s Resident Participation Plan until the AI is approved by HUD.

City Responsibilities

The City will assist in arranging meetings, provide geographic information, regional plans, studies, technical resources, and ordinances as needed.

The City will assist in promoting public participation through the use of the City’s website, social media, and other avenues as deemed appropriate.

The City will develop and publish public notices in two local newspapers and distribute the public notices via email broadcasts in accordance with the City’s Resident Participation Plan. Publication costs will be paid by the City.
The City will participate in community meetings and consultations beyond the ones required of the Consultant and shall provide the findings, including public comments, to the Consultant for insertion into the plans in a timely manner.

**Timeline:**
In addition to public participation and consultation, a 30-day public comment period for each document shall be included in the project timeline.

- **RFP Deadline:** April 15
- **RFP Review:** April 18-20
- **Consultant Interviews:** April 21-27
- **Contract Awarded:** April 29
- **Contract Authorized by City Council:** May 16
- **Project Starts:** May 18
- **Community Outreach Completion:** November 25, 2022
- **Draft Documents Completed:** December 2, 2022
- **Final Documents Completed:** January 2, 2023
- **First Final Report Presentation:** January 11, 2023 (or earlier Legal and Finance meeting)
- **Second Final Report Presentation:** January 16, 2023 (or earlier City Council meeting)
- **Consolidated Plan and Annual Action Plan Entered into IDIS:** January 27, 2023

**Submissions**
Submissions shall be emailed to communityenrichment@rcgov.org and include the following information:

1. Introductory letter including the name of the firm, address, telephone number, name of contact person and the date.
2. Statement of positive commitment to perform the required work within the time period. Name(s) of the person(s) who will be authorized to represent the firm, their title, telephone number, and email addresses if selected.

3. A project narrative that describes the respondent’s understanding of the CDBG program, the Consolidated Plan process, IDIS, and AI requirements.

4. Qualifications
   a) Name, address and telephone number of the firm's owners, and full information about the corporate structure of the submitting firm.
   b) Names, qualifications, and experience of personnel relative to project requirements, who are to be assigned to the project.
   c) Project team availability and capacity
   d) Project approach
   e) Listing of previously completed Consolidated Plans, Annual Action Plans, and Analysis of Impediments to Fair Housing Choice reports completed in the previous 3 years including the names, addresses, telephone number and email addresses of owners, and web links if available, for all projects described (references will be checked).

5. Budget specifying a fixed fee shall be submitted containing a schedule of the estimated hours required and are to be broken down by type of personnel to be used for the proposed services. The expected budget for this project is $30,000. Budget may contain milestone payments or lump sum payment; however, 10% retainage will be held for each plan until final approval is secured by HUD.

6. If subcontracts are utilized, the position in the project team and identity of the sub-contractor shall be stated.

7. Project Schedule to include:
   a) Data collection and analysis
   b) Consultation and public participation
   c) Draft documents complete
   d) Public hearing on draft documents
   e) Final documents complete
   f) Final documents presentation
   g) Consolidated Plan and AAP entered into IDIS

8. Any additional information that will allow the City to accurately evaluate the firm's capability.
Proposal Terms & Conditions

The scope of work contained in this document is predicated upon the following provisions, assumptions, and conditions that should be part of any submission and budget submitted by a consultant.

Evaluation of Proposal Compliance with Specifications

The City reserve the right to determine whether a submission substantially complies with the specifications; accept, negotiate modifications to, or reject the terms of any submission; and waive the right to accept a part, or parts, of a submission, unless otherwise restricted in the submission.

The City reserves the right to reject any or all responses and to waive any informality in the process when to do so would be to the advantage of the City. The City, in its sole discretion, may choose not to award a contract at any time because of unforeseen circumstances or if it is determined to be in the best interest of the commission not to do so.

Applicant Qualifications

The City may require all proposers to submit evidence of qualifications, and may consider any evidence of the financial, technical, and other qualifications and abilities. The City will not award a contract to a proposer who, in its opinion, is not fully qualified on the basis of financial resources and responsibility, possession of adequate equipment, personnel, experience, and past record of performance to perform the obligation to be undertaken competently and without delay.

Confidentiality

All information, not in the public domain, disclosed to the consultant for project completion purposes or information that comes to the attention of the consultant during the course of performing such work is to be kept strictly confidential.

Award of Contract

Each consultant acknowledges that the City will use its discretion and judgment in making the final decision and further acknowledges that no claim by the consultant will arise in any way relating to the exercise of that judgment by the
City. No cost chargeable to the proposed contract may be incurred before receipt of either a fully executed contract.

Ownership of Products

The City will retain the copyright for all data, materials, information, processes, studies, reports, surveys, proposals, plans, codes, scientific information, technological information, regulations, maps, equipment, charts, schedules, photographs, exhibits, software, software source code, documentation, and other materials and property that are prepared, developed or created under or in connection with this project. Therefore, the submitter should anticipate that all products of this work effort will become the property of the City which will make them available to other government agencies and their contractors.

Contracting Requirements

The following are not part of the proposal requirements but will be requirements in the contract in addition to other contractual requirements.

Contract Decision

The City shall have the final authority and discretion to select based upon the qualifications and proposals, responsibility, and capabilities of respondents, the fairness of price and other factors. Any decision by the City shall be final.

Cancellation & Rejection

The City reserves the right to cancel any contract for failure or refusal of performance, fraud, deceit, misrepresentation, collusion, or any other misconduct on the part of the consultant. The City reserves the right to reject any proposals, in whole or in part. Submissions received from debarred or suspended firms will be rejected. The City may reject any proposal that is not responsive to all the material and substantial terms, conditions, and performance requirements of the RFQ.

Unresolved Finding for Recovery

The selected consultant affirmatively represents and warrants to the City that it is not subject to a finding for recovery under ORC 9.24 or that it has taken appropriate remedial steps required under ORC 9.24 or otherwise qualifies under
that section. The consultant agrees that if this representation or warranty is deemed to be false, the agreement shall be void ab initio as between the parties to this agreement, and any funds paid by the City to the consultant hereunder shall be repaid to the City immediately, or an action for recovery may be commenced immediately by the City for recovery of said funds.

Contract Negotiation & Clarification

A not-to-exceed contract amount based on satisfactory work performed and services delivered will be entered into after negotiations between the City and the selected firm. Alternative compensation models may be considered.

In order to determine if a submission is reasonably amenable for award, communications by the City or the evaluation committee are permitted with any Applicant to clarify uncertainties or eliminate confusion concerning the contents of a submission and determine responsiveness to the RFQ requirements. Clarifications may not result in a material or substantive change to the submission. The initial evaluation may be adjusted because of a clarification under this section.

After final evaluation, the City intends to negotiate with the highest ranked submission(s). Negotiations, if held, will be within the scope of the request for submissions and limited to those items that would not influence the ranking of submissions. The City may terminate negotiations with the highest-ranked applicant and commence negotiations with the next highest ranked applicant, if the selected applicant does not respond in a timely manner, fails to negotiate in a good faith manner, or if the parties cannot, after a good-faith effort, cannot come to terms.

Covenants of Consultant

The consultant will be required to covenant and warrant the following:

1. Consultant is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any contract, supported in whole or in part by the funding sources for this project;

2. Consultant must have an active registration in SAM.gov
3. Consultant will comply with the Procurement Standards (Sections 2 CFR §200.317-200.327) in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. Specifically, 2 CFR §200.321, contracting with small and minority businesses, women's business enterprises, and labor surplus area firms requires all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. If subcontracts are to be let, Consultant must take the following affirmative steps:

   a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

   b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

   c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

   d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; and

   e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

4. Consultant has not within a three (3) year period had one or more public transactions terminated for cause or default;

5. Consultant will comply with the provisions of Section 1352, Title 31 of the U.S. Code, which prohibits the use of federal funds to lobby any official or employee of any federal agency, or member or employee of Congress; and to disclose any lobbying activities in connection with federal funds.

6. Consultant must carry insurance policies which protect the City and employees from any claims, suits, etc. of the consultant’s employees or equipment used for the project on those items listed in the Scope of Work.
In addition, liability insurance coverage must be provided to protect itself from claims under workers compensation acts; claims for damages because of bodily injury including personal injury, sickness or disease, or death of any of its employees or of any person other than its employees; and from destruction of tangible property including loss of use resulting therefrom; and from claims arising out of the performance of professional services caused by any errors, omission, or negligent acts for which they are legally liable.

**Evaluation**

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**SOURCES/RESOURCES**


