



**NEIGHBORHOOD
SERVICES
DEPARTMENT**

To Preserve, Enhance & Engage Phoenix Neighborhoods



**NOTICE OF FUNDING OPPORTUNITY
AND APPLICATION INSTRUCTIONS
NSD-NOFO-22-006**

**COMMUNITY DEVELOPMENT BLOCK
GRANT CORONAVIRUS (CDBG-CV)**

SHELTER ACQUISITION PROGRAM

Neighborhood Services Department
Administrative Services Division
200 W. Washington St., 4th Floor
Phoenix, Arizona 85003
602-534-4444
NSD.CIP@phoenix.gov

To receive the NOFO guidelines in alternative print/audio formats, contact the
Neighborhood Services Department ADA Liaison,
200 W. Washington St., 4th Floor, Phoenix, AZ 85003.
Voice number 602-534-4444 | TTY 800-367-8939

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SECTION I – NOTICE OF FUNDING OPPORTUNITY

NOTICE IS HEREBY GIVEN TO QUALIFIED APPLICANTS THAT CITY OF PHOENIX NEIGHBORHOOD SERVICES DEPARTMENT IS ACCEPTING APPLICATIONS FOR COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS (CDBG-CV) FUNDING, AUTHORIZED UNDER THE CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT, THROUGH THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

1.1 PROGRAM BACKGROUND AND DESCRIPTION

The City of Phoenix received CARES Act Community Development Block Grant (CDBG-CV) funds from the U.S. Department of Housing and Urban Development (“HUD”) to prevent, prepare for, and respond to the coronavirus pandemic. HUD encourages entitlement recipients to undertake public facility projects that both address immediate community needs and mitigate the effects of future coronavirus occurrences. Public facility improvements can be an effective way of addressing the immediate indirect impacts of the current COVID-19 pandemic while creating long-term spaces designed to reduce the transmission of future coronaviruses. Acquisition of underutilized structures, such as motels, to create shelter for persons experiencing homelessness is an eligible activity under the CDBG-CV regulations and supports the City’s Strategies to Address Homelessness Plan.

The City of Phoenix will provide CDBG-CV funding to eligible subrecipients for the acquisition of underutilized buildings to be used as shelter facilities for individuals and families experiencing homelessness. The CDBG-CV funds will only be used to fund real property acquisitions of emergency or transitional shelter facilities to provide expanded shelter space within the city of Phoenix. The expanded shelter space will prevent, prepare for, and/ or respond to the coronavirus pandemic.

The CDBG-CV Shelter Acquisition program is funded through a simplified application process, with grantee follow-up and negotiated award. Applicants must submit a complete application package as described in the Application Instruction (Section 2). Applicants must demonstrate their organization’s ability to meet specific selection criteria, including Shelter Facility Operation, Strategies to Address Homelessness Plan, Project Feasibility and Timeliness, and Project Costs. Applications are accepted on a rolling basis until funds are depleted. Applications are evaluated by a panel and must meet a threshold score of 800 out of 1000 points. The award amount may be negotiated by city staff. The final award is made by the Phoenix City Council.

1.2 HUD CDBG NATIONAL OBJECTIVE

COVID-19 response; benefit to Low- and Moderate-Income (L/M) Clientele.

1.3 CITY OBJECTIVE

Reduce the transmission of the COVID-19 by providing adequate, accessible, smaller, and specialized shelters and temporary housing for persons experiencing homelessness. Support and expand bridge and transitional housing opportunities for persons requiring additional medical, behavioral health, or other intensive supportive services before moving to permanent housing.

1.4 ELIGIBLE APPLICANTS

Applicants must be an established non-profit entity, listed with the Arizona Corporation Commission, providing programs and services to low- and moderate-income Phoenix residents. Organizations must be eligible to do business in Arizona, in good standing, at the time of Application submission. Applicants must have active SAM.GOV registrations without any exclusions.

1.5 ELIGIBLE PROGRAM ACTIVITIES

Acquisition of real property, such as land and buildings, either in whole, or in part by purchase, including appraisals, the preparation of legal documents, and recordation fees to increase available overnight shelter beds in the City of Phoenix.

1.6 DELIVERY OF APPLICATION

Handwritten applications will not be accepted. **Applications must be submitted in one Portable Document Format (PDF) document and submitted in one email.** The contents of the **one PDF** must include all attachments. Applications must be submitted electronically to the Neighborhood Services Department, at NSD.CIP@phoenix.gov. Enter the solicitation number on the subject line of the email when submitting your application. Applications will only be accepted through the email mailbox and will not be accepted through any other transmission format (postal, hand-delivered, etc.). Contact staff at NSD.CIP@phoenix.gov if your PDF document exceeds the mail server's size limit and your email cannot be sent.

1.7 RESPONSIVE APPLICATIONS

Applications must meet all the material requirements of the NOFO. Only those Applications determined to be responsive will be evaluated and scored by the Evaluation Panel in accordance with the Application evaluation criteria set forth below. The Evaluation Panel will recommend projects based on the criteria factors and availability of funding. The application must achieve a score of 800 out of 1000 points to be considered for funding. Funding recommendation will be based on the highest points awarded in descending order until funds are depleted. Multiple applications that receive the same combined average score will be awarded based on the applications' proposed schedules, with faster projects receiving the award recommendation first. Pending any negotiated awards, the recommendation for award will be submitted to City of Phoenix Council for final approval. Applicants that are not recommended for award will be notified in writing within 30 days of application review or City Council action, whichever is later.

1.8 NON-RESPONSIVE APPLICATIONS

Applications deemed non-responsive or ineligible will not be evaluated or considered for award. Examples of non-responsive Applications include:

- Applications that do not meet the CDBG requirements and regulations.
- Applications that do not meet the HUD National Objective.
- Applications that are not eligible or do not conform to the NOFO instructions.
- Applications that do not include all the required forms.

1.9 PRE-OFFER CONFERENCE

The City of Phoenix Neighborhood Services Department will host one virtual Pre-Offer Conference after the original posting date of the Notice of Funding Opportunity (NOFO) grant

application and instructions. All interested proposers and community stakeholders are strongly encouraged to attend the Pre-Offer Conference on March 21, 2022, from 2:30-3:30 PM, via Cisco WebEx, link below, to pose questions and provide feedback. NSD staff will provide an overview of the NOFO process, application and instructions and open the meeting for questions and public comment.

Join as an attendee:

<https://cityofphoenix.webex.com/cityofphoenix/onstage/g.php?MTID=ea00b005374ce38151dc13534fb9c37e6> [cityofphoenix.webex.com]

If necessary, the City will issue an addendum following the Pre-Offer Conference to clarify or amend any NOFO application documents or instructions. Proposers will be responsible for retrieving any addenda from the City's solicitation page. City staff can request proposers incorporate changes to their proposals to conform with the NOFO application and instructions and any addenda officially issued by the City prior to any Evaluation Panel meetings or part of the negotiation process prior to City Council award.

1.10 QUESTIONS/INQUIRIES

Questions or inquires that arise relating to this NOFO should be presented in writing and directed via email to staff at NSD.CIP@phoenix.gov. The City will post responses to material questions about the NOFO on the solicitation website (<https://solicitations.phoenix.gov>). The NOFO is a rolling application process until all available grant program funds are awarded, therefore technical assistance will be available throughout the entire process by emailing NSD.CIP@phoenix.gov. Technical assistance communication will only provide potential proposers with minor clarifications that will be immaterial to the NOFO, Application Instructions, or Application Form. City staff will accommodate requests for Technical Assistance meetings as needed.

1.11 WEB SITE / STAFF CONTACTS

Interested Applicants may download the complete NOFO from <https://solicitations.phoenix.gov>. Any interested offerors without internet access may obtain this solicitation by contacting the staff or picking up a copy **by appointment only** at the **City of Phoenix Neighborhood Services Department, 200 W. Washington St. 4th Floor, Phoenix, AZ 85003, 602-534-4444** or NSD.CIP@phoenix.gov. It is the Offeror's responsibility to check the website, read the entire solicitation, and verify all required information is submitted with their offer.

1.12 SOLICITATION TRANSPARENCY POLICY

Beginning on the date the solicitation is issued and until the date the contract is awarded or the solicitation withdrawn, all persons or entities that respond to the solicitation for the CARES Act Community Development Block Grant, (CDBG-CV) Notice of Funding Opportunity (NOFO), including their employees, agents, representatives, proposed partner(s), subcontractor(s), joint venture(s), member(s), or any of their lobbyists or attorneys, (collectively, the Applicant) will refrain, from any direct or indirect contact with any person (other than the designated contracting officer) who may play a part in the selection process, including members of the Community Development (CD) Review Committee (NOFO Evaluation Panel), the City Manager, Assistant City Managers, Deputy City Managers, Department Heads, the Mayor and other members of the Phoenix City Council. As long as the solicitation is not discussed, Applicants may continue to conduct business with the city and discuss business that is unrelated to the solicitation with the city staff.

Applicants may discuss their application or the solicitation with the mayor or one or more members of the Phoenix City Council, **provided such meetings are scheduled through the NSD staff**,

conducted by phone or virtually, and are posted as open meetings with the City Clerk at least twenty-four (24) hours prior to the scheduled meetings. The City Clerk will be responsible for posting the meetings. The posted notice shall identify the participants and the subject matter, as well as invite the public to participate.

With respect to the selection of the successful Applicant/Bidder, the City Manager and/or City Manager's Office will continue the past practice of exerting no undue influence on the process. In all solicitations of bids and Applications, any direction on the selection from the City Manager and/or City Manager's Office and Department Head (or representative) to the Application review panel or selecting authority must be provided in writing to all prospective Applicants.

This policy is intended to create a level playing field for all Applicants, assure that contracts are awarded in public and protect the integrity of the selection process. **APPLICANTS THAT VIOLATE THIS POLICY SHALL BE DISQUALIFIED.**

1.13 DISCUSSIONS

The Neighborhood Services Department staff reserves the right to conduct discussions with Applicants for the purpose of eliminating minor irregularities, informalities, or apparent clerical mistakes in the Application to clarify an offer and assure full understanding of the organization Application.

1.14 APPLICATION WITHDRAWAL

An organization may withdraw an application by submitting a notice **via email** to the Neighborhood Services Department, Administrative Services Division, Attention: NSD-NOFO-22-006, 200 W. Washington St., 4th Floor, Phoenix, AZ 85003. The email address is NSD.CIP@phoenix.gov. **The notice must be on agency letterhead, signed and submitted as a PDF document.**

1.15 CONFIDENTIAL INFORMATION

The City of Phoenix is obligated to abide by all public information laws. If an Applicant believes that a specific section of its Application is confidential, **the Applicant shall isolate the pages marked confidential in a specific and clearly labeled section of its Application.** The Applicant shall include a written basis for considering the marked pages confidential including the specific harm or prejudice if disclosed and the Department will review the material and decide.

1.16 APPLICATION SUBMITTAL & REVIEW PROCESS

The program has a rolling deadline with monthly reviews of applications on the last Thursday of each month, and until funding is depleted. Applications must be received by the first Thursday of the month by 2:00pm Arizona time to be reviewed in the month received. Staff will receive applications as they are submitted, on a first come, first serve basis. Each applicant will receive an acknowledgement of receipt, including the time and date. Within 3 working days of each month's application deadline, the team will review the application for eligibility and responsiveness to ensure all items are included. Responsiveness will be based on application's conformity to the NOFO instructions. If the application is responsive, the application will be prepared for the Evaluation Panel review. If the application is not completely responsive, the Grants team will notify the applicant by email of the deficiencies. The applicant will be provided adequate time to respond. If the deficiencies are corrected within the permitted time, the application will be prepared for the Evaluation Panel review. If any items are not resolved before the staff begins to assemble the application packages for the Evaluation Panel, the application will not be prepared for the Evaluation Panel review during that review cycle. The applicant may resolve deficiencies after

and submit the application for the next review cycle. Applications that are not eligible for funding will be deemed nonresponsive, and the applicant will be notified by email.

Applications for the Program will be reviewed by a city-appointed Evaluation Panel consisting of city employees and external partners. The panel will recommend projects based on the criteria factors and availability of funding. The application must achieve a total score of 800 out of 1000 points to be considered for funding. Funding recommendation will be based on the highest points awarded in descending order until funds are depleted. Multiple applications that receive the same combined average score will be awarded based on the applications' proposed schedules, with faster projects receiving the award recommendation first. Pending any negotiated awards, the recommendation for award will be submitted to City of Phoenix Council for final approval. Applicants that are not recommended for award will be notified in writing within 30 days.

1.17 NEGOTIATIONS WITH APPLICANTS

Staff will review the award recommendation against the available funding amount. Staff may offer to increase or decrease the amount awarded based on the applicant's rank and their proposed budget. The applicants that are offered new funding amounts will be provided seven (7) days to respond. The applicant may reject, approve, or request a reevaluation of the funding amount. If a reevaluation is requested, staff will consider the request and prepare a final offer within seven (7) days. The applicant will reject or accept the final offer within three (3) business days. All negotiated awards must be resolved before the recommendations are submitted to city council.

The City reserves the right to make an award to an Applicant whose application is the highest rated, best value, and most advantageous to the City based on the evaluation criteria, without conducting written or oral discussions with any Applicant and without negotiations.

1.18 COMPLAINT PROCESS

Applicants are allowed to submit complaints regarding the review process. A written complaint must be filed within 7 days of receiving a denial notification from NSD. NSD will respond to all written complaints within 15 business days. All resolutions will be deemed final by NSD. Applicant must submit the written complaint **via email** to the Neighborhood Services Department, Administrative Services Division, Attention: NSD-NOFO-22-006, 200 W. Washington St., 4th Floor, Phoenix, AZ 85003, or email the written complaint to NSD.CIP@phoenix.gov. **The complaint must be on agency letterhead, signed and submitted as a PDF document**

1.19 APPLICATION PACKAGE FORMAT

A complete Application submission includes the below specified items. Any missing items will deem the Applicant as non-responsive.

1. Application Form – Separate fillable Word document on the solicitation page

- Completed in its entirety (See Section 2 – Application Instructions)
- Provide detailed narrative to each question that will provide a clear description of plan, services, and approach.
- Signed and dated - Authorizing signature from the organization's Chief Executive Officer/President, Executive Director, or designated representative (electronic signatures, will be accepted e.g., Adobe, DocuSign, etc.).

2. Attachments – Organizations must include the following documents:

- Proof of SAM.GOV registration.

- Corporate Resolution
- Articles of Incorporation and By-laws
- Board of Directors List
- Résumés for Key Staff
- Purchase Agreement or Letter of Intent
- Good Neighbor Agreement and/or Letters of Support
- Site Pictures and Vicinity Mapping

1.20 EVALUATION CRITERIA

All responsive Applications will be evaluated by the Evaluation Panel based on the following criteria:

Shelter Facility Operations (0 UP TO 250 POINTS)

Points will be awarded by the Evaluation Panel based on the applicant’s proposed services, experience and partnerships, community outreach and neighborhood impact mitigation, and ability to engage and provide safe, sustainable, on-going shelter beds to persons experiencing homelessness, particularly individuals currently unengaged in services and medically vulnerable persons. More points will be awarded for projects that provide new beds in areas without existing shelter facilities.

Strategies to Address Homelessness Plan (0 UP TO 250 POINTS)

Points will be awarded by the Evaluation Panel based on the project’s alignment with the City’s Strategies to Address Homelessness Plan, including, but not limited to, Housing and low-barrier shelter, Outreach / Navigation, Mental Health Services, Neighborhoods, and Workforce Development, as well as the Guiding Principles. Applications must reference the section and page number of the City’s Strategies to Address Homelessness Plan.

Project Feasibility and Timeliness (0 UP TO 250 POINTS)

Points will be awarded by the Evaluation Panel based on the project schedule and the organization’s capacity, readiness, and ability to complete the acquisition on an accelerated schedule and achieve grant closeout within 6 months to a year from funding award or before June 30, 2023, whichever is sooner. More points will be awarded for applications that demonstrate key staff capacity, commitment to project delivery and project practicality, including either appropriate zoning or a reasonable plan to obtain appropriate zoning for the project. All projects must achieve closeout and final reimbursement by June 30, 2023.

Project Cost Per Bed (CPB) (0 UP TO 250 POINTS)

Points will be awarded by NSD staff based on the applicant’s cost per bed (CPB). Projects with a CPB less than or equal to \$50,000 will receive full points. This baseline is reflective of NSD’s shelter investments in the department’s existing grant programs.

Projects with a cost per bed over \$50,000 will receive a point award based on the following calculation: $250 \times (50,000 / \text{CPB})$, rounded to the nearest one. For example, a facility with a CPB of \$55,000 would calculate as $250 \times (50,000 / 55,000) = 227.27$, and the application would receive 227 points.

TOTAL POSSIBLE POINTS

1,000

1.21 FEDERAL REQUIREMENTS

NOTICE OF FEDERAL FUNDS AND REQUIREMENTS: This NOFO is funded by CARES Act Community Development Block Grant (CDBG-CV) funding from the Department of Housing & Urban Development. The following regulations will apply to any funding award made through this process.

DUPLICATION OF BENEFITS: The agency shall not carry out any of the activities under this Agreement in a manner that results in a prohibited Duplication of Benefits (DOB) as defined by Section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended by section 1210 of the Disaster Recovery Reform Act (DRRA) of 2018. The agency will provide a list of current federally-funded awards to ensure that this application does not create a duplication of benefits. In the event that the agency is awarded additional federal funds after the Effective Date, the agency must notify the city within 5 calendar days of agency's award of the additional funds. The agency agrees to reimburse the city for any additional funds received by agency if such additional funds are determined to be a DOB by the city, the Federal awarding agency, or an auditing agency. A DOB will constitute a breach of this Contract by the agency, the city, in addition to any other remedy, may immediately withhold payment of funds until such default is cured. The city will have the further right to declare the Promissory Note as secured by the Deed of Trust immediately due and payable if such breach is not cured within thirty (30) days as provided herein.

CONFLICT OF INTEREST: Conflicts of interest (or appearance thereof) can negatively impact activities supported with federal funds. The general rule is that no employee, board member, officer, agent, consultant, elected official or appointed official of the recipients or sub-recipients that are receiving funds under a CDBG-CV assisted program who have responsibilities with respect to the CDBG-CV activities or are in a position to participate in decision making processes or have access to inside information with regard to the activities can obtain a financial interest or benefit from a CDBG-CV assisted activity during their tenure or for one year thereafter (Federal Regulation 24 CFR 570.611).

Organizations should maintain a written code of standards of conduct governing the purchase of materials, product, supplies, and services and awarding and administering sub-recipient contracts. Personnel involved in the procurement process must be trained to recognize situations that create conflicts of interest, or the appearance of a conflict of interest.

PROCUREMENT & COMPETITION; Non-profit agencies must maintain a compliance policy in conformance with 2 CFR 200. Additionally, Contractors that develop or draft specifications, requirements, and statements of work, including responses to this NOFO, are excluded from competing for procurements generated by award of this NOFO.

UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION ACT (URA): Agencies conducting a program or project under the URA must carry out their legal responsibilities to affected property owners and displaced persons. The Agency must comply with federal law that establishes minimum standards for federally funded programs and projects that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The URA's protections and assistance apply to the acquisition, rehabilitation, or demolition of real property for federal or federally funded projects.

ENVIRONMENTAL REVIEWS: An environmental review must be performed on any project funded in part with CDBG-CV dollars. Premature committing or expending any funds prior to the environmental review will jeopardize the eligibility of the project. This includes an agency's matching funds from other sources. Environmental reviews are required to comply with National

Environmental Policy Act (NEPA) and HUD's regulations. The review includes analysis of 13 federal laws designed to protect certain environmental areas. If the Application is funded, NSD staff will initiate the review and the agency will be kept informed about the estimated length of time to clear the project. The review normally is completed at no cost. However, if the project is geographically located in an area of potential archaeological resources, archaeological monitoring or testing will be required and must be included in the project budget. Staff can assist Applicants in making this determination. Projects involving a change of land use may take up to 140 days to obtain an environmental clearance.

LEAD-BASED PAINT REGULATIONS: HUD has issued final regulations on notification, evaluation, and reduction of lead-based paint hazards in some facilities receiving federal assistance. Rehabilitation of facilities where children are served may be affected by this new regulation, which may require the testing of painted surfaces that will be disturbed to determine the presence of lead-based paint. If painted surfaces are not lead-free, remediation and safe work practices will be required.

ASBESTOS TESTING: An asbestos survey will be required on all renovation projects to determine the presence of asbestos. The agency should include the cost of the survey and provide for contingency funds for remediation if asbestos is present. The survey will visually review all suspect asbestos containing materials (ACMs) associated with the building's interior and will collect samples for laboratory analysis prior to the Public Facilities renovation project. The survey will identify whether asbestos containing materials were found and what classification. For further information about asbestos surveys and remediation requirements, contact the Arizona Department of Environmental Quality at 602-506-6708.

CDBG-CV LOAN AND LIEN POLICIES: To assure the long-term benefit for low- and moderate-income persons, CDBG-CV funds provided for Public Facility projects (acquisition, rehabilitation, new construction, or Americans with Disabilities Act (ADA) improvements) are in the form of a deferred loan. The deferred loan does not have to be repaid, provided the agency provides CDBG-CV eligible services for a specified time period of five (5) years from the completion of the project. If during the five-year period following completion of the project, the property is no longer used to meet a national objective, then the funded organization must pay to the City of Phoenix the current market value of the property less any portion of the value attributable to non-CDBG-CV funds. The CDBG-CV loan is secured by the placement of a lien on the real property. The lien is released upon completion of the appropriate service term.

VOLUNTEERS: The use of volunteers on a Public Facilities project may be allowed provided they are not otherwise employed by the agency or contractor. Depending on the work the volunteers will perform, state licensing requirements will apply. For example, volunteers performing trade work (electrical, plumbing) must be licensed. To determine if the use of in-kind volunteer labor is appropriate for your project *post award*, please contact the Neighborhood Services Department (NSD) Project Manager (PM). If volunteer labor is deemed appropriate, determining the labor contributions for the budget can be obtained by estimating the amount of what a paid worker would earn doing the same type of work.

PREMATURE COMMITTING OR EXPENDING FUNDS: Program expenses incurred prior to City Council approval, environmental clearance and execution of the CDBG-CV contract are not eligible for reimbursement.

PROOF OF SITE CONTROL: If the site(s) where the program services will be conducted is not owned by the organization, a copy of a lease or use agreement must be submitted prior to the

CDBG-CV contract execution. **The lease or use agreement must be valid for 5 years after Certificate of Completion.**

ACCESSIBILITY TO PERSONS WITH DISABILITIES: Programs, information, participation, communications, and services must be accessible to persons with disabilities and comply with the Americans with Disabilities Act (ADA).

EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS: Any Applicant shall not discriminate against any worker, employee or applicant or any member of the public, Applicants must be in compliance with Phoenix City Code, Chapter 18, Article V, as amended, Equal Employment Opportunity Requirements. Any questions regarding these requirements should be directed to the Equal Opportunity Department, 602-262-6790. The City of Phoenix extends to each individual, firm, vendor, supplier, contractor and subcontractors an equal economic opportunity to compete for city business and strongly encourages voluntary utilization of small or disadvantaged businesses.

PUBLIC RECORDS: All Applications submitted in response to the NOFO shall become the property of the city and shall become a matter of public record available for review pursuant to Arizona state law after the award notification. The City of Phoenix is obligated to abide by all public information laws.

LEGAL WORKER REQUIREMENTS: As mandated by Arizona Revised Statutes 41-4401, the City of Phoenix is prohibited after Sept. 30, 2008, from awarding a contract to any contractor who fails, or whose subcontractors fail, to comply with Arizona Revised Statute 23-214-A. That statute requires that employers verify the employment eligibility of their employees through the federal E-verify system.

In signing or performing any contract for the City, the Organization fully understands that any subcontractors it may use must comply with all federal immigration laws and with A.R.S. 23-214-A. The City is authorized by law to randomly inspect the records relating to an employee of the contractor or any of its subcontractors who works on the contract to ensure compliance.

SYSTEM FOR AWARD MANAGEMENT: The System for Award Management (SAM) is the Official U.S. Government system that tracks federal contracts, including City of Phoenix CDBG-CV contracts. Selected contractors of the NOFO will be required to register in SAM.gov prior to receiving a city contract. Registration in SAM is required to submit an application.

MONITORING: Projects awarded through this NOFO will be subject to monitoring of compliance requirements, including, but not limited to, National Objective and Eligibility, Conformance to the Subrecipient Agreement, Record-Keeping Systems, Financial Management Systems, Insurance, Procurement, Equipment and Real Property, Non-Discrimination and Actions to Further Fair Housing.

1.22 INSURANCE REQUIREMENTS

If the Application is funded, the organization will enter into a contract with the City of Phoenix. City contractors and subcontractors must procure insurance against claims that may arise from or relate to performance of the work hereunder by the contractor and its agents, representatives, employees and subconsultants. The insurance requirements listed below are minimum requirements and the City in no way warrants that the minimum limits are sufficient to protect the organization from liabilities that might arise from carrying out the funded program. The organization is free to purchase additional insurance, as they deem necessary. Depending upon the program activities and the program beneficiaries, several types of insurance coverage will be

required. This information is provided to help in the development of the overall operating cost of the proposed program and to ensure sufficient funds are set aside for insurance. Final insurance requirements will be determined after award and may vary depending on the size and scope of the project.

Minimum Scope and Limits of Insurance - coverage with limits of liability not less than those stated below are required for funded CDBG-CV Public Facility programs.

Commercial General Liability

- General Aggregate \$2,000,000
- Products – Completed Operations Aggregate \$2,000,000
- Personal and Advertising Injury \$1,000,000
- Each Occurrence \$1,000,000

Sexual Abuse and Molestation Coverage

- Policy endorsement required if the activities involve working with or caring for children or physically or developmentally disabled people

Automobile Liability - Combined Single Limit \$1,000,000• Bodily Injury and Property Damage for any owned, hired, and non-owned vehicles used in the performance of this contract.

Worker's Compensation and Employers' Liability

- Workers' Compensation
- Statutory
- Employers' Liability
- Each Accident \$100,000
- Disease – Each Employee \$100,000 Disease - Policy Limit \$500,000

Professional Liability - Errors and Omissions Liability

Each Claim \$1,000,000

Annual Aggregate \$2,000,000

Builders' Risk Insurance

Policy must be in an amount equal to the initial contract amount plus additional coverage equal to contract amount for all subsequent change orders.

Environmental

Depending on the proposed scope of work, the contract may require Contractor's Pollution Liability - \$1,000,000 per occurrence and \$2,000,000 General Aggregate

NOTICE OF CANCELLATION: Insurance policies must be the appropriate coverage for and shall not be suspended, voided, canceled, reduced in coverage or endorsed to lower limits.

ACCEPTABILITY OF INSURERS: Insurance is to be placed with insurers duly licensed or approved unlicensed companies in the state of Arizona and with an "A.M. Best" rating of not less than B+ VI. The City in no way warrants that the above-required minimum insurer rating is sufficient to protect the organization from potential insurer insolvency.

VERIFICATION OF COVERAGE: The City must receive certificates of insurance (ACORD form or equivalent approved by the City) as required. The certificates for each insurance policy are to

be signed by a person authorized by that insurer to bind coverage. The City of Phoenix must be listed as an additional insured on all certificates of insurance. Policy must contain a waiver of subrogation against the City of Phoenix.

1.23 REPORTING REQUIREMENTS FOR FUNDED ORGANIZATIONS

CDBG-CV funds are distributed to nonprofit organizations throughout the City of Phoenix; however, the funds originate at the federal level, through the U.S. Department of Housing and Urban Development (HUD). The City of Phoenix is required to document the accomplishments of each grant given to nonprofit organizations.

Organizations that receive CARES Act Community Development Block Grant (CDBG-CV) funding will be required to submit **monthly** programmatic reports and reimbursement requests. Programmatic reports and reimbursement requests are **mandatory** and **must be submitted monthly**.

The following is a list of requirements expected for organizations funded in the grant period. This list can be changed at any time prior to contract execution, depending upon the guidelines given to the City of Phoenix from HUD. This list is therefore not exhaustive; it is simply a guide so that organizations can be aware of any documentation that may be required for tracking clients.

- Amount of money leveraged for the program (how much money went into the program, total of CDBG-CV and all other funds).
- Total number of persons assisted, to include the number of Phoenix residents assisted.
- Area Median Income (AMI) levels of persons assisted – total number of very low (>30% AMI), low (30-50% AMI) or moderate (50-80% AMI), adjusted for family size.
- Race, ethnicity and disability status of the persons assisted. HUD recognizes 10 races (White, Black/African American, Asian, American Indian/Alaskan Native, Native Hawaiian /Other Pacific Islander, American Indian/Alaskan Native & White, Asian & White, Black African American & White, American Indian/Alaskan Native & Black African American and Other Multi-Racial) and 1 ethnicity (Hispanic).
- Number of communities/neighborhoods assisted.

Please note that each organization awarded CDBG-CV funds will be assigned a project manager who will be available to provide technical assistance, particularly in the reporting/data collection process. Project managers will provide funded organizations with several tracking and reporting tools to help organizations submit timely and accurate monthly reports.

SECTION 2 – APPLICATION INSTRUCTIONS

The application form is a fillable Word document. These instructions will guide you in the completion of the form.

2.1 APPLICANT INFORMATION

Prompts 1 through 3: Self-explanatory.

Prompt 4: Find Council District here: <https://www.phoenix.gov/mayorcouncil/find-my-council-district>

Prompts 5 through 7: Self-explanatory.

Prompt 8: Provide information for the agency's main point of contract.

Prompt 9: Provide information for the agency's authorized signer.

2.2 PROJECT INFORMATION

Prompt 10: Provide the project title; this will be the project title used on all city and federal documentation.

Prompt 11: Provide the property's street address and/or APN. Applicants must have an identified property to be eligible to submit an application.

Prompt 12: Self-explanatory.

Prompts 13: Provide a summary, no more than 50 words, that introduces the scope of work to be performed through the requested funding to the Evaluation Panel.

2.3 EVALUATION CRITERIA

SHELTER OPERATIONS

Prompt 14: Describe the proposed facility, include information relative to the type of shelter, size, number of beds, location, amenities, local area, and focus area.

Prompt 15: Describe the organization's mission, the facility's services, and the proposed clientele. Explain how the proposed facility will support the organization's mission and its services to clientele.

Prompt 16: Describe how the organization will use this facility to reduce barriers to service or provide services to individuals not currently engaged in services. Include information relative to facility's planned low barrier shelter components and/or the organization ability to use the facility to engage clients not currently receiving services. Consider no/low barrier shelter practices listed in the draft Strategies to Address Homelessness **Task Force Recommendations Attachment B**. (<https://www.phoenix.gov/nsdsite/Documents/DRAFT%20Attachment%20B%20-%20Defining%20NoLow%20Barrier%20Shelter.pdf>)

Prompt 17: Describe the organization's site selection process and neighborhood outreach. Describe the results of the real estate search, including restrictions and opportunities. Describe the organization's public outreach process around the selected site, including dates of meetings, individuals or groups invited, meeting agendas, and summary of results and objectives met as a result of the public outreach and meetings. Describe any public safety plan and how the provider will work with the city to address any issues that may occur at the facility. Applicant's community support is demonstrated by providing as part of their application the following: 1) Good Neighbor Agreement and/or 2) Letters of Support from Neighborhood Organizations.

1) For Good Neighbor Agreement, describe the formation of the agreement, the signers, and how the agreement will meet the definition provided in Section 2.4. Provide the executed Good Neighbor Agreement as an attachment.

2) For Letters of Support, describe the selection process and outreach to Neighborhood Organizations that intersect the project site. List the Neighborhood Organizations that provided support and attach the signed letters. Describe any objections received from Neighborhood Organizations and the applicant's plan to resolve them. Enter the site address into the following link to generate a list of Neighborhood Organizations that intersect the project site: <https://nsdonline.phoenix.gov/NeighborhoodOrgs/ByAddress>.

Prompt 18: Provide the Cost per Bed per Night, based on the facility, operation, and another consideration(s) of cost. Provide the Cost per Bed per Night in dollars first. Then provide a narrative of the calculation.

Prompt 19: Describe the organization's capacity, ability, and resources to furnish, maintain, and operate the facility for 5 years after completion. Include all funding resources and commitments to achieve continued use of the facility and its services, as described in Prompts 14 and 15. Include information relative to on-going maintenance and operations costs.

STRATEGIES TO ADDRESS HOMELESSNESS PLAN ALIGNMENT

Prompt 20: Describe how this proposal aligns with the City of Phoenix Strategies to Address Homelessness Plan. Reference specific strategies and page numbers. Link:

<https://www.phoenix.gov/humanservicessite/Documents/Homeless%20Strategies%20Final%20Report.pdf>

PROJECT FEASIBILITY

Prompt 21: Provide the current property zoning and describe its appropriateness for the proposed project. Please outline steps to the organization has taken, or will take, to ensure rezoning or permitting for the site.

Prompt 22: List of the project's key staff, experience with similar projects, and their capacity to successfully execute the activities. Provide names, titles, responsibilities, resources, and time commitment to this project. Also provide previous experience, with project names, scopes, and budgets, for each key staff listed.

Prompt 23: Describe the organization's experience with federal/ state/ local grant funding. Provide project names, scopes, budgets, funders, and results, including achievements, impacts, and timeliness. Complete the table below.

Prompt 24: Complete the table. The Phase 1 ESA, Site Testing, Building Inspections may begin and end before the submission of the application. Environmental Review, Real Estate, and Closeout cannot begin or end until after contract award. Anticipate Environmental Review beginning 90 days after application submittal. Real Estate Closing end until after the Environmental Review is complete. Closeout, including final reimbursement, must be achieved before June 30, 2023.

Prompt 25: Provide any additional scheduling considerations not included in Prompt 24, including specific restriction on construction based on the facility, is applicable. If no additional considerations are necessary, type "No additional considerations" into the field.

COST PER BED

Prompt 26: Complete the table. The table provides spaces to categorize budget line items based on the project. Provide dollar amounts for each item. If dollars are not committed to any item type \$0.00 into the box. Provide the totals for each line item and section. Complete the Total Project Budget on the bottom of the table.

Prompt 27: Provide the cost per bed (CPB). CPB equals CDBG-CV Funds Requested (Prompt 12) divided by number of new beds (Prompt 14). Example: A \$2,000,000 funding request that produces 50 new beds would have a cost per bed of \$40,000. Projects with a cost per bed over \$50,000 will receive a point award based on the following calculation: $250 * (50,000 / \text{CPB})$, rounded

to the nearest one. For example, a facility with a CPB of \$55,000 would calculate as $250 \times (50,000/55,000) = 227.27$, and the application would receive 227 points.

Prompt 28: Provide any additional budget considerations important to the project, including descriptions of “other” line items. If no additional considerations are necessary, type “No additional considerations” into the field.

2.4 DEFINITIONS

DISABLED: Under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 701), a disability is defined as follows:

1. An individual with a disability is any person who has a physical or mental impairment that substantially limits one or more major life activities. The term physical or mental impairment may include, but is not limited to, conditions such as visual or hearing impairment, mobility impairment, HIV infection, developmental disabilities, drug addiction, or mental illness. In general, the definition of “person with disabilities” does not include current users of illegal controlled substances. However, individuals would be protected under Section 504 (as well as the ADA) if a purpose of the specific program or activity is to provide health or rehabilitation services to such individuals.

The term major life activity may include, for example, seeing, hearing, walking, breathing, performing manual tasks, caring for one’s self, learning, speaking, or working. This list is not exhaustive. Section 504 also protects persons who have a record of such impairment or are regarded as having such an impairment.

2. A developmental disability, as defined in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. § 6001-6007) which reads as follows:

The term “developmental disability” means a severe, chronic disability of an individual 5 years of age or older that—

(A) is attributable to a mental or physical impairment or combination of mental and physical impairments;

(B) is manifested before the individual attains age 22;

(C) is likely to continue indefinitely;

(D) results in substantial functional limitations in three or more of the following areas of major life activity—

(i) self-care;

(ii) receptive and expressive language;

(iii) learning;

(iv) mobility;

(v) self-direction;

(vi) capacity for independent living; and

(vii) economic self-sufficiency; and

(E) reflects the individual’s need for a combination and sequence of special, interdisciplinary, or generic services, supports, or other assistance that is of lifelong or extended duration and is individually planned and coordinated, except that such term, when applied to infants and young children means individuals from birth to age 5, inclusive, who have substantial developmental delay or specific congenital or acquired conditions with a high probability of resulting in developmental disabilities if services are not provided.

GOOD NEIGHBOR AGREEMENT: A good faith agreement between the neighborhood (residents, businesses, and other community stakeholders) and a shelter-operating non-profit that works to address specific issues of concern regarding the shelter facility’s operations. The purpose of this application requirement is to demonstrate that the proposed provider has worked

with the community to overcome potential opposition to the project and has reached an agreement to that effect. In the Good Neighbor Agreement, the shelter-operating non-profit will provide reasonable and cooperative accommodations or mitigations to lessen issues that create unreasonable burdens on the surrounding area.

LOW- AND MODERATE-INCOME OR LOW-INCOME HOUSEHOLD: The term low-income shall be defined as at or below 50 percent of the area median income and moderate-income as at or below 80 percent of the area median income, adjusted for family size for the area as defined in Section 102 of the Housing and Community Development Act of 1974, as amended.

AREA MEDIAN INCOME (AMI)
0-30% of median (Extremely Low Income)
31-50% of median (Very Low Income)
51%- 80% of median (Low/Moderate Income)
Above 80% of median (Non-Low/Moderate Income) - <i>NOT ELIGIBLE for CDBG-CV ASSISTANCE</i>

MEDICALLY VULNERABLE (FRAGILE) INDIVIDUALS: A person that is more susceptible to environmental conditions, such as heat/cold, due to a known or unknown medical condition and/or other risk factor(s), such as age.

SENIOR / CHILD / YOUTH:

- Senior: A person at the age of 62 or older.
- Child: A person between the ages of 0–13.
- Youth: A person between the ages of 14-24.

SHELTER BEDS: A piece of framed furniture, with a mattress and coverings, for over-night sleep dedicated to serving persons who are experiencing homelessness located in a shelter facility for a minimum of eight to twelve hours.

VULNERABLE ADULT: Vulnerable adult means an individual who is eighteen years of age or older and who is unable to protect himself from abuse, neglect or exploitation by others because of a physical or mental impairment. Vulnerable adult includes an incapacitated person as defined in section 14-5101. A.R.S. 46-451(a)(10).