



**NEIGHBORHOOD  
SERVICES  
DEPARTMENT**

*To Preserve, Enhance & Engage Phoenix Neighborhoods*



**NOTICE OF FUNDING OPPORTUNITY  
AND APPLICATION INSTRUCTIONS  
NSD-NOFO-22-005**

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

**COVID CLEAN PUBLIC FACILITY AND  
SCHOOL IMPROVEMENT AND UPGRADES PROGRAM**

Neighborhood Services Department  
Administrative Services Division  
200 W. Washington St., 4th Floor  
Phoenix, Arizona 85003  
602-534-4444  
[NSD.CIP@phoenix.gov](mailto: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., 4<sup>th</sup> Floor,  
Phoenix, AZ 85003.**

**Voice number 602-534-4444 | TTY 800-367-8939**

## Contents

SECTION 1 – NOTICE OF FUNDING OPPORTUNITY .....	3
1.1 PROGRAM BACKGROUND AND DESCRIPTION .....	3
1.2 HUD CDBG NATIONAL OBJECTIVE .....	3
1.3 CITY OBJECTIVE .....	3
1.4 ELIGIBLE APPLICANTS.....	4
1.5 ELIGIBLE PROGRAM ACTIVITIES .....	4
1.6 DELIVERY OF APPLICATION.....	4
1.7 RESPONSIVE APPLICATIONS .....	4
1.8 NON-RESPONSIVE APPLICATIONS .....	4
1.9 QUESTIONS/INQUIRIES.....	5
1.10 WEB SITE / STAFF CONTACTS .....	5
1.11 SOLICITATION TRANSPARENCY POLICY .....	5
1.11 DISCUSSIONS .....	6
1.12 APPLICATION WITHDRAWAL.....	6
1.13 CONFIDENTIAL INFORMATION .....	6
1.14 APPLICATION SUBMITTAL & REVIEW PROCESS .....	6
1.15 NEGOTIATIONS WITH APPLICANTS .....	7
1.16 COMPLAINT PROCESS.....	7
1.17 APPLICATION PACKAGE FORMAT.....	7
1.18 EVALUATION CRITERIA.....	8
1.19 FEDERAL REQUIREMENTS .....	8
1.20 INSURANCE REQUIREMENTS.....	12
1.21 REPORTING REQUIREMENTS FOR FUNDED ORGANIZATIONS .....	13
SECTION 2 – APPLICATION INSTRUCTIONS.....	14
2.1 APPLICATION INFORMATION .....	14
2.2 PROJECT INFORMATION .....	14
2.3 EVALUATION CRITERIA.....	14
PROGRAM DESCRIPTION AND NEED .....	14
PROJECT FEASIBILITY .....	15
PROJECT BUDGET .....	16
2.4 DEFINITIONS .....	16

## SECTION 1 – 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. Activities that address the effects of the current pandemic and mitigate the future spread of COVID-19 and other infectious diseases could include HVAC improvements, surface enhancements, and plumbing upgrades to improve sanitation.

The City of Phoenix will provide CDBG-CV funds to eligible subrecipients to be used for COVID-19 prevention improvements, such as new HVAC systems, HEPA systems, antimicrobial surfaces, and touchless fixtures, in public facilities, including public schools. The program will prevent, prepare for, and respond to the coronavirus pandemic by reducing airborne and contact transmission risks in public facilities that provide services to individuals and families with low- and moderate-incomes in the city of Phoenix. The facility must be publicly owned or owned by a nonprofit and open to the general public. Facilities may include, but are not limited to, public schools, libraries, recreation centers, senior care facilities, and group homes for persons with a disability.

The COVID Clean Public Facilities and School Improvements and Upgrades 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 Program Description and Need, Project Feasibility, and Project Budget. 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 1,000 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 (L/M) Area or L/M Clientele

### 1.3 CITY OBJECTIVE

Reduce the transmission of COVID-19 and other infectious diseases by funding public facility improvements projects with the ability to be completed by June 30, 2023, or earlier.

## 1.4 ELIGIBLE APPLICANTS

Applicants must be an established non-profit entity, listed with the Arizona Corporation Commission, or unit of government and must provide 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

Installation of COVID-19 prevention improvements to facilities that are publicly owned or that are traditionally provided by the government, or owned by a nonprofit, and operated to be open to the general public. The Public Facility must serve an area or clientele with predominantly low-and-moderate incomes 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](mailto: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 Procurement email mailbox and will not be accepted through any other transmission format (postal, hand-delivered, etc.). Contact NSD staff at [NSD.CIP@phoenix.gov](mailto: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 1,000 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 Phoenix City 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 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](mailto: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](mailto: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.

## 1.10 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 Procurement Officer or picking up a copy **by appointment only** at the **City of Phoenix Neighborhood Services Department, NSD-NOFO-22-005, 200 W. Washington St. 4<sup>th</sup> Floor, Phoenix, AZ 85003, (602) 534-5500** or [NSD.CIP@phoenix.gov](mailto: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.

## 1.11 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 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 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.**

1.11 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.

1.12 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-22-005, 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.

1.13 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.

1.14 APPLICATION SUBMITTAL & REVIEW PROCESS

The program has a rolling deadline with monthly reviews of applications on the last Wednesday of each month, and until funding is depleted. Applications must be received by the first Wednesday of the month by 2:00pm Arizona time to be reviewed in the month received. Please see the following table for application deadlines and Evaluation Panel review dates. Additional review cycles will be added, if necessary and funding is still available.

Review Cycles:

Table with 2 columns: Application Deadlines, Evaluation Panel Review Dates. Rows include dates from April 6, 2022 to October 5, 2022.

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.

application will be prepared for the Evaluation Panel review. If any items are not resolved before NSD 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. 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 1,000 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 Phoenix City Council for final approval. Applicants that are not recommended for award will be notified in writing within 30 days.

### 1.15 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.

### 1.16 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](mailto:NSD.CIP@phoenix.gov). **The complaint must be on agency letterhead, signed and submitted as a PDF document**

### 1.17 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
- Proposed project and/or Site Photos
- Design plans (if available)

## 1.18 EVALUATION CRITERIA

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

### **Program Description and Need**

**(0 UP TO 350 POINTS)**

Points will be awarded based on the overall project description and need. The project should be well-defined, with a realistic implementation plan, addressing the project's ability to prevent, prepare for, and respond to the Covid-19 pandemic. More points will be awarded to proposals that demonstrate evidence that the proposed system will reduce or prevent the spread of the coronavirus.

### **Project Feasibility and Timeliness**

**(0 UP TO 400 POINTS)**

Points will be awarded based on the project schedule and the organization's capacity, readiness, and ability to complete project 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 projects that demonstrate key staff capacity, commitment to project delivery and project practicality, including obtaining any applicable permits for the project, and to projects with faster completion dates, within six months of funding. All projects must achieve closeout and final reimbursement by June 30, 2023.

### **Project Budget**

**(0 UP TO 250 POINTS)**

Points will be awarded based on the overall project budget, including the amount of project leveraging of other resources. The funding request must be realistic, the budget/expenses must be reasonable, and the CDBG-CV funds need to be an appropriate resource for this project. Projects must achieve closeout and final reimbursement by June 30, 2023.

### **TOTAL POSSIBLE POINTS**

**1,000**

## 1.19 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. 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.

**CONSTRUCTION BONDING:** The following requirements will apply to all successful Applicants' bid processes for construction contractors:

- (a) A bid guarantee from each bidder equivalent to five percent (5%) of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- (b) A performance bond on the part of the contractor for 100 percent (100%) of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

**ENVIRONMENTAL REVIEWS:** An environmental review must be performed on any project funded in part with CDBG 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. Depending upon the project location, projects involving construction, rehabilitation, and demolition may take up to 90 days to obtain an environmental clearance.

**DAVIS BACON LABOR STANDARDS:** The Davis Bacon Act is a regulatory requirement that applies to all projects using \$2,000 or more in federal funds for construction activities. The act requires all contractors and subcontractors to pay employees working on the project the prevailing wages and fringe benefits as determined by the federal government.

**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 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. For projects owned by non-profit organizations, 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 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.

## 1.20 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 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.

## **1.21 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 APPLICATION INFORMATION

Prompts 1 through 3: *Self-explanatory*.

Prompt 4: Select a Council District. Find Council District here:

<https://www.phoenix.gov/mayorcouncil/find-my-council-district>

Prompts 5 through 6: *Self-explanatory*.

Prompt 7: Select either Non-Profit or Unit of Government.

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 and 12: *Self-explanatory*.

Prompt 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

#### PROGRAM DESCRIPTION AND NEED

Prompt 14: Describe the organization's mission and the facility. Explain how the organization's mission serves its clientele. Describe the facility, include information relative to the type, size, public services, and location. Described the organization's services at the facility.

Prompt 15: Provide demographic information of clientele, including age, race, ethnicity, gender, income, education, and special needs, include service area limits if the facility provides an area benefit.

Prompt 16: Complete the table for each income level based on Area Median Income and provide the total number of beneficiaries. If beneficiaries are not identified in any income level type 0 into the box.

Projects that serve individuals or families that are not presumed low-and-moderate income must use the income limits below (HUD FY21).

Family Size	1	2	3	4	5	6	7	8
30% of AMI	\$ 16,600	\$ 19,000	\$ 21,350	\$ 23,700	\$ 25,600	\$ 27,500	\$ 29,400	\$ 31,300
50% of AMI	\$ 27,650	\$ 31,600	\$ 35,550	\$39,500	\$ 42,700	\$ 45,850	\$ 49,000	\$ 52,150
80% of AMI	\$ 44,250	\$ 50,600	\$ 56,900	\$ 63,200	\$ 68,300	\$ 73,350	\$78,400	\$ 83,450

Projects that exclusively serve clientele limited to abused children, elderly persons, battered spouses, homeless persons, adults meeting Bureau of Census' definition of severely disabled persons, illiterate adults, persons living with AIDS, and migrant farm workers will presume all clients have low-and-moderate incomes, and the number beneficiaries will be recorded in the 51%- 80% of median (Low/Moderate Income) category and the Total Beneficiaries will capture the same number. The organization must provide documentation showing that the activity is designed to be used exclusively by a segment of the population presumed by HUD to be L/M income persons.

Projects that serve an area, such as a public school, will use HUD's Income Mapper through the link below. Applicants must select a service area to determine the beneficiaries based on income level. The link provides training and definitions for data categories. The service area must be described in Prompt 15. Applicants may also request technical assistance.

<https://hud.maps.arcgis.com/home/item.html?id=ffd0597e8af24f88b501b7e7f326bedd>

Prompt 17: Describe the type and nature of the proposed improvements, including equipment components, sizes, and locations. Describe how the improvements prevent, prepare for, and respond to the coronavirus pandemic. Clearly state the need for the improvement.

Prompt 18: Description of proposed project use of environmentally sustainable practices, materials, and energy efficient products.

## PROJECT FEASIBILITY

Prompt 19: Describe the planning and design activities that created the scope of work for this project, include information relative to the solicitation and creation of budgeting, design, engineering, or product specifications documents. Provide the names of third-party consulting firms and their contributions to the planning and design process. These activities may have been identified in the organization's facility management plan or a Covid-19 facility maintenance response.

Prompt 20: 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 21: 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 22: 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 Prompt 15. Include information relative to on-going maintenance costs and the resources to maintain the improvements.

Prompt 23: Complete the table. Project Design may begin and end before the submission of the application. Environmental Review, Contractor Procurement, Construction/ Installation, and Closeout cannot begin or end until after contract award. Anticipate Environmental Review and Construction Procurement beginning 90 days after application submittal. Construction, including contractor NTP, cannot begin until after the Environmental Review is complete. Closeout, including final reimbursement, must be achieved before June 30, 2023.

Prompt 24: Provide any additional scheduling considerations not included in Prompt 23, including specific restriction on construction based on the facility, is applicable. If no additional considerations are necessary, type "No additional considerations" into the field.

## PROJECT BUDGET

Prompt 25: Complete the table. The table provides spaces to categorize construction services 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 26: 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 oneself, 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.

**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 ASSISTANCE</i>

**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.

**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)