

REQUEST FOR PROPOSALS (RFP)

No. S8-001

HQS Inspection Services



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INTRODUCTION

The Morristown Housing Authority (hereinafter, "HA") is a public entity that was formed in 1952 to provide federally subsidized housing and housing assistance to low-income families, within the City of Morristown, TN. The HA is headed by an Executive Director (ED) and is governed by a five-person board of commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, "CFR") and the HA's procurement policy.

Currently, the HA owns and/or manages nine (9) public housing apartment complexes totaling 672 units, and administrates a total of 424 Section 8 Housing Choice Vouchers. The HA currently has approximately 25 employees.

In keeping with its mandate to provide efficient and effective services, the HA is now soliciting proposals from qualified, licensed and insured entities to provide the above noted services to the HA. All proposals submitted in response to this solicitation must conform to all of the requirements and specifications outlined within this document and any designated attachments in its entirety.

RFP INFORMATION AT A GLANCE

[Table No. 2]

CONTACT PERSON	Jeff Green, Operations Director Telephone: 423-586-5115, ext. 8004 TDD/TYY: (800) 848-0298
HOW TO OBTAIN THE RFP DOCUMENTS	<ul style="list-style-type: none"> • www.morristownpha.org • www.tahranet.org • www.serc-nahro.org
PRE-PROPOSAL CONFERENCE	NONE SCHEDULED
QUESTION SUBMITTAL DEADLINE	Thursday, January, 28, 2021, 3:00 PM ET
HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL SUBMITTAL	<ol style="list-style-type: none"> 1. As directed within Section 3.2.1 of the RFP document, enter proposed pricing where provided. 2. As instructed within Section 3.0 of the RFP document, submit proposal at the HA main office.
PROPOSAL SUBMITAL RETURN & DEADLINE	Thursday, February 4, 2021 Morristown Housing Authority 600 Sulphur Springs Road, Morristown, TN 37814 *(Proposals must be received in hand and time-stamped by the HA no later than 2:00 p.m. on this date).

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1. **THE AGENCY'S RESERVATION OF RIGHTS.** The Agency reserves the right to:
 - 1.0 **Right to Reject, Waive, or Terminate the RFP.** Reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by the Agency to be in its best interests.
 - 1.1 **Right to Not Award.** Not to award a contract pursuant to this RFP.
 - 1.2 **Right to Terminate.** Terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 10 days written notice to the successful proposer(s).
 - 1.3 **Right to Determine Time and Location.** Determine the days, hours, and locations that the successful proposer(s) shall provide the services called for in this RFP.
 - 1.4 **Right to Retain Proposals.** Retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the Agency Contracting Officer (CO).
 - 1.5 **Right to Negotiate.** Negotiate the fees proposed by the proposer entity.
 - 1.6 **Right to Reject any Proposal.** Reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
 - 1.7 **No Obligation to Compensate.** Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.
 - 1.8 **Right to Prohibit.** At any time during the RFP or contract process to prohibit any further participation by a proposer or reject any proposal submitted that does not conform to any of the requirements detailed herein. By accessing and downloading this document, each prospective proposer is thereby agreeing to abide by all terms and conditions listed within this document and further agrees that he/she will inform the CO in writing within 5 days of the discovery of any item listed herein or of any item that is issued thereafter by the Agency that he/she feels needs to be addressed. Failure to abide by this timeframe shall relieve the Agency, but not the prospective proposer, of any responsibility pertaining to such issue.

2. **SCOPE OF WORK/TECHNICAL SPECIFICATIONS.** The Agency is seeking proposals from qualified, licensed, and insured entities to provide the following detailed services:
 - 2.0 **Housing Quality Standards (HQS) Services.**
 - 2.0.1 **Types of Inspections:** The selected firm shall perform all the duties and responsibilities normally associated with the Inspection function (including scheduling, notification, inspections, quality control, and reporting). The Agency may require of the successful proposer at any time during the ensuing contract period any one or more of the individual services utilizing Housing Quality Standards (HQS) tasks: Annual Inspections, Emergency Inspections, Initial Inspections, Follow-up Inspections, Special Inspections, Complain Inspections.
 - 2.0.2 **Determination of Rent Reasonableness** to be completed for all Initial Inspections and as requested by the Agency.

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- 2.0.3 When requested, assist the Agency with rent negotiations.
- 2.0.4 Within one business day of completion of the inspection, provide reports/results indicating the units inspected and the outcome of the inspection. Such reports must be made available to tenant, landlord, and Agency as necessary via electronic media (please see the following Section 2.3 for additional detail).
- 2.0.5 Reports/results submitted via electronic media by the contractor for Section 2.1.9 may require digital pictures of items failing HQS inspections. The severity of the items requiring digital picture documentation will be determined during contract negotiations between the Agency and awarded contractor.
- 2.0.6 Any reports/results submitted via electronic media by the contractor for Section 2.1.9 must be accompanied by signatures appropriate and/or required for the inspection. Appropriate and required signatures will be determined by the Agency.
- 2.0.7 Conduct exterior sweep surveys of the entire complex, including all common areas and building exteriors, and deliver to the Agency ensuing reports of same.
- 2.0.8 All work and reports provided must meet or exceed acceptable industry standards and, in all cases, meet or exceed the requirements of HUD and the Agency.
- 2.0.9 If a unit does not pass inspection because the tenant or owner did not make repairs in 30-days, an extension (to complete repairs) is permissible but it will not exceed the 20th of the next month. Send the 52580 to MHA's Section 8 Department with documentation explaining whether the owner is to be suppressed due to owner-repairs or the contract is to be canceled due to tenant repairs.
- 2.0.10 Provide all correspondence, written and telecommunications, to landlords and tenants informing them of upcoming inspections, results of inspections, and other communications as deemed necessary by the Agency or required by HUD.
- 2.0.11 Once inspection edits and quality control checks are completed, the proposer will generate a 52580 Short form and keep an electronic file copy. MHA desires weekly generation and transmittal of these forms.
- 2.0.12 Quality Assurance Inspections cannot exceed the required number per SEMAP regulations. Quality Assurance Inspections are per month and not all at one time.
- 2.0.13 Provide a customer support call center to handle communication between the Agency, landlord, tenant, and contractor.

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- 2.0.14 Complete the Unit Quality Rating and Rent Reasonableness Worksheet, please see Attachment I, and utility sheet for Utility Allowance, please see Attachment K, attached hereto.
 - 2.0.15 To garner an idea as to how the Agency has been conducting these inspections, please see Attachment H, attached hereto, entitled; Job Description for Housing Inspector.
 - 2.0.16 All inspections must meet HUD HQS standards as well as the Agency's local requirements for inspections. Attachment J, attached hereto.
 - 2.0.17 Emergency repairs noted (those requiring twenty-four hour completion response) will entail:
 - a. The inspector, while in the unit, will attempt to notify the owner of an emergency repair and issue a verbal notification of a re-inspection of the defect item the next day.
 - b. The inspector will then notify their office of the emergency repair and re-inspection. The inspector adds this to the next day's schedule.
 - c. The proposer will notify MHA of the defect and re-inspection notice, as well as provide MHA with a copy of the Emergency Fail letter that was sent/left with the owner.
 - d. The proposer will conduct a follow up inspection of the unit the next day and notify MHA concerning the status of repair.
- 2.1 General Requirements.
- 2.1.1 Media. The contractor must be capable of providing all reports and accompanying documentation (pictures, signatures, etc.) required by the Agency in the following formats:
 - 2.1.1.6 Secure searchable, sortable, and printable results, contractor website;
 - 2.1.1.7 Secure internet connection between Agency and Contractor;
 - 2.1.1.8 E-mail
- 2.2 Required Equipment, Hardware, and Software. The contractor shall be responsible for providing the following items and all other ancillary equipment necessary to provide for the specified services and reports:
- 2.2.1 Mobile computing devices with internet connectivity and digital photography capabilities.
 - 2.2.2 Any transportation necessary for the contractor to provide the services.
 - 2.2.3 Any other equipment required by the contractor to conduct the inspections and provide the reports, including, but not limited to: tape measures; flashlights; test equipment; cell phones; office supplies; etc.

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- 2.2.4 MHA requires full integration with our software. Input occurs through a device capable of running the SACS Inspection Module. A. For Apple: iOS 8/0 or later, iPad/iPhone 5 or later, Minimum 32 GB B. For Android: Version 5/0 (Lollipop or later), phone with at least 5 inch screen, Tablet with 10 inch screen or larger, Minimum 32 GB
- 2.3 **Delivery.** The contractor shall download the inspection reports/results at the end of each day and deliver via internet connection to the contractor's secure website and the Agency inspection software.
- 2.3.1 The Agency will make available to the contractor a software bridge necessary for the contractor to integrate with the Agency core inspection software for specified data fields as determined by the Agency.
- 2.3.2 Always inform the Agency in writing of any terminations or abatement as of the day such occurs and include a copy of any related correspondence.
- 2.4 **Contractor's On-site Personnel.** The contractor shall perform criminal history checks and drug screening tests on all contractor personnel that perform work (either on-site or off-site) for the Agency, and, if the Agency so requests, the contractor shall provide the Agency such results. Such persons whose criminal history check discloses a misdemeanor or felony involving moral turpitude or harm to persons or property or any sexual offenses will not be employed to perform work under the ensuing contract. Such tests and screening shall be performed at the sole expense of the contractor. Agency reserves the right to request the removal of any contractor personnel from performing services for the Agency.
- 2.5 **Contractor's Staff Identification.** The contractor's staff shall, at all times, wear identification clothing and contractor ID when conducting on-site services for the Agency.
- 2.6 **Compatibility with the Agency's Current Software.** The Agency's primary housing program is SACS Software. The successful proposer must ensure that all inspections information (reports) is compatible with SACS Software. The successful proposer shall be required to download such information into the appropriate software program.
- 2.7 **Procedure to Award (Task Order).** The successful proposer shall not begin any work for any contract period until he/she receives from the Agency a fully completed Task Order Form). Receipt of the fully completed Task Order Form shall be considered a notice-to-proceed. The Task Order may take the form of an e-mail.
3. **Tabbed Proposal Submittal:** The HA intends to retain the successful proposer pursuant to a "Best Value" basis, not a "Low Proposal" basis ("Best Value," in that the HA will, as detailed within the following Section 4.0, consider factors other than just cost in making the award decision). Therefore, so that the HA can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted following. Each category must be separated by numbered index dividers (which number extends so that each tab

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can be located without opening the proposal) and labeled with the corresponding tab reference also noted below. None of the proposed services may conflict with any requirement the HA has published herein or has issued by addendum.

Tabbed proposal submittal

[Table No. 3]

RFP Section	Tab No.	Description
3.0	1	Form of Proposal: This Form is attached hereto as Attachment A to this RFP document. This 1-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
3.0.1	2	Form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract:</i> This Form is attached hereto as Attachment B to this RFP document. This 2-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
3.0.2	3	Profile of Firm Form: The Profile of Firm Form is attached hereto as Attachment C to this RFP document. This 2-page Form must be fully completed, executed and submitted under this tab as a part of the proposal submittal.
3.0.3	4	Proposed Services: As more fully detailed within Section 2.0, <i>Scope of Proposal/Technical Specifications</i> , of this document, the proposer shall, at a minimum, clearly detail within the information submitted under this tab documentation showing:
3.0.4		As detailed within Section 4.1, Evaluation Factor No. 2, herein, the proposer's Demonstrated Understanding of the HA's Requirements.
3.0.5		As detailed within Section 4.1, Evaluation Factor No. 3, herein, the proposer's Technical Approach (including, if appropriate, labor categories, estimated hours and skill mix) and the proposer's proposed Work Plan and timetable (fully completed Attachment I) to provide the required services.
3.0.6		As detailed within Section 4.1, Evaluation Factor No. 4, herein, the proposer's Technical Capabilities (in terms of personnel, equipment and materials) and Management Plan (including staffing of key positions, method of assigning work and procedures for maintaining level of service, etc.).
3.0.7		As detailed within Section 4.1, Evaluation Factor No. 5, herein, the proposer's Demonstrated Experience in performing similar work and the proposer's Demonstrated Successful Past Performance (including meeting costs, schedules and performance requirements) of contract work substantially similar to that required by this solicitation.
3.0.8		If appropriate, how staff are retained, screened, trained and monitored;
3.0.9		The proposed quality control program;

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3.0.10		An explanation and copies of forms and reports that will be utilized (especially those reports detailed herein within Section 2.5) and the method of such reports (i.e. written, fax, internet, etc.);
3.0.11		A complete description of the products and services the firms provides.
3.0.12	5	Managerial Capacity/Financial Viability: The proposer entity must submit under this tab a concise description of its managerial and financial capacity to deliver the proposed services, including brief professional resumes for the persons identified within areas (5) and (6) of Attachment C, <i>Profile of Firm Form</i> . Such information shall include the proposer's qualifications to provide the services; a description of the background and current organization of the firm.
3.0.13	6	Client Information: The proposer shall submit a listing of former or current clients, including the Public Housing Authorities, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include:
3.0.14		The client's name;
3.0.15		The client's contact name;
3.0.16		The client's telephone number;
3.0.17		A brief description and scope of the service(s) and the dates the services were provided, including housing agencies where similar inspections have been performed as per REAC UPCS.
3.0.18	7	Equal Employment Opportunity: The proposer must submit under this tab a copy of its Equal Opportunity Employment Policy.
3.0.19	8	Subcontractor/Joint Venture Information (Optional Item): The proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Please remember that all information required from the proposer under the proceeding tabs must also be included for any major subcontractors (10% or more) or from any joint venture.
3.0.22	9	Section 3 Business Preference Documentation (Optional Item): For any proposer claiming a Section 3 Business Preference, he/she shall under this tab include the fully completed and executed Section 3 Business Preference Certification Form attached hereto as Attachment D and any documentation required by that form.
3.0.21	10	Other Information (Optional Item): The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the HA in its evaluation.

If no information is to be placed under any of the above noted tabs (especially the "Optional" tabs), please place a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." DO NOT eliminate any of the tabs.

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- 3.1 **Proposal Submittal Binding Method:** It is preferable and recommended that the proposer bind the proposal submittals in such a manner that the HA can, if needed, remove the binding (i.e. "comb-type;" etc.) or remove the pages from the cover (i.e. 3-ring binder; etc.) to make copies then conveniently return the proposal submittal to its original condition.
- 3.2 **Entry of Proposed Fees:** The proposed fees shall be submitted by the proposer and received by the HA, see sample below. Unless otherwise stated, the proposed fees are all-inclusive of all related costs that the successful proposer will incur to provide the noted services, including, but not limited to: employee wages and benefits, clerical support, overhead, profit, licensing, insurance, tools, equipment, long distance telephone calls, document copying, etc. Each proposed cost includes all units and facilities to be inspected/reported at each noted development.

SAMPLE PROPOSAL

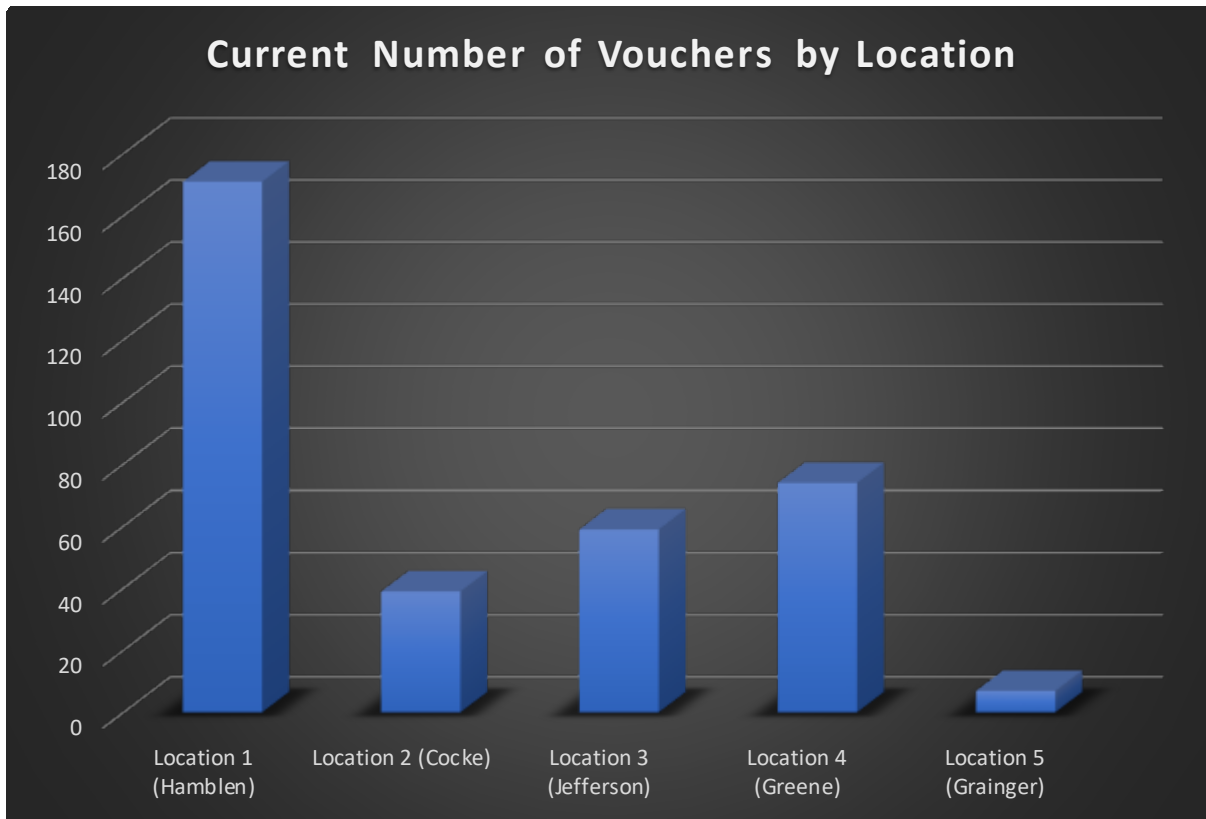
[Table No. 4]

Type of Inspection	Cost per Inspection	Note
Annual Inspection	\$	
Initial Inspection	\$	
Special/Complaint Inspection	\$	
Re-Inspection	\$	
24-hour Emergency Inspection	\$	

- 3.3 **Quantities:** As may be further detailed herein, the HA does not guarantee any minimum or maximum amount of work as a result of any award ensuing from this RFP, as the ensuing contract will be a Requirements Contract, in that the HA shall retain one contractor only and shall retain the right to order from that contractor (successful proposer), any amount of services the HA requires

3.3.1 Current Number of Vouchers by Location

[Table No. 5]



3.3.2 Inspection Statistics: Inconclusive Inspection for the date range of 1/01/2018 - 11/1/2020: 28

The inconclusive columns below include all types of inconclusive reasons (moved, no longer Section 8, no one home, to be rescheduled, not attempted, HA cancelled, etc.)

Number of Inspections

[Table No. 6]

Inspection Type	Pass	Fail	Inconclusive
Annual	484	8	8
Initial	163	18	17
Re-Inspection	63	0	0
Special/Emergency	5	3	3

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- 3.4 **Proposal Submission:** All proposals must be submitted and time-stamped received in the designated HA office by no later than the submittal deadline stated herein (or within any ensuing addendum). A total of 1 original signature copy of the proposal submittal, shall be placed unfolded in a sealed package and addressed to:

Morristown Housing Authority
Attention: Jeff Green
Operations Director
600 Sulphur Springs Road
Morristown, Tn 37814

The package exterior must clearly denote the above noted RFP number and must have the proposer's name and return address. Proposals received after the published deadline will not be accepted.

- 3.4.1 **Submission Conditions:** DO NOT FOLD OR MAKE ANY ADDITIONAL MARKS, NOTATIONS OR REQUIREMENTS ON THE DOCUMENTS TO BE SUBMITTED! Proposers are not allowed to change any requirements or forms contained herein, either by making or entering onto these documents or the documents submitted any revisions or additions; and if any such additional marks, notations or requirements are entered on any of the documents that are submitted to the HA by the proposer, such may invalidate that proposal. If, after accepting such a proposal, the HA decides that any such entry has not changed the intent of the proposal that the HA intended to receive, the HA may accept the proposal and the proposal shall be considered by the HA as if those additional marks, notations or requirements were not entered on such. By accessing and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that the HA delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFP.
- 3.4.2 **Submission Responsibilities:** It shall be the responsibility of each proposer to be aware of and to abide by all dates, times, conditions, requirements and specifications set forth within all applicable documents issued by the HA, including the RFP document, the documents listed within the following Section 3.7, and any addenda and required attachments submitted by the proposer. By virtue of completing, signing and submitting the completed documents, the proposer is stating his/her agreement to comply with the all conditions and requirements set forth within those documents. Written notice from the proposer not authorized in writing by the CO to exclude any of the HA requirements contained within the documents may cause that proposer to not be considered for award.
- 3.5 **Proposer's Responsibilities--Contact With the HA:** It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the CO only. Proposers must not make inquiry or communicate with any other HA staff member or official (including members of the Board of Commissioners) pertaining to this RFP. Failure to abide by this requirement may be cause for the HA to not consider a proposal submittal received from any proposer who has not abided by this directive.

- 3.5.1 **Addendums:** All questions and requests for information must be addressed in writing to the CO. The CO will respond to all such inquiries in writing by addendum to all prospective proposers (i.e. firms or individuals that have obtained the RFP Documents). During the RFP solicitation process, the CO will NOT conduct any *ex parte* (a substantive conversation—"substantive" meaning, when decisions pertaining to the RFP are made—between the HA and a prospective proposer when other prospective proposers are not present) conversations that may give one prospective proposer an advantage over other prospective proposers. This does not mean that prospective proposers may not call the CO—it simply means that, other than making replies to direct the prospective proposer where his/her answer has already been issued within the solicitation documents, the CO may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that the CO may more fairly respond to all prospective proposers in writing by addendum.
- 3.6 **Pre-proposal Conference:** The scheduled pre-proposal conference identified on Page 2 of this document is, pursuant to HUD regulation, not mandatory. Many prospective proposers have previously responded to an RFP with a multi-tabbed submittal and feel comfortable in doing so without attending the pre-conference. Typically, such conferences last 1 hour or less, though such is not guaranteed. The purpose of this conference is to assist prospective proposers in having a full understanding of the RFP documents so that he/she feels confident in submitting an appropriate proposal; therefore, at this conference the HA will conduct an overview of the RFP documents, including the attachments. Prospective proposers may also ask questions, though the CO may require that some such questions are delivered in writing prior to a response. Whereas the purpose of this conference is to review the RFP documents, attendees should bring a copy of the RFP documents to this conference; however, the HA *will not* distribute at this conference any copies of the RFP documents.

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3.7 **Recap of Attachments:** It is the responsibility of each proposer to verify that he/she has downloaded the following attachments pertaining to this RFP, which are hereby by reference included as a part of this RFP:

[Table No. 7]

RFP Section	Attachment	Attachment Description
3.8.1	A	Form of Proposal
3.8.2	B	Form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract</i>
3.8.3	C	Profile of Firm Form
3.8.4	D	Section 3 Forms
3.8.5	E	Form HUD-5369-B (8/93), <i>Instructions to Offerors, Non-Construction</i>
3.8.6	F	<i>HA Instructions To Proposers & Contractors</i>
3.8.7	G	HA Sample Contract Form (please note that this contract is being given as a sample only--the HA reserves the right to revise any clause herein and/or to include within the ensuing contract any additional clauses that the HA feels it is in its best interests to do so)
3.8.7.1	G-1	Form HUD-5370-C (10/2006), <i>General Conditions for Non-Construction Contracts - Section I (With or without Maintenance Work)</i>
3.8.7.2	G-2	Form HUD-50071 (1/2014), <i>Certification of Payments to Influence Federal Transactions</i>
3.8.9	H	Job Description for Housing Inspector
3.8.10	I	Rent Reasonableness Data Sheet
3.8.11	J	Inspection Policies (Inspection section of Admin Plan)
3.8.12	K	Utility Sheets for each unit type and county

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4. PROPOSAL EVALUATION:

4.1 **Evaluation Factors:** The following factors will be utilized by the HA to evaluate each proposal submittal received; award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal:

[Table No. 8]

NO.	MAX POINT VALUE	FACTOR TYPE	FACTOR DESCRIPTION
1	30 points	Objective	The PROPOSED COSTS to the HA to complete all required work.
2	15 points	Subjective (Technical)	The proposer's DEMONSTRATED UNDERSTANDING of the REQUIREMENT ;
3	15 points	Subjective (Technical)	The APPROPRIATENESS of the TECHNICAL APPROACH (including labor categories, estimated hours and skill mix) and the QUALITY of the WORK PLAN .
4	15 points	Subjective (Technical)	The proposer's TECHNICAL CAPABILITIES (in terms of personnel, equipment and materials) and the MANAGEMENT PLAN (including staffing of key positions, method of assigning work and procedures for maintaining level of service, etc.).
5	15 points	Subjective (Technical)	The proposer's DEMONSTRATED EXPERIENCE in performing similar work and the proposer's DEMONSTRATED SUCCESSFUL PAST PERFORMANCE (including meeting costs, schedules and performance requirements) of contract work substantially similar to that required by this solicitation as verified by reference checks or other means.
	10 points	Subjective (Technical)	The OVERALL QUALITY AND PROFESSIONAL APPEARANCE OF THE PROPOSAL SUBMITTED , based upon the opinion of the evaluators.
	100 points	100 points	Total Points (other than preference points)

4.2 **Evaluation Method:**

4.2.1 **Initial Evaluation for Responsiveness:** Each proposal received will first be evaluated for responsiveness (e.g., meets the minimum of the published requirements). The HA reserves the right to reject any proposals deemed by the HA not minimally responsive (the HA will notify such firms in writing of any such rejection).

4.2.2 **Potential "Competitive Range" or "Best and Finals" Negotiations:** The HA reserves the right to, as detailed within Section 7.2.N through Section 7.2.R of HUD Procurement Handbook 7460.8 REV 2, conduct a "Best and Finals" Negotiation, which may include oral interviews, with all firms deemed to be in the competitive range.

4.2.3 **Determination of Top-ranked Proposer:** Typically, the subjective points awarded by the evaluation will be combined with the objective points

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awarded by the CO to determine the final rankings, which is typically forwarded by the CO to the ED for approval.

- 4.1.3.1 **Minimum Evaluation Results:** To be considered to receive an award a proposer must receive a total calculated average of at least 70 points (of the 100 total possible points detailed within Section 4.1 herein).
- 4.1.3.2 **Ties:** In the case of a tie in points awarded, the award shall be decided as detailed within Section 6.12.C of HUD Procurement Handbook 7460.8 REV 2, by "drawing lots or other random means of selection".
- 4.1.3.3 **Restrictions:** All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the HA evaluation committee. Similarly, all persons having ownership interest in and/or contract with a proposer entity will be excluded from participation on the HA evaluation committee.

5. CONTRACT AWARD:

- 5.1 **Contract Award Procedure:** If a contract is awarded pursuant to this RFP, the following detailed procedures will be followed:
 - 5.1.1 By completing, executing and submitting the Form of Proposal, Attachment A, the "proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the HA, including the contract clauses already attached as Attachment G, G-1, and G-2. Accordingly, the HA has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses already published.
- 5.2 **Contract Conditions:** The following provisions are considered mandatory conditions of any contract award made by the HA pursuant to this RFP:
 - 5.2.1 **Contract Form:** The HA will not execute a contract on the successful proposer's form--contracts will only be executed on the HA form (please see Sample Contract, Attachments G, G-1, and G-2), and by submitting a proposal the successful proposer agrees to do so (please note that the HA reserves the right to amend this form as the HA deems necessary). However, the HA will during the RFP process (prior to the submittal deadline) consider any contract clauses that the proposer wishes to include therein and submits in writing a request for the HA to do so; but the failure of the HA to include such clauses does not give the successful proposer the right to refuse to execute the HA's contract form. It is the responsibility of each prospective proposer to notify the HA, in writing, prior to submitting a proposal, of any contract clause that he/she is not willing to include in the final executed contract and abide by. The HA will consider and respond to

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such written correspondence, and if the prospective proposer is not willing to abide by the HA's response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

- 5.2.2 Please note that the HA has no legal right or ability to (and will not) at any time negotiate any clauses contained within ANY of the HUD forms included as a part of this RFP.
- 5.3 **Assignment of Personnel:** The HA shall retain the right to demand and receive a change in personnel assigned to the work if the HA believes that such change is in the best interest of the HA and the completion of the contracted work.
- 5.4 **Unauthorized Sub-Contracting Prohibited:** The successful proposer shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFP (including, but not limited to, selling or transferring the contract) without the prior written consent of the CO. Any purported assignment of interest or delegation of duty, without the prior written consent of the CO shall be void and may result in the cancellation of the contract with the HA, or may result in the full or partial forfeiture of funds paid to the successful proposer as a result of the proposed contract; either as determined by the CO.
- 5.5 **Contract Period:** The HA anticipates that it will initially award a contract for the period of 1 year with the option, at the HA's discretion, of 4 additional one-year option periods, for a maximum total of 5 years.
- 5.6 **Licensing and Insurance Requirements:** Prior to award (but not as a part of the proposal submission) the *successful proposer* will be required to provide:
- 5.6.1 An original certificate evidencing the proposer's current industrial (worker's compensation) insurance carrier and coverage amount;
- 5.6.2 An original certificate evidencing General Liability coverage, naming the HA as an additional insured, together with the appropriate endorsement to said policy reflecting the addition of the HA as an additional insured under said policy (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$2,000,000, together with damage to premises and fire damage of \$50,000 and medical expenses any one person of \$5,000), with a deductible of not greater than \$1,000;
- 5.6.3 An original certificate showing the proposer's professional liability and/or "errors and omissions" coverage (minimum of \$1,000,000 each occurrence, general aggregate minimum limit of \$2,000,000), with a deductible of not greater than \$1,000;
- 5.6.4 An original certificate showing the proposer's automobile insurance coverage in a combined single limit of \$1,000,000. For every vehicle utilized during the term of this program, when not owned by the entity, each vehicle must have evidence of automobile insurance coverage with limits of no less than \$50,000/\$100,000 and medical pay of \$5,000.

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- 5.6.5 A copy of the proposer’s business license allowing that entity to provide such services within the Tennessee Counties of Hamblen, Jefferson, Cocke, Grainger and Greene Counties.
 - 5.6.6 If applicable, a copy of the proposer's license issued by the State of Tennessee licensing authority allowing the proposer to provide the services detailed herein.
 - 5.6.7 The requested related information shall also be entered where provided for on the Profile of Firm Form. We will garner the necessary certificates from the successful proposer prior to contract execution.
- 5.7 **Right To Negotiate Final Fees:** The HA shall retain the right to negotiate the amount of fees that are paid to the successful proposer, meaning the fees proposed by the top-rated proposer may, at the HA's options, be the basis for the beginning of negotiations. Such negotiations shall begin after the HA has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO successfully concluded within 5 business days, the HA shall retain the right to end such negotiations and begin negotiations with the next-rated proposer. The HA shall also retain the right to negotiate with and make an award to more than one proposer, as long as such negotiation(s) and/or award(s) are addressed in the above manner (i.e. top-rated first, then next-rated following until a successful negotiation is reached).
- 5.8 **Contract Service Standards:** All work performed pursuant to this RFP must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.

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