



COMMUNITY DEVELOPMENT DEPARTMENT
928 5th Ave. N, Texas City, TX 77590

Request for Qualifications (RFQ)

CONSULTANT SERVICES TO CONDUCT AN ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI) IN TEXAS CITY AND PRODUCE A FINAL DOCUMENT THAT ENCOMPASSES THE ANALYSIS AND PLAN TO ELIMINATE IDENTIFIED IMPEDIMENTS.

The City of Texas City, through its Community Development Department (CDD), is requesting qualifications for consultant services to conduct an analysis to identify impediments to fair housing choice within the city of Texas City and develop an Analysis of Impediments to Fair Housing (AI) document. The City invites submissions from either firms or individuals, including Section 3, SBE- or D/M/WBE entities.

BACKGROUND AND CONTEXT

In conjunction with the U.S. Department of Housing and Urban Development (HUD), The City of Texas City is committed to eliminating racial and ethnic segregation, illegal physical and other barriers to persons with disabilities and other discriminatory practices in housing. The City of Texas City's goal is to make housing choice a reality.¹

Provisions to affirmatively further fair housing (AFFH) are principal and long-standing components of HUD's housing and community development programs. The City of Texas City is a HUD grantee and administers funds under the CDBG Entitlement, CDBG-MIT, and CDBG-DR Programs through our Community Development Department (CDD).

The CDBG program contains a regulatory requirement to affirmatively further fair housing based upon HUD's obligation under Section 808 of the Fair Housing Act. The CDBG regulation also reflects the CDBG statutory requirement that the grantees certify that they will affirmatively further fair housing. In order to achieve this goal, the City must identify all impediments to fair housing in Texas City by developing an AI.

¹ Chapter 1, section 1.1 of HUD's Fair Housing Planning Guide

The AI is a review of impediments to fair housing choice in the public and private sector. The AI involves:

- A comprehensive review of the City of Texas City's laws, regulations, and administrative policies, procedures, and practices.
- An assessment of how those laws, etc. affect the location, availability, and accessibility of housing.
- An assessment of conditions, both public and private, affecting fair housing choice for all protected classes.
- An assessment of the availability of affordable, accessible housing in a range of unit sizes.

Impediments to fair housing choice are:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Although the City of Texas City's AFFH obligation arises in connection with the receipt of Federal funding, its AFFH obligation is not restricted to the design and operation of HUD-funded programs. The AFFH obligation extends to all housing and housing-related activities in the City of Texas City's jurisdictional area whether publicly or privately funded.²

HUD also requires CD grantees to document AFFH actions in the CDBG annual performance reports (CAPERs) that are submitted to HUD.

The Consultant will work on a contractual basis as an Independent Contractor. The services will be provided through a combination of in-office (CDD), in-the-field, and remote work (if desired). Ideally, applicants will have schedule flexibility, on a week-to-week and ongoing basis, to be able to respond to varying workload demands.

The Consultant will work under the supervision of the Community Development & Grants Administrator.

² Chapter 1, section 1.2 of HUD's Fair Housing Planning Guide

A. Requested Services

The Consultant shall be responsible for the following tasks. There may be additional tasks to be provided that are not listed below but are consistent with the work required to conduct the analysis and develop the AI.

1. Assemble Fair Housing information.
2. Establish workable procedures for the analysis process.
3. Build relationships and communicate with:
 - o Fair Housing Organizations
 - o Other Governments
 - o Advocacy Groups
 - o Housing Providers
 - o Banks and Other Financial Institutions
 - o Educational Institutions
 - o Other Organizations
 - o General Public
4. Target resources for Fair Housing Planning (FHP).
5. Establish a working group made up of representatives from diverse population groups, housing industry, and fair housing groups to assist in FHP.
6. Assess prior and current actions to Affirmatively Further Fair Housing.
7. Lead the working group to identify and analyze impediments and develop a carefully structured plan for addressing impediments that are firmly grounded in the AI's conclusions.
8. Work with the City's Media Specialist to produce the AI document.
9. With the Community Development & Grants Administrator, develop a process for monitoring the progress in carrying out each action and evaluating its effectiveness.
10. Once the AI is completed, assist the CDD in communicating conclusions and recommendations to top policy makers, key Government staff, community organizations, and the general public.
 - o Provide a copy to organizations and individuals participating in the AI process and other organizations focusing on housing issues.
 - o Advise the general public by holding meetings or other public forums in accessible meeting facilities with sign language interpreters and other accommodation made available.
 - o Provide a means other than public forums for other citizen participation (e.g. written comments, comment via the electronic media) regarding the conclusions and recommended actions resulting from the AI.
 - o Work with the City's Communications Coordinator to publicize key aspects of the AI.
 - o Utilize alternative formats (e.g. braille, large type, tapes or readers) for persons with visual impairments.
 - o Brief key officials and staff in the Government as well as community organizations that express an interest.

B. General Information

1. Project Schedule

It is anticipated that a contract will be awarded on or about June 21, 2023. The schedule below outlines the current timetable. Applicants shall state their availability to commence work, as well as any short- or long-term schedule constraints and limitations.

RFQ advertised and available	May 11, 2023
2 nd RFQ advertisement	May 18, 2023
Qualifications due	June 1, 2023, by 3:00 p.m.
Interviews/Negotiations	June 13, 2023
Contract awarded	June 21, 2023
Work to commence	June 26, 2023

The City intends to enter into a contract agreement with the selected party for a period of approximately one year.

2. Work Schedule

As an Independent Contractor, the selected party will have flexibility in its work schedule but must have the ability to perform the requested services in a manner that is responsive to the expected completion/presentation date. It is expected that the workload demands will vary on an ongoing basis, with periods that will require a greater time commitment than at other times.

3. General Qualifications

The proposer must be knowledgeable about Fair Housing and have experience in dealing with Fair Housing-related issues.

If proposers do not have professional liability insurance, they must acknowledge they will obtain such insurance in a minimum amount of \$1,000,000 and maintain such throughout the life of the project.

No person debarred pursuant to Chapter 149, §44C, from federally funded work or disqualified pursuant to Chapter 7, §38F(c) or §38H(g) shall be allowed to bid on this project individually or be included as a sub-consultant to the prime firm.

4. Essential Requirements of Position

The Contractor will need the ability to meet physical and other abilities that are essential to the position. These include:

- Ability to use a Fair Housing perspective.

- Ability to work with elected officials, executive level government staff, and community leaders/stakeholders.
- Ability to work both independently and collaboratively as part of a team.
- Competence with computers, including word processing and spreadsheets.
- Strong interpersonal skills, and the ability to manage difficult or stressful interactions diplomatically.
- Ability to provide own transportation to travel to a variety of locations.
- Legal background preferred.

5. Insurance Requirements

Each party submitting qualifications in response to this RFO shall submit a sample "Certificate of Insurance" for items listed below and before the work commences, the insurance company shall send to the City a "Certificate of Insurance" indicating that such insurance is in force. If an interested party does not currently have the coverages cited below, it shall state its ability and willingness to obtain them.

If awarded the contract, the successful party shall make arrangements for its insurance company to notify the City of any termination or material change in the aforementioned insurance at least thirty (30) days prior to the date on which the termination or change takes place.

The firm shall take out and maintain insurance as provided in the preceding paragraph, as follows:

- a. Worker's Compensation Insurance for the protection of all employees throughout the entire period that this contract is in operation with coverage B limit of liability of not less than \$500,000. (This is a requirement of the City for all parties, including individuals/sole proprietors, even though Texas law does not require such).
- b. Comprehensive General Liability for bodily injury, including death, in the amount of \$1,000,000 (for one person) and \$1,000,000 (on account of one accident), including the City as an additional insured.
- c. Property Damage in the amount of \$1,000,000 each occurrence and \$1,000,000 aggregate. The property damage insurance shall include comprehensive for premises/operations, collapse, explosion, and underground damage to public utilities, products/completed operations, contractual, independent contractor, broad form property damage, and including the City as an additional insured. Automotive vehicles, both owned and non-owned, used in conjunction with the job both on and off the public highway shall carry the same rates of insurance for bodily injury and property damage as stated above.

All policies and certificates shall contain an endorsement requiring at least thirty (30) days written notice, nonrenewal or cancellation of coverage to City of Texas City. Compliance by the Contractor with the insurance requirements shall not relieve the Contractor from liability under the full indemnity provisions contained herein.

C. Submission Requirements

In order to comply with the minimum evaluation criteria for this project, applicants are required to submit qualifications containing the following:

1. Name, address, and contact information proposer or firm, and principal contact person.
2. Type of organization (i.e., corporation, partnership, joint venture, etc.) including list of participants, as appropriate.
3. History, ownership, and organizational background of the firm or individual.
 - a. Provide a brief history of each individual or firm involved, as well as a synopsis of ownership and organizational structure.
 - b. If the firm responding is a partially- or fully owned subsidiary of another firm, include the above information for the parent company and an appropriate statement by the parent company in support of the subsidiary's submittal.
 - c. In case the response is by a joint venture or partnership, explain how the responsibilities will be divided.
 - d. Indicate (as applicable) that the firm/individual is a Section 3, Small and/or M/WBE enterprise.
4. The submission must be signed by an individual duly authorized to bind the offer.
5. Acknowledge receipt of all addenda issued by the City, or that none has been received.
6. Insurance coverage as described above will be required upon contract execution. State that such coverage is currently in place or will be put in place at contract signing.
7. Provide a brief, narrative description (one or two paragraphs) that demonstrates an understanding of services being requested, including comments or observations as the proposer deems relevant.
8. Provide specific evidence of the individual's/firm's/team's comparable experience involving state or federal funding and number of years of experience. For references, list contact name, address, telephone number, and a summary description and date of project. The City may contact any or all of these as references. The City may independently contact other parties not listed as a reference.
9. Qualifications/experience: If more than one person will provide services, describe the proposed staffing of the project, and the roles of each person. Indicate the approximate proportion of time (of the total) that each staff person will commit to the project. Include copies of resumes. Proposers are encouraged to submit work samples to enable the City to evaluate the qualifications.
10. Indicate availability on a weekly basis, and any constraints or schedule limitations. Proposers should acknowledge their ability to commence work on or about June 26, 2023 and provide information that corroborates its availability. List other current commitments; provide information relating to any potential conflicting commitments.
11. Compensation may be proposed either on a fixed or not-to-exceed billing basis. The City's preference is to pay compensation on a fixed per-unit basis. Additionally, the City will request a fully loaded hourly rate in the event that extra services are requested. When submitting its

proposed compensation, the proposer should also identify any costs not included in the hourly or fixed fee.

12. Complete the following documents attached:

- Conflict of Interest Questionnaire
- Certificate of Interested Parties
- Non-Collusion Bidding Certificate
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters
- HB-89 Verification Form

A complete submission package shall be considered one that contains the information described in the preceding section (Qualification Submission Requirements). The City is seeking concise, clear responses that provides the required information. The envelope/email shall be labeled:

Request for Qualifications: Analysis of Impediments Consultant

Each firm submitting a qualification package in response to this RFQ should submit one hardcopy and one electronic copy of their qualifications in a sealed envelope addressed to:

City of Texas City
Purchasing Department
Attn: Kelly Bender
1801 9th Ave N
Texas City, TX 77590

All qualification packages must be received before 3:00 P.M., June 1, 2023.

One (1) physical copy and one (1) digital copy of each qualification must be delivered to the City by the date and time specified in this RFQ. No late submissions will be accepted. Faxed qualifications will not be accepted.

Any questions arising from this RFQ should be addressed in writing to Mrs. Titilayo Smith, Community Development & Grants Administrator, Community Development Department, at 928 5th Ave. N, Texas City, TX 77590, or at tsmith@texascitytx.gov. Responses to all questions will be made in writing with copies sent to all firms who have received the RFQ. Questions or requests for clarification must be received on or before 4:00 P.M., Friday, May 26, 2023. Responses to questions will be posted on the City of Texas City's website by 5:00 PM on Monday, May 29, 2023.

All submittals received by the City of Texas City in response to the RFQ shall become the property of the City and will not be returned.

Withdrawal of Qualification

Any party wishing to withdraw its submission must do so in writing to Titilayo Smith at tsmith@texascitytx.gov.

Correction or Modification to a Qualification

A party that wishes to correct or modify its submission may do so in writing to Titilayo Smith prior to the submission deadline.

D. Selection Criteria

Qualifications will be evaluated by one or more persons. The following details these procedures and specifies the qualification submission requirements necessary to ensure a fair and equitable selection process.

1. Minimum Evaluation Requirements

The City of Texas City, through the Purchasing Department, will receive all qualifications and record the names of the firms/individuals. Submissions that meet the minimum criteria will then be evaluated by a more extensive, qualitative rating system explained below. Qualifications that fail to meet all minimum criteria will be rejected from further consideration.

The minimum evaluation criteria for this project include:

- A. Be knowledgeable about Fair Housing and have experience in dealing with Fair Housing-related issues.
- B. Experience in working with municipal governments.
- C. Experience with federal programs and planning.
- D. Moderate computer skills, including proficiency with word processing software.
- E. Submissions must be complete, accurate and responsive to RFQ requirements, including submission of required certifications.
- F. Evidence of insurance coverage must be satisfactory, or, alternatively, the proposer shall state its ability and willingness to acquire the required coverages.
- G. Required certifications (listed above under "Submission Requirements") are complete.

Under the City's determination that Proposers have met all the minimum criteria outlined above, eligible qualifications will then be reviewed as follows.

2. Selection Criteria: Qualitative Evaluations

Following are factors that will be used to judge submissions, and how these factors will be rated. Below is a hierarchy of qualification evaluation criteria organized around four rating levels: highly advantageous (HA), advantageous (A), not advantageous (NA) and unacceptable (U). Not all levels apply for all criteria.

Submissions will be reviewed to determine an appropriate rating for each criterion. If more than one evaluator reviews submissions, a summary of the compiled ratings will then be distributed to individual evaluation team members. The team will meet to discuss any major differences between individual members' ratings and adjust, if warranted. Up to three of the highest ranked proposers may be invited to

an interview. If interviews are conducted, the evaluations may be adjusted based on the proposer's effectiveness during the interview. A summary of the rating and ranking (including an assessment resulting from the interview, if conducted) will then be presented to the Community Development & Grants Administrator with a recommendation for a selection.

The Community Development & Grants Administrator will thereafter negotiate a contract price with the most highly ranked applicant. If the Administrator is unable to negotiate an acceptable price, she will continue to negotiate with other applicants, in order of their ranking, until she is successful in agreeing on a contract price. It is the Administrator who ultimately forwards a contract award recommendation to the City Commission.

The intent of this evaluation system is to consider most favorably the applicant with the highest ranked qualifications and most responsive submission.

A. Knowledgeable about Fair Housing and have experience in dealing with Fair Housing-related issues.

Highly Advantageous: Five or more years of experience in dealing with Fair Housing-related issues.

Advantageous: Less than five but more than three years in dealing with Fair Housing-related issues.

Not Advantageous: Some, but less than three years of experience in dealing with Fair Housing-related issues.

Unacceptable: No experience in dealing with Fair Housing-related issues.
Applicants receiving this rating for any of the criteria will be eliminated from further consideration.

B. Experience in working with municipal governments.

Highly advantageous: Five or more years of experience in working with municipal governments.

Advantageous: Less than five, but more than three years of experience in working with municipal governments.

Not Advantageous: Some, but less than three years of experience in working with municipal governments.

Unacceptable: No experience in working with municipal governments.

C. Experience with federal programs and planning.

Highly advantageous: Five or more years of experience in working with federal programs and planning activities.

Advantageous: Less than five, but more than three years of experience in working with federal programs and planning activities.

Not Advantageous: Some, but less than three years of experience in working with federal programs and planning activities.

Unacceptable: No experience in working with federal programs and planning activities.

D. References.

Highly advantageous: Reference checks of the applicant's past and/or current work indicate a uniformly high level of satisfaction.

Advantageous: Reference checks of the applicant's past and/or current work indicate a generally high level of satisfaction, with few or minor exceptions.

Not Advantageous: Reference checks of the applicant's past and/or current work indicate a mix of satisfaction and dissatisfaction.

Unacceptable: Reference checks relating to past and/or current work are sufficient to give reviewers serious concerns about the applicant's performance capabilities. Applicants receiving this rating for any of the criteria will be eliminated from further consideration.

E. Submission.

Highly advantageous: Submission is complete, accurate and responsive to RFQ requirements, including submission of required certifications. Evidence of insurance coverage is satisfactory.

Advantageous: Submission is complete, accurate and responsive to RFQ requirements, including submission of required certifications. The proposer has stated its ability and willingness to acquire the required coverages.

Unacceptable: Submission is not complete, accurate and responsive to RFQ requirements including lack of submission of required certifications.

E. Basis for Contract Award

It is the City's intent to award the contract to the individual or firm whose qualifications and experience the City considers most advantageous, considering a combination of factors encompassed by the qualitative evaluation criteria. While fee is not a criterion for identifying the most qualified proposer, it will be a factor during contract negotiations.

Fee (Price) Qualification

Compensation may be proposed either on a fixed or not-to-exceed billing basis. The City's preference is to pay compensation on a fixed per-unit basis. Additionally, the City will request a fully loaded hourly rate in the event that extra services are requested. When submitting its proposed compensation, the proposer should also identify any costs not included in the hourly or fixed fee.

F. General Provisions

- Interviews may be held with proposers as the City deems necessary.
- The City reserves the right to cancel this solicitation, or to reject any or all submissions, to solicit new ones, to eliminate any task or part of a task, and/or to award contracts as it deems to be in its best interest.
- Pre-award negotiations may be conducted.
- All qualifications become the property of the City of Texas City.
- The selected Contractor shall be expected to comply with all applicable Federal, State and City laws and bylaws in its performance of services.
- All plans and specifications, data and work products resulting from this contract shall become the property of the City of Texas City.
- Unless specifically prohibited by the proposer, the City has the right to disclose information contained in qualifications.
- The selected Contractor shall agree to Indemnify, Defend, and Hold the City Harmless from any and all claims arising out of the performance of this contract from the negligence, willful acts or omissions of itself, its employees, agents, or any subcontractors.
- The selection of a successful proposer shall be made without regard to race, color, sex, gender identity, age, religion, political affiliation, marital status, sexual orientation, handicap status, or national origin.
- The City of Texas City is an Affirmative Action/Equal Opportunity Employer and contracting agency. The City encourages submissions from qualified Section 3, Small-, or D/M/WBE firms. Although no affirmative action contracting goal has been placed on this contract, the City will look favorably on those submissions that include such participation.

- The proposer shall certify that no official or employee of the City of Texas City has a financial interest in this offer or in the contract which the proposer offers to execute or in the expected profit to arise there from.
- This contract will be funded from one or more HUD CDBG Program grants and shall be subject to the terms, conditions, and provisions of that Program.