

**CITY OF BIRMINGHAM, ALABAMA
DEPARTMENT OF COMMUNITY DEVELOPMENT
710 North 20th Street, 10th Floor City Hall
Birmingham, Alabama 35203**

**2010-2015 HUD CONSOLIDATED PLAN & ANALYSIS OF IMPEDIMENTS TO
FAIR HOUSING CHOICE**

REQUEST FOR CONSULTANT SERVICE PROPOSALS

**THIS REQUEST MAY BE RESPONDED TO BY APPLYING FOR ONE OR
BOTH OF THE FOLLOWING PARTS. EACH PART REQUIRES A SEPARATE
NARRATIVE, PROPOSED BUDGET, AND EVALUATION:**

- PART I: 2010-2015 HUD CONSOLIDATED PLAN
PART II: 2010-2015 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING
CHOICE**

PUBLICATION DATE: June 25, 2009

PROPOSAL DUE DATE: July 27, 2009 by 4:30 p.m.

**WEBSITE POSTING: www.birminghamal.gov ; Community Development
Department Webpage.**

June 25, 2009

RE: Consolidated Plan & Analysis of Impediments to Fair Housing Choice
Request for Consultant Service Proposals

Proposing Entities:

The City of Birmingham, Alabama (the City) is a grantee eligible to receive assistance under the Community Development Block Grant (CDBG) Program, the Emergency Shelter Grant (ESG) Program, the HOME Investment Partnerships (HOME) Program, and the Housing Opportunities for Persons with AIDS (HOPWA) Program. Funds for these programs must be spent inside the City limits of Birmingham, Alabama for program participants who meet applicable eligibility criteria and for eligible activities as outlined by program regulation.

The Consolidated Plan is a document that is submitted to HUD that serves as the planning document (comprehensive housing affordability strategy and community development plan) of the City and an application for funding under the referenced programs which is prepared in accordance with the requirements of 24 CFR Part 91.

Additionally, as a part of the Consolidated Plan, the City certifies annually that it will affirmatively further fair housing, which means it will conduct an Analysis of Impediments to Fair Housing Choice (AI) within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

The City of is seeking consultant service proposals to coordinate the preparation of both documents on behalf of the Community Development Department in accordance with HUD regulations and guidelines. The documents must cover the period of July 1, 2010 through June 30, 2015 and must be submitted in final form to the Community Development Department for approval no later than April 1, 2010.

Additional information or clarification about this request can be obtained by contacting Tom Tiffin or Denise Hoover in the Community Development Department 205-254-2341. Proposals must be received in the Community Development at the address referenced below no later than 4:30 p.m. on July 27, 2009. No proposals received by fax or e-mail transmission will be accepted.

I appreciate your time and effort in responding to this proposal and look forward to working with you in the future.

James F. Fenstermaker, Director
Community Development Department
Room 1000 – (10th Floor), City Hall
710 North 20th Street
Birmingham, Al. 35203

CONSULTANT SERVICES PROPOSAL APPLICATION PROCEDURE:

This request for consultant service proposals contains two separate program components: Part I. 2010-2015 HUD Consolidated Plan; and Part II. 2010-2015 Analysis of Impediments to Fair Housing Choice. An entity may apply for one or both these program components. Please address each of the following elements and provide the documentation requested. It is not necessary to repeat this information if your organization is applying under more than one program component. Any proposal submitted without all of the information requested below will be considered as non-responsive.

- A. Executive Summary should contain a description of your proposal in as much detail as possible.
- B. Fixed Price Budget & Completion Schedule. Please include a fixed price or fee for the production of the requested document. This fee should include a breakout of projected costs and profit. Also include a proposed completion schedule and timeline assuming a start date of October 1, 2009 and a due date of April 1, 2010. Contract payments will be made in accordance with a completion schedule based upon completion of document elements.
- C. Provide resume of experience of the development team.
- D. Complete Evaluation Criteria Questions for each program component under which you are applying.
- E. Complete Transparency in City Government Disclosure Form (Appendix B). If you have previously completed this form for another City application please provide a copy.
- F. Execute all Certifications in Appendix C.

NOTE: This list may not be all inclusive. Additional documentation may be required upon request by the City of Birmingham, Alabama.

COMPLIANCE WITH ANTI-DISCRIMINATION LAWS:

This grant will be conducted and administered in conformity with title VI of the Civil rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

PART I: 2010-2015 HUD CONSOLIDATED PLAN:

The City is presently following a five (5) year consolidated plan (or Comprehensive Housing Afford ability Strategy) that has been approved by the U.S. Department of Housing and Urban Development (HUD) for the period July 1, 2005 thru June 30, 2010. This document consolidates the planning and submission process for HUD Community Planning and Development (CPD) formula programs: Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA). Copies of the plan are available for inspection on the City's website at www.birminghamal.gov on the Community Development Department webpage.

The consolidated plan includes six required components: (a) housing and homeless needs assessment, (b) housing market analysis, (c) strategies and priority needs and objectives, (d) action plan, (e) certifications, (f) monitoring. The action plan and certification portions of the document must be submitted annually to HUD for approval. The Consolidated Plan contains a single five (5) year strategic plan that brings needs and resources together in a coordinated housing and community development strategy. The five (5) year housing and community development strategic plan also outlines the strategy to be followed and the actions to be taken to address imbalances between the City's housing and community development needs and its resources.

The complete consolidated plan regulation is available at 24 CFR Part 91 and is posted on the HUD website at www.hud.gov/offices/cpd/about/complan/index.cfm along with guidelines and other information regarding HUD's Consolidated Planning Process. Also included is the Consolidated Plan Review Checklist which the City will require as a mandatory part of the completed Consolidated Plan document to be prepared.

The Consolidated Plan Document must cover the period of July 1, 2010 through June 30, 2015 and must be submitted in final form to the Community Development Department for approval no later than April 1, 2010.

Evaluation Factors:

The preliminary funding award resulting from this part of the Request for Proposals shall be determined by analysis of, but not necessarily limited to, the factors shown below. Points will be designated for each factor of consideration with a maximum score of 100 points. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

Briefly respond to each of the following (maximum of 250 words per item):

- A. Applicant Organization has previously prepared a HUD Five Year Consolidated Plan for the City of Birmingham, Alabama.
_____ Zero or 25 points

- B. Applicant Organization has a minimum of 5 years demonstrated experience in the preparation of HUD Five Year Consolidated Plans for States or other Entitlement Jurisdictions.
_____ Up to 20 points

- C. Applicant Organization proposes to complete the document in accordance with a time efficient schedule no later than April 1, 2010.
_____ Up to 20 points

- D. Minority participation in the proposal.
_____ Up to 10 points

- E. Section 3 Certified Business or Organization.
_____ Zero or 10 Points

- F. Applicant Organization submitted the most cost effective proposal.
_____ Zero or 15 Points

PART II: 2010-2015 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Sections 104(b)(2) and 106(d)(5) of the Housing and Community Development Act of 1974, as amended, specifically require Community Development Block Grant (CDBG) Program grantees to certify they will affirmatively further fair housing. Congress reiterated this affirmative obligation in Section 105(b)(13) of the National Affordable Housing Act of 1990 (NAHA).

As a part of the Consolidated Plan, the City certifies annually that it will affirmatively further fair housing, which means it will conduct an Analysis of Impediments to Fair Housing Choice (AI) within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

The scope of the AI is broad. It covers the full array of public and private policies, practices and procedures affecting housing choice. In summary, the AI; i) Serves as the substantive logical basis for fair housing policy; ii) Provides essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and iii) Assists in building public support for fair housing efforts both within a State or Entitlement jurisdictions/ boundaries and beyond.

A Fair Housing Planning Guide detailing the information needed for conducting an AI is available on the HUD website at www.hud.gov/offices/fheo/promotingfh.cfm . The AI document must cover the period of July 1, 2010 through June 30, 2015 and must be submitted in final form to the Community Development Department for approval no later than April 1, 2010.

Evaluation Factors:

The preliminary funding award resulting from this part of the Request for Proposals shall be determined by analysis of, but not necessarily limited to, the factors shown below. Points will be designated for each factor of consideration with a maximum score of 100 points. Awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

Briefly respond to each of the following (maximum of 250 words per item):

- A. Applicant Organization has previously prepared a HUD Analysis of Impediments to Fair Housing Choice for the City of Birmingham, Alabama.
_____ Zero or 25 points

- B. Applicant Organization has a minimum of 5 years demonstrated experience in the preparation of HUD Analysis of Impediments to Fair Housing Choice for States or other Entitlement Jurisdictions.
_____ Up to 20 points

- C. Applicant Organization proposes to complete the document in accordance with a time efficient schedule no later than April 1, 2010.
_____ Up to 20 points

- E. Minority participation in the proposal.
_____ Up to 10 points

- E. Section 3 Certified Business or Organization.
_____ Zero or 10 Points

- F. Applicant Organization submitted the most cost effective proposal.
_____ Zero or 15 Points

APPENDIX A-PUBLICATION

**CITY OF BIRMINGHAM, ALABAMA
DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR CONSULTANT SERVICE PROPOSALS**

**PART I: 2010-2015 HUD CONSOLIDATED PLAN; PART II: 2010-2015
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

The City of Birmingham, Alabama through its Community Development Department is requesting proposals for consulting services to assist the Community Development Department in the preparation of a 2010-2015 HUD Consolidated Plan and preparation of a 2010-2015 Analysis of Impediments to Fair Housing Choice in accordance with HUD regulations and guidelines. The documents must cover the period of July 1, 2010 through June 30, 2015 and must be submitted in final form to the Community Development Department for approval no later than April 1, 2010. The service area for both documents is the corporate city limits of the City of Birmingham, Alabama.

Consultant Service Proposals must be received in the Community Development at the address referenced below no later than 4:30 p.m. on July 27, 2009 to be considered. No proposals received by fax or e-mail transmission will be accepted.

Community Development Department
Room 1000 – (10th Floor)
City Hall
710 North 20th Street
Birmingham, Al. 35203

Copies of the complete Request for Consultant Proposals containing more detailed application procedures and other information may be obtained at the above-address or may be downloaded from the City's website at www.birminghamal.gov under Community Development Department. All requests by means other than by in-person visits to the above noted Office will be responded to via e-mail or United States Postal Service.

June 25, 2009

Birmingham News

Birmingham Times

City of Birmingham Website Posting: www.birminghamal.gov

APPENDIX B
TRANSPARENCY IN CITY GOVERNMENT DISCLOSURE FORM
(Must be completed by all applicants)

TRANSPARENCY IN CITY GOVERNMENT DISCLOSURE FORM

**APPLICABLE TO ALL CITY CONTRACTS AND APPOINTMENTS
NOT GOVERNED BY STATE COMPETITIVE BID LAWS**

INSTRUCTIONS:

This form must be fully completed by each individual, firm, group, agency, non-profit and other entity (hereinafter referred to as “you” or “Applicant”) seeking to do business with the City, provide services to the City, enter into a contract or appointment with the City, or apply for City funding.

Answer all questions applicable to you. Respond “Not applicable” or “NA” if a question does not apply to you. Attach additional pages if needed. Completed forms will be submitted to the Birmingham City Council along with the Applicant’s proposed contract, appointment and/or funding request.

1. Name of Applicant:

2. Physical Street Address of Applicant:

3. Mailing Address of Applicant (if different from street address):

4. Phone Number of Applicant:

5. Key Contact Person for Applicant:

6. Identify all officers, directors, owners, substantial investors in (5% or more of Applicant’s stock) and partners of the Applicant:

7. Are any of these persons City employees?

8. Are any of these persons related by blood or by marriage to City officials or employees? If yes, list all pertinent relationships.

9. Identify all key employees or personnel of the Applicant:

10. Are any of these persons City employees?

11. Are any of these persons related by blood or by marriage to City officials or employees? If yes, list all pertinent relationships.

12. Has the Applicant ever received City funding, entered into a contract or appointment with the City, or provided services to the City?

13. If you answered “Yes” to Question No. 12 :
 - a) State the amount of funds received or amount of the contract or appointment.

 - b) Describe in detail the work performed, scope of appointment, or purpose for which the funds were used, and attach supporting documentation such as receipts and invoices.

 - c) Attach a copy of the contract or appointment.

14. Attach resumes of Applicant’s key personnel.

15. Attach Applicant's articles of incorporation if applicable.
16. Attach Applicant's 501(c)(3) letter from Internal Revenue Service if applicable.

17. Describe in detail the work Applicant seeks to perform for the City.

18. Identify all sources and amounts of public funding (federal, state and local) the Applicant has received within the past three (3) years.

19. Has the Applicant ever been suspended or barred from participating in federal contracts or other federal assistance? If yes, explain.

20. Has any individual associated with the Applicant ever been suspended or barred from participating in federal contracts or other federal assistance? If yes, explain.

21. During the past three (3) years, has Applicant retained, hired or paid any lobbyist, political consultant or attorney to assist Applicant in its bid to perform work for the City or obtain a City contract, appointment or funding? If yes, identify by individual name, firm name, address and telephone number any such lobbyist, political consultant or attorney.

22. Identify any business or firm in which:
- a) The Applicant or its key personnel owns 5% or more of the stock;
 - b) The Applicant or its key personnel serves as an officer or director;
 - c) The Applicant or its key personnel is a partner.

I declare under penalty of perjury that the Applicant's answers to each and every question on the City of Birmingham Transparency in City Government Disclosure Form are true and correct:

Signature

Print Name

Date

Title/Position with Applicant

File name: Transparency In City Government Disclosure Form

APPENDIX C- CERTIFICATIONS

**CONSULTANTS OR NON-PROFIT ORGANIZATIONS CERTIFICATION
REGARDING
DEBARMENT, SUSPENSION,
AND OTHER RESPONSIBILITY MATTERS**

1. The undersigned certifies to the City of Birmingham through its Office of Community Development that it and its principals:
 - (a) Are not presently debarred, suspended, proposed for debarment or suspension, declared ineligible, or voluntarily excluded from any transactions or construction projects involving the use of Federal funds;
 - (b) Have not within a three-year period preceding this certification been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not within a three-year period preceding this certification had one or more public projects (Federal, State or local) terminated for cause of default.

2. Where the undersigned is unable to certify to any of the statements in this certification, the undersigned shall attach an explanation to this certification.

Organization Name

By: _____

Its: _____

Date: _____

**CERTIFICATION REGARDING
PROHIBITION OF THE USE OF FEDERAL FUNDS
FOR LOBBYING AND BRIBES**

I, _____, the _____

Of _____ (“Owner”) authorized to act on behalf of Owner certify to the City of Birmingham through its Office of Community Development that:

- (1) No Federal appropriated funds have been paid or will be paid by or on behalf of the Owner, to any person for influencing or attempting to influence an office or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement;
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of a member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the Owner will complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions; and
- (3) The Owner shall require that this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly.

Name

Title

Date

CODE OF CONDUCT CERTIFICATION

The applicant covenants that no person who presently exercises any functions or responsibilities in connection with the program has any personal financial interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The developer further covenants that in the performance of this Agreement no person having any conflict of interest shall be employed. Any interest on the part of the Developer or its employees must be disclosed to the City. This paragraph shall be interpreted in such a manner so as not to unreasonably impede the statutory requirements that maximum opportunity be provided for employment of and participation by low and moderate income residents of the area.

Signature of Authorized Certifying Official:

Title:

Applicant Organization:

Date:

Applicant's Authorized Signature

By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete, and accurate to the best of my knowledge. I also provide the required assurances and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

Signature/Authorized Official

Date

Title