

INDIAN RIVER COUNTY, FLORIDA

M E M O R A N D U M

TO: Jason E. Brown; County Administrator

THROUGH: Stan Boling, AICP
Community Development Director

THROUGH: Sasan Rohani, AICP
Chief, Long-Range Planning

FROM: Bill Schutt, AICP
Chief, Long Range Planning

DATE: February 21, 2019

SUBJECT: Consideration of Consultant Contract for Community Development Block Grant (CDBG) Housing Rehabilitation Administration Services

It is requested that the following information be given formal consideration by the Board of County Commissioners at its regular meeting of March 5, 2019.

DESCRIPTION AND CONDITIONS

On June 19, 2018, the Board of County Commissioners (BCC), at an advertised public hearing, directed staff to prepare an application for a \$750,000 Community Development Block Grant (CDBG) in the Housing Rehabilitation category and also authorized staff to issue a Request for Proposals (RFP) to select a consultant to administer the grant, if awarded. At a second public hearing on July 10, 2018, the BCC reviewed the proposed CDBG application and authorized its submittal to the state.

On December 10, 2018, the County received a notice of award from the Department of Economic Opportunity (DEO) for the CDBG. Among other things, that award letter stated that the County could proceed with the RFP process for selecting a consultant to administer the CDBG and also informed the County that a proposed CDBG agreement with DEO would be sent to the County to execute as soon as the state completed its preliminary review. The County subsequently initiated the RFP process for a consultant to administer the grant.

Responses to the RFP were received on January 25, 2019 and thereafter distributed to a consultant selection committee to review. That selection committee, comprised of Stan Boling, Community Development Director, Kristin Daniels, Budget Director, and Scott McAdam, Building Official met on January 29, 2019 to review the results of their independently evaluated and scored proposals in accordance with the County Purchasing Manual and the criteria established in the RFP. Based on the written proposal, staff experience, and other factors, the committee ranked Guardian Community Resource Management, Inc. as number one for grant administration services.

On February 12, 2019, the Board of County Commissioners reviewed and approved the selection committee's recommendation and authorized staff to proceed with contract negotiations with the number one ranked firm, Guardian Community Resource Management, Inc.

Recently, the County received a proposed agreement from the Florida Department of Economic Opportunity (DEO) for the \$750,000 in Housing Rehabilitation CDBG funds. That agreement is being considered by the Board of County Commissioners under the Consent Agenda of its March 5, 2019 meeting and is not part of this agenda item. The proposed grant administration services contract with Guardian Community Resource Management, Inc. is contingent upon the County entering into the DEO agreement and receiving funding from DEO to pay for those administrative services.

ANALYSIS

Since Board approval of the consultant selection committee's recommendation, staff has successfully negotiated a contract with the top ranked consultant. As proposed, the contract includes but will not be limited to the following services that the consultant must perform:

General Requirements

- Assist the County in the actions approved by DEO for the CDBG within the specified budget.
- Perform an environmental review and request release of project funds.
- Assist County staff with the financial procedures for receiving funds and disbursement of payments. Assist in financial reporting.
- Prepare spreadsheets of budget and expenditures and monitor budget and expenses.
- Assess and ensure the local government's compliance with federal, state, and local regulations concerning procurement, employment, personnel and property management, records retention, fair housing, ethics, etc.
- Provide assistance in solicitations for needed services, which may include abstractors, surveyors, lead inspectors, and contractors.
- Conduct a project area meeting (if necessary) to explain the program to residents/owners.

- Meet with the local building official to lay out the parameters of the specific code criteria the building department wishes utilized in the rehabilitation of the housing units.
- Maintain all CDBG Housing Rehabilitation and client/applicant files.
- Retain CDBG related files/records for the length of time required by DEO and the US Department of Housing and Urban Development and provide access to those files as needed.
- Supervise all payment authorizations to assure proper documentation and appropriate payments.
- Produce and submit required program reports, including any quarterly, final, Section 3 and Women and Minority Business-Owned Enterprises (W/MBE) reports, and other reports as may be requested.
- Represent the local government during local/state/federal agency monitoring visits and inquiries.
- Provide responses to audits and monitoring reports for review and approval by County.
- Develop corrective action plans to address noted deficiencies (from audit or monitoring reports).
- Respond to questions and/or complaints from citizens.
- Recommend policy and/or grant amendments. Take necessary actions in response to the local government's decision, such as advertising and conducting public hearings, updating the project environmental review file, and attended meetings.
- Organize and conduct Citizens Advisory Task Force meetings as needed.
- Perform program close-out activities, including submission of reports and provision of follow-up information.
- Perform other administrative tasks related to the Indian River County Housing Rehabilitation CDBG for the successful administration and closeout of the grant.
- Ensure compliance with all applicable CDBG requirements.
- Attend meetings as needed and requested by the County.

Client/Applicant Selection & Work Write-ups

- Administer an intake application for potential clients and carrying out housing inspections of all identified units to determine if applicants qualify for the program and the extent of work needed for each residence.
- Verify each applicant's income to determine eligibility.
- Carry out detailed housing inspections, complete work write-ups, and construction cost estimates. If the unit was constructed prior to 1978 a lead based paint test will be carried out by an independent contractor.
- Review work write-ups with the owner and obtain the owners signed acknowledgment that they are in agreement with the work to be carried out.
- Obtain title searches on each potential unit to ensure the applicants have equitable interest in the property.
- Rank all potential clients and present the ranked list to County for approval or revision.

- Identify and appropriately acknowledging all clients with potential conflicts of interest. Consultant must request and obtain from DEO waivers to rehabilitate units belonging to clients with potential conflicts of interest.

Construction & Contractor Related Activities

- Prepare Invitations to bid/bid documents, requests for quotes, and any legal advertisements for County review and use.
- Oversee the rehabilitation work bidding process. Consultant must ensure that contractors will perform a mandatory walk through of the dwellings, prior to bidding and must coordinate with County staff to ensure compliance with county requirements.
- Review bids and provide input regarding contractor eligibility and compliance.
- Review proposed bids and coordinate with County staff prior to presenting bids and contracts to the homeowner for approval.
- Oversee execution of rehabilitation contracts. The contractor and owner will be required to be in attendance and both the contractor and the owner will sign a written acknowledgment of the work to be completed.
- Prepare notices to proceed.
- Ensure that contractors will record Notices of Commencement.
- Manage construction contracts and ensure that all federal, state and local laws are met.
- Photo and video pre-construction, during construction, and post construction activities at each housing unit.
- Perform interim and final housing inspections.
- Relocate the owner out of the dwelling, if it is necessary.
- Obtain a signed work acceptance verification from the owner prior to release of final funds to contractor.
- Ensure satisfaction of the mechanics' lien law.
- Monitor contractor performance and compliance with contract requirements, including required evaluation of contractors' weekly payroll for federal projects.

The negotiated cost for grant administrative services to be provided by Guardian Community Resource Management, Inc. is \$90,000. That \$90,000.00 represents 12% of the \$750,000 grant amount. As allowed by CDBG requirements, administration costs for the project will be funded from grant proceeds. The maximum percentage of grant funds that may be used for a Housing Rehabilitation category CDBG is 15%, or \$112,500. In this case, the remaining \$22,500 may be used to pay for County staff time spent working on grant activities, to pay for additional housing rehabilitation related activities, or a combination of both.

The grant administration costs have been incorporated into the draft contract attached to this staff report. It is estimated that CDBG related activities and services of the consultant will last from 18 to 24 months. The contract is written to accommodate a 24 month time period, but also includes allowances for fluctuations in time and adjustment to the payment schedule should the

project be completed and the grant closed out either before or after that 24 month time period.

In order to proceed with the CDBG funded project, the Board now must authorize the Chairman to sign the CDBG contract with Guardian Community Resource Management, Inc. for grant administration services. The proposed contract is attached to this staff report (Attachment 1).

RECOMMENDATION

Staff recommends that the Board of County Commissioners:

1. Approve the proposed contract between the Board of County Commissioners and Guardian Community Resource Management, Inc. for administration of a Housing Rehabilitation Community Development Block Grant; and
2. Authorize the Chairman to execute the contract.

ATTACHMENT

- 1.) Proposed contract between the Indian River County Board of County Commissioners and Guardian Community Resource Management, Inc. for the administration of a Housing Rehabilitation Community Development Block Grant.

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