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**REQUEST FOR PROPOSALS (RFP)**  
**No. 2020-001**

**Annual Audit Services**



**HOUSING AUTHORITY**

*of the City of Beaumont, Texas*

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## INTRODUCTION

The Housing Authority of Beaumont (hereinafter, "the Agency") is a public entity established to provide federally subsidized housing and housing assistance to low-income families, within the City of Beaumont, TX. The Agency is headed by a Chief Executive Officer (CEO) 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 Agency's procurement policy.

Currently, the Agency manages the following detailed housing units: (a) 526 Low-income Public Housing (PHA) units; (b) 1,802 Section 8 Vouchers; (c) 150 Section 8 New Construction units. The Agency currently has approximately 54 full-time employees.

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

## RFP INFORMATION AT A GLANCE

[Table No. 2]

AGENCY CONTACT PERSON (NOTE: Unless otherwise specified, any reference herein to "Contracting Officer" or "(CO)" shall be a reference to Ms. Nicholas.)	Paula Nicholas, Procurement Officer Telephone: (409)951-7200 E-mail: nicholaspa@bmtha.org TDD/TTY: (800) 735-2989
HOW TO OBTAIN THE RFP DOCUMENTS FROM THE HOUSING AUTHORITY WEBSITE	1. Access <a href="http://www.bmtha.org">www.bmtha.org</a> 2. Hover your cursor over <u>Opportunities</u> . 3. Move over to the left and click on <u>Current Bid Opportunities</u> 4. Click on the link for the RFP to open it.
PRE-PROPOSAL CONFERENCE	NONE SCHEDULED
QUESTION SUBMITTAL DEADLINE	<b>*Monday, September 28, 2020, 4:30 PM CT</b>
HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL	1. As directed within Section 3.2.1 of the RFP document, submit proposal as well as proposed pricing in the space provided within the RFP document. 2. Submit 3 hard copies of your proposal in a sealed envelope to Paula Nicholas, Procurement Officer at 1890 Laurel, Beaumont, TX 77701.
PROPOSAL SUBMITTAL DEADLINE	<b>*Monday, October 5, 2020, 4:00 PM CT</b> the sealed "hard copy" documentation must be received in-hand and time-stamped by the Agency by no later than 4:00 PM CT on the submittal deadline date above).

### 1.0 THE AGENCY'S RESERVATION OF RIGHTS. The Agency reserves the right to:

- 1.1 **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.
- 1.2 **Right to Not Award.** Not to award a contract pursuant to this RFP.
- 1.3 **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).

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- 1.4 **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.
  - 1.5 **Right to Retain Proposals.** Retain all proposals submitted and not permit withdrawal for a period of 60 days after the deadline for receiving proposals without the written consent of the Agency Contracting Officer (CO).
  - 1.6 **Right to Negotiate.** Negotiate the fees proposed by the proposer entity.
  - 1.7 **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.
  - 1.8 **No Obligation to Compensate.** Have no obligation to compensate any proposer for any costs incurred in responding to this RFP.
  - 1.9 **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 the BHA web site and by downloading the RFP document, OR by submitting a proposal, 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 (or designee) 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.
  - 1.10 **Right to Reject - Obtaining Competitive Solicitation Documents.** The Beaumont Housing Authority office or web site is the only official and appropriate venue to obtain the RFP documents (and any other information pertaining to this RFP such as addenda). Accordingly, by submitting a response to this RFP the respondent thereby affirms that he/she obtained all information on the Beaumont Housing Authority office or web site. Any other group such as an association or a proposal depository that informs potential respondents of the availability of such competitive solicitations are hereby instructed to not distribute these documents to any such potential respondents, but to instruct the potential respondents to visit the Beaumont Housing Authority office or web site to obtain the documents. The Agency will reject without consideration any response submitted from a firm that has not obtained the documents from the Beaumont Housing Authority office or web site.
- 2.0 SCOPE OF WORK/TECHNICAL SPECIFICATIONS.** The Agency is seeking proposals from qualified, licensed, and insured entities to provide services that may include, but are not limited to, the following:
- 2.1 **General Service Requirements.** (PLEASE NOTE: It is the responsibility of each proposer, but especially the eventual successful proposer, to, prior to the submittal deadline during the period of time this RFP is posted, to inform the Agency for its consideration of any of the following information that is inaccurate or ineffective.)
    - 2.1.1 Any audit that is performed by award of this RFP shall be performed in accordance with generally accepted auditing standards and will

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additionally require compliance testing and a study of internal accounting controls for the Housing Authority and one project. The successful proposer will be required to certify that each audit is performed in accordance with all applicable federal and state laws and regulations. The Housing Authority audit shall be performed in accordance with Uniform Guidance (formerly A-133 Single Audit. A non-profit entity, which is a component unit of the Agency, shall be audited in accordance with Generally Accepted Government Auditing Standards (GAGAS).

- 2.1.2 The Agency was last audited for the fiscal year end September 30, 2019. The programs that the Agency will require the successful proposer to audit for the fiscal years ending September 30, 2020 (FYE2020), September 30, 2021 (FYE2021), and September 30, 2022 (FYE2022), including the following Agency programs and items:
  - 2.1.2.1 Low-Rent Public Housing Program with 526 units.
  - 2.1.2.2 Section 8 Voucher Program with 1,802 vouchers.
  - 2.1.2.3 Capital Fund Program grants (CFP) for years 2017, 2018, 2019, and 2020 if closed by date of on-site audit and any other subsequent programs awarded during these years.
  - 2.1.2.4 Beaumont Multi-Family Housing Development Corp. (BMHDC)
  - 2.1.2.5 Golden Triangle Re-development Corp. (GTRC) and Pointe North Apartments
- 2.1.3 The FYE 9/30/2020 audit must be performed, and the report submitted, by June 30, 2021, including:
  - 2.1.3.1 Field work must be completed no later than May 1, 2021.
  - 2.1.3.2 Draft report must be submitted to the Agency for review by June 1, 2021.
  - 2.1.3.3 The Agency anticipates that the draft review will be completed by the Agency and returned to the Contractor by no later than June 10, 2021.
  - 2.1.3.4 Final report must be submitted by June 30, 2021.
  - 2.1.3.5 Similar deadlines will be established for the work pertaining to ensuing FY's ("similar," meaning the days will be the same but the years will adjust accordingly).
- 2.1.4 Once completed, the successful proposer will be required to submit to the Agency a total of 10 bound copies and one electronic copy of the Single Audit Report.

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- 2.1.5 The successful proposer shall conduct the audit in full conformance with OMB Circular A-133 or the current regulations in effect at the time services are performed.
- 2.1.6 The successful proposer shall perform the agreed upon procedures related to the FDS submission process to REAC; and must have obtained the required REAC user access and UII Number.
- 2.1.7 **Upload Audited REAC Submission.** The Contractor shall mentor the Agency, typically by telephone, to complete this service.
- 2.2.0 **Brief Program Overview.** The Beaumont Housing Authority (BHA) has the following programs:
  - 2.2.1 Low-Rent Public Housing Program, with 526 units.
  - 2.2.2 Section 8 Voucher Program with 1,802 vouchers.
  - 2.2.3 Beaumont Multi-Family Housing Development Corp. (BMHDC)
  - 2.2.4 Capital Fund Program grants (CFP) for several fund years that may be active during the audited fiscal year(s).
  - 2.2.5 Golden Triangle Redevelopment Corp. (GTRC).
  - 2.2.6 Currently the Agency utilizes BDO, LLP for its accounting and banking needs.
- 2.3 **Current Contractor.** The Agency's current contractor for these services is Berman Hopkins Wright & LaHam, CPAs & Assoc, LLP; 8035 Spyglass Hill Road; Melbourne, FL 32940.

### 3.0 PROPOSAL FORMAT.

- 3.1 **Tabbed Proposal Submittal.** The Agency intends to retain the Contractor pursuant to a "Best Value" basis, not a "Low Bid" basis ("Best Value," in that the Agency will, as detailed within the following Section 4.0 herein, consider factors other than just cost in making the award decision). Therefore, so that the Agency can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted within Table No. 3 immediately following. Each category must be separated by numbered index dividers (which number extends so that each tab 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 Agency has published herein or has issued by addendum.

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**[Table No. 3]**

RFP Section	Tab No.	Description
3.1.1	1	<b>Form of Proposal.</b> This Form is attached hereto as Attachment A 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.
3.1.2	2	<b>form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract</i>.</b> 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.
3.1.3	3	<b>Profile of Firm Form.</b> 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.
3.1.4	4	<b>Proposed Services.</b> 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:
3.1.4.1		As detailed within Section 4.1, Evaluation Factor No. 2, herein, the proposer's <b>DEMONSTRATED TECHNICAL CAPABILITIES AND APPROACH</b> to performing the services outlined in Section 2.0, <i>Scope of Work/Technical Specifications</i> , including the availability of staff with professional qualifications and technical abilities based on the Agency review of the detailed professional resumes for persons identified within areas (5) and (6) of Attachment C, <i>Profile of Firm Form</i> and any other staff that will be performing services as the result of award of this RFP.



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3.1.4.2		As detailed within Section 4.1, Evaluation Factor No. 3, herein, the <b>RESULTS</b> of the proposer's <b>PEER REVIEW</b> and the <b>EXTERNAL QUALITY REVIEWS</b> that the proposer may submit (NOTE: The Agency will place emphasis on the submitted Reviews associated with HUD-related work).
3.1.4.3		As detailed within Section 4.1, Evaluation Factor No. 4, the proposer's <b>DEMONSTRATED RELEVANT EXPERIENCE</b> in performing the same or similar services, including (and very importantly) the proposer's experience with low-income housing.
3.1.4.4		If appropriate, how staff are retained, screened, trained, and monitored.
3.1.4.5		The proposed quality assurance program.
3.1.4.6		An explanation and copies of forms that will be used and reports that will be submitted and the method of submission of such reports (i.e. written; fax; Internet; etc.).
3.1.4.7		A complete description of the products and services the firm provides.
3.1.4.8		<b>Proposed Engagement Letter.</b> The proposer shall submit hereunder a copy of his/her proposed Engagement Letter. NOTE: Be aware that the Agency will not execute an Engagement Letter in lieu of executing the Sample Contract attached hereto at Attachment G (the Sample Contract <u>IS</u> the contract form that the Agency and the successful proposer will eventually execute); however, the Agency does recognize that the Engagement Letter can/may contain important contract performance information that can/may be in the best interests of the Agency to include as a part of the contract. Accordingly, the Agency reserves the right to include such Engagement Letter as an appendix to the contract after potential Agency-required revisions to the proposed Engagement Letter have been completed, especially revisions to clauses that may conflict with the Agency Sample Contract form.
3.1.5	5	<b>Managerial Capacity/Financial Viability/Staffing Plan.</b> 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 (including a current organizational chart).

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<b>3.1.6</b>	<b>6</b>	<b>Client Information.</b> The proposer shall submit a listing of former or current clients, including any other Public Housing Authority, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include:
<b>3.1.6.1</b>		<i>The client's name;</i>
<b>3.1.6.2</b>		<i>The client's contact name;</i>
<b>3.1.6.3</b>		<i>The client's telephone number;</i>
<b>3.1.6.4</b>		A brief description and scope of the service(s) and the dates the services were provided.
<b>3.1.7</b>	<b>7</b>	<b>Equal Employment Opportunity/Supplier Diversity.</b> The proposer must submit under this tab a copy of its Equal Opportunity Employment Policy and a complete description of the positive steps it will take to ensure compliance, to the greatest extent feasible, with the regulations detailed within the following Section 3.6 herein pertaining to supplier diversity (e.g. small, minority-, and women-owned businesses).
<b>3.1.8</b>	<b>8</b>	<b>Subcontractor/Joint Venture Information (Optional Item).</b> 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 preceding tabs must also be included for any major subcontractors (10% or more) or from any joint venture.
<b>3.1.9</b>	<b>9</b>	<b>Section 3 Business Preference Documentation (Optional Item).</b> 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.
<b>3.1.10</b>	<b>10</b>	<b>Other Information (Optional Item).</b> The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the Agency in its evaluation.
<b>3.1.11</b>	<b>No Information Placed under a Tab.</b> If no information is to be placed under any of the above noted tabs (especially the "Optional" tabs), please place there under a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." <b>DO NOT</b> eliminate any of the tabs.	
<b>3.1.12</b>	<b>Proposal Submittal Binding Method.</b> It is preferable and recommended that the proposer bind the proposal submittals in such a manner that the Agency 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, and then conveniently return the proposal submittal to its original condition.	

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## 3.2 Entry of Proposed Fees.

**3.2.1** Except as otherwise provided for pertaining to Attachment J, the proposed fees shall be submitted by the proposer and received by the Agency where provided for on the eProcurement Marketplace only. Except as otherwise provided for pertaining to Attachment J, do not submit, enter, or refer to any fees or costs within the sealed 10-tab "hard copy" proposal submittal detailed within the preceding Section 3.0 herein—any proposer that does so may, at the Agency's discretion, be rejected without further consideration.

**3.2.2** **Pricing Items.** Unless otherwise stated herein, the proposed fees are all-inclusive of all related costs that the Contractor will incur to provide the noted services, including, but not limited to: employee wages and benefits; clerical support; overhead; profit; taxes; licensing; insurance; materials; supplies; tools; equipment; long distance telephone calls; travel expenses; document copying not specifically agreed to by the Agency; etc.

[Table No. 4]

RFP Section	Item No.	Qty	U/M	Description
3.2.2.1	1	1	Each	Firm-fixed Fee for Annual Audit Services pertaining to FYE2020
3.2.2.2	2	1	Each	Firm-fixed Fee for Annual Audit Services pertaining to FYE2021
3.2.2.3	3	1	Each	Firm-fixed Fee for Annual Audit Services pertaining to FYE2022
3.2.2.4	4	1	Each	Firm-fixed Fee for Annual Audit Services pertaining to FYE2023
3.2.2.5	5	1	Each	Firm-fixed Fee for Annual Audit Services pertaining to FYE2024
3.2.2.6	6	20	Hours	Potential Additional Consulting (for, at the Agency's discretion, additional related work not already identified herein, that may be required by the Agency during the ensuing contract periods)
3.2.3	<b>Lump-sum Cost Breakdown.</b> The Agency will require the Contractor to, after contract execution, breakdown each of the Firm-fixed Annual Audit Fees into a proportional fee for each of the Agency's programs detailed within the preceding Section 2.0 herein. This breakdown shall be based on the Contractor's actual level of effort and expense for each such program and a detailed list of such shall be submitted to the Agency by the Contractor justifying the Contractor's figures.			

**3.3 Additional Information Pertaining to the Pricing Items.**

- 3.3.1 Quantities.** All quantities entered by the Agency herein (especially within the immediate-preceding Table No. 4) are for calculating purposes only. As may be further detailed herein, the Agency 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 Agency shall retain one contractor only and shall retain the right to order from that contractor (successful proposer), on a task order basis, any amount of services the Agency requires.
- 3.3.2 IMPORTANT NOTICE!!! Entry of Proposed Fees.** Except as provided for otherwise (e.g. a "No Charge" option), proposers must submit, where provided, a realistic cost for each Pricing Item detailed within the preceding Table No. 4.
- 3.3.2.1 Realistic Cost for each Pricing Item.** Each proposer is strongly encouraged to enter, where provided, a realistic cost for each Pricing Item, especially the hourly fees required. For example, if the successful proposer enters \$1.00 per hour for any hourly fee Pricing Item (proposers typically do so in an effort to improve their position in regard to Evaluation Factor No. 1, as detailed within Table No. 6 herein), then the \$1.00 per hour is what the successful proposer will charge the Agency for any work that the Agency may retain the successful proposer to provide if the Agency deems such retention is in the Agency's best interests to do so. Accordingly, it is the Agency's opinion that it is very much in the best interests of the proposer to propose a realistic hourly fee for each Pricing Item. If, despite this warning, the successful proposer proposes an hourly fee that the Agency deems is not realistic, then the Agency reserves the right to require the successful proposer to, at contract execution, present a cash bond in a suitable amount (e.g. \$2,000.00, which the Agency will hold during the term of the ensuing contract period) to ensure that the successful proposer will fulfill his/her obligation in this matter.
- 3.3.2.2 Review the Entry of Proposed Fees.** BHA will use the proposed fees to assign the points pertaining to Evaluation Factor No. 1 detailed within the following Table No. 6 herein.
- 3.3.3 Price Escalation.** Pertaining to the ensuing contract, there shall be no escalation of the proposed unit costs allowed at any time during the awarded contract except as already provided for within the preceding Table No. 4 herein (e.g. the Agency is allowing the proposer to enter an escalating cost for the 3 applicable contract years of work).
- 3.3.4 Prior Agency Approval Required.** Please note that the successful proposer shall NOT conduct any additional work without the prior written authorization of the Agency representative (which will occur, at the

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Agency's discretion, via delivery of a Task Order, which may take the form of an e-mail). Failure to abide by this directive shall release the Agency of any obligation to pay the successful proposer for any work conducted without the noted prior written authorization.

- 3.3.5 No Deposit/No Retainer.** The Agency will NOT pay any retainer fees because of award of the ensuing contract. This means that the Agency will pay the successful proposer(s) for actual hours worked only. The Contractor will be required to submit a full back-up detail of all hours worked, listed by no greater than the "15-minute" standard.
- 3.4 Proposal Submission.** "hard-copy" proposals must be submitted and time-stamped received in the designated Agency office by no later than the submittal deadline stated herein (or within any ensuing addendum). A total of 1 original signature copy (marked "ORIGINAL") and 2 exact copies (each of the 3 separate proposal submittals shall have a cover and extending tabs) of the "hard copy" proposal submittal, shall be placed unfolded in a sealed package and addressed to:
- Beaumont Housing Authority**  
**Attention: Paula Nicholas, Procurement Specialist**  
**1890 Laurel, Beaumont TX 77701**
- 3.4.1 Addressing the Sealed "Hard Copy" Proposal Submittal.** The package exterior must state the RFP number and must have the proposer's name and return address. Proposals received after the published deadline will not be accepted, except as may otherwise be provided for herein.
- 3.4.2 Submission Conditions.** DO NOT FOLD OR ALTER THE DOCUMENTS TO BE SUBMITTED. Proposers are not allowed to change any requirements or forms contained herein.
- 3.4.3 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 these documents.
- 3.5 Proposer's Responsibilities – Contact with the Agency.** It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the CO (or designee). Proposers must not make inquiry or communicate with any other Agency 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 Agency to not consider a proposal submittal received from any proposer who may not have abided by this directive.
- 3.5.1 Addenda.** All questions and requests for information must be addressed in writing to the CO. The CO (or designee) 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 (or designee) will NOT conduct any *ex parte* (a substantive conversation—"substantive" meaning, when decisions

pertaining to the RFP are made—between the Agency 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 (or designee) may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that the CO (or designee) may more fairly respond to all prospective proposers in writing by addendum.

**3.6 Proposer's Responsibilities — Equal Employment Opportunity and Supplier Diversity.** Both the Contractor and the Agency have, pursuant to HUD regulation, certain responsibilities pertaining to the hiring and retention of personnel and subcontractors.

**3.6.1 Within 2 CFR §200.321 it states:**

**3.6.1.1** Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

**3.6.1.2** (a) The non-federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

**3.6.1.3** (2) Affirmative steps must include:

**3.6.1.3.1** (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists.

**3.6.1.3.2** (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.

**3.6.1.3.3** (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business, and women's business enterprises.

**3.6.1.3.4** (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business, and women's business enterprises.

**3.6.1.3.5** (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

**3.6.1.3.6** (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

**3.6.2** Within HUD Procurement Handbook 7460.8 REV 2 it states:

**3.6.2.1** Section 15.5.A, Required Efforts. Consistent with Presidential Orders 11625, 12138, and 12432, the [Agency] shall make every effort to ensure that small businesses, MBEs, WBEs, and labor surplus area businesses participate in [Agency] contracting.

**3.6.2.2** Section 15.5.B, Goals. [The Agency] is encouraged to establish goals by which they can measure the effectiveness of their efforts in implementing programs in support of . . . contracting with disadvantaged firms. It is important to ensure that the means used to establish these goals do not have the effect of limiting competition and should not be used as mandatory set-aside or quota, except as may otherwise be expressly authorized in regulation or statute. Some localities have adopted minority contracting set-aside policies or geographic limitations, which may be in conflict with Federal requirements for full and open competition.

**3.6.3** Within our Agency Procurement Policy it states that our Agency will:

**3.6.3.1** Assistance to Small and Other Business, Required Efforts:

**3.6.3.1.1** Including such firms, when qualified, on solicitation mailing lists;

**3.6.3.1.2** Encourage their participation through direct solicitation of proposals whenever they are potential sources;

**3.6.3.1.3** Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;

**3.6.3.1.4** Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;

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**3.6.3.1.5** Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;

**3.6.3.1.6** Include in contracts, to the greatest extent feasible, a clause requiring contractors, to provide opportunities for training and employment for lower income residents of the project area and to award subcontracts for work in connection with the project to business concerns which provide opportunities to low-income residents, as described in 24 CFR Part 135 (so-called Section 3 businesses); and

**3.6.3.1.7** Requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed above.

**3.6.4 Requirements.** Accordingly, please see Section 4.1.2 within Table No. 4 herein which details the information pertaining to this issue that the proposer must submit in response to this proposal showing compliance, to the greatest extent feasible, with these regulations.

**3.7 Pre-proposal Conference.** There is not a pre-proposal conference scheduled as a part of this RFP.

**3.8 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. 5]

RFP Section	Document No.	Attachment	Description
3.8.1	1.0		This RFP Document
3.8.2	2.0	A	Form of Proposal
3.8.3	3.0	B	Form HUD-5369-C (8/93), <i>Certifications and Representations of Offerors, Non-Construction Contract</i>
3.8.4	4.0	C	Profile of Firm Form
3.8.5	5.0	D	Section 3 Form Submittal Form
3.8.5.1	5.1	D-1	Section 3 Explanation
3.8.6	6.0	E	Form HUD-5369-B (8/93), <i>Instructions to Offerors, Non-Construction</i>
3.8.7	7.0	F	<i>Supplemental Instructions To Proposers &amp; Contractors (SIPC)</i>
3.8.8	8.0	G	Sample Contract Form (please note that this



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			contract and the listed appendices are being given as a sample only—the Agency reserves the right to revise any clause herein and/or to include within the ensuing contract any additional clauses that the Agency feels it is in its best interests to do so)
3.8.8.1	8.1	G-1	Sample Contract Appendix No. 1: form HUD-5370-C (01/2014), <i>General Conditions for Non-Construction Contracts Section I (With or without Maintenance Work)</i>
3.8.8.2	8.2	G-2	Sample Contract Appendix No. 2: form HUD 50071 (01/14), <i>Certification of Payments to Influence Federal Transactions</i> (NOTE: This form will only be completed and included as a part of the ensuing contract if the Agency anticipates that total awards pursuant to the ensuing contract may or will exceed \$100,000.)
3.8.8.3	8.3	G-3	Sample Contract Appendix No. 3 Standard Form LLL (Rev. 01/14), <i>Disclosure of Lobbying Activities</i> (NOTE: This form will only be completed and included as a part of the ensuing contract if the Contractor designates an affirmative answer to Item No. (2) within the immediate identified form 50071.)
3.8.8.4	8.4	G-4	Sample Contract Appendix No. 4: <i>Section 3 Plan</i>
3.8.9	9.0	H	Agency Profile of Properties
3.8.10	10.0	I	<i>Audit Report, FYE September 2019</i>

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## 4.0 PROPOSAL EVALUATION.

- 4.1 **Evaluation Factors.** The Agency will utilize the following factors 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. 6]

Factor No.	Max Point Value	Factor Type	Factor Description	Also, Reference to RFP Sections Herein
1	30 points	Objective	The <b>PROPOSED COSTS</b> submitted by the proposer according to Section 3.2.	3.2
2	20 points	Subjective (Technical)	The proposer's <b>DEMONSTRATED TECHNICAL CAPABILITIES</b> and <b>APPROACH</b> to performing the services outlined in Section 2.0, <i>Scope of Work/Technical Specifications</i> , including the availability of staff with professional qualifications and technical abilities based on the Agency review of the detailed professional resumes for persons identified within areas (5) and (6) of Attachment C, <i>Profile of Firm Form</i> , and any other staff that will be performing services as a result of award of this RFP.	3.1.4.1
3	10 points	Subjective (Technical)	The <b>RESULTS</b> of the proposer's <b>PEER REVIEW</b> and <b>EXTERNAL QUALITY REVIEWS</b> that the proposer may submit (NOTE: The Agency will place particular emphasis on such submitted Reviews that are associated with HUD-related work).	3.1.4.2
4	30 points	Subjective (Technical)	The proposer's <b>DEMONSTRATED QUALIFICATIONS, RELEVANT EXPERIENCE, and SUCCESSFUL PAST PERFORMANCE</b> in performing the same or similar services, including (and very importantly) the proposer's experience with low-income housing tax credit developments).	3.1.4.3
5	10 points	Subjective (Technical)	The <b>OVERALL QUALITY, ORGANIZATION, and PROFESSIONAL APPEARANCE</b> of the <b>PROPOSAL SUBMITTED</b> , based upon the opinion of the evaluators.	3.1 Table No. 3
	100 points		<b>Total Points (other than preference points)</b>	

**\*NOTE:** Points will be awarded for each Subjective Factor by each of the appointed evaluation committee members based on his/her opinion after a thorough review of the information submitted by each proposer within his/her proposal.

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**4.1.1 Preference Evaluation Factor.** The CO will utilize the following factors to evaluate each proposal submittal received:

[Table No. 6a]

No.	Max Point Value	Factor Type	Factor Description
6		Objective	<b>SECTION 3 BUSINESS PREFERENCE PARTICIPATION.</b> A firm may qualify for Section 3 status as detailed within Attachments D and D-1 (NOTE: A max of 15 points awarded).
6a	15 points		<b>Priority I, Category 1a.</b> Business concerns that are 51 percent or more owned by residents of the housing development or developments for which the Section 3-covered assistance is expended.
6b	13 points		<b>Priority II, Category 1b.</b> Business concerns whose workforce includes 30 percent of residents of the housing development for which the Section 3-covered assistance is expended, or within three (3) years of the date of first employment with the business concern, were residents of the Section 3-covered housing development.
6c	11 points		<b>Priority III, Category 2a.</b> Business concerns that are 51 percent or more owned by residents of any other housing development or developments.
6d	9 points		<b>Priority IV, Category 2b.</b> Business concerns whose workforce includes 30 percent of residents of any other public housing development or developments, or within three (3) years of the date of first employment with the business concern, were "Section 3" residents of any other public housing development.
6e	7 points		<b>Priority V, Category 3.</b> Business concerns participating in HUD Youth-build programs being carried out in the metropolitan area in which the Section 3-covered assistance is expended.
6f	5 points		<b>Priority VI, Category 4a.</b> Business concerns that are 51 percent or more owned by Section 3 residents in the metropolitan area, or whose permanent, full-time workforce includes no less than 30 percent of Section 3 residents in the metropolitan area, or within three (3) years of the date of employment with the business concern, were Section 3 residents in the metropolitan area.
6g	3 points		<b>Priority VII, Category 4b.</b> Business concerns that subcontract in excess of 25 percent of the total amount of subcontracts to Section 3 business concerns.
6h	15 points		<b>Maximum Available Preference Points (Additional)</b>
	115 points		<b>Total Possible Points</b>

**5.0 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 Agency, either in hard copy or on the Marketplace," including the contract clauses already attached as Attachments G, G-1, and G-4. Accordingly, the Agency 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 Agency pursuant to this RFP:

**5.2.1 Contract Form.** The Agency will not execute a contract on the Contractor's form—contracts will only be executed on the Agency form (please see Sample Contract, Attachments G, G-1, and G-4), and by submitting a proposal the Contractor agrees to do so (please note that the Agency reserves the right to amend this form as the Agency deems necessary). However, the Agency 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 Agency to do so; but the failure of the Agency to include such clauses does not give the Contractor the right to refuse to execute the Agency's contract form. It is the responsibility of each prospective proposer to notify the Agency, 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 Agency will consider and respond to such written correspondence, and if the prospective proposer is not willing to abide by the Agency's response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

**5.2.1.1 HUD Forms.** Please note that the Agency 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.

**5.2.2 Assignment of Personnel.** The Agency shall retain the right to demand and receive a change in personnel assigned to the work if the Agency believes that such change is in the best interest of the Agency and the completion of the contracted work.

**5.2.3 Unauthorized Sub-Contracting Prohibited.** The Contractor 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