



190 Queen Anne Avenue N.
P.O. Box 19028
Seattle, Washington 98109-1028
Website: www.seattlehousing.org

Informal Solicitation No. 5592

Public Housing Compliance Consultant

Important Information:

- Solicitation Issued: **Thursday, February 24, 2022**
- Deadline for Questions: **Friday, March 4, 2022 by 2:00 p.m.**
- Submittals/Proposals Due: **Wednesday, March 23, 2022 by 2:00 p.m.**
- SHA's Contact: Name: **Don Tucker, Sr. Contract Administrator**
- E-Mail Address: [**don.tucker@seattlehousing.org**](mailto:don.tucker@seattlehousing.org)

The Seattle Housing Authority (SHA) for itself or as an agent for another SHA related entity (hereinafter "SHA"), is soliciting Submittals/Proposals from qualified individuals and businesses interested in performing the following:

Project Description:

The Seattle Housing Authority (SHA) is seeking a skilled Public Housing consultant to help SHA develop/improve Public Housing compliance, policy, procedure and training documents and processes.

Background: SHA owns and operates over 8,000 low-income housing units. These properties are a mix of straight Public Housing, Tax Credit, and combined units. Housing units are located in family communities, downtown apartments, and in neighborhoods across the city of Seattle. Due to a variety in units, locations and funding sources, the housing portfolios have variances with regards to implementation strategies of many policies and procedures. This allows for flexibility while also creating some confusion and inconsistency. We have also found that there are some outdated policies and procedures that need updating.

SHA recently completed an audit of its Public Housing client files and discovered serious gaps in income calculation methods. These errors led to additional consultation and review of policies, processes, procedures, and trainings. Through the review, gaps and clarity issues were found within the agencies policies, procedures and training systems. SHA is now looking to significantly increase and improve monitoring and auditing Public Housing files.

Scope of Work:

Based on the findings described above, SHA seeks a consultant to support SHA in the final design and implementation of a Public Housing compliance program. SHA also seeks support in identifying potential updates and improvements to our Admissions and Continued Occupancy Policy (ACOP) and accompanying procedures, including helping to fill gaps in existing procedures. Support should include identifying needs, making recommendations for changes, and helping to implement changes. This work would

include clarifying, including writing/revising some procedures and policies, and helping to design a related training system. SHA also seek support in designing plans for on-going systems to ensure these products remain up to date, accurate and usable. Our goal is to have clear, easy to follow policies and procedures that allow for clear training and implementation. We seek support in moving from a robust but complicated policy and procedure process to a more streamlined approach.

The selected consultant, with the input and consultation of SHA, will work with SHA staff as follows:

Projected Key Activities, Objectives and Milestones:

- Work with SHA staff to design/refine a Public Housing Compliance Program, that will include these elements: Written policies, procedures and standards of conduct, Compliance program oversight, training and education; Opening the lines of communication, auditing and monitoring; Clear expectations, and consistent supervision, support and corrective action.
 - Recommend a set of internal policies and procedures to be put in place to comply with HUD rules and regulations.
 - Outline a set of guidelines and best practices that ensures SHA employees are following all relevant laws and regulations; include supervision expectations, training response, and reaction to non-compliance. Recommend corrective actions when the compliance program is breached.
 - Identify a healthy path of communication between staff teams.
 - Work with SHA to understand current practices, processes and needs.
 - Map existing compliance processes at SHA. Use existing process to develop comprehensive compliance process across multiple funding systems.
 - Identify gaps within the compliance and monitoring systems.
 - Provide an updated map of the compliance processes to reflect recommendations and agreed upon changes.
 - Help to identify staffing pattern to meet compliance needs.
 - Identify strategies for increased communication to create culture of change.
 - Contracted work will include staff interviews and review of existing processes and documents; presentation of recommendations.
- With the SHA Compliance team, design a comprehensive quality control program and provide recommendations of how to incorporate new systems into the existing processes within the agency.
 - Recommend guidelines for training, support, supervision expectations and corrective action when a significant compliance risk is discovered.
 - Help compliance staff to develop a reporting schedule.
 - Help develop clear metrics for property management and compliance staff.
 - Work with SHA team members to identify ways to connect Housing Operations Compliance team to larger agency compliance needs; help to develop coordination processes across systems.
 - Develop an audit timeline and system for Public Housing that links with current Tax Credit auditing practices. Make recommendations for system and process improvements to current Tax Credit auditing practices.
- Improve written policies and procedures.
 - Work with SHA staff to rewrite/clarify existing policies and procedures. Identify gaps in current Standard Operating Procedures and assist with drafts as needed.

- Recommend a system for reviewing policies and procedures for clarity; and keeping policies and procedures updated.
 - Identify work that should be prioritized.
 - Recommend communication path for staff to submit questions and receive responses that are timely and follow policy/procedures to avoid misinformation.
- Design Training and Education program to ensure staff are familiar and appropriately trained to the Compliance standards. This should include new hires as well as updates for current staff.
 - Help develop clear training and feedback loops.
 - Design improved training systems that ensure clear training and support a regular training timeline.
 - Recommend how to develop need-specific training courses. (Note that SHA is working to build a library of recorded trainings to allow staff to have immediate access to trainings.)
 - Recommend tracking system to help identify when staff members need additional support or training; and to identify when staff are excelling and when they are not meeting expectations. System should be suitable for onsite and remote staffing.

Anticipated Deliverables may include:

- Recommended tasks, timelines and expectations for Public Housing Compliance program.
- Estimated additional staffing, products, projects or systems that may be needed to fully implement current and future goals and objectives related to this project and projected associated budgets.
- Updated ACOP and timeline/system for regular updates.
- Updated procedures and timeline/system for updates.
- Updated training modules, schedule, systems.
- Support development of an electronic platform where policy, procedure, compliance and training processes are managed and tracked.
- Recommended timeline to implement updated systems as outlined.

Schedule: It is anticipated that the work will be performed between April 1, 2022 and December 31, 2022. SHA hopes to conduct critical planning activities with the consultant between April 1, 2022 and May 15, 2022 in order to meet budgeting deadlines. If necessary, and at SHA's option, time extensions and appropriate scope and compensation adjustments may be made by Change Orders to the Contract.

Anticipated Contract Duration: SHA expects to execute a Contract for the requested services for the scheduled dates shown above. If necessary, and at SHA's option, time extensions and appropriate scope and compensation adjustments may be made by Change Orders to the Contract.

Estimated Amount: The estimated range of cost for the Contract to be executed based on this solicitation is between \$80,000 and \$100,000.

Women and Minority Business Enterprise (WMBE) Inclusion: SHA requires submitters to make good-faith efforts to meet SHA's 14% aspirational WMBE goal and provide meaningful opportunities to WMBE firms to participate in the direct performance of commercially useful work as part of the proposed Project Team.

Race and Social Justice Initiative (RSJI): SHA is committed to advancing racial and other social justice equity and has a focused affirmative plan to educate staff on the effects of racism and other oppressions on the work of SHA, our employees, residents and stakeholders; and to eliminate institutional racism and other oppressions at SHA.

Cooperative Purchasing: RCW 39.34 allows cooperative purchasing between public agencies (political subdivisions) in the State of Washington. Public agencies that file an Interlocal Joint Purchasing Agreement with SHA may also wish to procure the services herein offered by the successful party. The successful party shall have the option of extending its offer to SHA to other agencies for the same cost, terms and conditions.

SHA does not accept any responsibility for agreements, contracts or purchase orders issued by other public agencies to the successful party. Each public agency accepts responsibility for compliance with any additional or varying laws and regulations governing purchase by or on behalf of the public agency. SHA accepts no responsibility for the performance of the successful party in providing services to other public agencies, nor any responsibility for the payment price to the successful party for other public-agency purchases.

Contents Required in Your Submittal/Proposal: Your Submittal/Proposal must include:

- A cover letter that includes:
 - a) An expression of your interest in performing the work
 - b) The name, telephone number and e-mail address of who your contact person is for this solicitation
 - c) Signed by a principal or officer of the firm authorized to execute contracts or other similar documents on the firm's behalf
- Your response to each of the Evaluation Criteria noted in the table below:
- A list of three references that includes:
 - a) Agency or business name of client
 - b) Contact person at that agency or business
 - c) Address of agency or business
 - d) Telephone number and/or e-mail address for the Contact person

Your submittal/proposal shall not exceed 12 pages. Your cover letter, resumes and any forms required to be included with your submittal/proposal do not count toward the maximum number of pages.

Attachments to be included with Your Submittal/Proposal: You must complete and attach the forms listed below with your submittal/proposal:

- Vendor Fact Sheet
- Suspension and Debarment Compliance Certificate for Consultant and Sub-Consultants
- Certifications and Assurances Form
- Certifications and Representations of Offerors – Non-Construction Contract (form HUD-5369-C)

Evaluation Criteria: SHA will evaluate Submittals/Proposals received based on the following weighted subjective/technical criteria. Your Submittal/Proposal should directly address each of the Criteria listed below:

No.	Evaluation Criteria	Maximum Number of Points
1	<p><u>Race and Social Justice Initiative (RSJI)</u></p> <ul style="list-style-type: none"> ○ Provide a detailed Plan describing your firm’s good-faith efforts to identify and address racism and other oppressions both within and without your organization. ○ If applicable, please indicate training, tools and other resources that are available for your employees to work proactively for race and social justice equity. ○ If applicable, state steps or processes in place that enable your organization to provide services in a culturally responsive and relevant way. 	20
2	<p><u>Qualifications and expertise of firm and key personnel</u></p> <ul style="list-style-type: none"> ○ Firm’s experience/qualifications as they relate to Public Housing Compliance, Income Calculations, Policies, Procedures and Training systems. ○ Proposed team make-up and qualifications, including roles of key personnel, their related educational/professional qualifications and resumes. ○ Describe proposed team’s specific experience with the type of work requested in this solicitation. If relevant, resumes will be accepted and will not affect page limit. 	20
3	<p><u>Proposed Approach</u> Describe your proposed approach. How would your firm approach this project?</p>	30
4	<p><u>Proposed Results</u> Describe proposed results and final products. How much of the work described in this scope will be completed within the proposed cost and on what timeline?</p>	30
5	<p><u>Proposed Costs</u> (As Applicable)</p> <ul style="list-style-type: none"> ○ Total Budget ○ Rates for each position type ○ Areas for reimbursement and anticipated costs. 	15
MAXIMUM TOTAL POINTS		115

SHA reserves the right to check references of one or more of the top ranked firms. In conducting reference checks, SHA may include itself as a reference if the Proposer has performed work for SHA, even if the Proposer did not identify SHA as a reference.

In the event that information obtained from the reference checks reveals concerns about the proposer’s past performance and their ability to successfully perform the contract to be executed based on this solicitation, SHA may, at its sole discretion, determine that the proposer is not a responsible proposer and may select the next highest-ranked proposer whose reference checks validate the ability of the proposer to successfully perform the contract to be executed based on this solicitation.

Due Date for Questions: Any questions or requests for further information must be directed in writing no later than the date mentioned at the beginning of this solicitation. Questions are to be sent by e-mail to SHA's Contact, also shown at the beginning of this solicitation.

Submittals: Submittal/Proposal due date is shown at the beginning of this solicitation. You are required to submit by e-mail to SHA's Contact shown at the beginning of this solicitation.

Administrative Information:

- A. About the Seattle Housing Authority (SHA): Visit SHA's website at www.seattlehousing.org for more information about SHA.
- B. Deadline for Submission of Submittals/Proposals: Proposers are responsible for ensuring that SHA receives your submittal/proposal as indicated herein by the stated deadline. Submittals/Proposals received after the deadline will not be considered.
- C. Contract Requirements: Proposers may review a sample of SHA's standard contract language that will form the basis for any contract executed based on this solicitation by visiting the following website:

https://seattlehousing.org/sites/default/files/Consultant_Professional_Services_Contract.pdf

SHA's standard contract document is intended to guide you in developing your submittal/ proposal. The actual contract that the successful Proposer and SHA will sign will be based on this sample contract. Please be advised that SHA will only negotiate some aspects of the contract. Much of the contents of the sample contract are based on non-flexible requirements and cannot be modified in any form.

The following is language in the standard contract document that will apply to this work:

SHA Rules, Regulations and Policies: The Consultant shall comply with the rules, regulations, and policies that SHA may from time to time enact and/or modify with respect to work to be performed on or at its properties, including but not limited to, the COVID-19 Vaccination Policy for Contractors attached hereto as **EXHIBIT 1** hereto. Any such rules, regulations and policies shall be binding upon the Consultant upon delivery of a copy of them to the Consultant. SHA shall not be responsible to the Consultant for nonperformance of any such rules, regulations or policies by any other vendors, contractors, consultants or other third parties.

SHA has determined that the current Scope of Work for this Solicitation does not require compliance with the COVID Policy.

- D. Certifications and Assurances Form: In the event that the Contract for these services includes any HOPE VI Revitalization grant funds or any Choice Neighborhood Implementation (CNI) grant funds, the Consultant shall obtain and submit to SHA a completed and signed Certifications and Assurances Form (copy attached to this solicitation if applicable) for itself and each sub-consultant utilized on the Contract. Such form shall be submitted to SHA before any work is performed under the terms of the Contract.
- E. Payment Requirements: Proposers should be aware that SHA will only make payments on the Contract issued under this solicitation after the work being billed has

been completed, and will pay reimbursable expenses only upon receipt of an invoice for the reimbursable expenses. No advanced payments will be made to the proposer, who must have the capacity to meet all project expenses in advance of payments by SHA.

- F. Insurance Requirements: The individual or business selected by SHA will be required to provide acceptable evidence of insurance prior to beginning work. The following summarizes the required insurance coverage. Additional requirements are detailed in the contract that SHA will execute with the selected individual or business. See Section 10 of the standard consultant contract for a complete listing of SHA's standard insurance provisions.

The following insurance coverage(s) / requirements will be required for this project:

- An ACORD Certificate of Insurance.
 - Commercial General Liability: \$1,000,000 each occurrence, \$2,000,000 aggregate Coverage shall extend to cover the use of all equipment on the site or sites of the work of this Contract. In the event that the services to be provided under this Contract involve the Contractor's contact with minor children, and/or elderly, disabled or vulnerable adults as defined in RCW 74.34.020, the Contractor shall provide evidence that sexual misconduct coverage has not been excluded from the policy and is covered under the policy. Acceptable evidence of sexual misconduct coverage must include an endorsement and policy excerpt(s) and is subject to approval by Owner's Risk Manager.
 - Additional Insured Endorsement Ongoing Operations naming the Seattle Housing Authority as an additional insured on a primary and non-contributory basis on the Commercial General Liability policy, ISO form CG2010 or equivalent. Blanket additional insured endorsements may be acceptable, but must be approved by SHA's Risk Manager.
 - Washington Stop Gap or Employers Liability: \$1,000,000 each occurrence
 - Workers Compensation: A policy of Workers Compensation. As respects Workers Compensation insurance in the State of Washington, the Consultant shall secure its liability for industrial injury to its employees in accordance with the provisions of Title 51 of the Revised Code of Washington (RCW). If the Consultant is qualified as a self-insurer in accordance with Chapter 51.14 RCW, the Consultant shall so certify by a letter signed by a corporate officer, indicating that it is a qualified self-insured, and setting forth the limits of any policy of excess insurance covering its employees, or any similar coverage required.
 - Automobile Liability: \$1,000,000 combined single limit
 - Professional Liability/Errors & Omissions: \$1,000,000 per claim/aggregate
- G. Diversity: SHA strongly encourages small businesses, minority business enterprises (MBEs), women business enterprises (WBEs), HUD Section 3 businesses, socially and economically disadvantaged businesses and veteran-owned businesses to submit proposals or to participate in this work as sub-consultants.

SHA, as a U.S. Housing and Development (HUD) funded agency must comply with HUD's Federal *Section 3* requirements set forth at 24 CFR 75 which will require the selected firm to submit a monthly Section 3 Monthly Reporting Form with each invoice submitted to SHA for work performed. Please see **EXHIBIT 2** attached hereto for the Section 3 Form and description of this requirement.

- H. Rights Reserved by SHA: SHA reserves the right to waive as an informality any irregularities in submittals/proposals, to reject any or all submittals/proposals, and to cancel this solicitation at any time prior to contract award. SHA also reserves the right to award all or any portion of the work specified in this Informal Solicitation to any proposer(s). Prior to making a selection decision, SHA reserves the right to interview any or all individuals or businesses submitting for this work, and to check references as part of the final evaluation process. Any protest of the selection process shall be resolved in accordance with SHA's Procurement Policies, which may be reviewed at the following website address:

http://www.seattlehousing.org/business/guidelines/pdf/Procurement_Policies.pdf

EXHIBIT 1
HOUSING AUTHORITY OF THE CITY OF SEATTLE

MANUAL OF OPERATIONS

SUBJECT: COVID-19 Vaccination Policy for Contractors

PURPOSE: The Seattle Housing Authority (“SHA”) is instituting a COVID-19 vaccination requirement for all Contractors that work on SHA property and have prolonged interactions with SHA staff or SHA residents. This policy furthers SHA’s responsibility to provide and maintain a safe workplace, and will help to safeguard the health of SHA’s employees and their families, as well as SHA’s clients, residents, guests, and the community at large. The context for this policy is a surge in the transmission and contraction of COVID-19, especially among the unvaccinated and vulnerable members of the community.

The COVID-19 vaccines have been scientifically proven to be safe and highly effective at reducing serious illness and death within the workplace and the greater community. SHA has a responsibility to ensure a safe work environment for staff and ensure the safety of our residents. SHA serves some of the most vulnerable members of the community and the agency has a responsibility to ensure their safety.

As used in this policy, the term “Contractor” means any person engaged by or for SHA to work as an independent contractor, service provider, volunteer, or through any other formal or informal agreement to provide goods or services, whether compensated or uncompensated, and includes any employees, agents, contractors, subcontractors, licensees, and invitees of any of the foregoing, but does not include a visitor to or patron of SHA property

SCOPE: This policy applies to all Contractors, that work on SHA property and/or have prolonged interactions with SHA staff or SHA residents. The determination of whether work or service provided by a Contractor falls or will likely fall within the scope of this Policy shall be determined by SHA in its sole and absolute discretion. Types of work or services not considered to involve prolonged interactions with staff or residents include, by way of example;

1. New construction projects;
2. Site work that is outdoors and is not on a playground. Examples include sidewalk repairs, parking lot repairs and tree removal
3. Rehabilitation or repairs of vacant units that have no common entry or common areas; and
4. Emergency repairs.

POLICY: As a condition of contracting with SHA, the Contractor must ensure that all individuals who perform on-site work under the Contract by, for, under, or at the direction of the Contractor (including any employees, agents, contractors, subcontractors, licensees, and invitees) must have completed a full vaccination cycle with a U.S. FDA-authorized COVID-19 vaccine and must provide documentation to the Contractor proving their fully vaccinated status. Individuals are considered fully vaccinated two weeks after the second dose of the Pfizer and Moderna vaccines, or two weeks after the single dose Johnson & Johnson vaccine. This requirement includes keeping up

to date with booster vaccinations as recommended by public health agencies, once boosters are available locally, and complying with additional safety measures and protocols in the future as needed.

All Contractors are required to continue to follow all applicable laws and public health guidance, and must continue to adhere to SHA's COVID-19 protocols and policies.

PROCEDURE: The Contractor must develop and implement a vaccine verification plan that includes the following:

1. The Contractor will require any individuals performing work under the applicable contract who come on-site to provide proof of full vaccination against COVID-19 by providing one of the following:
 - CDC COVID-19 Vaccination Record Card or photo of the card; documentation of vaccination from a health care provider or electronic health record; state immunization information system record; or for an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.
 - The Contractor will follow the requirements set forth in applicable law for granting a disability or religious exemption from the vaccination requirement and determine an appropriate reasonable accommodation, if available.
2. The Contractor will submit a declaration that will affirm that all individuals performing work under the applicable contract who come on-site have had their vaccine status verified or an appropriate accommodation has been granted for those who have been granted a disability or religious exemption, in accordance with applicable law, understanding that SHA may conduct spot checks of the Contractor's employees/subcontractors and may request a copy of the Contractor's plan or any documentation of compliance with the plan. Regardless, Contractors will be required to comply with all applicable workplace safety protocols (e.g. masking and social distancing). As required under SHA's COVID Safety Protocols, SHA will not permit unvaccinated individuals to perform work that is expected to have any interactions with residents. Accordingly, all Contractor employees having interactions with residents **must** be vaccinated regardless of any applicable religious or medical exemptions.
3. The Contractor will not be required to submit its vaccine verification plan unless specifically request by SHA.

EFFECTIVE: SHA has adopted this policy as of November 1, 2021. Any solicitation issued on or after this date shall incorporate this policy in its entirety and for any award resulting from a solicitation issued on or after November 1, 2021 the requirements of this policy shall be effective upon contract execution.

For any solicitations that have been issued prior to November 1, 2021 but a contract has not been awarded, Contractors shall be given until January 1, 2022 to accept the additional terms associated with this policy. In the event that a Contractor does not accept the terms of the policy, their proposal or bid submission shall be rejected and second closest proposer/bidder shall be contacted for award consideration.

Additionally, SHA shall, to the extent permitted by law and by the terms of existing contracts, extend the requirements of this policy to existing contracts and contract-like instruments. This policy will remain in effect until SHA determines it is no longer needed based upon the threat of the virus, public health guidance, or such other considerations as SHA may deem appropriate.

EXHIBIT 2

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) 24 CFR Part 75

Section 3 Benchmarks for Creating Economic Opportunities for Low- and Very Low-Income Persons and Eligible Businesses

Background: As a condition to receiving financial assistance from HUD, the Seattle Housing Authority (SHA) is required to report to HUD the number of hours worked by Section 3 workers and Targeted Section 3 workers on SHA's contracts. To gather that information, SHA is requiring all firms contracting with SHA to track their Section 3 hours and to submit to SHA a monthly report. SHA created a form (see the back of this page) for all contractors and consultants to use for this monthly report.

HUD requires SHA and its contractors to use their best efforts to achieve the following Section 3 benchmarks:

For Section 3 Workers - 25 percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance for SHA's fiscal year.

For Targeted Section 3 Workers - 5 percent or more of the total number of labor hours worked by all workers employed with public housing financial assistance for SHA's fiscal year.

Definitions:

Section 3 worker. A Section 3 worker is any worker who currently fits, or when hired within the past five years fit, at least one of the following categories, as documented:

1. The worker's income for the previous or annualized calendar year is below the income limit established by HUD;
2. The worker is employed by a Section 3 business concern; or
3. The worker is a YouthBuild participant.

Targeted Section 3 worker: A Targeted Section 3 Worker is a Section 3 worker who:

1. Is employed by a Section 3 business concern; or
2. Currently fits or when hired fit at least one of the following categories, as documented within the past five years:
 - a. A resident of public housing or Section 8-assisted housing;
 - b. A resident of other public housing projects or Section 8-assisted housing managed by SHA; or A YouthBuild participant

Section 3 Business Concern: A Section 3 business concern is a business that meets at least one of the following criteria, documented within the last six-month period:

1. At least 51 percent owned and controlled by low- or very low-income persons;
2. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
3. A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing

Section 3 Monthly Reporting Form For SHA Projects

This form must be completed and submitted monthly with your monthly invoice.

SHA Contract No.		Contract Title	
------------------	--	----------------	--

This Report is for the following dates:

Start Date:		End Date:	
-------------	--	-----------	--

The following hours are for the dates and Contract identified above:

Total Hours Worked for all workers: <i>In calculating total hours worked for all workers, do <u>NOT</u> include hours worked with respect to any "professional services" as defined in 24 CFR 75.5</i>	
Total Hours Worked for Section 3 workers: <i>In calculating total hours worked for Section 3 Workers, <u>DO</u> include hours worked with respect to any "professional services" as defined in 24 CFR 75.5</i>	
Total Hours Worked for Targeted Section 3 workers: <i>In calculating total hours worked for Targeted Section 3 Workers, <u>DO</u> include hours worked with respect to any "professional services" as defined in 24 CFR 75.5</i>	

By submitting this form, the undersigned certifies to SHA (i) it has the full right, title, authority and capacity to execute this document on behalf of the [Contractor/Consultant], (ii) all of the documentation and information submitted with this reporting form is true and correct in all material respects, and (iii) that it maintains, and will provide to SHA upon request, documentation in form and substance required by 24 CFR 75.31 sufficient to ensure that applicable workers meet the definition of a Section 3 worker or Targeted Section 3 worker. The undersigned acknowledges and agrees that a breach of any of certifications (i) – (iii) above will be considered a default under the Contract.

Submitted By:

Name	Title	Date
------	-------	------



VENDOR FACT SHEET

Return this Form TO: Seattle Housing Authority, Purchasing Division,
ATTN: Don Tucker, Sr. Contract Administrator
190 Queen Anne Ave N, P.O Box 19028, Seattle WA 98109-1028

General Business Information:				For SHA Use Only:	
Name of Business, Organization, or Name of Person (if payment is to an individual):				JDE Vendor No.	
Mailing Address for Payments:					
City:		State:	Zip Code:	E-Mail Address:	
Telephone No.:		Fax No.:		DUNS No.:	
Washington UBI No.:		City of Seattle Business License No.:		Washington Contractor's License No.:	
President/General Manager:		Principal products and/or services offered:			

Type of Organization (check one):					
Individual <input type="checkbox"/>	Sole Proprietor <input type="checkbox"/>	Partnership <input type="checkbox"/>	Corporation <input type="checkbox"/>	Governmental Agency <input type="checkbox"/>	Other _____ <input type="checkbox"/>
Employee Tax ID No. (TIN) or Social Security No. (if Individual):					

Substitute IRS Form W-9 Certification:		
Under penalties of perjury, I hereby certify that the number shown on this form is my correct taxpayer identification number, <u>and</u> that I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, <u>and</u> I am a U.S. person (including a U.S. resident alien). Note: The Internal Revenue Service does not require your consent to any provision of this document other than the certifications required to avoid backup withholding.		
SIGN HERE →	Signature of U.S. Person	Date

Ownership Status (check all that apply):		Racial/Ethnic Status (check one):	
<input type="checkbox"/> MBE (Minority-Owned Business Enterprise)	<input type="checkbox"/> HUD Section 3 Business	<input type="checkbox"/> Caucasian (1)	
<input type="checkbox"/> WBE (Women-Owned Business Enterprise)		<input type="checkbox"/> African American (2)	
<input type="checkbox"/> MWBE (Minority / Women-Owned Business Enterprise)		<input type="checkbox"/> Native American (3)	
<input type="checkbox"/> CBE (Combination Business Enterprise)		<input type="checkbox"/> Hispanic American (4)	
<input type="checkbox"/> Small Business	<input type="checkbox"/> HUD Section 3 Business	<input type="checkbox"/> Asian/Pacific American (5)	
<input type="checkbox"/> Certified by OMWBE (Washington State Office of Minority and Women's Business Enterprises)		<input type="checkbox"/> Hasidic Jews (6)	
<input type="checkbox"/> Self-Identified (SHA may request a signed statement re: self-certification)			

Method of Contract Payments: As outlined on the reverse side of this form, for contracts over one million dollars, SHA's method of contract payments is through an electronic virtual credit card issued by SHA's e-payables vendor, Bank of America. Unless SHA grants a waiver, Vendors will receive an enrollment form from SHA following issuance of a contract.

SIGN BELOW:	
Signature of Authorized Representative of Vendor:	Date:
By signing immediately above, the Vendor hereby represents the following:	
<p>a) The Vendor certifies that to the best of its knowledge and belief, neither it, nor any person/principal or firm which has an interest in the Vendor's firm, is ineligible to participate in a SHA contract, purchase order, direct pay or other transaction, pursuant to the Certification of Eligibility provision specified in the Vendor Fact Sheet Instructions, or;</p> <p>b) The Vendor will comply with SHA's General Terms and Conditions applicable to Purchase Orders, if the Vendor will be supplying goods and/or services through an SHA Purchase Order.</p>	
obtain a copy of the General Terms and Conditions, call (206) 615-3379 or visit our Web site at https://www.seattlehousing.org/sites/default/files/Purchase_Orders_Terms_Conditions.pdf	

Vendor Fact Sheet Instructions

Thank you for your interest in doing business with the Seattle Housing Authority (SHA). We look forward to doing business with you. If you have any questions about completion of the Vendor Fact Sheet, please call us at (206) 615-3379.

In order for SHA to make payments to you or to procure goods or services from you, we need the information requested on the Vendor Fact Sheet, which also serves as a substitute IRS W-9 Form. The information about you will be entered into our computerized payment system and will allow us to make required reports to the Federal government about our business and payment transactions.

Substitute IRS Form W-9 Certification: In completing the Vendor Fact Sheet, you must sign the "Substitute IRS Form W-9 Certification" or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct taxpayer identification number to SHA, you must cross out the portion of the certification after the word "and" in line two, through the end of line five, before signing the form. Detailed instructions about IRS Form W-9 are included on the form, which may be obtained by calling our office at (206) 615-3379 or visiting the IRS web site at www.irs.gov.

Certification of Eligibility: In order to do business with SHA, the Vendor must be eligible to:

- 1) Be awarded contracts by any agency of the U.S. Government, HUD, or the State in which this Contract work is to be performed; or,
- 2) Participate in HUD programs pursuant to 24 CFR Part 24.

The websites to verify eligibility of the firm and its principals are: <https://www.sam.gov/portal/SAM> and http://portal.hud.gov/hudportal/HUD?src=/topics/limited_denials_of_participation. By signing the Vendor Fact Sheet, the Vendor understands that the certification of eligibility is a material representation of fact upon which reliance was placed when SHA agreed to enter into the transaction with the Vendor. SHA may require the Vendor to submit such certification on an annual basis depending on the terms of its contract or the frequency of its business transactions with SHA. If the Vendor subcontracts any portion of the work, the Vendor will be required to submit a similar certification of eligibility to SHA for any Vendor subcontracts. Any written contract executed between SHA and the Vendor shall include these provisions, which may also be referred to as Suspension/Debarment provisions.

Contract Payments: Unless SHA grants a waiver, its method of contract payment for contracts of one million or more is through its Bank of America e-payables program. Payments will be made electronically through a virtual Visa credit card. Benefits for using this method include reduced labor costs associated with the processing of checks and enhancing cash flow by eliminating float time associated with the mailing of checks. To learn more about the program, please click here or copy and paste the following URL into your browser: www.bankofamerica.com/epayablesvendors. For new vendors, SHA will automatically send an enrollment form upon contract award. If you have questions about the program, please contact Brenda Mix, SHA's Accounts Payable Manager, at 206-615-3421 or bmix@seattlehousing.org.

Small Businesses: The Vendor Fact Sheet also requests information about whether your business is owned and controlled by women or minorities, and/or is a small business. The following are definitions of these terms for your use. This information provides valuable information to SHA in its efforts to ensure its contracting program meets its diversity objectives and requirements.

- **WMBE:** Minority and women-owned business enterprises must either be self-identified or certified by, the Washington State Office of Women's and Minority Business Enterprises (OMWBE) to be at least fifty-one percent owned by women and/or minority group members.
- **Small Business:** A small business means a business concern, including its affiliates, that is independently owned and operated, not an affiliate or subsidiary of a business dominant in its field of operation, and qualified as a small business under the criteria and size standards in 13 CFR 121. Furthermore, a business is considered small according to the Small Business Administration's established guidelines provided to such businesses.
- **HUD Section 3 Business:** A business that is owned 51% or more by a Section 3 qualified person, or where 30% or more of the permanent, full-time employees of the business are Section 3 qualified persons, or where the business can provide evidence of a commitment to subcontract in excess of 25% of the amount of all subcontracts to other Section 3 certified businesses. A Section 3 qualified person must live in the metropolitan statistical areas identified on SHA's Section 3 form and whose income level meets or falls below the stated income limits.

SEATTLE HOUSING AUTHORITY

SUSPENSION AND DEBARMENT COMPLIANCE CERTIFICATE FOR CONSULTANT

By signing below, the Consultant certifies that to the best of its knowledge and belief neither its firm nor any of its principals as named below are presently debarred, suspended, or have been declared ineligible or are excluded from participation in this transaction by any federal, state or local government.

Consultant's Firm Name: _____

Address: _____

City, State, Zip: _____

	PRINCIPAL(S) Name(s)	Title(s)
1		
2		
3		
4		
5		

Consultant's Signature	Printed Name	Title	Date

NOTE: This requirement applies to the Consultant's firm as well as its principals. Principal is defined in the regulation (2 CFR 180.995) as follows:

- 1) An officer, director, owner, partner, principal investigator, or other person within a participant with management or supervisory responsibilities related to a covered transaction; or
- 2) A consultant or other person, whether or not employed by the participant or paid with Federal funds, who-
 - a) Is in a position to handle Federal funds;
 - b) Is in a position to influence or control the use of those funds; or,
 - c) Occupies a technical or professional position capable of substantially influencing the development or outcome of an activity require to perform the covered transaction.

The federal websites to verify eligibility include: <https://www.sam.gov/portal/public/SAM/> and http://portal.hud.gov/hudportal/HUD?src=/topics/limited_denials_of_participation.

[Add this section if Suspension and Debarment Compliance Certificate for Sub-Consultants is needed. DO NOT forget to fill in your contact information below]

SEATTLE HOUSING AUTHORITY

SUSPENSION AND DEBARMENT COMPLIANCE CERTIFICATE FOR SUB-CONSULTANTS

The Prime Consultant may use this form if the Prime can verify that their Sub-Consultants named below, nor any of their principals are debarred, suspended or ineligible from involvement by Federal, State or Local Government. If the Prime is unable to verify this information, the Prime must send the previous SUSPENSION AND DEBARMENT COMPLIANCE CERTIFICATE FOR CONSULTANT form to each sub- consultant to be completed and returned.

Prime Consultant’s Name: _____ certifies that neither any of the sub- consulting firms named below, nor any of its principals are debarred, suspended or ineligible from involvement by Federal, State or Local Government. I understand that the Seattle Housing Authority (SHA) relies on this certification and I understand that I am obligated to submit the following to SHA:

- A certification for any new sub- consultant hired after submission of this certification.
- A renewal certification for every sub- consultant on the anniversary of the Contract execution date if the Contract Time extends beyond one year.

(Note: In lieu of this certification, the Prime Consultant may elect to submit a separate certification signed by each sub- consulting firm to SHA as evidence of sub- consultant eligibility. It is the Prime Consultant’s responsibility to initiate, obtain, and provide all such individual sub-consultant certifications to SHA.)

Prime Consultant’s Signature	Printed Name	Title	Date

Sub- Consultant Firm Listing: (If sub- consultants are not involved in the project, please enter **NONE.**)

If additional pages are necessary, copy this form to ensure signed statement precedes any listing of sub- consultants.

Please contact Don Tucker, Sr. Contract Administrator at 206-615-3475 or by e-mail at don.tucker@seattlehousing.org if you have any questions regarding compliance with this requirement.

For-Profit Subgrantee and Contractor Certifications and Assurances

The Department of Housing and Urban Development (HUD) requires that all for-profit Subgrantees and Contractors on HOPE VI projects sign this “Certifications and Assurances” form certifying that they will comply with the specific federal requirements described below.

The parties who must sign a “Certifications and Assurances” form are defined below:

- **Subgrantees:** These are for-profit organizations to which the Housing Authority (Housing Authority or Grantee) has awarded a grant from the HOPE VI grant that the Housing Authority received from HUD. The subgrantee is accountable to the Housing Authority for the use of the funds provided, but the Housing Authority is ultimately accountable to HUD.
- **Contractors:** This includes any for-profit contractor, consultant, service provider, or supplier that the Housing Authority contracts with for goods or services on any HOPE VI project.

.....

Certification and Assurance: The subgrantee or contractor executing this certification hereby assures and certifies that it will comply with all of the applicable requirements of the following, as the same may be amended from time to time, including adding appropriate provisions to all contracts between Grantee and for-profit Subgrantees or Contractors:

- (1) Administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as may be appropriate.
(Contracts more than the simplified acquisition threshold)
- (2) Termination for cause and for convenience by the grantee or subgrantee including the manner by which it will be effected and the basis for settlement. (All contracts in excess of \$10,000)
- (3) Compliance with Executive Order 11246 of September 24, 1965, entitled “Equal Employment Opportunity,” as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees)
- (4) Compliance with the Copeland “Anti-Kickback” Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR part 3). (All contracts and subgrants for construction or repair)
- (5) Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts in excess of \$2000 awarded by grantees and subgrantees when required by Federal grant program legislation)
- (6) Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR part 5). (Construction contracts awarded by grantees and subgrantees in excess of \$2000, and in excess of \$2500 for other contracts which involve the employment of mechanics or laborers)

- (7) Notice of awarding agency requirements and regulations pertaining to reporting.
- (8) Notice of awarding agency requirements and regulations pertaining to patent rights with respect to any discovery or invention which arises or is developed in the course of or under such contract.
- (9) Awarding agency requirements and regulations pertaining to copyrights and rights in data.
- (10) Access by the grantee, the subgrantee, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
- (11) Retention of all required records for three years after grantees or subgrantees make final payments and all other pending matters are closed.
- (12) Compliance with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (Contracts, subcontracts, and subgrants of amounts in excess of \$100,000).
- (13) Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).

The information contained in this certification is true and accurate, to the best of my knowledge.

Name of Subgrantee or Contractor	Name and Contract Number:	
Signature of Authorized Certifying Official:	Title:	Date:

WARNING: Section 1001 of the Title 18 of the United States Code (Criminal Code and Criminal Procedure, 72 Stat.967) applies to this certification. 18 U.S.C. 1001, among other things, provides that whoever knowingly and willfully makes or uses a document or writing knowing the same to contain any false, fictitious or fraudulent statement or entry, in any matter within jurisdiction of any department or agency of the United States, shall be fined no more than \$10,000 or imprisoned for not more than five years, or both.

Return this form to:

Seattle Housing Authority
 Attn: Don Tucker, Purchasing
 P.O. Box 19028
 Seattle, WA 98109-1028

Certifications and Representations Of Offerors

Non-Construction Contract

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

OMB Approval No: 2577-0180 (exp. 7/30/96)

Public reporting burden for this collection of information is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

This form includes clauses required by OMB's common rule on bidding / offering procedures, implemented by HUD in 24 CFR 85.36, and those requirements set forth in Executive Order 11625 for small, minority, women-owned businesses, and certifications for independent price determination, and conflict of interest. The form is required for nonconstruction contracts awarded by Housing Agencies (HAs). The form is used by bidders/Offerors to certify to the Has Contracting Officer for contract compliance. If the form were not used, HAs would be unable to enforce their contracts. Responses to the collection of information are required to obtain a benefit. The information requested does not lend itself to confidentiality.

1. Contingent Fee Representation and Agreement

(a) The bidder/offeror represents and certifies as part of its bid/offer that, except for full-time bona fide employees working solely for the bidder/offeror, the bidder/offeror:

- (1) has, has not employed or retained any person or company to solicit or obtain this contract; and
- (2) has, has not paid or agreed to pay to any person or company employed or retained to solicit or obtain this contract any commission, percentage, brokerage or other fee contingent upon or resulting from the award of this contract.

(b) If the answer to either (a)(1) or (a) (2) above is affirmative, the bidder/offeror shall make an immediate and full written disclosure to the PHA Contracting Officer.

(c) Any misrepresentation by the bidder/offeror shall give the PHA the right to (1) terminate the resultant contract; (2) at its discretion, to deduct from contract payments the amount of any commission, percentage, brokerage, or other contingent fee; or (3) take other remedy pursuant to the contract.

2. Small, Minority, Women-Owned Business Concern Rep-representation

The bidder/offeror represents and certifies as part of its bid/offer that it:

- (a) is, is not a small business concern. "Small business concern," as used in this provision, means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding, and qualified as a small business under the criteria and size standards in 13 CFR 121.
- (b) is, is not a women-owned small business concern. "Women-owned," as used in this provision, means a small business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.
- (c) is, is not a minority enterprise which, pursuant to Executive Order 11625, is defined as a business which is at least 51 percent owned by one or more minority group members or, in the case of a publicly owned business, at least 51 percent of its voting stock is owned by one or more minority group members, and whose management and daily operations are controlled by one or more such individuals.

For the purpose of this definition, minority group members are:
(Check the block applicable to you)

- | | |
|---|---|
| <input type="checkbox"/> Black Americans | <input type="checkbox"/> Asian Pacific Americans |
| <input type="checkbox"/> Hispanic Americans | <input type="checkbox"/> Asian Indian Americans |
| <input type="checkbox"/> Native Americans | <input type="checkbox"/> Hasidic Jewish Americans |

3. Certificate of Independent Price Determination

(a) The bidder/offeror certifies that—

- (1) The prices in this bid/offer have been arrived at independently, without, for the purpose of restricting competition any consultation, communication, or agreement with any other bidder/offeror or competitor relating to (i) those prices, (ii) the intention to submit a bid/offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this bid/offer have not been and will not be knowingly disclosed by the bidder/offeror, directly or indirectly, to any other bidder/offeror or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the bidder/offeror to induce any other concern to submit or not to submit a bid/offer for the purpose of restricting competition.

(b) Each signature on the bid/offer is considered to be a certification by the signatory that the signatory:

- (1) Is the person in the bidder/offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
- (2) (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above (insert full name of person(s) in the bidder/offeror's organization responsible for determining the prices offered in this bid or proposal, and the title of his or her position in the bidder/offeror's organization);
(ii) As an authorized agent, does certify that the principals named in subdivision (b)(2)(i) above have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and

(iii) As an agent, has not personally participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above.

- (c) If the bidder/offeror deletes or modifies subparagraph (a)2 above, the bidder/offeror must furnish with its bid/offer a signed statement setting forth in detail the circumstances of the disclosure.

4. Organizational Conflicts of Interest Certification

- (a) The Contractor warrants that to the best of its knowledge and belief and except as otherwise disclosed, it does not have any organizational conflict of interest which is defined as a situation in which the nature of work under a proposed contract and a prospective contractor's organizational, financial, contractual or other interest are such that:

(i) Award of the contract may result in an unfair competitive advantage;

(ii) The Contractor's objectivity in performing the contract work may be impaired; or

(iii) That the Contractor has disclosed all relevant information and requested the HA to make a determination with respect to this Contract.

- (b) The Contractor agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the HA which shall include a description of the action which the Contractor has taken or intends to eliminate or neutralize the conflict. The HA may, however, terminate the Contract for the convenience of HA if it would be in the best interest of HA.
- (c) In the event the Contractor was aware of an organizational conflict of interest before the award of this Contract and intentionally did not disclose the conflict to the HA, the HA may terminate the Contract for default.
- (d) The Contractor shall require a disclosure or representation from subcontractors and consultants who may be in a position to influence the advice or assistance rendered to the HA and shall include any necessary provisions to eliminate or neutralize conflicts of interest in consultant agreements or subcontracts involving performance or work under this Contract.

5. Authorized Negotiators (RFPs only)

The offeror represents that the following persons are authorized to negotiate on its behalf with the PHA in connection with this request for proposals: (list names, titles, and telephone numbers of the authorized negotiators):

6. Conflict of Interest

In the absence of any actual or apparent conflict, the offeror, by submission of a proposal, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to my possible performance of this procurement, as described in the clause in this solicitation titled "Organizational Conflict of Interest."

7. Offeror's Signature

The offeror hereby certifies that the information contained in these certifications and representations is accurate, complete, and current.

Signature & Date:

Typed or Printed Name:

Title:
