



City of Parker

Policy Manual for Federal Awards

(CDBG, CDBG-DR, CDBG-MIT)

Policy #:	Title:	Amended Policy Approval Date:
	Policy Manual for Federal Awards (CDBG, CDBG-DR, CDBG-MIT)	06/17/2025



PURPOSE

The purpose of this policy manual (“Manual”) is to establish uniform guidelines in the City of Parker (“City”) for the administration and implementation of projects funded through Community Development Block Grant (“CDBG”), Community Development Block Grant Disaster Recovery (“CDBG-DR”), and/or Community Development Block Grant Mitigation (“CDBG-MIT”) requirements. The Manual is intended to help the City departments understand the Cross-Cutting and policy requirements of the United States Department of Housing and Urban Development (“HUD”) and State of Florida (“State”).

It shall be the individual responsibility of each City employee involved in the implementation and administration of a federally funded project to understand and adhere to the adopted policies, procedures and regulations of City and the State.



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504-ADA

All personnel actions shall be based solely on the merit of the individual. Any employee who feels he/she or a fellow employee has been discriminated against should contact the City's Human Resources Department.

MODIFICATION FOR THE PHYSICAL AND MENTAL LIMITATIONS OR DISABILITIES OF EMPLOYEES AND APPLICANTS

The City will work around a qualified employee's or applicant's handicap/disability so he/she may be successfully employed, or continue to be employed, by the City in a reasonable manner in accordance with Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) Subpart B-8.11. Such reasonable modification may include (1) making a facility used by employees accessible to, and usable by, individuals with handicaps/disabilities; (2) job restructuring; and (3) modification of equipment or services. Prior to undertaking such accommodation, the City will consider if such would impose an undue hardship in the conduct of the City's business. Factors to be considered shall include, but not be limited to, operational necessity, financial concerns, health and safety to others, and administrative burden.

AMERICANS WITH DISABILITIES ACT

The City will provide equal opportunities for persons with disabilities seeking employment and will provide a bias free work environment in accordance with the Americans with Disabilities Act ("ADA" or "Act"). The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. Individuals who feel that an action or inaction on the part of the City, its representatives, or employees, is in violation of the Act may file a complaint. The complaint procedure and appropriate form may be obtained from the City's Human Resources Department.

DISCRIMINATION AND HARASSMENT

It is the policy of City of Parker to maintain an environment free of harassment (sexual harassment or non-sexual harassment) of any individual in the workplace. This policy applies to all employees in their working relationships, and to harassment by anyone in the workplace, including harassment by coworkers, supervisors, or non-employees. While it is impossible to list all circumstances that may constitute unlawful harassment, the following are some examples of conduct which, if unwelcomed, may constitute unlawful harassment:

Oral, written, drawn images or pictures (in any form including electronic media); abuse and/or threats that may include teasing, jokes, insults, gestures, epithets, or remarks based on sex, race, age, disability, religion, national origin, color, or retaliation; gossip regarding an individual's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies, or prowess, or other lewd or obscene comments; visual displays, including electronic media (e.g., screen savers) or printed media material (e.g., posters, cartoons), in the workplace that are sexually explicit or derogatory or demeaning of an individual's color, national origin, race, religion, sex, age, or disability; demands for sexual favors; unwelcome or unsolicited.



ADMINISTRATIVE POLICIES

COMPLAINTS AND APPEALS

The goal of the City is to provide an opportunity to resolve complaints in a timely manner, usually within 15 business days as expected by the Department of Housing and Urban Development (“HUD”), if practicable, and to provide the right to participate in the process and appeal a decision when there is reason for an applicant to believe its application was not handled according to program policies. All applications, guidelines, and websites will include details on the right to file a complaint or appeal, and the process for filing a complaint or beginning an appeal.

Complainants can appeal program decisions related to one of the following activities:

1. A program eligibility determination;
2. A program assistance award calculation; and
3. A program decision concerning housing unit damage and the resulting program outcome.

Citizens may first file a written complaint through the City by mailing the submission to the following address:

Attention: City Clerk
City of Parker City Hall
1001 West Park Street
Parker, Florida 32404

Citizens may file a written complaint or appeal through the Disaster Recovery/Mitigation email at CDBG-DR@commerce.fl.gov or submit by postal mail to the following address:

Florida Department of Commerce
Division of Community Development
Attention: Chief, BER
107 East Madison Street
The Caldwell Building, MSC 420
Tallahassee, Florida 32399

If the complainant is not satisfied by the City’s determination or Florida Department of Commerce (“Commerce”) response, the complainant may file a written appeal by following the instructions issued in the letter of response. If after the appeals process the complainant has not been satisfied with the response, a formal complaint may then be addressed directly to the regional HUD office at:

Department of Housing & Urban Development
Charles E. Bennett Federal Building
400 West Bay Street, Suite 1015
Jacksonville, Florida 32202



The City operates in Accordance with the Federal Fair Housing Law (The Fair Housing Amendments Act of 1988). Anyone who feels he or she has been discriminated against may file a complaint of housing discrimination: 1-800-669-9777 (Toll Free) or www.hud.gov/fairhousing.

DUPLICATION OF BENEFITS (“DOB”)

As a recipient of CDBG funds, the City shall ensure that no duplicative funding is attributed to any allocation received for a given project. The City shall document any funds benefiting the completion of a project and monitor so that no duplication is expended by way of insurance benefits, SBA, NFIP, FEMA, or other federal/state funding sources.

HISTORIC PRESERVATION ACT OF 1966

The City shall comply with the historic preservation requirements of the National Historic Preservation Act of 1966, as amended, the procedures set forth in 36 CFR part 800, and the Secretary of the Interior’s Standards for Rehabilitation, codified at 36 CFR 67, and Guidelines for Rehabilitating Historic Buildings.

DAVIS-BACON ACT AND LABOR STANDARDS COMPLIANCE

The Davis-Bacon Act (“DBA”) applies to all construction contracts greater than \$2,000 unless the state awarding program’s authorizing legislation contains exceptions. All workers or mechanics working on projects covered by the act will be paid minimum hourly wages and fringe benefits according to the wage determination(s) applicable to that contract. If any portion of a contract requires DBA, then all work performed under the contract is subject to DBA. In the CDBG-DR program, only rehabilitation of residential property containing less than eight contiguous housing units is exempt from DBA. Work done by a local government’s employees (force account) is not subject to DBA.

Additionally, contractors will comply with the Contract Hours and Safety Standards Act (“CWHSSA”) and the Copeland Anti-Kickback Act (“Copeland Act”). CWHSSA requires that, for any project in which the prime contract exceeds \$100,000, workers be paid one-and-one-half times their normal hourly rate for any hours worked in excess of 40 hours weekly, based on a work week of seven (7) consecutive days. The Copeland Act prohibits any person from inducing a worker on a federally funded project to give up any part of the compensation to which the worker is entitled. No payroll deductions are permitted that are not specifically listed in the Copeland Act unless the contractor has obtained written permission from the employee as specified in 29 CFR 3.5 for otherwise permissible payroll deductions. Davis Bacon does not apply to single-family scattered site rehabilitation and reconstruction programs.

Wage Determinations will be included in all construction related procurements.

All selected construction vendors shall be verified as not being listed on the Sam.gov Debarred/Excluded Vendors list and not listed on the HUD Limited Denial of Participation List.



LANGUAGE ACCESS PLAN

Upon request and when reasonable and feasible, the City will translate applicable documents into either Spanish or Haitian Creole.

MONITORING

The City shall routinely monitor all applicable contracted vendors to ensure compliance with technical specifications and state and federal requirements, maintain adequate cost and budget controls, and process necessary contract changes to bring the project to completion on time.

NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

The City will adhere to the provision of the National Environmental Policy Act of 1969, as amended ("NEPA"), established national policies, goals, and procedures for protecting, restoring, and enhancing environmental quality. NEPA requires the evaluation of environmental impacts of proposed federally funded projects and identification of mitigation measures to minimize or prevent adverse impacts. As a subrecipient-managed project(s) funded by HUD CDBG-DR/MIT funds, when applicable, the City will complete an Environmental Review Record ("ERR") in compliance with NEPA; Council on Environmental Quality ("CEQ"); regulations 40 CFR Parts 1500–1508; 24 CFR Part 35, 51, 55, and 58; and all applicable state and local regulations. Every project undertaken with CDBG-DR/MIT funds and all additional activities related to that project are subject to environmental review and the provisions of NEPA, as well as the HUD environmental review regulations at 24 CFR Part 58.

An environmental clearance must be obtained for each project prior to the firm commitment of federal funds, even if non-federal funds are also being used. No work may start on a proposed project prior to completion of the environmental review. A violation of this requirement will jeopardize all federal funding for the project, and all costs that were incurred before the completion of the environmental review will be disallowed.

The primary objectives of the HUD environmental review are to identify specific environmental factors that may be encountered at potential project sites and to develop procedures to ensure compliance with the Office of Long-Term Resiliency CDBG-DR/MIT Policy Manual regulations pertaining to these factors. The environmental review includes an evaluation of potential adverse effects and mitigation related to noise abatement and control; historic preservation; coastal zone management; the Clean Air Act; airport clear zones; floodplains; wetlands; sole-source aquifers; wild and scenic rivers; explosives and flammable operations; hazards, toxics, and radioactive materials; endangered species; farmland protection; etc. All CDBG-DR/MIT -funded projects and activities must have documentation that they are in compliance with NEPA and all other environmental requirements.

PROGRAM INCOME

In accordance with 24 CFR 570.489(e)2, any program income must be spent first on subsequent expenditures. Remaining program income after closeout or generated after closeout will be returned to the Office of Long-Term Resiliency.



PROPERTY MANAGEMENT

The property management standards will set reasonable performance standards reflecting the results that competent management agents can be expected to achieve. MAHRA requires that property management standards be consistent with industry norms and HUD requirements.

HUD requires that the property management standards include at least the following:

- A. **Major Repairs and Replacements:** A provision requiring the owner and manager to develop and utilize effective programs for:
1. preventive maintenance, so that major building systems remain serviceable for as long as practicable; and
 2. capital replacement, so that major buildings systems are repaired or replaced at the end of their useful lives, in a cost-effective manner.

These programs must be consistent with the OAHP-approved Restructuring Plan, in particular with the PAE's Physical Condition Assessment ("PCA").

- B. **Physical Condition:** A provision requiring the common areas and all units in the property to comply with HUD's Uniform Physical Condition Standards (published in the Federal Register on September 1, 1998, and included in Appendix P), and with applicable local codes.

- C. **Compliance with Other HUD Requirements:** A provision requiring the owner and manager to comply with other HUD requirements applicable to the property, including:

1. **Governing Documents.** Compliance with the requirements of any Regulatory Agreement and/or Section 8 HAP Contract. Compliance with applicable portions of HUD's Handbooks and Notices (including the Occupancy Handbook 4350.3, Management Handbook 4381.5, and Loan Management Handbook 4350.1), regarding the management and maintenance of the property and relations with tenants.
2. **Required Reports.** The timely and complete submission of all required reports and information requests (including audited financial statements, inspection review responses, management certifications, and TRACS data).
3. **Project Records.** Project records that provide a complete and accurate account of operations, and that are readily available and suitable for review by HUD.
4. **Inquiries.** Responsiveness to inquiries and requests from residents, HUD and the City in a timely and appropriate manner.



- D. **Anti-Crime Programs:** A provision encouraging the owner and manager to use available programs to the extent that such programs are reasonably likely to reduce drug activity and other crime and that the cost, if any, of such programs is reasonable in relation to their likely benefits. Such programs may be offered by the police, local schools, community groups, resident associations, and other local organizations.

- E. **Accessible Property Records:** A provision encouraging the owner and manager to maintain well-ordered offices with easily accessible records that provide a complete and accurate account of operations.

- F. **Professional Education:** A provision encouraging cost-effective continuing professional education for on-site and supervisory staff, in particular:
 - 1. Occupancy training for administrative staff.
 - 2. Fair housing training for administrative staff.
 - 3. Real estate licensing, to the extent required by applicable state law; and
 - 4. Basic property management training for managerial staff.

OAHP encourages PAE's to approve the cost of such professional education as an eligible project expense for front-line staff only.

- G. **Fair Housing:** A provision requiring compliance with applicable fair housing requirements (including requirements under the Fair Housing Act, ADA and Section 504).

- H. **Fidelity Bond:** A provision requiring the management agent to maintain a fidelity bond in accordance with HUD requirements, which include:
 - 1. Confirmation that the management agent has a fidelity bond in an amount equal to at least two months' potential rent collections per property.
 - 2. Coverage through one or more bonds (one bond may cover more than one property, including properties whose mortgages are not insured or held by HUD).
 - 3. If a bond covers more than one property, the minimum coverage must be computed using the property with the highest gross potential income.
 - 4. The fidelity bond or coverage must name the mortgagee and HUD as additional loss payees.
 - 5. The agent's principals, supervisory staff and front-line staff may be covered under the same bond.



RECORD KEEPING/REPORTING/RETENTION

The City will maintain records documenting compliance with fair housing, equal opportunity, and civil rights requirements for the times required by law. Documentation must be obtained concerning:

1. Employment in each local government operating unit which performs CDBG-DR/MIT funded projects.
2. The City's affirmative actions to further fair housing.
3. For direct benefit activities, records relating to persons who have participated in any CDBG-DR funded program.
4. For area-wide activities, information on the area and the services provided and the race and ethnic character of the service area.
5. Race, ethnic character, age, handicapped status, gender of heads of households, and number of elderly citizens benefiting from the project.
6. Race and ethnic character of households and handicapped status of persons displaced as a result of CDBG activities.
7. Actions undertaken to meet Section 3 requirements and the written Section 3 Plan.
8. Information on the racial/ethnic character of each business that receives a contract or subcontract of \$10,000 or more paid with CDBG-DR funds, including identification of women-owned businesses.
9. The affirmative actions the City has taken to overcome the effects of prior discrimination in administering a CDBG-DR funded program.
10. All application, procurement, vendor contracts, and financial records.

All files, documents, and associated project records shall be retained for a period of six (6) years following the close-out of a CDBG-DR/MIT agreement.

The City shall comply will all monitoring and report guidelines of Commerce and HUD.

SECTION 3

It is the policy of the City to ensure that economic opportunities generated from U.S. Department of Housing and Urban Development ("HUD") funded projects, to the greatest extent feasible, will be directed to low and very low-income persons, particularly those receiving assistance for housing, and the businesses that provide economic opportunities to these persons. The City will utilize its policies with the intent to direct opportunities to local residents and businesses by requesting all contractors and subrecipients to make a good faith effort to provide equal employment opportunity to all employees and applicants for employment without regard to race, color, religion, sex, national origin, disability, veteran's or marital status, or economic status and to take affirmative action to ensure that both job applicants and existing employees are given fair and equal treatment.



The City will implement this policy, in accordance with Section 3 of the Housing and Urban Development Act of 1968, through the awarding contracts to contractors, vendors, professional service providers, consultants and suppliers, to create employment and business opportunities for local residents and other qualified low- and very low-income persons.

This policy will ensure that, in good faith, the City will have a reasonable level of success in the recruitment, employment, and utilization of Section 3 workers and other eligible persons and Section 3 business concerns working on contracts partially or wholly funded with the HUD monies.

The City shall examine and consider a contractor's professional service provider, consultant, or vendor's potential for success by providing employment and business opportunities to Section 3 workers and business concerns prior to acting on any proposed contract award.

WEBSITE POLICY

The City shall publish all applicable public notices, fair housing activities, project contracts, expenditures, and all other documents relevant to their CDBG-DR/MIT funded project to the City's website.

AFFIRMATIVE ACTION

Affirmative Action Purpose and Statement:

The City of Parker is an Affirmative Action Employer. It shall not discriminate in employment practices against any protected class and will affirmatively further employment opportunities for all persons in accordance with federal rules and regulations.

The City will affirmatively further employment opportunities via its Equal Employment Opportunity policy and corresponding Personnel Policies. In addition to non-discriminatory practices in all phases of employment, the City will seek to provide opportunities to minority and women employees and firms in conjunction with CDBG projects.

AFFIRMATIVE ACTION PROGRAM

In conformance with Executive Order 11246, the City will affirmatively further economic opportunity within CBDG projects through the following:

1. The City and its contractors will take affirmative action to ensure that applicants and employees are treated without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. This includes employment, upgrading, demotion, transfer, recruitment and recruitment advertising, layoff or termination, rates of pay and other forms of compensation, selection for training, and apprenticeship. The City and its subcontractors will post notices setting forth the provisions of this nondiscrimination clause in conspicuous places available to employees and applicants.



2. The City and its contractors will, in solicitations or advancements for employees placed by or on behalf of the City, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.
3. The City and its contractors will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.
4. The City and its contractors will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
5. The City and its contractors will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
6. The City and its contractors will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
7. In the event of the City or its contractors' noncompliance with the nondiscrimination clauses of this policy or with any such rules, regulations, or orders, a contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.



8. If applicable, the City and its contractors will include or incorporate the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the City or its contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States ("US") to enter into such litigation to protect its interests.
9. The City and its contractors, having a contract containing the provisions prescribed in Section 202 shall file, and shall cause each of his subcontractors to file, Compliance Reports with the contracting agency or the Secretary of Labor as may be directed. Compliance Reports shall be filed within such times and shall contain such information as to the practices, policies, programs, and employment policies, programs, and employment statistics of the City and its contractors and each subcontractor, and shall be in such form, as the Secretary of Labor may prescribe.
10. Bidders or prospective contractors or subcontractors may be required to state whether they have participated in any previous contract subject to the provisions of Executive Order No. 11246 of September 24, 1965, or any preceding similar Executive Order, and in that event to submit, on behalf of themselves and their proposed subcontractors, Compliance Reports prior to or as an initial part of their bid or negotiation of a contract.
11. Whenever the City or its contractors or subcontractors have a collective bargaining agreement or other contract or understanding with a labor union or an agency referring workers or providing or supervising apprenticeship or training for such workers, the Compliance Report shall include such information as to such labor union's or agency's practices and policies affecting compliance as the Secretary of Labor may prescribe: Provide, that to the extent such information is within the exclusive possession of a labor union or an agency referring workers or providing or supervising apprenticeship or training and such labor union or agency shall refuse to furnish such information to the contractor, the contractor shall so certify to the Secretary of Labor as part of its Compliance report and shall set forth what efforts he has made to obtain such information.

The City values diversity in its workforce and will take steps to advertise jobs internally and externally in a manner that will be readily available and accessible to potential candidates regardless of race, color, religion, sex, sexual orientation, gender identity, or national origin.

In situations in which two candidates are equally qualified for a position or promotion, the City may use protected status as a factor in final decision making in the protected status candidate's favor.



WOMEN- AND MINORITY-OWNED BUSINESSES (“W/MBE”)

In accordance with 2 CFR 200.321, the City will take steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps will include:

- ❖ Placing qualified small and minority businesses and women’s business enterprises on solicitation lists.
- ❖ Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
- ❖ Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women’s business enterprises.
- ❖ Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women’s business enterprises.
- ❖ Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of Commerce; and
- ❖ Requiring Prime Contractors, if subcontracts are to be let, to take the affirmative steps listed in foregoing paragraphs of this section.

The City will consult the State of Florida, Office of Supplier Diversity’s Certified Vendor Directory to determine local Minority and Women Business Enterprises within Taylor and adjacent counties that may be qualified to contract or subcontract on CDBG projects and encourage Prime bidders to reach out to these entities.

“Minority” includes:

1. Black (all persons having origins in any of the Black African racial groups not of Hispanic origin).
2. Hispanic (all persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish Culture or origin, regardless of race).
3. Asian and Pacific Islander (all persons having origins in any of the original peoples of East Asia, Southeast Asia, the Indian Subcontinent, or the Pacific Islands); and,
4. American Indian or Alaskan Native (all persons having origins in any of the original peoples of North America and maintaining identifiable tribal affiliations through membership and participation or community identification).



ANTI-FRAUD, WASTE, AND ABUSE

The City's Fraud, Waste and Abuse ("FWA") Policy is established to facilitate the development of internal controls that will provide for the detection, prevention, and reporting of fraud, waste and abuse directed against the City.

It is the intent of this policy to:

- ❖ Promote awareness of the potential for fraud, waste, and abuse and to provide guidelines and assign responsibility for the development of adequate internal controls and systems.
- ❖ Ensure compliance with ethical standards, which govern the conduct of employees, vendors, consultants, contractors, and all other outside agencies/parties doing business with the City.
- ❖ Communicate the City's desire to eliminate unethical practices, while creating an environment in which employees and citizens are encouraged and comfortable in the reporting of fraud, waste, or abuse.

Federal and Florida laws protect employees from retaliatory or adverse personnel action for disclosing certain information including, but not limited to, violations of laws, actions which create and present a danger to the public's health, safety, or welfare and suspected acts of ethical violations, fraud, mismanagement, waste and abuse of public funds and positions.

The City Clerk has the primary responsibility for the investigation of all suspected inappropriate activity as defined in this policy.

To avoid mistaken accusations or prematurely alerting suspected individuals of an investigation, all inquiries from suspected individuals and their attorneys or representatives should be directed to the CIAO/IG. Contact may be made directly or anonymously.

All City departments/employees are required to comply with the above policy.

Nothing in this directive or policy shall be construed to interfere with, limit, restrict, or otherwise impair the City Clerk or any officials' ability to manage, train, assign, or discipline their employees.

EQUAL EMPLOYMENT OPPORTUNITY ("EEO") AND CIVIL RIGHTS

EQUAL EMPLOYMENT OPPORTUNITIES (EEO)

The City strives to set a high community standard for providing equal employment opportunities. The City will maintain records documenting compliance with fair housing, equal opportunity, and civil rights requirements.



When feasible and applicable, equal opportunities at the local level will include:

1. Preparing accurate job descriptions for basing all employment selection and testing criteria.
2. Establishing a network of contacts, including workforce boards, newspapers, and radio and television stations, and notifying them of all CDBG-related position openings and requesting assistance in the recruitment process.
3. Distributing recruitment literature to women and minority organizations, and organizations that assist the disabled and older workers, and where appropriate, translating the materials into other languages.
4. Identifying minority, women, and disabled staff to assist with applicant interviews; and providing them with training in proper interviewing techniques.
5. Encouraging employees to refer qualified minority and women candidates for job openings, training, promotions, and transfers.
6. Evaluating local recruitment, hiring, and other personnel policies and materials to ensure that they do not contain or perpetuate discriminatory intent, practices, or procedures.
7. Reviewing job turnover to determine vacancy patterns and to plan appropriate recruiting efforts.
8. Establishing entry-level professional positions to provide career opportunities for employees, particularly for minorities and women.
9. Working with the private sector to fill job openings that result from economic development activities, establishing procedures that facilitate nondiscrimination and increased opportunities for women, minorities, disabled, and lower-income residents.
10. Taking affirmative action to overcome the effect of past discrimination.
11. Advertising as an equal opportunity employer in bid solicitations.
12. Soliciting bids from minority, women, and locally owned businesses.
13. Maintaining a list of locally owned businesses that were awarded contracts.
14. Informing contractors of equal opportunity requirements at the pre-construction conference or through other means of notification.
15. Monitoring contractor compliance at work sites.



CIVIL RIGHTS

As a recipient of CDBG funds, the City will comply with federal and state civil rights, fair housing, equal opportunity and equal employment opportunity regulations and requirements. These laws are designed to ensure that members of protected groups are treated fairly by avoiding discrimination, providing equal opportunity, and taking affirmative action to correct past discrimination based on race, color, religion, gender, national origin, age, sex/gender, disability and/or family status.

- ❖ **Title VI of the Civil Rights Act of 1964:** This act states that no person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of race, color, or national origin.
- ❖ **Section 3 of the Housing and Urban Development Act of 1968, as amended:** To the greatest extent feasible, employment and other economic opportunities, should be directed to low- and very low-income persons and business concerns which provide economic opportunities to low- and very low-income persons.
- ❖ **Title VIII of the Civil Rights Acts of 1968, as amended (Fair Housing Act):** This act prohibits discrimination in housing on the basis of race, color, religion, sex, or national origin. It also requires HUD to administer its programs in a manner that affirmatively promotes fair housing.
- ❖ **Section 504 of the Rehabilitation Act of 1973, as amended:** This act states that no otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, subjected to discrimination.
- ❖ **Section 109 of the Housing and Urban Development Act of 1974, as amended:** This act states that, under any program or activity funded in whole or in part under Title I or Title II of the act (regardless of a contract's dollar value), no person shall be excluded from participation (including employment), denied program benefits or subjected to discrimination on the basis of race, color, national origin, or sex.
- ❖ **The Age Discrimination Act of 1975, as amended:** This act states that no person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age.
- ❖ **Executive Order 11063:** This act states that no person shall, on the basis of race, color, religion, sex, or national origin, be discriminated against in housing (and related facilities) provided with federal assistance, or lending practices with respect to residential practices when such practices are connected with loans insured or guaranteed by the federal government.
- ❖ **Executive Order 11246, as amended:** This act states that no person shall be discriminated against, on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of federal or federally assisted construction contracts in the excess of \$10,000.



- ❖ **Equal Access to HUD-assisted or Insured Housing—24 CFR 5.105 (a)(2)(i) and (ii):** This regulation requires equal access to housing in HUD programs, regardless of sexual orientation, gender identity, or marital status.
- ❖ **Chapter 760, Florida Statutes:** Which includes the Florida Civil Rights Act and Fair Housing Act.

EXCESSIVE FORCE AND BARRING ENTRY

As a recipient of CDBG funds, City of Parker will adhere to the following provisions of 42 United States Code 5304(1)(1), enacted as Section 104 of the Housing and Community Development Act of 1974 and 42 United States Code 5304(1)(2), enacted as Section 104 of the Housing and Community Development Act of 1974:

1. It is the policy of the City to prohibit the use of excessive force by the law enforcement agency within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations in public spaces.
2. It is the policy of the City to enforce applicable State and local laws, if those laws exist, against physically barring entrance to or exit from a public facility or public location which is the subject of such nonviolent civil rights demonstration within its jurisdiction with due and proper consideration given to the extent and limits of the City's power and authority to do so.

FAIR HOUSING

The City is committed to refraining from any activity that inhibits the right of an individual or family to housing, including discriminatory practices based on race, color, national origin, religion, sex, familial status, or other protected class.

To the extent applicable, the City will conduct activities in a way that do not violate Title VI of the Civil Rights act of 1964 or Title VIII of the Civil Rights Act of 1968, Section 504 of the Rehabilitation Act of 1973, Section 109 of Title I of the Housing and Community Development Act of 1974, Title II of the Americans with Disabilities Act of 1990, the Architectural Barriers Act of 1968, The Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, or The Violence Against Women Reauthorization Act of 2013.

The City will also conduct activities in compliance with Executive Orders 11063, 11246, 12892, 12898, 13166, and 13217.

The City will promote Fair Housing to the extent feasible alongside its primary healthcare duties. Employees shall not, in their official capacity, engage in housing discrimination against a person or group because of their race, color, religion, sex, national origin, age, pregnancy, disability, sexual orientation, gender identity, or other protected classes.

Discrimination on the basis of race, color, religion, sex, national origin, age, pregnancy, disability, sexual orientation, gender identity or any other protected classes for programs and activities receiving Federal financial assistance is also prohibited.



Any intentional or unintentional conduct of housing discrimination that is based on race, color, religion, sex, national origin, age, pregnancy, disability, sexual orientation, gender identity or any other protected class will not be tolerated and will result in disciplinary action up to and including termination. Retaliation against persons alleging housing discrimination and persons involved in the act or investigation process is prohibited. Except as required by law, employment with the City is “at-will” and the City may terminate employment at any time for discriminatory behavior.

FAIR HOUSING COORDINATOR

The City Clerk of the City shall be the Fair Housing Coordinator unless they designate another individual to fulfill the role.

The Fair housing coordinator shall be available during regular business hours to receive fair housing calls, and their contact information will be published on a quarterly basis in a local newspaper or on the home page of the City website. Contact information of the current City Clerk is as follows:

Ingrid Bundy
Fair Housing Coordinator
City of Parker – City Hall
1001 West Park Street
Parker, Florida 32404

The Fair Housing Coordinator will be available during regular business hours Monday-Friday - 7:00 AM to 3:30 PM CST - to receive Fair Housing inquiries.

FAIR HOUSING INQUIRIES

A protocol will exist for registering calls, complaints, and inquiries about City Fair Housing activities and policy.

The Fair Housing Coordinator or delegated staff will capture the following information from Fair Housing inquiries:

1. The nature of the call or inquiry.
2. The actions taken in response to the call or inquiry.
3. The results of the actions taken.
4. If the caller was referred to a different entity or agency, the results were obtained by the referral agency.

Inquiries and actions taken will be logged.

FAIR HOUSING ACTIVITIES

The City, led by the Fair Housing Coordinator, will undertake one fair housing activity each quarter. It will not perform identical activities during consecutive quarters.

This policy will be overseen for compliance by the City Clerk.



FINANCIAL MANAGEMENT

The City will maintain and administer a financial management system that complies with all applicable HUD CDBG-DR/MIT and State of Florida rules and regulations, in addition to the provisions of 2 CFR part 200, 2 CFR 200.302, and Section 218.33, F.S.

ALLOWABLE COSTS

All costs will be reviewed by the Grant Coordinator. All internal costs will be submitted to the Grant Coordinator for review, validation, and resolution of any discrepancies. The Grant Coordinator will also verify that costs are applicable, eligible, and reasonable for the project(s). Any internal costs submitted by the Grant Coordinator must include a description indicating the purpose of the costs. Additionally, all contractor invoicing must be reviewed and approved by the Grant Coordinator for applicability, eligibility, and reasonableness before being forwarded for processing. Once approved, the Grant Coordinator will send a check request to the City's Accounting Department for payment.

It is the responsibility of the Grant Coordinator to maintain effective control and accountability for all funds, property, and other assets. The Grant Coordinator will safeguard all assets and assure that they are used solely for authorized purposes. Any concerns or clarification regarding any costs will be addressed and resolved by the Grant Coordinator before being submitted for formal processing by finance (with department head approval). This includes any costs incurred from other City departments, who may have incurred costs as part of regular administration and implementation of CDBG-DR/MIT.

INVOICE PAYMENTS

Upon receipt of an invoice, the invoice is reviewed for accuracy and verified with receipt of deliverables, if applicable, by the Grant Coordinator. Any needed corrections from the vendor will be communicated electronically by the Grant Coordinator to the vendor. If no revisions are needed the invoice and a check request is forwarded to the City's Accounting Department for payment.

PROGRAM INCOME TRACKING AND REPORTING

The City does not anticipate generating program income; however, should program income be generated, the City will track the receipts within its financial records in a separate revenue account and will report the receipts to Commerce as required by the subrecipient agreement.

TIMELY EXPENDITURE OF FUNDS

In accordance with the Subrecipient Agreement provided by Commerce, all CDBG-DR/MIT funds must be expended within the period of the Subrecipient Agreement. Therefore, all funds must be fully expended within the period of performance, by both parties of the Subrecipient Agreement, unless extended. However, the City anticipates that FloridaCommerce will periodically review the City's progress in drawing down funding through SERA. The City will review CDBG-DR/MIT expenditures to ensure that funds are spent on eligible costs and in a timely manner.



Project funds and schedules will be monitored by the City Clerk and the City's Grant Coordinator and will be subject to an auditing process through the City's independent audit function.

The City will hold all contractors accountable through the establishment of tasks and other critical milestones. Contractors will be required to provide update reports concerning expenditure of funds and project progress to the City upon request. The City may require contractors to provide monthly reports. When contracting with vendors, the City will establish certain tasks that must be achieved prior to the release of funding. As a part of their contractual obligations to the City, contractors may be required to present the City with a plan on how they will implement procedures to achieve the determined tasks, which will be set forth in task orders. Each contract with contractors contains provisions for termination of any contract if the contractor is found to be negligent in any aspect of the contract services. In addition to ensuring that contractors are meeting project timelines, these tasks and task orders will allow the City to project expenditures for each individual project task.

CONTRACTOR PAYMENTS

In order to ensure contracts and bills are paid in a timely manner, payments pursuant to a contract will be made in accordance with the Local Government Prompt Payment Act, F.S. 218.70-218.80. Invoices shall be for services rendered for the period of the first day of the month through the last day of the month. The Contractor shall submit separate invoices, on each task order after each delivery. Invoices shall indicate the task order number and shall be itemized. A copy of the bill of lading, and the freight weigh bill when applicable, should be attached to the invoice. Five Percent (5%) retainage shall be held at the discretion of the City the 5 percent retainage shall be paid at the completion of the Work. Provided, however, nothing in this Section shall preclude or limit the City's right to withhold payment as otherwise permitted by the terms of the Contract Documents or as permitted by law. Payments of these monthly invoices shall in no way imply approval or acceptance of the Work.

TRACKING PAYMENTS

The City will maintain a payment tracker for all projects. The payment tracker will include indicators that identify invoice submission status and date, approved change orders, and total payments by dollar amount. The tracker will be updated as changes to the status of payments, change orders, or invoice submissions occur.

PROCUREMENT POLICIES AND PROCEDURES

SECTION 1 - THE RESPONSIBILITIES AND FUNCTIONS OF THE PURCHASING DEPARTMENT

Purchasing is responsible for establishing and administering purchasing policies; initiating reports necessary to permit analysis of purchasing performance; and the analysis and comparison of prices paid for inventory materials. The City Clerk provides purchasing assistance to all departments under the City Council and aids and assists any constitutional office that requests assistance in purchasing.



The primary objectives are:

- ❖ To procure supplies at the least expense to the City while ensuring quality.
- ❖ To promote an understanding of sound purchasing policy and procedures throughout all the departments of the City.
- ❖ To determine the most efficient and economical means of securing an item or service without sacrificing desirable control and principle of sound purchasing practices.
- ❖ Encourage competition and endeavor to obtain as full and open competition as possible on purchases.
- ❖ Work with the departments to promote goodwill between the City and its suppliers.
- ❖ To exchange ideas and information with other public purchasing agencies.

The City Clerk shall serve as the central purchasing unit of City of Parker and develop and administer operational procedures governing the internal functions of this area. Except as otherwise specifically provided in this policy, the City Clerk shall in accordance with regulations promulgated by the City Council: purchase or supervise the purchase of supplies, materials, or equipment, defined within the scope of this policy. This department is tasked to determine when it is more economically feasible to purchase in bulk rather than on an individual basis. The City Clerk, along with the City Council, is responsible for administering the procurement of goods and services.

VENDORS

The City strives to maintain strong enduring relationships with vendors of proven ability and desire to meet our needs. To accomplish this, our purchasing activities will be conducted so those vendors will value our business and make every effort to furnish our requirements on the basis of quality, service and price.

New sources of supply will be given consideration, as multiple sources of supply are necessary to ensure availability of materials.

A vendor may be removed from the City's bid list in the event that the vendor does not fulfill their obligation to the City. The City Clerk will be responsible for monitoring vendor performance. Departments are to submit a Vendor Performance Evaluation Form (Exhibit A) to the City Clerk when problems are experienced. The City Clerk will then investigate the problem. Removal from the City's bid list will be by joint concurrence of the City Council and the City Clerk after carefully reviewing all performance feedback from other departments.

A vendor may be reinstated on the City's bid list by petitioning the City Council. Re-entry into the system would be after the petitioning vendor has provided sufficient evidence to satisfy the City Council that the problems previously encountered have been corrected.



SECTION 2 - THE RESPONSIBILITIES OF DEPARTMENT HEADS

Use preplanning in order to have the goods available when needed without relying upon emergency purchasing procedures. Emergency purchases should be kept to an absolute minimum!

Assist the Finance staff by suggesting the names of vendors that have access to the particular items being requested, especially technical items.

Maintain with the Finance staff current authorization of any individual designated to sign requisitions in their absence.

Ensure all personnel are aware and adhere to ALL purchasing procedures.

SECTION 3 - THE REQUISITION

EMERGENCY PURCHASES

The department head or designee may make or authorize others to make emergency purchases without competitive bidding when there exists a threat to public health, welfare, or safety. This shall be considered to also mean those situation where the operation of a department would be seriously impaired if immediate action were not taken. The following procedures shall govern:

- ❖ The department head or designee shall prepare requisition and then specify in writing on the requisition the details of the emergency and additionally complete the Emergency Certification Form (Exhibit C).
- ❖ When an emergency occurs during non-business hours and a delay would be detrimental to City of Parker, with the approval of the City Clerk, the department head or designee shall initiate an emergency purchase. The Finance staff shall be furnished with proper documentation on the next workday. The purchase order will then be prepared.
- ❖ When reasonable, the department head or designee, in an effort to secure the optimal price, shall request a minimum of three (3) quotes for services to be performed in response to the Emergency Purchase.
 - A minimum of one (1) minority or women's business enterprise (M/WBE) should be contacted when requesting quotes for the Emergency Purchase. Documentation of M/WBE contact will be provided to Commerce for approval. For construction related Emergency Purchases relating to projects funded with CDBG-MIT funding, the department head or designee shall provide all potential respondents a current copy of the applicable Sam.gov Wage Determination for utilization in preparing their quote.
 - Awards of Emergency Purchases may be made with consideration of price, warranties, special conditions, or any combination thereof. Written justification shall be provided attesting to the award methodology.



- The City will contract with a vendor for “not to exceed” reimbursements. Cost plus a percentage of cost shall not be allowable pursuant to federal provisions under 2 CFR §200.324(d).

Note: Poor planning does not constitute an emergency situation.

SOLE SOURCE PURCHASES

The purchasing procedure will allow for the exemption of sole source purchases from the competitive bidding when it is clearly determined to be impractical to procure through the competitive bidding process.

Some examples of generally accepted Sole Source guidelines are as follows:

- ❖ Proprietary Item/Service
- ❖ Parts/Equipment not interchangeable with similar parts from another manufacturer (compatibility).
- ❖ Only known item that will meet the specialized needs of the department of perform the intended functions.
- ❖ Parts/Equipment are required as part of an ongoing standardization process.

All Sole Source requests must be explained fully on the requisition and a Sole Source Certification Form (Exhibit D) must be completed. The finance department is responsible to verify sole source guidelines are followed.

PURCHASING LEVELS OF AUTHORITY

For purchases of single items less than \$3,500.00 the best purchasing practices should be used with authorization by department heads.

Three telephone quotes are required if purchases are between \$3,500 and \$25,000. The minimum quote certification form will be used when obtaining quotes.

Three written quotes are required if purchases are between \$25,000 and \$150,000. The minimum quote certification form will be used when obtaining quotes. If three quotes are not available, the “No quotes” must still be documented in writing including a copy of the email or fax requesting the quote. All requests for quotation should contain a written specification.

All contracts for the purchase of goods and/or services obligating the City in an amount in excess of \$150,000 shall be based upon competitive bids.

Certain purchases may be exempted from the purchasing and/or bid process as defined in the policy (such as vehicles bought under state contract, etc.).

Note: The requesting department shall pay particular attention to the contract/services agreements that have the potential to exceed to \$150,000 limit over the life of the contract.



Any local vendor preference ordinance or resolution does not apply to federally awarded contracts funded with CDBG funds, unless otherwise determined the respondent meets all criteria of the solicitation.

SECTION 4 - BID PROCESS

This section defines the appropriate bid process utilized for purchasing materials, goods, services, construction or equipment of both specific dollar ranges or specific purchase types and the general procedures involved.

AUTHORITY/APPROVALS

Qualified bidders shall be determined based on the following criteria:

- ❖ Ability to deliver the product or perform the contract in a timely manner and consistent with City requirements.
- ❖ Experience and past performance.
- ❖ Acceptable warrant/guarantee of future maintenance and service.
- ❖ Possession of current licenses and certifications (when applicable).

METHODS OF PROCUREMENT

The following methods of procurement may be used by the City for purchases and expenses associated with federal funding. All methods of procurement will be subject to the requirements of Section 255.0525, F.S., regarding advertising for competitive bid proposals, where applicable. This includes:

- ❖ The solicitation of competitive bids or proposals for any state construction project that is projected to cost more than \$150,000 shall be publicly advertised as required by City Code prior to bid opening.
- ❖ For construction projects that are projected to cost more than \$500,000, the advertisement shall be published in a larger circulation paper at least 30 days prior to the established bid opening and at least once in a newspaper of general circulation in the City where the project is located at least 30 days prior to the established bid opening.
- ❖ The bids or proposals shall be received and opened publicly at the location, date, and time established in the bid or proposal advertisement.
- ❖ If the location, date, or time of the bid opening changes, written notice of the change must be given, as soon as practicable after the change is made, to all persons who are registered to receive any addenda to the plans and specifications.

A construction project may not be divided into more than one project for the purpose of evading the requirements in this section.



PROCUREMENT BY MICRO-PURCHASE PROCEDURES

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the City will distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the City considers the price to be reasonable.

PROCUREMENT BY SMALL PURCHASE PROCEDURES

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold and are under \$250,000. If small purchase procedures are used, price or rate quotations will be obtained from an adequate number of qualified sources.

PROCUREMENT BY SEALED BIDS (FORMAL ADVERTISING)

Bids are publicly solicited, and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price and best for the City. The following will be required for all sealed bids:

- ❖ The invitation for bids will be publicly advertised and bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids.
- ❖ The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services for the bidder to properly respond.
- ❖ The invitation for bids will include minimum criteria to define a responsible bidder, which will not restrict responses but instead ensure that the selected vendor has the experience needed to perform the work outlined in the scope.
- ❖ All bids will be publicly opened at the time and place prescribed in the invitation for bids.
- ❖ A firm fixed price contract award will be made in writing to the lowest responsive, and responsible bidder.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs will be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.

- ❖ Any or all bids may be rejected if there is a reason to do so.



PROCUREMENT BY COMPETITIVE PROPOSALS

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. The following will be required for all competitive proposals:

- ❖ Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals will be considered to the maximum extent practical.
- ❖ Proposals must be solicited from an adequate number of qualified sources.
- ❖ The City will have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
- ❖ Contracts will be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The City notes that it may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (“A/E”) professional services whereby competitors’ qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation.

The method, where price is not used as a selection factor, will only be used in procurement of A/E professional services and will be compliant with section 287.055, F.S. It will not be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

Procurement of grant administration services will be conducted through a separate process from other procurement and will comply with CDBG-DR/MIT Program requirements.

PROCUREMENT BY NONCOMPETITIVE PROPOSALS

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and will be used only when one or more of the following circumstances apply:

- ❖ The item is available only from a single source.
- ❖ The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- ❖ The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the City.
- ❖ After solicitation of a number of sources, competition is determined inadequate.



EXEMPTIONS FROM THE BIDDING PROCESS

The following types of purchases shall be exempt from any bidding requirements as set forth in this Manual:

- ❖ All supplies, materials, equipment, or services purchases at a price established by state, federal, City, or other contracts that have met the Florida procurement guidelines or at a price equal to or less than those prices.
- ❖ All supplies materials, equipment, construction, or services purchased from another unit of government.
- ❖ Emergency purchases as provided in this Manual.
- ❖ Sole Source purchases as provided in this Manual.
- ❖ When the product is being procured directly from the manufacturer and/or standardization is determined necessary.
- ❖ All repairs shall be exempted.
- ❖ All purchases of used equipment must be approved by the City Clerk . The City Clerk may request an equipment appraisal.
- ❖ Library/Training Media and Materials. The requirements for bids from two (2) or more sources are waived for the purchase of library books, education and/or personnel tests, textbooks, printed instructional materials, reference books, periodicals, databases, indexes, library media materials; e.g., audio and video cassettes, film strips, films sound recordings, computer software etc. and printed library cards.
- ❖ Social Services (e.g., burials and indigent patient services).
- ❖ Advertisements
- ❖ All purchases of real property having a value of fifty thousand dollars (\$50,000) or less; however, each purchase shall be supported by two (2) current, independent appraisal reports prepared by different Member of Appraiser's Institute ("MAI") appraisers within eight (8) months of the proposed purchase.
- ❖ Services of a professional nature, including engineering, land surveying, architectural, and landscape architectural services controlled by Section 287.055, Florida Statutes; and medical and legal services.

BID BONDS

Each bid on a public construction project estimated to exceed \$100,000 in cost must be accompanied by a bid bond payable to City of Parker for 5 percent (5%) of the total amount of the bid. The bid bond may be in the form of a certified or cashier's check payable to City of Parker or a bond issued by a surety qualified to do business in the State



of Florida. When the bids have been opened and compared, the City will return the bonds of all except the two (2) lowest responsible bidders. When a contract is executed by the lowest responsible bidder and the public construction bond required by Section 255.05, Florida Statutes, together with certificates evidencing proof of necessary insurance requirements shall be properly executed and furnished to the City, then the bid bonds of the two (2) lowest bidders shall be returned. If the lowest responsible bidder does not enter into the contract required by the City within 30 days after written notice of award of contract and furnish to the City the required public construction bond along with proof of insurance as required in the bid documents; the amount of the bid bond of the lowest responsible bidder shall be forfeited to the City and the City may proceed to enter into a contract with the second lowest responsible bidder.

PUBLIC CONSTRUCTION BOND

On each public construction project exceeding \$100,000 in cost, the successful bidder shall provide to the City within 30 days after written notice of award a public construction bond in accordance with the provisions of Section 255.05, Florida Statutes, in the amount of 100 percent (100%) of the contract price issued by a corporate surety approved by the City and qualified to do business in the State.

ATTORNEYS-IN-FACT

Attorneys-in-fact who sign bid bonds or public construction bonds must file with each bond a certified and effective dated copy of their power of attorney.

INSURANCE REQUIREMENTS

All public construction projects shall require the contractor to secure all insurance requirements in the bid documents and specifically name the City as “additionally insured” on the certificate(s). Insurance requirements shall be set by the City Council and may vary depending on the scope of work. However, they shall never be less than the minimum amounts prescribed by law.

IRREVOCABLE LETTER OF CREDIT

Upon approval of the City Clerk, a contractor may present an irrevocable letter of credit from a national or state-chartered bank in lieu of any of the foregoing bonds for the same face value as required for the bond. The letter of credit shall be for a period of time not less than three months beyond the scheduled completion date.

PUBLIC ENTITY CRIMES STATEMENT

Where applicable, contractors and vendors shall be required to submit a Public Entity Crime Statement pursuant to F.S.287.133.

PUBLIC INSPECTION

All bid proposals, written quotations, and any associated documents shall be made available to the general public for inspection at any time following the bid opening date and time or deadline.



E-VERIFY

Beginning January 1, 2021, every public employer, contractor, and subcontractor shall register with and use the E-Verify system to verify the work authorization status of all newly hired employees. A public employer, contractor, or subcontractor may not enter into a contract unless each party to the contract registers with and uses the E-Verify system. Contractors and vendors shall be required to submit a copy of E-Verify certification, pursuant to F.S.448.095.

CONFLICT OF INTEREST

In compliance with F.S.200.318(c) (1), no employee, officer, or agent must participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors of parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial, or the gift is an unsolicited item of nominal value. The City is resolute in providing a fair and equitable bidding process, and violations of the Conflict-of-Interest policy herein will result in progressive discipline up to and including termination.

FRAUDULENT MISCONDUCT AND ANTI-FRAUD AWARENESS

All purchasing and procurement goes through a minimum of a three-step approval process.

1. All invoices and accounts payable go through a minimum of a four-step approval process.
2. All grant funding projects and purchases adhere to Steps 1 and 2 as well as the policies and procedures of the funding agency, and the terms of executed grant contracts.
3. All property with a value of more than \$5,000 is inventory tagged, tracked, and electronically maintained by the City Council. Inventory is taken at a minimum annually. All Department Heads are responsible for all equipment and capital items in their assigned departments, and these responsibilities are clearly outlined in the inventory/tangible personal property manuals.

Elected officials, employees, appointed advisory boards/committees, and anyone who has a business relationship with City of Parker must abide by City anti-fraud policies and procedures. As a means to ensure all possible measures are taken by the City to eliminate any type of contractor fraud, bid submission documents and contracts may contain and require execution of the documents as listed in the purchasing policy. Any elected official, employee, appointed advisory board or committee member, or anyone who does business for or with the City, who suspects dishonest or fraudulent behavior or



activity should notify the City Clerk at 850-871-4104 immediately. The complainant may be required to sign a written statement if the complaint is valid and requires action. Employees may also remain anonymous when contacting the City Clerk's office. All employees are protected from adverse actions resulting from reporting suspected fraud or associated misconduct as per Florida Statutes Sections 112.3187-112.31895. The City prohibits retaliation for the reporting of suspected fraudulent or dishonest activity.

The reporting individual should not contact the suspected individual(s) in an effort to determine the facts, discuss the complaint, or demand restitution. The reporting individual should not discuss the case, facts, suspicions, or allegations with anyone other than the City Clerk unless directed to do so by the City Clerk and/or the City's legal counsel.

It shall also be a violation of this policy for any informant/complainant to make a baseless allegation of fraudulent activity that is made with malice or reckless disregard for truth that is intended to be disruptive or to cause harm to another individual. Any violation of this nature may result in disciplinary action up to and including termination of employment.

The City will conduct an investigation of reported fraud, improprieties, or irregularities. In accordance with Florida Statutes, until such time as the final report has been made, suspected frauds and the nature of the related audits/investigations shall remain confidential. Actions and sanctions which may be taken for fraudulent activity include:

1. Employees suspected of participating in fraudulent activity may be suspended without pay during the course of the investigation as determined by the applicable Department Head and the City Clerk.
2. Employees found to have participated in fraudulent activity will be subject to disciplinary action up to and including termination from employment, and possible criminal prosecution or civil action.
3. Employees found to have knowledge of fraudulent activity and who knowingly fail to report the activity will be subject to disciplinary action up to and including termination.
4. The relationship of individuals, firms, and entities doing business for or with the City found to have participated in fraudulent activity as defined by this policy will be subject to review with the possible termination or modification of business for/or with the City and termination of all existing and pending contracts.
5. Appropriate law enforcement agencies, and agencies associated with the fraudulent activity such as, but not limited to, agencies that may have provided funding for projects, equipment or services which involved fraudulent activity may be subject to criminal or civil action if found to have participated in fraudulent activities while doing work for/or with the City.



SECTION 5 - FEDERAL AWARDS

NOTICE OF FEDERAL POLICY REQUIREMENTS

If any contract or purchase of services is being funded in whole or in part by assistance from any federal grant, the contract is subject to one or more applicable federal public policy requirements such as:

- ❖ Equal Employment Opportunity
- ❖ Affirmative Action pursuant to s CFR §200.321(a) and (b).
- ❖ Fair Labor Standards
- ❖ Energy Conservation
- ❖ Environmental Protection; and/or
- ❖ Other similar socio-economic programs

The City shall include in the contract all appropriate provisions giving the contractor notice of these requirements. Where applicable, the City shall include or incorporate in the contract provisions the requirement that the contractor give a similar notice to all its subcontractors.

CONTRACTS PROVISIONS FOR FEDERALLY FUNDED PROJECTS

In compliance with 2 CFR Part §200.318 through 200.327 to include all applicable provisions identified in Appendix II of 2 CFR 200 (200.327), The City will ensure that all procured contracts for services or purchase of property or equipment contain all of the appropriate provisions set forth by these Federal regulations by conducting the following:

- 1) Review proposed technical specifications of the bid solicitation, prior to contract execution, to determine whether or not the bid solicitation will exceed the Federal simplified acquisition threshold of \$250,000.
- 2) Pursuant to 2 CFR 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.
 - (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.
 - (b) Affirmative steps must include:
 - (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
 - (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.



- (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
 - (4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
 - (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
 - (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.
- 3) In the event the contract exceeds the Federal simplified acquisition threshold, the City will perform a cost/price analysis; make available upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition pursuant to F.S. §200.324; and ensure that the contract language addresses administrative, contractual or legal remedies in instances where Contractors violate or breach contract terms, and provide such sanctions and penalties as appropriate; will require a bid guarantee of 5 percent of the bid price, will require a performance bond for 100 percent of the contract price, and will require a payment bond for 100 percent pursuant to F.S. §200.325.
- 4) For contracts in excess of \$10,000, the City will ensure that there is language that addresses termination for cause and for convenience by the City including the manner which it will be affected and the basis for settlement.
- 5) All Federally funded contracts will include the proper certifications for EEO, Non-Discrimination, and Code of Conduct policies (i.e., conflicts of interest).
- 6) All Federally funded contracts will include a certification clause that addresses the Davis Bacon Act and reporting requirements (when applicable).
- 7) All Federally funded contracts will include a certification clause in compliance with Contract Work Hours and Safety Standards Act (when applicable).
- 8) Simplified Acquisition Threshold: Any Federally funded contracts in excess of \$250,000 will include a certification clause that requires compliance with applicable standards, order and regulations issued pursuant to the Clean Air Act and the Federal Water Pollution Contract Act.



- 9) A search will be conducted by the City in SAM.gov to ensure that the bidders are not debarred or suspended from participating in Federally funded projects, and are currently registered and licensed to perform the necessary work; and
- 10) All Federally funded contracts will include certification for Byrd Anti-Lobbying Amendment compliance.
- 11) All Federal contracts will include notification that the sub-recipient is responsible for the settlement of all contractual and administrative issues arising out of procurements under a federal award pursuant to F.S. §200.318 (k).
- 12) All Federally funded contracts will include a preference for domestic procurements involving goods, products, and materials pursuant to F.S. §200.322
- 13) All Federally funded contracts will include certification of compliance with provisions related to procurement of recovered and recycled materials pursuant to F.S. §200.232; and Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act.
- 14) The City will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.
- 15) In compliance with 2 CFR § 200.403 and 2 CFR § 200.404, the City will ensure that Federal contracts meet the criteria for allowability and reasonableness of costs.
- 16) Federal Awarding Agency or Pass-Through Entity Review:

The City understands that it must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

The City will make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, if it is perceived that:

- a) The City procurement procedures or operation fails to comply with the procurement standards in this part.



- b) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation.
- c) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a “ brand name” product.
- d) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement.
- e) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

The City may be exempt from the pre-procurement review of this section if the Federal awarding agency or passthrough entity determines that its procurement systems comply with the standards of this part. The City understands that it may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified.

Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis. The City may self-certify its procurement system, but it is recognized that self-certification will not limit the Federal awarding agency’s right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the City that it is complying with these standards. The City must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

- 17) Section 508, accessibility of electronic information, shall be made available upon request, when reasonable.
- 18) Personally Identifiable Information, when applicable, shall be redacted unless otherwise required by a Public Records Request.
- 19) The Grants Coordinator shall be designated as the single point of contact for all procurement funded with CDBG funds and shall be responsible for maintaining the “Cone of Silence” of all potential solicitation respondents.

ECONOMY AND EFFICIENCY

In compliance with F.S. §200.318 (e), the City of Parker City Council promotes cost-effective use of shared services across the Federal Government and may enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements. The



City accepts and reviews any value engineering opportunities as part of its construction contract process.

The City will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

The City will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural engineering (A/E) services, geographic location may be selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

In compliance with 2 CFR §200.320 (b)(2)(iv), the City may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated, and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation.

The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms that are a potential source to perform the proposed effort.

In compliance with 2 CFR §200.318 (j), the City may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of: the actual cost of materials; and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

The City complies with F.S. §287.055 in the selection of engineers.

Further, the City will assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

ASSIGNMENTS OF CONTRACTS

No agreement made pursuant to any sections of this policy shall be assigned or sublet as a whole or in part without the written consent of the City. Nor shall the contractor assign any moneys due or to become due to the contractor thereunder without the previous written consent of the City.



RIGHTS OF CITY COUNCIL

Nothing in this policy shall be deemed to abrogate, annul, or limit the right of the City Council, in the best interest of the City, to reject all bids received in response to a request, to determine in its sole discretion the responsiveness and responsibility of any bidder, to approve and authorize or to enter into any contract it deems necessary and desirable for the public welfare, or to vary the requirements of the Policy in any instance when desirable for the public good except for DEO/CDBG and other funding agencies that restrict the competitive bidding process.

SECTION 6 WAREHOUSES

One primary function of the warehouse(s) is/are to maintain stock levels of materials and supplies common in use to one or more departments. The quantity purchased of such items is to ensure maximum low cost. Materials may be direct shipped to the department location when possible.

STOCK LEVELS

Where stock levels are maintained, purchasing department or designee will perform physical handling of inventory including the receiving, issuing, and stocking of shelves.

STORAGE OF MATERIALS

All materials of similar character shall be properly segregated and assigned permanent space and a definite location. Care will be taken to ensure that materials are segregated by size, kind and grades for convenience in location when needed in taking inventory.

When assigning materials to specific location in the storeroom, consideration must be given to the fact that there will be a greater number of withdrawals of some materials than others.

WAREHOUSE CATALOG

A warehouse stock catalog containing the descriptive listings of items, code numbers and estimated price will be published and maintained by the finance staff.

WAREHOUSE REQUISITIONS

Departments drawing from the warehouse(s) will use standard warehouse requisition forms. This form must be completed with correct department account number, catalog number and description of materials needed. An authorized person receiving materials must sign the warehouse requisition.

MATERIALS RECEIVED AT WAREHOUSE(S)

The finance staff or designee will be responsible for receiving and issuing all goods at the warehouse. The receiving of ordered items at the warehouse will be processed and verified in the same manner as any other purchase. Partial deliveries will be handled in the same manner as outlined in the purchasing procedures in this purchasing manual.



RECORD KEEPING

After receiving a shipment or partial shipment, the quantity of a given item should be entered into the inventory module and added to the balance shown thereon. At the time of dispensing supplies, the reverse of the above applies. The quantity issued, along with the date, department and requisition number is entered and a new balance established.

ACCOUNTABILITY AND PERPETUAL INVENTORY CONTROL

The proper functioning of an inventory accounting system demands that all materials and supplies received, issued, and on hand be accounted for both in quantities and values, that the inventory be controlled by accounts in a general ledger, and that periodically the inventory records and accounts be verified by actual physical inventory. A systematic classification of titles of inventory items is absolutely essential to the proper accounting for the inventory.

Because of the large number of commodities that may be carried in stock, the classification shall provide for a definite grouping of like articles.

DETERMINATION OF MAXIMUM AND MINIMUM STOCK LEVELS

The maximum stock is the largest quantity permitted to be on hand at any one time. Generally, the amount of stock to be carried should be based on current needs, length of time necessary to replace stock, amount of storage space, and quantities at which favorable prices may be secured. At times when market conditions are favorable, increased "maximum" quantities may be justified.

The "minimum" stock is the smallest quantity that should be in stores at any one time and should be the quantity needed for normal requirements during the time to replenish the supply. The amount of stock to be ordered at any one time would be the "maximum" less the amount on hand at the time of ordering.

SECTION 7 - CITY PROCUREMENT RECORDS

All determinations and other written records pertaining to the solicitation, award or performance of a contract shall be maintained for the City in a contract file by the department head.

RETENTION OF PROCUREMENT RECORDS

All procurement records shall be retained and disposed of by the City in accordance with record retention guidelines and schedules established by the State.

INVITATION TO BID

The City of Parker City Council is soliciting bids for _____.

Sealed bids will be received at City of Parker City Hall, 1001 West Park Street, Parker, Florida 32404, to arrive no later than 2:00 p.m. CST, _____, 20___. Bids will be



opened and read aloud at 5:30 p.m. (Central Time) on _____, 20____ at the City of Parker City Council Meeting, Parker City Hall, 1001 West Park Street, Parker, Florida.

Bid considerations/specifications **MUST** be obtained from 1001 West Park Street, Parker, Florida 32404.

The Council reserves the right to accept and/or reject all bids and to award the bid in the best interest of the City.

Additional information may be obtained from:

BY ORDER OF THE CITY COUNCIL, City of Parker, Florida.



GENERAL BID CONSIDERATIONS

1. Bids must be submitted by mail or in person to at City of Parker City Hall, 1001 West Park Street, Parker, Florida 32404, to arrive no later than 2:00 p.m. (Central Time) on _____, 20___. Bids received late shall be returned unopened.
2. Bids must be in a sealed envelope plainly marked “_____” on the outside.
3. Once opened, no bid may be withdrawn prior to the City Council action without written consent of the City Council.
4. Bids must specifically state in their bids that it meets or exceeds the City’s specifications. If it does not meet specifications, the bid must clearly list those items that do not meet the specifications. The bidder shall furnish a complete set of specifications on their product or services, if required by the specifications.
5. Bidders must complete and furnish with their bid, the Florida Public Entity Crimes Statement as required by F.S. §287.133(3) (a).
6. All bids submitted, requiring General Liability and Workers’ Compensation Insurance, per the Bid Specifications, must include a certificate of Insurance showing Liability Insurance Coverage on the contractor, listing the City as additionally insured, or a sworn statement from an Insurance Agent, verifying that if the prospective bidder is awarded the bid, a Certificate of Insurance will be issued to the successful bidder within 30 days of the acceptance of the bid, in the amount stated in the bid specifications. Also include the Declaration page from the Insurance Policy showing Workers’ Compensation Insurance on all employees working on the project. Any bidder who does not furnish the required insurance documents within 30 days after the bid award, is hereby advised the bid will be given to the next lowest responsive bidder, who meets all bid specifications.
7. All bids must include E-Verify Certification pursuant to F.S. §448.095. The E-Verify Memorandum of Understanding may be used for certification.
8. Bids shall be opened and read aloud on _____ at _____ in the at City of Parker City Hall, 1001 West Park Street, Parker, Florida 32404.
9. The City of Parker City Council reserves the right to accept or reject any and/or all bids in the best interest of the City.
10. It is the responsibility of the bidder to fully understand and follow all conditions and specifications.
11. Bid considerations/specifications **MUST** be obtained from the at City of Parker City Hall, 1001 West Park Street, Parker, Florida 32404, (850) 871-4104.
12. For additional information, contact:



BID CHECK-LIST

Please submit one original of the items on the following list and any other items required in the BID FORMS section or appendices (if applicable) of this ITB. The checklist is provided as a courtesy and may not be all inclusive of items required within this ITB.

1. *VALID FLORIDA REGISTERED GENERAL CONTRACTOR'S LICENSE*
2. *BID FORM*
3. *BID BOND*
4. *ADDENDUM ACKNOWLEDGEMENT*
5. *ANTI-COLLUSION CLAUSE*
6. *CONFLICT OF INTEREST DISCLOSURE FORM*
7. *IDENTICAL TIE BIDS/DRUG FREE WORKPLACE*
8. *CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION*
9. *44 C.F.R. PART 18-CERTIFICATION REGARDING LOBBYING*
10. *CERTIFICATION REGARDING SCRUTINIZED COMPANIES LIST*
11. *SUB-CONTRACTORS' LIST*
12. *MBE/WBE CERTIFICATION, if applicable.*



QUALITY ASSURANCE – QUALITY CONTROL (QA-QC)

The City developed this Quality Assurance/Quality Control (“QA/QC”) Plan to ensure Department of Commerce (DEPARTMENT OF COMMERCE), Housing and Urban Development (“HUD”), and Community Development Block Grants (“CDBG”) are administered and expended in compliance with program requirements and federal, state, and local standards and guidelines. The Plan will reduce risks of DEPARTMENT OF COMMERCE, HUD, and CDBG program non-conformance. To achieve these objectives, City of Parker will:

1. Exercise impartial, unbiased professional care when completing QA/QC reviews
2. Exhibit the highest level of professional objectivity in gathering, evaluating, and communicating information, findings, and conclusions about the processes and the data being examined.
3. Ensure a balanced assessment of each project review by not being unduly influenced by their own interests or by others in forming judgements.

The City’s QA/QC policy was developed to outline a formal process to identify potential compliance issues and risks and implement best practices for the administration of DEPARTMENT OF COMMERCE, HUD, CDBG programs and grants. Specifically, this plan will assist the City in complying with program monitoring requirements and it will:

1. Perform document file reviews and utilize data collected during the monitoring/desk review process to improve program compliance, processes, and procedures. This includes internal and external reviews.
2. Confirm that program expenditures are eligible based on grant agreements (including agreement attachments and the Scope of Work), applicable state and federal laws, and DEPARTMENT OF COMMERCE, HUD, and CDBG program guidelines and regulations.
3. Report exceptions and concerns to reduce DEPARTMENT OF COMMERCE, HUD, and CDBG monitoring concerns, findings and/or recapture.
4. In the event compliance issues are identified, initiate corrective actions, and implement program controls as necessary in a timely manner.
5. Review continually for improvement using QA/QC Plan data and monitoring findings to improve program processes and procedures.
6. Ensure all expenditure and procurement procedures comply with DEPARTMENT OF COMMERCE, HUD, CDBG, 2 CFR 200, and other applicable federal, state and local standards and requirements.



7. The QA/QC Plan will be updated annually (or as so needed) to ensure continuous improvement to DEPARTMENT OF COMMERCE, HUD, and CDBG programs and the administration thereof.

The QA/QC review team will include but not be limited to: City Clerk; City Grant Manager, City Grant Coordinator, City's Engineer or Record (if applicable); City Accounting Department; and any other staff and/or department who may be directly involved in the project. In the unlikely event a serious finding or repayment is required of federal funds, the City Council and the City's legal counsel will be included to resolve the non-compliance conflict and/or issue and take corrective action.

The City's Grant staff will develop and complete a quarterly report for all open COMMERCE/HUD/CDBG grants which shall identify and include the following:

1. The number of observations, concerns, findings and exceptions found
2. The number of follow-up reviews for observations and concerns
3. A summary of exceptions/material exceptions, and exceptions corrected
4. Any additional controls implemented to mitigate further risk
5. Comparison of the reporting quarter's findings and performance to previous quarters for program management, QA/QC review team to assess grant program implementation, administration, and management over of the time of the grant period.
6. Any pending corrective action and development of Corrective Action Plan (CAP) if applicable.

QA/QC STRATEGY

PHASE I: PRE-CONSTRUCTION

Phase I of the review process will ensure that all pre-construction requirements are met prior to the start of any form of construction, work, or issuance of a Notice to Proceed ("NTP") and/or any element of the actual construction or other work. Areas to be reviewed for the compliance include:

1. All Environmental Reviews, Tribal, and Department of State Clearances and Reviews and any other applicable studies or requirements are completed and obtained.
2. All Procurement and bidding processes are completed to all applicable guidelines, requirements, and standards. This includes all construction and professional services contracts.
3. Ensure all recipients of funding and/or funding assistance are duly qualified.
4. Review construction contracts to ensure they fully comply with grant contract terms and conditions as well as federal, state, and local regulations and standards.



5. Ensure all staff, subrecipients and individuals and/or firms issued contracts understand their roles and responsibilities related to the project.
6. Ensure grant funds are properly set aside and budgeted for project expenditures.

PHASE II: CONSTRUCTION

Phase II ensures that the construction phase is implemented in accordance with the requirements of DEPARTMENT OF COMMERCE, HUD, and CDBG programs and the construction and/or professional service contract(s). Areas to be reviewed for compliance include but are not limited to: project status reports are reviewed; change orders are not issued without proper documentation and City Council approval; all invoices are reviewed and abide by the City's approval process; Davis-Bacon and related Acts and federal prevailing wage standards are adhered to (if applicable).

PHASE III: POST CONSTRUCTION

When the project and/or construction is complete, a QA/QC review will be conducted to ensure that all paperwork and documentation related to the project is completed prior to final payment being made to the contractor and/or firms contracted to complete the project. Areas to be reviewed will include but not be limited to for compliance include:

1. If Change Orders were issued, to ensure that all work was completed as per the Change Order.
2. Final inspections of project. If any "punch list" changes are required and/or requested, ensure these items are complete.
3. Review all final invoices and ensure all final invoices submitted are per the terms of any and all contractual agreements.
4. Reconciliation of budget to ensure all expenditures comply with budgeted line items as approved by the finance staff.

PHASE IV: PROJECT CLOSEOUT

Prior to final project close out, a final QA/QC review will be conducted. Areas to review for compliance will include but not be limited to:

1. Final review of all invoices related to the project.
2. Final cost reconciliation to ensure all costs comply with all contracts and per grant agreement budgets and approved expenditures.
3. Preparation and submission of final reports to the DEPARTMENT OF COMMERCE, HUD, CDBG, or appropriate funding agency.

FINDINGS/REPORTING/ISSUE RESOLUTION PROCESS

In the event the QA/QC review team should note a finding in the review process which could result in non-compliance, it will be reported to the City Clerk immediately. All initial findings should be validated by a secondary QA/QC review. Findings (exceptions) shall



be classified according to their potential impact on the outcome of COMMERCE, HUD and CDBG Program/Project requirements.

The classifications shall be as follows:

- A. Observations/Concerns: Findings that DO NOT impact the outcome of the program/project but require resolution.
- B. Findings/Material Exceptions: Findings that ARE likely to result in a DEPARTMENT OF COMMERCE/HUD/CDBG finding, impact the program/project outcome, do not conform to program/project requirements and sanctions, and monitoring findings that may require repayment of federal funds.

Validated compliance issues and concerns will be addressed and resolved immediately, and corrective action taken. In the event the finding has a direct impact on DEPARTMENT OF COMMERCE, HUD or CDBG program compliance and/or may require the repayment of federal funds, the appropriate funding agency will be contacted immediately. Contact staff as per funding agency grant agreements (or otherwise assigned designees) will be the initial individual contacted. All concerns to DEPARTMENT OF COMMERCE, HUD, CDBG, or other appropriate fund agencies will be made in writing by the City Clerk's office.

The City will take corrective actions immediately as per recommended and agreed to with the appropriate funding agency. A Corrective Action Plan ("CAP") will be developed and strictly adhered to and enforced for all Finding/Material Exceptions that are systemic in nature. The City's QA/QC review team will follow up on identified compliance issues, ensure all elements of corrective action plans are complied with, and update or implement additional program controls if so needed. Written reports on follow up will be provided monthly to the City Council and appropriate agencies if so needed. Each compliance issue and required corrective action will be addressed individually to ensure complete compliance of project and grant program and contract requirements. The City will maintain a complete and accurate record of all internal findings, and corrective actions taken with the grant agreement files and will maintain as per the terms of grant agreements.

Copies of all monitorings and/or findings made by DEPARTMENT OF COMMERCE, HUD, CDBG or other appropriate funding agencies will also be maintained in the files. It will be the responsibility of the City to ensure contractors and vendors meet all requirements and any corrective action required completed before any final payments and/or project closeout is completed.

UNIFORM RELOCATION ACT (URA)

The Uniform Relocation Act ("URA") establishes minimum standards for federally funded programs/projects involving the displacement of persons from their homes, businesses, or farms due to acquisition, rehabilitation, demolition, or any other reason which may permanently or temporarily displace someone involuntarily as a result of undertaking a federally funded project. In the event a federally funded CDBG project requires acquisition



and or relocation of a residential tenant, the City would comply with the requirements, policies, and waivers related to the URA established in this policy, should the need arise.

URA REQUIREMENTS

Under the Uniform Relocation Act displaced persons are eligible to the following benefits:

- ❖ Advisory services
- ❖ Offer of a comparable replacement unit
- ❖ Replacement housing payments
- ❖ Moving expenses

In addition to being required by law, relocation advisory services are very important to completing a successful relocation. Relocation advisory services will be provided to all eligible displaced persons. Key advisory services include:

- ❖ Determining the needs, preferences, and eligibility of displaced persons.
- ❖ Explaining available relocation assistance
- ❖ Relocation claims assistance
- ❖ Explaining a person's right to appeal
- ❖ Providing current and ongoing listings of comparable dwellings or residential displacements and replacement sites
- ❖ Supplying information on other federal and state programs offering assistance
- ❖ Providing counseling and other assistance to minimize hardship in adjusting to relocation
- ❖ Provide information concerning the full range of housing opportunities within the local housing market

The City will also aid in identifying and resolving personality/realty issues prior to or at the time of the appraisal of the property. A storage allowance of up to \$150 may be provided to each family unit displaced if storage is necessary and essential to the move, and a moving allowance of \$300 may be provided each family unit so displaced. This allowance may be provided in two payments of \$150 on move out and move in. No person will be discriminated against based upon age, race, color, religion, sex, handicap, familial status, national origin, genetics, or presence of children in the households.

As part of the displacement benefits, the City will seek to ensure the relocation office is convenient to public transportation or within walking distance of displaced persons. In addition, the office will be open during hours convenient to the displaced person, including evening hours when necessary.



Under the URA, the term “displaced person” means:

1. A person who moves permanently from the real property after the property owner (or person in control of the site) issues a vacate notice to the person, or refuses to renew an expiring lease in order to evade the responsibility to provide relocation assistance, if the move occurs on or after:
 - a. The date the Subrecipient submits a project application for CDBG-DR funds for the project that is later approved, if the Subrecipient has site control; or,
 - b. The date the Subrecipient obtains site control if that occurs after the project application is submitted and approved.
2. A person who moves permanently from the real property after the initiation of negotiations, unless the person is a tenant who was issued a written notice of the expected displacement prior to occupying the property (otherwise known as a “Notice of Eligibility for Relocation Assistance”).
3. A person who moves permanently and was not issued a Notice of Non-displacement after the application for CDBG-DR funds is approved.

If any buyout properties with renters or tenants are deemed eligible for relocation assistance, the City may provide assistance to the renter(s) occupying the property. As a displaced tenant under URA, a tenant is eligible to receive two types of assistance: Moving Assistance and Replacement Housing Assistance. The Moving Assistance can be an actual reasonable moving and related expenses reimbursement or a fixed payment for moving expenses determined by a schedule published by the Federal Highway Administration. The Replacement Housing Assistance can take two forms: Rental Assistance or Down Payment Assistance. If the displaced tenant chooses to continue to rent a dwelling, the award amount they are eligible for is 42 months times the difference in rent/utilities of their current rent and their replacement dwelling (including lot rent, if a mobile home unit). Rental Assistance is capped at \$4,500 for 90-day occupants, except in situations where housing of last resort applies. Another option is for the displaced tenant to purchase a new home and receive a lump sum Down Payment Assistance. If the displaced tenant elects to receive lump sum Down Payment Assistance, their award cannot exceed what they would have been eligible for had they continued to rent a unit.

Tenants seeking assistance with moving expenses must complete Form C-25 - Residential Claims for Moving and Related Expenses. This form will be made available by the City.

UNIFORM RELOCATION ACT PURPOSE

When undertaking a program funded through the U.S. Department of Housing and Urban Development (HUD) which may result in the relocation of persons from their current residences, these programs may result in tenants renting a portion of an owner-occupied unit being displaced as properties are acquired by the City for demolition, clearance, and conversion to open space. The properties are being voluntarily sold to the City by the



property owners; however, some properties contain residential rental units making the tenants eligible for assistance under the Uniform Relocation Act of 1970.

The City will provide or oversee, whichever is applicable, relocation assistance for lower-income tenants who, in connection with a federally assisted activity, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower income dwelling unit in accordance with the requirements of 24 CFR 24.350. A displaced person who is not a lower-income tenant will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulation at 49 CFR Part 24.

The City understands that it must provide options for assistance to those who may be involuntarily displaced from their current residence due to programs or projects funded by HUD. The process for relocation assistance for persons displaced by the CDBG-DR/MIT programs will include the following:

- ❖ Identification of Tenants to be Displaced
- ❖ Notification to Tenants of Impending Displacement
- ❖ Notification of Availability of Assistance
- ❖ Application Review
- ❖ Work with Tenants to be Displaced
- ❖ Temporary Relocation
- ❖ Permanent Relocation
- ❖ Record Keeping

URA DUPLICATION OF BENEFITS

No person will receive any payment for Relocation benefits under these regulations if that person receives a payment under Federal, State, or local law which is determined to have the same purpose and effect as such payment under these regulations. The City is not required to conduct an exhaustive search for such other payments, only to avoid creating a duplication based on the City's knowledge at the time the payment is computed.

IDENTIFICATION OF PERSONS TO BE DISPLACED

The City will keep records of all residential structures which contained rental units containing tenants who may require relocation assistance under CDBG-DR/MIT programs. Name and contact information for current tenants will be collected during the application phase. Contractors or program staff will then work with property owners to identify those properties containing tenants who will be displaced. Records documenting the properties and persons requiring assistance must include the following:

- ❖ Property address
- ❖ Unit identification if applicable



- ❖ Number of rooms in unit
- ❖ Name of property owner (applicant)
- ❖ Number of male and female adults in family; number of children by age and sex
- ❖ Property type (single detached, multi-family, etc.)
- ❖ Monthly rent
- ❖ Names of all persons residing in the unit at the time of displacement
- ❖ Names of all persons seeking relocation assistance
- ❖ Certification of legal residency for all persons seeking assistance

NOTIFICATIONS TO TENANTS

Program staff will notify all tenants who may be displaced by providing them with materials informing them of the benefits and services available to them. Tenants residing in the structure at the time that negotiations are initiated between the homeowner and the City will be notified of the relocation program and are fully eligible for assistance (see§ 24.2(a)(15)(i) and (ii) and§ 24.2(a)(15)(iv}, as amended or superseded}. Program staff will be in contact with all the tenants affected by CDBG-DR programs to discuss their needs. The documents provided to the tenants will, at the least, provide a general description of the relocation program including the following:

1. Informs the person that he or she may be displaced for the project and generally describes the relocation payment(s) for which the person may be eligible, the basic conditions of eligibility, and the procedures for obtaining the payment(s).
2. Indicates that any person displaced will be given reasonable relocation advisory services including housing referrals, help in filing payment claim(s), and other necessary assistance to help the person successfully relocate.
3. Informs any person to be displaced from a dwelling that he or she cannot be required to move permanently unless at least one comparable replacement dwelling has been made available to the displaced person. No person will be required to move without at least 90 days advance written notice.
4. Describes the person's right to appeal the City's determination as to eligibility for or the amount of any relocation payment for which the person is eligible. It also describes the person's right to disagree with the City's determination of whether the person qualifies as a "displaced person."

Tenants will also be provided with an application for assistance for relocation costs. This application will act as the official request for relocation assistance. Tenants who choose not to complete the application will not be eligible for relocation assistance.

APPLICATION REVIEW



Applications will be reviewed by program staff and information provided by the tenants for their case files will be evaluated to determine the tenant household's housing needs. Program staff providing relocation services will communicate with each household to be displaced to determine the household's relocation needs and preference and explain the relocation payments and other assistance for which the household may be eligible, the related eligibility requirements, and the procedure for obtaining such assistance.

Program staff processing applications will need to gather data to help provide information on the estimated number of households to be displaced, including the family characteristics (e.g., minority, ethnic, handicapped, elderly, large family, income level). Information should be gathered to allow for the comparison of available decent, safe, and sanitary housing in the area with the housing needs of the tenants being displaced. The comparison should include (1) price ranges, (2) sizes (number of bedrooms), and (3) type of housing single-family, multi-family, mobile home etc. Any information on special relocation considerations should also be gathered and evaluated, such as the presence of elderly or disabled or children attending school. Program staff will make every effort not to relocate households in areas resulting in children being forced to change schools unless otherwise requested by the displaced household.

WORK WITH TENANTS TO BE DISPLACED

Program staff will work with tenants to identify comparable replacement dwellings within a 30-mile area of their current dwelling. A comparable replacement dwelling includes the following:

1. Decent, safe, and sanitary (DSS) which means a dwelling which meets applicable housing and occupancy codes. However, if any of the following standards are not met by an application code, such following standards shall apply, unless waived for good cause consistent with federal regulations. The dwelling shall:
 - a. Be structurally sound, weather-tight, and in good repair.
 - b. Contain a safe electrical wiring system adequate for lighting and other electrical devices.
 - c. Contain a heating system capable of sustaining a healthful for a displaced person, except in those areas where local climatic conditions do not require such a system.
 - d. Be adequate in size with respect to the number of rooms and area of living space needed to accommodate the displaced household. There shall be a separate, well-lighted and ventilated bathroom that provides privacy to the user and contains a sink, bathtub or shower stall, and a toilet, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. In the case of a housekeeping dwelling, there shall be a kitchen area that contains a fully usable sink, properly connected to potable hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator.



- e. Contains unobstructed egress to safe, open space at ground level. If the replacement dwelling unit is on the second story or above, with access directly from or through a common corridor, the common corridor must have at least two means of egress.
 - f. Displaced tenants who are handicapped must have access to a unit which is free of any barriers which would preclude reasonable ingress, egress, or use of the dwelling by such displaced person.
2. Functionally equivalent to the displacement dwelling. The term “functionally equivalent” means that it performs the same function and provides the same utility. While a comparable replacement dwelling need not possess every feature of the displacement dwelling, the principal features must be present. Generally, functional equivalency is an objective standard, reflecting the range of purposes for which the various physical features of a dwelling may be used. However, in determining whether a replacement dwelling is functionally equivalent to the displacement dwelling, reasonable trade-offs for specific features may be considered when the replacement unit is “equal to or better than” the displacement dwelling (see Relocation Manager for guidance).
- a. Adequate in size to accommodate the occupants.
 - b. In a location generally not less desirable than the location of the displaced person’s dwelling with respect to public utilities and commercial and public facilities and is reasonably accessible to the person’s place of employment.
 - c. On a site that is typical in size for residential development with normal site improvements, including customary landscaping. The site need not include special improvements such as outbuildings, swimming pools, and greenhouses.
 - d. Currently available to the displaced person on the private market. However, a comparable replacement dwelling for a person receiving government housing assistance before displacement may reflect similar government housing assistance.
 - e. Within the financial means of the displaced person.
3. A replacement dwelling rented by an eligible displaced person is considered to be within his or her financial means if, after receiving rental assistance under this rule, the person’s monthly rent and estimated average monthly utility costs for the replacement dwelling do not exceed the person’s base monthly rental for the displacement dwelling.
4. For a displaced household who is not eligible to receive a replacement housing payment because of the person’s failure to meet length-of-occupancy requirements, comparable replacement rental housing is considered to be within the person’s financial means if the Uniform Relocation pays that portion of the



monthly housing costs of a replacement dwelling which exceeds 30 percent (30%) of such person's gross monthly household income or, if receiving a welfare assistance payment from a program that designates amounts for shelter and utilities, the total of the amounts designated for shelter and utilities. Such rental assistance must be paid under Section XVIII, Housing of Last Resort.

5. All displaced persons, especially the elderly and handicapped, shall be offered transportation to inspect housing to which they are referred by program staff. In addition, program staff will assist with the following items:
 - a. Provide current and continuing information on the availability of, purchase prices, and rental costs of comparable and suitable commercial and farm properties and locations. They will assist any person displaced from a business or farm operation to obtain and become established in a suitable replacement relocation.
 - b. Minimize hardships to persons in adjusting to relocation by providing counseling, advice as to other sources of assistance that may be available, and such other help as may be appropriate.
 - c. Supply persons to be displaced with appropriate information concerning Federal and State housing programs, disaster loan and other programs administered by the Small Business Administration, and other Federal and State programs aiding persons to be displaced.
 - d. Provide referrals to appropriate agencies for displaced persons requiring social services, food stamps etc.
 - e. Provide each expected displaced person with a Relocation Assistance Brochure.
6. Moving costs associated with moving personal property from the existing dwelling unit to the new dwelling unit are eligible for relocation compensation.
7. If a displaced tenant otherwise qualifies for the replacement housing payments except that they have not yet purchased or occupied a suitable replacement dwelling, the Contractor will inspect the proposed dwelling. If the proposed dwelling is found to meet the standards set forth for decent, safe and sanitary dwellings, the displaced *tenant* can submit a request for payment of the specific sum provided they purchase or occupy the inspected dwelling within the time limits specified.

TEMPORARY RELOCATION

In cases where suitable long-term housing can't be immediately identified and secured, temporary housing arrangements may need to be secured. The housing arrangements and facility must meet all the housing criteria required under Uniform Relocation except that it is functioning as a temporary housing solution until a more permanent solution can be identified. This may include, but not be limited to, the utilization of hotels for temporary



housing. In such cases, the facility must be agreeable to the household residing on-site for an extended period.

PERMANENT RELOCATION

Any comparable dwelling which allows for the displaced tenant and their household to reside in the facility for one year or more is considered to be a permanent relocation site. Displaced *tenants* and their households are eligible for two types of assistance under URA: Moving Assistance and Replacement Housing Assistance (Rental Assistance or Down payment Assistance).

Moving Assistance will be calculated using the fixed moving expenses method and are eligible for a moving claim reimbursement. Once a tenant has relocated to the replacement dwelling, contractor or program staff will assist the tenant in submitting form HUD 40054 to the City for the reimbursement. The City may advance a portion of the relocation claim to cover necessary expenses, such as application fees, security deposits or first month's rent.

In standard protocol, one payment will typically be processed for Moving Assistance. However, there may be specific cases when a displaced tenant requires two payments for Moving Assistance: 1) advance payment for necessary up-front costs and 2) the remaining amount of their moving costs.

In determining Rental Assistance per URA HUD regulations, if the total gross monthly household income qualifies as low income according to the URA low Income limits, the City must compute 30 percent of the monthly household income and use it as one of the factors for comparison in the base monthly rental determination. The base monthly rental represents the amount the City will use as the rental amount for the displacement unit. The City will look at the lesser of three items:

1. The total amount for current monthly rent plus average monthly utilities
2. If the displaced person meets the low-income criteria; the agency will compute 30 percent of the person's average monthly gross household income
3. If the displaced person's rent is paid through a state welfare program that designates an amount for shelter and utilities, then that amount is considered, e.g.: shelter, utilities designation, etc.

If the tenant is low income, the lesser of the three will be used to compare against present rent (and utilities) of market rent. If the tenant is not low income, the URA eligibility amount is the difference between the present rent (plus average utilities) and the replacement dwelling rent (plus average utilities) across 42 months.

Per HUD regulations, Rental Assistance is to be dispersed to the displaced tenants in three installments, rather than one lump sum. However, if a tenant will be using URA assistance to purchase a home, the Down Payment Assistance is allowed to be dispersed in one lump sum to reduce or eliminate hardship. Rental Assistance payments will be dispersed from the City to the displaced tenant every 14 months; 3 installments over 42



months. The first installment can be processed once the tenant has signed a year lease with the replacement dwelling landlord/property management company, moving has commenced and HUD Form 40058 is submitted.

To prompt the Rental Assistance payments for each tenant, a contractor or program staff will submit a payment plan (Payment Authorization Form) to the City to help schedule the payments to the displaced tenants. The Contractor will also receive and submit the displaced tenant's W9 to the City. Once the household has signed a legally binding rental agreement, such as a lease, or has obtained ownership of a property, evidenced by a deed to the property, the household will be considered successfully relocated and further relocation services, outside of follow-up support services, will no longer be available to the tenant.

URA RECORD KEEPING

Contractor or program staff will be responsible for maintaining all files and documentation for displaced tenants. This includes, at a minimum, identification of tenants who were not assisted with relocation services. Tenants that were successfully assisted or that began the process for assistance services, but later terminated activities on their own accord must also have files, which includes the information identified in this document as well as their completed application. All data identifying comparable dwelling units must also be maintained in addition to any payment requests, evidence of payments made on behalf of the tenants, identification documentation and HUD forms. All files must be secured so as to protect the privacy of those persons and their households.

APPEAL PROCESS URA

Any person(s) has a right to submit an appeal to the City Council if they disagree with the Moving Assistance eligibility amount, the Rental Assistance eligibility amount, or the determination from the City of whether a person(s) is qualified as displaced.

If a person(s) wishes to appeal their Rental Assistance eligibility amount, they can notify the City of their wish to appeal the amount of the assistance. In such a case, the City will re-review the assistance calculations for any potential errors and respond within 15 days of receipt. If no errors are found, they will re-present the amount of rental assistance to the tenant. If a tenant continues to not agree, the City will allow the tenant to submit up to three comparable dwellings they find more compatible with their needs, under URA regulations, and submit to the City Council for determination to recalculate eligibility determination. If the person(s) is considered low income, and continues to disagree with the City Council's final decision, they may submit an official appeal to the HUD Field Office.

If a tenant finds their Moving Assistance insufficient, a tenant can ask for and receive local bids from moving companies to submit to the City, seeking additional assistance. The City's decision will be determined within 15 days of receipt. If the person(s) is considered low income, and continues to disagree with the City's final decision, they may submit an official appeal to the HUD Field Office.

If a person(s) disagrees with the City's determination of whether they qualify as a "displaced" person(s) or household", the person(s) can submit an official claim to the City



seeking an appeal of the determination, submitting any supporting documentation they see fit. The City Council's decision will be determined within 15 days of receipt. If the person(s) is considered low income, and continues to disagree with the City Council's final decision, they may submit an official appeal to the HUD Field Office.