

Updated 2/22/2023

MIAMI BEACH

City of Miami Beach Request for Applications (RFA) FY 2023

Community Development Block Grant (CDBG) Funds
Home Investment Partnership (HOME) Program Funds
HOME American Rescue Plan Act (HOME-ARP) Funds

Deadline for Submissions:
Thursday, March 23, 2023 at 3:00pm

Applications must be received by the deadline indicated above. Any application received after that time will not be considered. The responsibility for submitting applications on or before the stated time and date is solely the responsibility of the Applicant.

City of Miami Beach
Office of Housing & Community Services
1700 Convention Center Drive
Miami Beach, Florida 33139

Telephone: 305-673-7260
Website: www.miamibeachfl.gov

Fax: 305-604-2421
Email: albatarre@miamibeachfl.gov

MIAMI BEACH

Mayor & Members of the City Commission:

Dan Gelber, Mayor
Kristen Rosen Gonzalez, Commissioner
Laura Dominguez, Commissioner
Alex J. Fernandez, Commissioner
Steven Meiner, Commissioner
Ricky Arriola, Commissioner
David Richardson, Commissioner

City Administration:

Alina Hudak, City Manager
Eric Carpenter, Assistant City Manager
Mark Taxis, Assistant City Manager
Rickelle Williams, Assistant City Manager

Housing & Community Development Staff:

Alba Tarre, Department Director
Marcela Rubio, Assistant Director
Cristina Cabrera, CDBG Coordinator
Alice Waters, HOME/ SHIP Coordinator
Claudia Abreu, Office Associate V

Our Mission

"We are committed to providing excellent public service and safety to all who live, work, and play in our vibrant, tropical, historic community."

Our Vision

The City of Miami Beach will be:

- Cleaner and Safer;
- More Beautiful and Vibrant;
- A Mature, Stable Residential Community with Well-improved Infrastructure;
- A Unique Urban and Historic Environment;
- A Cultural, Entertainment, Tourism Capital; and
- An International Center for Innovation in Culture, Recreation and Business.

Our Values

- We maintain the City of Miami Beach as a world-class city.
- We work as a cooperative team of well-trained professionals.
- We serve the public with dignity and respect.
- We conduct the business of the City with honesty, integrity, and dedication.
- We are ambassadors of good will to our residents, visitors, and the business community.

Notice of Funding Availability

The City of Miami Beach is an entitlement grantee of federal funds. It receives an annual allocation of funding for the HOME Investment Partnership Program (HOME) and Community Development Block Grant (CDBG) programs from the United States Department of Housing and Urban Development (HUD). The City is entitled to these funds because its population, housing and/or demographic characteristics meet the formula requirements needed to obtain funding.

HUD requires that the City complete a five-year *Consolidated Plan* that includes a housing assessment, market analysis and assessment of community development needs. The *Consolidated Plan* is meant to address the needs of low- and moderate-income persons and families, including homeless individuals. The Plan establishes the City's program priorities, goals and objectives for community development programs and sets the framework for subsequent One Year Action Plans that describe specific activities that will be funded through the City's HUD-funded grant programs.

The City of Miami Beach is projecting the following FY 2023 funds subject to the availability and allocation by HUD:

CDBG Funds (estimated)		HOME Funds (estimated)	
CDBG Entitlement	\$ 941,433.00	HOME Entitlement	\$ 676,153.00
City Administration (20%)	\$ 188,286.00	City Administration (10%)	\$ 67,615.00
Public Services Cap (15%)	\$ 141,214.00		
HOME-ARP Funds (Unallocated)			
		Non-Profit (CHDO)	\$112,269.00
		Supportive Services	\$115,643.00
		Total	\$227,912.00

Here is the timeline of events for this RFA:

Date	Event/Expected Outcome
February 23, 2023	RFA Release Date
March 8, 2023	RFA Workshop
March 15, 2023	Deadline for questions
March 23, 2023	RFA Deadline
April 18, 2023	Meeting of Affordable Housing Advisory Committee to review staff recommendations and make funding recommendations to the Mayor and Commission.
June 28, 2023	Submit funding recommendations to Mayor & Commission for award
August 2023 - October 2023	Contract negotiation
October 1, 2023	Commencement of 2023 Program Year

Priorities

In order to guide outside agencies that are seeking funding, establish parameters for the project selection process and enable success in project implementation, the following broadly defined priorities and operational imperatives have been established in the City's FY 2018-2022 Consolidated Plan, expiring September 30, 2023 ([Link to Plan: https://www.miamibeachfl.gov/wp-content/uploads/2019/12/2018-2022-Consolidated-Plan-FINAL.pdf](https://www.miamibeachfl.gov/wp-content/uploads/2019/12/2018-2022-Consolidated-Plan-FINAL.pdf)) and summarized for purposes of this RFA as:

→ Providing decent housing and suitable living environments and expanding economic opportunities for principally low-and moderate-income persons.

Operational Imperatives

In order to ensure accountability and the judicious use of finite, public resources, the following operational imperatives have been established in the Five-Year Consolidated Plan and City processes:

- Recipient organizations must have acceptable past and/or current performance on similar projects.
- As this is a reimbursable grant, recipient organizations must have the fiscal capacity to undertake the proposed project as demonstrated by the last 2 fiscal year audits.
- Activities will not be funded unless the organization has developed realistic cost estimates and timelines, and demonstrated past financial stability and current financial liquidity.
- Agency must demonstrate that the inclusion of the City's financial contribution will fully fund the proposed activity, i.e. City funds are the last needed to complete the project.
- Organizations requesting funds from more than one agency will be required to submit a certified Sources and Uses Summary for capital projects and a Cost Allocation Plan for all other proposed activities (time-sheets will be required for any position using split funding).
- Housing development and property improvement programs are expected to use quality, long-lasting methods and materials that require a minimum of maintenance or upkeep and provide a current Physical Needs Assessment for the proposed project.
- The cost of providing housing or services will be considered in evaluating applications and must meet HUD guidelines, including that the project is financially viable for the duration of the affordability period.
- Recipients must adhere to HUD and City guidelines for procurement of goods and services including professional services. Procurement records are subject to inspection to ensure compliance.

Further priority is given to those established housing needs for which there is currently insufficient assistance including:

- Acquisition for affordable rental housing and low-and moderate-income first-time homebuyers
- Multi-family Housing rehabilitation

Priority will be given to projects that serve the North Beach area (33141) or predominantly serve residents of this area.

In addition, the City will prioritize awards to those projects that align with the objectives as defined in its current *Strategic Plan*.

Priority Needs

The City's current *Consolidated Plan* was adopted July 25, 2018 and expires on September 30, 2023. This Five-Year Plan encompasses housing and non-housing community development activities, resources and projects to be undertaken to address the identified community needs for the fiscal years of 2018 through 2022. The Plan also includes a prioritization of needs as listed below:

- **Public Services**
 - Youth Services
 - Senior Services
 - Childcare Services
 - Homeless Services
 - Services for people with HIV/AIDS
- **Affordable Housing**

The City is currently in the planning process for its 2023 – 2027 Consolidated Plan and 2023 Action Plan. The Plans will be developed collaboratively by obtaining input from local and community-based agencies, City staff and elected officials, as well as local residents.

Additional eligible activities may include:

- Public Facilities and Improvements
- Economic Development

Funded activities must deliver affordable, decent, safe and sanitary housing for low- and moderate-income households in the City of Miami Beach.

Eligible Activities

The Primary objective of the HOME program is to provide safe, decent and affordable housing to low- to moderate- income persons and households who own at or below 80% of the median income.

HOME eligible activities:

- New construction
- Rehabilitation
- Reconstruction
- Conversion
- Site improvements
- Acquisition of property
- Tenant-Based Rental Assistance (TBRA)

Please refer to the [HOME Final Rule](#) for more information.

HOME-ARP eligible activities:

- Supportive Services
- Nonprofit Operating and Capacity Building- for Community Housing Development Organizations and other nonprofit organizations that will carry out activities with HOME-ARP funds.

Please refer to [HUD CPD notice CPD-21-20](#) for more information.

CDBG eligible activities:

- Acquisition of real property
- Demolition
- Rehabilitation of residential and non-residential structures (must own building)
- Construction of public facilities and improvements, such as water and sewer facilities, streets,

neighborhood centers, and the conversion of school buildings for eligible purposes

- Public services
- Activities relating to energy conservation and renewable energy resources
- Economic Development

Please refer to [CDBG Guide to National Objectives](#) for more information.

CDBG National Objectives

CDBG-funded activities must meet one of three National Objectives.

National Objective A: Principally benefits low- and moderate- income persons

National Objective B: Aids in the prevention or elimination of slums or blight

National Objective C: Qualifies as an urgent need

In general, all activities must meet National Objective A. For National Objective A, please select one subcategory below to describe proposed activity

- **Area Benefit Activities** are those carried out in a neighborhood consisting predominantly of LMI persons and providing services for such persons, yet could be available to other non-income-eligible persons in the area.
- **Limited Clientele Activities** is an activity which provides benefits to a specific group of persons rather than all the residents in a particular area. At least 51% of the beneficiaries of the activity must be L/M income persons as evidenced by certifying documentation.
- **Income Eligible Housing Activities** add or improve a permanent residential structure wherein, upon completion, income eligible persons will occupy 51% or more of the housing units
- **Job Creation or Retention Activities** create or retain permanent jobs, of which at least 51% are either taken by or available to income eligible persons

Please refer to [CDBG Guide to National Objectives](#) for more information.

2022 Income Limits

All CDBG, HOME and HOME-ARP Program funds must benefit households earning up to 80% AMI. Please see the HUD 2022 income limits below:

Percentage Category	1- Person	2- Person	3- Person	4 - Person	5 - Person	6- Person	7- Person	8- Person
Extremely Low- Income Limits (30%)	\$20,500	\$23,400	\$26,350	\$29,250	\$31,600	\$33,950	\$36,300	\$38,650
Very Low- Income (50%)	\$34,150	\$39,000	\$43,900	\$48,750	\$52,650	\$56,550	\$60,450	\$64,350
60% Limit	\$40,980	\$46,800	\$52,680	\$58,500	\$63,180	\$67,860	\$72,540	\$77,220
Low-Income (80%)	\$54,600	\$62,400	\$70,200	\$78,000	\$84,250	\$90,500	\$96,750	\$103,000

HOME-American Rescue Plan (HOME-ARP) Funds

On March 11, 2021, President Biden signed the American Rescue Plan Act of 2021 for the HOME Investment Partnerships Program (“HOME-ARP”) into law, which provides funding to address the continued impact of the COVID-19 pandemic on the economy, public health, State and local governments, individuals, and businesses. HOME-ARP funds must be expended by September 30, 2030, on eligible activities to address the need for homelessness and supportive services. All HOME-ARP funds must be used to primarily benefit individuals and families specified as qualifying populations.

Qualifying populations, defined by 24 CFR 91.5, are the following:

1. Homeless;
2. At-risk of homelessness
3. Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined by HUD;
4. Other populations- where providing supportive services or assistance under section 212(a) of NAHA (42 U.S.C. 12742(a)) would prevent the family’s homelessness or would serve those with the greatest risk of housing instability.

HOME-ARP funds must be used to primarily benefit qualifying populations through four eligible activities:

- (1) development and support of affordable housing;
- (2) tenant-based rental assistance (TBRA);
- (3) provision of supportive services; and
- (4) acquisition and development of non-congregate shelter units.

Please refer to [HUD CPD notice CPD-21-20](#) for more information.

Below is a summary of the City’s Allocation Plan:

HOME-ARP Allocation Plan (approved)		
Program Administration	\$336,808.05	15%
Rental Housing (acquisition, construction and rehabilitation)	\$1,400,000	62%
Supportive Services	\$396,309.60	18%
Non-Profit Capacity Building	\$112,269.35	5%
TOTAL	\$2,245,387.00	100%

HOME-ARP Allocation Plan Unallocated funds	
Supportive Services	\$165,643.00
<i>Set-Aside for rental Application Fee Program</i>	\$50,000
Supportive Services Funds Available	\$115,643.00
Non-Profit Capacity Building	\$112,269.35

Application Instructions

Application Submission

Applications for Housing and Public Services must submit their application(s) via Neighborly Software:

<https://portal.neighborlysoftware.com/MIAMIBEACHFL/Participant>

Applications for Public Facilities and Improvements and Economic Development must be submitted electronically via email.

A separate application should be submitted for each project or activity.

Required Documents

The following attachments are required and must be submitted with the digital application.

1. Agency's Articles of Incorporation in their entirety.
2. A current list of the Applicant's Board of Directors and their respective affiliation(s).
3. The Applicant's last two (2) annual financial audits.
4. Two (2) latest financial statements for organization.
5. Internal Revenue Services Designation Letter
6. For Capital Projects: Physical Needs Assessment (Must have been completed within 90 days of application)
7. For Capital Projects: 5-year proforma
8. For Capital Projects: Subsidy Layering Review

Failure to submit these items will result in immediate disqualification from consideration.

Recommended Attachments

* Project renderings

Evidence of matching funds/leverage, if applicable

Additional Attachments

If the applicant wishes to submit additional documents, it may do so. If provided, these should follow the required attachments.

Application Instructions

Tab	General Instructions
Project Overview	<p>As you provide the Project Synopsis, please be succinct but complete in your narrative and run spellcheck before finalizing.</p> <p>If you have a Physical Needs Assessment for the proposed project, please include as an attachment.</p> <p>List any Project Partners and the type of support provided from each.</p>
Project Impact	Be certain to answer the questions asked fully. Be succinct but complete in your narrative and run spellcheck before finalizing. Please provide economic impact of the project in the
Organization Capacity	Be certain to answer the questions asked fully. Be succinct but complete in your narrative and run spellcheck before finalizing. Please include any evaluations or audits by current
Project Budget	<p>The Budget form has five columns. The first column should list all of the entities providing cash, financing or in-kind leverage to the proposed project.</p> <p>The second column, "Confirmed Receipt", enables you to insert the dollar value of any commitment that has been secured.</p> <p>The third column, "Pending Receipt", enables you to insert the value of any projected funds that have yet to be secured but may be reasonably expected.</p> <p>The fourth column, "City Request" enables you to insert the value of funds requested from the City through this RFA process.</p>
Funding Sources	<p>In the column labeled "Line-Item Category," list the various project expenses using the drop-down menu provided.</p> <p>In each of the following columns to the right insert the respective amounts allocated to each line item by funding source. Provide the name of the funding entities in the text box at the end of the page. Please indicate separately if there is a deadline for use of these funds.</p>
Priority Alignment	Using the drop-down menus provided, answer each question.
Disclosure & Disclaimer	Requires signature of the preparing party and authorizing party
Affidavit of Compliance	Requires signature of the preparing party and authorizing party
Lobbying Certification	Requires signature of the preparing party and authorizing party
Submit	Requires signature of the preparing party and authorizing party

General Information

The following funding is available through this RFA, contingent upon final approval by HUD:

CDBG Funds (estimated)		HOME Funds (estimated)	
CDBG Entitlement	\$941,433.00	HOME Entitlement	\$676,153.00
City Administration (20%)	\$188,286.00	City Administration (10%)	\$67,615.00
Public Services Cap (15%)	\$141,214.00	Funding Available	\$608,538.00
<i>PS Set-Aside for Elderly Grocery Program</i>	\$40,000.00		
Public Services Funds Available	\$101,214.00		
Funding Available for other projects	\$611,933.00		

HOME-ARP Funds \$277,912.00 (Unallocated)	
Supportive Services	\$ 165,643.00
<i>Set-Aside for rental Application Fee Program</i>	\$50,000
Supportive Services Funds Available	\$115,643.00
Non-Profit Capacity Building Funds Available	\$ 112,269.00

Contact	
Please email questions to:	
Alice Waters, HOME/ SHIP Program Coordinator	Alicewaters@miamibeachfl.gov
Cristina Cabrera, CDBG Projects Coordinator	Cristinacabrera@miamibeachfl.gov

Affordability Period

All housing projects will be required to execute a Restrictive Covenant, Mortgage and Promissory Note in addition to the Program Agreement. The required affordability period for HOME projects is 30 years and a minimum of 15 years for CDBG.

Determination of Appropriateness

Prior to preparing an application for funds, applicants are strongly advised to determine if the proposed project is an eligible activity as defined by HUD regulations. CDBG projects must meet a National Objectives.

Fatal Flaws

The following errors, omissions and/or conditions are considered fatal flaws preventing applications from consideration for funding:

- ! Incomplete applications (missing any section of the application or omission of required attachments)
- ! Factual errors resulting in the misrepresentation of an organization's experience, capacity or ownership
- ! Projects with funding gaps despite the potential award of City funds

Modifications/Withdrawals of Proposals

An Applicant may submit a modified Application to replace all or any portion of a previously submitted Application up until the Application due date and time. Modifications received after the Application due date and time will not be considered. Applications shall be irrevocable until contract award unless withdrawn in writing prior to the Application due date, or after expiration of 120 calendar days from the opening of Applications without a contract award. Letters of withdrawal received after the Application due date and before said expiration date, and letters of withdrawal received after contract award will not be considered.

RFA Postponement/Cancellation/Rejection

The City may, at its sole and absolute discretion, reject any and all, or parts of any and all, Applications; re-advertise this RFA; postpone or cancel, at any time, this RFA process; or waive any irregularities in this RFA, or in any Applications received as a result of this RFA.

Costs Incurred by Applicants

All expenses involved with the preparation and submission of Applications, or any work performed in connection therewith, shall be the sole responsibility (and shall be at the sole cost and expense) of the Applicant, and shall not be reimbursed by the City.

Exceptions to RFA

Applicants must clearly indicate any exceptions they wish to take to any of the terms in this RFA, and outline what, if any, alternative is being offered. All exceptions and alternatives shall be included and clearly delineated, in writing, in the Application. The City, at its sole and absolute discretion, may accept or reject any or all exceptions and alternatives. In cases in which exceptions and alternatives are rejected, the City shall require the Applicant to comply with the particular term and/or condition of the RFA to which Applicant took exception to (as said term and/or condition was originally set forth on the RFA).

Florida Public Records Laws

Applicants are hereby notified that all Applications including, without limitation, any and all information and documentation submitted therewith, will be available for public inspection after opening of Applications, in compliance with Florida Public Records Law including, without limitation, Chapter 119, Florida Statutes.

Negotiations

The City reserves the right to enter into further negotiations with the selected Applicant(s). Notwithstanding the preceding, the City is in no way obligated to enter into a contract with the selected Applicant(s) in the event the parties are unable to negotiate a contract. It is also understood and acknowledged by Applicants that by submitting an Application, no property interest or legal right of any kind shall be created at any time until and unless a contract has been agreed to; approved by the City; and executed by the parties.

Observance of Laws

Applicants are expected to be familiar with, and comply with, all Federal, State, County, and City laws, ordinances, codes, rules and regulations, and all orders and decrees of bodies or tribunals having jurisdiction or authority which, in any manner, may affect the scope of services and/or project contemplated by this RFA (including, without limitation, the Americans with Disabilities Act, Title VII of the Civil Rights Act, the EEOC Uniform Guidelines, and all EEO regulations and guidelines). Ignorance of the law(s) on the part of the Applicant will in no way relieve it from responsibility for compliance.

Conflict of Interest

All Applicants must disclose in their Application the name(s) of any officer, director, agent, or immediate family member (spouse, parent, sibling, and child) who is also an employee of the City of Miami Beach. Further, all Applicants must disclose the name of any City employee who owns, either directly or indirectly, an interest of ten (10%) percent or more in the Applicant entity or any of its affiliates.

Applicant's Responsibility

Before submitting an Application, each Applicant shall be solely responsible for making any and all investigations, evaluations, and examinations, as it deems necessary, to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements, and/or failure to make such evaluations, investigations, and examinations, will not relieve the Applicant from any obligation to comply with every detail and with all provisions and requirements of the contract, and will not be accepted as a basis for any subsequent claim whatsoever for any monetary consideration on the part of the Applicant.

Public Entity Crimes

A person or affiliate who has been placed on the convicted vendor list following a conviction for public entity crimes may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to public entity, may not be awarded or perform work as a contractor, supplier, sub-contractor, or consultant under a contract with a public entity, and may not transact business with any public entity in excess of the threshold amount provided in Sec. 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list.

American With Disabilities Act (ADA)

Call (305) 673-7260/VOICE to request material in accessible format; sign language interpreters (five days in advance when possible), or information on access for persons with disabilities. For more information on ADA compliance, please call the Public Works Department at 305-673-7631.

Acceptance of Gifts, Favors, Services

Applicants shall not offer any gratuities, favors, or anything of monetary value to any official, employee, or agent of the City, for the purpose of influencing consideration of this Application. Pursuant to Sec. 2-449 of the City Code, no officer or employee of the City shall accept any gift, favor or service that might reasonably tend improperly to influence him in the discharge of his official duties.

Environmental Review

Programs must have an Environmental Review unless they meet criteria specified in HUD regulations that would exempt or exclude them from Request for Release of Funds (RROF) and environmental certification requirements (24 CFR sections 58.1, 58.22, 58.34, 58.35 and 570.604).

No Project Funds will be advanced, and no costs can be incurred, until the City has conducted an Environmental Review of the proposed Project site as required per 24 CFR § 58.

Application Scoring

Minimum requirements for application submission: Applicants requesting affordable housing acquisition and/or rehabilitation funds must have a minimum of five (5) years of experience in the acquisition and rehabilitation of owner-occupied affordable housing and/or first-time homebuyer programs.

Selection criteria will include, but is not limited to:

1. Ability to provide strong construction management practices and to provide first quality materials, including landscaping if applicable
2. Ability to perform all applicant selection and income certification processes in accordance with local, state, and federal regulations
3. Ability to comply with the City's reporting requirements
4. Total project cost
5. Total number of units
6. Leveraging

The Office of Housing and Community Development will review all responses to the RFA to ensure compliance with the requirements of the RFA as well as under applicable Florida Statutes, Resolutions and the Consolidated Plan. All eligible affordable housing applications will be submitted to the City's Affordable Housing Advisory Committee and reviewed with HOME submissions.

Sections within the RFA are weighted and their respective values are noted below:

Section	Maximum Points
Applicant Information	5
Project Overview	20
Project Impact	20
Applicant Experience	25
Project Budget	20
Sources & Uses	5
Priority Alignment	5
MAXIMUM POSSIBLE SCORE	100

Application Scoring

Applicant Information

Information provided must be complete and accurate and include the required attachments.

Project Overview

This section provides overall summary of the project from an objective and fiscal context. Please ensure to be succinct but clear about your proposed project as well as indicate the community-based partners who will help you achieve your proposal. Make sure to complete the Objective, Outcome and Activity Code section. Double-check for accuracy.

Project Impact

This is the section that most describes the viability, impact, purpose and overall leverage for your project within a holistic context. In this section, please ensure to provide operational details for your project including specific beneficiaries, eligibility criteria, timelines, progress measures and outcome measures. If your project creates secondary benefits, i.e. creates new jobs or sustainable services for an area, provide such detail.

Applicant Experience

This section provides the applicant an opportunity to sell themselves as worthy recipients of public resources. Be specific in providing achievements, success stories, experience and expertise. Please indicate if any funder has rescinded funding within

Project Budget

The project budget must be sound, practical, achievable and sustainable throughout the project period. Your budget should provide the fiscal perspective of what was described in your project Overview and Project Impact sections. All expenses must be tied to the direct delivery of services.

Sources & Uses

This section serves to detail the Project Budget section by assigning costs to specific funding sources. Assignments should comply with funding source guidelines. All other funds must be secured before receipt of CDBG/HOME funds.

Cost Allocation Plan

If your budget includes personnel, you must provide cost allocation plan encompassing all personnel.

Priority Alignment

This section enables the applicant to identify the proposed project's beneficiaries.

Uniform Relocation Assistance (URA)

If a project proposed in response to this RFA includes the purchase of a building or an offer to purchase a building which is occupied, the tenants are entitled to the benefits provided by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA). The following information is provided to assist the applicant in complying with the URA.

1. **URA preparation needs to start early.** A URA notice needs to be given to the Seller when the purchase offer/option is made.
2. **HUD and the City of Miami Beach care about this.** Developers who are working on HUD-funded projects need to understand that the URA is basic consumer legislation that addresses “fairness” issues. Tenants whose living circumstances are changed by a project - either by higher rents or involuntary moves - must be protected and compensated.
3. **The relocation rules are not all one-sided.** There are actions that can be taken to control costs and prevent displacement. These actions include informing tenants about the project, treating them fairly during the process, staging work if it is feasible, and keeping their rents affordable. Tenants must continue to pay rent and comply with the lease during the process.
4. **Mistakes can be costly.** Planning for relocation and tenant concerns is critical because grantees, owners and developers can all take actions which can incur a financial liability. Displaced tenants are entitled to 42 or 60 months of rental assistance, depending on their situation. Many claims exceed \$10,000. Although some claims are unavoidable, **there is no reason to incur costs for failing to follow the rules.**
5. **Planning is critical.** Relocation concerns must be thought out early in the process so decisions about rents, construction timing and project feasibility can be considered before they are a crisis.
6. **Cooperation is essential.** All parties involved in the project must do the right thing in order to make the process work. The Developer and the City must work together.
7. **There are three basic requirements for tenants in rental rehabilitation projects.** Tenants must be given timely information about the pending application. If the project is approved, they must be advised of any changes that will occur to their situation. If they are not advised - and move - they could claim that they were displaced even if that was not intended and they could be eligible for considerable financial compensation. If they must be displaced, tenants must be offered a comparable replacement unit (as defined by HUD). Moving expenses must be paid. No one can be required to move without 90 days notice. Tenants who will stay in the property after work is completed must be offered a suitable unit that is affordable to them.

Certification Regarding CDBG-Funded Construction & Rehabilitation Projects (1 of 2)

If the Provider anticipates using CDBG funds for construction or rehabilitation, the following federal and City of Miami Beach requirements must be acknowledged:

- A. All construction or rehabilitation plans and specifications for the project must be approved by the City's departments of: Planning; Office of Housing & Community Services; Public Works; Building; Code Compliance; and Fire. If the project is located in the Miami Beach Architectural District, or affects a building listed or eligible for listing on the National Register of Historic Places, all plans and specifications must be approved by the State Historic Preservation Office (SHPO), in accordance with the Memorandum of Understanding between the SHPO and the City.
- B. The City shall not be obligated to pay any funds to the project prior to the completion by the City of an environmental review of the project, and said review is approved by any government agencies as may be required by law.
- C. The Provider will assure all wages paid to construction workers by it or its subcontractors are in compliance with federal, state and local labor requirements. The Provider agrees to include in the construction bid specifications in connection with this agreement the applicable Federal Wage Determination assigned to this project by HUD. The Provider must also inform his contractor/subcontractors that they will be required to submit documents after a city-conducted pre-construction conference and prior to construction. Weekly and/or monthly reports must be submitted thereafter, as required by the federal government.
- D. The Provider agrees to comply with, and to assure that its subcontractors comply with, the federal Office of Management and Budget (OMB) Circular Number A-102 Attachment E for programs funded in whole or in part by CDBG funds; with federal OMB Circular A-102 Attachment O for the procurement of supplies, equipment, construction and services; and with Federal Management Circular A-87; or any other applicable OMB circular.
- E. Pursuant to Section 109 of the Act, the Provider specifically agrees that no person shall be denied the benefits of the program on the grounds of race, color, sex, religion or national origin.
- F. The Provider agrees, on its own behalf and on behalf of its contractors and subcontractors, to take affirmative action in attempting to employ low income and minority persons, as mandated by law.
- G. As required by OMB Circular Number A-102, and by Florida Statutes Section 287.055, professional services must be competitively selected. The competitive selection process must include a public advertisement; issuance of a request for application and a competitive review based on uniform criteria. Selection criteria must consider the basic qualifications, professional competence, experience and suitability of each firm. Fees for professional services must be requested as a fixed sum and not stated as a percentage of construction costs.
- H. All documents, bid specifications, notices and construction drawings must be submitted for the review and approval of the Housing & Community Services Department prior to public advertisement.

Certification Regarding CDBG-Funded Construction & Rehabilitation Projects (2 of 2)

- I. The bidding process for construction contracts must include a formal advertisement. This announcement must include the following:
1. The date, time and place that bid documents are available, and the same information for any pre-bid conferences and receipt of bids.
 2. The requirement of bid surety in the amount of ten percent (10%) of the bid, and a performance and payment bond equal to 100% of the award.
 3. A standard statement regarding the "in whole or in part" federal funding of the project and the various applicable federal regulations including the Davis Bacon Act.
- J. The City reserves the right to be present at the time of bid openings. If City CDBG monies are the sole funding source, the City may require that bids be received and opened by the City's Procurement Department.
- K. The Provider agrees to submit to the Office of Housing and Community Services all documentation of the steps followed in the selection of professional services and construction contracts.
- L. The Provider agrees to specify a time of completion and include a liquidated damage clause in all construction contracts. Cost plus a percentage of cost, and percentage of construction cost contracts will not be permitted.
- M. If the Provider is awarded CDBG funds, other conditions and requirements will be specified in the funding agreement.
- N. The Provider agrees that it will not start construction until an official "Notice to Proceed" has been issued.
- O. Pursuant to 570.608 of the CDBG Regulations, and the new provisions in the Economic and Community Development Act of 1974 as amended, the Provider agrees to comply with the inspection, notification, testing and abatement procedures concerning lead-based paint.