



**REQUEST FOR QUALIFICATIONS**

**for**

**Indiana Licensed Lead-based Paint Abatement Contractors and EPA RRP  
Certified Firms**

**INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY  
30 South Meridian Street, Suite 900  
Indianapolis, IN 46204  
<http://www.in.gov/ihcda/>**

**317-232-7777**

**ISSUE DATE: March 22, 2021**

**RESPONSE DEADLINE: April 2, 2021**

## **TABLE OF CONTENTS**

### **PART 1 SCOPE OF THIS REQUEST**

- 1. PURPOSE OF THIS REQUEST FOR QUALIFICATIONS (“RFQ”)**
- 2. ABOUT THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY**
- 3. BACKGROUND**
- 4. PROGRAM DESIGN**
- 5. SCOPE OF SERVICES**
- 6. RFQ TIMELINE**

### **PART 2 RFQ PROCESS**

- 1. SELECTION PROCESS**
- 2. MINIMUM REQUIREMENTS/RESPONSIVE RESPONDENT**
- 3. QUALIFICATIONS EVALUATION CRITERIA**
- 4. RESPONSIBLE RESPONDENT REQUIREMENTS**
- 5. RFQ SUBMISSION ITEMS**
- 6. FORMAT FOR SUBMISSION, MAILING INSTRUCTIONS, AND DUE DATE**

### **PART 3 TERMS AND CONDITIONS**

- 1. STATE POLICIES**
- 2. FEDERAL REQUIREMENTS**
- 3. RFQ TERMS AND CONDITIONS**
- 4. QUALIFICATIONS COVER SHEET**
- 5. CERTIFICATION OF RESPONDENT**

## **PART 1**

## **SCOPE OF THIS REQUEST**

### **1. PURPOSE OF THIS REQUEST FOR QUALIFICATIONS (“RFQ”)**

The Indiana Housing and Community Development Authority (IHCDA) is seeking to engage licensed lead-based paint abatement contractors and EPA Certified Renovate Repair Paint firms to participate in the Lead Hazard Reduction Demonstration Program (“LHRD”) being administered within the City of Indianapolis. The LHRD’s purpose is to promote lead-safe and healthy homes, provide lead hazard control activities to include minimal rehabilitation, and healthy homes assessment repairs in target housing inspected and found to have lead-based paint hazards as further detailed in the Scope of Services section of this RFQ.

### **2. ABOUT THE INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY**

#### **VISION**

IHCDA envisions an Indiana with a sustainable quality of life for all Hoosiers in the community of their choice.

#### **MISSION**

The Indiana Housing and Community Development Authority’s (“IHCDA”) mission is to provide housing opportunities, promote self-sufficiency, and strengthen communities.

#### **OVERVIEW (for more information visit <http://www.in.gov/ihcda/>)**

IHCDA was created in 1978 by the Indiana General Assembly and is a quasi-public financially self-sufficient statewide government agency. IHCDA's programs are successful in large part because of the growing network of partnerships IHCDA has established with local, state, and federal governments, for-profit businesses and not-for-profit organizations. For-profit partners include, but are not limited to, investment banks, mortgage lenders, commercial banks, corporate investment managers and syndicators, apartment developers, investors, homebuilders, and realtors. Not-for-profit partners include, but are not limited to, community development corporations, community action agencies, and not-for-profit developers.

### **3. BACKGROUND**

IHCDA administers the Lead Hazard Reduction Demonstration Grant Program (“the Program”), an award through the U.S. Department of Housing & Urban Development (“HUD”). IHCDA received funding through HUD in 2018 to administer the Program throughout the State of Indiana and has established policies and procedures for the Program.

### **4. PROGRAM DESIGN**

LHRD grant funds and other matching/leveraged resources will be used in eligible privately-owned pre-1978 housing units, within the City of Indianapolis, where lead-based paint and healthy home hazards are identified, and income eligible families reside. The Program complies with Section 1011 of the *Residential Lead-Based Paint Hazard Reduction Act of 1992* (Title X) in providing lead hazard control grant program services. The Program will use IHCDA’s procurement policy to determine a contractor’s eligibility to be included on a qualified bidders list.

## 5. SCOPE OF SERVICES

Through the U.S. Department of Housing and Urban Development's Office of Lead Hazard Control and Healthy Homes, the LHRD helps government create and implement programs to make homes lead-safe, specifically, in undertaking comprehensive programs to identify and control lead-based paint hazards in eligible privately-owned rental or owner-occupied housing. IHCDCA will use its own competitive procurement standards listed [here](#) to establish a bidders list. At least twice, IHCDCA will publish a notice in the local newspaper with detailed requirements for prospective contractors. Contractors must meet the requirements listed in this RFQ to be added to the bidders list. Once a project is ready for bid, IHCDCA will notify all contractors on the bidders list and document its efforts to solicit minority and women-owned business enterprises. Within sixty (60) days of the bid opening date, IHCDCA will provide a notice to proceed to the accepted bidder, notify bids not accepted, or reject all bids. A fixed price contract will be awarded to the lowest responsible bidder whose bid conforms to all the material terms and conditions of the bid invitation, technical specifications, and is the lowest in price. At any time, a contractor may request to be added or removed from the bidders list. IHCDCA will update the bidders list every six months in accordance with our publication requirements and contact non-responsive contractors about remaining on the bidders list.

In consultation with IHCDCA, selected contractors will be required to use a combination of interim control and abatement activities, based on the scope of work approved by IHCDCA, to perform lead hazard control activities to achieve lead clearance for approximately 20 units within the City of Indianapolis. These services must be conducted in accordance with a detailed Scope of Work provided to the selected contractor to remediate all identified lead-based paint hazards and complete repairs noted in the Healthy Home Assessment to achieve lead clearance in accordance with all LHRD policies and procedures:

### A. Interim Controls

When interim controls are specified in the scope of work, this type of lead hazard control must be performed in accordance with the HUD's [Lead Safe Housing Rule](#) 24 CFR §35.1330 Interim Controls, 24 CFR §35.1345 Occupant protection and worksite preparation, 24 CFR §35.1350 Safe work practices, and Chapter 11 of the [HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing](#) (2012 Edition).

### B. Abatement

Abatement activities specified in the scope of work must be performed in accordance with HUD's Lead Safe Housing Rule 24 CFR §35.1325, 24 CFR §35.1345 Occupant protection and worksite preparation, 24 CFR §35.1350 Safe work practices, and Chapters 12 and 13 of the [HUD Guidelines for the Evaluation and Control of Lead-Based Paint Hazards in Housing](#) (2012 Edition). Abatement of an intact, factory-applied prime coating on metal surfaces is not required unless the surface is a friction surface.

### C. Minimal Rehabilitation

Rehabilitation required to carry out effective lead hazard control, as listed in the scope of work, must be performed in accordance with the Office of Healthy Homes and Lead Hazard Control (OHHLHC) [Policy Guidance 2008-02](#) and the [Indiana State Building Code](#) by licensed contractors as required by the City of Indianapolis and State of Indiana at <https://www.indy.gov/activity/contractor-licenses>

### D. Healthy Home Hazard Repair

Healthy Home Supplemental ("HHS") funding will be used for identifying and remediating multiple health and safety hazards in homes. HHS funding may only be used in homes where lead hazard control work (interim controls or abatement) is being conducted. Funding for HHS

to be used for repairs is capped at \$5,000/unit. These repairs, as listed in the scope of work, must be performed in accordance with the Office of Healthy Homes and Lead Hazard Control (“OHHLHC”) [Policy Guidance 2008-01](#) and the [Indiana State Building Code](#) and by licensed contractors as required by the City of Indianapolis and State of Indiana. Licensing requirements are described at <https://www.indy.gov/activity/contractor-licenses>. The five hazards in order of priority but not inclusive are:

1. Carbon monoxide and fuel combustion products;
2. Electrical hazards;
3. Damp and mold growth;
4. Falling on stairs; and,
5. Pets and Refuse.

E. Lead Abatement Licensing, Rules, and Notification

Indiana law requires that any company or individual who performs lead abatement activities in targeted housing (houses or child-occupied facilities built before 1978) must:

1. be [licensed by the Indiana State Health Department](#) (“ISDH”) as an abatement contractor,
2. provide written notification to the [ISDH in advance of each abatement project](#),
3. conduct a pre-abatement lead inspection or lead hazard screen,
4. conduct abatement activities using appropriately licensed individuals,
5. maintain a licensed Project Supervisor on-site during all site preparation, abatement activity and site cleanup,
6. conduct the abatement activities using lead safe work practices and pass a post-abatement clearance procedure,
7. maintain proper records including a description of the abatement project, start up and completion dates, licenses, occupant protection plans, receipts from disposal sites, and
8. retain all records for 3 years.

F. Occupant Protection Plan

[EPA regulations](#) (40 CFR 745.227(e)(5) require that a written occupant protection plan be developed for all abatement projects). The term “abatement,” as defined by EPA, “means any measure or set of measures designed to permanently eliminate lead-based paint hazards.” It “does not include renovation, remodeling, landscaping or other activities, when such activities are not designed to permanently eliminate lead-based paint hazards, even though these activities may incidentally result in a reduction or elimination of lead-based paint hazards.” (40 CFR 745.223).

The occupant protection plan is required to:

1. be unique to the dwelling or facility;
2. be developed before the abatement;
3. describe the measures and procedures that will be taken to protect the occupants from exposure to lead-based paint hazards; and
4. be prepared by a State of Indiana lead-based paint abatement Supervisor or Project Designer.
5. IHCDA has created an Occupant Protection Plan template that must be utilized and submitted to IHCDA for review prior to the start of work.

G. Resident Protection and Worksite Preparation

If residents must remain inside the dwelling during work, appropriate containment, barrier systems and other measures described in [Chapter 8](#) of the HUD Guidelines for the Evaluation and Control of Lead-based Paint Hazards in Housing must be undertaken. Residents are never

permitted to enter a work area where work disturbing known or presumed lead-based paint, or cleanup of lead-contaminated dust or soil, is underway.

Procedures for protecting dwelling unit occupants and the environment from contamination from lead-contaminated or lead-containing materials during hazard reduction activities must be conducted in accordance with 24 CFR §35.1325 of the Lead Safe Housing Rule.

H. Worker Protection

Use specific worker protection measures in accordance with [Chapter 9](#) of the HUD Guidelines for the Evaluation and Control of Lead-based Paint Hazards in Housing. If lead hazard control will include manual demolition, manual scraping, manual sanding, heat gun use, or use of power tools such as needle guns, then specific worker protection measures are required until an initial exposure assessment is completed. If the initial exposure assessment indicates exposures are less than 30 µg/m<sup>3</sup>, the requirements do not apply, although exposure to lead should always be kept as low as possible.

I. Housing Waste

Properly dispose of all construction material and waste in accordance with the local health or environmental department or waste management providers for management and disposal of waste from work that may disturb surfaces covered with known or presumed lead-based paint and fulfill those requirements.

J. Cleaning

Cleaning must occur during the job, daily, and final cleanings in the project design or specifications using the recommendations contained in [Chapter 14](#) of the HUD Guidelines for the Evaluation and Control of Lead-based Paint Hazards in Housing to achieve lead clearance per Chapter 15 of the HUD Guidelines. Assign responsibilities to specific workers for cleaning and for maintaining cleaning equipment. Cleaning equipment and supplies must always be available.

K. Permits

All construction permits must be obtained as required by the City of Indianapolis as described at <https://www.indy.gov/agency/departments-of-business-and-neighborhood-services>

Selected respondents will receive additional information on how to submit claims for reimbursement, and reporting requirements for LHRD.

**6. RFQ TIMELINE**

|                |   |
|----------------|---|
| March 22, 2021 | RFQ released to the general public  |
| April 2, 2021  | Respondent must submit its proposal by 5:00 PM EST in PDF format.                   |
| April 7, 2021  | Tentative selection of bidder's list will be made by IHCDA                          |
| April 9, 2021  | Tentative selection of bidder's list will be taken to IHCDA's Delegation Committee. |

## **PART 2**

## **RFQ PROCESS**

### **1. SELECTION PROCESS**

Evaluation of qualifications will be completed by IHCDA. Respondent must be qualified, responsive, and responsible. Selection of a Respondent is at the sole discretion of IHCDA.

### **2. MINIMUM REQUIREMENTS/RESPONSIVE RESPONDENT**

Respondents must meet the following minimum requirements to be deemed responsive to this RFQ.

1. The Respondent is licensed in the State of Indiana to perform lead-based paint abatement activities for compensation;
2. The Respondent has a State of Indiana licensed Project Supervisor on staff and available to be on-site during all site preparation, abatement activity, and site cleanup;
3. The Respondent has State of Indiana licensed lead workers on staff to perform abatement activities using lead safe work practices;
4. The Respondent is an EPA Renovate, Repair, and Paint certified firm and has certified renovators on staff.
5. The Respondent must have and keep in force comprehensive general liability insurance coverage in the minimum amount of \$1,000,000 covering the risks related to the property and personal liability claims of other parties against the insured party;
6. The Respondent has experience performing lead hazard control activities involving lead abatement and non-abatement activities (interim controls);
7. The Respondent has the knowledge, skills, and experience to perform health and safety repairs in accordance with the State of Indiana Residential Code and lead hazard control in accordance with all State and Federal regulations;
8. The Respondent has the capacity to timely and effectively respond and perform bid activities and complete lead hazard control activities and health and safety repairs within 10 business days in accordance with all State and Federal regulations and IHCDA Policy Guidance;
9. The Respondent will provide a full one-year warranty effective the day lead clearance is achieved on all defective lead hazard control activities and health and safety repairs at no cost;
10. The Respondent is listed or will register in the System for Award Management (SAM) and the Federal Awardee Performance and Integrity Information System (FAPIS) prior to being placed on IHCDA's bidders list;
11. The Respondent must have all applicable contractor licenses required within the City of Indianapolis and/or the State of Indiana to perform rehabilitation activities as listed in this RFQ. The licensing requirements for the City of Indianapolis can be found here;

### **3. QUALIFICATIONS EVALUATION CRITERIA**

The following will be IHCDA's primary consideration in the selection process:

1. Compliance with requirements of this RFQ;
2. An assessment of the Respondent's ability to deliver the indicated services in accordance with the specifications set out in the RFQ;
3. Experience performing lead hazard control activities and health and safety repairs;
4. Ability to start bidding on projects immediately after being added to the bidders list and begin construction within three (3) weeks after a signed contract is completed;
5. Demonstrated understanding of HUD's Lead Safe Housing Rule, State of Indiana lead rules,

- and IHCD A program requirements;
6. Proof of Comprehensive general liability insurance coverage in the minimum amount of \$1,000,000 covering the risks related to the property and personal liability claims of other parties against the insured party;
  7. Meet all bonding requirements prescribed by Indiana law as listed in the Procurement chapter of IHCD A's CDBG & HOME Program Manual;
  8. Past experience with IHCD A programs;
  9. Registered in or agree to register prior to be added to the bidders list in the System for Award Management (SAM) and Federal Awardee Performance and Integrity Information System (FAP IIS);
  10. Contractor licenses held within the City of Indianapolis and/or State of Indiana;
  11. Lead licenses held for the State of Indiana.

#### 4. RESPONSIBLE RESPONDENT REQUIREMENTS

IHCD A shall not award any contract until the selected respondent has been determined to be responsible. A responsible respondent must:

1. Have adequate financial resources to perform the project, or the ability to obtain them;
2. Be able to comply with the required or proposed delivery or performance schedule, taking into consideration all the Respondent's existing commercial and/or governmental business commitments;
3. Have a satisfactory performance record with other IHCD A partners/recipients (if applicable);
4. Have a satisfactory record of integrity and business ethics;
5. Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them;
6. Have the necessary production, construction, and technical equipment and facilities, or the ability to obtain them;
7. Have supplied all requested information;
8. Be legally qualified to contract in the State of Indiana and if it is an entity described in IC Title 23, and must be properly registered, and owes no outstanding reports to the Indiana Secretary of State (There is a fee to register with the Secretary of State); and
9. Be otherwise qualified and eligible to receive an award under applicable laws and regulations, including not be suspended or debarred. If a prospective contractor is found to be non-responsible, a written determination of non-responsibility shall be prepared and included in the official file for this RFQ, and the respondent shall be advised of the reasons for the determination.

#### 5. RFQ SUBMISSION ITEMS

Respondent must submit documentation in response to the requirements listed in each category heading summarized below. These requirements are described more fully in **Section 2 and 3 of Part 2 of this RFQ**, entitled "**Qualifications Evaluation Criteria**". Therefore, Respondent must review **Section 2 and 3 of Part 2 of this RFQ** very carefully before submitting its responses. The Respondent must also submit the Qualifications Coversheet and the Certification of Company located at the end of this RFQ Document.

Checklist of Submission Requirements

1. Qualifications Coversheet (required template included in this RFQ packet) as listed in Section 2, Part 2 of this RFQ
2. Certification of Company (required template included in this RFQ packet)
3. Narrative summary of applicant's experience
4. Narrative summary of applicant's readiness to proceed
5. DUNS (data universal numbering system) number



6. Proof of Insurance and Bonding requirements as listed in Sections 2 and 3, Part 2 of this RFQ
7. EPA RRP Firm Certificate to include each workers Certified Renovator certificate of training Lead Abatement Contractor license from the Indiana State Department of Health (ISDH)
8. Project Supervisor license(s) from ISDH
9. Lead Worker licenses from ISDH
10. Business Entity Report
11. General Contractors license and other current licenses held for the City of Indianapolis and/or State of Indiana

**6. FORMAT FOR SUBMISSION, MAILING INSTRUCTIONS, AND DUE DATE**

Responses must be submitted via email. All documents must be submitted in PDF only.

Dave Pugh  
Lead Grant Manager  
Indiana Housing and Community Development Authority  
30 South Meridian, Suite 900  
Indianapolis, IN 46204  
dpugh@ihcda.in.gov  
317-234-6289

**The deadline for submission is April 2, 2021.** Applications that do not contain all the required forms/documents as listed in this RFQ may be determined ineligible for further consideration.

## PART 3

## TERMS AND CONDITIONS

### 1. STATE POLICIES

- A. **ETHICAL COMPLIANCE:** By submitting a proposal, the respondent certifies that it shall abide by all ethical requirements that apply to persons who have a business relationship with the State, as set forth in Indiana Code § 4-2-6 et seq., Ind. Code § 4-2-7, et seq., the regulations promulgated thereunder, and Executive Order 04-08, dated April 27, 2004. Respondent will be required to attend online ethics training conducted by the State of Indiana.
- B. **EMPLOYMENT ELIGIBILITY VERIFICATION.** The Respondent cannot knowingly employ an unauthorized alien. The Respondent shall require its contractors who perform work for the Respondent pursuant to the project must certify to the Respondent that the contractor does not knowingly employ or contract with an unauthorized alien.
- C. **PAYMENTS:** Any payments for services under any contract awarded pursuant to this RFP shall be paid by IHCDA in arrears in conformance with State fiscal policies and procedures and, as required by IC §4-13-2-14.8, the direct deposit by electronic funds transfer to the financial institution designated by the successful respondent in writing unless a specific waiver has been obtained from the IHCDA Controller. No payments will be made in advance of receipt of the goods or services that are the subject of any contract except as permitted by IC §4-13-2-20.
- D. **CONFIDENTIALITY OF STATE INFORMATION.** The Respondent understands and agrees that data, materials, and information disclosed to the Respondent may contain confidential and protected information. The Respondent covenants that data, material, and information gathered, based upon or disclosed to the Respondent for the purpose of this project will not be disclosed to or discussed with third parties without the prior written consent of the IHCDA. In addition to the covenant made above in this section and pursuant to 10 IAC 5-3-1(4), the Respondent and IHCDA agree to comply with the provisions of IC §4-1-10 and IC §4-1-11. If any Social Security number(s) is/are disclosed by Respondent, Respondent agrees to pay the cost of the notice of disclosure of a breach of the security of the system in addition to any other claims and expenses for which it is liable under the terms of this contract.
- E. **ACCESS TO PUBLIC RECORDS:** Respondents are advised that materials contained in proposals are subject to the Access to Public Records Act (“APRA”), IC 5-14-3 et. seq., and the entire response may be viewed and copied by any member of the public. Respondents claiming a statutory exemption to disclosure under APRA must place all confidential documents (including the requisite number of copies) in a sealed envelope marked “Confidential”. Respondents should be aware that if a public records request is made under APRA, IHCDA will make an independent determination of confidentiality, and may seek the opinion of the Public Access Counselor. Prices are not considered confidential information. The following information shall be subject to public inspection after the contract award:
- A. The RFQ.
  - B. A list of all vendors who received the RFQ.
  - C. The name and address of each respondent.
  - D. The amount of each offer.
  - E. A record showing the following:
    - a. The name of the successful respondent.
    - b. The dollar amount of the offer.
    - c. The basis on which the award was made.
  - F. The entire contents of the contract file except for proprietary information that may have been included with an offer, such as:

- a. trade secrets;
- b. manufacturing processes;
- c. financial information not otherwise publicly available; or
- d. other data that does not bear on the competitive goals of public procurement that was not required by the terms of the RFQ itself to be made available for public inspection.

- F. **TAXES, FEES AND PENALTIES:** By submitting a proposal respondent certifies that neither it nor its principal(s) is presently in arrears in payment of its taxes, permit fees or other statutory, regulatory or judicially required payments to the State of Indiana or the United States Treasury. Respondent further warrants that it has no current, pending or outstanding criminal, civil, or enforcement actions initiated by either the State or Federal Government pending against it, and agrees that it will immediately notify IHCDA of any such actions.
- G. **CONFLICT OF INTEREST:** Respondent must disclose any existing or potential conflict of interest relative to the performance of the services resulting from this RFQ, including any relationship that might be perceived or represented as a conflict. By submitting a proposal in response to this RFQ, respondent affirms that it has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant or any employee or representative of same, in connection with this procurement. Any attempt to intentionally or unintentionally conceal or obfuscate a conflict of interest will automatically result in the disqualification of the respondent's proposal or immediate termination of an awardee's contract. An award will not be made where an actual conflict of interest exists. IHCDA will determine whether a conflict of interest exists and whether an apparent conflict of interest may reflect negatively on IHCDA, should IHCDA select respondent. Further, IHCDA reserves the right to disqualify any respondent on the grounds of actual or apparent conflict of interest. The decision of the Compliance Attorney is final.
- H. **APPEALS/PROTEST:** Respondent may appeal/protest the award of this contract based on alleged violations of the selection process that resulted in discrimination or unfair consideration. The appeal/protest must include the stated reasons for the Respondent's objection to the funding decision, which reasons must be based solely upon evidence supporting one (1) of the following circumstances:
- a. Clear and substantial error or misstated facts which were relied on in making the decision being challenged;
  - b. Unfair competition or conflict of interest in the decision-making process;
  - c. An illegal, unethical or improper act; or
  - d. Other legal basis that may substantially alter the decision.

The appeal/protest must be received within ten (10) business days after the Respondent receives notice of the contract award, or the appeal/protest will not be considered. All protests shall be in writing, submitted to the Compliance Officer, who shall issue a written decision on the matter. The Compliance Officer may, at his/her discretion, suspend the procurement pending resolution of the protest if the facts presented so warrant. The Respondent will receive written acknowledgement of receipt of the appeal/protest within five (5) business days of its receipt, noting the day the appeal/protest was received. Any appeal/protest regarding the funding decision made by IHCDA will be examined and acted upon by the Compliance Officer within thirty (30) days of its receipt.

## 2. FEDERAL REQUIREMENTS

Respondent agrees to comply with the following concepts reflected in the federal regulations listed below:

- a. Residential Lead-Based Paint Hazard Reduction Act.
- b. Lead Disclosure Rule.
- c. Lead Safe Housing Rule (24 CFR part 35, subparts A, B-R, respectively)
- d. 410 IAC 32 Lead-Based Paint Program
- e. The EPA Renovation, Repair and Painting (RRP) Rule (40 CFR 745, especially subpart E).
- f. Providing meaningful access to these program benefits and information to Limited English Proficient (LEP) individuals through language assistance strategies and services, in accordance with Title VI of the Civil Rights Act of 1964 and the Final Guidance to Federal Financial Assistance Recipients Regarding Title VI, Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons published on January 22, 2007 in the Federal Register (72 FR 2732).
- g. Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment) and 24 CFR part 87, which prohibit recipients of federal contracts, grants, or loans from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a specific contract, grant, loan, or cooperative agreement. In addition, applicants must disclose, using Standard Form LLL (SFLLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific grants or contracts.
- h. Economic Opportunities for Low- and Very Low-Income Persons (Section 3). Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) is applicable to grants funded under the LHRD Program. All respondents that receive awards exceeding \$200,000 are required to comply with Section 3. If you plan to hire any new employees or award contracts to carry out the grant, you must comply with the Section 3 requirements found at 24 CFR 135.32. Additionally, any contractor, subcontractor or sub-grantee receiving contracts under the grant totaling more than \$100,000 must comply with the Section 3 requirements for any new training, hiring or subcontracting opportunities provided under those contracts.
- i. Comply with Section 504 of the Rehabilitation Act of 1973 ("Section 504") and its implementing regulations at 24 CFR 8, and Titles II and III of the Americans with Disabilities Act.
- j. Affirmatively furthering fair housing.
- k. Applicable Portions of 2 CFR 200, Uniform Administrative Requirements, Cost Principle and Audit Requirements for Federal Awards, which includes but is not limited to the following requirements:
  - 1. 2 CFR 200.501, Audit requirements.
  - 2. 2 CFR 200.321, Small businesses, minority-owned firms, and women's business enterprises . . . whenever possible.
  - 3. 2 CFR 200.113, Mandatory Disclosures.
  - 4. 2 CFR, 200.62, Internal Controls.
  - 5. 2 CFR, 200.318, General Procurement Standards and Conflict of Interests.
  - 6. 24 CFR 92.253 (a) and (b), Tenant protections (Lease and Prohibited Lease Provisions)
  - 7. Federal Funding Accountability and Transparency Act of 2006 or Transparency Act— Public Law 109-282, as amended by section 6202(a) of Public Law 110-252 (31 U.S.C. 6101), which includes requirements on executive compensation, and also requirements implementing the Act for the non-Federal entity at 2 CFR part 25 Financial Assistance Use of Universal Identifier and System for Award Management and 2 CFR part 170 Reporting Sub-award and Executive Compensation Information.

### 3. RFQ TERMS AND CONDITIONS

This request is issued subject to the following terms and conditions:

- A. This RFQ is a request for the submission of qualifications, but is not itself an offer and shall under no circumstances be construed as an offer.
- B. IHCDA expressly reserves the right to modify or withdraw this request at any time, whether before or after any qualifications have been submitted or received.
- C. IHCDA reserves the right to reject and not consider any or all respondents that do not meet the requirements of this RFQ, including but not limited to: incomplete qualifications and/or qualifications offering alternate or non-requested services.
- D. IHCDA reserves the right to reject any or all companies, to waive any informality in the RFQ process, or to terminate the RFQ process at any time, if deemed to be in its best interest.
- E. In the event the party selected does not enter into the required agreement to carry out the purposes described in this request, IHCDA may, in addition to any other rights or remedies available at law or in equity, commence negotiations with another person or entity.
- F. In no event shall any obligations of any kind be enforceable against IHCDA unless and until a written agreement is entered into.
- G. The Respondent agrees to bear all costs and expenses of its response and there shall be no reimbursement for any costs and expenses relating to the preparation of responses of qualifications submitted hereunder or for any costs or expenses incurred during negotiations.
- H. By submitting a response to this request, the Respondent waives all rights to protest or seek any remedies whatsoever regarding any aspect of this request, the selection of another respondent or respondents with whom to negotiate, the rejection of any or all offers to negotiate, or a decision to terminate negotiations.
- I. IHCDA reserves the right not to award a contract pursuant to the RFQ.
- J. All items become the property of IHCDA upon submission and will not be returned to the Respondent.
- K. IHCDA reserves the right to split the award between multiple applicants and make the award on a category by category basis and/or remove categories from the award.
- L. The Respondent certifies that neither it nor its principals, contractors, or agents are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from utilizing federal funds by any federal or state department or agency.
- M. If the Respondent is selected pursuant to this RFQ it will be required to enter into IHCDA's Lead Hazard Reduction Demonstration Grant Program Contractor Agreement, which terms are non-negotiable.

#### 4. QUALIFICATION COVER SHEET

Name of Individual,  
Firm or Business:

Address:

Phone Number:  
Fax Number:  
Web Site Address:

QUALIFICATION  
Contact Person:

Title:  
Email Address:  
Phone:

Contract Signatory  
Authority:

Title:

**INDIANA HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY**

**5. CERTIFICATION OF RESPONDENT**

I hereby certify that the information contained in these qualifications and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I acknowledge that I have read and understood the requirements and provisions of the RFQ and agree to abide by the terms and conditions contained herein.

I \_\_\_\_\_ am the \_\_\_\_\_ of the (type name of signatory authority) corporation, partnership, association, or other entity named as company and the Respondent herein, and I am legally authorized to sign this and submit it to the Indiana Housing and Community Development Authority on behalf of said organization.

18 U.S.C. § 1001, "Fraud and False Statements," provides among other things, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, anyone who knowingly and willfully: (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2 ) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, and/or imprisoned for not longer than five (5) years.

Respondent:

Signed: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Firm name: \_\_\_\_\_