



REQUEST FOR QUALIFICATIONS

for

**EPA Lead Renovation, Repair and Painting (RRP) General Contractors
and Indiana Licensed Lead-Based Paint Abatement Contractors to
Remediate Household Health and Safety Hazards**

**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: November 28, 2022

RESPONSE DEADLINE: January 9, 2023

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 EPA Certified Renovate Repair Paint contractors and licensed lead-based paint abatement contractors to participate in the Healthy Homes Production Grant Program (“HHP”) being administered within the State of Indiana. The HHP’s purpose is to promote healthy homes repairs in target housing inspected and found to have healthy homes hazards and/or 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. To accomplish this, IHCDA will:

- Pursue innovation in all programs and services;
- Provide thought leadership;
- Emphasize continued quality of services; and
- Continuously improve program management practices and partnership building.

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 Healthy Homes Production (“HHP”) Grant Program (“the Program”), an award through the U.S. Department of Housing and Urban Development (“HUD”). IHCDA received funding

through HUD in 2022 to administer the Program throughout the State of Indiana and has established policies and procedures for the Program.

4. PROGRAM DESIGN

HHP grant funds and other matching/leveraged resources will be used to identify and remediate housing-related health and safety hazards in privately owned, low-income rental and/or owner-occupied housing in units and/or buildings where families with children, older adults sixty-two (62) years and older, or families with persons with disabilities reside. The Healthy Homes Production Program (HHP) is part of HUD's overall Healthy Homes Initiative launched in 1999. 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 HHP helps government create and implement programs to make homes safe, specifically by undertaking comprehensive programs to identify and control health and safety hazards in eligible privately-owned rental or owner-occupied housing. IHCDA will use the standards set forth in this RFQ to establish a bidders list. At least twice, IHCDA 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, IHCDA 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, IHCDA 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 most responsive bidder whose bid conforms to all the material terms and conditions of the bid invitation, and technical specifications. At any time, a contractor may request to be added or removed from the bidders list. IHCDA will update the bidders list regularly in accordance with its publication requirements and contact non-responsive contractors about remaining on the bidders list.

LEAD ABATEMENT CONTRACTOR REQUIREMENTS

In consultation with IHCDA, selected lead abatement contractors will be required to use a combination of interim control and abatement activities, based on the scope of work approved by IHCDA, to perform lead hazard control activities to achieve lead clearance. 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 Homes Assessment to achieve lead clearance in accordance with all HHP policies and procedures. The following requirements must be followed:

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. Most scopes of work available for service will include interim controls rather than abatement activities.

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. More information is available at <https://www.indy.gov/activity/contractor-licenses>.

D. 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 Department of Health](#) (“IDOH”) as an abatement contractor;
2. provide written notification to the [IDOH 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; and
7. maintain proper records including a description of the abatement project, start up and completion dates, licenses, occupant protection plans, and receipts from disposal sites, and retain all records for 3 years.

E. 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.

IHCDA has created an Occupant Protection Plan template that must be completed and submitted to IHCDA for review prior to the start of work for each project.

F. Resident Protection and Worksite Preparation

If residents 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 is 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.

G. Worker Protection

Contractors must 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/m³, the requirements do not apply, although exposure to lead should always be kept as low as possible.

H. 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.

I. 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.

J. Permits

All construction permits must be obtained as required by the State or local jurisdiction where work is being conducted.

K. Compliance with the Indiana Department of Health

Comply with the Indiana Department of Health Lead-Based Paint Program regulations (410 Ind. Admin. Code 32) and related policies and procedures set forth by the Indiana Department of Health.

EPA CERTIFIED RRP GENERAL CONTRACTOR REQUIREMENTS

A. Selected EPA Certified RRP General Contractors may perform a variety of health and safety repairs based on the assessment and scope of work provided to each contractor. These repairs must be in accordance with the EPA RRP rule, Indiana State Building Code, and/or manufacturer’s recommendations. Healthy Homes Hazard Repair funding will also be used for identifying and remediating multiple health and safety hazards in homes. HHP funding may only be used in income eligible homes where an assessment has determined Healthy Homes hazards exist. These repairs, as listed in the scope of work, must be performed by licensed contractors as required by the State of Indiana and/or Local Unit of Government (LUG) in accordance with the Office of Healthy Homes and Lead Hazard Control (“OHHLHC”) [Policy Guidance 2008-01](#) and the [Indiana State Building Code](#) and. Licensing requirements for Indianapolis are described at <https://www.indy.gov/activity/contractor-licenses>. The hazards in order of priority but not inclusive are:

1. Radon
2. Lead-based paint
3. Damp and mold growth
4. Electrical hazards
5. Accessibility
6. Structural
7. Carbon Monoxide and fuel combustion products
8. Pests and Refuse

B. Resident Protection and Worksite Preparation

EPA's Lead Renovation, [Repair and Painting \(RRP\) Rule](#) (40 CFR 745) applies to work practices where lead paint is disturbed by renovation activities. These practices minimize the creation of dust and debris, prevent it from leaving the work area and require cleaning of the work area to ensure occupant safety.

Paint testing is not required by the RRP Rule, but unless you have documentation that the paint is not lead-based, then the requirements of the RRP Rule apply.

If you or your client chooses to have the paint tested prior to renovation, testing must be done by the appropriate qualified professional on all surfaces to be affected by the work.

Type of Paint Testing for Renovators	Who can do the testing?
EPA-recognized test kits	Certified renovators
X-Ray fluorescence instruments	Licensed lead-based paint inspectors or risk assessors
Paint chip sampling	Certified renovator, licensed inspector or risk assessor

C. 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.

D. Cleaning

Cleaning must occur during the job, daily, and final cleanings in the project design or specifications. Assign responsibilities to specific workers for cleaning and for maintaining cleaning equipment. Cleaning equipment and supplies must always be available.

E. Permits

All construction permits must be obtained as required by the State of Indiana or local jurisdiction where work is being conducted.

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

6. RFQ TIMELINE

November 28, 2022	RFQ released to the general public
January 9, 2023	Respondent must submit its proposal by 5:00 PM EST in PDF format
January 13, 2023	Tentative selection of bidders list made by IHCDA
January 18, 2023	Tentative selection of bidders list submitted to IHCDA's Delegation Committee for review

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. The Respondent must specify whether the respondent is proposing to become an EPA RRP General Contractor, lead abatement contractor, or both.

Lead Abatement Contractors must meet all qualifications listed in #1 through #11.

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 has experience performing lead hazard control activities involving lead abatement and non-abatement activities (interim controls);

EPA Certified RRP General Contractors must meet qualification listed in #5 through #11 only.

5. The Respondent is an EPA Renovate, Repair, and Paint certified firm and has certified renovators on staff;
6. 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;
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 HUD Policy;
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) prior to being placed on IHCDA's bidders list;
11. The Respondent must have all applicable contractor licenses required within the applicable jurisdiction and the State of Indiana to perform rehabilitation activities as listed in this RFQ prior to entering a contract with IHCDA.

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, the EPA RRP Rule, and IHCDA 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 IHCDA's HHP Policy and Procedures Manual;
8. Past experience with IHCDA programs;
9. Registered in or agree to register prior to be added to the bidders list in the System for Award Management (SAM);
10. Contractor licenses held within the applicable jurisdiction and the State of Indiana;
11. Respondent should identify their geographic boundaries of service.
12. Lead licenses held for the State of Indiana.

4. RESPONSIBLE RESPONDENT REQUIREMENTS

IHCDA 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 IHCDA 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, it 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 **Sections 2 and 3 of Part 2 of this RFQ**, entitled "**Minimum Requirements/Responsive Respondent**" and "**Qualifications Evaluation Criteria**". Therefore, Respondent must review **Sections 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 and begin work within three weeks after contract is signed
5. DUNS (data universal numbering system) number
6. Proof of registration in the System for Award Management (SAM)
7. Proof of Insurance and Bonding requirements as listed in Sections 2 and 3, Part 2 of this RFQ
8. EPA RRP Firm Certificate to include each workers Certified Renovator certificate of training
9. Lead Abatement Contractor license from the Indiana Department of Health (IDOH) (if applicable)
10. Project Supervisor license(s) from IDOH (if applicable)
11. Lead Worker licenses from IDOH (if applicable)
12. Business Entity Report
13. General Contractors license and other current licenses held
14. Geographic boundaries of service

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 January 9, 2023. 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:
1. The RFQ.
 2. A list of all vendors who received the RFQ.
 3. The name and address of each respondent.
 4. The amount of each offer.
 5. 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.
 - 6. 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 of 1992.
- B. Lead Disclosure Rule (24 CFR 35, subpart A).
- C. Lead Safe Housing Rule (24 CFR 35, subparts B-R)
- D. The EPA Renovation, Repair and Painting (RRP) Rule (40 CFR 745, including but not limited to subpart E).
- E. 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).
- F. 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.
- G. Economic Opportunities for Low- and Very Low-Income Persons (24 CFR 135.32, Section 3, see 24 CFR 75). Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. § 1701u) is applicable to grants funded under the HHP Program. 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 sub- contracting opportunities provided under those contracts.
- H. 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.
- I. Section 508 of the Rehabilitation Act of 1973 and its implementing regulations regarding ensuring that electronic and information technology are accessible to individuals with disabilities.
- J. Fair Housing and Civil Rights laws including the Fair Housing Act and related authorities (See 24 CFR 5.105(a)) and including affirmatively furthering fair housing.
- K. Equal Participation of Faith-Based Organizations in HUD Programs and Activities (24 CFR 5.109).
- L. Worker Protection Procedures. Applicants must observe the procedures for worker protection established in the HUD Guidelines, as well as the requirements of the Occupational Health and Safety Administration (OSHA) (29 CFR 1910, General Industry, and/or 1926, Construction, as applicable), or the state or local occupational safety and health regulations, whichever are most protective. If other applicable requirements contain more stringent requirements than the HUD Guidelines, the more rigorous standards shall be followed.
- M. Applicable portions of 2 CFR 200, Uniform Administrative Requirements, Cost Principle and Audit Requirements for Federal Awards, which may include 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. [2 CFR 200.216, Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment](#). Prohibition from obligating or expending loan or grant funds to:
 - a) Procure or obtain;
 - b) Extend or renew a contract to procure or obtain; or
 - c) Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in [Public Law 115-232](#), section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - i. For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.
2. [2 CFR 200.322 Domestic preferences for procurements](#).
 - a) To the greatest extent practicable under a Federal award, the contractor should provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.
 - b) For purposes of this section:
 - i. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
 - ii. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

N. 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.

- O. Debarment and Suspension (Executive Orders 12549 and 12689). A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- P. Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”
- Q. Procurement of Recovered Materials. Contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
- R. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

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. IHCD A 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, IHCD A 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 IHCD A 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. IHCD A reserves the right not to award a contract pursuant to the RFQ.
- J. All items become the property of IHCD A upon submission and will not be returned to the Respondent.
- K. IHCD A 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 IHCD A's Lead Hazard Reduction Demonstration Grant Program Contractor Agreement, which terms are non-negotiable.

4. QUALIFICATION COVER SHEET

Name of Individual:

Firm or Business:

Bidders list you are applying for (Lead Abatement Contractor, General Contractor, or both):

Address:

Phone Number:

Fax Number:

Web Site Address:

QUALIFICATION

Contact Person:

Title:

Email:

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: _____