

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ADOPTING A POLICY GOVERNING THE SELECTION OF CONTRACTORS FOR CONSTRUCTION PROJECTS AWARDED BY THE CITY PURSUANT TO THE STATEWIDE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM; APPROVING AND AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ), AT A MINIMUM, ONCE A YEAR, IN ORDER TO ESTABLISH AND MAINTAIN A POOL OF QUALIFIED CONTRACTORS; AND AUTHORIZING THE CITY MANAGER TO APPROVE BIDS AND EXECUTE AGREEMENTS WITH THE PRE-QUALIFIED CONTRACTORS FOR PROJECT SUMS EXCEEDING \$50,000, BUT NOT TO EXCEED THE TOTAL PROJECT AWARD LIMIT AUTHORIZED BY THE CITY'S LOCAL HOUSING ASSISTANCE PLAN (LHAP); AND FURTHER REQUIRING THE CITY MANAGER TO ISSUE A LETTER TO COMMISSION EACH FISCAL QUARTER, DELINEATING ANY APPROVED BIDS/AGREEMENTS THAT EXCEED THE \$50,000 THRESHOLD.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, memorialized in § 420.907-420.9079, Florida Statutes (1992) (The Act), and the SHIP program rule, issued by the Florida Housing Finance Corporation (FHFC), memorialized in Chapter 67-37, Florida Administrative Code (the Rule), require local governments to develop a one to three-year Local Housing Assistance Plan (LHAP) outlining how the SHIP funds will be used; and

WHEREAS, the Mayor and City Commission approved and adopted changes to the City's LHAP for FY 14/15 through 15/16 via Resolution No. 2017-29929, which, among other things, increased the award limit for owner-occupied rehabilitation projects, from \$40,000 to \$70,000; and

WHEREAS, the Mayor and City Commission approved and adopted the City's LHAP for Fiscal Years 16/17 through 18/19 via Resolution No. 2016-29663, pursuant to the requirements of the Act and the Rule, which LHAP currently provides an award limit of \$70,000 for owner-occupied rehabilitation projects; and

WHEREAS, the Office of Housing and Community Services (HCS) currently administers the bid process for eligible SHIP program rehabilitation projects, serving as the intermediary between the applicant and the contractor and ensuring that the funds are properly expended by following the program guidelines;

WHEREAS, HCS determines the eligibility of participants based on Housing and Urban Development (HUD) income requirements and updates the income limits annually; and

WHEREAS, SHIP funds require that 75 percent of a local government's total allocation must be used towards construction-related activities, including rehabilitation and emergency repairs; and

WHEREAS, HCS and the Procurement Department developed a policy with the goal of expediting the procurement process and ensuring that: 1) homeowners have access to qualified

contractors for all owner-occupied repairs; 2) projects are awarded in a competitive manner that maximizes available funds; 3) homeowners have a platform for performance evaluation of contractors; 4) contractors have clear guidelines to complete work and receive timely payments; 5) vendors comply with Building Department, Code Compliance and insurance requirements; and

WHEREAS, pursuant to Citywide Procedure P.O. 16.02, the City's threshold for a department to procure goods and services is limited to \$50,000 and there must be a formal competitive solicitation (ITB, RFP, RFQ, ITN) approved by the City Commission and the Procurement Department; and

WHEREAS, HCS would like to administer the bid process for the award of project sums exceeding \$50,000 (subject to the award limits set forth in the City's LHAP), by establishing a pool of qualified contractors through the use of a Request for Qualifications (RFQ) process, to be issued at least once a year; and

WHEREAS, the established list of qualified contractors can be used by the City and the eligible homeowners in connection with rehabilitation projects or disaster relief projects awarded through the SHIP program; and

WHEREAS, contractors seeking to participate in the City's SHIP program must be pre-qualified through the City's SHIP contractor prequalification process, through an RFQ process, and must maintain licensing, insurance and other qualifications required by the City; and

WHEREAS, the City contracts a third-party consultant for project management services via RFP #2014-325-JR to assist in the following: drafting a specification of work for the bid process, monitoring the project during construction and assisting with the closeout of the project; and

WHEREAS, the HCS SHIP Program Coordinator shall seek at least three written quotes from pre-qualified contractors and shall make reasonable efforts to maximize competition and if three quotes cannot be obtained, the approval of the City Manager shall be required; and

WHEREAS, The SHIP program prioritizes the repairs or improvements that are needed for safe or sanitary habitation, correction of substantial code violations, structural or systems faults, or the creation of additional living space; and

WHEREAS, Once HCS selects the lowest and most responsive bidder, a task order (including a scope of work and payment schedule) shall be executed between the City, the selected contractor and the homeowner; and

WHEREAS, any purchase order above \$50,000 will require the City Manager's approval; and

WHEREAS, the Administration recommends approving (in the form attached to the City Commission Memorandum accompanying this Resolution) a policy governing the selection of contractors for SHIP housing projects, as developed by the Office of Housing and Community Services and the Procurement Department.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt a policy governing the selection of contractors for construction projects awarded by the City pursuant to the Statewide Housing Initiatives Partnership Program (SHIP) program; approve

and authorize the Administration to issue a Request for Qualifications (RFQ), at a minimum, once a year, in order to establish and maintain a pool of qualified contractors; and authorize the City Manager to approve bids and execute agreements with the pre-qualified contractors for project sums exceeding \$50,000, but not to exceed the total project award limit authorized by the City's Local Housing Assistance Plan; and further requiring the City Manager to issue a Letter to Commission each fiscal quarter, delineating any approved bids/agreements that exceed the \$50,000 threshold.

Passed and adopted this _____ day of _____, 2018.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

1/4/18
Date