

## TEXAS DEPARTMENT OF AGRICULTURE



### **Addendum No. 3 December 20, 2017**

#### **RFQ TxCDBG Program Year 2018 Request for Qualifications Application to Prequalify Grant Administrators for as-needed Grant Writing and Administrative Services**

All requirements of RFQ TxCDBG Program Year 2018 released on November 21, 2017, except those specifically changed by this Addendum, shall remain in effect. In the event of any inconsistency between information provided in RFQ TxCDBG Program Year 2018 released on November 21, 2017, and information in this Addendum, the information in this Addendum shall prevail.

**Addendum No. 3** contains a correction to the RFQ TxCDBG Program Year 2018, released on November 21, 2017. This response shall clarify the requirements of the RFQ.

The Application due date is **Tuesday January 16<sup>th</sup>, 2018 at 5:00PM (Central Time)**. It should be noted that TDA will be closed on Monday, January 15<sup>th</sup> 2018 in observance of Martin Luther King, Jr. Day.

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### **Addendum No. 2 December 12, 2017**

**Addendum No. 2** contains questions submitted by interested parties and TDA's responses. These responses shall clarify the requirements of the RFQ.

*Question 1:* Will the prequalification for TxCDBG Administrators for 2018 satisfy the requirement for the Planning & Capacity Building Fund 2018 Applications?

*Response 1:* The 2018 Pre-Qualified RFQ process is only for Grant Administrators. Engineers and Planners fall outside this RFQ, however per the 2017 Implementation Manual (5.2.1), TDA recommends that communities procure service providers that may be used to assist the community in preparation of the application before the community begins preparation of the application. The purpose of recommending procurement of application services and implementation services prior to preparation of the application is to prevent any potential noncompliance issue with 2 CFR 200.319(a) requirements.

*Question 2:* Does TDA plan to issue a similar Request for Qualifications for the 2019-2020 TxCDBG Community Development Fund cycle? If so, when will it be announced and will the timeline allow a minimum of 150 days between Phase 2 and the application deadline?

*Response 2:* TDA will issue an annual RFQ's that will be inclusive of all Fund categories at the beginning of the TxCDBG's Program Year, which is Feb. 1. The PY 2018 Pre-Qualified list will be available to communities from 2/1/2018 to 1/31/2019. TDA intends to post an annual list on Feb. 1 of each year. In addition, there will be up to three quarterly updates, as needed to allow new administrators to be added to the list.

*Question 3:* How do we proceed with procurement on a new STEP project? STEP applications will be received on 2/1/2018. If we wait until 1/15/2018, the STEP funding could be obligated by then as STEP.

*Response 3:* As per Question #2 on Addendum #2, the Pre-Qualified Administrator two-step process should be used for any applications or contracts where no grant administrator has been procured (selected/awarded by the elected body) on or before February 1, 2018. The county should proceed with their own RFQ procurement prior to the application preparation. The timing does not work for the county to use TDA's 2018 RFQ to hire an administrator for a STEP application that is expected to be submitted by Feb. 1, 2018.

*Question 4:* Will TDA consider doing a comprehensive procurement for the 2019-2020 application round to include all grant programs (e.g. TCF, CEF, Urgent Need, DR, etc.)?

*Response 4:* TDA will issue an annual RFQ's that will be inclusive of all Fund categories at the beginning of the TxCDBG's Program Year. For the 2019-2020 CD application cycle, a community that begins their procurement in the summer of 2018, would use the PY 2018 Pre-Qualified list in procuring an a grant writer/administrator for their 2019-2020 CD application cycle. They would need to make the award before the 2018 Pre-Qualified list expires (1/31/19).

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### **Addendum No. 1 December 1, 2017**

**Addendum No. 1** contains questions submitted by interested parties and TDA's responses. These responses shall clarify the requirements of the RFQ

*Question 1:* Define "Pre-Qualified" and "Certified" as used in the TxCDBG Program.

*Response 1:* "Certified" administrators are administrators that have attended our annual Implementation workshop/webinar and therefore are eligible to be paid using TxCDBG funds. A community with a TxCDBG contract cannot use TxCDBG funds to pay for administration of a contract to an administrator that is not "Certified".

“Pre-Qualified” means that an administrator/firm has responded to TxCDBG request for qualifications and have meet the criteria set forth in the RFQ packet. Responding and meeting the criteria in the RFQ is Phase One and means that the administrator/firm will be listed in the TxCDBG pool of pre-approved grant administrators from which a community can proceed to Phase Two (solicit at least 3 administrators/firms from the pool, evaluation and final administrator/firm selection by the community). Phase Two is limited to only those administrators/firms in the pool. Pre-qualified and Pre-approved are used interchangeably for TxCDBG.

*Question 2:* If a city or county previously procured their administrator and engineer prior to submission of the 2017/2018 CD Fund application deadline, are they required to redo their procurement process if funded in 2018?

*Response 2:* The Pre-Qualified Administrator two-step process should be used for any applications or contracts where not grant administrator has been procured (selected/awarded by the elected body) on or before February 1, 2018.

*Question 3:* Is it correct that our firm does NOT need to pre-qualify as administrators to help write the grant application (before grant award)?

*Response 3:* If the firm only intends to assist with preparing the application (pre-award), you are correct. However, if the firm intends to also provide administration/implementation services (during the life of the grant contract), then the firm MUST pre-qualify under the Phase 1 administrator application process.

*Question 4:* Does our firm need to submit an application/RFQ to be considered eligible to help write grants (pre-award)?

*Response 4:* Bottom line is if your firm intends to administer TxCDBG contracts, then they should respond to the 2018 RFQ. If you assist a community with grant writing outside of Phase One, then the community would not be able to solicit you during Phase Two.

*Question 5:* What is the applicability of TDA’s RFQ to Councils of Government with interlocal agreements?

*Response 5:* The Interlocal Cooperation Act (Chapter 791 of the Texas Government Code) authorizes governmental entities to enter into agreements to provide services, which does not require competitive procurement.

The recommendation to procure grant administration services prior to preparing an application applies to the competitive procurement process. The inter-local agreements traditionally used by members of Councils of Government fall under the category of subrecipient agreements (ex. the COG is a subrecipient of the City designated by the agreement to provide administrative

services). As such, the requirements that apply to competitive procurement of services are not applicable.

As a subrecipient, the COG should enter into a written agreement that meets all of the requirements of 24 CFR 570.503. TDA recommends that communities complete the selection of administrative service providers (through either procurement or subrecipient inter-local agreement) prior to preparing the application if the administrative service provider or subrecipient will also provide assistance with preparing the application. The community is responsible for monitoring the subrecipient for compliance should the grant be awarded. A COG may also participate in the RFP process, subject to the same competitive procurement and conflict of interest provisions as other administrative services firms.

*Question 6:* Should communities that intend to self-administer TxCDBG contract(s) submit an Application to Prequalify Grant Administrators?

*Response 6:* No, only firms or individuals seeking to be procured to provide administrative services through a contract with a community must submit an Application to Prequalify Grant Administrators. However, TDA may request similar information in the future from communities that intend to self-administer a grant contract, and Councils of Government that offer administrative services as a subrecipient to a community, in order to ensure administrative capacity.