

09-145

REQUEST FOR PROFESSIONAL SERVICES SOLICITATION<sup>1</sup>

From: Kenya Smith (Initial) Department: COB Date: 12/1/09

To: (1) CHIEF ADMINISTRATIVE OFFICER  
(2) CITY ATTORNEY

Dept. Contact Person:
Name: <u>Kirsty Palumbo</u>
Phone: <u>650 8424</u>

Attachment(s): (a) DRAFT REQUEST FOR PROPOSALS/ QUALIFICATIONS  
(b) Proposed Announcement

Pursuant to Executive Order CRN 09-01, this will request you approve the professional services solicitation described below. A draft RFP/RFQ and announcement are attached for your review.

- Describe the need or purpose (supplement as needed):  
*The RFP is being issued to solicit proposals from applicants interested in accessing the City's Urban Development Action Grant (UDAG) fund for the development of economic and commercial development.*
- If known, describe the means proposed to satisfy the need or purpose:  
*An RFP will be issued for a minimum of 3 days to solicit proposals from activities qualified applicants.*
- State how the needed services are professional services:<sup>2</sup>  
*Proposers must demonstrate expertise in project management, economic development assessments and evaluations and fiscal management.*
- State the maximum permissible compensation and expenses payable under the base contract and each extension (if any):

	Compensation	Expenses	Total
Base Contract	\$ 3,000,000.00		\$ 3,000,000.00
Extension #1			
Extension #2			
Extension #3			
Extension #4			
Extension #5			
Total	\$ 3,000,000.00		\$ 3,000,000.00

5. Announcement Plan: **Departments will submit all approved RFPs/RFQs to the Purchasing Bureau for print and website publication.**

Note: Ex. Order CRN 09-01 requires publication for at least three consecutive days in the official City journal.

<b>CAO ACTION:</b> Projected compensation ( ) MORE THAN ( ) NOT MORE THAN \$150,000 <sup>3</sup> (City Atty for Law RFP/RFQ) Solicitation ( ) APPROVED ( ) DISAPPROVED. <b>DBE waived? Yes / No</b>
Remarks: _____ Initials & Date: _____
<b>CITY ATTORNEY ACTION:</b> The described services ARE / ARE NOT professional services. Form & Legality ( ) APPROVED ( ) DISAPPROVED Initials & Date: <u>DPW 12-1-09</u>
Remarks: _____

12/1/09

<sup>1</sup> Professional Services procurements costing less than \$15,000 do not require approvals by this means. (City Code Sect. 2-7). City Departments should yet obtain prior Law Department approval to proposed professional services contracts exempt from procurement.

<sup>2</sup> "The furnishing, in the City's interest, of labor, time, effort or expertise by a contractor with a professed knowledge in a field gained through a prolonged course of specialized education, work experience or training, in the practice of an art or attainments in professional knowledge, as distinguished from mere skill. Examples of professional services include, without limitation, the following types of services: accounting, actuarial, advertising, appraisal, architectural, architectural landscaping, computer programming and systems design, consulting, engineering, environmental consulting, financial underwriting, graphic design, insurance agents and/or brokers, legal, marketing, notarial, nursing, photography, physician, project management, surveying and mapping, title abstract, and video production." (Ex. Order CRN 09-01)

**MAINTAIN THIS APPROVED FORM WITH ALL LATER RECOMMENDATIONS, APPROVALS, DOCUMENTS, AND CONTRACTS.**

**City of New Orleans, Louisiana**  
**Office of Community Development**  
**Request for Proposals**  
**RFP No. 2131-00864**  
**UDAG Loan Fund Project**  
**December 30, 2009**

Request for Proposals: The City of New Orleans is seeking proposals from qualified firm(s) and organizations(s) outlining economic development projects to be funded by the City's Urban Development Action Grant (UDAG) Loan Fund. Requests should outline commercial project developments focused on creating employment opportunities and increasing the tax base citywide, with preference for projects located within the designated 18 Target Recovery Areas within Orleans Parish. The use of these funds for economic stimulus and development of these projects is critical to ensuring the continued progress of the City's recovery. As provided below, and incident to City Charter Section 6-308(5) and Executive Order CRN 09-01, it requests proposals from experienced firms to provide the needed services.

**Instructions:** Applicants shall submit the following to the *Office of Community Development* directed Attention: *Kristy Palumbo, Special Assistant, 1340 Poydras St., Ste. 1000, New Orleans, LA, 70112 Email: klpalumbo@cityofno.com not later than Thursday, January 28, 2010 4:30 p.m. CST:*

- a) Signed proposals in Microsoft Word format or as a PDF file formatted with one inch margins and type no smaller than 12 single spaced, marked **UDAG Loan Fund Project Proposal;**
- b) **Five (5)** hard copies in of the proposal in bound form with a maximum size of 8 ½ inches by 11 inches enclosed in a sealed envelope, marked **UDAG Loan Fund Project Proposal.**

Proposals should clearly demonstrate the applicant's qualifications to perform the needed services and attend all factors applicable in a professional relationship. Proposals should include detailed resumes or curricula vitae for the principals performing the services. The City will reasonably attempt to answer questions submitted in advance. Copies of the solicitation and related information are available from the City's purchasing website at <http://www.purchasing.cityofno.com/bsollogin.jsp>.

The City will not accept proposals submitted by fax. All proposals **must be received** by the City on or before the Delivery Deadline as conclusively evidenced by the City's e-mail server. The City will not accept proposals delivered after the deadline. The City will not credit delivery claims not clearly documented by original receipt. The respondents shall submit a completed Tax Clearance Certificate with the proposal (see Attachment "D").

If the City identifies a likely service provider, it may negotiate a final agreement with the provider and fix the relationship by Professional Services contract generally according to CAO Policy Memorandum 8R. The contract will contain the standard City provisions shown in Attachment "B" and the "Disadvantaged Business Enterprise" ("DBE") provisions shown in Attachment "C."

Proposals MUST contain the following statement signed by the applicant or its authorized representative, **“By responding to this RFP, respondent agrees to the City’s Required Contract Provisions as provided in Attachment “B” and therefore waives any future right to contest the required provisions.”**

1. DBE Program Compliance: Proposals MUST contain the following statement signed by the applicant or its authorized representative, **“The Bidder agrees to use its Best Efforts to fully comply with the DBE Program, including all reporting requirements and any specific contract goals for DBE participation.”**

The requirements of the City’s DBE Program apply to this solicitation. It is policy of the City of New Orleans to practice nondiscrimination based on social and economic disadvantage, race, color, sex, gender, disability or national origin. All firms qualifying under this solicitation must submit with proposals a statement as to how they intend to meet this requirement. Award of this solicitation shall not be considered unless the respondent indicates how they will satisfy the requirements of the DBE Program. A DBE contract goal of 35 percent has been established for this solicitation. The respondent shall agree to use its best efforts, as determined by the DBE Compliance Officer to assure that all respondents comply with the factors set forth in the DBE Program, to meet the contract goal for DBE participation in the performance of this solicitation.

The following information must be contained with supporting documentation as outlined in Attachment “E” in the respondent’s proposal.

- i. The names and addresses of all DBE firms that will participate in the contract;
- ii. The dollar amount commitment of the participation of each DBE firm participating in the contract;
- iii. Written confirmation from the named DBE(s), verifying their participation in the contract as provided in the commitments made under (i) and (ii) above; and
- iv. If the contract goal is not met, evidence of best efforts.

The City participates in the State and Local Disadvantaged Business Enterprise Program (“SLDBE”) which also includes the Sewerage & Water Board (“S&WB”) and New Orleans Aviation Board (“NOAB”). These agencies have agreed to grant one another reciprocity with respect to the businesses certified as DBEs.

The respondent must select a DBE(s) from one of the following lists to be compliant with the City’s DBE contract goal: [www.cityofno.com](http://www.cityofno.com), [www.swbno.org](http://www.swbno.org) and [www.flymsy.com](http://www.flymsy.com). If respondent selects a DBE(s) from any of the above lists, it can be safely assumed that the business is certified with all three agencies.

Please direct all questions related to DBE compliance prior to submission of the proposal to Alvin Porter, Office of Supplier Diversity, 1300 Perdido Street, Room 9E06, New Orleans, LA 70112, telephone: 658-4235, email: [apporter@cityofno.com](mailto:apporter@cityofno.com).

2. Services Needed: Attachment “A” describes the needed services.

3. Selection: The City will select an applicant generally according to the procedures described in Executive Order CRN 09-01 and Chief Administrative Officer (“CAO”) Policy Memorandum 8R. The City will apply the following selection criteria and weighting factors to evaluate proposals:

- (20%) Quality and completeness of proposal addressing loan fund application requirements outlined in "Attachment A – Needed Services". Plan(s) should be detailed, presenting specific tasks, labor hours and fees for services. Overall, proposals will be evaluated for quality and applicability of proposed work plans;
- (20%) Performance history, including, without limitation, qualifications, competency, responsiveness, cost control, work quality and the ability to meet schedules and deadlines and should reflect the firm(s) level of specialized experience and technical competence;
- (20%) Maintenance of an office, residence or domicile in Greater New Orleans. Preference or first consideration will be given to respondents who maintain an office, residence or domicile in any of the parishes which comprise the Regional Planning Commission (Orleans, St. Bernard, Plaquemines, Jefferson and St. Tammany);
- (10%) Project location in one of City designated 18 Target Area Recovery Zones (see listing of Target Recovery Zones as "Attachment F");
- (20%) Willingness to promote full and equal business opportunities in accordance with the City's Disadvantaged Business Enterprise Program;
- (10%) Amount of total project investment/impact and number of jobs created.

4. Ownership: All proposals and all documentation submitted therewith are City property for all purposes. Applicants will clearly mark documents or information claimed exempt from public records disclosure and specifically justify the exemption. The City will not credit any blanket exemption claims lacking specific justification. The City does not guarantee the confidentiality of submissions.

5. Effect: This Request for Proposals and any related discussions or evaluations by anyone create no rights or obligations whatsoever. The City may cancel or modify this solicitation at any time at will, with or without notice. Anything to the contrary notwithstanding, the Professional Services contract executed by the City and the selected applicant, if any, is the exclusive statement of rights and obligations extending from this solicitation.

**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "A"**

**NEEDED SERVICES**

The City's Office of Community Development - Department of Economic Development is soliciting proposals from qualified business entities requesting support for the development of commercial projects located within Orleans Parish, with preference for projects located in one of the City designated 18 Target Area Recovery Zones.

Specifically, the City is seeking proposals supporting the development of commercial projects that create new permanent jobs and directly enhance wealth. Projects ineligible for application include public education projects, housing projects, physical infrastructure that does not directly create new permanent jobs or directly enhance wealth, or any project where the applicant is acting as a vehicle to transfer funds.

Proposals should be specific to the information requested and the tasks and services described in the application. Proposals must respond to all of the services and tasks described in this application. Responders who submit proposals late or who submit proposals that are not in compliance with the requirements of this application shall be disqualified.

**Proposal Submission Requirements**

All proposals submitted must include the following information in the order listed below:

1. Cover Letter: A cover letter should accompany the proposal. It should be addressed to:  
Kenya Smith  
Executive Assistant to the Mayor, Office of Community Development  
1340 Poydras St., Suite 1000  
New Orleans, LA 70112

The cover letter should state that you are formally applying for the UDAG Loan fund. Please present the facts and evidence that support the need for the assistance being requested. Also, describe how your project fits within the overall mission of the Office of Community Development – Department of Economic Development. The mission statement is listed below for your review and consideration:

***Overall Mission:*** *To develop a more diverse and sustainable economy by focusing on strategic economic sectors such as bioscience, advance technology, distribution visitor services, related activities, and enhance the economic clusters that are a natural part of the New Orleans economy.*

2. Company's name, address, telephone and fax number, and name and contact information, including email address of main applicant. Please provide Federal Tax Identification number.
3. Table of Contents with Executive Summary.
4. Project Description with analysis detailing the economic impact on how the proposer's services will affect the City of New Orleans. This description *must* be detailed.
5. Description of firm size, business history, qualifications, and other pertinent information including an identification and list of responsibilities of key project personnel, including any project partners and/or subcontractors who will participate if an award is made by the City.
6. Proposed budget to include facility design and construction, equipment, operation cost, and employee training.
7. Financial Statements
  - a) Please provide audited financial statements for the last two years, if available. If audited statements are not available, submit financial statements for the last two years including a balance sheet and income statement prepared by an independent third party. Also include copies of Federal Tax Returns for the past two years. If the applicant is a partnership or joint venture, individual financial statements must be submitted for each general partner(s) and/or participant of joint venture.
  - b) A disclosure as to whether any of the organization's officers, principals or partners has been convicted of a felony in the last five (5) years and if so, a statement detailing the nature of the conviction.
  - c) A minimum of five (5) business references including names, addresses, telephone numbers and the nature and magnitude of the business association in each instance. These references must be persons or firms with whom you have transacted business during the past five (5) years.
  - d) A minimum of five (5) financial references including names, addresses and telephone numbers in each instance. It is required that two (2) of the five (5) references be banks or savings and loan institutions; also indicate the type of relationship for each reference.
8. Prepare a financial plan for the specific building property/site and being requested which shall include:
  - a) Identify any anticipated costs associated with occupying the buildings, e.g., construction costs, security, licenses and permits, outside services. Identify sources and uses for any financing that may be required.
  - b) A three (3) year projected operating cash-flow analysis for the Project which shall include: annual gross income (with sources of all income and revenue producing operations for the Project identified), a complete breakdown of expenses (including, as applicable, vacancy costs, utility costs, maintenance costs, management fees, security costs, capital and operating reserves, salaries and benefits, insurance, real estate taxes, other expenses (postage, collections,

training, supplies, etc.), net operating income before debt service and depreciation, debt service, net operating income after debt service and depreciation.

- c) A detailed statement of the source of anticipated funding to establish the Project operations, including a statement that funds are currently available for expenditure to carry out the proposed Project. Note: If the proposed Project contemplates major development costs and funds are not currently available, identify plans and sources of funds to carry out the proposed Project and development.
  - d) Indicate whether the applicant is receiving federal, state or local grants or subsidies for programs they provide. If so, what percentage of the total organizational revenue will rely on these grants?
  - e) A description of any funding contingencies that may exist which would preclude commencement of the Project in a timely manner.
9. Provide the number of new permanent jobs, and number of construction jobs that will be created as a result of your project.
  10. Provide references from regulatory agencies the proposer has dealt with in providing similar services for existing similar facilities (i.e., Local, State, and Federal Enforcement Agencies, etc.).
  11. Description of proposer's intent and plans to comply with the City's Open Access Plan.
  12. Additional information, including but not limited to, detailed management/marketing plans regarding Projects proposed by applicants may be requested at a later date. Please note: Information in this section will not be released to the public without the written consent of the applicant.

The City of New Orleans reserves the right to require clarification of any information submitted from any of the applicants.

## **E. TERMS AND CONDITIONS**

Any contract awarded as a result of this notice will include the contents of this document and the selected respondent's proposal. The provisions and requirements of this application and contract shall take precedence in the event of any conflict in language between the application and a respondent's proposal.

The application, any amendments thereto, and the response of the selected contractor will become a substantive part of any contract.

Any contract awarded as a result of this application shall be governed by and construed within laws of the United States of America, the State of Louisiana and the City of New Orleans. Proposers shall comply with federal law, Louisiana law, the Home Rule Charter of the City of New Orleans, and applicable City of New Orleans ordinances.

Proposers shall not offer any gratuities, favors, or anything of monetary value to any official or employee of the City of New Orleans or their respective advisors for the purpose of influencing the consideration or evaluation of a proposal submitted in response to this notice.

Proposers shall not collude in any manner or engage in any practices with any other proposer or proposers that may restrict or eliminate competition or otherwise restrain trade. Violation of this requirement shall be cause for rejecting a proposal. This prohibition is not intended to preclude joint ventures or subcontracts.

All proposals submitted must be the original work product of the proposer. Copying, paraphrasing, or otherwise using substantial portions of the work product of another proposer is not permitted. Failure to adhere to this prohibition shall be cause for a proposal to be rejected.

Additional terms and conditions to which the selected respondent must agree are listed below:

1. **Confidentiality and Ownership**

All proposals and responses hereto become the property of the City of New Orleans. The contents of this document and any responses or submissions are subject to public inspection, as required by the Public Records Act of the State of Louisiana. The City has the right to use any concept or idea contained in a proposal submitted in response to the notice. The proposer agrees that all images, audio, video and other materials produced for the project become the property of the City of New Orleans, and the City will retain the copyright for these materials.

2. **Regulatory Constraints**

All proposals must comply with the City of New Orleans Code of Ethics, the Public Records Act of the State of Louisiana, and any other local, state or federal statutes governing the provision of services specified herein.

3. **Rights Reserved**

The City retains the right to waive minor irregularities in any aspect of proposals submitted.

In addition, the City may:

- (a) award a contract without further discussion;
- (b) hold proposals valid for 180 days from the due date of submission;
- (c) require additional information from any respondent;
- (d) request a best and final offer;
- (e) adjust the procurement schedule;
- (f) reject all proposals;
- (g) extend the proposal submission deadline; and
- (h) cancel the request for proposals and associated procurement without notice.

Advertisement and solicitation of this notice does not commit the City to award of a contract



**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "B"**

**REQUIRED CONTRACT PROVISIONS**

1. **EQUAL EMPLOYMENT OPPORTUNITY:** In all hiring or employment made possible by, or resulting from this contract, there (1) will not be any discrimination against any employee or applicant for employment because of race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry, and (2) where applicable, affirmative action will be taken to ensure that the Contractors employees are treated during employment without regard to their race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry. This requirement shall apply to, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training, including apprenticeship. All solicitations or advertisements for employees shall state that all qualified applicants will receive consideration for employment without regard to race, color, religion, gender, age, physical or mental disability, national origin, sexual orientation, creed, culture, or ancestry.
2. **ASSIGNABILITY:** The Contractor shall not assign any interest in this agreement and shall not transfer any interest in the same without prior written consent of the City of New Orleans.
3. **CONFLICT OF INTEREST:** In the interest of ensuring that efforts of the Contractor do not conflict with the interests of the City, and in recognition of the Contractor's responsibility to the City, the Contractor agrees to decline any offer of employment if its independent work on behalf of the City is likely to be adversely affected by the acceptance of such employment. The initial determination of such a possibility rests with the Contractor. It is incumbent upon the Contractor to notify the City and provide full disclosure of the possible effects of such employment on the Contractor's independent work in behalf of the City. Final decision on any disputed offers of other employment for the Contractor shall rest with the City Attorney.
4. **INDEMNIFICATION:** The Contractor shall indemnify and save the City harmless against any and all claims, demands, suits, judgments of sums of money to any party accruing against the City for loss of life or injury or damage to persons or property growing out of, resulting from, or by reason of any act or omission or the operation of the Contractor, its agents, servants or employees while engaged in or about or in connection with the discharge or performance of the services to be done or performed by the Contractor hereunder and shall also hold the City harmless from any and all claims and/or liens for labor, services, or materials furnished to the Contractor in connection with the performance of its obligation under this Agreement.
5. **ACKNOWLEDGMENT OF EXCLUSION OF WORKER'S COMPENSATION COVERAGE:** Contractor herein expressly agrees and acknowledges that it is an independent contractor as defined in R.S. 23:1021 (6) and as such, it is expressly agreed and understood between the parties hereto, in entering into this services agreement, that the City of New Orleans shall not be liable to the Contractor for any benefits or coverage as provided by the Workmen's Compensation Law of the State of Louisiana, and further, under the provisions of R.S. 23:1034 anyone employed by the Contractor shall not be considered an employee of the City for the purpose of Worker's Compensation coverage.

6. ACKNOWLEDGMENT OF EXCLUSION OF UNEMPLOYMENT COMPENSATION COVERAGE: Contractor herein expressly declares and acknowledges that it is an independent contractor, and as such is being hired by the City under this agreement for hire as noted and defined in R.S. 23:1472 (E), and therefore, it is expressly declared and understood between the parties hereto, in entering into this services agreement, or agreement for hire, and in connection with unemployment compensation only, that:

a. Contractor has been and will be free from any control or direction by the City over the performance of the services covered by this contract; and

b. Services to be performed by Contractor are outside the normal course and scope of the City's usual business; and

c. Contractor has been independently engaged in performing the services listed herein prior to the date of this agreement.

Consequently, neither Contractor nor anyone employed by Contractor shall be considered an employee of the City for the purpose of unemployment compensation coverage, the same being hereby expressly waived and excluded by the parties hereto.

7. WAIVER OF SICK AND ANNUAL LEAVE BENEFITS: It is expressly agreed and understood between the parties entering into this services agreement that the Contractor, acting as an independent agent, shall not receive any sick and annual leave benefits from the City of New Orleans.

8. JURISDICTION & CHOICE OF LAW: The Contractor hereby consents and yields to the jurisdiction of the State Civil Courts of the Parish of Orleans, and does hereby formally waive any pleas of jurisdiction on account of the residence elsewhere of the Contractor. This agreement shall be construed and enforced according to the laws of the state of Louisiana, excepting its conflict of laws provisions.

9. DURATION: This Agreement shall commence on the Effective Date and shall continue for a period of *twelve (12)* months. It is understood and acknowledged by Contractor that the Services described above are expected to be completed within this time period.

10. APPROPRIATION AND/ OR EXTENSION: This agreement may be extended at the option of the City, provided that funds are allocated by the Council of the City of New Orleans and the extension of the agreement facilitates the continuity of services provided herein. This agreement may be extended by the City on an annual basis for no longer than five one year periods.

11. SOLICITATION: The Contractor has not employed or retained any company or person, other than a bona fide employee working solely for him, to solicit or secure the subject contract. The Contractor has not paid or agreed to pay any person, other than a bona fide employee working for him, any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the subject contract.

12. AUDIT AND OTHER OVERSIGHT: The Contractor understands and will abide by all provisions of the Code of the City of New Orleans, Chapter 2, Art. XIII, Sect. 9-1120, as adopted by City Ordinance No. 22,888 M.C.S., (relative to the operations and authority of the City Inspector General), incorporated herein by reference.

**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "C"**

**REQUIRED CONTRACT DBE PROVISIONS**

"DBE Program Compliance. Contractor agrees to use its best efforts to fully and completely carry out the applicable requirements of the City's DBE Program in the award and administration of this Agreement, including, without limitation, all reporting requirements and specific DBE participation goals. Contractor's failure to carry out these requirements, as determined in good faith by the DBE Compliance Officer, shall be deemed a material breach of this Agreement, which may result in the termination of this Agreement or such other remedy as set forth in the City's Policy Memorandum for the DBE Program."

"DBE Compliance Reporting. Contractor agrees to provide quarterly written reports to the DBE Compliance Officer on all expenditures made to achieve compliance with the DBE participation goals for this Agreement. The report shall, at a minimum, include the following:

- i. The name and business address of each DBE involved in the contract;
- ii. A description of the work performed and/or the product or service supplied by each DBE;
- iii. The date and amount of each expenditure made to a DBE; and
- iv. Such other information as may assist the DBE Compliance Officer in determining Contractor's compliance with the DBE Program and the status of any DBE performing any portion of the contract."

"Access to Books and Records. Contractor agrees to grant DBE Compliance Officer reasonable access to its books and records for purposes of verifying compliance with the DBE Program."

**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "D"**

**TAX CLEARANCE CERTIFICATE**

**See attachment**

According to Section 2-8 of the Code of the City of New Orleans, Louisiana 1995, the City may not enter into or make payments under a contract, grant or cooperative endeavor agreement with any person, corporation, or entity delinquent in City taxes. This form supplies the needed tax clearance. This clearance is issued without prejudice to any tax liabilities discovered by audit.

**Please refer to the instruction on the back of this form**

**Bid/RFP No.:** \_\_\_\_\_

**Contracting Department:** \_\_\_\_\_

**TYPE OF BUSINESS:**

**BUSINESS NAME:**

**REAL ESTATE TAX NUMBER:**

**OWNER'S NAME:**

**BUSINESS ADDRESS:**

**PERSONAL PROPERTY TAX NUMBER:**

**MAILING ADDRESS:**

**CONTACT TELEPHONE:**

**SALES TAX/OCCUPATIONAL LICENSE NUMBER:**

**FAX NUMBER:**

**E-MAIL ADDRESS:**

**PRINT NAME:**

**TITLE:**

**AUTHORIZED SIGNATURE:**

**DATE SIGNED:**

I certify that I have the authority to execute this form with respect to the tax matters covered and that the above is true and correct. The City of New Orleans is authorized to inspect and/or receive confidential tax information.

**BUREAU OF REVENUE (Room 1W15)**

**BUREAU OF TREASURY (Room 1W37)**

This clearance covers Occupational License and Sales/Use taxes.

This clearance covers Ad Valorem taxes for Real Estate and Business Property taxes.

I HEREBY ASSERT THAT AFTER REVIEW OF THE TAXPAYER'S RECORDS OF THIS DATE THAT THE TAXPAYER IS **NOT** DELINQUENT IN ANY TAXES OWED TO THE CITY.

I HEREBY ASSERT THAT AFTER REVIEW OF THE TAXPAYER'S RECORDS OF THIS DATE THAT THE TAXPAYER IS **NOT** DELINQUENT IN ANY TAXES OWED TO THE CITY.

\_\_\_\_\_  
**COLLECTOR OF REVENUE**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**TREASURY CHIEF**

\_\_\_\_\_  
**DATE**

I attest that the taxpayer named above is **not** delinquent in any taxes owed to the city.

\_\_\_\_\_  
**DIRECTOR OF FINANCE**

\_\_\_\_\_  
**DATE**

## INSTRUCTIONS

1. To complete this form, provide all of the information requested. Failure to fill in ALL information requested will delay processing. If the form is not signed and dated, the form will not be processed.
2. Complete, sign and date the authorization form and submit in any of the following ways:
  - a. In person or by mail to: City Hall, Department of Finance, 1300 Perdido Street, Room 4W07, New Orleans, LA 70112
  - b. Via Facsimile (Fax): (504) 658-1570
3. This form authorizes the City of New Orleans to inspect and/or receive your confidential tax information.
4. This Tax Clearance Authorization will not be honored for any purpose other than contracting with the City of New Orleans.
5. A separate Tax Clearance Authorization is required for each contract.
6. If you need additional information regarding this authorization, please call the Department of Finance at (504) 658-1550, or e-mail [purchasing@cityofno.com](mailto:purchasing@cityofno.com)
7. The following requirements must be met in order for a Tax Clearance Authorization form to be approved by the City of New Orleans. It is recommended that all outstanding tax and business registration be completed prior to processing the form to expedite contract execution.

### **Real Estate/Personal Property Tax**

- o Businesses are required to be current in payment of all Real Estate Tax and Personal Property Tax.
- o A business can visit the City of New Orleans' website, [www.cityofno.com](http://www.cityofno.com) at the Bureau of Treasury webpage to pay outstanding Real Estate and Personal Property taxes due.
- o A business can mail outstanding tax payments to City of New Orleans, Bureau of the Treasury 1300 Perdido St., Room 1W38, New Orleans, La. 70112.

### **Sales Tax/Occupational License**

- o All businesses are required to have a City of New Orleans Sales Tax number.
- o If the business is located within Orleans Parish, an Occupational License is also required. If the business is domiciled outside of Orleans Parish, a registration is required to be completed to obtain a Revenue account number.

- If a business is not registered, a New Business Application must be completed. The application can be found on the City of New Orleans' website, [www.cityofno.com](http://www.cityofno.com), at the Bureau of Revenue webpage. Under Online Revenue Documents, an application can be downloaded and returned to the City of New Orleans, Bureau of Revenue, 1300 Perdido St., Room 1W15, New Orleans, LA 70112. Any questions may be forwarded to Revenue Administration, 658-1695 or 658-1666.
- Non-profit organizations must comply with the Occupational License requirements by completing a New Business Application. The application can be found on the City of New Orleans' website, [www.cityofno.com](http://www.cityofno.com), at the Bureau of Revenue webpage. Under Online Revenue Documents, an application can be downloaded and returned to the City of New Orleans, Bureau of Revenue, 1300 Perdido St., Room 1W15, New Orleans, LA 70112. Any questions may be forwarded to Revenue Administration, 658-1695 or 658-1666.
- Once exempt status is confirmed for the non-profit organization, the organization is exempt from Occupational License fees.

**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "E"**

**FORM DBE-1 and EVIDENCE OF BEST EFFORTS**

**See attachment**



**FORM DBE-1**  
**DISADVANTAGED BUSINESS ENTERPRISE (DBE) RESPONSIVENESS FORM**  
*This form should be completed by respondents within the time specified in the Invitation to Bid or RFP.*

The undersigned bidder/ respondent has satisfied the requirements of the bid specification or RFP in the following manner (please check the appropriate space):

\_\_\_\_\_ The bidder/ respondent is committed to a minimum of \_\_\_\_\_ % DBE utilization on this contract.

\_\_\_\_\_ The bidder/ respondent (in unable to meet the DBE goal of \_\_\_\_\_ %) is committed to a minimum of \_\_\_\_\_ % DBE utilization on this contract and will submit documentation demonstrating best efforts.

Name of bidder/respondent's firm: \_\_\_\_\_

State Registration Number: \_\_\_\_\_

By \_\_\_\_\_  
(Signature) (Title)

Name of DBE firm: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_

Description of work to be performed by DBE firm: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

The bidder/respondent is committed to utilizing the above-named DBE firm for the work described above.

The estimated dollar value of this work is \$ \_\_\_\_\_.

**Affirmation**

The above-named DBE firm affirms that it will perform the portion of the contract for the estimated dollar value as stated above.

By: \_\_\_\_\_  
(Signature) (Title)

## STANDARDS OF DEMONSTRATED BEST EFFORTS

Before receiving an award of the contract, the contractor must meet the DBE goals or prove that he/she has made demonstrated BEST EFFORTS. To determine whether a particular contract bidder has made demonstrated BEST EFFORTS to reach the DBE participation goal, the Office of Supplier Diversity and its staff will consider the following:

- a. whether the contractor attended all pre-bid meetings that may have been scheduled by the City of New Orleans to inform DBE firms of subcontracting opportunities and/or requested the City of New Orleans Directory of Certified DBE firms;
- b. whether the contractor advertised in general circulation and trade association publications, concerning the DBE subcontracting opportunities, and allowed the subcontractors reasonable time to respond;
- c. whether the contractor provided written notice to a reasonable number of individually named DBE firms and allowed sufficient time for the DBE firms to participate effectively;
- d. whether the contractor followed up initial solicitations of interest by contacting DBEs to determine with certainty whether the DBEs were interested in bidding;
- e. whether the contractor selected specific portions of the work to be performed by DBEs in order to increase the likelihood of meeting the DBE goals (including breaking down contracts into smaller units to facilitate DBE participation);
- f. whether the contractor provided interested DBEs with adequate information about the plans, specifications and requirements of the contract;
- g. whether the contractor negotiated in "good faith" with interested DBEs and did not reject DBEs as unqualified without sound reasons based on a thorough investigation of their capabilities;

- h.** if the contractor did reject a DBE as unqualified, the contractor must state his or her reason for doing so in writing;
- i.** whether the contractor has used the services of available community organizations and small and/or disadvantageded business groups; local, state and federal small or disadvantage business assistance offices; and other organizations that provide assistance in the recruitment and placement of DBE firms;
- j.** whether the contractor has made sufficient efforts to negotiate with DBEs for specific sub-bids, including at a minimum:

  - (1)** names, addresses, telephone numbers of DBEs that the contractor contacted,
  - (2)** a description of information provided to those DBE firms, and
  - (3)** a statement of why additional agreements with DBEs were not reached to include but not limited to proof the DBEs' price exceeded that of non-DBEs.

**City of New Orleans, Louisiana  
Office of Community Development  
Request for Proposals  
RFP No. 2131-00864  
UDAG Loan Fund Project  
December 30, 2009**

**Attachment "F"**

**Listing of City Designated Target Area Recovery Zones**

**Alcee Fortier  
Bayou Rd. and Broad St.  
Broad and Lafitte Greenway  
Broadmoor  
Canal St.  
Carrolton Avenue at I-10  
Freret Street  
Gentilly at Elysian Fields  
Harrison Avenue  
Lower Ninth Ward  
Oretha Castle Haley Blvd.  
New Orleans East  
Robert E. Lee at Paris Ave.  
Special Algiers Nexus at Federal City  
St. Bernard – AP Tureaud at N. Claiborne Ave.  
S. Claiborne at Toledano  
St. Roch Market  
Tulane Ave. and Jefferson Davis Pkwy.**

## INTEROFFICE MEMORANDUM

TO: Kenya Smith, Executive Assistant to the Mayor, OCD  
FROM: Alvin G. Porter, Director, Office of Supplier Diversity *AP*  
DATE: February 11, 2010  
RE: **UDAG Loan Fund Projects RFP**

---

The City of New Orleans' Office of Recovery and Development Administration received proposals from qualified firms or ventures for **loan fund projects**.

**Thirty-five percent (35%) DBE participation goal was requested on this contract.**

The top four proposals have been reviewed for DBE Participation;

**Doucette & Associates Contractors, Inc.  
Seniorlink, LLC  
TAG, Businesses LLC  
Zulu Social Aid and Pleasure Club, Inc.**

— **Doucette & Associates Constructors, Inc.**, a New Orleans firm, included a statement of commitment to Best Effort within their proposal, but failed to Demonstrate Best Effort with Documentation  
**City of New Orleans certified DBE Participation** **0%**

— **Seniorlink, LLC**, a New Orleans firm, failed to include a statement of Best Effort within their proposal.  
**City of New Orleans certified DBE Participation** **0%**

— **TAG, Businesses LLC** a New Orleans firm, included a statement of Best Effort within their proposal, but failed to Demonstrate Best Effort with Documentation  
**City of New Orleans certified DBE Participation** **0%**

— **Zulu Social Aid and Pleasure Club, Inc.** a New Orleans organization, submitted the following subcontractor(s):  
HEWITT, WASHINGTON & ASSOCIATES (NOAB Federal-certified DBE) to provide architectural and project management services  
**City of New Orleans certified SLDBE Participation** **0%**  
**Other certified DBE Participation** **35%**

---

**Doucette & Associates Contractors, Inc.; Seniorlink, LLC; TAG, Businesses LLC; and Zulu Social Aid and Pleasure Club, Inc. failed to meet the 35% City of New Orleans certified SLDBE participation goal.**

**Zulu Social Aid and Pleasure Club, Inc. demonstrated Best Effort by including participation of a DBE certified by another Louisiana governmental agency**

Please advise as to whether you need additional information to make your decision.

# CITY OF NEW ORLEANS

C. RAY NAGIN  
MAYOR

KENYA J. H. SMITH  
EXECUTIVE ASSISTANT TO THE MAYOR

**To:** Honorable C. Ray Nagin, Mayor  
**From:** Kenya J.H. Smith, Executive Assistant to the Mayor  
Office of Community Development  
**Date:** February 11, 2010  
**Subject:** Urban Development Action Grant (UDAG) RFP

---

On Thursday, December 30, 2009 the Mayor's Office of Community Development advertised a Request for Proposals (RFP) to fund qualified economic development projects from the City's Urban Development Action Grant (UDAG) Loan Program.

The UDAG fund is designed for economic stimulation and development of projects critical to ensuring the continued programs of the City's recovery. The RFP was advertised via the City's website Purchasing portal and in *The Times Picayune*. Four (4) proposals were received timely in response to the RFP.

The proposals are rated as follows:

<u>Name of Vendor</u>	<u>Ranked Score</u>
Doucette & Associated Contractors	35
Seniorlink, LLC	45
TAG, Businesses, LLC	88
Zulu Social Aid and Pleasure Club	84

The respondents were required to provide the following information with their proposals so the DBE Compliance Officer could make a determination as to whether or not they were compliant with the City's DBE goal:

1. The names and addresses of all DBE firms that will participate in the contract;
2. The dollar amount commitment of the participation of each DBE firm participating in the contract;
3. Written confirmation from the named DBE(s), verifying their participation in the contract as provided in the commitments made under (i) and (ii) above; and
4. If the contract goal is not met, evidence of best efforts.



**Page 2**

**UDAG RFP Recommendation Memo**

Accordingly, attached for your consideration for the award are copies of the proposals submitted by the above responders, as well as a signed ranking of each responder. Also attached for your review is the memorandum prepared by Alvin Porter, Director of Office of Supplier Diversity, regarding DBE compliance.

**Selection: Please initial selected firm(s) and sign below**

\_\_\_\_\_ **Zulu Social Aid and Pleasure Club**

\_\_\_\_\_ **TAG, Businesses, LLC**

\_\_\_\_\_ **Senior Link, LLC**

\_\_\_\_\_ **Doucette & Associated Contractors**

---

**C. Ray Nagin, Mayor  
City of New Orleans**

**Enclosures**


**Cc: Brenda G. Hatfield, Ph.D., Chief Administrative Officer  
Penya M. Moses-Fields, City Attorney**



CITY OF NEW ORLEANS

**CITY OF NEW ORLEANS  
OFFICE OF COMMUNITY DEVELOPMENT  
RFP Evaluation – UDAG Loan Fund Project Proposals  
January 28, 2010**

<b>NAME OF VENDOR</b>	Quality and completeness of proposal addressing loan fund application requirements outlined in "Attachment A – Needed Services". Plan(s) should be detailed, presenting specific tasks, labor hours and fees for services. Overall, proposals will be evaluated for quality and applicability of proposed work plans.  <i>(20%)</i>	Performance history, including, without limitation, competency, responsiveness, cost control, work quality and the ability to meet schedules and deadlines and should reflect the firm(s) level of specialized experience and technical competence.  <i>(20%)</i>	Maintenance of an office, residence or domicile in Greater New Orleans. Preference or first consideration will be given to respondents who maintain an office, residence or domicile in any of the parishes which comprise the Regional Planning Commission (Orleans, St. Bernard, Plaquemines, Jefferson and St. Tammany).  <i>(20%)</i>	Willingness to promote full and equal business opportunities in accordance with the City's Disadvantaged Business Enterprise Program.  <i>(20%)</i>	Amount of total project investment and number of jobs created.  <i>(10%)</i>	Project location in one of City designated 18 Target Area Recovery Zones.  <i>(10%)</i>	<b>Total</b>
<b>Doucette &amp; Associated Contractors</b>	<i>15</i>	<i>5</i>	<del>0</del>	<i>10</i>	<i>5</i>	<del>0</del>	<i>35</i>
<b>Seniorlink LLC</b>	<i>15</i>	<i>10</i>	<i>15</i>	<del>0</del>	<i>5</i>	<del>0</del>	<i>45</i>
<b>TAG, Businesses LLC.</b>	<i>20</i>	<i>18</i>	<i>20</i>	<i>10</i>	<i>10</i>	<i>10</i>	<i>88</i>
<b>Zulu Social Aid and Pleasure Club</b>	<i>20</i>	<i>16</i>	<i>20</i>	<i>20</i>	<i>8</i>	<del>0</del>	<i>84</i>

  
 \_\_\_\_\_  
 Kenya J.H. Smith

Executive Assistant to the Mayor for Community Development



# CITY OF NEW ORLEANS

C. RAY NAGIN, MAYOR

February 15, 2010



Mr. Charles E. Hamilton, Jr., President  
Zulu Social Aid & Pleasure Club, Inc.  
732 North Broad Street  
New Orleans, LA 70119

Dear Mr. Hamilton:

Your organization is hereby awarded **\$800,000.00** of UDAG funds from the Office of Community Development (OCD), to **Zulu Social Aid and Pleasure Club**. The proceeds of this award will be conditional as follows:

This award may be contingent upon final approval of the New Orleans City Council, and may also be contingent upon satisfactory resolution of any OCD findings of non-compliance with programmatic and fiscal requirements relative to any prior funding. The City reserves the right to negotiate any provisions of your request and to modify the amount of the award if necessary.

You will receive from OCD a Cooperative Endeavor Agreement (CEA) and other related documents, which will be used to provide information on your project and monitor its progress.

Conditional documentation required prior to loan closing are as follows:

- 1) Copies of Articles of Organization
- 2) Unconditional Guaranty of All Liability by All Guarantors
- 3) UCC -1 Financing Statements relating to General Security Agreement ("GSA") as to Borrower
- 4) UCC -1 Financing Statements relating to General Security Agreement ("GSA") on all Equipment purchases
- 5) Receipt of Instrument of Assignment, Life Insurance policy minimum amount of \$800,000.00.
- 6) Receipt of verification of Flood, Fire, Hazard, and Business interruption loss insurance payable to the City of New Orleans for amount of \$800,000.00.

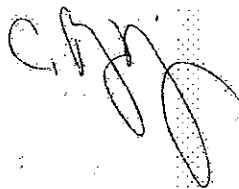
Mr. Charles Hamilton

Page 2

February 15, 2010

My staff at the Office of Community Development and I look forward to working together with you to improve the tax base for the City of New Orleans, and the quality of life for the citizens in the community.

Sincerely,

A handwritten signature in black ink, appearing to be "C. Landrieu", written over a light gray dotted background.

Mayor  
City of New Orleans