

CITY OF ST. JOHN'S & END HOMELESSNESS ST. JOHN'S

2014 Call for Proposals

CFP 2014-01 - Permanent Supportive Housing Capital

Issue Date:

9/25/2014

Amended to Reflect Deadline Extension on:

11/07/14

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Required documents to review or complete in preparing your proposal:

- 1. 2014-2019 St. John's Community Plan to End Homelessness:**
Can be obtained by emailing jtobin@stjohns.ca
- 2. HPS Eligible and Ineligible Costs Guidelines:**
http://www.esdc.gc.ca/eng/communities/homelessness/housing_first/activities.shtml
- 3. HPS Funding Directives:**
<http://www.esdc.gc.ca/eng/communities/homelessness/funding/directives.shtml>
- 4. Form 1 – Project Proposal:**
Can be obtained by emailing jtobin@stjohns.ca
- 5. Form 2 – Budget:**
Can be obtained by emailing jtobin@stjohns.ca
- 6. Form 3 – Sustainability Checklist:**
Can be obtained by emailing jtobin@stjohns.ca
- 7. Form 4 - Operating Budget:**
Can be obtained by emailing jtobin@stjohns.ca
- 8. Letters of Support:** demonstrating financial contributions/in-kind (land, buildings, etc.) and community supports (community associations, etc.)

GENERAL INFORMATION

Deadline

All proposals must be submitted **electronically** no later than **4:00 PM NST, November 24, 2014** to **Judy Tobin at jtobin@stjohns.ca**.

Proposals shall be submitted in pdf file format, clearly indicating in the subject line the project title:

CFP 2014-01 - Permanent Supportive Housing Capital

The proposal is required to contain sufficient detail to form the basis of a contractual agreement and shall include all requirements as detailed in this request for proposals.

Proposals arriving after 4:00 PM NST time on November 24, 2014 will be automatically rejected. There will be no extension to the deadline for the submission of proposals.

A courtesy email will be sent to the contact named to notify receipt of each proposal. If a proponent does not receive a confirmation email, the City of St. John's has not received their proposal.

Communications

Questions or requests must be written and forwarded to Judy Tobin, Manager, Non Profit Housing Division, Community Services Department, City of St. John's at jtobin@stjohns.ca. All inquiries related to this CFP shall be directed to Judy Tobin with all inquiries and responses recorded and posted to the City of St. John's website: www.stjohns.ca

Inquiries shall be made no later than **November 19, 2014**. The City of St. John's reserves the right not to respond to inquiries made after the deadline for questions.

Proponents finding discrepancies or omissions in the CFP documents, or having doubts as to the meaning or intent of any provision, shall immediately notify Judy Tobin at the City of St. John's by email. If the City of St. John's determines that an amendment is required to this CFP, the addendum will be issued.

No verbal conversation will affect or modify the terms of this CFP or shall be relied upon by any proponent. Information obtained from any person or source other than this CFP or the City of St. John's website may not be relied upon.

Proponents and their agents will not contact any member of the Funding Advisory Committee with respect to this CFP at any time prior to the award of an agreement or the termination of this CFP.

Respondent Meeting

A Respondent Meeting will be hosted by the City of St. John’s to discuss the requirements under this CFP. While attendance is at the discretion of proponents, proponents who do not attend will be deemed to have attended the Respondent Meeting and to have received all of the information given at the Meeting. Notes from the Respondents’ Meeting will be posted online by October 27, 2014 online at: www.stjohns.ca.

Important Dates

Call for Proposals Issued	September 24, 2014
Respondents Meeting	October 21, 2014, 9:15am-12:00pm at NL Housing & Homelessness Network 77 Charter Ave, Pleasantville (East Ave door)
Questions and Notes from Respondent Meeting Posted	October 27, 2014
Deadline for Questions	November 19, 2014
Deadline for Proposals	November 24, 2014
Notification of Proponents Issued	December 19, 2014
Deadline for Appeals	January 6, 2015
Notification of Award Issued	Once contract negotiations are complete
Project Period	January 15, 2015-March 31, 2016

The City of St. John’s reserves the right to change these dates as needed.

BACKGROUND

HPS & End Homelessness St. John’s

The Government of Canada’s Homelessness Partnering Strategy (HPS) supports communities to develop local solutions to homelessness. The HPS funds local priorities identified by communities through a comprehensive community planning process involving officials from all levels of government, community stakeholders, and the private and voluntary sectors.

The renewed HPS was allocated stable funding over five years (2014-2019), with the goal of supporting communities in developing longer-term solutions to homelessness, and in particular moving to a Housing First approach.

St. John's has a long-standing commitment to collaborative, locally-driven solutions to homelessness. The multi-stakeholder St. John's Community Advisory Committee on Homelessness (one of 61 HPS Community Advisory Boards or CABs across Canada), was established in 2000 to develop and implement previous HPS plans to address homelessness, and will be redesigned to implement the new 2014-2019 Community Plan based on Housing First principles. In 2014, the CAB was renamed End Homelessness and committed to developing and leading the implementation of a Plan to End Homelessness in St. John's.

The City of St. John's acts as the HPS Community Entity (CE) that administers federal homelessness funds for the CAB (through the Non-Profit Housing Division of its Community Services Department) - while providing the critical community development and brokering necessary to move our community forward together.

Plan to End Homelessness in St. John's (2014-2019)

End Homelessness St. John's actively engaged key stakeholders across multiple sectors towards the development of the Plan to End Homelessness. Based on this engagement process and research undertaken, a broad-based Plan to End Homelessness was approved by the CAB in June, 2014. The Plan includes the Homelessness Partnering Strategy (HPS) Community Plan to guide federal investments locally.

Although this Plan reaches beyond HPS, this funding stream will play a critical role to support implementation moving forward. St. John's has an HPS allocation of approximately \$697,000 per year over five years (2014-2019) totaling about \$3.5 million - of which 40% at minimum is required to be invested in Housing First activities by 2016. This CFP uses a portion of these HPS funds to support the goals outlined in the Plan. The full Plan is available by emailing jtobin@stjohns.ca.

The Plan outlines the following priority areas:

1. System Coordination: A coordinated approach to housing and supports following the Housing First philosophy.

- Organize the homeless-serving system.
- Implement coordinated access and assessment.
- Develop discharge/transition planning measures.

2. Integrated Information System & Research: Integrated information system and research to support ending homelessness efforts.

- Implement an integrated information system.
- Build partnerships with the research community.

3. Housing & Supports: Developing a range of housing and supports choices to meet diverse client needs.

- Support measures to increase housing affordability and reduce homelessness risk.
- Introduce and ramp up a range of Housing First programs.
- Tailor supports to meet the needs of diverse groups.
- Support the enhancement of service quality and impact.

4. Leadership & Resources: Securing the necessary leadership and resources to support the Plan to End Homelessness.

- Develop the infrastructure necessary to implement the Plan.
- Coordinate funding to maximize impact.
- Champion an end to homelessness.

CFP DETAILS

Purpose

Under the Plan's Priority Area 3 – Housing and Supports, the Plan calls for the development of 7-10 units of Permanent Supportive Housing targeting chronically homeless, long-term shelter stayers in years 1 and 2 of implementation using HPS funds.

Available local shelter statistics (using the Homeless Individuals & Families Information System) indicate there is a minimum of 7 individuals who are long term stayers, and likely chronically homeless with high levels of acuity (see also Target Population later in this document). We estimate there are likely more individuals in this category which is why we are proposing up to 10 supportive housing units. These individuals are very vulnerable and require targeted immediate attention and long term support. This group would benefit from low barrier, long-term housing and supports using the Housing First approach that characterises Permanent Supportive Housing.

The aims of this investment are to further the priority of ending chronic homelessness, reducing pressure on shelters and public systems, and leveraging HPS funds.

Funding Available

The total available for this CFP is **\$697,425.00** using HPS funds over two years; year 1 allocation for 2014 fiscal totals \$523,068.75 and year 2 allocation for 2015 fiscal totals \$174,356.25. Funds must be spent by March 31, 2016.

HPS funds for this capital investment activity require supplementary matching sources through federal, provincial, municipal contributions (i.e. land donations), or other sources (i.e. private donations). HPS requires matching of funds at a 50/50 split at minimum.

Note that HPS funds are restricted to capital only and exclude operations. Proponents must demonstrate how operations will be supported if they are successful. Projects may be expansions of existing program or new programs.

The City of St. John's reserves the right to reasonably divide services and enter into one or more Agreements with one or more proponents having regard for the CFP and the basis of proposals

Agreements will be made for five (5) years, to March 31, 2019, with City of St. John's protecting its interests by way of a filed caveat against the title to the Project Site for ten (10) years after the Project Period.

Eligible Projects

As per HPS Eligible and Ineligible Costs Guidelines

(http://www.esdc.gc.ca/eng/communities/homelessness/housing_first/activities.shtml), funds can be used towards the following activities:

- Construction, renovation and purchase of transitional housing facilities, permanent supportive housing facilities and non-residential facilities (e.g. drop-in centres and multi-service centres)
- Purchase of furniture, equipment and/or vehicles
- Renovation of emergency shelters
- Construction and purchase of new emergency shelter facilities (only under the HPS Rural and Remote Homelessness funding stream and non-designated communities receiving funding under the Aboriginal Homelessness funding stream)

Renovation includes:

- Renovating an existing facility for upgrades and/or to meet building codes
- Repurposing an existing property to create transitional housing and/or permanent supportive housing
- Expanding an existing facility
- Renovating a property following a transfer under the Surplus Federal Real Property for the Homelessness Initiative (SFRPHI) to create transitional housing and/or permanent supportive housing

New construction includes:

- Purchase of a property for future new construction
- Building a facility in an empty lot (e.g. foundations)
- Tearing down an existing facility and building a new one

- Building service space where the Investments in Affordable Housing Initiative (IAH) is building or renovating to create permanent housing (e.g. resource centre where clients can access supports)

Based on the Plan priorities, projects targeting chronically homeless persons with new **Permanent Supportive Housing** units are the priority for this CFP. Costs associated with providing support services are **ineligible** for funding under this CFP.

Additional ineligible activities under this CFP include:

- Building, renovating or repurposing facilities for affordable housing
- New construction or purchase of facilities for emergency shelters (except under the HPS Rural and Remote Homelessness funding stream and non-designated communities receiving funding under the Aboriginal Homelessness funding stream)
- Emergency housing funding (e.g. rent subsidies, housing allowances) when the client is supported by existing provincial/territorial and municipal rent subsidies programs
- Direct income support to individuals who are homeless, at risk or at imminent risk of homelessness
- Medical/clinical staff
- Clinical health and treatment services
- Daycare
- Local Research
- Advocacy and lobbying activities towards elected representatives on questions related to homelessness and public awareness activities
- Public education (e.g. education tuition, teaching salary)
- Activities and supports taking place on-reserve
- Software development and/or the purchase of hardware for the collection and/or management of homelessness data that results in an inability to participate in the National Homelessness Information System (NHIS) initiative; and that constitutes a redundant use of funds and duplicate activities already offered through the Homeless Individuals and Families Information System (HIFIS) software. For example: purchasing alternative software that performs similar functions to the HIFIS software

All projects must:

- Detail the source and certainty with respect to the requirement that funds be matched 50:50 at minimum;
- Be situated in the City of St. John's;
- Meet HPS Sustainability Requirements (see Form 3 Budget and Sustainability Checklist);
- Demonstrate community support (i.e. letter of support from community association);
- Set out timelines and deliverables to project completion, including the estimated time to full

occupancy of the proposed project.

- Outline how support services will be delivered and resourced for clients in the capital project
- Describe discharge/eviction guidelines and procedures that ensure all reasonable actions have been taken to prevent homelessness
- Provide housing at rents that are no more than 30% of a household's total gross monthly income
- Meet all necessary health, zoning, building code, and habitability standards.
- Demonstrate project viability and readiness with respect to a March 31, 2016 timeline for eligible project costs (including the status of any/all necessary planning, development and other relevant permits);

Eligible Use of Funds

Proposals must adhere to the applicable HPS Funding Directives for proposed activities (HPS Funding Directives - <http://www.esdc.gc.ca/eng/communities/homelessness/funding/directives.shtml>), and any future HPS Directives which may apply.

For Permanent Supportive Housing proposals, please consult: HPS Funding Directive #9 - Capital Investments. The following expenditures will be considered.

Cost Category	Eligible Uses of Funds <i>include but are not limited to:</i>	
Pre-development (land/ building purchase)	<ol style="list-style-type: none"> 1. Land purchase (market value) 2. Building or facility purchase (permanent supportive housing only) 3. Appraisal fees 	<ol style="list-style-type: none"> 4. Legal fees 5. Offsite service costs 6. Security (pre-construction) 7. Soil remediation cost 8. Survey fees 9. Title fees 10. Inspections
Pre-development (Demolition)	<ol style="list-style-type: none"> 1. Demolition Contract - Project Manager 2. Demolition Contract - Construction Manager 3. Demolition <ol style="list-style-type: none"> a. Labour b. Materials c. Equipment d. Services 	<ol style="list-style-type: none"> 4. Offsite services costs 5. Survey Fees 6. Soil Remediation Costs
Pre-development (Servicing)	<ol style="list-style-type: none"> 1. Consultant fees (design) <ol style="list-style-type: none"> a. Architect Contract b. Structural c. Electrical d. Mechanical e. Landscape f. Building Envelope g. Code Consultant h. Civil Consultant 2. Environmental fees 	<ol style="list-style-type: none"> 3. Municipal fees <ol style="list-style-type: none"> a. Building permit b. Development cost charges c. Development permit d. Municipal. connection fee e. Rezoning Application f. Regional development cost g. Subdivision application 4. Inspections 5. Legal Fees

Development	<ol style="list-style-type: none"> 1. Audit charges 2. Consultant fees <ol style="list-style-type: none"> a. Development Consultant b. Geotechnical c. Surveyor d. Topographical surveyor e. Cost consultant f. Environmental consultant g. Hazardous materials consultant h. Arborist 3. Inspection fees 	<ol style="list-style-type: none"> 4. Insurance cost (course of construction) 5. Insurance cost (errors and omissions) 6. Signage cost 7. Organizational expenses (or Organizational Infrastructure Cost, which cannot exceed 10% of the proposed HPS funds) 8. Organization’s legal fees
Facility Construction/ Renovation/Expansion/ Repurposing	<ol style="list-style-type: none"> 1. Construction Contract - Project Manager 2. Construction Contract - Construction Manager 3. Construction Contract - Design-Build Contract 4. Construction <ol style="list-style-type: none"> a. Labour b. Materials c. Equipment d. Services 	<ol style="list-style-type: none"> e. Utilities <ol style="list-style-type: none"> i. Gas connection fees ii. Hydro connection fees iii. Cable connection fees iv. Phone connection fees f. On-Site Security 5. Soil Remediation Costs
Capital Assets (Equipment/ Vehicle/Furniture)	<ol style="list-style-type: none"> 1. Stove 2. Fridge 3. Laundry equipment 	<ol style="list-style-type: none"> 4. Kitchen facilities 5. Common area furnishings 6. Office equipment 7. Vehicles

“Administrative Project Costs” costs and related fees of activities such as accounting, auditing, legal arrangements, and office-related costs which are necessary to administrate or manage the project, but not directly delivering the outcomes of the project nor the costs of directly serving clients. These costs would be proposed for HPS funds in proportion with the HPS–funded activities with the overall activities of the applicant. Administrative project costs will constitute maximum 10% of the total project budget (90% remaining for other service-related project costs).

This category is subdivided into the following categories:

A. “Staff Wages/Salaries” includes an appropriate proportion of the wages and salaries paid to project staff not directly delivering project outcomes, but necessary for the delivery of the project. Mandatory Employment Related Costs (MERCs) can be included; MERCs refer to payments an employer is required by law to make in respect of its employees such as EI and CPP/QPP premiums, workers’ compensation premiums, vacation pay and Employer Health Tax. Benefits refer to payments an employer is required to make in respect of its employees by virtue of company policy or a collective agreement. Examples of Benefits include contributions to a group pension plan or premiums towards a group insurance plan. The maximum amount allowable for MERCs and Benefits per employee is 22.5% of the total salary.

B. “Administration Services” costs and related fees of accounting, auditing, legal arrangements, and human resource related activities necessary to implement HPS eligible activities, but not directly delivering the project outcomes. This includes audit fees, bank fees, contracting, legal fees, management and administration staff wages for staff not directly delivering project outcomes, professional development for management and administrative staff, project staff and volunteer travel not to deliver project outcomes but required for management and administration of the project.

- a. Professional Fees:** audit and/or legal fees necessary to administrate the project, where contracts are \$25,000 or higher per contract and recruited through a competitive process
- b. Professional development:** for management and administrative staff listed in **Staff Wages/Salaries** (see above)
- c. Contracting:** for services less than \$25,000 per contract, where contracts are necessary for the administration of the project (procurement requirements to be determined upon negotiation)
- d. Technology:** information and technology maintenance for equipment necessary for administration of the project (not internet or phone)
- e. Travel:** staff and volunteer travel necessary for the administration of the project
- f. Printing:** operational printing contracted externally necessary for the administration of the project
- g. Internet & telephone:** basic telephone fees (including fax lines) and monthly internet fees necessary to administrate the project
- h. Postage & courier fees:** As required to administrate the project
- i. Insurance:** fire, theft or liability necessary to administrate the project
- j. bank fees for the project,** or an appropriate portion of the organizational bank fees.

C. “Administration Infrastructure” costs or expenses incurred for services rendered to the applicant for maintaining and operating a physical space and equipment to enable implementation of HPS eligible activities. These include costs such as rental or lease of office space, repairs and leasehold improvements, office equipment repair and maintenance, and materials and supplies necessary for the administration of the project.

Proposed travel costs must be consistent with rates set out in the National Joint Council of Canada’s Travel Directive, available at this link <http://www.njc-cnm.gc.ca/doc.php?sid=3&lang=eng>. This applies to all travel costs, for example project staff and volunteers and contracted professionals, and those included in the professional fees expenditure category.

Administrative project costs will constitute maximum 10% of the total project budget (90% remaining for other service-related project costs).

Service & Housing Model Requirements

Permanent Supportive Housing (PSH): long-term housing and support to individuals who are homeless and experiencing complex mental health, addiction, and physical health barriers. PSH can be delivered in a place-based or scattered-site model to the highest acuity clients, though this CFP focuses on place-based delivery. While support services are offered and made readily available, the programs do not require participation to remain in housing; there is also no limit to the length of stay in the program. These interventions should be targeted at clients who demonstrate deep disabilities and need for ongoing supports.

The resulting projects from this investment must adhere to the Housing First guiding principles outlined by HPS in their service delivery:

1. **Rapid housing placement with supports:** This involves helping clients locate and secure accommodation as rapidly as possible and assisting them with moving-in.
2. **Offering clients a reasonable choice:** Clients must be given a reasonable choice in terms of housing options as well as the services they wish to access.
3. **Separating housing provision from treatment services:** Acceptance of treatment, following treatment, or compliance with services is not a requirement for housing tenure, but clients are willing to accept monthly visits.
4. **Providing tenancy rights and responsibilities:** Clients are required to contribute a portion of their income towards rent.
5. **Integrating housing into the community** to encourage client recovery.
6. **Recovery-based and promoting self-sufficiency:** The focus is on capabilities of the person, based on self-determined goals, which may include employment, education and participation in the community.

Target Population

The PSH program must target chronically homeless participants as defined by HPS. It must prioritize those with the longest stays in shelter and highest level of needs.

HPS definitions are included below:

The focus is on the chronically homeless:

- **Chronically homeless** refers to individuals, often with disabling conditions (e.g. chronic physical or mental illness, substance abuse problems), who are currently homeless and have been homeless for six months or more in the past year (i.e. have spent more than 180 nights in a shelter or place not fit for human habitation). To the extent possible, communities should prioritize those chronic homeless who have been homeless the longest.

Performance Management

Projects must indicate how they will meet expected outputs and outcomes associated with the program, including the following targets in service delivery:

Performance Target	2015/16	2016/17	2017/18	2018/19
Number of individuals placed in housing through an HF intervention	10	11	11	11
Percentage of HF clients who remained housed at six months	85%	85%	85%	85%
Percentage of HF clients who remained housed at twelve months	80%	80%	85%	85%
Number of days to move HF clients into permanent housing (after intake or assessment - to be determine by the community)	14	12	10	7
Percentage of HF clients who require re-housing	25%	20%	15%	10%
Percentage of HF clients who return to homelessness	15%	15%	12%	10%
Percentage of clients who exit program and who do so to positive destinations	90%	92%	95%	95%
Minimum occupancy rate at any one time	90%	95%	95%	97%

- Participant data will be collected upon housing, 3, 6, 9, and 12 months in the program and upon exit of the program
- Those persons permanently housed will show reduced incarcerations, reduced emergency room visits and reduced in-patient hospitalizations.
- Persons housed in the program will have a stable income source (e.g. employment income, social assistance, disability pension, Old Age Security, etc.)

In addition, projects must:

- Adhere and participate in the Homeless Individuals and Families Information System (HIFIS) and City of St. John's monitoring and required reporting;
- Partnership or collaborate with other agencies or services required to carry out program activities, including any Memoranda of Understanding that will be created as a result;
- Work with other systems to obtain rent subsidies, supportive services and other operating subsidies to the extent possible;
- Participate in system planning initiatives outlined in the Plan to coordinate activities as requested by End Homelessness St. John's and the City of St. John's;
- Have capacity to ramp up to deliver services towards the capital project within 60 days of contract commencement date.

EVALUATION AND SELECTION

Funding Advisory Committee

The evaluation of proposals for the allocation of project funding will be undertaken by the Funding Advisory Committee, containing at minimum three (3) people who have signed a conflict of interest declaration. No officers, directors, board members, or any employee of a Proponent will participate in the Funding Advisory Committee.

Its membership will include representation of End Homelessness St. John's, City of St. John's staff, and subject matter experts (if applicable). End Homelessness St. John's will nominate three (3) non-conflicted members to the Funding Advisory Committee.

City of St. John's shall assign a maximum of three (3) staff and one (1) additional subject matter expert to the Funding Advisory Committee.

The Funding Advisory Committee may consult with others including City of St. John's staff members, not formally assigned as committee members, third party consultants, and references, as the Funding Advisory Committee may in its discretion decide is required.

The Funding Advisory Committee will review and rank Proposals, and give a written recommendation to City of St. John's (HPS Community Entity, Community Services Department) for the selection of a preferred proponent or proponents.

The City of St. John's will make final decision on awarding contracts and shall negotiate terms of the contract with successful proponents at its discretion.

Proposal Evaluation Criteria

The Funding Advisory Committee will review all proposals to determine the proponent(s) which is most advantageous to the City of St. John's, guided by the criteria outlined below:

Evaluation Criteria	Points
Capacity of Proponent(s): Demonstration that the proposed sponsoring organization has the capacity (staff, resources and relationships with or support from key agencies) and experience to develop and implement the project.	10
Alignment with a Housing First Approach & St. John's Plan to End Homelessness: Proposed project supports a Housing First approach to solving homelessness for the HPS-eligible client populations. The project furthers the goals of the Plan to End Homelessness in St. John's by providing permanent supportive housing to chronic/episodic homeless populations. Proposed services and housing align with the needs of the target group; processes are in place to ensure appropriate targeting and eligibility criteria.	10
Funding & Sustainability: Evidence that the proposed project has confirmed matching funding in place for the acquisition / development of the capital project. Matching funding and proposed HPS funds are adequate to successfully complete the project. Project has an adequate operating budget. Matching contributions for capital	10

project are verified by letters from funders attesting the financial support for the facility. Project's budget demonstrates "value for money" including HPS and non-HPS contributions. Demonstration that the proposed project leverages other funds or resources from the community, including but not restricted to utilization of existing funding and in-kind contributions.	
Timelines: Demonstration that the proposed project timelines are realistic and attainable in terms of the proposed activities, matching contributions, permits and licenses to achieve the project milestones and spend the HPS contribution before the end of the project timeline.	5
Community engagement and integration: Demonstration of involvement of homeless people, people at risk of homelessness, or other homelessness service providers in the planning and development of the project. Demonstration of linkages to other service and infrastructure projects in the community. If project target priority population (Aboriginal, families, youth, etc.) project demonstrates appropriate services/housing to meet client needs.	5
Location: Demonstration that the location of the proposed project is appropriate for the intended clientele, including proximity to complementary facilities and/or services such as public transit.	5
Performance Management: Identification of measurable performance targets to meet the needs of the homeless population as per HPS funding requirements (# of permanent supportive housing beds, # of permanent supportive housing beds created through re-purposing, length of stay, destinations at exit, recidivism, etc.)	5
Maximum Points	50

The Funding Advisory Committee will not be limited to the criteria referred to above, and the Committee may consider other criteria that the Committee identifies as relevant during the evaluation process. The Funding Advisory Committee may apply the evaluation criteria on a comparative basis, evaluating the proposals by comparing one proponent's proposal to another proponent's proposal. All criteria considered will be applied evenly and fairly to all proposals.

Disqualification of Proponents

At the sole discretion of the City of St. John's, a proponent may be disqualified and its proposal(s) rejected if:

- a) more than one proposal is submitted for the same project from a proponent under the same or different names; or
- b) a proponent, in the opinion of the City of St. John's, is not qualified for the services specified; or
- c) an unsatisfactory performance record exists as shown by past or current work for City of St. John's; or
- d) current commitments exist (City of St. John's or otherwise) which might hinder or prevent the prompt completion of the work; or
- e) the proposal is incomplete and/or missing information and/or contains out of date or incorrect information.

Should a proponent be disqualified, no further obligation is required of the City of St. John's or its staff.

Discrepancies in Proponent's Financial Proposal

If there are any obvious discrepancies, errors or omissions in Form 2 of the proposal (Budget), then the City of St. John's shall be entitled to make obvious corrections, but only if, and to the extent, the corrections are apparent from the proposal as submitted.

Litigation

In addition to any other provision of this CFP, the City of St. John's may, in its absolute discretion, reject a proposal if the proponent, or any officer or director of the proponent submitting the proposal, is or has been engaged directly or indirectly in a legal action against the City of St. John's, its elected or appointed officers, representatives or employees in relation to any matter.

In determining whether or not to reject a proposal under this section, the City of St. John's will consider whether the litigation is likely to affect the proponent's ability to work with the City of St. John's, and whether the City of St. John's experience with the proponent indicates that there is a risk the City of St. John's will incur increased staff and legal costs in the administration of the agreement if it is awarded to the proponent.

Additional Information

The Funding Advisory Committee may, at its discretion, request clarifications or additional information from a proponent with respect to any proposal, and the Funding Advisory Committee reserves the right to make such requests only to select proponents. The Funding Advisory Committee may consider such clarifications or additional information in evaluating a proposal.

Interviews, Site Visits, and Presentations

The Funding Advisory Committee may, at its discretion, invite some or all of the proponents to appear before the Funding Advisory Committee to provide clarifications of their proposals. This may take the form(s) of, for example, interviews with the proponent and its staff; a site visit to the proponent's offices; and/or a presentation by the proponent. In such event, the Funding Advisory Committee will be entitled to consider the answers received in evaluating proposals.

Multiple Preferred Proponents

The City of St. John's reserves the right and discretion to divide up the Services, either by scope, caseload, geographic area, or other basis as the City of St. John's may decide, and to select one (1) or more preferred proponents to enter into discussions with the City of St. John's for one (1) or more agreements to perform a portion or portions of the services. If the City of St. John's exercises its discretion to divide up the services, the City of St. John's will do so reasonably having regard for the CFP and the basis of proposals.

In addition to any other provision of this CFP, Proposals may be evaluated on the basis of advantages and disadvantages to the City of St. John's that might result or be achieved from the City of St. John's dividing up the services and entering into one or more agreements with one (1) or more Proponents.

Negotiation of Service Level Agreement and Award

The City of St. John's reserves the right to make an award without further discussion of the proposal submitted. Therefore, the proposal shall be submitted on the most favorable terms. If awarded, the

proponent selected shall be prepared to accept the terms they proposed for incorporation into an agreement resulting from this CFP.

The City of St. John's may attempt to negotiate an agreement with the proponent(s) selected on terms that it determines to be fair and reasonable and in the best interest of the City of St. John's, including the best interests of the population served by the agreement. If the City of St. John's is unable to negotiate such an agreement with any one or more of the proponents first selected on terms that it determines to be fair and reasonable and in the best interest of the City of St. John's, including the best interests of the population served by the agreement, negotiations with any one or more of the proponents shall be terminated or suspended. In the event of a negotiation impasse with any proponent, in accordance with the procedures set forth in this CFP, the City of St. John's reserves the right without penalty and at its sole discretion to:

- a) reject the proponent's proposal and select the next preferred proponent;
- b) take no further action to continue the award and/or execution of agreements under this CFP;
- c) reissue the CFP with any changes the City of St. John's deems appropriate; or,
- d) take any other action.

If the City of St. John's decides to continue the process of selection, negotiations shall continue with a qualified proponent or proponents in accordance with this section at the sole discretion of the City of St. John's until an agreement is reached with one or more qualified proponents. The process shall be repeated until an agreement is reached.

If the City of St. John's selects a preferred proponent or preferred proponents, then it shall:

- a) enter into an agreement with the preferred proponent(s); or
- b) enter into discussions with the Preferred Proponent(s) to clarify any outstanding issues and attempt to finalize the terms of the Agreement(s), including financial terms. If discussions are successful, the City of St. John's and the preferred proponent(s) will finalize the agreement(s);
- c) publish successful proponent and the amount of funding to be received to City of St. John's website; and
- d) if at any time the City of St. John's reasonably forms the opinion that a mutually acceptable agreement is not likely to be reached within a reasonable time, give the Preferred proponent(s) written notice to terminate discussions, in which event the City of St. John's shall then either open discussions with another Proponent or terminate this CFP and retain or obtain the Services in some other manner.

No Subcontract

It is required that the selected proponent(s) will provide all services and will not subcontract or otherwise assign any of the work awarded through this agreement without formal, written authorization from the City of St. John's.

Notification to proponents

The City of St. John's will communicate the recommendations of the CFP Funding Advisory Committee by the date specified in the CFP Schedule. The City of St. John's reserves the right to provide notification to proponents by written correspondence to successful and unsuccessful proponents.

Notification of Award

The City of St. John's will communicate the results of the contract negotiation by the date specified in CFP Schedule. The City of St. John's reserves the right to provide Notification of Award by publishing a list of successful proponents and amounts awarded.

PROPONENT INFORMATION & GENERAL CONDITIONS

Eligible Proponents

Eligible recipients include:

- Individuals;
- Not-for-profit organizations;
- For-profit organizations;
- Municipalities;
- Aboriginal organizations;
- Public health and educational institutions; and
- Provincial and territorial governments and their entities, including institutions, agencies and Crown Corporations.

For-profit organizations may be eligible for funding provided that the nature and intent of the activity is: non-commercial; not intended to generate profit; based on fair market value; in support of program priorities and objectives; and in line with the community plan (or with identified local need where community plans are not required).

Amendments to Proposals

Prior to the deadline, proponents may withdraw or modify a response any time before the deadline by a dated written request, signed in the same manner and by the same person who signed the proposal. No change to the original proposal shall be made after the deadline, but shall be subject to clarification and negotiation as discussed hereafter. Any proponent that withdraws from this CFP process understands that its written proposal to the CFP will not be returned.

Addenda

If the City of St. John's determines that an amendment is required to this CFP, the City of St. John's will post a written addendum for all proponents to www.stjohns.ca and all such addenda will become an integral part of the specifications and be deemed to form part of this CFP.

Notwithstanding efforts by the City of St. John's to provide such information to proponents, it remains the obligation and responsibility of the proponent to access www.stjohns.ca to learn of any courtesy notices, reminders, questions, answers, addenda and similar announcements issued by the City of St. John's.

Examination of CFP Documents

Proponents will be deemed to have carefully examined the CFP, including all attached schedules, prior to preparing and submitting a Proposal with respect to any and all facts which may influence a proposal.

Status Inquiries

All inquiries related to the status of this CFP, including whether or not Notification of Award has been issued, shall be directed to the City of St. John's Website, www.stjohns.ca.

Proposal Package

Proponents shall complete the forms of Proposal attached and ensure the following are provided:

- Form 1 – Application**
- Form 2 – Budget**
- Form 3 – HPS Sustainability Checklist**
- Form 4 - Operating Budget**
- Letters of Support:** demonstrating financial contributions/in-kind (land, buildings, etc.) and community supports (community associations, etc.).

Signature

The legal name of the person or proponent submitting the proposal should be inserted in Form 1. The proposal must be signed by a person authorized to sign on behalf of the proponent.

City of St. John's Right to Revise

The City of St. John's reserves the right to:

- a) revise the CFP Schedule;
- b) revise the CFP and/or to issue amendments to the CFP; and
- c) reject, cancel or to reissue the CFP in whole or in part if it is deemed in the City of St. John's best interests, with no penalty, prior to the execution of an agreement.

No City of St. John's Obligation

This CFP does not commit the City of St. John's in any way to select a preferred proponent, or to proceed to negotiations for an agreement, or to award any agreement and the City of St. John's reserves the complete right to at any time reject all proposals, and to terminate this CFP process.

Proponent's Expenses

Proponents are solely responsible for their own expenses in preparing, and submitting proposals, and for any costs incurred by the proponent in meetings, negotiations or discussions with the City of St. John's or its representatives relating to or arising from this CFP.

The City of St. John's and its representatives, agents, and advisors will not be liable to any proponent for any claims, whether for costs, expenses, losses or damages, or loss of anticipated profits, or for any other matter whatsoever, incurred by the proponent in preparing and submitting a proposal, or participating in negotiations for an agreement, or other activity related to or arising out of this CFP.

No Contract

By submitting a proposal and participating in the process as outlined in this CFP, proponents expressly agree that no contract of any kind of services is formed under, or arises from, this CFP, prior to the signing of a formal written agreement.

Conflict of Interest

A proponent shall disclose in its proposal (Form 1) any potential, actual or perceived conflicts of interest and existing business relationships it may have with the City of St. John's, its elected or appointed officials, representatives, employees, funded agencies or funders. A proponent must disclose any Relationship of Close Proximity defined as a relationship between any employee, director, officer or volunteer of the proponent(s) and City of St. John's where they are or have served as a director, a family member, a past employee, or a known future employee. The City of St. John's may rely on such disclosure.

Confidentiality

All submissions become the property of the City of St. John's and will not be returned to the proponent. All submissions will be held in confidence by the City of St. John's unless otherwise required by law. Proponents should be aware the City of St. John's is subject to the *Freedom of Information and Protection of Privacy Act (FOIP)* of Newfoundland and Labrador. Proponents acknowledge that the terms of the CFP or of any service agreement entered into between a proponent and the City of St. John's pursuant to this CFP, including the name of the proponent, the consideration, term and details of the agreement, may be subject to disclosure under *FOIP*. To avoid disqualification, all proponents are expected to ensure the confidentiality of this CFP.

Property of the Owner

All materials submitted in response to this CFP will become the property of the City of St. John's upon delivery to the CFP Coordinator and will not be returned to the proponent. The proponent's written response to the CFP, or portions thereof, may also become a part of the agreement.

Licensing

Upon award, the proponent will be responsible for a strict adherence to all Federal, Provincial, and Municipal codes and by-laws and must obtain all permits and licenses as applicable.

Safety Codes and Regulations

Upon award, the proponent must adhere to all safety rules, regulations, and labour codes in effect in all jurisdictions where the work is to be performed.

Insurance/ Workplace Health, Safety and Compensation Commission (WHSCC)

The proponent agrees to indemnify and save harmless City of St. John's for any claim demand arising out of the performance by the proponent of the contract.

The proponent agrees to obtain and maintain adequate insurance coverage relating to the operations and liability assumed under the contract in form and substance satisfactory to City of St. John's and, if so requested, deliver copies of such insurance policies or certificates evidencing the same to City of St. John's.

The proponent agrees to maintain workers' compensation coverage in accordance with the requirements of the *Newfoundland and Labrador's Workplace Health, Safety and Compensation Act*, if required, and provide evidence of compliance with the *Act* as may be requested at any time City of St. John's.