

CITY COUNCIL RESOLUTION NO. _____

HOUSING AUTHORITY RESOLUTION NO. _____

RESOLUTION OF THE CITY OF CHULA VISTA AND CHULA VISTA HOUSING AUTHORITY: (1) WAIVING THE COMPETITIVE FORMAL BID REQUIREMENTS; (2) APPROVING AN AGREEMENT BETWEEN THE CITY/HOUSING AUTHORITY AND COMPLIANCE SERVICES, LLC FOR AFFORDABLE HOUSING MONITORING SOFTWARE; AND (3) AUTHORIZING THE CITY MANAGER/HOUSING AUTHORITY DIRECTOR OR DESIGNEE TO EXECUTE THE INITIAL AGREEMENT AND AUTHORIZING THE CITY MANAGER/HOUSING AUTHORITY DIRECTOR TO EXECUTE FOUR ONE-YEAR OPTIONS TO EXTEND THE AGREEMENT

WHEREAS, as a condition of receiving Federal funding from the U.S. Department of Housing and Urban Development, the City of Chula Vista (the "City") is required to monitor its Community Development Block Grant, and HOME Investment Partnership assisted projects during the affordable rental housing affordability period, and

WHEREAS, as the issuer of Multi-Family Housing Revenue Bonds, the Chula Vista Housing Authority ("CVHA") is required to monitor its California Debt Allocation Committee ("CDLAC") funded projects during the Qualified Compliance Period; and

WHEREAS, the CVHA is required to monitor projects funded using Low- and Moderate-Income Housing funds in accordance with California Health and Safety Code Section 33000, *et.seq.*; and

WHEREAS, the City and CVHA has funds collected from issuer fees and annual compliance monitoring fees; and

WHEREAS, the City and CVHA is seeking professional consultant services to assist in monitoring its affordable housing stock; and

WHEREAS, Compliance Services, LLC ("Consultant") software is currently in use by various public agencies and said system is used to monitor over 400 affordable housing properties. Cities that currently use the software and related services include the City of Concord, City of Escondido, City of Foster City, City of Fresno, City of Hayward, City of Hesperia, and Contra Costa County; and

WHEREAS, Consultant was selected due to its intimate knowledge of and approach to monitoring affordable housing using a web-based reporting compliance reporting system, its extensive experience, and its ability to complete the services in a timely manner; and

WHEREAS, the City and CVHA has used the Consultant's software since 2010 and significant resources have been dedicated to training city staff and property owner/managers to effectively operate the software; and

WHEREAS, Consultant warrants and represents that it is experienced and staffed in a manner such that it can deliver the services required of Consultant to the City and CVHA in accordance with the time frames and the terms and conditions of this Agreement; and

WHEREAS, based on Consultant's unique software product and history of use by the City as set forth above, the City and CVHA desire to waive the competitive bidding requirements, finding that said circumstances support waiving the competitive bid requirements, and enter into a two-party agreement with Compliance Services, LLC to provide compliance monitoring and reporting software services ("Agreement") in an initial amount not to exceed \$25,000, with four (4) one-year options to extend in amounts not to exceed \$25,000 each year, for a maximum authorized amount of \$125,000, contingent upon availability of funding.

NOW, THEREFORE, BE IT RESOLVED, based on the findings above, the City of Chula Vista and the Board of Commissioners of the Chula Vista Housing Authority do hereby waive the competitive bidding requirements pursuant to Chula Vista Municipal Code Section 2.56.070(b)(3).

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the City Council of the City of Chula Vista and the Board of Commissioners of the Chula Vista Housing Authority, that they approve the Agreement with Compliance Services, LLC, with such minor modifications as may be required or approved by the City Attorney's Office, a copy of which shall be kept on file in the Office of the City Clerk and authorize the City Manager/Housing Authority Director or designee to execute the initial Agreement in an amount not to exceed \$25,000, including four (4) one-year options to extend in amounts not to exceed \$25,000, for a maximum authorized amount of \$125,000.

Presented by

Approved as to form by

Tiffany Allen
Director of Development Services

Glen R. Googins
City Attorney/ Housing Authority Legal
Counsel