

**REQUEST FOR QUALIFICATIONS (RFQ)  
RFQ # 20-68, CNI MASTER DEVELOPER FOR  
SOUTHWARD VILLAGE IN FORT MYERS, FLORIDA**



***The Housing Authority of the City of Fort Myers (HACFM)  
4224 Renaissance Preserve Way  
Fort Myers, Florida, 33916  
Marcia Davis Executive Director***

***Closing Date: June 16, 202 @ 3:00 p.m.***

**Issue Date: May 19, 2020**

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**Forms included:**

- 1. HUD 5369-B, Instructions to Offerors Non-Construction**
- 2. HUD 5369-C, Certifications and Representations of Offerors Non-Construction**
- 3. HUD-5370-C, General Conditions for Non-Construction Contracts – Sections I & II**
- 4. 50070 Certification for a Drug Free Workplace**
- 5. Disclosure of Lobbying Activities**
- 6. 5369-A Non-Collusion Affidavit**
- 7. Public Entity Crime Form**

# REQUEST FOR QUALIFICATIONS

## RFQ NO. 20-68, CNI MASTER DEVELOPER FOR THE REVITALIZATION OF SOUTHWARD VILLAGE PUBLIC HOUSING

The Housing Authority of the City of Fort Myers (the “Authority” or HACFM) is a public housing (PH) authority created pursuant to Chapter 421 of the Florida Statutes of 1969. Being a municipal dependent and special district, the Authority has general statutory authority to operate within the City limits of Fort Myers (the “City”), Lee County, Florida. The Authority develops, owns, and manages public and affordable housing. The Authority is responsible for the administration/management of 964 units of low rent Public Housing (PH) & Tax Credit Units, 206 Section 8 Project Based Units, and 2,310 total vouchers under its authority.

HACFM is requesting qualification statements from experienced developers (CNI Master Developer) to participate in developing a Transformation Plan to implement the comprehensive revitalization of Southward Village public housing. The successful respondent will demonstrate its success in implementing comprehensive neighborhood multi-site revitalization plans that include mixed-income (public housing, project-based vouchers, low income housing tax credit and market-rate unrestricted units), mixed-finance and mixed uses. The plan must be neighborhood focused and include the one-for-one replacement of the 200 Southward Village public housing units with deeply subsidized units (public housing and project-based voucher units) in mixed-income developments. The plan should also include, to the extent supported by the community and market conditions, for-sale housing, commercial/retail uses and other neighborhood improvements to be identified during the continued planning process.

The City of Fort Myers has a diverse population and the Authority provides affordable housing for the low-income individuals and families who cannot afford housing in the private market. The Authority has partnered with the Southwest Florida Affordable Housing Choice Foundation, Inc. (SWFAHCF), local City government, other local profit, and not-for-profit groups and citizens of the community desiring to provide more affordable housing options within the City: to rehab units; to redevelop PH; to create new housing (inclusive of new PH units); to support development of community services and resources for the citizens and to seek out new funding sources for the Authority. The Authority and its partners are committed to preserving the community historical roots while building and redeveloping a community that is affordable and viable in the present.

The Southwest Florida Affordable Housing Choice Foundation, Inc., an affiliate nonprofit 501(c)(3) corporation of the Authority was formed in 2006 to provide, develop and manage affordable housing opportunities on behalf of the Authority. The nonprofit owns and manages over 300 affordable housing units located within Lee County.

**Responses that do not include all required information will be deemed unresponsive and may be disqualified.** Submissions must comply with the requirements of the entire RFQ. The completed and signed off checklist attached to this RFQ is a mandatory submission requirement.

No proposal shall be withdrawn for a minimum period of ninety (90) days following the proposal deadline without the consent of the HACFM.

**The HACFM reserves the right to reject any or all responses wherever it is in the best interest of the HACFM. The HACFM is an Equal Opportunity Employer. Minority and Women-owned business are encouraged to submit a proposal. Firms must also ensure Section 3 requirements set forth in Exhibit A of this RFQ are met.**

## **RFQ- SUPPLEMENTAL INSTRUCTIONS TO OFFERORS**

### **Deadline to Respond: June 16, 2020 at 3:00 pm**

The intent of this RFQ is to establish the general Scope of Services needed and to provide prospective Respondents with sufficient information to enable them to provide an acceptable response to this RFQ. Every effort has been made to outline requirements, and to provide information in a format that is clear and concise. Nevertheless, questions may arise, or additional information may be needed.

Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.

Questions and inquiries regarding this RFQ must be submitted in writing, (email is permissible) to:

***The Housing Authority of the City of Fort Myers (HACFM)  
4224 Renaissance Preserve Way  
Fort Myers, Florida, 33916***

Attention: Laurie Victory, Procurement Specialist  
Email: [laurie@hacfm.org](mailto:laurie@hacfm.org)

### **Under consideration are the following owned properties:**

**Southward Redevelopment (Phase I and II):** Lee County Property Appraiser parcel number: 19-44-25-P4-00060.0000. The currently occupied property was built in 1962 and is comprised of 104 building, most of which are duplexes. There is a total of 200 units currently on the property.

## **RECEIPT OF RESPONSES**

### **FORMAT SUBMISSION**

One original and one (1) electronic copy of the response to this RFQ shall be submitted. The original is submitted in a sealed packaged and marked "**Qualifications for Co-Developer HACFM**". All material must be submitted in an 8 ½" x 11" format. All submissions must be received by **June 16, 2020 at 3:00 pm** at the following address:

**The Housing Authority of the City of Fort Myers**  
4224 Renaissance Preserve Way  
Fort Myers, FL 33916  
**ATTN: Laurie Victory, Procurement Specialist**

**SITE VISIT:** The sites in question are currently occupied. A site visit to the sites will be scheduled for **June 9, 2020 at 11:00AM EST**. Any interested party wishing to tour the property should contact Laurie Victory, Procurement Specialist, Email: [laurie@hacfm.org](mailto:laurie@hacfm.org) at HACFM directly to confirm attendance **no later than June 8, 2020 EOB**.

**All inquiries/questions must be in writing ([laurie@hacfm.org](mailto:laurie@hacfm.org)) and received according to the instructions above no later than 4:00 p.m. EST, on June 10, 2020.**

**Answers will be provided as a written Addendum to this RFQ and posted to HACFM's website no later than 5:00 p.m. on June 11, 2020.**

**Any additional Addendums shall also be posted to the website and therefore, it is the proposers responsibility to check the website for any subsequent addendums.**

## **PART I – GENERAL BACKGROUND INFORMATION**

### **1.1 Background Information**

Urban Design Associates is serving as the Community Engagement & Design Charrette Planning Coordinator, for this effort and will oversee the development of three key components of the Southward Village Transformation Plan: Housing, People/Education and Neighborhood. HACFM will establish four Task Forces and an overarching Transformation Steering Committee comprised of key Fort Myers stakeholders to guide the development of a holistic Transformation Plan. HACFM will use this Transformation Plan as the basis for seeking CNI implementation funding. The Transformation Plan seeks to redevelop Southward Village and other local sites to create an economically and socially diverse, healthy and vibrant mixed-income urban neighborhood that includes a wide range of land uses and densities.

In 2019 HACFM completed a comprehensive design planning process of the current Southward Village site, in which an experience CNI (Choice Neighborhood Initiative) Master Developer will advise on the program and design for the replacement housing and other affordable and market-rate unit types (working with HACFM’ staff and consultants); identify other investments essential to creating a sustainable and healthy community; coordinate housing activities with neighborhood, resident services, and educational programs; and take the lead in securing state, other federal, and private funding in support of the Transformation Plan. The Master Developer will be responsible for securing financing and leveraging CNI implementation funds.

The Master Developer must be able to work collaboratively with the CNI Planning team including HACFM and HACFM, Urban Design Associates, the Steering Committee and Task Force Chairs and members, the Southward Village residents, and the broader community. The Master Developer’s architect will be responsible for refining redevelopment concepts during the planning process. The Master Developer and architect will play a guiding and consulting role during the planning process to ensure that the preferred housing redevelopment concept set forth in the Transformation Plan is market-appropriate and financially feasible. Housing Authority of the County of Fort Myers HACFM owns and manages 1,106 low-income public housing units and provides rental subsidies to approximately 11,000 households through its Housing Choice Voucher program, and a nonprofit affiliate that owns and operates over 300 units of affordable housing in Lee County.

#### Southward Village Public Housing Complex

Southward Village is a 200-unit Public Housing complex within the Dunbar neighborhood. Southward Village is bounded roughly by Edison Ave. to the north, Ford St. to the east, South St. to the south and Dunbar Park/Star Complex on the west. Originally constructed in 1962, much of the infrastructure serving the development is original to the site and has reached the end of its useful life. The suburban style development consists of a community building and 200 one-story residential buildings and a community building on 40 acres and is now functionally obsolete. The site is zoned Residential Medium Density. RMX Zone permits multiple family residential, office, and limited commercial uses in a mixture established for the area through a special planning district or adopted locational standards. Maximum density in the RMX zone is thirty-six (36) dwelling units per acre. The RMX zone allows a mix of moderate density residential and neighborhood-serving commercial uses as a matter of right. Residential densities are the same as that of the R-3A zone, while the types of commercial uses permitted are generally similar to that of the C-1 zone.

#### Dunbar Neighborhood

The Dunbar neighborhood is an area in transition. Located at the confluence of the Dunbar community and Hope’s Garden’s and just east of downtown, the target area is changing from a declining industrial area into one of the largest infill opportunities in the country. With the widening of the street Martin Luther King Blvd and Veronica Shoemaker Blvd., the area has experienced limited investment, and its isolation and proximity to the densely populated low-income housing has contributed to the presence of a large homeless population.

The Dunbar neighborhood has been re-envisioned as a vibrant, mixed-use in-fill community connected to the surrounding area by a network of local streets, access to public transit, and bicycle and pedestrian pathways.

The expectation is to see the neighborhood transition into a radiant community offering a wide range of employment, entertainment, retail, commercial, and housing opportunities. The Community Transformation planning process will build upon a number of existing and planned neighborhood assets and initiatives in the Dunbar and surrounding neighborhoods.

## **1.2 Method of Solicitation**

HACFM is soliciting qualification statements from experienced CNI Master Developers with a documented track record of providing the required services. HACFM is requiring that each applicant submit a vision that describes the type of mixed-income development(s) the respondent believes is feasible and which incorporates the city redevelopment plans. In addition, the proposal shall demonstrate the respondent's capacity and readiness to perform the required Scope of Services expeditiously. Finally, the proposal shall include evidence of the respondent's previous experience and qualifications relative to the provision of such services, particularly the development of mixed-income communities that include public housing units.

The selected CNI Master Developer will be responsible for working with the Transformation Plan participants to develop a holistic and sustainable community in the Dunbar neighborhood. The selected CNI Master Developer will be responsible, at a minimum, for implementation of the Housing and People component of the Transformation Plan.

The selected developer would serve in full-service capacity, advising the HACFM as needed on all financings and programs of work involving acquisition and development of affordable housing assets designed to improve and expand the availability of affordable housing in Fort Myers, Florida.

The HACFM will consider utilizing multiple debt and equity instruments including, but not limited to, tax exempt bonds, low income housing tax credits, mortgage financing, limited partnerships, HOME funds, SHIP funds and public/private collaborations as its principal forms of financing and development of existing assets and the creation of additional affordable housing. The HACFM may from time to time use proprietary funds for credit enhancements, development loans or other purposes in order to provide affordable housing in Fort Myers. Major roles of the selected developer will be to identify adequate development funds from these and other sources and to provide guarantees.



## PART II – SCOPE OF SERVICES

### 2.1 Summary of Services

HACFM encourages the CNI Master Developer to propose creative forms of partnerships that benefit the development team, HACFM and the City of Fort Myers. During the transformation planning effort, the selected CNI Master Developer will guide the development of the Housing, Neighborhood and People program and design; and prepare development and operating pro formas for the Housing and Neighborhood components.

This RFQ is intended to procure a CNI Master Developer for Transformation of Southward Village with the Choice Neighborhoods Initiative Program. Respondents are encouraged to present to the HACFM a complete team, including the trades required for the success of the CNI Development.

For implementation services, a Master Development Agreement (the “Agreement”) will be negotiated that delineates the roles and responsibilities of HACFM as Co-Developer and the CNI Master Developer as well as the fee structure. Once implementation financing is secured, the Master Developer will be responsible for all development/project costs.

The HACFM's goal is to have Development proceed as expeditiously as possible. Responses that demonstrate an ability to complete Developments on the earliest possible, realistic schedule will be favorably received by the HACFM. The Respondent shall certify its ability to start work immediately and should propose a staffing plan that describes the existing time commitments of the staff proposed to be assigned to the project and whether any of the staff will be locally based.

The selected Respondent will develop a comprehensive Master Plan and budget and submit same to the HACFM for review and approval.

### 2.2 Program Requirements

Respondents to this RFQ are strongly encouraged to examine the most recent Choice Neighborhood Implementation grant NOFAs and proposed program parameters outlined on the HUD.gov website. Respondents should reply with proposals that are responsive to HUD/HACFM priorities, the market, and the environment, and that provide for the successful redevelopment of the Southward Village public housing. The Transformation Plan to be developed in consultation with the procured CNI Master Developer shall be consistent with the following minimum program requirements:

**A. One-for-one replacement.** Demolish the existing units of public housing and replace one-for-one with deeply subsidized units (i.e., residents pay no more than 30% of income for rent) on and off the original site in the Dunbar neighborhood.

**B. Mixed-income developments.** Create new units to reflect a new, economically viable mixed-income community that includes residential and, if feasible, non-residential uses. To the extent possible, the new community should include a mixture of deeply subsidized, affordable and market rate rental and homeownership units as determined to be viable and advantageous to the overall development effort. The different affordability types should be mixed across all building types and located throughout all sites. Community facilities and commercial development components of the Transformation Plan will be determined during the planning process and in consultation with the Developer.

**C. High quality design.** Create a sustainable new community of high-quality design that meets or exceeds industry standards and incorporates state-of-the-art energy conservation and Green Building techniques in a LEED-certifiable project. For CNI, HUD is requiring LEED.

**D. Leverage resources.** Pursue funding sources appropriate for the revitalization program and HACFM owned land, maximizing the efficiency and effectiveness of public resources. Work collaboratively with HACFM, state and federal agencies to identify a variety of resources to support housing and non-residential components of the Transformation Plan, including the acquisition of additional real property as needed. These resources may include but not be limited to CNI Implementation funding, tax credits, bond financing, CDBG/HOME funds, private mortgages, project-based vouchers, and energy rebates from local utilities.

**E. Neighborhood integration.** Create a diverse Dunbar community that is connected to the downtown and the surrounding neighborhoods, strengthens the economic vitality of the area, and supports the functions of daily life including education, recreation, retail, and community facilities.

**F. Public engagement.** Actively engage the participation of the Dunbar neighborhood, Southward Village residents, public agencies and institutions, community-based organizations, and businesses in the planning and implementation efforts.

**G. Support development of Human Capital.** Develop a human services delivery system to help meet the needs of the residents of the new community and the surrounding neighborhood, including training and employment opportunities as well as community and supportive service programs for public housing residents. HACFM will assist with the human services delivery system, but the CNI Master Developer is expected to maximize job opportunities through a robust Section 3 program and to incorporate the supportive services programs into the long-term operations of the new community, together with securing any necessary funding commitments for such services.

### **2.3 Role of HACFM as Co-Developer**

*HACFM will play the following roles in the planning and redevelopment effort:*

HUD Contact - HACFM will manage and take responsibility for all communication with HUD; the preparation and submission of program documents and evidentiaries; and will obtain all HUD approvals including but not limited to demolition/disposition approval and mixed-finance approval. However, to the extent any such documents or evidentiaries are within the knowledge or responsibility of the CNI Master Developer to prepare or assist in preparing such documents and evidentiaries as HACFM may direct.

Provider of HUD Grant Funding - HACFM is prepared to apply for a HUD programs such as the Choice Neighborhood Planning or Choice Neighborhood Implementation grants and will make these funds available to the Master Developer in an amount to be negotiated based upon the developer's ability to demonstrate such need and in accordance with HUD's Cost Containment and Safe Harbor Guidelines. The Master Developer will be required to achieve the maximum leverage of public resources, including land, by securing private, other federal and State funding, and to secure all funding for non-public housing units.

Provider of Other Federal/Local Resources - To the extent feasible, HACFM is prepared to loan federal or other local resources targeted for affordable housing for the construction and permanent financing for the affordable housing projects that are a result of the Transformation Plan.

Provider of Operating Subsidies – HACFM will make financial contributions toward the cost of operating the revitalized development in the form of federal operating subsidies for the public housing units. HACFM will not

provide to the Master Developer any amount larger than what it receives from HUD less an amount it will retain for its monitoring and asset management functions. The provision of the operating subsidies will be contained in a Regulatory and Operating Agreement, the terms of which will be negotiated between HACFM and the selected Master Developer and approved by HUD. Use of public housing funds for development and operations comes with federal restrictions. The Master Developer is responsible for knowing the restrictions that apply and understanding how they may affect the development. HACFM may also provide Section 8 Project-Based Vouchers to the owner of any development as replacement housing.

Real Estate Structure – It is HACFM’ intent to enter into a financial and real-estate structure with the Master development that maximizes financial benefit to the HACFM. The Master Developer shall develop the public housing units in a manner which will qualify them for a Payment in Lieu of Taxes ("PILOT") and any related Cooperation Agreements with the City of Fort Myers as authorized by law if HACFM determines it will be in the best interest of the development.

Relocation – Master Developer working with HACFM will be responsible for relocating all existing residents from the site in a time frame to be determined. The Master Developer may be requested to phase the redevelopment effort to create new housing that Southward Village residents can relocate to in one move, avoiding the need to move out of the Southward Village neighborhood.

Admissions – All existing Southward Village residents will have the right to return to any replacement unit if they are lease compliant per HACFM’ lease and criteria in HACFM’ Admissions and Continued Occupancy Policy (ACOP). No additional screening criteria will be imposed. Once the replacement units have been offered to former Southward Village residents, any remaining units and those at turnover must be offered to applicants on HACFM’s waiting list.

Asset Manager – HACFM will continue to have asset management responsibilities related to the public housing units as well as all other units in which HACFM or its affiliate has an ownership interest. HACFM will monitor and enforce the terms of its Lease(s) and Operating Agreement(s) with the Master Developer and require that all units be managed in accordance with applicable local, state and federal requirements.

## **2.4 Role of Master Developer**

Throughout the continued planning and implementation of the Transformation Plan, the Master Developer will work closely with HACFM, the residents, HACFM consultants, and the Steering Committee and Task Forces. The Master Developer will be responsible for ensuring that the final Transformation Plan is financially feasible and implementable. The final Transformation Plan must create the blueprint for a successful, stable, diverse, safe, attractive and sustainable mixed-income, mixed use community. In general, the goal is to ensure that all units are produced in a manner that renders the public housing units indistinguishable from those targeted to other income groups, and the developments are integrated into the fabric of the existing neighborhood.

### **Master Developer General**

- Lead on the Transformation Plan – HACFM, working with the Southward Village residents and the broader Fort Myers community, will be responsible for developing the Transformation Plan with the CNI Master Developer. CNI Master Developer and its consultants will take the lead on the preparation of any HUD grant applications for redevelopment funding with support as necessary HACFM.
- Oversee and Implement the Housing Components of the Transformation Plan - Provide the necessary Staffing, expertise, supervision and guarantees to implement all aspects of the redevelopment fully and expeditiously as required by the Master Development Agreement. Design and construction of all

infrastructure and site improvements. Where appropriate, the Developer may also be requested to implement Neighborhood improvements included in the Transformation Plan.

- Ownership Structure - Work with the HACFM and its legal team to create an ownership structure for the development which may include an affiliate of the HACFM as a general partner or managing member.
- Formation of Owner Entity - The Master Developer will cause the formation of a separate owner entity to manage the Development. HACFM or an affiliate of HACFM will be a general partner or non-managing member of such owner entity. HACFM or its affiliate will have the option to replace the Master Developer or its affiliate as the managing general partner or managing member following project stabilization. HACFM or an affiliate of HACFM will also have the option, but not the requirement, to become the management agent for the Development at any time following project stabilization. Such rights shall be set forth in the Partnership Agreement or Operating Agreement of each owner entity.
- First Right of Refusal - Additionally, the HACFM or its affiliate shall have an option and right of first refusal to acquire the Development in the event a bona fide offer to purchase the Development is received by the owner entity or at any time after the expiration of the LIHTC compliance period. Such right and option shall be for a purchase price equal to the minimum required pursuant to Section 42 of the Internal Revenue Code.
- Develop and Maintain a Detailed Development Schedule and Critical Path Schedule - Develop and maintain a detailed schedule of events, predicated on financing deadlines, that includes pre-development activities, construction start, project stabilization and permanent loan close. Develop a Critical Path Schedule for all phases of construction, and lease-up and stabilization.
- Hire and Manage Consultants and Contractors Necessary to Implement the Project – Working with HACFM, procure consultants and/or contractors and coordinate all tasks necessary to implement the Transformation Plan. At a minimum the Master Developer's team will include consultants appropriate to cover the architectural, environmental review, market analysis, geo-technical studies, civil, mechanical, and electrical engineering, and any other activities deemed necessary by the Master Developer. Respondents are strongly encouraged to demonstrate participation on their team of expertise in areas of relevance to the locale's development process, including LIHTC financing and construction matters, and experience with Florida Housing Finance Corporation.
- Maintain Communication with HACFM, HUD and the Residents – HACFM will establish a regular schedule of monthly team meetings, in which the Master Developer will participate. Moreover, the Master Developer will be responsible for submitting monthly progress reports on the project status and schedule, including but not limited to design, permits, financing, resident coordination, etc. The related format and media form of such reports will be defined in the Master Development Agreement.
- Develop and Maintain Quality Control Measures - The Master Developer is responsible for ensuring the Project is constructed and managed with the highest quality materials and workmanship. The Master Developer will be required to implement quality assurance and control measures to ensure effective performance by all parties in all aspects of the program.
- Foster Resident Involvement in Project Implementation- Facilitate and foster the involvement of public housing residents in the implementation of the Transformation Plan. In cooperation with HACFM, keep residents informed of the status of the revitalization effort, plan for providing job opportunities for residents during and after implementation, and assist/encourage resident businesses.
- Responsiveness to Local Community, Neighborhood, and City Interests - Promote and maintain good relations with community and neighborhood groups, and federal, state and local governments.

- Community Facilities - The Master Developer may be tasked with the construction of any community facilities that are included in the development program.
- Minority and Women's Business Enterprise (M/WBE) – The Master Developer shall develop a strategy to coordination with the HACFM to meet the requirements of the Minority and Women's Business Enterprise requirements under the U.S. Department of Housing and Urban Development. Depending on the type of project and funding source, the specific federal requirements are found at 24 CFR 85.36 or at 24 CFR 84.44(b) Section 3 and Section 3 requirements set forth on Exhibit A to this RFQ are satisfied.
- Compliance with Laws - Comply with all applicable federal, state and local laws, rules and regulations applying to the activities required by the Agreement.
- Lien on Low Income Housing Tax Credits (LIHTC) - The Co-Developer shall guarantee to HACFM the lien free completion of construction of the Development in compliance with the Development Schedule and the Development Budget. The Co-Developer, and not HACFM or any HACFM affiliate, shall be responsible to the LIHTC investor for all construction cost overruns, timely completion of construction or the recapture of any LIHTCs.
- LIHTC Guarantees - The Co-Developer shall provide all guarantees required by the LIHTC investor and any lender.
- LIHTC Equity Adjustments - The CNI Master Developer shall be responsible for any adjustment to the equity provided by the LIHTC investor arising out of an adjustment in basis, or timing or delivery of units.
- Section 3 - The Master Developer shall develop a strategy in coordination with HACFM for fostering Section 3 employment, training and contracting opportunities throughout the redevelopment process that are consistent with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u). HACFM is committed to ensure that all contractors and any tier subcontractors that are awarded a contract in excess of \$100,000 for work generated through the expenditure of HUD funding shall take all necessary and reasonable steps to provide meaningful, full-time, permanent employment and training to Section 3 qualified persons. The Section 3 employment goal is 30% of all new hires. Further, all contractors and any tier subcontractors that are awarded a contract, in excess of \$100,000 for work generated through the expenditure of HUD funding shall take necessary and reasonable steps to provide business opportunities to Section 3 qualified business concerns. The Section 3 contracting goal is 10-percent of contract and subcontract value. The selected Master Developer shall have a viable program in place to assure the goals are met or exceeded. A monthly report to HACFM is required by the Master Developer to accurately demonstrate the level of effort and compliance.
- Debarment - The Master Developer must provide evidence that any subcontractor is not debarred, suspended or otherwise prohibited from professional practice by any federal, state or local agency.

#### **Master Developer Pre-Development:**

- Interpret the Market Analysis Addressing the Residential and Non-Residential Components Prepared by Zimmerman and Volt. - Working with HACFM, finalize the overall development program, interpret the market analysis that will, based on area economics, assist in determining the proper mix of rental vs. homeownership units and subsidized vs. market rate units consistent with the stated 1:1 replacement requirement; assist in determining the proper mix of any non-residential uses including community, recreational and commercial; and confirm that proposed rents (both residential and commercial) and unit sales are supportable in the local market.
- Design Development Process – During the schematic design and design development phases, meet regularly with HACFM, the residents and the neighboring community to review all aspects of the design.

Activities include but are not limited to securing permits and approvals, entitlements, survey, and engineering, etc.

- Develop a Homeownership Plan (if part of the Transformation Plan) - In cooperation with HACFM and HACFM, and per HUD requirements, prepare a detailed plan for any subsidized and unsubsidized homeownership opportunities proposed for public and non-public housing residents.
- Develop a Multifamily Plan – In cooperation with the HACFM and per HUD requirements, prepare a detailed plan for subsidized rental opportunities which will require an affordable housing market analysis of the proposed affordable multifamily site(s).
- Obtain Environmental Clearances - In collaboration with HACFM procure the necessary consultants and prepare the necessary documents to obtain environmental clearances from all interested agencies. Work with an architect on undertaking and conducting environmental and geotechnical testing and an analysis of the condition of existing utilities at the site.
- Demolition and Remediation – The Master Developer will assume primary responsibility for the demolition and remediation of the existing public housing units.
- Plans and Specifications: - The Master Developer will be responsible for all necessary permits and zoning approvals in the preparation of the infrastructure and building plans which will be subject to HACFM, and City review.

## **Financing**

- Produce an Overall Financing Plan - Produce an attainable financing plan for the overall revitalization effort. The overall financing plan will be developed in conjunction with the Transformation Plan and market analysis. The financing plan must demonstrate a sensitivity and approach in using public funds and resources in the most efficient manner, maximizing leveraging of any government funds to the greatest extent possible. Obtain financing, through the use of Low-Income Housing Tax Credits ("LIHTC"), HOME Funds, Community Development Block Grant Funds, State Housing Initiatives Partnership ("SHIP") program funds, State Apartment Incentive Loan ("SAIL") program funds, and other public or private funding sources, to develop the property.
- Operating and Finance Guarantees - The Master Developer will provide all required operating and financing guarantees to the HACFM and other lending institutions.
- Prepare the Mixed-Finance Proposal/HUD Rental Term Sheet – Provide required information for the preparation of any Mixed-Finance Proposals. HACFM shall submit the Mixed-Finance Proposal to HUD for review and shall prepare the evidentiary documents for which it is responsible and shall make all evidentiary submissions to HUD (as described in the Role of HACFM).
- Financing Application(s) - In accordance with the Agreement, the Master Developer will be required to pursue diligently and use best efforts to obtain all financing necessary to implement the Transformation Plan in a timely fashion, which may include, but not be limited to, tax credits, tax exempt bonds, state and local funds and private debt.
- Maximize the Leverage of Public and Private Resources - Maximize the leverage of public and private resources by pursuing all reasonable sources of financing and utilizing a variety of partners and partnerships. Take full responsibility for securing all financing sources in a timely fashion. Coordinate discussion and negotiations with financial institutions and private partners. All financing terms are subject to review and approval by HACFM.

- Obtain Equity Investment - Using an approved competitive process, obtain equity financing commitment on the best terms currently available.
- Guarantees - Provide all guarantees required for the successful financing of the Project, including completion guarantees, operating deficit guarantees, and tax credit adjuster or recapture guarantees and guarantees of performance under the Agreement. The Master Developer will be required to demonstrate financial ability to honor the guarantees and indicate how they intend to honor the guarantees if necessary.
- Fees – Identify all fees and/or compensation provided to the Master Developer and any of its related entities for each development with replacement units.
- Operating Feasibility - Structure reserves and other devices as will reasonably guarantee the long-term operating feasibility of the replacement units, utilizing no more subsidy than is made available or committed by HACFM
- Accounting/Financing - Maintain accounting records and ensure Project financing is available at the appropriate times and utilized in the appropriate manner.
- Facilitate Necessary Site Improvements - Pursuant to the MDA, the Master Developer shall initiate and complete abatement and demolition, site work, and infrastructure construction.
- Implement Development Program - In accordance with the MDA and the final Transformation Plan approved by HUD, the Master Developer will develop all improvements associated with the development program, including multi-family and single-family units, community facilities and any commercial space.
- Hire Qualified General Contractors and Oversee Construction Activities - As to be provided for in the Master Development Agreement (MDA), the Master Developer will create and implement a process for selecting the most qualified local General Contractor (if the local General Contractor is not identified as member of the Development Team at the time the Proposal is submitted to HACFM). During construction, the Master Developer shall provide oversight, and management as deemed necessary, of construction activities by coordinating with all development team members and attending jobsite meetings to ensure the expeditious implementation of construction activities.

## PART III – SUBMISSION REQUIREMENTS

### 3.1 Outline of Submission Requirements

*Listed below are the sections that must be included in the written proposal. Each section must be clearly labeled using the bold-faced titles listed below and shall be assembled in the order described herein. The required submission must be bound, and each section tabbed.*

Respondent should indicate its requirements regarding advance funding, compensation, and similar issues. Respondent must provide a demonstration of the Respondent's financial stability and ability to provide adequate assurances for completion of the development.

As a Co-Developer, the HACFM expects to receive a share of all fees including development fee, property management fees, asset management fees, incentive management fees and cash flow. HACFM expects at least a 35% share of developer fee, 25% of the property management fee, or operating line item cost for administration, 50% of all other earnable fees (e.g. asset management, incentive management, construction cost savings, etc.) and 50% of cash flow until such time that the respondent exits the partnership. It is expected that the Co-Developer will exit the partnership after stabilization and upon approval of the Limited Partner.

Respondents must compile responses using the following outline:

1. Letter of Interest
2. Team Description
3. Profile of the Master Developer & Development Team Members
4. Technical Response
  - a. Vision & Feasibility Analysis for the Site and Neighborhood
  - b. Financing Approach
  - c. Business Terms
5. Community Participation Approach
6. MBE/WBE/Section 3 Participation Plan
7. Required forms and Certifications

**Responses that do not include all required information will be deemed unresponsive and may be disqualified.**

### 3.2 Description of Submission Requirements

*The following provides guidance on qualifications-based proposal and how it must be organized. The purpose of this information is to establish the requirements, order and format for responses, and to ensure that the proposals are complete, include essential information, and can be fairly evaluated. Respondents are requested to avoid duplicative materials and redundancies in the proposal.*

- a. **Eligibility to Bid and Contract:** Any Respondent who has been disbarred from bidding on projects by any federal, state, or local government agency, must fully disclose to the HACFM the details of such disbarment. Further, any person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal on a contract to provide any goods or services to a public entity, may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit proposals on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO, for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.



- b. **Letter of Interest:** Respondent's submittals shall be accompanied by a Letter of Interest on the Respondent's letterhead. The letter must list the development team members and identify the primary contact person. Please include phone number, facsimile number and e-mail address. This letter should include the Respondent's statement of understanding for the scope of work outlined in this RFQ, the commitment to perform the work expeditiously, a brief statement indicating why the Respondent believes itself to be best qualified to perform the engagement. The letter must be signed by an authorized principal of the Master Developer's firm and include a statement that the response is firm and irrevocable for ninety (90) days.
- c. **Team Description (Organizational Structure and Key Staffing):** Provide a detailed description of the organizational structure and staffing of the Respondent. List the members of the Respondent's team; indicate their areas of specialization and specific contribution to the team. Provide a brief description of previous collaboration among the members of the Respondent's team. Additionally, for each discipline represented on the Respondent's team, indicate if familiarity with state or local rules, practices or conditions is important to the effective accomplishment of the development and, if so, indicate the extent of and basis for the team's familiarity. Firms that will be using subcontractors to meet qualifications must be specific as to whom has the experience on behalf of the team.
- 1) Contact person, title, telephone/facsimile numbers, and e-mail address.
  - 2) Name of Master Developer, main address, telephone/facsimile numbers, and e-mail address.
  - 3) Address, phone, and facsimile numbers of office from which services will be provided, if different from above.
  - 4) Description of the firm size, number of employees, and a description of type, location, scheduled completion, and dollar value of the projects in the pipeline.
  - 5) Proposed role of Master Developer within development team.
  - 6) Identify the individual who will serve as project manager for the development team and who will direct and coordinate the development effort through completion. Describe the project manager's prior experience with projects of similar scope and size, with emphasis on experience directing a multi-disciplinary team and facilitating a community involvement process.
  - 7) Provide an organization chart of the development team. All entities that comprise the team must be identified including consultants, contractors, and attorneys, indicating their specialization(s), specific contribution to the team, and whether they are an M/WBE/Section 3 business. Please provide information on the development team's prior experience working together.
  - 8) Provide examples of the team's prior experience in the planning and construction of affordable mixed income, mixed-finance and mixed-use housing development projects of comparable size and complexity in urban areas within the past five (5) years. Also discuss the team's experience in obtaining, structuring, and implementing layered financing for such projects, including Public Housing, Housing Choice Vouchers, other HUD funding (HOME, CDBG, etc.) and FHFC and County funds including 4% and 9% LIHTC and bonds;
  - 9) Provide examples of the team's experience with public housing requirements, including the rule and requirements applicable to mixed-finance development using public housing capital funds, and public housing operations.

- 10) Provide a narrative description of the team's previous experience in development of neighborhoods integrating community and supportive services into the overall development and maintenance of similar projects.
- 11) Indicate whether the team has experience working with local Fort Myers City and Lee County government authorities which regulate the permits and utilities necessary for the Revitalization. Additionally, for each discipline represented on the Respondent's team, indicate if familiarity with state or local rules, practices or conditions is important to the effective accomplishment of the development and, if so, indicate the extent of and basis for the team's familiarity;
- 12) Provide a narrative description of the team's previous experience in successfully utilizing M/WBE/Section 3 businesses and achieving goals for utilization.
- 13) Termination: Indicate whether the Master Developer or any team member has ever been terminated from a contract, and if so, describe the circumstances and outcome; and
- 14) Litigation: Indicate whether the Master Developer or any team member has ever sued or been sued by a Housing Authority, and if so, describe the circumstances and the outcome.
- 15) Provide the most current audited financial statements under separate cover marked "confidential".

d. **Profile of the Master Developer (Profile of Principals and 3rd Party Firms)**: Provide an overview of the Master Developer's experience in the planning, construction and management of projects similar to what is proposed. Include the following information for the last five (5) years. Projects must be listed in chronological order:

- 1) List all affordable and mixed-income rental housing projects (preferably involving HUD mixed financed or HOPE VI and/or CNI developments) highlighting any that incorporated mixed-uses that were successfully completed within the past 5 years, identifying the states where the projects are located, sources of financing including the size of the tax credit allocations and tax-exempt bond allocations received, the name of the investor(s) and dollar amount the investor(s) paid for the tax credits (expressed in cents per tax credit dollar). Specify the number of units, unit size, and income levels served (very low, low, moderate, market-rate or mixed and senior) and cost of each project. Additionally, identify any other noteworthy features of these projects, including retail, commercial, office and community spaces, and childcare facilities developed to name a few. Provide evidence of timely development demonstrating that projects were on schedule and within budget.
- 2) Provide evidence of competence with meeting requirements of LIHTC program and whether Master Developer, any affiliated entity or related property manager has ever been cited with any program violations by any state housing finance agency.
- 3) Indicate the projects which employed alternative "Green Building" construction techniques, such as deconstruction, prefabricated buildings, etc. Indicate projects employing sustainable development techniques and all LEED-certified development projects;
- 4) Demonstrate experience with property management of mixed-income, mixed-finance, and mixed-use rental developments of similar size, either directly or through supervision of property management provided by a third party. Include information about income groups served, current occupancy levels, operating deficit history, and ability to provide funding for community and supportive services programs;

- 5) Provide examples of previous projects evidencing the Master Developer's experience with successful new construction of multi-family residences in an urban setting, including any such projects that are mixed-income;
- 6) Understanding Local Requirements: Demonstrate that the Respondent possesses an understanding of local (County and City) requirements and procedures that will enable the effort to be efficiently completed;
- 7) Provide profiles of key staff, including the Project Manager, who will be involved in the redevelopment effort. Specify the roles of key staff in carrying out this development initiative and their previous experience with housing development and redevelopment. Identify the individual who will serve as the project manager and who will direct and coordinate the Project to completion.
- 8) For team members not directly employed by the Master Developer, provide a narrative overview of their experience within their respective disciplines on the planning, development, and operation of mixed-income, mixed-finance, and mixed-use developments of comparable size and complexity in urban areas; and
- 9) Complete/ Fill-out Exhibit B – Profile of Firm form for each Prime Firm and Subcontracting Firm that the respondent is providing in its response to receive experience and scoring consideration.

### **3.3 Technical Response to Proposed Transformation Plan:**

Respondents must provide a preliminary conceptual vision for how they would approach the revitalization of the Southward Village site, as well as any additional properties which the developer might seek to incorporate into the Transformation Plan (via current ownership, private acquisition and/or co-development agreements). A specific plan is not required. The Master Developer's vision for and approach to creating holistic and sustainable communities is what is being sought.

#### **a) Feasibility Analysis for the Site and Neighborhood**

The response must include the Master Developer's initial feasibility analysis for housing on potential sites in the neighborhood. The analysis can be in narrative form; specific site designs or renderings are not required at this time but may be submitted for illustrative purposes. The narrative must provide the Development Team's initial reaction to the Southward Village site, HACFM's stated objectives, market conditions, and the current activities in the surrounding community. The narrative should address how the Development Team will accomplish the overall goals and objectives of the Plan, the proposed income mix for the rental units, any homeownership units, community space, and/or commercial space, and any green aspects to the plan.

#### **b) Financing Approach**

HACFM expects at least a 30% share of developer fee, 25% of the property management fee, or operating line item cost for administration, 50% of all other earnable fees (e.g. asset management, incentive management, construction cost savings, etc.) and 50% of cash flow until such time that the respondent exits the partnership.

#### **Costs Structure:**

Describe how the Master Developer will pursue financing for the redevelopment effort and leverage HACFM' resources (including land and HUD grant funds). Identify the various funding sources that are appropriate for creating mixed-income developments and the developer's capacity to obtain LIHTC and other financing commitments in Florida.

c) **Business Terms**

**(Role of HACFM)** In consideration of its contribution of resources, including potential funding and land, HACFM anticipates a return on its investment. The form of this return can include a share of developer fees and cash flow, rent on the land ground leased from HACFM, or by other mechanisms proposed by the Master Developer and acceptable to HACFM. The Master Developer should propose a specific role for HACFM in the ownership structure, as appropriate (e.g. special limited partner, co-developer, lender, ground lessor, etc.) that allows it to receive an investment return and does not negatively impact the underlying project economics.

HACFM is interested in playing a role in property management and the Master Developer respondent must provide a description regarding how HACFM can participate in and/or develop experience managing mixed-income communities. HACFM understands that any role it plays in development and/or property management is subject to the approval of equity investors and lenders.

d) **(Fees and Cost Limitations)** HUD's Cost Control and Safe Harbor Guidelines will be the basis for negotiating business terms. These guidelines set limits for developer, contractor and property management fees, govern the use of, contribution to, and pay out of reserves and developer fees, control HACFM contribution to funding predevelopment activities, and determine how much public housing funding can be provided to fund a development. Funds will be provided for the development of the public housing units in accordance with regulatory and policy restrictions. The Master Developer must state its position and reasoning for each of the following development cost areas:

1. Expected amount and method of compensation for participation in planning activities related to development of the Transformation Plan and for providing design services that result in a final program and financing plan.
2. Expected amount and method of compensation for predevelopment activities related to implementation of the Transformation Plan.
3. Proposed development fee stated as a percentage of total development costs as defined by HUD.
4. Proposed limitations on guarantees or unique approaches to reserves, cash flow, etc.
5. Compensation and return on investment to be paid to HACFM, including a share of development fees, ground lease payments, property management fees, incentive fees, interest earnings on loans and residual cash flow.
6. Any additional fees and/or compensation to developer and any of its related entities.

e) **(Development guaranty)** For every development phase, the Master Developer shall provide an unlimited guaranty of completion and performance from a financially responsible entity satisfactory to HACFM to ensure that the development is completed. The guaranty shall cover development costs in excess of contingencies agreed to by HACFM. Further details of the guaranty will be negotiated and included in the Master Development Agreement.

f) **(Right of first refusal and/or purchase option)** HACFM will be provided a right of first refusal and purchase option using the minimum purchase price permitted under federal tax law to secure the right to purchase public housing units and/or the mixed-income rental developments in which they are a part upon expiration of mortgages, refinancing, or notification of interest/readiness to sell housing developments.

**1. Community Participation**

Describe how the team will involve the Southward Village community in the implementation of the redevelopment activities. The response must include a discussion of the approach and methods your team will utilize to assure meaningful participation by the residents of the property, community stakeholders and local government entities in the planning and implementation of the Housing Component of the Transformation Plan.

**2. M/WBE/Section 3 Participation Plan**

Identify which members of the development team are M/WBE/Section-3 businesses. Describe prior development experience utilizing M/WBE and Section-3 businesses in sufficient detail to reveal the team's track record and allow an assessment of the level and quality of effort. The response must include a discussion of the approach and methods your team will utilize to assure significant employment of residents of HACFM and other individuals eligible as Section 3 participants.

**Approach to Utilization of Disadvantaged ("DBE"), Minority ("MBE") and Women ("WBE") Business Enterprises:** Describe Respondent's approach and process to promote DBE, MBE, WBE, and Section 3 business participation in the development effort. Respondent must show proof of a good faith effort to obtain 35% minority participation in the development effort. The Respondent must comply with the requirements set forth on Exhibit A. The requirements set forth on Exhibit A must be addressed with the Respondent's responses to this RFQ.

**g) Required Certifications and Information**

The following documents, which are contained in the Appendix, must be included in the proposal and must be properly executed and/or notarized:

- a. Attachment A – Check List**
- b. Exhibit A**
- c. Exhibit B**
- d. HUD 5369-B, Instructions to Offerors Non-Construction**
- e. HUD 5369-C, Certifications and Representations of Offerors Non-Construction**
- f. HUD-5370-C, General Conditions for Non-Construction Contracts (either Section I or both Sections I and II)**
- g. 50070 Certification for a Drug Free Workplace**
- h. Disclosure of Lobbying Activities**
- i. 5369-A Non-Collusion Affidavit**
- j. Public Entity Crime Form**
- k. Section 3 Documents/Section 3 Certification**

**Capacity:** Respondent shall certify that the Respondent and all team members are available to start immediately. The Respondent should describe any existing time commitments of the proposed team members or their proposed staff which would impair the Respondent ability to proceed expeditiously.

**Financial Statement:** Provide current financial statements of the Respondent prepared by a Certified Public Accountant.

## **h) Business References**

**At minimum all respondents must provide** the name, mailing address, and telephone number of two community partner references, two housing authority references (if the Respondent has housing authority experience), two tax credit investor references, and one Housing Finance Agency reference. References must verify Respondent's representations. The HACFM reserves the right to check other references as well.

### **References - Affordable Housing Experience**

Provide information on residential rental development projects in which the Respondent has participated. Focus on the five most recently completed developments, particularly Florida affordable partnerships with public housing authorities for which the Respondent was procured. Information should list the project name, location, project size, project completion date or current status, funding sources and amounts, ownership type, public programs utilized, income levels served (very low, moderate, market rate, or mixed), type of development (high, mid or low-rise, walk-ups, townhouses, etc.), extent of community and/or resident participation, and total development cost. In addition, complete the attached Exhibit B for four projects most comparable to this RFQ.

**Proposed Development Methods and Strategy:** Provide a narrative description of the Respondent's methods and strategy for the development of this project. Illustrate this approach with descriptions of up to four such developments, including one well established development and one recently completed development.

In addition, complete the attached Exhibit B for four projects most comparable to this RFQ.

### **References - Finance Experience**

Describe new and innovative financing techniques for raising capital that the Respondent has employed. Describe Respondent's approach to managing the financial risk associated with affordable housing development. Demonstrate that the Respondent possesses an understanding of state and local requirements and procedures that will enable necessary equity to be raised and the effort to be efficiently completed.

Describe the financing strategy of the Respondent and the proposed methods that will be utilized to identify and obtain the maximum financial funding needed to complete the development effort while minimizing the amount of HACFM funds required to successfully complete the project. Describe what funds the Respondent will commit, what other private and public funds will likely be necessary, and from what sources and when these funds will likely be available. Respondent shall provide their approach to the division of work and responsibility between them and the HACFM, as well as their requirements with regard to advance funding, compensation and similar issues. The HACFM is interested in a financial structure that allows it to participate in the financial benefits of the development.

### **References - Green Building Experience**

Provide information on all green building development projects in which the Respondent has participated. An important goal of the HACFM is to develop an environmentally responsible development on the site(s) that can serve as a model for residential construction in Fort Myers and the State of Florida. It is the intent of the HACFM to implement financially feasible, technologically sound strategies to conserve energy and to surpass current norms for water conservation, waste management/recycling and the quality of the indoor environment. The HACFM will require that such strategies be fully explored in the development of the site(s).

## **PART IV – PROCUREMENT PROCESS**

### **4.1 Proposal Evaluation/Contract Award:**

A committee will evaluate the proposals received under this solicitation in accordance with the minimum information requirements and the Proposal Preparation and Submission Outline below. The evaluation process will be based on a weighted point system with the evaluation factor or sub-factor's relative weight listed immediately following each factor/sub-factor. The HACFM urges all interested Respondents to carefully review the requirements of this RFQ.

All submissions will be evaluated by an Evaluation Committee comprised of consultants and staff. Written submissions containing the requested information will serve as the initial basis for the evaluation of responses. Each written proposal has a possible score of one hundred (100) points as set forth in Section 4.

A short list of finalists will be established based upon the written submissions. Interviews may or may not be conducted with the finalists. The interviews of the finalists will be used to further evaluate the respondents and ultimately identify the top-rated Respondent utilizing the same point system as described in Section 4. The finalists may be required to present their qualifications to the HACFM Board of Commissioners (the "**HACFM Board**").

The initial rankings following the review of written submission will be used to establish finalists for interviews. Following interviews, all finalists shall be fully reviewed, taking into account all information from both the written submissions and interviews. The Evaluation Committee shall then meet and discuss the Respondents and come to a consensus ranking based on the criteria set forth in Section E.3.a.

Following the Evaluation Committee review of written submissions and interviews, if any, the consensus ranking shall be provided as a recommendation to the HACFM Board for approval. Upon HACFM Board approval, HACFM will enter contract negotiations with the highest ranked Respondent. If negotiations between the HACFM and the highest ranked Respondent fail to produce a mutually acceptable Master Development Agreement, the HACFM will terminate those negotiations and proceed with contract negotiations with the second highest ranked Respondent. At the HACFM's sole discretion, the HACFM may continue that process until a mutually acceptable agreement is reached between the HACFM and a Respondent.

**HACFM reserves the right to reject any and/or all proposals.**

**The HACFM further reserves the right to negotiate with the Respondent selected and to accept the proposal which is in the best interest of the HACFM as determined by HACFM.**

**If after selection of a co-developer a Master Development Agreement cannot be reached, HACFM reserves the right to move on to negotiations with the next highest rated bidder and so on.**

#### 4.2 Evaluation Criteria (Proposal Preparation and Submission Outline)

Firms shall submit proposals in accordance with the following outline to receive the maximum points (100) under this solicitation. Items which are not addressed within the proposal will be given a score of zero (0).

| Item # | Description   | Maximum Points |
|--------|---|----------------|
| 4.2.1  | Evidence of the Respondent's ability to perform the work as indicated by profiles of the principles and staff and team members including development team subcontractors and explanation of their professional, technical competence and relevant experience with projects of similar size and scope. CNI Development experience required. Please identify which team members will be assigned to this project. | 30 points      |
| 4.2.2  | Qualification of key personnel, location of staff, and resumes, including the firm's capacity as it relates to size and available resources to complete the development.  | 20 points      |
| 4.2.3  | Firm's approach and ability to meet the HACFM's deadlines.  | 10 points      |
| 4.2.4  | Explanation of cost to the HACFM, if any, together with a demonstration of the Respondent's financial stability and ability to provide adequate assurances for completion of the development. Include predevelopment and development costs structure.   | 15 points      |
| 4.2.5  | References  | 10 points      |
| 4.2.6  | Provide evidence of demonstrated knowledge and familiarity of applicable governmental regulations and codes as required by the U.S. Department of Housing and Urban Development, State of Florida, County of Lee, City of Fort Myers and any other agencies having authority.   | 10 points      |
| 4.2.7  | Status of Respondent as a DBE, MBE, WBE, Section 3 Business concern or Statement of Respondent's Section 3 Plan.  | 5 points       |

**Firms that will be relying on subcontractors to increase their point scores for specific expertise must provide a Profile of Firm form for each subcontractor.** It is expected that these subcontractors will be a part of the team for the duration of the contract. This form is not applicable to the overall development team participants which include Property Management Companies, General Contractors, Attorneys, Architects or Engineering Firms unless that participant has explicit expertise that the respondent is wanting to acknowledge and receive consideration for.



## **PART V – CONTRACTING REQUIREMENTS**

### **5.1 Compliance with Laws and HUD Regulations**

The selected Respondent shall comply with all local, state and federal laws and regulations in performance of services pursuant to this solicitation, including but not limited to:

- a. Uniform Administration Requirements contained in 24 CFR 85.1 et seq., as amended**
- b. Executive Order 11246** of September 24, 1965 entitled “Equal Employment Opportunity” as amended by Executive Order 11375 of October 13, 1967 and as supplemented in Department of Labor regulations (41 CFR 60) (all construction contracts in excess of \$10,000)
- c. Sections 103 and 107 of the Contract Work Hours and Safety Standards Act** (40 U.S.C. 327-330) as supplemented by department of Labor regulations (29 CFR Part 5). (Construction contracts in excess of \$2,000, and in excess of \$2,500 for other contracts that involve the employment of mechanics and laborers)
- d. All applicable standards, orders and requirements issued under Section 306 of the Clear Air Act** (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency Regulations (40 CFR Part 15). (Contracts, subcontracts, and subgrants in excess of \$100,00)
- e. Copeland “Anti-Kickback” Act** (18 U.S.C. 8754) as supplemented in Department of Labor regulations (29 CFR Part 3). (All contracts and subgrants for construction or repairs)
- f. The Americans with Disability Act of 1990 (H.R. 2273, 8.933);** Sections 501 and 504 of the Rehabilitation Act of 1973, as amended; the Architectural Barriers’ implementing regulations (24 CFR 40). (All construction contracts)
- g. All applicable standards, orders and/or requirements established by and/or pursuant to:**
  - i. The Solid Waste Disposal Act as amended by the Resources Conservation and Recovery Act of 1976 (42 U.S.C. 6901, et seq.), and any amendments thereto.
  - ii. The Toxic Substance Control Act (15 U.S.C. 2601, et seq.), and any amendments thereto.
  - iii. Occupational Safety and Health Administration regulations, and any amendments thereto.
  - iv. The Comprehensive Environmental Response Compensation and Liability Act (42 U.S.C. 9601, et seq.), and any amendments thereto.
  - v. The National Environmental Policy Act (42 U.S.C. 4321 et seq.) and implementing regulations (24 CFR Parts 50 and 58), and any amendments thereto.
  - vi. The Florida Environmental Protection Agency regulations, and any amendments thereto.
  - vii. The Florida Department of Labor regulations, and amendments thereto; and
  - viii. Executive Order 11738 and the U.S. Environmental Protection Agency’s implementing regulations (40 CFR Part 15), and any amendments thereto.
- h. HUD’s Section 3 regulations** as found in the Code of Federal Regulations, at 24 CFR Part 135 - Code of Federal Regulations site.

## **5.2 Liability and Insurance Requirements**

The selected Respondent will be required to maintain General Liability, Worker's Compensation, Automobile Liability, Professional Liability, and other form of insurance, with firms authorized to do business in the State of Florida, during the duration of performance of activities pursuant to this RFQ. The Master Developer will also be required to indemnify HACFM against claims and obligations due to actions and activities of the Master Developer and not arising from negligence or misconduct of HACFM and its employees. Terms of required insurance and indemnification will be included in the MDA.

- a. The Respondent for this project must have the following minimum insurance coverage or include plan to acquire such coverage prior to execution of a contract. Please note that any additional premiums required for this coverage will be at the expense of the Respondent in submitting an RFQ proposal to the HACFM.
- b. Professional liability insurance in the amount of \$1,000,000 per occurrence for the Respondent and any other professionals used by the Respondent, with respect to negligent acts, errors or omissions in connection with professional services to be provided in connection with the development project. The HACFM must be added as an "additional insured".
- c. Workers' compensation insurance and employer's liability insurance in the maximum statutory liability amount, naming the HACFM and its affiliate nonprofit as additional insured.
- d. Business automobile liability insurance.

## **5.3 Conflict of Interest**

By responding to this RFQ with a submission, the Respondent warrants that, to the best of its knowledge and belief, and except as otherwise disclosed, it does not have any organizational conflict of interest. Conflict of interest is understood as a situation in which the nature of the work under this solicitation and the organizational, contractual and financial interest of the respondent are such that:

- a. The respondent may have an unfair advantage; or
- b. The respondent's objectivity in performing work pursuant to this RFQ may be compromised.

Respondents should note that a conflict of interest arises if an employee, officer or agent of HACFM a member of his/her immediate family, his/her partner, or an organization that employs or is about to employ any of the above (the employee/officer/agent, his or her immediate family or partner) has financial or other interest in the respondent.

## **5.4 Acknowledgement of Amendments**

The Respondent shall acknowledge in its response to this Request for Qualifications, receipt of any amendment(s). The Respondent's failure to acknowledge an amendment may result in rejection of the response.

## **5.5 Complete and Accurate Submission**

A Respondent's failure to provide accurate information in response to this Request for Qualifications may disqualify the Respondent from further participation in the selection process.

Qualifications may be corrected, modified, or withdrawn, provided that the correction, modification, or request for withdrawal is made by the Respondent, in writing, and is received by the Housing Authority of the City of Fort Myers; Laurie Victory, Procurement Specialist, prior to the date and time designated in the RFQ for final receipt of submissions. After such date and time, the Respondent may not change any provision of its proposal in a manner prejudicial to the interest of the HACFM and/or fair competition. Respondents are solely responsible for ensuring timely delivery by courier services; The HACFM will not accept any responses to this solicitation, after the final deadline, due to Respondent's misunderstanding of courier service hours and delivery times.

## **5.6 Retention**

All submissions are the property of the HACFM and shall be retained by the HACFM. Responses will not be returned.

## **5.7 Cancellation/Waiver**

The HACFM reserves the right to cancel this RFQ or to reject, in whole or in part, any and all submissions received in response to this RFQ upon its determination that such cancellation or rejection is in the best interest of the HACFM. The HACFM further reserves the right to waive any minor informality in any submissions received, if it is in the public interest to do so. The decision as to who shall receive a contract award, or whether or not an award shall be made as a result of this RFQ, shall be at the absolute sole discretion of the HACFM. In addition, multiple awards may be made.

## **5.8 Key Personnel**

The key personnel specified by the successful Respondent will be considered essential to the work to be performed by the successful Respondent. Prior to diverting any of the key personnel for any reason(s), the contractor shall notify the HACFM in writing, at least thirty (30) calendar days in advance, and shall submit justification (including proposed substitutions) in sufficient detail to permit evaluation of the impact on the contract. The firm shall not change key personnel or hours to be devoted, before or after contract award, without written permission from the HACFM.

## **5.9 Part of Contract**

The contents of the documents submitted by the successful Respondent may become part of any contract award at the sole discretion of the HACFM.

# **PART VI – HACFM RESPONSE & OPTIONS**

## **6.1 No Compensation for Response**

Respondent will not be compensated for work or costs related to preparation and submission of this proposal. Respondents selected for further interviews and negotiations will be responsible for all expenses incurred during these processes.

## **6.2 Initial Review**

All responses will be initially reviewed to determine compliance with the response format requirements specified within this RFQ. Responses that are not complete and accurate; and, do not comply with these requirements may result in disqualification from the solicitation without further review.

## **6.3 Amendment / Addenda**

The HACFM will endeavor to provide copies of applicable amendment or addenda to all potential Respondents to whom this Request for Qualifications has been transmitted. However, it will be the responsibility of each Respondent to make inquiry as to the existence and content of amendment or addenda, as the same shall become part of this RFQ and all Respondents will be bound thereby, whether or not the amendment or addenda are actually received by the Respondent.

Note: Formal Addendums shall be posted to the website at:

<http://www.hacfm.org/web/page.asp?url=BusinessOpps>

## 6.4 HACFM's Options

The HACFM reserves the right to cancel this RFQ, or to reject, in whole or in part, any and all submissions received in response to this RFQ, upon its determination that such cancellation or rejection is in the best interest of the HACFM. The HACFM further reserves the right to waive any minor informality, or the failure of any Respondent to comply therewith, if it is in the public interest to do so. The HACFM will pay no compensation to any Respondent for any costs related to preparation or submittal of the qualifications.

The HACFM will reject the qualifications of any Respondent who is suspended and/or debarred by HUD/SAMS/STATE of FLORIDA from providing services to public housing authorities and reserves the right to reject the proposal of any Respondent who has previously failed to perform any contract properly for the HACFM.

The determination of the criteria and process whereby submissions are evaluated and the decision as to whom shall receive a contract award shall be at the sole and absolute discretion of the HACFM.

### **By submitting a response to this RFQ, Respondent acknowledges and agrees to the following conditions:**

- All submissions in response to this RFQ become the property of the HACFM. As such, all submissions are public records, subject to public review.
- The HACFM will make no determination as to the adequacy or accuracy of any system, process, procedure or representation made by any Respondent. As such, pre-qualification does not infer approval of any such systems, processes, procedures or representations.
- **No Respondent shall initiate contact with any employee of HACFM or member of the HACFM Board regarding this RFQ until after the selection process is complete, the HACFM Board has approved the selection of a Respondent and an agreement with a Respondent has been executed. If any Respondent has any reason, not related to this RFQ, to contact any of the above parties, they will be required to disclose to that party that they are a respondent in this solicitation. Failure to adhere to these requirements may result in disqualification from the solicitation.**
- Respondent shall not have employed or retained any company or person, other than a bona fide employee working solely for the Respondent to solicit or secure the execution of a contract with the HACFM. Respondent certifies that they have not paid or agreed to pay any person, company, corporation, individual or firm other than a bona fide employee working solely for the Respondent, any fee, commission, percentage, gift or any other consideration, contingent upon or resulting from the award of or the making of a contract from this solicitation.

## 6.5 Anticipated Schedule (Subject to Change)

| <b>ANTICIPATED SCHEDULE FOR PROCUREMENT</b> |                           |
|---|---------------------------|
| Advertised                                  | May 19, 2020              |
| RFQ Available                               | May 18, 2020              |
| Deadline for Questions – Due                | June 8, 2020              |
| Site Visit                                  | June 9, 2020              |
| Q&A formal addendum issued                  | June 11, 2020             |
| Submittals Due                              | June 16, 2020 @ 3:00 p.m. |
| Interviews                                  | TBD                       |
| Decision to Board                           | June 24, 2020             |
| Announcements                               | June 25, 2020             |
| Kick off meeting                            | TBD                       |

### **Submittals:**

**Email of electronic submittal:** The e-mail subject line must contain the following and the email date and time stamp shall serve as the official receipt of electronic documents.

**E-mail Subject Line shall contain:** Submittal - RFQ No. 20-68, RFQ # 20-68, CNI Master Developer for SWV in Fort Myers, Florida

**Hard Copy:** Hard copies are to be either mailed or hand delivered to the Administration office located at 2422 Renaissance Preserve Way, Fort Myers, Florida. Due to COVID 19 it is a possibility that the office will not be open to the public, however, the office is accepting mail and/or there shall be a drop box located outside the building.

### **HACFM related to delivered submittals:**

The “Official Time” that shall be used in identifying the actual closing time for submittals. Any submittals received after the date and time specified herein shall not be accepted. HACFM shall not be responsible or liable for any lost or misdirected responses. Submissions are the responsibility of the proposer.

**Any submittals received after the date and time specified herein shall not be accepted. HACFM shall not be responsible or liable for any lost or misdirected responses. Submissions are the responsibility of the proposer.**

**Attachment A**  
**CHECK LIST FOR**  
**RESPONDANTS SUBMISSION**

Please read carefully, sign in the spaces indicated and return with your proposal.  
Proposer should check off each of the following items as the necessary action is completed.

- \_\_\_ Attachment A – Check List
- \_\_\_ The entire RFQ has been read and complied with request
- \_\_\_ Attachment A
- \_\_\_ Attachment B
- \_\_\_ 5369 B Instruction to Offerors – Non-Construction
- \_\_\_ 5369-C Certifications and Representations of Offerors – Non-Construction
- \_\_\_ 5370-C General Conditions – Non-Construction
- \_\_\_ 50070 Drug Free Workplace
- \_\_\_ Disclosure of Lobbying Activities
- \_\_\_ 5369-A Non-Collusion Affidavit of Contractor
- \_\_\_ Public Entity Crime Form
- \_\_\_ Equal Employment Opportunity Form

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Key Principal of Respondent

## **EXHIBIT A**

### **Use of Disadvantaged Business Enterprises (DBEs), Minority Business Enterprises (MBEs), and Women's Business Enterprises (WBEs)**

#### **A. REQUIRED EFFORTS**

Consistent with Presidential Executive Order 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, the HACFM shall make efforts to ensure that small and minority-owned businesses, women's business enterprises, disadvantaged business enterprises, labor surplus area businesses, and individuals or firms located in or owned in substantial part by persons residing in the area of an HACFM project are used when possible.

1. Such efforts shall include, but shall not be limited to:
  - a. Including such firms, when qualified, on solicitation mailing lists;
  - b. Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
  - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
  - d. Establishing delivery schedules, where possible, which encourage participation by such firms;
  - e. Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce;
  - f. Including in contracts a clause requiring contractors, to the greatest extent feasible, to provide opportunities for training and employment generated from the expenditure of Section 3 covered funds to Section 3 residents in the order of priority prescribed in 24 CFR 135.34(a), and to award Section 3 covered subcontracts to Section 3 business concerns in the order of priority set forth in 24 CFR 135.36(a), requiring prime contractors, when subcontracting is anticipated, to take the positive steps listed herein.
2. Goals may be established periodically by the HACFM for participation by small businesses, minority-owned businesses, women's business enterprises, disadvantaged business enterprises, labor surplus area businesses, and business concerns which are located in, or owned in substantial part by persons residing in the area of an HACFM project, in the HACFM's prime contracts and subcontracting opportunities.

## B. DEFINITIONS

1. A small business concern is defined as a business which is independently owned and operated, not dominant in the field of operation in which it is bidding on government contracts, and qualified as a small business under the criteria and size standards in 13 CFR Part 121.
2. A minority-owned business is defined as a business which is at least 51% owned by one (1) or more minority group members; or, in the case of a publicly-owned business, one (1) in which at least 51% of its voting stock is owned by one (1) or more minority group members, and whose management and daily business operations are controlled by one (1) or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, Asian Indian Americans, and Hasidic Jewish Americans.
3. A women's business enterprise is defined as a business that's at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.
4. A labor surplus area business is defined as a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the U. S. Department of Labor in 20 CFR 654, Subpart A, and in lists of labor surplus areas published by the Employment and Training Administration.
5. A Section 3 Business concern is defined as one (a) that is 51% or more owned by Section 3 Residents; or (b) whose permanent, full-time employees include persons, at least 30% of whom are currently Section 3 Residents, or within three (3) years of the date of first employment with the business concern were Section 3 Residents; or (c) that provides evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in paragraphs (a) or (b) in this definition of "Section 3 business concern."
6. A Disadvantaged Business Enterprise is a small business concern that is certified as being (a) at least 51 percent owned by one (1) or more socially and economically disadvantaged individuals or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one (1) or more socially and economically disadvantaged individuals; and (b) whose management and daily business operations are controlled by one (1) or more of the socially and economically disadvantaged individuals who own it. "Socially and Economically Disadvantaged individuals" means those individuals who are citizens or lawfully admitted permanent residents of the United States and who are minorities or individuals found by the Small Business Administration pursuant to Section 8(a) of the Small Business Act to be disadvantaged.



C. SECTION 3 REQUIREMENTS

1. Section 3 Purpose - Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u) (Section 3) requires the HACFM to ensure that employment and other economic and business opportunities generated by HUD financial assistance, to the greatest extent feasible, are directed to public housing residents and other low-income persons, particularly recipients of government housing assistance, and business concerns that provide economic opportunities to low- and very-low income persons.
2. Section 3 Contracting Policy and Procedure - All contractors/businesses seeking Section 3 preference must complete certifications, as appropriate, as acknowledgement of the Section 3 contracting and employment provisions required by this section. Such certifications shall be adequately supported with appropriate documentation as referenced in the form.
3. Resident Hiring Requirements - The HACFM has included the following minimum threshold for resident hiring that is to be used on all construction contracts, service contracts and professional service contracts that contain a labor component. It is expected that an appropriate number of Section 3 persons with particular qualifications or a willingness to begin unskilled labor will be able to participate in the HACFM's contracted labor efforts. A prime contractor may satisfy the HACFM's resident hiring requirements through its own work force, its subcontractors, or any combination thereof.

| <b>CONTRACT THRESHOLD AMOUNT FOR CONSTRUCTION OR SERVICE CONTRACTS</b> | <b>SECTION 3 INVOLVEMENT AS A % OF TOTAL LABOR DOLLARS</b> |
|--|--|
| \$25,000 or more   | 5% of the labor dollars                                    |

4. It is expected that an appropriate number of Section 3 persons with particular qualifications or willingness to begin unskilled labor will be able to participate in contracted labor efforts. If that does not occur, a prime contractor, on its own or through its subcontractor(s), may satisfy the Section 3 requirement set forth above by doing the following:
  - a. Subcontracting or joint venturing with a resident owned business. The business must be 51% or more owned by public housing residents, or subcontract/joint venture with a business that employs full-time, 30% or more public housing residents, or low and very-income individuals within the City of Fort Myers or other qualified low income persons, or
  - b. Direct hiring of public housing residents and/or low and very low-income neighborhood residents, or

- c. Incurring the cost of providing skilled training for public housing residents in an amount commensurate with 5% of the total contract amount.

**CERTIFICATION OF RESPONDENT REGARDING SECTION 3 REQUIREMENTS**

**Respondent hereby acknowledges the Section 3 contracting and employment provisions required and set forth by this section. Supporting appropriate documentation is attached hereto.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Key Principal of Respondent

**EXHIBIT B**

For each project described in Section E.2.b.6. put an "x" in the box if the Respondent performed the function or utilized the described financing. For Section 3/DBE/MBE/WBE, insert the appropriate numbers.

|                                 | <b>Project 1</b> | <b>Project 2</b> | <b>Project 3</b> | <b>Project 4</b> |
|---------------------------------|------------------|------------------|------------------|------------------|
| <b>NAME:</b>                    |                  |                  |                  |                  |
| <b>Real Estate</b>              |                  |                  |                  |                  |
| Development Feasibility Studies |                  |                  |                  |                  |
| Sale of Real Estate             |                  |                  |                  |                  |
| Real Estate Redevelopment       |                  |                  |                  |                  |
| Zoning Approval                 |                  |                  |                  |                  |
| Subdivision Approval            |                  |                  |                  |                  |
| Site Preparation Work           |                  |                  |                  |                  |
| Environmental Work              |                  |                  |                  |                  |
| Dedicated Infrastructure        |                  |                  |                  |                  |
| Other (specify)                 |                  |                  |                  |                  |
| <b>Financing Employed</b>       |                  |                  |                  |                  |
| Financial Feasibility Studies   |                  |                  |                  |                  |
| LIHTC                           |                  |                  |                  |                  |
| HOPE VI                         |                  |                  |                  |                  |
| CDBG (also HOME, RHF, etc.)     |                  |                  |                  |                  |
| FHA Multi-Family Insurance      |                  |                  |                  |                  |
| Fannie Mae DUS                  |                  |                  |                  |                  |
| Federal Home Loan Bank          |                  |                  |                  |                  |
| Other Insurance Programs        |                  |                  |                  |                  |
| County Financing Programs       |                  |                  |                  |                  |
| Bank Financing                  |                  |                  |                  |                  |
| Bond Financing                  |                  |                  |                  |                  |
| Bond Underwriting               |                  |                  |                  |                  |
| Tax Credit Syndicator           |                  |                  |                  |                  |
| Personal Guarantees             |                  |                  |                  |                  |
| Corporate Guarantees            |                  |                  |                  |                  |
| <b>Construction Services</b>    |                  |                  |                  |                  |
| Construction Contractor         |                  |                  |                  |                  |
| Construction Manager            |                  |                  |                  |                  |
| Infrastructure Construction     |                  |                  |                  |                  |
| Design Services                 |                  |                  |                  |                  |
| <b>Property Management</b>      |                  |                  |                  |                  |
| Marketing Plans                 |                  |                  |                  |                  |
| Property Manager                |                  |                  |                  |                  |
| Site Maintenance                |                  |                  |                  |                  |
| Site Security                   |                  |                  |                  |                  |

|   | <b>Project 1</b> | <b>Project 2</b> | <b>Project 3</b> | <b>Project 4</b> |
|---|------------------|------------------|------------------|------------------|
| <b>Section 3/MBE/WBE</b>                    |                  |                  |                  |                  |
| Dollars Paid as % of Total Development Cost |                  |                  |                  |                  |
| # of Persons Employed                       |                  |                  |                  |                  |
| <b>Miscellaneous</b>                        |                  |                  |                  |                  |
| Mixed Finance Proposal                      |                  |                  |                  |                  |
| Supportive Services                         |                  |                  |                  |                  |

- a) Describe new and innovative financing techniques for raising capital that the Respondent has employed.
- b) Describe the approach to managing the financial risk associated with each project.
- c) Describe how each project was kept on budget and on schedule. Describe any impediments that occurred and how they were handled.
- d) Provide a statement of how you will honor all financial guarantees, should the need arise. The statement should include more than a reference to the financial statements.
- e) Describe prior Public Housing Authority projects; inclusive of the financing structure and the developer fee structure for each.

\_\_\_\_\_  
Signature of Key Principal of Respondent

\_\_\_\_\_  
Date

## CONFLICTS CERTIFICATION

I, \_\_\_\_\_, hereby certify on behalf of \_\_\_\_\_  
(insert name of Respondent)

and its key principals that:

- i. No actual or apparent conflict of interest exists with regard to the HACFM,
- ii. No actual or apparent conflict exists with regard to Respondent's or its key principal's possible performance as Co-Developer under this Request for Qualifications, and
- iii. No actual or potential claim exists against the HACFM.

\_\_\_\_\_  
Signature of Key Principal of Respondent

**RESPONDENT APPLICATION PRIORITY CERTIFICATION**

I, \_\_\_\_\_, hereby certify on behalf of \_\_\_\_\_ (insert name of Respondent) and its key principals that:

(i) no application for development funding submitted by this Respondent, other than by score or rank, will have priority over any application for funding for the proposed project for which is described in this RFQ or for which the Respondent and the HACFM have entered into partnership to develop and,

(ii) that the Respondent will make every effort to give this project priority over any other projects it will be submitting funding applications for, and

(iii) the Respondent will make every effort not to submit competing applications within the same geographic, demographic or special set-aside categories within a funding cycle, without notification to the HACFM and written approval by the HACFM, and

(iv) the Respondent will provide notice to the HACFM of any and all contemplated competing funding applications within any same funding cycle in which the HACFM intends to submit an application.

\_\_\_\_\_  
Signature of Key Principal of Respondent

**PROFILE OF FIRM FORM**

**(This Form must be fully completed and provided for each Prime or Sub-Contractor)**

- 1) Prime \_\_\_\_\_ Sub-contractor \_\_\_\_\_ (This form must be completed by and for each).
- 2) Name of Firm: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
- 3) Street Address, City, State, Zip: \_\_\_\_\_
- 4) Please attached a brief biography/resume of the company, including the following information:
  - a. Year Firm Established;
  - b. Year Firm Established in [JURISDICTION];
  - c. Former Name and Year Established (if applicable); (d) Name of Parent Company and Date Acquired (if applicable).
- 5) Identify Principals/Partners in Firm (submit under Tab No. 5 a brief professional resume for each):

| NAME | TITLE | % OF OWNERSHIP |
|------|-------|----------------|
|      |       |                |
|      |       |                |
|      |       |                |
|      |       |                |

- 6) Identify the individual(s) that will act as project manager and any other supervisory personnel that will work on project; please submit under Tab No. 5 a brief resume for each. (Do not duplicate any resumes required above):

| NAME | TITLE |
|------|-------|
|      |       |
|      |       |
|      |       |
|      |       |

- 7) Proposer Diversity Statement: Check all the following that apply to the ownership of this firm and enter where provided the correct percentage (%) of ownership of each:

| Yes _____                 | Yes _____               | Yes _____         | Yes _____               |
|---------------------------|-------------------------|-------------------|-------------------------|
| Caucasian American (Male) | Public Held Corporation | Government Agency | Non-Profit Organization |
| %                         | %                       | %                 | %                       |

Resident- (RBE), Minority- (MBE), or Woman-Owned (WBE) Business Enterprise (Qualifies by virtue of 51% or more ownership and active management by one or more of the following:

|                       |                   |                         |                   |                        |           |
|-----------------------|-------------------|-------------------------|-------------------|------------------------|-----------|
| Yes _____             | Yes _____         | Yes _____               | Yes _____         | Yes _____              | Yes _____ |
| Resident Owned        | African American  | Native American         | Hispanic American | Asian/Pacific American |           |
| %                     | %                 | %                       | %                 | %                      | %         |
|                       |                   |                         |                   |                        |           |
| Yes _____             | Yes _____         | Yes _____               | Yes _____         | Yes _____              |           |
| Asian/Indian American | Woman Owned (MBE) | Woman Owned (Caucasian) | Disabled Veteran  | Other – Specify        |           |
| %                     | %                 | %                       | %                 | %                      |           |

WMBE Certification Number: \_\_\_\_\_

Certified by (Agency): \_\_\_\_\_

(NOTE: A CERTIFICATION/NUMBER NOT REQUIRED TO PROPOSE – ENTER IF AVAILABLE)

8) Federal Tax ID No.: \_\_\_\_\_

9) If Applicable - Florida Business License No.:

10) State of \_\_\_\_\_ License Type and No.: \_\_\_\_\_

11) Worker's Compensation Insurance Carrier: \_\_\_\_\_

Policy No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

12) General Liability Insurance Carrier: \_\_\_\_\_

Policy No. \_\_\_\_\_ Expiration Date: \_\_\_\_\_

13) Professional Liability Insurance Carrier: \_\_\_\_\_

Policy No. \_\_\_\_\_ Expiration Date: \_\_\_\_\_

14) Debarred Statement:

a. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by a Federal, State or Local department or agency; and

b. Have not, within a three (3) year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in



connection with obtaining, attempting to obtain or performing a public (Federal, State or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and

- c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State or Local) with commission of any of the offenses enumerated in Paragraph (2) of this certification; and
- d. Have not within a three (3) year period preceding this bid, had one or more public transactions (Federal, State or Local) terminated for cause of default.

If "Yes," to any of the above please attach a full detailed explanation, including dates, circumstances and current status.

- 15) Disclosure Statement: Does this firm or any principals thereof have any current, past personal or professional relationship with any Commissioner or Officer of the HACFM?  
Yes  No

If "Yes," please attach a full detailed explanation, including dates, circumstances and current status.

- 16) Non-Collusive Affidavit: The undersigned party submitting this proposal hereby certifies that such proposal is genuine and not collusive and that said proposer entity has not colluded, conspired, connived or agreed, directly or indirectly, with any proposer or person, to put in a sham proposal or to refrain from proposing, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the proposal price of affiant or of any other proposer, to fix overhead, profit or cost element of said proposal price, or that of any other proposer or to secure any advantage against the HACFM or any person interested in the proposed contract; and that all statements in said proposal are true.

Verification Statement: The undersigned proposer hereby states that by completing and submitting this form he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and agrees that if the HACFM discovers that any information entered herein is false, that shall entitle the HACFM to not consider nor make award or to cancel any award with the undersigned party.

---

**Printed Name**

---

**Company**

---

**Authorized Signature**

---

**Date**

## REFERENCES

Provide the name, mailing address, and telephone number of two community partner references, two housing authority references, two tax credit investor references, and one housing finance agency reference. References must verify Respondent's representations.

|                               |  |
|-------------------------------|--|
| <b>Community Partner</b>      |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Community Partner</b>      |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Housing Authority</b>      |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Housing Authority</b>      |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Tax Credit Investor</b>    |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Tax Credit Investor</b>    |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |
| <b>Housing Finance Agency</b> |  |
| Email Address                 |  |
| Phone                         |  |
| Contact Name                  |  |

**ACKNOWLEDGMENT OF RECEIPT  
OF  
AMENDMENT OF SOLICITATION or  
ADDENDA TO SOLICITATION  
FOR DEVELOPMENT IN FORT MYERS FLORIDA**

1. **AMENDMENT NUMBER(S) and dates issued:** \_\_\_\_\_

\_\_\_\_\_

2. **ADDENDA NUMBER(S) and dates issued:** \_\_\_\_\_

\_\_\_\_\_

3. **ISSUED BY:** The Housing Authority of Fort Myers (HACFM)

4. **BRIEF DESCRIPTION OF AMENDMENT(S):**  
(attach copy(s) of the first page of the Amendment(s) as issued by the HACFM)

4. **BRIEF DESCRIPTION OF ADDENDA(S):**  
(attach copy(s) of the first page of the Addenda (s) as issued by the HACFM)

5. THE ABOVE SOLICITATION IS AMENDED OR CLARIFIED AS SET FORTH IN THE ATTACHED AMENDMENT(S) OR ADDENDA(S) AS ISSUED BY THE HACFM. RESPONDENTS MUST ACKNOWLEDGE RECEIPT OF THIS/THESE AMENDMENT(S) OR ADDENDA(S) PRIOR TO THE HOUR AND DATE SPECIFIED FOR RECEIPT OF PROPOSALS, BY SIGNING THIS FORM BELOW.

EXCEPT AS PROVIDED HEREIN, ALL TERMS AND CONDITIONS OF THE SOLICITATION REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

ACKNOWLEDGMENT OF RECEIPT:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date