

REQUEST FOR QUALIFICATIONS (RFQ)

**CO-DEVELOPER
FOR
DEVELOPMENT
IN WEST PALM BEACH, FLORIDA**

*West Palm Beach Housing Authority
3700 Georgia Avenue
West Palm Beach, FL 33405
Maggie Perez, Executive Director*

**Issue Date:
03/05/2021**

**Submission Date:
04/16/2021
4:30 PM EST**

BACKGROUND

The West Palm Beach Housing Authority (the “WPBHA”) is requesting firms or individuals interested in serving as Co-Developer to the Authority to submit qualifications for consideration. The West Palm Beach Housing Authority is a public body corporate and politic created pursuant to Chapter 421 of the Florida Statutes.

The WPHBA’s mission is “To provide safe, decent, and affordable housing to persons and families with limited financial resources and to provide residents with access to programs which will assist them in making the transition of greater financial security. The Authority has approx. 157 Public Housing units, 282 Rental Assistance Demonstration units and administers 3,653 Section 8 Housing Choice Voucher Program sponsored by the United States Department of Housing and Urban Development (HUD). The WPBHA owns and manages 527 Low Income Housing Tax Credit (LIHTC) units and owns and manages 125 units of unassisted affordable housing. The total number of units in its portfolio is currently 1091 units. The Authority desires to revitalize and redevelop certain aspects of its portfolio to provide additional housing opportunities to low and low to moderate-income residents through a public/private partnership with a qualified developer.

The selected developer would serve in a full service capacity, advising the Authority as needed on all aspects of the development of affordable housing assets designed to improve and expand the availability of affordable housing in West Palm Beach, Florida. The Authority will consider utilizing multiple debt and equity instruments including, but not limited to, tax exempt bonds, low income housing tax credits, mortgage financing, HUD insured products, limited partnerships, HOME funds, SHIP funds, SAIL/ELI funds, and public/private collaborations as its principal forms of financing, development of existing assets and the creation of additional affordable housing. The Authority may from time to time use proprietary funds for credit enhancements, development loans or other purposes in order to provide affordable housing in West Palm Beach. A major role of the selected developer will be to identify adequate development funds from these and other sources.

REQUEST FOR QUALIFICATIONS

The Authority is inviting statements of qualifications from experienced Developers to participate in the development activities as described herein. The Authority’s development activities may utilize a mixed finance methodology resulting in a viable mixed income residential community containing affordable housing, which may include elderly, special needs and/or family units.

In keeping with the Authority’s current development plan, the Authority is considering redevelopment, rehabilitation and/or preservation activities.

Under consideration is the following property:

OCCUPIED Site 1: Southridge Development, a Low Income Public Housing site, zoned MF 32 currently consisting of approximately 14 acres, and 50 buildings. All housing units

are under a HUD Declaration of Trust. It is contemplated that this site will be developed as a multi-family new construction site.

The Authority may elect to self-develop any of the phases should funding become available from HUD or other sources which do not require a developer. The Authority reserves the right to choose whether or not to utilize a Developer or a Developer partner for any of its anticipated projects.

The Authority wishes to encourage a high quality architectural design for all work which will revitalize the area. The developments will provide amenities commensurate with market rate properties in accordance with state and local ordinances and, any requirements of applicable funding applications which may include a clubhouse, pool, business center, laundry facilities, etc.

The Authority seeks to redevelop the low-income public housing site into a community that is designed to attract renters and new commerce to the area. This would include incorporating Green Building techniques, increase community safety through environmental design, and ample green space and parking.

The Authority is requesting qualification statements from interested Developers to undertake the Development.

A. RESPONSE DUE DATE

Responses must be submitted by **4:30 p.m. EST on April 16th, 2021** to be eligible for consideration. Respondents should make early submission of the materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery related problems. Facsimile and e-mail responses will not be accepted. Responses received after the deadline for receipt will be deemed unresponsive and will be disqualified.

B. RECEIPT OF RESPONSES

An original and six (6) copies of the response to this RFQ shall be submitted in sealed packages and marked "**Qualifications for Co-Developer WPBHA**". **Only one set of financials per submission is required and should be in a separate envelope contained within the original submission.** All material must be submitted in an 8 ½" x 11" format. All submissions must be received at the following address:

West Palm Beach Housing Authority
3700 Georgia Avenue
West Palm Beach, FL 33405
Attention: Maggie Perez, Executive Director

The Authority reserves the right to reject any or all responses wherever it is in the best interest of the Authority. West Palm Beach Housing Authority is an Equal Opportunity Employer. Minority and Women-owned businesses are encouraged to respond.

C. MASTER PLAN

The mission of the Authority is to provide safe, decent, and sanitary affordable housing. The Authority's vision for Development is to create a vibrant, attractive, mixed-income community, where people of all economic strata, races and cultures will live, learn, work, and play in close proximity to employment, retail, and cultural opportunities.

D. SCOPE OF SERVICES

The Authority's goal is to have the Developments 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 Authority. 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.

This RFQ is intended to procure a Co-Developer for Development. Respondents are encouraged to present to the Authority a complete team, including the trades required for the success of the Development.

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

THE CO-DEVELOPER'S ROLE

The selected Co-Developer will develop a mixed-income community that improve and revitalize the surrounding neighborhoods.

The following will be the responsibility of the selected Co-Developer, subject to Authority approval:

- Work with an architect on undertaking and conducting environmental and geotechnical testing and an analysis of the condition of existing utilities at the site.
- Work with an architect on a plan including street layout and common area facilities based on the Master Plan.
- Design and construction of all infrastructure and site improvements.
- Provide genuine training and employment opportunities to Section 3 individuals and businesses.
- Ensure significant participation by D/M/WBE and Section 3 firms throughout the development by insuring that the D/M/WBE and Section 3 requirements set forth on Exhibit A section C to this RFQ are satisfied.
- Develop a construction strategy and a development implementation schedule.

- Work with the Authority to create detailed development and operating budgets. The selected Co-Developer will be required to expand and to update the budgets throughout the development process.
- Provide regular monthly reports to the Authority on the progress of the development efforts, including work already completed associated costs, schedule, and budgetary requirements.
- Work with the Authority and its legal team to create an ownership structure for the development which may include an affiliate of the Authority as a general partner.
- Obtain financing, (through the use of Low-Income Housing Tax Credits, 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.
- Work with the Authority to oversee the design, construction, and quality control of the development.
- Procure the construction contractor with the approval of the Authority.
- Select subcontractors.
- Provide all required operating and financing guarantees to the Authority and other lending institutions.
- Obtain all required building permits and zoning approvals.
- Work with the Authority and its marketing consultant, as applicable, to undertake all marketing and lease up efforts.
- Attend meetings with residents, Local Government, and Community.

Respondent should indicate its requirements with regard to advance funding, compensation, and similar issues. The Authority is interested in a financial structure that allows it to participate in a stream of income from the development, including a portion of the developer fee, the property management fee and any deferred development fee or incentive management fee. Respondent must provide a demonstration of the Respondent’s financial stability and ability to provide adequate assurances for completion of the development. Additionally, each Respondent must have, or within its team provide, the following:

- a. Experience in the development of neighborhoods;
- b. Experience in the development, construction, and operation of an affordable housing development; including low income housing tax credit units.
- c. Experience in Green Building;

- d. Experience in site preparation and infrastructure development;
- e. Expertise in regulatory compliance issues;
- f. Expertise in Section 3, DBE, MBE, and WBE, compliance; and,
- g. Expertise with local government authorities which regulate the permits and utilities necessary for the Revitalization.
- h. Experience with public housing sites and working with public housing authorities to redevelop their communities.

E. INSTRUCTIONS AND NOTICE TO RESPONDENTS:

1. SUBMISSION AND CONTENT OF RESPONSES

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

West Palm Beach Housing Authority
3700 Georgia Avenue
West Palm Beach, FL 33405
Attention: Maggie Perez, Executive Director
mperez@wpbha.org

All inquiries must be in writing and received no later than 4:30 p.m. EST, on March 19, 2021.

Answers will be provided as a written addendum to this RFQ, issued by e-mail to all firms who have requested the RFQ no later than 4:30 p.m. on April 2, 2021.

2. SUBMISSION REQUIREMENTS

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

Submissions must comply with the requirements of Sections A and B of this RFQ.

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

Disadvantaged, minority and women-owned businesses are encouraged to respond to this solicitation.

Respondents must address their plan to meet the specific requirements of the Scope of Services as set forth in Section D of this RFQ by including, at a minimum, the following:

- a. Letter of Interest:** Respondent's submittals shall be accompanied by a Letter of Interest on the Respondent's letterhead. 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, and a statement that the response is firm and irrevocable for ninety (90) days.
- b. Respondent's Qualifications:**
The Respondent shall submit the following information regarding its qualifications:

 - 1. Organizational Structure and 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.
 - 2. Profile of Principals and Key Staff:** Provide profiles of the principals and key staff to be involved in the development effort. This information should specify their roles, their existing time commitments, their previous development experience, and whether the staff will be locally based. Identify the individual who will serve as the project manager and who will direct and coordinate the Project to completion.
 - 3. Termination:** Indicate whether the Respondent or any Respondent team member has been terminated from a contract, and if so, describe the circumstances and outcome.
 - 4. Litigation:** Indicate whether the Respondent or any Respondent team member has ever sued or been sued by a public agency, and if so, describe the circumstances and outcome.
 - 5. 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 Authority 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. Respondent shall complete and submit the “Certification of Proposer Regarding Debarment, Suspension, and Other Responsibility Matters” attached to this RFQ.

6. **Previous Housing Development Experience:** Provide information on residential rental development projects in which the Respondent has participated. Focus on the ten 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.

Finally, include the name of a contact at each housing authority that you have prior experience with and their phone number and e-mail address.

7. **Financing 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 Authority 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 Authority, as well as their requirements with regard to advance funding, compensation and similar issues. The Authority is interested in a financial structure that allows it to participate in the financial benefits of the development.

8. **Green Building Experience:** Provide information on all green building development projects in which the Respondent has participated. An important goal of the Authority is to develop an environmentally responsible development on the site(s) that can serve as a model for residential construction in West Palm Beach and the State of Florida. It is the intent of the Authority 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 Authority will require that such strategies be fully explored in the development of the site(s).
9. **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.
10. **Financial Statement:** Provide current financial statements of the Respondent prepared by a Certified Public Accountant.
11. **Insurance Requirements:** 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 Authority.
 - 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 Authority must be added as an “additional insured”.

- Workers' compensation insurance and employer's liability insurance in the maximum statutory liability amount, naming the Authority and its affiliate nonprofit as additional insured.
- Business automobile liability insurance.

12. **References:** 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 Authority reserves the right to check other references as well.

13. **Certifications:** Provide the following signed Certifications in substantially the forms attached to this RFQ:

- (i) Certification of Respondent Regarding Debarment, Suspension and Other Responsibility Matters,
- (ii) Non-Collusive Affidavit,
- (iii) Certification Regarding Lobbying,
- (iv) Conflicts Certification, and
- (v) Certification of Priority, and
- (vi) Respondent Profile Form
- (vii) Certifications and Representations of Respondents Non-Construction Contract HUD-5369-C

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

d. **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 25% 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.

- e. **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.
- f. **Fee Structure:** Propose a fee structure for predevelopment and development activities and the source of payment of such fees and sharing of costs.

3. EVALUATION FACTORS

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 Authority urges all interested Respondents to carefully review the requirements of this RFQ.

A short list of finalists will be established based upon the written submissions. These finalists will be required to present their qualifications to the Authority Board. These interviews of the finalists may be used to identify the top-rated Respondent.

Contract negotiations will be initiated with the highest ranked Respondent. If negotiations between the Authority and the highest ranked Respondent fail to produce a mutual agreement, the Authority will terminate those negotiations and proceed with contract negotiations with the second highest ranked Respondent. At the Authority's own discretion, the Authority may continue that process until a mutual agreement is reached between the Authority and a Respondent.

The Authority reserves the right to reject any and/or all proposals.

The Authority further reserves the right to negotiate with the Respondent selected and to accept the proposal which is in the best interest of the Authority.

a. Proposal Preparation and Submission Outline

Firms shall submit proposals in accordance with the following outline:

1.1 Evidence of the Respondent's ability to perform the work as indicated by profiles of the principles and staff and team members and explanation of their professional, technical competence and relevant experience with projects of similar size and scope. Please identify which team members will be assigned to this project.

1.2 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.

1.3 Firm's approach and ability to meet the Authority's deadlines.

1.4 Explanation of cost to the Authority, if any, together with a demonstration of the Respondent's financial stability and ability to provide adequate assurances for completion of the development.

1.5 References

1.6 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, City of West Palm Beach and any other agencies having authority.

1.7 Status of Respondent as a DBE, MBE, WBE, Section 3 Business concern or Statement of Respondent's Section 3 Plan.

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. 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 Authority; 3700 Georgia Avenue, West Palm Beach, FL 33405; Attn: , Executive Director Maggie Pereztor, 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 Authority and/or fair competition. Respondents are solely responsible for ensuring timely delivery by courier services; The Authority will not accept any responses to this solicitation, after the final deadline, due to

Respondent's misunderstanding of courier service hours and delivery times. Courier services to this destination are limited and should be considered in planning the delivery of your response.

6. RETENTION

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

7. CANCELLATION/WAIVER

The Authority 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 Authority. The Authority 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 Authority. In addition, multiple awards may be made.

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 Authority 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 Authority.

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 Authority.

10. 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.

F. 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.

G. AMENDMENT / ADDENDA

The Authority will endeavor to provide copies of applicable amendment or addenda to all potential Respondents to whom this Request for Qualifications has been mailed. 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.

H. AUTHORITY'S OPTIONS

The Authority 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 Authority. The Authority 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 Authority will pay no compensation to any Respondent for any costs related to preparation or submittal of the qualifications.

The Authority will reject the qualifications of any Respondent who is suspended and/or debarred by HUD 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 Authority.

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 Authority.

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 Authority. As such, all submissions are public records, subject to public review.
- The Authority 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 member of the Board of Commissioners of the Authority regarding this RFQ until after completion of the selection process and execution of a contract. 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 Authority. 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.

EXHIBIT A

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

A. REQUIRED EFFORTS

1. Consistent with Presidential Executive Order 11625, 12138, and 12432, and Section 3 of the HUD Act of 1968, the Authority 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 Authority project are used when possible. 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 Authority 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 Authority project, in the Authority'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 Authority 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 Authority has adopted the following 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 Authority’s contracted labor efforts. A prime contractor may satisfy the Authority’s resident hiring requirements through its own work force, its subcontractors, or any combination thereof.

CONTRACT THRESHOLD AMOUNT FOR CONSTRUCTION OR SERVICE CONTRACTS	SECTION 3 INVOLVEMENT AS A % OF TOTAL LABOR DOLLARS
\$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 West Palm Beach 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, or

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.

	Project 1	Project 2	Project 3	Project 4
NAME:				
Real Estate				
Development Feasibility Studies				
Sale of Real Estate				
Real Estate Redevelopment				
Zoning Approval				
Subdivision Approval				
Site Preparation Work				
Environmental Work				
Dedicated Infrastructure				
Other (specify)				
Financing Employed				
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				
Construction Services				
Construction Contractor				
Construction Manager				
Infrastructure Construction				
Design Services				
Property Management				
Marketing Plans				
Property Manager				
Site Maintenance				

	Project 1	Project 2	Project 3	Project 4
Site Security				
Section 3/MBE/WBE				
Dollars Paid as % of Total Development Cost				
# of Persons Employed				
Miscellaneous				
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.

**CERTIFICATION OF RESPONDENT REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

I, _____, hereby certify on behalf of _____

(insert name of Respondent) and its key principals that we:

1. 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
2. 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
3. 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
4. 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.

Signature of Key Principal of Respondent

NON-COLLUSIVE AFFIDAVIT

State of _____

County of _____

_____, being first duly sworn, deposes and states:

That he/she is _____

(a partner or officer of the firm, etc.)

The party making the foregoing proposal, that such proposal is genuine and not collusive or sham, that said Respondent has not colluded, conspired, connived or agreed, directly or indirectly, with any 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 proposed price of affiance or any other Respondent, to fix any overhead, profit or cost element of said proposed price, or that of any other Respondent, or to secure any advantage against the:

West Palm Beach Housing Authority

or, any person interested in the proposed contract, and that all statements in said proposal are true.

Signature _____

(Respondent, if Respondent is an individual)

Partner, if the Respondent is a partnership

Officer, if Respondent is a corporation

CERTIFICATION REGARDING LOBBYING

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

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, or any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclosure accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Key Principal of Respondent

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 Housing Authority of West Palm Beach,
- (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 Housing Authority of West Palm Beach.

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 Housing Authority of West Palm Beach (the Authority) 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 Authority and written approval by the Authority, and

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

Signature of Key Principal of Respondent

RESPONDENT PROFILE FORM

Firm Name _____

Business Address _____

City _____ State _____ Zip Code _____

Names and Titles of Two Contact Persons:

1. _____ Phone (____) _____
Name Title

2. _____ Phone (____) _____
Name Title

Submittal is for: Parent Company Division
 Subsidiary Branch Office

Type of Firm: Corporation
 Partnership
 Sole Ownership
 Joint Venture

Name & Address of Parent Company, if applicable:

Former Firm Name(s), if applicable:

Please indicate if your firm is a recognized Minority Business Enterprise.

 Yes No

If yes, please indicate the appropriate category:

 American Indian Female-Owned Spanish Surname
 African-American Asian-American Other

Respondent Profile Form
Page two

Federal Employer Identification Number _____

Year Firm was established _____

AUTHORIZATION

I hereby verify that the questions listed in the Respondent Profile Form and all statements therein contained are true and correct

Dated this _____ day of _____, 2012.

By _____

Name _____

Title _____

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.

Community Partner	
Address	
Phone	
Fax	
Community Partner	
Address	
Phone	
Fax	
Housing Authority	
Address	
Phone	
Fax	
Housing Authority	
Address	
Phone	
Fax	
Tax Credit Investor	
Address	
Phone	
Fax	
Tax Credit Investor	
Address	
Phone	
Fax	

Housing Finance Authority	
Address	
Phone	
Fax	

**ACKNOWLEDGMENT OF RECEIPT
OF
AMENDMENT OF SOLICITATION or
ADDENDA TO SOLICITATION
FOR DEVELOPMENT IN WEST PALM BEACH FLORIDA**

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

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

3. **ISSUED BY:** The West Palm Beach Housing Authority (the “Authority”)

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

4. **BRIEF DESCRIPTION OF ADENDA(S):**
(attach copy(s) of Amendment(s) as issued by the Authority)

5. THE ABOVE SOLICITATION IS AMENDED OR CLARIFIED AS SET FORTH IN THE ATTACHED AMENDMENT(S) OR ADDENDA(S) AS ISSUED BY THE AUTHORITY. 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