

REQUEST FOR QUALIFICATIONS

For

EXPERIENCED AFFORDABLE HOUSING REAL ESTATE DEVELOPER

Issued By:

**The Housing Authority of the City of Lumberton
613 King Street
Lumberton, NC 28358**

Authority Contact:

**Larry Russell, Executive Director
(910) 671-8222
(910) 671-7210**

Email: lrussellexecdir@hacl014.com

Issue Date:

December 1, 2015
With Clarifications

Due Date:

December 15, 2015

REQUEST FOR QUALIFICATIONS

The Housing Authority of the City of Lumberton ("Authority") invites developers (entities, joint ventures or teams) to submit qualifications relative to the performance of the following services:

To co-develop and or rehabilitate acquired or construct new multifamily residential developments on various real estate sites located within the City of Lumberton and/or Robeson County, North Carolina. To create, improve, preserve and expand affordable housing in Lumberton, North Carolina.

The Authority is requesting qualification statements from interested developers to serve as a co-developer affiliate, limited partner with the Authority. The Authority has particular interest in developers with previous public housing disposition, Low Income Housing Tax Credit, RAD, Mix Financing, SHDP, and Issuing Bonds experience and access to, or control of, developable real estate in Lumberton and/or North Carolina. The Authority will consider a purchase and lease back approach for any or all non-public housing replacement units developed with the selected developer partner in furtherance of a joint ownership and operating agreement.

A. RESPONSE DUE DATE

Responses must be submitted by 4:00 p.m. E.S.T. on December 15, 2015 to be eligible for consideration. Facsimile and e-mail responses will not be accepted. Responses received after the deadline for receipt will be deemed unresponsive and returned.

B. RECEIPT OF RESPONSES

An original and eight (8) copies of the response to the Request for Qualifications shall be submitted in sealed envelopes and marked "**Qualifications for Co-Development.**" All material must be submitted in an 8 ½ x 11 format. All submissions must be received at the following address:

**Housing Authority of the City of Lumberton
613 King Street
Lumberton, NC 28358
Attention: Larry Russell, Executive Director**

The Authority reserves the right to reject any or all responses.

C. PROGRAM SUMMARY

The Authority is seeking submissions from qualified developers to provide comprehensive development services with the Housing Authority of the City of Lumberton (HACL). If the establishment of affordable housing involves replacement housing, this may be achieved through any and all available financing mechanisms including, but not limited to mixed finance, bond allocation, tax credit, conventional or other finance development tools available to the partnership. The HACL may consider converting the public housing units to project based Section 8 units.

The goal is create, rehabilitate and/or preserve the existing level of affordable multifamily housing rental units within the City limits of Lumberton, North Carolina and increase additional units of affordable multifamily housing within the jurisdictional area of the HACL or a non-profit CDC created by HACL.

If applicable, the selected developer will assist the HACL in submitting an application to the U.S. Department of Housing and Urban Development for the Disposition of housing units. The public housing replacement and tenant relocation plan (using tenant protection vouchers) will play a critical role in achieving a successful partnership for developing affordable replacement and expanded multifamily rental housing developments. The respondent's submission must demonstrate the ability to; 1) execute and complete complex development activities, 2) familiarity with local, state and federal multifamily development construction requirements, 3) identify, enable and secure on behalf of the partnership mixed finance strategies for development underwriting, and 4) facilitate and accommodate the public housing disposition process. The selected developer must support any and all building and acquisition plans with a marketing study, including the requisite strategies associated with post construction management, reserve replacement, and sustained funding post construction & continued occupancy compliance requirements.

D. THE DEVELOPER'S ROLE

The Authority will be an integral partner with a Developer or multiple developers in the effort to develop mixed-income communities integrated with the surrounding neighborhoods. The developer's response to this solicitation will be scored in rank order following interviews. In the event a developer is unable or unwilling to work with the Authority on a particular project or unable to execute a Development Services Agreement, the Authority will select the next ranked developer. The Authority reserves the right to simultaneously work ad hoc with non-ranked affordable housing providers and developers. The selected development team may provide consulting services in those instances.

The following will be the responsibility of selected co-developer:

- Evaluate the Housing Authority of the City of Lumberton's portfolio for affordable multifamily development opportunities; density, public housing disposition & replacement, and public housing resident relocation accommodations should be given particular attention.
- Demonstrate capacity for land acquisition/assemblage and existing development acquisition/rehabilitation.
- Propose business model for a comprehensive development plan including acquisition/rehabilitation, mixed income, mixed finance, new construction, public housing disposition and replacement, construction of/or rehab central office, and affordable housing preservation which incorporates real estate under developers control and supported by a project feasibility study.
- Work with the Authority on a plan for any new construction, including all functions commonly associated with a "clean site" including platting, zoning, common facilities, review of utilities at the site, environmental and geotechnical testing.
- Work with the Authority on a plan to dispose of the existing public housing, if applicable, including the sale, and/or demolition/relocation of existing buildings, site clearance and site preparation, if determined required. Work with the Authority on a plan to acquire and rehabilitate existing non-public housing multifamily rental properties; the co-developer will be responsible for all such work.

- Ensure significant participation by M/WBE and Section 3 firms throughout the development by insuring that the M/WBE and Section 3 requirements set forth on Exhibit A to this RFQ are satisfied. Further provide genuine training and employment opportunities to Section 3 covered individuals.
- Review market study materials and incorporate into development program.
- Develop a construction strategy and a development implementation schedule, to include all infrastructure and site improvements.
- If applicable, work with the Authority's Executive Director and Legal and/or Bond Counsel to develop detailed development and operating budgets, project planning and other steps to ensure the development adheres to milestones outlined in the Development Services Agreement. The selected respondent will be required to expand and update the budgets throughout the development process.
- Provide regular monthly reports to the Authority on the progress of the development efforts, including work 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 the general partner.
- Oversee design, construction and quality control of the development.
- Procure the construction contractor.
- Select subcontractors
- Provide all required operating and financing guarantees to the equity investor, the Authority and other lending institutions.
- Obtain all required building permits and zoning approvals.
- Work with the Authority using the marketing study to undertake all marketing, sales, and lease-up efforts.
- Assist in the Community and Supportive Services efforts.

E. FINANCIAL/REGULATORY

Respondent should indicate its approach to the division of work and responsibility between it and the Authority, as well as 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 the financial benefits of the project and an ownership interest sufficient to preserve affordability in perpetuity.

Each respondent must have, or within its proposed team provide, demonstrate the following capacity:

- a. Experience in the redevelopment or revitalization of neighborhoods

- b. Experience in maximizing the use of various resources, including real estate and financing vehicles
- c. Experiencing in the development, construction and operation of an affordable multifamily housing development of at least thirty units
- d. Experience in site preparation and infrastructure development
- e. Expertise in housing developments that incorporate tax credit and other affordable housing financial resources. Demonstrate, at minimum, two successfully completed Low Income Tax Credit projects.
- f. Expertise in regulatory compliance issues
- g. Expertise in Section 3, WBE and MBE compliance
- h. Expertise with local government authorities which regulate the permits and utilities necessary for development or revitalization projects.
- i. Experience working with public non-profit or for-profit housing partners
- j. Experience in public housing disposition process

F. INSTRUCTIONS AND NOTICE TO RESPONDENTS

1. Submission and Content of Responses:

- a. **Inquiries:** The intent of this Request for Qualifications is to establish the general Scope of Work for the services needed and to provide prospective respondents with sufficient information to enable them to provide an acceptable response to this Request for Qualifications. All inquiries must be in writing & faxed to the HACL at (910) 671-7210 no later than 4:00 P.M., E.S.T, December 10, 2015. Inquiries will be answered in writing and available through posted and circulated reply to all parties expressing interest in participating in this RFQ.
- b. Every effort has been made to outline requirements, and to provide information in a format that is clear and concise. Nevertheless, questions and inquiries regarding this Request for Qualifications must be submitted in writing to:

**Housing Authority of the City of Lumberton
613 King Street
Lumberton, NC 28358
Attention: Larry Russell, Executive Director**

2. Submission Requirements:

Responses that do not include all required information will be deemed unresponsive.

Each respondent is required to submit a response providing information on the following items:

- a. **Letter of Interest:** A letter of Interest shall accompany Respondent's submittals on the respondent's letterhead. The letter should state proposer's understanding of the work to be done, the commitment to perform the work expeditiously, a brief statement indicating why the proposer believes itself to be best qualified to perform the engagement, and a statement that the response is firm and irrevocable for 90 days.
- b. **Respondent's Qualifications:** The respondent shall submit the following information regarding its qualifications: **(Max. 60 points on items listed under section F.2.b)**
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 working together on similar projects. Additionally, for each discipline, indicate the extent of and basis for the team's familiarity with state and local rules, practices or conditions essential to create affordable multifamily housing.
 2. **Profile of Principles and Key Staff:** Provide profiles of the principals and key staff to be involved in the development effort. This information should specify their day to day involvement, 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 development effort to completion.
 3. **Litigation:** Indicate whether the respondent or any respondent team member has any current or pending litigation where they are named as defendant(s), and if so, describe the circumstances.
 4. **Previous Housing Development Experience:** Provide information on all residential (rental or homeownership) development projects in which the respondent has participated. This information should list the location, size, ownership type, public programs utilized, income levels served (very low, moderate, market rate or mixed income), type of development (high, mid or low-rise, walk-ups, townhouses, etc.) extent of community and/or resident participation, and development cost. Also describe the construction and permanent financing arrangements showing the nature and extent of the participation of financial lending institutions and of the developer. In addition, complete the attached Exhibit B for each identified project. Finally, if available, include a contract at each previous housing agency client served and their phone number and e-mail address.
 5. **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's ability to proceed expeditiously.
 6. **Experience Working with residents/Community Groups & Local Legislative Bodies:** Provide evidence of resident and/or community group participation in the planning,

design, and construction process. Describe previous arrangements developed with resident organizations and/or community groups and explain proposed strategy to include residents in all aspects of any relocation and development process. Cite any exceptional planning and zoning city commission or county commission actions resulting in removing barriers to the development of or enable prior multifamily affordable housing projects to be built.

7. **Financial Statement:** Provide the most recent financial statements of the proposer examined or audited by a Certified Public Accountant.
 8. **References:** Provide the name, mailing address and telephone number of two community partner references, two housing authority references (if co-developer has housing authority experience), two tax credit investor references, and one housing finance agency reference.
 9. **Previous Default:** Include a statement disclosing and describing any instance of non-compliance or default in any public housing transaction, including mixed finance, HOPE VI transaction, or RAD, by the proposer, its affiliates or assigns.
 10. **Certifications:** The following signed Certifications in substantially the forms attached to the RFP:
 - (i) Certification of Proposer Regarding Debarment, Suspension and Other Responsibility Matters,
 - (ii) Certification Regarding Lobbying, and
 - (iii) Conflicts Certification.
- c. **Proposed Development Methods and Strategy:** Provide a narrative description of the respondent's methods and strategy to appraise the opportunity presented, jointly create a sustainable portfolio, and an approach to dispose of the stated public housing family development, secure replacement housing and develop additional affordable multifamily rental housing to serve the City of Lumberton and/or Robeson County populations or persons with incomes not exceeding 80% of the Area Median Income. **(Max. 20 points)**
- d. **Utilization of Minority and Women Business Enterprise:** Describe proposer's approach and process to promote MBE/WBE and Section 3 business participation in the development effort. Provide a plan to ensure access to these firms and any ownership interest or opportunity in the proposed projects. See Exhibit A attached. **(Max. 10 points)**
- e. **Understanding Local Requirements:** Demonstrate that the proposer possesses an understanding of local requirements and procedures that will enable the effort to be efficiently completed. **(Max. 5 points)**
- f. **Resident Involvement:** Indicate the methods and strategy to be used to include marketing for new and existing residents, including all aspects of the development and replacement housing

& relocation process. Indicate the methods and strategy to be utilized to recruit public housing residents into employment opportunities in accordance with Section 3 plan.
(Max. 5 points)

3. Acknowledge 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 offer.

4. 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 as well as faxed and received by the Housing Authority of the City of Lumberton, 613 King Street, Lumberton, NC 28358, Attn: Larry Russell, Executive Director, prior to the date and time designated in the Request for Qualifications for the final receipt of submissions. After such time and date, the respondent may not change any provision of its proposal in a manner prejudicial to the interest of the Authority and/or fair competition.

5. Retention

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

6. Cancellation/Waiver

The Authority reserves the right to cancel this Request for Qualifications or reject, in whole or in part, any and all submissions received in response to this Request for Qualifications, 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 informalities 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 Request for Qualifications, shall be at the absolute sole discretion of the Authority. In addition, multiple awards may be made.

7. 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.

8. Part of Contract

The contents of the documents submitted by the successful respondent(s) may become part of any contract award at the sole discretion of the Authority.

9. No Compensation For Response

Respondent will not be compensated for work or costs related to preparation and submission of this proposal.

G. INITIAL REVIEW

All responses will be initially reviewed to determine compliance with the response format requirements specified within this Request for Qualifications. Responses that do not comply with these requirements may be rejected without further review.

H. SELECTION PROCESS

The purpose of this Request for Qualifications is to solicit quality submissions so that the Authority may select the one that meets its needs and requirements. It is further desired that the Request for Qualifications process will ensure competitiveness among respondents. The Authority urges all interested respondents to carefully review the requirements of this Request of Qualifications.

An Evaluation Committee will evaluate all submissions. Written submissions containing the requested information will serve as the initial basis for selection of finalists. Max total proposal evaluation points will be 100.

The top-rated respondent will be invited to negotiate a development services agreement with the Authority. In the event the Authority is unable to reach an agreement with the top-rated firm, or an intervening event necessitates, then the Authority reserves the right to contact other respondents in rank order, or in the alternative issue a new RFQ. The Authority may work simultaneously with multiple developers if it is in the best interest of the Authority, in furtherance of its affordable housing goals.

The target award month is January, 2016.

I. ADDENDA

The Authority will endeavor to provide copies of addenda to all potential respondents to whom this Request for Qualifications has been sent, but it will be the responsibility of each respondent to make inquiry as to the existence and content of addenda, as the same shall become part of this Request for Qualifications and all respondents will be bound thereby, whether or not the addenda are actually received by the respondent. It is recommended that respondents regularly contact the HACL bi-weekly, from date of issue to date of closure, to verify any changes or additions to this RFQ that have been included, posted and or circulated.

J. AUTHORITY OPTIONS

The Authority reserves the right to cancel this Request for Qualifications, or to reject, in whole or in part, any and all submissions received in response to this Request for Qualifications, 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 who shall receive a contract award shall be at the sole and absolute discretion of the Authority.

EXHIBIT A

Minority Business Enterprise (MBE)

Female Business Enterprise (FBE)

Disabled Business Enterprise (DBE) programs

EXHIBIT B

For each project described in Section F.2b.5. put and "X" in the box if the respondent performed the function or utilized the described financing. For Section 3/MBE/WBE, insert the appropriate numbers.

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

EXHIBIT B *(continued)*

	Project 1	Project 2	Project 3	Project 4
Section 3/MBE/WBE				
Dollars Paid as % of Total Development Cost				
Number of Persons Employed				
Miscellaneous				
Mixed Finance Proposal				
Supportive Services				

- a) Describe the maximum impact that could reasonably result from a working relationship with the HACL, for example, consider new housing opportunities created, special populations served, long term neighborhood/community impact, financial benefits, and other benefits.
- b) Describe new and innovative financing techniques for raising capital that the respondent has employed.
- c) Describe your approach to managing the financial risk associated with this project.
- d) Do you have projects in North Carolina in the planning stages where HACL is not already a partner?
- e) Could project based Section 8 be a component of those projects?
- f) Provide a statement of how you will honor financial guarantees, should the need arise. The statement should include more than a reference to the financial statements.

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

I, _____ hereby certify on behalf of _____,
(Name of Proposer)

team members and subcontractors 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 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 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 Proposer

CERTIFICATION REGARDING LOBBYING

I, _____ hereby certify on behalf of _____,
(Name of Proposer)

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 loan, the entering into of any cooperative agreement, and the extension, contribution, 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 an 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 sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients 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 Proposer

CONFLICTS CERTIFICATION

I, _____ hereby certify on behalf of _____,
(Name of Proposer)

and its key principals that;

- a) No actual or apparent conflict of interest exists with regard to the Housing Authority of the City of Lumberton
- b) No actual or apparent conflict exists with regard to proposer's or its key principal's possible performance as developer under the Request for Qualifications, and
- c) No actual or potential claim exists against the Housing Authority of the City of Lumberton.

Signature of Key Principal of Proposer