

REQUEST FOR QUALIFICATIONS (RFQ) 2014-10

REAL ESTATE BROKERAGE SERVICES

for

FLORIDA HOUSING FINANCE CORPORATION

October 14, 2014

SECTION ONE INTRODUCTION

Florida Housing Finance Corporation (“Florida Housing”) is soliciting competitive, sealed responses from qualified firms to provide real estate brokerage services in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ), and any other term and condition in any contract subsequently awarded. Offerors shall be selected and determined through Florida Housing’s review of each response, considering the factors identified in this RFQ and any other factors that it considers relevant to serving the best interests of Florida Housing and its mission. Florida Housing expects to select one or more Offerors that propose to provide all of the real estate brokerage services specified in this RFQ.

SECTION TWO DEFINITIONS

For purposes of this document, the following terms shall be defined as follows:

“Board”	The Board of Directors of Florida Housing Finance Corporation.
“Broker”	A person or entity providing the real estate brokerage services described in this RFQ.
“Committee”	The review committee composed only of employees of Florida Housing that is established pursuant to Rule 67-49.007, Fla. Admin. Code.
“Contract”	The document containing the terms and conditions of this Request for Qualifications and any other term and condition that the parties require.
“Contractor”	A person or entity providing the professional services described in Section Four of this RFQ.
“Days”	Calendar days, unless otherwise specified.
“Effective Date”	The date the last party signs the Contract that is awarded as a result of this Request for Qualifications.
“Florida Housing”	Florida Housing Finance Corporation, a public corporation and public body corporate and politic created by Section 420.504, Fla. Stat.
“Interested Party”	A person or entity that obtains a copy of the Request for Qualifications from Florida Housing.

“Offeror”	Any person or entity who has the capability in all respects to perform fully the requirements contained in this RFQ, and submits a response to this RFQ.
“Response”	The written submission by an Offeror to this RFQ.
“RFQ”	This RFQ, including all exhibits referenced in this document and all other documents incorporated by reference.
“Staff”	Any employee of Florida Housing, including the Executive Director.
“Threshold Item”	A mandatory requirement of the RFQ. Failure to meet any requirement in the RFQ designated as a “Threshold Item” shall result in rejection (no further action) of a Response.
“Website”	The Florida Housing Finance Corporation website, the URL of which is www.floridahousing.org .

SECTION THREE PROCEDURES AND PROVISIONS

A. An Offeror must submit an original and three (3) copies of the Response in a sealed envelope marked “RFQ 2014-10.” Each envelope or package containing Responses must clearly state the name of the Offeror. The Response that is the original must be clearly indicated on that Response. An electronic copy of the Response must also be submitted on a CD or flash drive. Florida Housing shall not accept a faxed or e-mailed Response. Florida Housing must receive any Responses on or before 2:00 p.m., Eastern Time, on Monday, November 3, 2014. Responses shall be opened at that time.

Contracts Manager
 Florida Housing Finance Corporation
 227 North Bronough Street, Suite 5000
 Tallahassee, FL 32301-1329
 (850) 488-4197
 Fax (850) 488-9809
 Email: Contracts.Manager@floridahousing.org
 or the designated successor

B. This RFQ does not commit Florida Housing to award a Contract to any Offeror or to pay any costs incurred in the preparation or mailing of a Response.

C. All services under the Contract awarded are to be performed solely by the Contractor, unless subcontracted or assigned with the prior written approval and consent of Florida Housing.

D. Florida Housing reserves the right to:

1. Waive minor deficiencies and informalities;
2. Accept or reject any or all Responses received as a result of this RFQ;
3. Obtain information concerning any or all Offerors from any source;
4. Request an oral interview before the Board from any or all Offerors;
5. Select for Contract negotiation or for award a Response other than that with the highest score if, in the judgment of Florida Housing, its and the public's best interest shall be served; and
6. Negotiate with the successful Offeror with respect to any additional terms or conditions of the Contract.

E. Any Interested Party may submit any question regarding this RFQ in writing via mail, fax, or e-mail to the Contracts Manager at the address given in Section Three, Item A. All questions are due by 5:00 p.m., Eastern Time, on Tuesday, October 21, 2014. Phone calls shall not be accepted. Florida Housing expects to respond to all questions in writing by 5:00 p.m., Eastern Time, on Monday, October 27, 2014. Florida Housing shall post a copy of all questions received and their answers on Florida Housing's website at:

<http://www.floridahousing.org/BusinessAndLegal/Solicitations/RequestForQualifications/>.

Only written responses or statements from the Contracts Manager that are posted on our website shall bind Florida Housing. No other means of communication, whether oral or written, shall be construed as an official response or statement from Florida Housing.

F. Any person who wishes to protest the specifications of this RFQ must file a protest in compliance with Section 120.57(3), Fla. Stat., and Rule Chapter 28-110, Fla. Admin. Code. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.

G. The term of the Contract shall be for three (3) years, subject to satisfactory performance at the sole discretion of Florida Housing. If the parties mutually agree in writing, the Contract may be renewed once for an additional three (3) year period.

H. Florida Housing's award of a Contract to an Offeror does not obligate Florida Housing to assign a *pro rata* portion of work, or any work, to the Offeror for any service contemplated by the Contract.

I. Florida Housing is not required to utilize the services of any selected Contractor and may terminate any selected Contractor without cause and without penalty.

J. Pursuant to Fla. Admin. Code R. 67-49.004, Florida Housing may modify the terms of the

RFQ at any point prior to two (2) weeks of the due date for Responses. A notice of such modification shall be posted on Florida Housing's Website and shall be provided to potential Offerors who requested copies of the RFQ.

K. The terms of this RFQ, and any modifications thereto, shall be incorporated into any Contract offered as a result of this RFQ. Failure of a successful Offeror to accept these obligations in the final Contract may result in cancellation of the award at Florida Housing's sole discretion.

SECTION FOUR SCOPE OF SERVICES

The mission of Florida Housing Finance Corporation (Florida Housing) is to help our fellow Floridians obtain safe, decent, and affordable housing that might otherwise be unavailable to them. One of the ways this is done is by making loans to developers of affordable multifamily and single family housing developments and/or first time homebuyers of single family residences. As it may become necessary for Florida Housing to foreclose on such loans, to otherwise acquire properties or to assist owners of low income housing tax credit properties who have submitted requests for qualified contracts, Florida Housing has a need for qualified firms with a minimum of five (5) years of real estate brokerage experience to provide real estate marketing and brokerage services and assist Florida Housing with the marketing and disposition of multifamily and single family housing developments and or single family residences.

The Broker shall perform and render the services listed below as an independent contractor and not as an agent, representative, or employee of Florida Housing. These services shall include, but not be limited to the following:

- A. Advise Florida Housing on expected selling price range as well as listing price;
- B. Provide valuation model utilized to determine expected selling price and proposed listing price;
- C. Advise Florida Housing concerning market conditions and expected time to sell;
- D. Develop a sale strategy and marketing plan for each property;
- E. Provide marketing materials (subject to review and approval by Florida Housing);
- F. Provide timely market analysis and research;
- G. Provide access to broker networks including listing properties on commercial listing websites; Provide and review documents related to sales and assist in the closing of sales;
- H. List single family homes on the Multiple Listing Service and other appropriate residential listing venues;
- I. Marketing and showing properties and homes to prospective buyers;
- J. Work with prospective buyers, as well as other real estate agents/brokers, to facilitate offers and negotiate sales agreements;
- K. Suggest any available financing options to potential buyers;
- L. Assist in the preparation and review of legal contracts related to the sale of properties and single family homes;
- M. Represent Florida Housing at closings;
- N. Provide appraisal services if needed; and
- O. Such other real estate services as may be requested by Florida Housing from time to time.

SECTION FIVE CERTIFICATION

Do not reproduce the language of Section Five in the Response. By inclusion and execution of the statement provided in Section Six, item H, of this RFQ, each Offeror certifies that:

A. The Offeror submits this Response without prior understanding, agreement, or connection with any person or entity submitting a separate Response for the same services. However, any agreement with a person or entity with whom the Response is jointly filed and such joint filing is made clear on the face of the Response shall be an exception so long as the Response is in all respects fair and without collusion or fraud.

B. Any material submitted in response to this RFQ is a public record pursuant to Chapter 119, Fla. Stat., and subject to examination upon request, after Florida Housing provides a notice of decision pursuant to Section 120.57(3), Fla. Stat., or within ten (10) Days after the Response is opened, whichever is earlier.

C. The Offeror is in compliance with Section 420.512(5), Fla. Stat. For the purpose of Section 420.512(5), Fla. Stat., “Prohibited Business Solicitation Communications” is defined by Section 420.503(32), Fla. Stat.

D. The Offeror is in compliance with Section 287.133(2)(a), Fla. Stat.

E. Pursuant to Section 119.0701(2), Fla. Stat., the Service Provider is required “to comply with public records laws, specifically to:

- a. Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.
- b. Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- c. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- d. Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.”

Notwithstanding anything contained herein to the contrary, the provisions and requirements of this paragraph shall only apply if and when Service Provider is acting on behalf of Florida Housing.

F. The Offeror acknowledges that any Offeror selected shall be prohibited from engaging in activities in connection with services related to Florida Housing transactions that produce direct or indirect financial gain for the Offeror other than for the compensation agreed upon in the Contract that results from this RFQ, unless that Offeror has Florida Housing's written consent after Florida Housing has been fully informed of such activities in writing.

G. In addition to the conflict of interest rules imposed by the Florida Statutes, the Offeror(s) that is (are) selected may not engage in any actual, apparent, or potential conflict of interest. Should any such actual, apparent, or potential conflict of interest come into being subsequent to the effective date of the Contract and prior to the conclusion of the Contract, the Offeror shall provide notification (Notice of Conflict of Interest) to Florida Housing, through first class certified mail, return receipt requested, within ten (10) working days, seeking consent from Florida Housing's Executive Director. If the Offeror is found to be in non-compliance with this provision, without written consent from Florida Housing's Executive Director, any compensation received in connection with the Contract shall be subject to forfeiture to Florida Housing.

H. The Offeror, in submitting this Response, acknowledges and agrees that the terms and conditions of this RFQ, as well as any modifications thereto, shall be incorporated into any Contract offered as a result of this RFQ.

I. CERTIFICATION STATEMENT:

THE FOLLOWING SHALL BE REPEATED IN THE OFFEROR'S RESPONSE AND SIGNED BY AN INDIVIDUAL AUTHORIZED TO BIND THE OFFEROR. THIS IS A THRESHOLD ITEM AND FAILURE TO INCLUDE THE CERTIFICATION STATEMENT BEARING AN ORIGINAL SIGNATURE SHALL RESULT IN REJECTION OF THE RESPONSE.

"I agree to abide by all conditions of RFQ 2014-10 and certify that all information provided in this Response is true and correct, that I am authorized to sign this Response as the Offeror and that I am in compliance with all requirements of the RFQ, including but not limited to, the certification requirements stated in Section Five of this RFQ."

Authorized Signature (Original)

Print Name and Title

**SECTION SIX
INFORMATION TO BE PROVIDED IN RESPONSE**

In providing the following information, restate each item and sub-item (with its letter and number), limit your Response to one bound volume. Responses to the items must be included immediately after the restated items without any reference to any appendix.

A. COVER LETTER

Each proposal must be accompanied by a cover letter that contains a general statement of the purpose of submission and includes the following information:

1. The name, job title, address, office and cellular telephone numbers, fax number, and e-mail address of a primary contact person, who will be responsible for day-to-day contact with Florida Housing, and any backup personnel who would be accessible if the primary contact cannot be reached.

2. Legal business status (individual, partnership, corporation, etc.) and address and telephone number of the Offeror.

B. GENERAL INFORMATION

1. Provide a brief history of the Offeror, including the year organized, ownership, the total number of employees and sales associates, and the location of offices.

2. Provide evidence of certification that the Offeror is qualified to do business in the State of Florida.

3. Describe the Offeror's ability to provide each of the services requested in Section Four of this RFQ immediately upon award of the Contract.

4. Provide proof of current professional liability errors and omissions insurance to include the following:

- a. Name of carrier and policy number;
- b. Effective date and termination date of insurance;
- c. Policy exclusions, if any;
- d. Current coverage amounts;
- e. Staff covered; and
- f. Type of coverage.

5. Provide a copy of the Offeror's Real Estate Broker's license from the Florida Department of Business and Professional Regulation.

6. Provide the Offeror's strategy to position, market, and sell targeted properties. Provide a typical action plan for property sale, including report format and content.

7. Describe the Offeror's approach to determining the value of multifamily properties and provide an example of the Offeror's model used in such valuation approach.

C. EXPERIENCE

1. Provide a detailed description of previous work experience in providing services similar to those described in Section Four of this RFQ during the past two (2) years, covering

experience in the sale of affordable multifamily and single-family housing developments or affordable single-family homes. The detailed information must include the time period from listing to sale of each transaction and quantify the resulting degree of affordability (affordable units as a percentage and number of total units), amount of sales transaction and amount of seller's gain/loss on transaction, if known.

2. In a separate table, list your multifamily affordable housing experience with low income housing tax credits separating the 4% and the 9% transactions. Identify the agency that allocated the low income housing tax credits and issuers of tax exempt and taxable bonds, if any.

3. Provide a list of at least three (3) clients as references that includes:

- a. Client name and address;
- b. Contact person;
- c. Title of contact person;
- d. Telephone number and e-mail address of the contact person;
- e. Dates services provided;
- f. Brief description of work performed for the client; and
- g. A statement of express permission for Florida Housing to contact any identified client and request information on the performance of the Offeror.

Prior to submittal of the Response, the Offeror must inform the named clients that their names are being listed. Selected clients may be contacted to determine the quality of work performed and personnel assigned to perform the work. The result of the reference checks may be provided to the Committee to be used in scoring the written Response.

4. Provide information on any contract entered into by the Offeror to provide services similar to those described in Section Four of this RFQ that was terminated prior to the completion in the last five (5) years, with details of such circumstances. If the Offeror has not had any contracts terminated in this manner, the Offeror shall indicate such as a part of their Response.

D. QUALIFICATIONS OF PERSONNEL

1. Provide the name, title, office location, telephone number, e-mail address, and brief resumes for the personnel who will be assigned to Florida Housing's account. Include their level of responsibility and availability. Describe the professional background of these individuals, specifically identifying assignments involving services similar to those described in this RFP in the last two (2) years.

2. Provide a description of to what extent, if any, the Offeror, including any officers or directors or other personnel are now, or have been during the five (5) years ended September 30, 2014, under indictment, investigation, order or disciplinary proceeding issued by a regulatory or governmental entity, or engaged in litigation or subject to an order from a court of competent jurisdiction. If any such condition exists, or existed in the time period specified, discuss the outcome and to what extent this could impair the level of service of the

Offeror. If the Offeror has not experienced any such condition, the Offeror shall indicate such as a part of their Response.

E. FEES

1. Provide any and all fees to be charged in connection with the services described in Section Four of this RFQ. An estimated maximum brokerage fee expressed in terms of a percentage per sales price per property shall be specified that includes both travel expenses and printing of required research and marketing materials. This is a fixed-fee for services contract and Florida Housing will not separately cover expenses incurred by the Offeror.

FINAL FEE SCHEDULE SHALL BE SUBJECT TO NEGOTIATION.

F. DRUG-FREE WORKPLACE

If the Respondent has implemented a drug-free workplace program, the Offeror must submit the following certification indicating that it meets all of the requirements of Section 287.087, Fla. Stat.:

I hereby certify on behalf of the Respondent, under the terms of ITN 2014-10, that the Respondent has implemented a drug-free workplace program pursuant to Section 287.087, Fla. Stat.

Authorized Signature: _____
Print Name: _____
Print Title: _____

G. MINORITY BUSINESS ENTERPRISE

If the Respondent is a minority business enterprise as defined in Section 288.703, Fla. Stat., the Respondent must submit the following certification:

I hereby certify on behalf of the Respondent, under the terms of ITN 2014-10, that the Respondent is a “minority business enterprise” as defined in Section 288.703(3), Fla. Stat.

Authorized Signature: _____
Print Name: _____
Print Title: _____

H. CERTIFICATION STATEMENT (THRESHOLD ITEM)

FAILURE TO INCLUDE THE CERTIFICATION STATEMENT LOCATED IN SECTION FIVE OF THIS RFP BEARING AN ORIGINAL SIGNATURE SHALL RESULT IN REJECTION OF THE RESPONSE.

**SECTION SEVEN
EVALUATION PROCESS**

Individual Committee members shall evaluate the Responses independently. As indicated in this section, points shall be assigned to certain items presented in Section Six of this RFQ. The individual Committee members shall evaluate the Responses by reviewing the answers to each of the items and assigning points up to the maximum points allowed for each item. The Committee shall not use those items without points assigned in computing the numerical score, but shall use them as part of their evaluation and recommendation process, for informational purposes, as a basis for possible disqualification, and to break any tie. The Committee shall also use the various scored items as a part of its evaluation and recommendation process. The Committee may conduct one or more public meetings during which members may discuss their evaluations, make any adjustments deemed necessary to best serve the interests of Florida Housing’s mission, interview Offerors, observe a software demonstration, and develop a recommendation or series of recommendations to the Board. The Committee and/or Staff may make a recommendation, in addition to providing the scoring information and the information from the non-scored items to the Board for the Board to use in making the final selection. The Committee and/or Staff may also give the Board a written and/or verbal narrative describing the reasons for any recommendation. In the event of a tie, Florida Housing shall give preference in the award process to the Response certifying a drug-free workplace has been implemented in accordance with Section 287.087, Fla. Stat. If a tie continues to exist, Florida Housing shall give preference to minority business enterprises as defined in Section 288.703, Fla. Stat. Staff may recommend that the Board conduct oral interviews as part of the evaluation process to select the Offeror. The Board may use the Responses, the Committee’s scoring, the non-scored items in the Responses, any other information or recommendation provided by the Committee or Staff, any oral presentations of Offerors and any other information the Board deems relevant in its selection of Offerors to whom to award a Contract. The points available for each of the items to be evaluated are as follows:

<u>Item Reference</u>	<u>Maximum Points</u>
B.1 General Information.....	5
B.3 General Information.....	10
B.6 General Information.....	15
B.7 General Information.....	15
C.1 Experience.....	25
C.2 Experience.....	5
D. Qualifications of Personnel.....	20
E. Fees	10
 Total Points Available.....	 100

SECTION EIGHT AWARD PROCESS

Florida Housing expects to provide notice of its decision, or intended decision, for this RFQ on Florida Housing's Website the next business day after the applicable Board vote. After posting, an unsuccessful applicant may file a notice of protest and a formal written protest in accordance with Section 120.57(3), Fla. Stat., et al. Failure to file a protest within the time prescribed in Section 120.57(3), Fla. Stat., et al. or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Fla. Stat.