

REQUEST FOR QUALIFICATIONS (RFQ) 2015-05

TECHNICAL ASSISTANCE PROVIDER SERVICES

for

FLORIDA HOUSING FINANCE CORPORATION
Predevelopment Loan Program, Demonstration Loans and
Other Florida Housing Programs

August 7, 2015

SECTION ONE INTRODUCTION

Florida Housing Finance Corporation (“Florida Housing”) is soliciting competitive, sealed responses from qualified firms to provide technical assistance to Applicants of the Predevelopment Loan Program, as well as to successful respondents to solicitations issued for Demonstration Loans and other Florida Housing funding programs that might require technical assistance services from time to time in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ), and any other term or condition in any contract subsequently awarded. Respondents will be selected through Florida Housing’s review of each response, considering the factors identified in this RFQ. Florida Housing expects to select one or more Respondent(s) that propose to provide the technical assistance services specified in this RFQ.

SECTION TWO DEFINITIONS

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

“Applicant”	The entity that has applied for or has been awarded financial assistance under a Florida Housing program.
“Board”	The Board of Directors of Florida Housing Finance Corporation.
“Committee”	The review committee composed of employees of Florida Housing that is established pursuant to Rule 67-49.007, Fla. Admin. Code.
“Days”	Calendar days, unless otherwise specified.
“Demonstration Loan”	Florida Housing loan(s) issued through a competitive solicitation process designed to address a specific housing need for a targeted group pursuant to Sections 420.507(41) and 420.5089(4), Fla. Stat.
“Development”	A property that is proposed to be or will be developed by an Applicant.
“Development Plan”	The written description/narrative of the proposed Development submitted to Florida Housing Finance Corporation by an Applicant with the concurrence of the Technical Assistance Provider detailing the Applicant’s objectives and goals with respect to the Development, from formulation of the Development concept through construction, leasing, operation and/or sale. The

	Development Plan will clearly set forth the Applicant's anticipated sources to fund all anticipated predevelopment expenses, including those in excess of the amounts to be requested under the Predevelopment Loan Program, if any, and the expected sources and uses of construction and permanent financing.
“Effective Date”	The date the last party signs the contract that is awarded as a result of this RFQ.
“Farmworker”	As defined in Section 420.503(18), Fla. Stat.
“Florida Housing”	Florida Housing Finance Corporation, a public corporation and public body corporate and politic created by Section 420.504, Fla. Stat.
“PLP”	The Predevelopment Loan Program, pursuant to Sections 420.521-420.529, Fla. Stat., and Fla. Admin. Code R. 67-38, et al.
“Respondent”	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 a Respondent to this RFQ.
“Technical Assistance Recipient” or “TA Recipient”	An Applicant that is receiving technical assistance services from a Florida Housing contracted Technical Assistance Provider.
“Technical Assistance Provider” or “TA Provider”	A person or entity that has been awarded a contract under this RFQ and that is providing the services described in Section Four below.
“Website”	The Florida Housing Finance Corporation website, the URL of which is www.floridahousing.org .

SECTION THREE PROCEDURES AND PROVISIONS

A. The Respondent must submit an original and three copies of the Response to the Contracts Manager in a sealed envelope marked “RFQ 2015-05.” Each envelope or package containing Responses must clearly state the name of the Respondent. 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 will not accept a faxed or e-mailed

Response. Florida Housing must receive any Responses on or before 2:00 p.m., Eastern Time, on September 10, 2015. Responses will be opened at that time.

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

B. This RFQ does not commit Florida Housing to award a contract to any Respondent 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 TA Provider, 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 Respondents from any source;
4. Request an oral interview before the Board with any or all Respondents;
5. Select for contract negotiation or for award a Response other than (or in addition to) that with the highest score in order to serve the best interests of Florida Housing and the public; and
6. Negotiate with the successful Respondent 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 must be submitted no later than 2:00 p.m., Eastern Time, on August 20, 2015. Phone calls will not be accepted. Florida Housing expects to respond to all questions in writing by 5:00 p.m., Eastern Time, on August 27, 2015. Florida Housing will post a copy of all questions received and their answers on Florida Housing's website at:

[http://www.floridahousing.org/BusinessAndLegal/Solicitations/RequestForQualifications/.](http://www.floridahousing.org/BusinessAndLegal/Solicitations/RequestForQualifications/)

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

F. Between the release of the solicitation and the end of the 72-hour period following the posting of the notice of intended award, respondents to this solicitation or persons acting on their behalf may not contact any member of Florida Housing's Board of Directors or any Florida Housing employee concerning any aspect of this solicitation, except in writing to the Contracts Manager. Violation of this provision may be grounds for rejecting a response.

G. 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., will constitute a waiver of proceedings under Chapter 120, Fla. Stat.

H. The term of the contract will be three 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 years.

I. Florida Housing is not required to use the services of any selected TA Provider or to assign any work to such TA Provider, and may terminate the contract with any selected TA Provider 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 the due date for Responses. A notice of such modification will be posted on Florida Housing's Website and will be provided to potential Respondents who requested copies of the RFQ. Any Respondent will have at least seven days from the date of the posting of the notice of the modification to submit or modify its Response.

K. The terms of this RFQ, and any modifications thereto, will be incorporated into any contract offered as a result of this RFQ. Failure of a successful Respondent to accept these obligations in the final contract may result in cancellation of the award.

SECTION FOUR SCOPE OF SERVICES

A. The TA Provider will provide technical assistance for each TA Recipient either at the development location or remotely by telephone or e-mail. The TA Provider must be in compliance with relevant rules of Florida Housing and with applicable requirements of the contract. The TA Provider will provide the services described below as needed.

General TA Services:

1. Instructing TA Recipients on how to evaluate and assess local affordable housing needs, particularly as they relate to needs that the TA Recipient is interested in serving.
2. Evaluating the viability of the proposed development related to market conditions, type of housing being proposed, funding sources available, and capacity of the applicant entity.

3. Assisting TA Recipients with local issues, such as avoiding or dealing with NIMBY (Not in My Back Yard) issues, working in partnership with local government, neighborhoods, or other parties, if needed, to resolve the issues.

4. Instructing TA Recipients on effective strategies to address the housing needs of special needs populations, including but not limited to development and management of permanent supportive housing that is integrated into the community, and development and management of partnerships with local supportive service agencies and other partners to ensure that case management and community-based supportive services are readily available to residents of such housing.

5. Providing information and technical assistance on land use issues such as comprehensive plan amendment process, rezoning, or any other land development regulation process relevant to the Development.

6. Providing information and technical assistance in developing public-private partnerships with supportive service agencies, governmental agencies, faith-based organizations, and financial institutions.

7. Instructing TA Recipients on the importance of leveraging funds and obtaining government, philanthropic, and other contributions by providing information and direction to other financing resources.

8. Instructing TA Recipients on effective resources to learn how to build affordable energy efficient housing, including water conservation and green building techniques, and how to incorporate universal design and visitability features into units.

9. Instructing TA Recipients regarding the professional expertise needed on a development team, and directing TA Recipients on how to assemble a qualified development team. The TA Provider will provide information regarding necessary qualifications and the roles for Development team members and provide advice as to the type of development team members and joint ventures necessary for the TA Recipient's specific development and financing requirements. The TA Provider will not make referrals to specific individuals, firms, or companies, except that the TA Provider may provide a list of consultants that have previously served as consultant to any Applicant in any Florida Housing competitive cycle. The TA Provider will verify the qualifications of development consultants that are being paid under the category of "consultant."

10. Providing technical assistance to each TA Recipient to:

- a. Implement its Development Plan (if required);
- b. Submit requests for disbursements of funds from Florida Housing;
- c. Execute required documents;
- d. Assist in the research of potential construction/permanent financing for the proposed Development and the application procedures required for these sources; and
- e. Help complete the due diligence checklist for credit underwriting.

11. Instructing TA Recipients on Florida's system of local governance, including budgeting, public meetings, and public records management.

12. Attending and participating in meetings on behalf of Florida Housing as requested, including Board meetings. Meetings may be held in Tallahassee or other designated locations in Florida. The TA Provider may be requested from time to time to speak at various meetings regarding a proposed Development.

13. Conducting an initial site visit to each TA Recipient unless Florida Housing directs otherwise.

14. Assisting TA Recipients with internal control issues such as accounting, record keeping, separation of duties, and technological guidance.

15. Assisting TA Recipients' staff members and Boards of Directors with organizational issues such as desired management practices in the development of affordable housing.

16. Reviewing the Applicant's loan disbursement requests to determine that the request is in compliance with Florida Housing requirements prior to submitting to Florida Housing.

17. Providing a monthly report for each program to Florida Housing containing all billable TA activities for each Applicant performed during the previous month, which must include a log documenting technical assistance activities and the number of hours expended in the following categories:

- a. Site visits;
- b. Telephonic assistance;
- c. Written correspondence; and
- d. Other activities requested or approved by Florida Housing.

18. If required by Florida Housing, provide a written final report at the end of the contract period to Florida Housing summarizing all activities performed for a specific TA Recipient.

19. Provide additional program updates and information as requested by Florida Housing within two business days after receiving Florida Housing's request.

Special PLP Services:

20. Compiling all information required to submit a Development Plan to Florida Housing for approval or denial of a PLP loan. The Development Plan must be submitted to Florida Housing according to established procedures and in a timely manner in accordance with Board submission deadlines.

21. Providing information about Florida Housing programs and other state, federal, local, and private affordable housing programs available to TA Recipients.

22. Instructing PLP TA Recipients that all proceeds of any PLP loan must comply with Fla. Admin. Code R. 67-38.008, and any use of funds that fails to comply with this Rule is an ineligible use of the loan proceeds.

23. If a PLP loan recipient is requesting an extension to the maturity date of the loan, evaluate the request and submit a written recommendation to Florida Housing to approve or deny the extension to the term of a loan pursuant to Fla. Admin. Code R. 67-38.

24. Submitting a Development Plan to Florida Housing with a recommendation for approval or denial of the development for funding.

Special Services during Pre-Construction and Construction:

25. Reviewing contracts and qualifications of development partners including, but not limited to, joint venture partners, general contractor, sub-contractors, development consultant, and the management company if one is to be used.

26. Advising TA Recipient on scheduling of development process and construction.

27. Advising TA Recipient on local issues and processes including, but not limited to, permitting approval, zoning issues and inspections.

28. Reviewing payments to general contractor and other vendors to ensure payment is warranted and being done within all applicable Florida Housing, State and Federal guidelines.

29. Coordinating with the TA Recipient to prepare for and complete any requirements of the credit underwriter.

**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, subsection I, of this RFQ, each Respondent certifies that:

A. The Respondent 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 will 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, but only after Florida Housing provides a notice of decision pursuant to Section 120.57(3), Fla. Stat., or within 30 days after the Response is opened, whichever is earlier.

C. The Respondent, if awarded a contract under this RFQ, will comply 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 Respondent is in compliance with Section 287.133(2)(a), Fla. Stat.

E. The Respondent understands and agrees to cooperate with any audits conducted in accordance with the provisions set forth in Section 20.055(5), Fla. Stat.

F. Pursuant to Section 119.0701(2), Fla. Stat., the Respondent, if awarded a contract under this RFQ, will be 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 will only apply if and when the TA Provider is acting on behalf of Florida Housing.

G. The Respondent acknowledges that if awarded a contract it will be prohibited from engaging in activities in connection with services related to Florida Housing transactions that produce direct or indirect financial gain for the Respondent other than for the compensation agreed upon in the contract that results from this RFQ, unless that Respondent has Florida Housing’s written consent after Florida Housing has been fully informed of such activities in writing.

H. The Respondent acknowledges that if awarded a contract it will be prohibited from engaging 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 Respondent will 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 Respondent 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 be subject to forfeiture to Florida Housing.

I. The Respondent, in submitting this Response, acknowledges and agrees that the terms and conditions of this RFQ, as well as any modifications thereto, will be incorporated into any contract offered as a result of this RFQ.

J. CERTIFICATION STATEMENT:

THE FOLLOWING SHALL BE REPEATED IN THE RESPONDENT'S RESPONSE AND SIGNED BY AN INDIVIDUAL AUTHORIZED TO BIND THE RESPONDENT. THIS IS A MANDATORY 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 2015-05 and certify that all information provided in this Response is true and correct, that I am authorized to sign this Response as the Respondent 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 (Mandatory Item)

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, 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 Respondent.

B. GENERAL INFORMATION

1. Provide evidence that the Respondent is licensed to do business in the State of Florida. **(Mandatory Item)**

2. Describe the Respondent's presence in Florida, and address its accessibility to Florida Housing staff, availability for meetings, conferences, consultation, etc.

3. Describe the Respondent's experience in providing services or engaging in activities that are similar to the work being requested in Section Four of this RFQ. Include information expressly detailing experience in providing services related to affordable housing development in Florida.

4. Describe the Respondent's ability to provide services immediately upon award of the contract.

C. WORK PLAN FOR SCOPE OF SERVICES

Describe the Respondent's plan to provide the services for each of the items requested in Section Four of this RFQ. Include specific details of staffing for TA, office locations, ability to provide onsite TA and estimated number of TA Recipients that can be assisted at one time.

D. EXPERIENCE AND RESOURCES

1. List the names of all the Respondent's personnel who will be assigned to perform the services requested in Section Four of this RFQ, and describe each identified personnel's qualifications and experience. For each staff member, provide a detailed explanation of their key areas of expertise and to what services listed in Section Four of this RFQ they will be assigned. Providing a list of staff without detailed descriptions of how each will be assigned to perform the services requested will not suffice to answer this subsection.

2. Provide three references for which the Respondent has provided services similar to those requested in Section Four of this RFQ. Include the company name, street address, contact name, and phone numbers for these references.

3. Provide a list of three affordable housing developments with which the Respondent has been involved. Include the development name, street address, contact name,

and phone numbers for these references. Describe in detail the role the Respondent performed in the predevelopment and development process.

E. FEES

Provide the proposed hourly fee to be charged in connection with the services described in Section Four of this RFQ. Fees proposed must include all charges relating to the services required under the contract and all out-of-pocket expenses, such as telephone, postage and shipping, printing and/or copy costs, and travel, if any. No costs will be reimbursed under the resulting contract.

FINAL HOURLY FEE WILL BE SUBJECT TO NEGOTIATION.

F. DRUG-FREE WORKPLACE

If the Respondent has implemented a drug-free workplace program, the Respondent 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 RFQ 2015-05, 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 RFQ 2015-05, 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 (**Mandatory Item**)

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

**SECTION SEVEN
EVALUATION PROCESS**

The individual Committee members will independently evaluate the Responses by reviewing the answers to each of the items identified in Section Six of this RFQ and assigning points up to the maximum points allowed for each item. The points available for items in Section Six are to be evaluated are as follows:

<u>Item Reference</u>	<u>Maximum Points</u>
B.2. General Information.....	10
B.3. General Information.....	20
B.4. General Information.....	5
C. Work Plan for Scope of Services	10
D.1. Experience of Resources	20
D.2. Experience of Resources	5
D.3. Experience of Resources	5
E. Fees	5
Total Points Available.....	80

NOTE: The Certification statement, Section Six A and B (1) are mandatory items.

In the event of a tie, Florida Housing will 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 will give preference to minority business enterprises as defined in Section 288.703, Fla. Stat.

The Committee will conduct one or more public meetings during which members will discuss their evaluations and develop a recommendation or series of recommendations to the Board. The Committee’s recommendation will be based on the cumulative scoring and information gathered from the non-scored items. 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, and any other information the Board deems relevant in its selection of Respondents to whom to award a contract.

**SECTION EIGHT
AWARD PROCESS**

Florida Housing will 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. Failure to file a protest within the time prescribed in Section

120.57(3), Fla. Stat. or failure to post the bond or other security required by law within the time allowed for filing a bond will constitute a waiver of proceedings under Chapter 120, Fla. Stat.