

**Housing Authority
of the
City of New Bern (NBHA)**



**REQUEST FOR QUALIFICATIONS
FOR
MASTER DEVELOPER
FOR THE REDEVELOPMENT OF
TRENT COURT**

DATE ISSUED: October 2, 2015

SUBMISSION DATE: December 3, 2015



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**REQUEST FOR QUALIFICATIONS FOR
MASTER DEVELOPER
FOR THE REDEVELOPMENT OF TRENT COURT**

The New Bern Housing Authority (NBHA) in cooperation with the City of New Bern is requesting qualification statements from experienced developers (Master Developers). The successful party will prove through its submittal that it possesses the qualifications necessary to implement a comprehensive revitalization strategy for both the Trent Court public housing development and the surrounding Greater Five Points neighborhood. The successful respondent will demonstrate its success in implementing comprehensive neighborhood multi-site development plans that include mixed-income (public housing, tax credit and market-rate units), mixed-finance and mixed uses. The plan must be neighborhood focused and include the replacement of the 218 Trent Court public housing units with 218 deeply subsidized units (public housing and/or project-based rental assistance units) in mixed-income developments. The plan should also include, to the extent supported by the community and market conditions, commercial/retail uses and other neighborhood improvements to be identified during the planning process.

Sealed responses to this solicitation will be received by the New Bern Housing Authority until **2:00 p.m. local time on December 3, 2015.**

A copy of the RFQ package may be downloaded from NBHA's website at www.newbernhaha.com.

A pre-proposal conference will be held at the NBHA Administrative Office on **November 5, 2015.**

All responses submitted are subject to these Instructions and Supplemental Instructions to Offerors, General and Supplemental Conditions, and all other requirements contained herein, all of which are made a part of this Request for Qualifications by reference. The New Bern Housing Authority reserves the right to reject any or all proposals and to waive any informalities in the submission process if it is in the public interest to do so.

SUPPLEMENTAL INSTRUCTIONS TO OFFERORS

1. Submission of Proposals

Deliver six (6) complete sets (one original clearly marked or stamped "original," and five (5) copies) and one electronic copy (on CD or USB drive) of the required submittals, in a sealed envelope or box clearly marked with the words "Trent Court RFQ Documents," to the NBHA Executive Director, at the following address:

**New Bern Housing Authority
837 South Front Street
New Bern, NC 28562
Attn: Mr. Martin C. Blaney, Executive Director**

2. Interpretations/Questions

During the period between issuance of this RFQ and the proposal due date, no oral interpretation of the RFQ requirements will be given to any prospective offeror. Questions raised at the Pre-proposal conference will be answered in writing, along with answers to submitted questions, and posted on NBHA's website at <http://www.newbernha.com>. Any requests for interpretations must be made in writing and submitted by COB on November 11, 2015 and emailed to Mickey Miller, Choice Neighborhoods Grant Coordinator, at mmiller@newbernha.com.

3. Addendum and Update Procedures for the RFQ

During the period of advertisement for this RFQ, NBHA may wish to amend, add to, or delete from, the contents of this RFQ. In such situations, NBHA will issue an addendum to the RFQ detailing the nature of the modification(s). NBHA will post all addenda pertaining to this RFQ on its website at <http://www.newbernha.com>.

4. Proposal Format

All proposals must be submitted in 8½ x 11 inch format, bound or in 3 ring binders. Larger size pages or inserts may be used provided they fold to 8½ x 11 inches. All copies of the submittal must be identical in content and organization. Proposals must be organized into sections and tabbed for ease of review, organized in response to the Submission Requirements. The front cover of the proposal must bear the name of the RFQ, the date, and the respondent's name, address, phone, email, and fax number.

5. Acceptance of Proposals

Proposals must be signed, sealed and received in completed form at the NBHA Administrative Office at 837 South Front Street, New Bern, NC 28562 no later than the proposal submission time and date. Unsealed proposals will not be accepted. Proposals submitted after the designated date and hour will not be accepted for any reason.

NBHA reserves the right to accept or reject any or all proposal or to take exception to these RFQ specifications. Respondent may be excluded from further consideration for failure to fully comply with the specifications of this RFQ.

6. Withdrawal of Proposals

Negligence on the part of the Respondent in preparing its Proposal confers no right of withdrawal or modification of its proposal after the due date and time.

7. Certification of Legal Entity

Prior to execution of the contract agreement, the respondent must certify that joint ventures, partnerships, team agreements, new corporations or other entities that either exist or will be formally structured are, or will be legal and binding under North Carolina law.

8. Costs Borne by Respondent

All costs related to the preparation of this RFQ and any related activities are the responsibility of the respondent. NBHA assumes no liability for any costs incurred by the respondent throughout the entire selection process.

9. Best Available Data

All information contained in this RFQ is the best data available to NBHA at the time the RFQ was prepared. The information given in the RFQ is not intended as representations having binding legal effect. This information is furnished for the convenience of respondents and NBHA assumes no liability for any errors or omissions.

10. Contact with Staff, Board Members, and Residents

Offerors may not make any contact with NBHA Staff, Board Members, residents, or consultants. All communications with NBHA must be in writing.

11. Respondent Responsibilities

Each respondent is presumed by NBHA to have thoroughly studied this RFQ and become familiar with the package's contents. Any failure to understand completely any aspect of this RFQ or the proposed site is the responsibility of the respondent.

12. RFQ Schedule

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|---|--------------------------|
| Master Developer RFQ Available | October 2, 2015 |
| Pre-proposal Conference (optional; on-site at NBHA Administrative Office) | November 5, 2015 at 2 pm |
| Final Day to Submit Written Questions | November 11, 2015 |
| NBHA Responds to Written Questions | November 17, 2015 |
| Proposal Due Date | December 3, 2015 by 2 pm |
| Notify Firms in Competitive Range for Interviews | December 17, 2015 |
| Conduct Interviews (followed by Best and Final Offers) | January 11-12, 2016 |
| Reference Checks, Due Diligence (including site visits, if necessary), and Selection of Highest Ranked Respondent | By January 29, 2016 |

Housing Authority of the City of New Bern

REQUEST FOR QUALIFICATIONS FOR MASTER DEVELOPER FOR THE REDEVELOPMENT OF TRENT COURT

PART I – GENERAL BACKGROUND INFORMATION

1.1 Introduction/Background Information

The Housing Authority of the City of New Bern (NBHA) in cooperation with the City of New Bern is requesting qualification statements from experienced developers (Master Developers). The successful party will prove through its submittal that it possesses the qualifications necessary to implement a comprehensive revitalization strategy for the redevelopment of the Trent Court public housing site through rebuilding both on- and off-site in the surrounding Greater Five Points neighborhood. The successful respondent will demonstrate its success in implementing comprehensive neighborhood revitalization plans that include mixed-income, mixed-finance and mixed uses. The plan to be considered must be neighborhood-focused and include residential and non-residential uses and the replacement of the 218 housing units at Trent Court with 218 deeply subsidized units within the development plan. The plan to be developed and implemented should capitalize on the existing strengths of the Greater Five Points Neighborhood which include its strategic location as a gateway to the revitalized historic downtown, opportunity to repurpose vacant land, strong social capital and community pride, and strong neighborhood institutional uses.

NBHA received a 2013 Choice Neighborhoods Planning Grant. EJP Consulting Group is serving as the Planning Coordinator for this effort. A strong collaboration of key New Bern stakeholders and the community has been established to guide the development of a holistic Transformation Plan for this important neighborhood. NBHA, in cooperation with the City of New Bern, will use this Transformation Plan as the framework for future investments and the basis for seeking implementation funding. The Transformation Plan seeks to redevelop Trent Court and other sites nearby to create an economically and socially diverse, healthy and vibrant mixed-income neighborhood that includes a wide range of land uses and densities. The plan also proposes reinforcing Greater Five Points as the gateway to historic downtown New Bern. **Respondents are strongly advised to review the Choice Neighborhoods draft Transformation Plan at New Bern's Choice Neighborhoods website www.choicenewbern.com.**

Using the draft Greater Five Points Choice Neighborhoods [Transformation Plan](#) as a start point, the Master Developer will be expected to advise on the program and design for the replacement housing and other affordable and market-rate unit types; identify other investments essential to creating a

sustainable and healthy community; coordinate housing activities with residents and NBHA; and take the lead in securing state, local, federal, and private funding in support of the Transformation Plan.

The Master Developer must be able to work collaboratively with the NBHA, Trent Court residents, the City of New Bern, and the broader community. The Master Developer's architect will be responsible for implementing the redevelopment concepts emerging during this planning process. The Master Developer will be required to show that the final housing plan is market-appropriate and financially feasible.

New Bern Housing Authority

NBHA currently owns and manages 579 low-income public housing units (Trent Court and Craven Terrace) and 106 Section 8 New Construction senior/disabled units (New Bern Towers). These three developments are located in the Greater Five Points neighborhood. NBHA currently enjoys an occupancy rate of 98% in its Public Housing program.

361 of NBHA's public housing units are at the Craven Terrace site, which is undergoing extensive rehabilitation by a private developer under HUD's Rental Assistance Demonstration (RAD) funding program. The Craven Terrace RAD project is expected to close in late fall 2015, with ownership of that property transferring to private management at that time.

The remaining 218 public housing units are at Trent Court. The redevelopment of this site, coupled with the Craven Terrace rehabilitation and planned neighborhood revitalization efforts outlined in the draft [Transformation Plan](#), offer a tremendous catalytic opportunity to reshape the residential fabric of Greater Five Points and New Bern.

Trent Court

Trent Court is a 218 unit public housing complex in the Greater Five Points neighborhood of New Bern, North Carolina. This riverfront community is adjacent to New Bern's revitalized Historic District and the historic Tryon Palace. Trent Court consists of 29 two story residential buildings; the first 12 were completed in 1941, with the remaining 17 buildings completed in 1953. The property also contains an administrative building, a 7000 square foot former child care facility (currently vacant), and a maintenance building. Over 50% of the complex is located in a 100 and 500 year flood plain.

The Trent Court development, like other public housing projects built 70 years ago, is functionally obsolete. Major issues include aging infrastructure, functional obsolescence of the units in terms of size and amenities, and barracks-style design. Because of its location on the riverfront and adjacency to historic Tryon Palace, Trent Court is ideally positioned for mixed-income redevelopment.

Working with the community and a broad array of stakeholders, a preferred redevelopment approach has emerged for Trent Court, based on the following guiding principles:

- Demolish Trent Court units and build new mixed-income housing (a mix of public housing, tax credit and market-rate units).
- Replace 218 existing Trent Court public housing units one-for-one with 'hard' units that are deeply subsidized (income eligible residents pay no more than 30% of their income for housing costs).
- Replace the 218 public housing units on- and off-site in mixed-income developments to deconcentrate poverty.

- Retain at least one of the original on-site buildings to preserve the historic value of the development.
- Use a phased approach to demolition and redevelopment to minimize disruption to residents' daily lives. The plan recommends building a first phase off-site in the neighborhood (ideally along a major thoroughfare leading to downtown) so residents can move directly into new replacement housing before their old units are demolished.

On-site development. Through the planning process to date, a preferred housing concept for the Trent Court site has been developed which includes 337 mixed-income units in townhouses, walk-up apartments, and 3-4 story elevator buildings. Streets have been realigned to improve connections to the surrounding neighborhood and public green space is preserved along the waterfront to complement the new extension of the riverwalk [See draft [Transformation Plan](#) for the Trent Court Concept Plan.] A preliminary plan calls for three redevelopment phases on site, alternating with off-site redevelopment efforts. The developer is expected to refine the plan based on market studies, funding opportunities, and continued community involvement.

Off-site development. The goal is redevelop up to 400 mixed-income housing complexes off-site on the vacant and underutilized parcels in the neighborhood. The City will work with the developer to identify and acquire targeted parcels, with a priority for locating new housing along the major thoroughfares leading to and from Historic Downtown New Bern. The developer will be responsible for both on- and off-site development of the 218 replacement units in mixed-income developments. The income mix for each phase has not been determined but should include public housing, tax credit/workforce housing and market-rate units.

Greater Five Points Neighborhood

Greater Five Points, a “neighborhood of neighborhoods”, is located at the confluence of the Trent and Neuse Rivers. Directly west of downtown New Bern, it serves as the gateway to this recently revitalized historic district. The City of New Bern enjoys a rich history as the second oldest colonial town in the State, the former location of the state’s capitol, and one of the premier African-American cities in eastern North Carolina. It is also the birthplace of Pepsi-Cola. The New Bern community has a strong desire to preserve and celebrate the heritage of this once vibrant and successful business and cultural center for African-Americans. Just prior to the Choice Neighborhoods funded planning effort, the city worked with consultants to develop the New Bern Gateway Renaissance Master Plan and is aligning City investments with this plan.

Greater Five Points is home to 3,300 residents, the majority of which are African-Americans. The neighborhood covers 462 acres, of which 50% of the land area is within a 100 and 500 year flood plain and susceptible to flooding. Despite decades of economic decline and disinvestment, the community has a number of key assets:

- (1) Location in the historic heart of the City and as a gateway to the revitalized downtown;
- (2) History as a prominent African-American community and once-thriving business center;
- (3) Community pride, particularly among those families who call this area “home;” and
- (4) Opportunity to repurpose vacant land and revitalize two large public housing sites that can catalyze further public and private investment in the area.

1.2 Method of Solicitation

NBHA is soliciting qualification statements from experienced Master Developers with a documented track record of providing the required services. NBHA is requiring that each applicant submit a vision that describes the type of mixed-income development the respondent believes is feasible and which incorporates the concepts contained in the draft [Transformation Plan](#). In addition, the proposal must demonstrate the respondent's capacity and readiness to perform the required Scope of Services outlined below. Finally, the proposal must include evidence of the respondent's previous experience and qualifications relative to the provision of such services, particularly the development of mixed-income and mixed-use communities that include public housing units.

The selected Master Developer will be responsible for working with the Transformation Plan Implementation Committee to finalize and implement a housing replacement program for Trent Court and any mixed-use opportunities that are identified. The Agreement between the selected respondent and NBHA will be subject to the terms and conditions provided in HUD Form 5370-C, General Contract Conditions Non-Construction.

PART II – SCOPE OF SERVICES

2.1 Summary of Services

The selected Master Developer will finalize the housing program and design, in consultation with NBHA, the City of New Bern, residents and the broader community; prepare development and operating proformas for the Housing components; and secure funding commitments in support of the Housing Plan. NBHA does not expect to fund these initial services.

For implementation services, a Master Development Agreement (the "Agreement") will be negotiated that delineates the roles and responsibilities of NBHA, the City and the Master Developer as well as the fee structure. When implementation financing is secured, the Master Developer will be responsible for all predevelopment activities, financial closing, construction, lease-up and property management.

2.2 Program Requirements

Respondents to this RFQ are strongly encouraged to reply with proposals that are responsive to the goals and priorities outlined in the draft [Transformation Plan](#), market conditions, and funding availability. The following are minimum program requirements (the "Program"):

- A. One-for-one replacement.** Demolish the existing 218 units of public housing and replace one-for-one with deeply subsidized units (i.e., residents pay no more than 30% of income for rent) on and off the original site, to the greatest extent possible in the Greater Five Points neighborhood.
- B. Mixed-income developments.** Create new units to reflect a new, economically viable mixed-income developments that include residential and, where feasible, non-residential uses. The new developments should include a mixture of deeply subsidized, affordable and market rate rental units as determined to be viable and advantageous to the overall development effort. The different affordability types should be mixed across all building types and located throughout the different

development sites (on- and off-site of Trent Court). Community facilities and commercial development components will be determined in consultation with the developer.

- C. High quality design.** Create sustainable new developments of high quality design that meet or exceed industry standards and incorporate state-of-the-art energy conservation and green practices in a LEED-certifiable project. The designs of the residential and non-residential components should reflect the historic neighborhood context and character of the buildings in the Greater Five Points area and adjacent historic district.
- D. Leverage resources.** Pursue funding sources appropriate for the redevelopment program, maximizing the efficiency and effectiveness of public resources. Work collaboratively with local, state and federal agencies to identify a variety of resources to support housing, including the acquisition of additional real property. These resources should include but not be limited to federal funds, tax credits, bond financing, CDBG/HOME funds, North Carolina Housing Finance Authority program funds, private mortgages, etc.
- E. Support development of human capital.** The Master Developer is expected to maximize job opportunities through a robust Section 3 program and to incorporate supportive services programs into the long-term operations of the new community.

2.3 Role of NBHA

NBHA will play the following roles in the planning and redevelopment of the Project:

- Lead on the Choice Neighborhoods Transformation Plan – NBHA, in partnership with the City of New Bern and working with the Trent Court residents and the broader New Bern community, is responsible for finalizing the Transformation Plan in consultation with the Master Developer.
- HUD Contact - NBHA will manage and take responsibility for all communication with HUD, and the preparation and submission of program documents and evidentiaries and obtain all HUD approvals including but not limited to demolition/disposition approval and mixed-finance approval. However, to the extent any such documents or evidentiaries are within the particular knowledge or responsibility of the Master Developer, NBHA will expect the Master Developer to prepare or assist in preparing such documents and evidentiaries as NBHA may direct.
- Relocation –The Master Developer should phase the redevelopment effort to create new off-site housing first that Trent Court residents can relocate to in one move, avoiding the need to move temporarily off-site.
- Admissions - All existing Trent Court residents will have the right to return to the redeveloper properties if they are lease compliant per NBHA’s current lease and criteria in NBHA’s Admissions and Continued Occupancy Policy (ACOP). No additional screening criteria will be imposed.
- Asset Manager - NBHA will continue to have asset management responsibilities related to the public housing replacement units as well as all other units in which NBHA or its affiliate has an ownership interest. NBHA will monitor and enforce the terms of its Lease(s) and Agreement(s) with the Master Developer and require that all housing units be managed in accordance with applicable local, state and federal requirements.

- Monitor Master Developer Compliance with Hiring Opportunities - NBHA will monitor the Master Developer's plans and efforts for reaching Section 3, Minority Business Enterprises (MBE), and Women-owned Businesses (WBE) goals and objectives.

2.4 Role of the City of New Bern

The City of New Bern is a co-lead in the Trent Court/Greater Five Points Transformation effort. Key City roles include but are not limited to land acquisition, working with the Zoning Department to permit the densities and mixed uses that are proposed in the Housing Plan, and infrastructure improvements. This will require working closely with the Board of Aldermen to secure their approval of the final Housing Plan and any provision of any city-owned land for redevelopment.

2.5 Role of Master Developer

Throughout the redevelopment of the Project, the Master Developer will work closely with NBHA staff, the residents/community, and the City of New Bern and its consultants. The Master Developer will be responsible for ensuring that the proposed Housing Plan is financed and implemented. The goal is to ensure that all units are produced in a manner that renders the public housing units indistinguishable from those targeted to other income groups, and the developments are integrated into the fabric of the existing neighborhood.

General:

- Oversee and Implement the final Housing Plan - Provide the necessary staffing, expertise, supervision and guarantees to implement all aspects of the redevelopment fully and expeditiously as required by the Master Development Agreement.
- Hire and Manage Consultants and Contractors Necessary to Implement the Project - At a minimum the Master Developer's team will need to include consultants appropriate to cover the architectural, environmental review, market analysis, geo-technical studies, civil, mechanical and electrical engineering, and any other activities deemed necessary by the Master Developer. Respondents are strongly encouraged to demonstrate participation on their team of expertise in areas of relevance to the locale's development process, including LIHTC financing and construction matters, and experience with NCHFA.
- Maintain Communication Regarding Project Progress with NBHA, HUD and the Residents - NBHA will establish a regular schedule of team meetings, in which the Master Developer will participate.
- Develop and Maintain Quality Control Measures - The Master Developer is responsible for ensuring the Project is constructed and managed with the highest quality materials and workmanship. The Master Developer will be required to implement quality assurance and control measures to ensure effective performance by all parties in all aspects of the program.
- Develop and Maintain a Detailed Development Schedule and Critical Path Schedule - Develop and maintain a detailed schedule of events, predicated on financing deadlines, that includes pre-development activities, all construction phases, project stabilization and permanent loan close.
- Foster Resident Involvement in Project Implementation - Facilitate and foster the involvement of public housing residents in the implementation of the Housing Plan. In cooperation with NBHA, keep residents informed of the status of the revitalization effort, plan for providing job opportunities for residents during and after implementation, and assist/encourage resident businesses.

- Community Facilities - The Master Developer may be tasked with the construction of any community facilities that are included in the development program.
- Be Responsive to Local Community, Neighborhood, and City Interests - Promote and maintain good relations with community and neighborhood groups, and federal, state and local governments.
- Compliance with Laws - Comply with all applicable federal, state and local laws, rules and regulations applying to the activities required by the Agreement.
- Debarment - The Master Developer must provide evidence that all subcontractors are not debarred, suspended or otherwise prohibited from professional practice by any federal, state or local agency.
- Section 3 - The Master Developer shall develop a strategy in coordination with NBHA for fostering Section 3 employment, training and contracting opportunities throughout the redevelopment process that are consistent with the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended (12 U.S.C. 1701u).

Pre-Development:

- Update the Market Study prepared for the Transformation Plan – For each development phase, the developer must prepare a market analysis that will, based on area economics, assist in determining the proper income mix for the rental units, and assist in determining potential demand for commercial uses at the base of new housing developments to confirm that proposed rents (both residential and commercial) are supportable in the local market.
- Design Development Process – During the schematic design and design development phases, meet regularly with NBHA, the City, its residents and the neighboring community to review all aspects of the design. Activities include but are not limited to securing permits and approvals, entitlements, survey and engineering, etc.
- Obtain Environmental Clearances -- In collaboration with NBHA procure the necessary consultants and prepare the necessary documents to obtain environmental clearances from all interested agencies.
- Demolition and Remediation–The Master Developer will assume primary responsibility for the demolition and remediation of the existing public housing units.
- Plans and Specifications -- The Master Developer will be responsible for the preparation of the infrastructure and building plans and specifications which will be subject to NBHA and City review.

Financing:

- Produce an Overall Financing Plan -- Produce an attainable financing plan for the overall redevelopment project. The overall financing plan will be developed in conjunction with the Housing Plan and market analysis.
- Financing Application(s) -- The Master Developer will be required to pursue diligently and use best efforts to obtain all financing necessary to implement the Housing Plan in a timely fashion, which may include, but not be limited to, tax credits, tax-exempt bonds, state and local funds and private debt.
- Maximize the Leveraging of Public and Private Resources -- Maximize the leveraging of public and private resources by pursuing all reasonable sources of financing and utilizing a variety of partners and partnerships. Coordinate discussion and negotiations with financial institutions and private partners. All financing terms are subject to review and approval by NBHA.

- Obtain Equity Investment -- Using an approved competitive process, obtain equity financing commitment on the best terms currently available.
- Guarantees - Provide all guarantees required for the successful financing of the Project, including completion guarantees, operating deficit guarantees, and tax credit adjuster or recapture guarantees and guarantees of performance under the Agreement. The Master Developer will be required to demonstrate financial ability to honor the guarantees, and indicate how they intend to honor the guarantees if necessary.
- Operating Feasibility - Structure such reserves and other devices as will reasonably guarantee the long-term operating feasibility of the Project.
- Accounting/Financing - Maintain accounting records and ensure Project financing is available at the appropriate times and utilized in the appropriate manner.

Construction:

- Hire Qualified General Contractors and Oversee Construction Activities -- The Master Developer will create and implement a process for selecting the most qualified General Contractor (if the General Contractor is not identified as member of the Development Team at the time the Proposal is submitted to NBHA). During construction, the Master Developer must provide oversight, and management as deemed necessary, of construction activities by coordinating with all development team members and attending job-site meetings to ensure the expeditious implementation of construction activities.
- Implement Development Program -- In accordance with the MDA and the final Housing component of the Transformation Plan, the Master Developer will develop all improvements associated with the development program, including multi-family and single-family units, community facilities and any commercial space.

Ownership and Asset Management:

- Organize Ownership Entity -- The selected Master Developer will be expected to organize an ownership entity and structure approved by NBHA, which may include an affiliate of the NBHA as a special limited partner.
- Ensure the Short- and Long-Term Viability of the Redeveloped Projects -- Master Developer shall develop and implement marketing, re-occupancy, asset and property management plans that will ensure the short- and long-term viability of the Project.
- Market and Lease-up the Rental Units -- The Master Developer shall create and implement a marketing and lease-up strategy for the rental units to ensure that stabilized occupancy is achieved in compliance with all applicable financing and land use agreements and HUD requirements.

PART III – SUBMISSION REQUIREMENTS

3.1 Description of Submission Requirement

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

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

1. Letter of Interest

The cover letter must list the development team members and identify the primary contact person. Please include phone number, facsimile number and e-mail address. The letter must be signed by an authorized principal of the Master Developer's firm and include a statement that the proposal will remain valid for not less than 180 days from the date of the NBHA Board of Commissioners' approval of the Master Developer.

2. Profile of the Master Developer

Provide an overview of the Master Developer's experience in the planning, construction and management of projects similar to what is proposed. Include the following information for the last five (5) years:

- a. List all **affordable and mixed-income rental housing projects** (preferably involving public housing units) successfully completed within the past 5 years, identifying location, sources of financing, number of units, bedroom sizes, and income groups served and cost of each project.
- b. Indicate projects employing **sustainable development techniques** and all LEED-certified development projects.
- c. Demonstrate experience with **property management** of mixed-income, mixed-finance, and mixed-use rental developments of similar size, either directly or through supervision of property management provided by a third party. Include information about income groups served.
- d. Provide profiles/resumes of **key staff**, including the Project Manager, who will be involved in the redevelopment effort. Specify the roles of **key staff in carrying out this development initiative** and their previous experience with housing development and redevelopment.
- e. Provide a narrative description of the Master Developer's previous experience in successfully utilizing **M/WBE/Section 3 businesses** and achieving goals for utilization.
- f. Indicate whether the Master Developer or any team member has ever been terminated from a contract or been sued by a Housing Authority, and if so, describe the circumstances and outcome. Also indicate whether Master Developer, any affiliated entity or related property

manager has ever been cited with any program violations by any state housing finance agency or other funding entity.

- g. Provide contact information for five references relevant to the scope of work as anticipated in this RFQ.

3. Profiles of Development Team Members

- a. Provide an organization chart of the development team. All entities that comprise the team must be identified including consultants, contractors, and attorneys, indicating their specialization(s), specific contribution to the team, and whether they are an M/WBE/Section 3 business. Please provide information on the development team's prior experience working together.
- b. Provide information on each team members experience within their respective disciplines regarding developments of comparable size and complexity.
- c. Provide contact information for three references for each business entity member of the development team.

NOTE: In providing references in accordance with 2(g) and 3(c), please provide name, title, organization name, phone and facsimile numbers, and e-mail addresses. **Please reference the name of the project with which the reference is familiar.** Insure that all names and phone numbers are current.

4. Technical Response to Proposed Revitalization Plan

Respondents must provide an understanding of the revitalization goals for Trent Court and Greater Five Points and the specific challenges to attaining those goals.

4.1 Feasibility of the draft Housing Plan

Include the Master Developer's initial response to the conceptual plan for on- and off-site housing, market conditions, and the guiding principles for housing development. The analysis can be in narrative form; specific site designs or renderings are not required.

4.2 Financing Approach

Describe how the Master Developer will pursue financing for the redevelopment effort. Identify the various funding sources that are appropriate for creating mixed-income developments and the developer's capacity to obtain LIHTC awards in North Carolina.

4.3 Business Terms

Fees and Cost Limitations. HUD's Cost Control and Safe Harbor Guidelines will be the basis for negotiating business terms.

http://www.hud.gov/offices/pih/programs/ph/hope6/grants/admin/safe_harbor.pdf

The Master Developer must state its position and reasoning for each of the following development cost areas:

- a. Expected amount and method of compensation for predevelopment activities.
- b. Proposed development fee, stated as a percentage of total development costs as defined by HUD.
- c. Compensation and return on investment to be paid to NBHA, including a share of development fees, ground lease payments, property management fees, incentive fees, interest earnings on loans and residual cash flow.

Development guaranty. For every development phase, the Master Developer must provide an unlimited guaranty of completion and performance from a financially responsible entity satisfactory to NBHA to ensure that the development is completed. The guaranty must cover development costs in excess of contingencies agreed to by NBHA.

4.4 Community Participation

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

4.5 M/WBE/Section 3 Participation Plan

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

5. Required Certifications and Information

The following documents must be included in the proposal and must be properly executed and/or notarized. HUD forms are available at www.hud.gov.

- Non-Collusive Affidavit
- Acknowledgement of Addenda
- HUD Form 5369B Instructions to Offerors Non-Construction
- HUD Form 5369C Representations, Certifications, and Other Statements of Offerors
- HUD Form 5370 General Conditions for Non-Construction Contracts
- HUD Form 2992 Certification Regarding Debarment and Suspension

PART IV – PROCUREMENT PROCESS

4.1 Proposal Evaluation/Contract Award

Qualifications received in response to this solicitation may be evaluated using a two-stage evaluation process. Stage I of the evaluation process will be used to determine the firms that will comprise the competitive range. Stage II of the evaluation process will be reserved for the competitive range firms only. Scoring will be based upon how well the proposal meets the criteria established in this RFQ.

During Stage I of the evaluation process, qualifications will be evaluated and scored by an Evaluation Committee. Scoring will be based on predetermined Evaluation Criteria contained in the solicitation. The results of the evaluation will be used to determine those respondents to be included on the competitive range short list.

Stage II of the evaluation process will entail presentation/interviews with the Respondents on the short list. The purpose of the presentations/interviews is to provide the Evaluation Committee an opportunity to pose questions emanating from their review of the written responses and obtain clarifications. NBHA will also provide an opportunity for Respondents to submit Best and Final Offers based on questions and discussion at the interviews. The Evaluation Committee reserves the right to schedule site visits to existing properties completed by the short-listed Respondents.

The firm with the highest score after Stage II of the evaluation process will be selected to proceed to the contract negotiation stage. If a contract cannot be negotiated with this firm, negotiations will be terminated. NBHA will then initiate negotiations with the next highest rated firm in the competitive range. This procedure will continue until a mutually satisfactory contract has been negotiated.

NBHA reserves the right to make no award or decline to enter into negotiations should it believe that no respondent to this RFQ will be capable of delivering the necessary level of services within an acceptable price range and/or time period. Contract award will be subject to approval by NBHA’s Board of Commissioners, and possibly the United States Department of Housing and Urban Development.

4.2 Evaluation Criteria

Each proposal will be evaluated based on its responsiveness to this RFQ, and in accordance with the Evaluation Criteria contained in the following table:

| <i>Evaluation Factors</i> | <i>Points</i> |
|---|------------------|
| <p>Experience and Capacity of Development Team to Develop and Manage Property The degree to which the Master Developer and Team demonstrates:</p> <ul style="list-style-type: none"> • Cohesion of the team, as demonstrated by previous experience working together, and coherence of their technical response. • Successful experience in the planning and construction of mixed-income, mixed-finance and mixed-use housing development projects of comparable size and complexity in urban areas. • Ability to obtain, structure and implement layered financing for such projects, including 9% tax credits and other sources of financing. • The degree to which the Master Developer demonstrates successful experience with ownership and property management of mixed-income, mixed-finance mixed-use rental developments of similar size, either directly or through supervision of property management. | <p>50</p> |

| | |
|--|-----------|
| <ul style="list-style-type: none"> The financial capacity (as developer and provider of guarantees) as evidenced by financial statements, the firm's most recent audit and bank references, and the Master Developer's discussion of how it intends to honor all guarantees should the need arise. Degree to which members of the team (other than the Master Developer) demonstrate successful experience in their respective disciplines as required for the planning, development and operation of mixed-income, mixed-finance and mixed-use developments of comparable size and complexity in urban areas. | |
| References <ul style="list-style-type: none"> Minimum number of references provided for each Development Team member and quality of references (both listed and unlisted). | 10 |
| MBE/WBE/Section 3 Employment and Contracting Plan <ul style="list-style-type: none"> Extent to which M/WBE/Section 3 businesses are included on the Development Team. Level and quality of previous experience utilizing M/WBE/Section 3 businesses. Degree to which the development team demonstrates its commitment to ensuring that NBHA's stated M/WBE/Section 3 goals are met and/or exceeded. | 10 |
| Technical Response to draft Housing Concept Plan <ul style="list-style-type: none"> The degree to which Developer understands the critical issues of the project and the goals of the Housing Plan and can demonstrate reasonable developer expectations regarding fees and community participation. | 30 |

PART V – CONTRACTING REQUIREMENTS

5.1 Compliance with Laws and HUD Regulations

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

- Uniform Administration Requirements** contained in 24 CFR 85.1 et seq., as amended;
- Executive Order 11246** of September 24, 1965 entitled "Equal Employment Opportunity" as amended by Executive Order 11375 of October 13, 1967 and as supplemented in Department of Labor regulations (41 CFR 60) (*all construction contracts in excess of \$10,000*)
- Sections 103 and 107 of the Contract Work Hours and Safety Standards Act** (40 U.S.C. 327-330) as supplemented by department of Labor regulations (29 CFR Part 5). (*Construction contracts in excess of \$2,000, and in excess of \$2,500 for other contracts that involve the employment of mechanics and laborers*)
- All applicable standards, orders and requirements issued under Section 306 of the Clear Air Act** (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency Regulations (40 CFR Part 15). (Contracts, subcontracts, and subgrants in excess of \$100,00)
- Copeland "Anti-Kickback" Act** (18 U.S.C. 8754) as supplemented in Department of Labor regulations (29 CFR Part 3). (*All contracts and subgrants for construction or repairs*)

6. ***The Americans with Disability Act of 1990 (H.R. 2273, 8.933)***; Sections 501 and 504 of the Rehabilitation Act of 1973, as amended; the Architectural Barriers' implementing regulations (24 CFR 40). (*All construction contracts*)
7. ***All applicable standards, orders and/or requirements established by and/or pursuant to:***
 - i.* The Solid Waste Disposal Act as amended by the Resources Conservation and Recovery Act of 1976 (42 U.S.C. 6901, et seq.), and any amendments thereto;
 - ii.* The Toxic Substance Control Act (15 U.S.C. 2601, et seq.), and any amendments thereto;
 - iii.* Occupational Safety and Health Administration regulations, and any amendments thereto;
 - iv.* The Comprehensive Environmental Response Compensation and Liability Act (42 U.S.C. 9601, et seq.), and any amendments thereto;
 - v.* The National Environmental Policy Act (42 U.S.C. 4321 et seq.) and implementing regulations (24 CFR Parts 50 and 58), and any amendments thereto;
 - vi.* The North Carolina Environmental Protection Agency regulations, and any amendments thereto;
 - vii.* The North Carolina Department of Labor regulations, and amendments thereto; and
 - viii.* Executive Order 11738 and the U.S. Environmental Protection Agency's implementing regulations (40 CFR Part 15), and any amendments thereto.
8. HUD's **Section 3 regulations** as found in the Code of Federal Regulations, at 24 CFR Part 135 - Code of Federal Regulations site.

5.2 Liability and Insurance Requirements

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

5.3 Conflict of Interest

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

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

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

ACKNOWLEDGEMENT OF ADDENDA

Offeror has received the following Addenda, receipt of which is hereby acknowledged:

Addendum Number: _____ Date Received: _____

Addendum Number: _____ Date Received: _____

Addendum Number: _____ Date Received: _____

Addendum Number: _____ Date Received: _____

Addendum Number: _____ Date Received: _____

(Offerors Name)

(Signature)

(Printed or Typed Name)

NON-COLLUSIVE AFFIDAVIT

(Prime Bidder)

State of _____

City/County of _____

_____ Being duly sworn, deposes and says:
(Name)

That he/she is _____
(A partner or officer of the firm of, etc.)

The party making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive or sham: that said bidder has not colluded, conspired, connived or agreed, directly or indirectly with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person to fix the bid price or affiant or any other bidder, or to fix any overhead profit or cost element of said bid price, or that any other bidder, or to secure any advantage against the New Bern Housing Authority or any personal interest in the proposed contracts; and that all statements in said proposal or bid are true.

Signature of

Bidder, if the bidder is an individual

Partner, if the bidder is a partnership

Officer, if the bidder is a corporation

Subscribed and Sworn to before me

This _____ **day of** _____, **20** _____.

Notary Public

My Commission Expires _____