



FHA DEVELOPMENT
INC.

Request for Proposal

FHA Development, Inc.

Angela Belford, Executive Director

1 N. School Ave.

Fayetteville, AR 72701

479.521.3850

Request for Proposal (RFP)

**FHA Development, Inc.
RFP # 2020-04-22**

I. STATEMENT OF PURPOSE

The Fayetteville Housing Authority has a related entity known as FHA Development, Inc. and is seeking proposals from qualified individuals, firms, developers, fee developers and organizations with infill, downtown development experience to provide the development, construction and project management of two (2) high rise buildings to be built along West Avenue between Center Street and Meadow Avenue, Fayetteville, Arkansas. The two (2) high rise buildings will be located perpendicular to the current twelve story building known as Hillcrest Towers at the corner of 1 North School Avenue, Fayetteville, Arkansas. The buildings will be 3-5 stories high and will consist of 33-55 units in each tower. The approximate size of each unit will be 600 square feet to include a kitchen, living area and bathroom. There will also be possible commercial space located within each building on the first floor. FHA Development, Inc. will be the development partner, not the Fayetteville Housing Authority.

This project is anticipated to begin in Fall 2020. The chosen developer will be expected to meet all city, state and federal guidelines to ensure all regulatory measures are met. The chosen will work closely with City of Fayetteville representatives as well as FHA Development, Inc. to meet or exceed all expectations of this project.

II. SUBMISSION INFORMATION

FHA Development, Inc.
Attention: Shawna Stone-Reynolds, Finance Manager
shawna@fayettevilleha.org

III. ISSUE DATE AND TIME:

Thursday, April 16, 2020 10:00 AM CST

IV. PRE-SUBMISSION CONFERENCE DATE, TIME and LOCATION:

Wednesday, April 29, 2020 at 2:00 PM CST

V. PRE-SUBMISSION CONFERENCE LOCATION:

A pre-submission conference will be held via Zoom video conference at 2:00PM Central Standard Time on Wednesday, April 29, 2020, potential offerors must email Shawwna Stone-Reynolds (shawwna@fayettevilleha.org) in advance to request access. There will be NO onsite meeting. Pre-submission conference is not mandatory.

VI. SUBMISSION DUE DATE AND TIME:

Thursday, May 14, 2020 at 12:00PM CST

PLEASE NOTE: All inquiries must be submitted via email no later than Monday, May 4, 2020 at 5:00PM CST.

Additionally, with all due respect, no form of contact will be entertained outside of the posted dates and times to allow for the continued normal flow of daily business.

All submissions are subject to terms, conditions, instructions and specifications attached hereto.

****To view full version of RFP2020-04-22 visit fhadevelopment.org**

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Section A – Summary of Project and Objectives

It is the intent of FHA Development, Inc. to enter into an agreement with a qualified individual, developer, firm or organization (Fee Developer) to develop vacant land along West Avenue between Center Street and Meadow Avenue, Fayetteville, Arkansas. The project will consist of but is not limited to developing land and building two (2) high rise buildings to provide affordable housing to families or individuals in a mixed income environment. The high rise units will be built perpendicular to the current twelve (12) story high rise known as Hillcrest Towers located at 1 North School Avenue, Fayetteville, Arkansas.

The selected Fee Developer and FHA Development, Inc. will jointly develop a new community that will consist of a sustainable mix of subsidized and mixed income rental units.

FHA Development, Inc. is encouraging the chosen Fee Developer to complete a Site Master Plan and submit to FHA Development, Inc. As part of the RFP process, FHA Development, Inc. encourages the Fee Developer to create the Site Master Plan so as to accomplish the intended goals of the building project, consistent with program objectives and requirements, and within schedule and financing constraints.

If any additional public consultation meetings are required for the process, the selected Fee Developer will be expected to participate with FHA Development, Inc. and other stakeholders during the planning process, at its own expense.

FHA Development, Inc. will be responsible for financing, owning, leasing, managing and otherwise implementing and operating the new facility. FHA Development, Inc. expects the selected Fee Developer to provide the requisite experience, knowledge, and ability to support the project applications for funding. The selected Fee Developer will manage the development and construction effort and provide a construction completion guarantee. The selected Fee Developer, or a member of its team, must have demonstrated experience in developing, service-enriched communities and significant experience in urban neighborhood. The selected Fee Developer will have extensive experience in Infill Downtown Development.

Section B - Description, Specifications and Scope of Work

1. The Fayetteville Housing Authority/ FHA Development, Inc. Background

The Fayetteville Housing Authority was organized on July 5, 1966 to develop, acquire, lease, and operate affordable housing for low-income families. The U. S. Department of Housing and Urban Development (HUD) was the primary funding agency for all new construction, modernization and rehabilitation of the Fayetteville Housing Authority. FHA Development, Inc. was created in 2017 as a non-profit with the purpose to provide low income housing. FHA Development, Inc. is considered a related entity of the Fayetteville Housing Authority.

2. Development of Site

With an eye toward expanding its role in affordable housing beyond conventional public housing, FHA Development, Inc. desires to be a leader in contemporary affordable housing. FHA Development, Inc. will use the site as a vehicle to provide high quality housing for low-income families within a socially diverse setting and as a means to further enhance the capacity and knowledge of its staff, increase its familiarity with modern development and property management skills, and strengthen its financial base and increase partnership. Respondents to the Request for Proposal will be asked to provide methodology on how their qualifications will best assist FHA Development, Inc. in meeting this goal.

2.1 Background

In preparation for the new buildings FHA Development, Inc. has had several information presentations to residents. These initial presentations were intended to inform the residents concerning FHA Development, Inc.'s intention to develop the site and provide an opportunity for the residents to offer feedback and express concerns and ideas for the development of the site and the impact it will have on Hillcrest Towers experience.

FHA Development, Inc. will conduct a resident presentation and present information to the broader community after we select a developer. The meetings will provide an overview of the building project; the program objectives and includes: current status of site, development phases and components, building types and project schedule. Each meeting will repeat the same information and each meeting will focus on encouraging and responding to resident and community questions and concerns.

2.2 FHA Development, Inc. goals for site development

FHA Development, Inc.'s vision for the site is to create a vibrant, attractive, community, where people of all economic strata, races, and cultures will live, learn, work, play, and raise their families in close proximity to abundant employment, retail and cultural opportunities of downtown Fayetteville, Arkansas.

Through the planning process, FHA Development, Inc. together with its residents and community stakeholders intend to establish the following guiding principles for the physical plan:

- Establish connections and physical linkages between the newly developed site and the surrounding neighborhood.
- Encourage service provider partners to make this an educational community of excellence.
- Reflect the highest architectural and urban design standards of the best Fayetteville neighborhoods, recognizing applicable cost limitations.

2.3 Role and expectations of FHA Development, Inc.

FHA Development, Inc. will be a partner in the development of the site and as such, will have ultimate responsibility for the expenditure of its funds and oversight responsibility to assure the project is completed in accordance with all applicable laws, rules, and regulations and in accordance with the plans, schedules and budgets. FHA Development, Inc. will receive funds from the HOME program from the Arkansas Development Finance Authority (ADFA) . The Fee Developer will be expected to refer to the Universal Design Standards notated in that document. A copy of the manual is attached for review. The Universal Design Standards are on page 79. *Appendix A*

3. General Requirements

FHA Development, Inc. is seeking to select a Fee Developer and expects the selected Fee Developer, either directly, through an affiliate, or through contractual arrangements with other parties, at FHA Development, Inc.'s option, FHA Development, Inc. may engage the Fee Developer to continue the effort into the later phases of the project. However, FHA Development, Inc. is under no obligation to do so.

The General Requirements enumerated in this section are intended to be the threshold requirements. An Offeror, by submission of the RFP response, is indicating its commitment to comply with these general provisions. The selected Fee Developer will be responsible for implementation of the following, either directly or by designing and implementing procedures to engage others in the work:

- Design and construction of any public infrastructure and site improvements
- Design, development and construction of all rental housing and related amenities.

The selected Fee Developer will not be responsible for the design or provision of Community and Supportive Services for residents of FHA Development, Inc. but will be expected to coordinate its development activities so as to further that crucial component.

3.1 Development Team

Offerors are encouraged to present to FHA Development, Inc. a complete Development Team including the principal professional disciplines. FHA Development, Inc. requires identification of the intended architect and engineering firm. Other team members are discretionary.

Please note:

- HUD rules prohibit non-competitive designation of a Developer-controlled entity as general contractor. However, HUD has approved the use of an identity-of-interest construction manager, where the CM guaranteed a not-to-exceed price and was paid a negotiated percentage of cost.
- FHA Development, Inc. recognizes that some Offerors may prefer to designate certain team members, such as general contractors, after a competitive selection or bidding process. Offerors may, if they choose, explain their decision to defer selection of team members.

FHA Development, Inc. does not prohibit or discourage the appearance of any person or entity on more than one Development Team.

3.2 Program Schedule

FHA Development, Inc.'s goal is to have the development project to proceed as expeditiously as possible. The selected Fee Developer will be required to comply with certain schedule milestones. Offerors that demonstrate the required ability to complete the phases of the building on the earliest possible, realistic schedule will be favorably received by FHA Development, Inc..

3.3 Reporting controls

The selected Fee Developer is required to report directly to the FHA Development, Inc. manager for this project and through such mediums and formats as FHA Development, Inc. may direct, no less frequently than monthly or as directed by FHA Development, Inc., on progress with respect to the development and related activities program,

including work completed, associated costs, schedule, and budgetary requirements. This procedure shall be followed throughout the predevelopment, development, and operations phases.

3.4 Budget controls

The selected Fee Developer will be required to provide detailed development and operating budgets acceptable to FHA Development, Inc. as a part of the process of negotiating an agreement. Such budgets will be incorporated into the agreement and will be expanded and continually updated throughout the development process.

4. Property Description

4.1 Market Study

The prospective Fee Developer is encouraged to obtain and provide to FHA Development, Inc a current market study. Prospective Offerors are encouraged to perform such due diligence, including additional market studies, as may be required to be reasonably assured of the viability of their proposals for the development.

4.2 Geotechnical Survey

If geotechnical analysis has not been previously accomplished, the selected Fee Developer, or a member of its team, shall conduct geotechnical analysis as part of the predevelopment phases as necessary for development. FHA Development, Inc. will be responsible for the fees associated with the geotechnical survey, the selected Fee Developer will communicate the requested work and oversee it's completion.

5. Site Development

To accommodate the need to provide adequate financing for the development of the site FHA Development, Inc. and selected Fee Developer will work closely together to accommodate said goals.

The City of Fayetteville's will build a retaining wall as part of the sidewalk expansion project for the Cultural Arts Corridor and the Fee Developer will be responsible for engineering requirements to use the wall for a building as well.

6. Development Process

6.1 Role of FHA Development, Inc.

FHA Development, Inc. intends to be a full and equal partner in the development process. Each role is discussed briefly below. So long as the selected Fee Developer observes FHA Development, Inc.'s proper interests and public obligations with respect to those roles, FHA Development, Inc. intends to respect the creativity, expertise and business requirements of the selected Fee Developer. FHA Development, Inc. will

expect the selected Fee Developer to respect it as the Project Owner and keep it fully informed and to secure advance consent to all significant decisions and public positions.

6.2 Role of Fee Developer

The selected Offeror will be expected to successfully work with FHA Development, Inc. as the Fee Developer for the implementation of the development project. Of specific interest to FHA Development, Inc. is the provision of the requisite information to enable FHA Development, Inc. to act as its own developer in future transactions.

The specific duties of the Fee Developer include, but are not limited to the following:

- Design and construction of any new public infrastructure and site improvements in coordination with the City of Fayetteville's public infrastructure improvements. If required, participate in master planning in partnership with FHA Development, Inc., and community stakeholders and residents, if applicable.
- Design and construction of all rental housing
- Use of an inclusionary process to involve FHA Development, Inc. staff in the development process
- Provide capacity building training and assistance to FHA Development, Inc. in all phases of development, and construction.

The specific role and duties of the selected Fee Developer will be finalized during negotiations with FHA Development, Inc. and documented in the Agreement identified below.

6.3 Agreements

FHA Development, Inc. and the successful Offeror will negotiate to enter into an Agreement describing the relationship of FHA Development, Inc. and the successful Offeror and the roles and responsibilities of each party. The successful Offeror will undertake the development of the site according to the terms and conditions of the Agreement. FHA Development, Inc. contemplates that the Agreement will provide for the selected Fee Developer to assist FHA Development, Inc. with, or perform on its behalf, site development, and master planning. FHA Development, Inc. proposes to compensate the selected Fee Developer for some or all of these services. The Agreement further sets forth the assistance FHA Development, Inc. is prepared to provide the selected Fee Developer, conditions on that assistance, and requirements for closing each development phase.

7. Financial Objectives of FHA Development, Inc.

FHA Development, Inc. is interested in a financial structure that accomplishes several objectives. They include but are not limited to:

- Producing the greatest public benefit with the smallest consumption of public resources
- Leveraging Fayetteville Housing Authority organizational strength to attract private and conventional sources of capital
- Obtaining a return-on and a return-of the effort and capital invested by FHA Development, Inc.
- To be a full and equal partner throughout the entire development process
- Utilizing a development process that can facilitate timely implementation

The following sections describe aspects of a legal and financial structure that has been used in other finance transactions to accomplish these objectives. FHA Development, Inc. will consider other structures that achieve the same goals for FHA Development, Inc.

Section C - Submission requirements and evaluation

1. Submission requirements

FHA Development, Inc. will require:

- A. Letter of Interest with requested information and proposed working agreements
- B. Team Experience and Qualifications
 1. Team Description
 2. Profile of the Fee Developer
 3. Profiles of Development Team Members
- C. Proposed Fee Developer Approach for project completion
- D. Community, Resident and Minority Participation
- E. Certifications and Assurances
- F. Other Attachments

2. Description of each submission requirement

The instructions below provide guidance on what the submission package should contain and how it should be organized. Offerors must assemble submissions in the order described below and place in a PDF. Proposals must be organized in the order described in the Request for Proposals.

A. Letter of interest

At the beginning of each submission, the Fee Developer must provide a letter of interest listing the Fee Developer team members and identifying the primary contact person. The letter must be signed by an authorized principal of the Fee Developers' firm and include a statement that the terms of the offeror's submission will remain valid for not less than ninety (90) days from the due date.

Construction Management and Construction Management Fee for design and construction to include any add-ons, staffing costs, or direct reimbursements proposed for the Fee Developer's oversight.

Fee Developer must include his/her fee for this project. This fee can be calculated as a percentage of project estimate, if so, a project estimate must be included.

B. Team Experience and Qualifications

- a. **Team Description:** Provide general information on the Fee Developer and the Development Team, including the following information:
 - a. Name of Fee Developer and proposed role.
 - b. Main address, telephone/fax numbers and email address of Fee Developer firm.
 - b. Address and telephone number of the office from which services will be provided to the development, if different from above.
 - c. Contact person, title, telephone, fax numbers and email addresses.
 - d. Description of the size, number of employees and the current workload of the Fee Developer.
 - e. Identify the individual who will serve as Project Manager for the Fee Developer and who will direct and coordinate the development effort to completion.
 - f. List the members of the Development Team. All entities that comprise the team should be identified, indicating their specialization(s) and specific contribution to the team. Fee Developers are encouraged to include specialists for all components of the program including design, property management, and legal and financing professionals. With regard to a construction contractor, please identify a construction partner or provide an explanation of why and how the construction partner(s) will be selected later.
 - g. Provide a brief narrative description of previous collaboration among some or all members of the Fee Developer.
 - h. For each discipline represented on your Development Team, indicate whether in your judgment familiarity with state or local rules, practices, conditions or personnel is important to the effective accomplishment of the development and, if so, indicate the extent of and basis for your team's familiarity.

C. Profile of the Fee Developer:

- a. Provide an overview of the Fee Developer's experience in the design and construction for development projects. Include the following information:

- b. Provide evidence of ability to complete each phase of development requirements, including information on planned or existing housing and development projects. Provide examples of downtown, infill, multi-family experience.
- c. Provide profiles of key staff, including the Project Manager, who will be involved in the development effort. Specify the roles of key staff in carrying out this development initiative and their previous experience with housing development efforts. For the Project Manager, and other key staff, identify what commitment of his/her time you will make if selected; identify the nature and extent of his/her involvement in other current projects and what adjustments would be made, if any, to these assignments, if selected.
- c. Three relevant references must be submitted for the Fee Developer. References that are relevant to the scope of work as anticipated in this RFP and from among the following entities are desirable.
 - Construction lender or Permanent lender
 - General contractor on a comparable development
 - Prior joint development partner in a comparable development
 - A Public Housing Authority or community-based group that has worked with the Fee Developer on a specific development in which the Fee Developer provided training and capacity building as described in this RFP.

D. Profiles of Development Team Members:

- a. For team members not directly employed by the Fee Developer, provide an overview of their experience in contributing to affordable housing development in a role as anticipated in your response to this RFP.
- b. Provide three examples of projects (completed or underway) evidencing the experience of the architectural firm with the design of residential developments.
- c. Provide references for design of multi-family, mixed use structures.

Note: In providing references please ensure name, title, organization name, phone number, and e-mail address, or commercial development with which the reference is familiar. FHA Development, Inc. will verify references, as appropriate.

G. Proposed Fee Developer Approach for FHA Development, Inc. Capacity Building

FHA Development, Inc. will use a site specific program as a vehicle to provide high quality housing for low-income families within a socially diverse setting and as a means to further enhance the capacity and knowledge of its staff, increase its familiarity with modern development and property management skills, and strengthen its financial base. Respondents to the RFP will be asked to provide methodology and describe their approach to assisting FHA Development, Inc. to meet this requirement.

H. Community, Resident and Minority Participation

- a. Equal Opportunity (MBE/WBE) and Non-Discrimination Offeror must include a discussion of the approach and methods your team will utilize to assure strong participation by minority-owned and women-owned businesses. To the extent such businesses are included in the team or committed to be part of the development, they should be identified. Prior development experience utilizing MBE/WBE businesses should be described in sufficient detail as to permit the selection panel to determine the team's track record and likely success. Offeror should also describe its commitment to equal employment under Executive Order 11246, the Vietnam Veterans' Readjustment Act and Rehabilitation Act of 1973.
- b. Section 3 (Housing Act of 1968) Compliance Offeror must include a discussion of the approach and methods your team will utilize to assure possible employment of residents of FHA Development, Inc. and other individuals eligible as Section 3 participants. Offeror should indicate that they will require all contractors and subcontractors to utilize appropriate State-approved apprenticeship programs when available as a means to meet the Section 3 employment goals.
- c. Describe how the team will involve residents, if applicable, in the Planning Committee and Community Task Force in the planning and implementation of the development initiative. The response must include a discussion of the approach and methods your team will utilize to assure stimulation of the local economy by using local businesses including construction contractors, subcontractors and suppliers.

I. Other Attachments

Offerors may attach, at the end of their submission, other promotional materials or work products that would demonstrate their experience and qualifications.

Section D

Selection process and schedule

1. Selection Process

The purpose of this RFP is to solicit meaningful offers so that FHA Development, Inc. may select, from a range of offers, one that best meets its needs and requirements. FHA Development, Inc. urges all interested developers to carefully review the requirements of this RFP. Written offers containing the requested information will serve as the primary basis for final selection.

FHA Development, Inc. reserves the right to conduct negotiations with one or more Offerors, if in the sole opinion of FHA Development, Inc., that method will provide the greatest benefit to FHA Development, Inc..

All offers will be initially reviewed to determine compliance with the submission requirements specified in this RFP. offers that do not comply with these requirements may be rejected without further review.

The evaluation criteria stated above will be used to determine the most competitive Offerors. At FHA Development, Inc.'s option, Offerors may be asked to participate in an interview process to further discuss how they will specifically apply their qualifications and experience in converting a plan for the development project into a feasible, sustainable urban development. FHA Development, Inc. will use the interviews, reference checks and best and final offer to make a final determination of selection in accordance with the stated Evaluation Criteria.

2. Pre-Submission Conference

A pre-submission conference will be held via Zoom video conference at 2:00PM Central Standard Time on Wednesday, April 29, 2020, potential offerors must email Shawwna Stone-Reynolds (shawwna@fayettevilleha.org) in advance to request access.

The pre-submission conference is not mandatory. The conference will provide potential Offerors with a briefing on the proposed development, the opportunity to discuss the project with the FHA Development, Inc. staff and/or board members. There will be no physical tour of the site but potential developers are invited to drive by the site and adjacent neighborhoods. A summary of questions asked by participants, with FHA Development, Inc. responses, will be forwarded to all potential Offerors on FHA Development, Inc. list of interested parties and those attending the pre-submission conference.

3. Submission Due Date

Submissions of questions related to this solicitation will be accepted until Monday, May 4, 2020 at 12:00PM CST and the final addendum will be issued no later than Friday, May 8, 2020. Final submissions are due by Thursday, May 14, 2020 no later than 12:00PM CST.

Offerors must submit bid via PDF either email or internet sharing site: (i.e. Dropbox, etc.)

Shawna M. Reynolds, Finance Manager
FHA Development
shawna@fayettevilleha.org

Final submissions are due by Thursday, May 14, 2020 no later than 12:00PM CST.

The submission deadline is firm as to date and hour. An Offeror may select any mode of delivery. However, the risk of non-delivery shall remain with the Offeror. FHA Development, Inc. will treat as ineligible for consideration any submission that is received after the deadline. Upon receipt of each submission, FHA Development, Inc. will date stamp it to evidence timely or late receipt and, upon request, provide the Offeror with an acknowledgement of receipt. Faxed or emailed submissions will not be accepted. All timely submissions become the property of FHA Development, Inc. and will not be returned. Submissions will be held in confidence and provided only to those involved in the procurement process. Financial statements and bank references may be placed in a separate sealed envelope marked "confidential." All information from non-successful Offerors, which is clearly identified as confidential, will be returned to the Offeror after the date the agreement is executed with the selected Offeror.

4. Committee to Evaluate the Submissions

A committee will be established that consists of Fayetteville Housing Authority and FHA Development, Inc. staff. They will be responsible for overseeing the development team procurement process and making a selection recommendation to FHA Development, Inc.'s board members. The Committee will be made up of representatives of FHA Development, Inc., and, if applicable, a member of the Resident Council. The Committee will determine which submissions are competitive based on the established evaluation criteria and point system. Offerors whose submissions are determined to be in the competitive range may be interviewed by the Selection Committee, at FHA Development, Inc.'s option. Following the interviews (if required), offerors may be required to submit supplemental information. The Selection Committee will then assign a final score for each submission.

The Committee may consider unacceptable any submission for which critical information is lacking or whose submission represents a major deviation from the requirements of this RFP. Minor omissions, such as incomplete references may, at the

sole option and discretion of FHA Development, Inc., be corrected subsequent to the submission due date.

5. Evaluation Criteria

The following evaluation factors will be used in determining the Fee Developers who are deemed within a competitive range for further consideration. The interviews of Fee Developers in the competitive range will be used to identify the top-rated Fee Developer for negotiation of an agreement. Each submission has a total possible score of 100 points.

Criteria Description - Total Points Available 100

50 points - Experience and Capacity of the Fee Developer

The degree to which the Fee Developer demonstrates:

- Successful experience in the design and construction of housing development projects of comparable size and complexity in urban areas
- Familiarity with requirements applicable to development and public housing operation

15 points - Demonstrated Ability

- Demonstrated ability of Fee Developer to provide the required training of FHA Development, Inc. in real estate development
- Demonstrated development of affordable housing development with emphasis on multi-family dwellings

25 points - Experience and Capacity of the Development Team

- Cohesion of the team (including Fee Developer), as demonstrated by experience working together, and coherence of their technical responses.
- Degree to which members of team (other than the Fee Developer) demonstrate successful experience in their respective disciplines as required for the design, development and operation of mixed-income developments of comparable size and complexity in urban areas.
- If applicable, degree to which Fee Developer offers satisfactory justification for deferring until a later date the selection of some Fee Developer members.
- Degree of team's familiarity and experience with state or local rules, practices, conditions or personnel that are important to the effective accomplishment of the development.

10 points - Equal Opportunity (MBE/WBE) and Non-Discrimination

- The degree to which the Fee Developer provides for minority and women-owned business participation reflective of the local community and demonstrates compliance with equal opportunity and non-discrimination requirements.

Section E

General Information

1. Interpretation

The intent of this RFP is to establish the general specifications for the professional services needed and to provide prospective Offerors with sufficient information to enable them to provide an acceptable response to this RFP. Every effort has been made to outline requirements and to provide information in a format that is clear and concise. Nevertheless, questions may arise, or additional information may be needed. Questions and inquiries regarding this RFP may only be submitted in writing, via email and should refer to the specific paragraph in question.

All inquiries and questions must be received by Monday, May 4, 2020 at 5:00PM CST. Inquiries must be submitted to:

Shawanna Stone-Reynolds, Finance Manager
Fayetteville Housing Authority
1 North School Avenue
Fayetteville, AR 72701
shawanna@fayettevilleha.org

Responses to inquiries will be provided as written addenda to this RFP and will be on file and available for inspection at FHA Development, Inc.'s office and website. FHA Development, Inc. will provide copies of all addenda to all potential Offerors to whom this RFP has been provided. The addenda shall become part of this RFP and all Offerors will be bound by the addenda.

2. FHA Development, Inc. Options

FHA Development, Inc. reserves the right to at any time, in its sole discretion and for any reason, to do any or all of the following:

- a. Waive or correct any immaterial defect or technical error in any response, submission or submission procedure, as part of the RFP or any subsequent negotiation process
- b. Reject, in whole or in part, any and all submissions received in response to this RFP which are incomplete and/or non-responsive
- b. Request that certain or all Offerors to this RFP supplement or modify certain aspects of the information or submissions submitted

- c. Cancel this RFP and/or reissue a request for qualifications
- d. Procure any service by any other means legally permitted
- e. Modify the selection procedure, the scope of the proposed project or the required responses
- f. Extend deadlines for accepting submissions, request amendments to submissions after expiration deadlines, or negotiate or approve final agreements.

All Offerors shall comply with the conditions, requirements and specifications contained herein. Any departure shall constitute a sufficient cause for rejection of the at FHA Development, Inc.'s discretion.

No award will be made to any Offeror that is determined not responsible to perform or if suspended, debarred, or otherwise determined ineligible to receive an award. Prior to award, FHA Development, Inc. will review the proposed Offeror's ability to perform the contract successfully, considering such factors as the Offeror's integrity (including a review of the List of Parties Excluded from Federal Procurement and Non- Procurement Programs published by the General Services Administration), compliance with public policy, record of past performance (including contacting the Offeror's previous clients), and financial and technical resources.

FHA Development, Inc. will accept only one submission from each Offeror. However, subconsultants may participate as members of more than one Offeror's development team.

3. No Claim Against the FHA Development, Inc.

An Offeror shall not obtain, by submission of a response to this RFP, any claim against FHA Development, Inc. or FHA Development, Inc.'s property by reason of all or any part of any of the following: any aspect of this RFP; the selection process; the rejection of any or all offers; the acceptance of any offer; entering into any agreements or the failure to enter into any agreements; any statement, representations, acts or omissions of the Fayetteville Housing Authority or FHA Development, Inc., any person or entity acting on its behalf; the exercise of any discretion set forth in or concerning any of the foregoing; and any other matters arising out of the foregoing.

The Offeror will be responsible for all costs incurred in preparing a response to this RFP. All material and documents submitted by Offeror will become the property of FHA Development, Inc. and will not be returned. The Offeror selected for further interviews and negotiations will be responsible for all costs incurred in connection therewith.

4. Personnel

By way of submitting a response to this RFP, the Offeror is representing that the personnel described in their submission package shall be available to perform the services described, barring illness, accident or other unforeseeable events of a similar nature in which cases the Offeror must be able to provide a qualified replacement. Furthermore, all personnel shall be considered, at all times, the sole employees of the Offeror under its sole direction, and not employees or agents of FHA Development, Inc..

5. Contact with FHA Development, Inc. Staff, Board Members and Residents

All communications with FHA Development, Inc. shall be submitted via email to:

Shawwna Stone-Reynolds, Finance Manager
Fayetteville Housing Authority
1 North School Avenue
Fayetteville, AR 72701
shawwna@fayettevilleha.org

Beyond the above referenced written communications, Offerors and their representatives may not make any other form of contact with FHA Development, Inc. Staff, Board Members or Residents. Any improper contact by or on behalf of an Offeror may be grounds for disqualification.

6. Contract Form and Issues

This RFP will lead to an Agreement, the exact terms of which will be negotiated between FHA Development, Inc. and the successful Offeror. No contractual rights shall arise out of the process of negotiation until such time as FHA Development, Inc. and the selected Offeror have signed an agreement. Work under the agreement shall commence immediately upon execution.

7. Rules, Regulations and Licensing Requirements

The Offeror, their staff and agents shall comply with all laws, ordinances and regulations applicable to the services specified herein, especially those applicable to conflict of interest. Offerors are presumed to be familiar with all Federal, State and Local Laws, Ordinances, Codes, Rules and Regulations that may in any way affect the services to be provided.

8. Equal Opportunity Employment

Offerors agree that there will be no discrimination as to race, gender, religion, color, age, creed or national origin in regard to obligations, work and services performed under the terms of any contract ensuing from this RFP. Offerors must also agree to

comply with Executive Order 11246 entitled "Equal Employment Opportunity" as amended by Executive Order 11375.