

**REQUEST FOR PROPOSALS (RFP)
FOR
MIXED-USE HOUSING AND COMMERCIAL TRANSIT-ORIENTED
DEVELOPMENT OF THE QUAIL ROOST DRIVE SITE**

PRE-PROPOSAL CONFERENCE TO BE HELD ON:

February 24, 2017 AT 1:00 P.M. (LOCAL TIME)

AT

111 NW 1ST STREET, 18TH FLOOR ROOM 18-4,
MIAMI, FLORIDA 33128

DEPARTMENTS:

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD)
DEPARTMENT OF TRANSPORTATION AND PUBLIC WORKS (DTPW)

PROCUREMENT CONTRACTING MANAGER: MS. INDIRA RAJKUMAR-FUTCH, PHCD

TELEPHONE: (786) 469-4164

EMAIL: indi@miamidade.gov

PROPOSALS ARE DUE

AT THE ADDRESS SHOWN BELOW NO LATER THAN

MARCH 31, 2017 BY 12 NOON (LOCAL TIME)

AT

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT
OVERTOWN TRANSIT VILLAGE
701 NW 1ST COURT, 16TH FLOOR
MIAMI, FLORIDA 33136

SECTION 3 COVERED ACTIVITIES. SECTION 3 REQUIRES THAT JOB TRAINING, EMPLOYMENT, AND CONTRACTING OPPORTUNITIES BE DIRECTED TOWARD LOW-AND VERY LOW-INCOME PERSONS

MIAMI-DADE COUNTY IS AN EQUAL OPPORTUNITY EMPLOYER AND DOES NOT
DISCRIMINATE BASED ON AGE, GENDER, RACE, OR DISABILITY.

VISIT THE COUNTY DEPARTMENT OF PUBLIC HOUSING AND COMMUNITY DEVELOPMENT
WEBSITE: <http://www.miamidade.gov/Housing/>

1.0 Overview and Proposal Procedures**2.0 Scope of Services****3.0 Proposal Format****4.0 Evaluation/Selection Process****5.0 Form of Agreement****6.0 Attachments**

Form A-1	Cover Page for Proposal
Form A-2	Affidavit of Miami-Dade County Lobbyist Registration for Oral Presentation
Form A-3	Acknowledgment of Addenda
Form A-4	Disability Non-Discrimination Affidavit
Form A-7.1	Proposer's Disclosure of Subcontractors and Suppliers
Form A-7.2	Proposer's Disclosure of Fair Subcontracting Policies
Form A-8	Affirmative Action Plan/Procurement Policy Affidavit
Form A-10	Miami-Dade County Collection of Taxes, Fees and Parking Tickets Proposers not in Arrears Affidavit
Form A-12	Code of Business Ethics
Form A-13	Domestic Violence Leave Affidavit
Exhibit A	HUD Forms 50030; 51915; 5369; 5369-A; and 5370
Exhibit B	Section 3 Provisions
Exhibit C	Davis-Bacon Wage rates
Exhibit D	Funding Agreement Draft
Exhibit E	Land Survey – Quail Roost Drive Site
Exhibit F	Perrine Community Urban Center District zoning code
Exhibit G	Sample AIA Standard Form of Agreement Between Owner and Contractor
Exhibit H	Federal Transit Administration (FTA) Required Third Party Contract Clauses
Exhibit I	Code of Federal Regulations Title 49 Part 661 Buy America Requirements
Exhibit J	Environmental Documents
Exhibit K	FTA Guidance on Joint Development
Exhibit L	FTA Third Party Contracting Guidance

DEFINITIONS

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

The word “**Act**” to mean the United States Housing Act of 1937 (42 U.S.C. § 1437, et seq.), as amended from time to time, any successor legislation, and all implementing regulations issued there under or in furtherance thereof.

The words “**Area Median Income**” (AMI) to mean the United States Department of Housing and Urban Development’s (US HUD) calculated income by household size for the Miami-Dade area that is used in eligibility determinations; middle or midpoint income for a particular area. The term is used to estimate the "average" income for a particular area.

The words “**Certified Financial Statements**” to mean financial statements to include, but not limited to, balance sheet, income statement, and statement of cash flows that have been prepared and certified by an independent third party certified public accountant in accordance with GAAP.

The words “**Contractor**” or “**Consultant**” to mean the Proposer that receives any award of a Contract from the County as a result of this Solicitation, which is also to be known as “the prime Contractor” or “the prime Consultant”.

The word “**County**” to mean Miami-Dade County, a political subdivision of the State of Florida.

The words “**County Property**” to mean Property that is owned by Miami-Dade County.

The words “**Crime Prevention Through Environmental Design or CPTED**” to mean the strategies implemented to directly modify the environment to take advantage of pre-existing environmental assets or change the design features and conditions of particular targets (e.g., store fronts, parking garages, or abandoned buildings) or areas in an effort to reduce crime. In some instances, CPTED strategies are implemented during the beginning phases of a project (e.g., during planning of a new housing development.) But, in many instances, the strategies are applied when the need for intervention occurs (e.g., adding security cameras to a store after a robbery.) CPTED strategies are often linked with other community-based crime prevention strategies, such as problem-oriented policing, which emphasizes tailoring crime prevention strategies to solve specific problems. As with other types of community-based crime prevention programs, CPTED is made up of multiple elements or approaches and can be used by various stakeholders within and outside of the criminal justice system. CPTED strategies address quality of life issues by attempting to deter criminal activity, increase overall safety for citizens, and reduce citizen fear of crime. CPTED strategies are thus evaluated to determine not only whether crime was reduced but also whether citizen perceptions of crime were affected by implementation of the strategy. Several key components of CPTED are combined to maximize crime prevention and create positive public perception of measures to promote community safety, including:

- a. Territoriality (promotes a sense of ownership and may include the use of signs, fences, or artwork that helps define ownership of a given location);
- b. Activity Support (encourages legitimate activities in public places to foster opportunities for natural surveillance and may include block parties, neighborhood clean-up days, or the design of mini malls to encourage more social interaction);
- c. Access Control (restricts access to specific areas and can include the use of street barricades, landscaping, locked doors, changes in pedestrian or vehicular traffic patterns, or the use of security personnel to keep people away from restricted areas);
- d. Surveillance (increase visibility by natural, formal, and mechanical methods such as through promoting routine surveillance by community residents or through the practice of employing more than one employee at retail stores, police patrols, or Closed Circuit Television also referred to as CCTV);
- e. Maintenance (ensures the routine maintenance or upkeep of the environment such as clean-up programs or repairs and modifications to meet new threats); and
- f. Target Hardening (adds physical features that will make it more difficult to commit a crime such as through the use of improved lighting or electronic alarms).

The word “**Day**” to mean a calendar day.

The word “**Department**” to mean the Miami-Dade County Department of Public Housing and Community Development (PHCD), or the Miami-Dade County Department of Transportation and Public Works (DTPW), as specified in each individual section herein.

The words “**Developer**” and “Mixed-finance Developer Entity” to mean any person, firm, corporation, partnership, limited liability company, association, joint venture, community-based organization, or any entity or combination of entities, excluding any governmental entity, responsible for completing the scope of work, as specified in this RFP, meeting all regulatory requirements and obtaining approval from the authorities having jurisdiction.

The words “**Developer Team**” to mean the developer and its Subcontractor or Subconsultant which will be responsible for completing the scope of work outlined in the proposal.

The words “**Development Agreement**” to mean any development agreement or agreements, or other document showing the proposed development schedule; the respective responsibilities of each party for each development phase; the expected costs and financing for those costs; the allocation of risk of loss as between

or among the parties; and guarantees of completion, insurance, and bonding requirements.

The words “**Extremely Low Income**” to mean any household/individual whose income is less than 30% of AMI.

The words “**HUD**” or “**USHUD**” to mean the U.S. Department of Housing and Urban Development.

The words “**HUD Funds**” to mean Funds provided to the County by HUD, including HOME funds, HODAG funds, and Rental Rehabilitation funds.

The words “**Labor surplus area business**” to mean a business which, together with its immediate subcontractors, will incur more than 50% of the cost of performing the contract in an area of concentrated unemployment or underemployment, as defined by the U.S. Department of Labor in 20 CFR 654, Subpart A, and in lists of labor surplus areas published by the Employment and Training Administration. This item does not apply to the DTPW portion of the project.

The words “**Market Analysis**” to mean a feasibility analysis of the economics that drive and support the demand for commercial real estate development. The Market Analysis will explain the underlying contributors to supply, and the elements that drive and support the demand for commercial real estate development at the site. For purposes of this solicitation, the Market Analysis should support the amount of commercial space being recommended.

The words “**Minority-owned business**” to mean a business which is at least 51% owned by one or more minority group members; or, in the case of a publicly-owned business, one in which at least 51% of its voting stock is owned by one or more minority group members, and whose management and daily business operations are controlled by one or more such individuals. Minority group members include, but are not limited to Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans and Asian Indian Americans, and Hasidic Jewish Americans.

The word “**Multi-family**” to mean twenty (20) or more contiguous units under the control of one owner entity.

The words “**Notice to Proceed**” (NTP) to mean to initiate the start of the contracted services.

The words “**Pre-Qualification Certification**” to mean an annual certification process required of all firms providing architectural, engineering, landscape architectural, and land surveying and mapping professional services pursuant to Miami-Dade County’s professional services agreements. Pre-qualification certification is the consolidation of the various certification processes into one streamlined process and includes, but may not be limited to, technical certification, affirmative action plan verification, vendor registration and execution of the basic Miami-Dade County affidavits, as applicable. The pre-qualification certification program is administered by the County’s Internal Services Department (ISD). Pre-Qualification approval is granted to firms who have received approval from ISD on all the required certification processes outlined above.

The words “**Procurement Contracting Manager**” to mean the person holding the title of Procurement Contracting Manager at PHCD, or his/her designee. All correspondence regarding this Request for Proposals should be sent to the Procurement Contracting Manager.

The words “**Project Completion**” to mean the construction of each unit will be considered complete only when all the DTPW and PHCD final punch-list items are completed, approval of the final building inspection, and a Certificate of Occupancy from the County Building Department is obtained, all open permits are closed, and all warranty documents and related systems manuals and warranties are submitted by the Developer to the Owner.

The words “**Project Manager**” to mean the County Mayor or the duly authorized representative designated to

manage the contract.

The words “**Property**” to mean the Sectors identified in Section 2.1 of this document which is owned by the County.

The word “**Proposer**” “Submitter” or “Respondent” to mean the person, firm, entity or organization submitting a response to this Solicitation.

The words “**Section 3**” to mean that the work to be performed under any contract that results from this RFP is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC § 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance of HUD-assisted projects covered under Section 3, shall, to the greatest extent possible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing. This item does not apply to the DTPW portion of the project.

The words “**Section 3 business concern**” to mean an individual or firm located within the Miami-Dade jurisdiction, and the relevant Section 3 covered project area (as determined pursuant to 24 CFR 135.15, listed on HUD's registry of eligible business concerns and meeting the definition of small business above), and listed as a certified business on the PHCD S3 business listing (see Appendix B-5 for S3 business definitions). A business concern owned in substantial part by persons residing in the area of the project is defined as a business concern which is 51% or more owned by persons residing within the Section 3 covered project area, owned by persons considered by the United States Small Business Administration to be socially or economically disadvantaged, listed on HUD's registry of eligible business concerns, and meeting the definition of small business above. For purposes of this proposal, certified Section 3 business concerns located in the project area must receive priority consideration over other certified Section 3 business concerns located within Miami-Dade County. This item does not apply to the DTPW portion of the project.

The words “**Scope of Services**” or “**Scope of Work**” to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor or Consultant.

The words “**Small business**” to mean a business which is: independently owned; not dominant in its field of operation; and not an affiliate or subsidiary of a business dominant in its field of operation. The size standards in 13 CFR 121 shall be used, unless the County determines that their use is inappropriate.

The word “**Solicitation**” to mean this Solicitation for Project Proposals document, and all associated addenda and attachments.

The word “**Subcontract**” to mean an agreement between a Proposer and a subcontractor to perform a portion of a contract between the Proposer and the County.

The words “**Subcontractor**” or “**Subconsultant**” to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Work or Services to the County, whether directly or indirectly, on behalf of the Contractor. Both terms are interchangeable.

The words “**Uniform Federal Accessibility Standards**” (UFAS) effective July 11, 1988, to mean the design, construction or alteration of building in conformance with §§ 3-8 of the Uniform Federal Accessibility Standards shall be deemed to comply with the requirements of 24 C.F.R. §§ 8.21, 8.22, 8.23, and 8.25.

The words “**Vicinity Hiring**” to mean the hiring of persons and small businesses in the vicinity of the project. The vicinity is the target area of the project. This item does not apply to the DTPW portion of the project.

The words “**Women's business enterprise**” to mean a business that is at least 51% owned by a woman or women who are U.S. citizens and who also control or operate the business.

The words “**Work,**” “**Services,**” “**Program,**” “**Project,**” or “**Engagement**” to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.

The words “**Work Order**” to mean a document that defines and describes the parameters of individual projects assigned or awarded by the County to the Contractor in accordance to the terms of the Contract.

The words “**Work Order Proposal**” to mean the documentation presented by the successful Contractor in response to a Work Order Proposal Request.

The words “**Work Order Proposal Request**” (WOPR) to mean a document requesting proposals from the successful Contractor.

SECTION 1.0 – SOLICITATION OVERVIEW AND PROPOSAL PROCEDURES

1.1 INTRODUCTION/BACKGROUND

Miami-Dade County, hereinafter referred to as the “County,” as represented by the Department of Transportation and Public Works (DTPW) and the Department of Public Housing and Community Development (PHCD), is seeking project proposals from interested and experienced mixed-finance developers to perform development functions including evaluation of the Quail Roost Drive site described below, to: provide a Development Plan for the site, leverage capital, and create an attractive and affordable mixed-income housing development. The Development Plan is left to the discretion of the proposer; however it must provide a fully integrated transit-oriented development with housing, commercial space and transit amenities. A successful proposal will minimally provide 500 housing units, 10,000 square feet of commercial space (after a full market analysis is conducted), a park-and-ride garage with 261 spaces exclusively for transit users and parking spaces to support the housing and commercial components.

The Quail Roost Drive site consists of a total of 8.5 acres; inclusive of 5.3 acres owned by PHCD and 3.2 acres owned by DTPW (refer to the map on page 8, and Exhibit E Site Survey). The site is bound by two residential homes, vacant land proposed for development and SW 184th Street/Eureka Drive on the north, a private business on the west, SW 186th Street/Quail Roost Drive on the south, and the South Miami-Dade Transitway on the east. Homestead Avenue bisects the site, dividing it into west and east portions consisting of 2.9 acres and 5.6 acres, respectively. There is potential for a future rapid transit corridor with a light or heavy rail connection to the east of the site, which may be located above or alongside the Transitway. The Quail Roost Drive site is within Census Tracts 83.09 and 102.07. The site is located in Commission District 9, and is within the Perrine Neighborhood Revitalization Strategy Area (NRSA). The site is also located within the West Perrine Community Redevelopment Area, and within the Perrine Targeted Urban Area.

DTPW and PHCD are seeking proposals for multi-family projects from interested qualified firms to provide affordable housing units for residents with a variety of income levels; ranging from extremely low income units at less than 30% of the area median income (AMI), very low, low, moderate and workforce housing units with incomes up to 140% of the AMI, and housing units with unrestricted income levels. Successful proposals should address how the proposed development will mitigate traffic congestion, and how it will increase transit ridership. The successful proposer will improve access to employment for low-income households within the Perrine Targeted Urban Area, and will assist the economic development goals of Miami-Dade County. The successful proposer must comply with all applicable county, state, and federal regulations. The proposal must specify how the development will comply with U.S. Housing and Urban Development requirements, Section 3 hiring requirements, and Davis-Bacon wage rate requirements. Information regarding these regulations are included as Exhibits A, B, and C.

Project proposals should take into consideration the needs and current market conditions, and utilize the land to leverage other public (County and State funds including obtaining Low Income Housing Tax Credits) and private funds to develop the site into a vibrant and sustainable "mixed-income" neighborhood with a wide range of family incomes. The successful proposer will be expected to execute a future Funding Agreement with Miami-Dade County, a sample of which is included as Exhibit D.

Approximately \$3,989,477 in funding is available to support development of the parking garage, walkways and canopies connecting to the Transitway. The Transit funds breakdown is as follows: Federal Transit Administration (FTA) \$1,096,077, Florida Department of Transportation (FDOT) \$1,446,700 and Local Match \$1,446,700. Transit funds are reimbursable after work has been completed and the developer/contractor has demonstrated compliance with federal requirements. The construction contract for the Transit component is to be procured in accordance to the requirements provided in FTA Circulars 4020 and 7050.1, which are included as Exhibits K and L. The developer is required to maintain separate finances for the Transit component. This funding is contingent upon clearing the environmental assessment with the FTA and negotiating a Joint Participation Agreement between FTA, FDOT, Miami-Dade County, and the successful proposer. Funding to support the above mentioned items will be available for reimbursement after December 31, 2017. The Transit component must be completed as part of the initial phase, but no later than three (3) years from the commencement date of the lease.

The location of the transit components of the development, including the parking garage and covered walkway connections to the South Dade Transitway, may be built on either DTPW or PHCD land, with exact location to be depicted by the proposer on the Development Plan. In order to best serve the public, these facilities shall be developed on the eastern side of the property, proximate to the South Dade Transitway and existing bus station. This approach will allow for development of a fully integrated transit oriented development that is fully accessible to the Transitway. The successful proposer will be required to execute a future lease with Miami-Dade County that establishes those controls and restrictions necessary to comply with federal requirements. Proposers are required to submit a Market Analysis that demonstrates a demand for the parking garage. **Proposals lacking this required Market Analysis will not meet minimum threshold, will be deemed non-responsive and will not be scored.**

The successful proposer must completely fill out and sign the AIA Standard Form of Agreement between Owner and Contractor; a sample form is included as Exhibit G. The successful proposer must completely fill out and sign all FTA-required third party contract clauses and certification forms, and the Buy America certification of compliance form, included as Exhibit H. A copy of the Code of Federal Regulations, Title 49 Part 661, Buy America Requirements is included as Exhibit I. Development of the FTA-funded portion of the project must proceed rapidly, as there are time limits associated with the FTA funding. The Federal Transit Administration and the Florida Department of Transportation (FDOT) must approve a future ground lease for the site, prior to the Miami-Dade Board of County Commissioners' approval of the ground lease. The developer is required to maintain separate finances for the Transit component. **Proposals lacking these required forms needed to meet minimum threshold will be deemed non-responsive and will not be scored.**

The Development Plan for the site may include a substantial commercial component to augment and compliment the housing development, if it makes sense based on a thorough market analysis conducted by the applicant. **Proposals lacking this required commercial market analysis document needed to meet minimum threshold will be deemed non-responsive and will not be scored.** A scoring bonus is provided for proposals that provide additional commercial square footage beyond the minimum requirement of 10,000 square feet. The type and extent of commercial space is left to the discretion of the proposer. The Development Plan shall include adequate parking to support the mixed-use housing and commercial development and a park and ride for the adjacent South Dade Transitway. As the project is completed, the developer shall have control of the land and all improvements thereon through a long-term ground lease with

rental payment to be negotiated. The selected Developer shall provide property management services for the resulting development.

Miami-Dade County is seeking an administrative zoning variance that may increase the development capacity of the site, to allow for a higher building height, and to allow for an increased density of up to 125 units per acre net. However, the current zoning code applicable to the site, the Perrine Community Urban Center PECUC District, allows for a density of up to 60 units per acre net. The PECUC District zoning regulations are included as Exhibit F. The PECUC also contains a requirement that a 5,500 square foot park or open space be provided at ground level, with location to be determined by the successful proposer, PHCD, DTPW, and Regulatory and Economic Resources.

The following upgrades and improvements to water and sewer infrastructure are required to be completed, and must be included in the proposed Development Plan: 1) provide a 12" water main extension of at least 1,400 linear feet; 2) provide an upgrade of an existing 8" vitrified clay sewer pipe to a new ductile iron pipe; and 3) provide a 8" SAN gravity extension of at least 360 linear feet. It is the successful proposer's responsibility to plan, fully fund, and develop the water and sewer upgrades needed to support the development. Additional water and sewer infrastructure improvements beyond those minimum upgrades specified above may be proposed and depicted in the Development Plan, at the discretion of the proposer. **Proposals lacking a Development Plan showing that the above specified water and sewer improvements will be developed do not meet minimum threshold, will be deemed non-responsive and will not be scored.**

The Miami-Dade County Department of Regulatory and Economic Resources noted the presence of contaminants at the site, including polycyclic aromatic hydrocarbons (PAHs), arsenic, and total recoverable petroleum hydrocarbons (TRPH) in recent memorandums (Exhibit J). Further environmental testing and due diligence will be necessary as part of site development. Any future site development plans shall include the most recent sampling data for the site and the contamination, as applicable, may need to be addressed concurrently with development. The selected Developer shall provide environmental reports and due diligence, pay all fees, and fund and complete any cleanup actions necessary to environmentally clear the site prior to development.

National Environmental Policy Act (NEPA) and Joint Development Approval

DTPW will perform an Environmental Assessment of the highest ranked firm's proposed project, as required by NEPA. This process is expected to take 3 to 4 months; however, the time is highly dependent on FTA review and approval time. A lease agreement must also be approved by the FTA and FDOT prior to the Board of County Commissioner's approval.



1.2 SOLICITATION TIMETABLE

The anticipated schedule is as follows:

The anticipated schedule for this SOLICITATION and contract approval is as follows:

SOLICITATION/RFP available for distribution: February 17, 2017

Pre-Proposal Conference: February 24, 2017 at 1:00 p.m. (local time)
(See front page for location.)

Deadline for receipt of questions: February 22, 2017

Deadline for receipt of proposals: March 31, 2017 by 12:00 Noon (Local Time)
(See Section 1.4 for location.)

Evaluation/Selection process: TBD, 2017

Oral presentations, if conducted: TBD, 2017

Projected award date: TBD, 2017

Projected contract start date: TBD, 2017

1.3 SOLICITATION AVAILABILITY

Copies of this solicitation package can be obtained through the Department of Public Housing and Community Development, 701 NW 1st Court, 16th Floor, Miami, FL 33136. For your convenience the Solicitation is available online at the PHCD website, www.miamidade.gov/housing/.

1.4 PROPOSAL SUBMISSION

All proposals must be submitted on 8 1/2" X 11" paper, neatly typed on one side only, with normal margins, and spacing. The original document package must not be bound and the document package copies should be individually bound. **An unbound one-sided original and 10 bound copies (a total of 11)** of the complete proposal must be received by **the deadline for receipt of proposal specified in the Solicitation Timetable (see Section 1.2)**. The original and all copies must be submitted in a sealed envelope or container stating on the outside the Proposer's name, address, telephone number, Solicitation number and title, and Proposal Due Date to:

**Public Housing and Community Development
Overtown Transit Village North**

**701 NW 1st Court, 16th Floor
Miami, FL 33136**

Attention: Ms. Indira Rajkumar-Futch, Procurement Contracting Manager

Hand-carried proposals may be delivered to the above address only between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. However, note that proposals are due to PHCD by the deadline date and time indicated in Section 1.2. Additionally, PHCD is closed on holidays observed by the County. Proposers are responsible for informing any commercial delivery service, if used, of all delivery requirements and for ensuring that the required address information appears on the outer wrapper or envelope used by such service.

The Proposal must be signed by an authorized officer of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer. The submittal of a proposal by a Proposer will be

considered by the County as constituting an offer by the Proposer to perform the required services.

1.5 PRE-PROPOSAL CONFERENCE

A pre-proposal conference has been scheduled for **the date, time and place specified in the SOLICITATION Timetable (see Section 1.2)**. Attendance is recommended but not mandatory. Proposers are requested to inform the Procurement Contracting Manager of the number of persons expected to attend no later than 24 hours before the scheduled date. Proposers are encouraged to submit any questions in writing to the Procurement Contracting Manager (**see Section 1.6**) in advance of the pre-proposal conference.

If you need a sign language interpreter or materials in accessible format for this event please call the ADA Coordinator at (305) 375-1564 at least five days in advance.

1.6 CONE OF SILENCE

Please direct any questions related to the Cone of Silence, Section 2-11.1(t) of the Miami-Dade County Code, to the Procurement Contracting Manager.

1.7 CONTRACT MEASURES

Not Applicable.

1.8 ADDITIONAL INFORMATION/ADDENDA

Requests for additional information or clarifications must be made in writing and received by the Procurement Contracting Manager for this Solicitation, in accordance with **Section 1.6** above, no later than the deadline for receipt of questions specified in the Solicitation Timetable (**see Section 1.2**). The request must contain the RFP Solicitation number and title, Proposer's name, name of Proposer's contact person, address, phone number, facsimile number, and email address.

The County will issue responses to inquiries and any other corrections or amendments it deems necessary in written addenda issued prior to the Proposal Due Date. Proposers should not rely on any representations, statements or explanations other than those made in this Solicitation or in any written addendum to this Solicitation. Where there appears to be conflict between the Solicitation and any addenda issued, the last addendum issued shall prevail.

It is the Proposer's responsibility to assure receipt of all addenda. The Proposer should verify with the Procurement Contracting Manager prior to submitting a proposal that all addenda have been received. Proposers are required to acknowledge the number of addenda received as part of their proposals (**see attached Form A-3**).

Proposers who obtain copies of this Solicitation from sources other than PHCD risk the potential of not receiving addenda, since their names will not be included on the Vendor List for this particular Solicitation. Such Proposers are solely responsible for those risks.

Emails requesting additional information will be received by the Procurement Contracting Manager at the email specified above. Emails must include the Proposer's name, name of Proposer's contact person, address, phone number, and project title.

1.9 PROPOSAL GUARANTEE DEPOSIT

Proposal Guarantee (applicable to construction and equipment contracts exceeding \$25,000). All proposals must be accompanied by a negotiable proposal guarantee which shall not be less than five percent (5%) of the amount of the proposal. The proposal guarantee may be a certified check, bank draft, U.S. Government Bonds at par value, or a proposal bond secured by a surety company acceptable to the U.S. Government and authorized to do business in the state where the work is to be performed. In the case where the work under the contract will be performed on an Indian reservation area, the proposal guarantee may also be an irrevocable Letter of Credit (see Provision 10, Assurance of Completion, below). Certified checks and bank

drafts must be made payable to the order of Miami-Dade County. The proposal guarantee shall insure the execution of the contract and the furnishing of a method of assurance of completion by the successful contractor as required by the solicitation. Failure to submit a proposal guarantee with the proposal shall result in the rejection of the proposal as non-responsive. Proposal guarantees submitted by unsuccessful proposers will be returned as soon as practicable after proposal opening.

1.10 MODIFIED PROPOSALS

A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the Proposal Due Date. The County Selection/Evaluation Committee will only consider the latest version of the proposal.

1.11 WITHDRAWAL OF PROPOSALS

Proposals shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation (in accordance with **Section 1.6**), prior to the Proposal Due Date or upon the expiration of ONE HUNDRED EIGHTY (180) calendar days after the opening of proposals.

1.12 LATE PROPOSALS AND LATE MODIFICATIONS

Please be advised that the County, in exercise of its discretion, may not accept bids and or proposals received after the scheduled time and date noted in this Solicitation. Sealed bids/proposals will be opened promptly at the time and place specified. The responsibility for submitting a sealed bid/proposal on or before the stated time and date is solely and strictly the responsibility of the Bidder/Proposer. Miami-Dade County is not responsible for delays caused by any mail, package or courier service, including the U.S. Mail, or caused by any other occurrence. Modifications to the proposal received after the Proposal Due Date are also late and will not be considered.

1.13 SOLICITATION POSTPONEMENT/CANCELLATION

The County may, at its sole and absolute discretion, accept any and all, or parts of any and all proposals; reject any and all, or parts of any and all proposals; re-advertise this Solicitation; postpone or cancel, at any time, this Solicitation process; or waive any irregularities in this Solicitation or in the proposals received as a result of this Solicitation.

1.14 COSTS INCURRED BY PROPOSERS

All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s). No payment will be made for any responses received, nor for any other effort required of or made by the Proposer(s) prior to commencement of work as defined by a contract executed by County, the County Mayor or the County Mayor’s designee.

1.15 BUSINESS ENTITY REGISTRATION

To be recommended for award the County requires that vendors complete a Miami-Dade County Business Entity Registration Application with all required disclosure affidavits. The Miami-Dade County Business Entity Registration Application must be returned to the Internal Services Department (ISD), Vendor Services Section within fourteen (14) days of notification of the intent to recommend for award. In the event the Miami-Dade County Business Entity Registration Application is not properly completed and returned within the specified time, the County may award to the next ranked proposer. The recommended Proposer is responsible for obtaining the Miami-Dade County Business Entity Registration Application and all affidavits by downloading from ISD’s website at <http://miamidade.gov/Procurement> and click on “Online Vendor Registration” or from the Vendor Services Section at 111 N.W. 1st Street, 13th Floor, Miami, FL. In becoming a Registered Vendor with Miami-Dade County, the vendor confirms its knowledge of and commitment to comply with the following:

1. Disclosure of Employment – pursuant to Section 2-8.1(d) of the County Code.
2. Disclosure of Ownership Affidavit – pursuant to Section 2-8.1(d) of the County Code.
3. Drug-Free Affidavit – pursuant to Section 2-8.1.2(b) of the County Code.

4. W-9 and 8109 Forms – The vendor must furnish these forms as required by the Internal Revenue Service.
5. Social Security Number – The vendor must provide a copy of the primary owner's social security card if the social security number is being used in lieu of the Federal Identification Number (F.E.I.N.).
6. Americans with Disabilities Act (A.D.A.) Affidavit – It is the policy of the County to comply with all requirements of County Resolution No. R-182-00 and the A.D.A.
7. Collection of Fees, Taxes, and Parking Tickets Affidavit – pursuant to Section 2-8.1 (c) of the County Code.
8. Conflict of Interest and Code of Ethics – pursuant to Sections 2-8.1(i) and 2-11.1(b) (1) through (6) and (9) of the County Code and County Ordinance No. 00-1 amending Section 2-11.1(c) of the County Code.
9. Code of Business Ethics – pursuant to Section 2-8.1(i) of the County Code.
10. Debarment Disclosure Affidavit – pursuant to County Code 10-38.
11. Office of the Inspector General Pursuant to Section 2-1076 of the County Code.
12. Minority and Disadvantaged Business Enterprises. The County endeavors to obtain the participation of all minority and disadvantaged business enterprises pursuant to Sections 2-8.2, 2-8.2.3 and 2-8.2.4 of the County Code and Title 49 of the Code of Federal Regulations.
13. Individuals and Entities Doing Business with the County not current in their obligations to the County – pursuant to Sections 2-8.1 (h) and 2-11.1(b)(8) of the County Code.
14. Nondiscrimination pursuant to Section 2-8.1.5 of the County Code.
15. Family Leave - Pursuant to Section 11A-30 of the County Code.
16. Living Wage – Pursuant to Section 2-8.9 of the County Code.
17. Domestic Leave – Pursuant to Section 11A-60 of the County Code.
18. Antitrust Laws – By acceptance of any contract, the vendor agrees to comply with all antitrust laws of the United States and the State of Florida.

1.16 ORAL PRESENTATIONS

The County may require Proposers to give oral presentations in support of their proposals or to exhibit or otherwise demonstrate the information contained therein. If required, the presentations are anticipated to be conducted on the date indicated in the **Timetable (see Section 1.2)**.

1.17 PROPOSER REGISTRATION AFFIDAVIT

Proposers are advised that in accordance with Section 2-11.1(s) of the Code of Miami-Dade County, the attached Affidavit of Miami-Dade County Lobbyist Registration for Oral Presentation (**see attached Form A-2**) must be completed, notarized, and included with the proposal submission.

Any person who appears as a representative for an individual or firm for an oral presentation before a County certification, evaluation, selection, technical review or similar committee must be listed on this Affidavit provided by the County. The Affidavit shall be filed with the Clerk of the Board at the time the response is submitted. The individual or firm must submit a revised Affidavit for additional team members added after submittal of the proposal with the Clerk of the Board at least two days prior to the oral presentation. Any person not listed on the revised affidavit may not participate in the oral presentation.

NOTE: Other than for the Oral Presentations, Proposers who wish to address the County Commission, a County Board or Committee concerning any actions, decisions or recommendations of County personnel regarding this Solicitation in accordance with Section 2-11.1(s) of the Code of Miami-Dade County must register with the Clerk of the Board and pay all applicable fees.

1.18 EXCEPTION TO THE SOLICITATION

Proposers may take exceptions to any of the terms of this Solicitation unless the Solicitation specifically states where exceptions may not be taken. All exceptions taken must be specific, and the Proposer must indicate clearly what alternative is being offered to allow the County a meaningful opportunity to evaluate and rank proposals, and the cost implications of the exception (if any).

Where exceptions are taken, the County shall determine the acceptability of the proposed exceptions. The County, after completing evaluations, may accept or reject the exceptions. Where exceptions are rejected, the

County may insist that the Proposer furnish the services or goods described herein or negotiate an acceptable alternative.

All exceptions shall be referenced by utilizing the corresponding Section, paragraph and page number in this Solicitation. However, the County is under no obligation to accept any exceptions. If no exception is stated, the County will assume that the Proposer will accept all terms and conditions.

1.19 PROPRIETARY/CONFIDENTIAL INFORMATION

Proposers are hereby notified that all information submitted as part of, or in support of, proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Record Law."

The Proposer shall not submit any information in response to this Solicitation, which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County shall endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

1.20 NEGOTIATIONS

The County may award a contract on the basis of initial offers received, without discussions. Therefore, each initial offer should contain the Proposer's best terms from a monetary and technical standpoint.

The County reserves the right to enter into contract negotiations with the recommended Proposer. If the County and the recommended Proposer cannot negotiate a successful contract, the County may terminate said negotiations and begin negotiations with another recommended Proposer. This process will continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the County arising from such negotiations or termination thereof.

1.21 LOCAL PREFERENCE

Not Applicable.

1.22 RULES, REGULATIONS, AND LICENSING REQUIREMENTS

The Proposer shall comply with all laws, ordinances, and regulations applicable to the services completed herein, especially those applicable to conflict of interest and collusion. Proposers are presumed to be familiar with all Federal, State and local laws, ordinances, codes, rules and regulations that may in any way affect the goods or services offered, including, but not limited to: Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations in 24 Code of Federal Regulations (CFR) Part 135, as amended by interim rule published on June 30, 1994 (59 FR 33866). Applicable rules, regulations and licensing requirements are listed below:

- a) Executive Order 11246 "Equal Employment Opportunity," as amended by Executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR Chapter 60), as well as the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and its implementing regulation at 28 CFR Part 36, the Architectural Barriers Act of 1968, as amended (42 U.S.C 4151) and regulations pursuant thereto (24 CFR Part 40), the Rehabilitation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local, State and Federal directives, ordinances, rules, orders, and laws relating to people with disabilities. The prohibitions against discrimination on the basis of disability (including requirements that reasonable modifications and accommodations be made to make units accessible) under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued pursuant thereto (24 CFR Part 8).

- b) 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 6).
- c) US HUD's reporting requirements and regulations, as specified in the Grant Agreement and required of the Owner/Proposer.
- d) All applicable standards, orders, or requirements issued under Section 306 of the Clean 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).
- e) Compliance with Executive Order 12549 "Debarment and Suspension," which stipulates that no contract(s) are "to be awarded at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs.
- f) Mandatory standards and policies related to energy efficiency which are contained in the State of Florida energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).
- g) US HUD procurement regulations as set forth in 24 C.F.R. Part 85 and 24 CFR Part 963 as further explained in HUD Handbook 7460.8 Rev. 1.
- h) Executive Order 13279 and all applicable HUD regulations related to the requirement for equal participation of Faith-Based and Community Organizations in HUD programs and activities. It is the policy of the County that it shall not discriminate against an organization on the basis of the organization's religious character or affiliation.
- i) The Copeland "Anti-Kickback" Act as supplemented in Department of Labor regulations (29 CFR Part 3).
- j) Davis-Bacon Act, 40 U.S.C. 276a to 276a-7, as supplemented by Department of Labor regulations (29 CFR Part 6).
- k) Prevailing Wages for consultants hired by the developer. In accordance with Section 12 of the U.S. Housing Act of 1937 (42 U.S.C. § 1437j) the Consultant shall pay not less than the wages prevailing in the locality, as determined by or adopted (subsequent to a determination under applicable State or local law) by the Secretary of HUD, to all architects, technical engineers, draftsmen, and technicians.
- l) The Fair Housing Act of 1968 (42 U.S.C. 3601-19) and regulations pursuant thereto (24 CFR Part 100) as amended; Executive Order 11063 (Equal Opportunity in Housing) and regulations pursuant thereto (24 CFR Part 107); and the fair housing poster regulations (24 CFR Part 110); Title II of the Americans with Disabilities Act 1990 (ADA), and Section 504 of the Rehabilitation Act of 1973; the Architectural Barriers Act of 1968; Section 109 of the Housing and Community Development Act of 1974 (Section 109); and the respective implementing regulations for each Act.
- m) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and regulations pursuant thereto (24 CFR) relating to non-discrimination in housing.
- n) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and regulations issued pursuant thereto (24 CFR Part 146).
- o) Executive Orders 11246, 11625, 12432, and 12138. Consistent with HUD's responsibilities under these orders, the Developer must make efforts to encourage the use of minority and women's business enterprises in connection with funded activities.

- p) Section 102 of the Department of Housing and Urban Development Reform Act of 1989 and regulations issued pursuant thereto (24 CFR Part 4, Sub-Part A) which contain provisions designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD.
- q) Energy Efficiency. Pursuant to Federal regulations (24 CFR § 85.36(i)(13)) and Federal law, except when working on an Indian Housing Authority Project on an Indian reservation, the Consultant shall comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163 codified at 42 U.S.C.A. § 6321 et. seq.).
- r) Vicinity Hiring, if applicable, as required in Dodd-Frank “Wall Street Reform and Consumer Protection Act,” January 5, 2010 §1497(a)(8).
- s) Building Construction Standards, Chapter 553 of Florida Statutes.
- t) Copyrights and Rights in Data. US HUD has no regulations pertaining to copyrights or rights in data as provided in 24 C.F.R. § 85.36. HUD requirements, Article 45 of the General Conditions to the Contract for Construction (Form HUD-5370) requires that contractors pay all royalties and license fees. All drawings and specifications prepared by the Consultant pursuant to this contract will identify any applicable patents to enable the general contractor to fulfill the requirements of the construction contract.
- u) Retention and Inspection of Records. Pursuant to 24 C.F.R. § 85.26(i)(10 and (11), access shall be given by the developer and its Consultant to the Owner, US HUD, the Comptroller General of the United States, Miami-Dade County, and the Office of the Inspector General, or any of their duly authorized representatives, to any books, documents, papers, and records of the developer or its Consultant, which are directly pertinent to this Agreement for purposes of conducting an audit, examination, excerpts, and transcriptions. All records shall be retained for three (3) years after the Owner and developer and other subgrantees make final payments and all other pending matters are closed.
- v) Design Certification. Where the Owner is required by federal regulations to provide HUD a Design Professional certification regarding the design of the Project (24 C.F.R. § 968.235), the developer's Consultant shall provide such certification to the Owner.
- w) Restrictive Drawings and Specifications. In accordance with 24 C.F.R., the developer or its consultant shall not require the use of materials, products, or services that unduly restrict competition. C.F.R. § 85.36(c)(3)(i) and contract agreements between the Owner and US HUD.
- x) Limitation of Payment to Influence Certain Federal Transactions. The Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions Act, Section 1352 of Title 31 U.S.C., provides in part that no appropriated funds may be expended by recipient of a federal contract, grant, loan, or cooperative agreement to pay any person, including the Consultant, for influencing or attempting to influence an officer or employee of Congress in connection with any of the following covered Federal actions: the awarding of any federal contract, the making of any Federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- y) Members of Congress. Because of the contract agreement between the Owner and US HUD, no member of or delegate to the Congress of the United States of America or Resident Commissioner shall be admitted any share or part of this Agreement or to any benefit to arise from it.
- z) Conflicts of Interest. Based in part on federal regulations (23 CFR § 85.36(b)) and Contract agreement between the Owner and HUD, no employee, officer, or agent of the Owner (HUD grantee) shall participate in selection, or in the award or administration of a contract supported by Federal funds if a conflict of

interest, real or apparent, would be involved.

Such a conflict would arise when:

- (i) The employee, officer, or agent,
- (ii) Any member of his or her immediate family,
- (iii) His or her partner, or

(iv) An organization that employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The grantee's or subgrantee's officers, employees or agent will neither solicit nor accept gratuities, favors or anything of monetary value from Contractors, or parties to sub-agreements. Grantees and subgrantees may set minimum rules where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value. To the extent permitted by State or local law or regulations, such standards or conduct will provide for penalties, sanctions, or other disciplinary actions for violations of such standards by the grantee's and subgrantee's officers, employees, or agents or by Contractors or their agents. The awarding agency may in regulation provide additional prohibitions relative to real, apparent, or potential conflicts of interest.

Neither the Owner nor any of its contractors or their subcontractors shall enter into any Contract, subcontract, or agreement, in connection with any Project or any project included or planned to be included in any Project, in which any member, officer, or employee of the Owner, or any member of the governing body of the locality in which the Project is situated, or any member of the governing body of the locality in which the Owner was activated, or in any other public official of such locality or localities who exercises any responsibilities or functions with respect to the Project during his/her tenure or for one year thereafter has any interest, direct or indirect. If any such present or former member, officer, or employee of the Owner, or any such governing body member or such other public official of such locality or localities involuntarily acquires or had acquired prior to the beginning of his/her tenure any such interest, and if such interest is immediately disclosed to the Owner and such disclosure is entered upon the minutes of the Owner, the Owner, with the prior approval of the Government, may waive the prohibition contained in this subsection. Provided that any such present member, officer, or employee of the Owner shall not participate in any action by the Owner relating to such contract, subcontract, or arrangement.

No member, officer, or employee of the Owner, no member of the governing body of the locality in which the project is situated, no member of the governing body of the locality in which the Owner was activated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the project, during his/her tenure or for one year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof.

Section 2-11.1(d) of the Miami-Dade County Code as amended by Ordinance 00-1, requires any county employee or any member of the employee's immediate family who has a controlling financial interest, direct or indirect, with Miami-Dade County or any person or agency acting for Miami-Dade County from competing or applying for any such contract as it pertains to this Solicitation, must first request a conflict of interest opinion from the County's Ethic Commission prior to their or their immediate family member's entering into any contract or transacting any business through a firm, corporation, partnership or business entity in which the employee or any member of the employee's immediate family has a controlling financial interest, direct or indirect, with Miami-Dade County or any person or agency acting for Miami-Dade County and that any such contract, agreement or business engagement entered in violation of this subsection, as amended, shall render this Agreement voidable. For additional information, please contact the Ethics Commission hot line at (305) 579-2593.

aa) 24 CFR Part 24 which applies to the employment, engagement of services, awarding of contracts, sub-grants, or funding of any recipients, or Developers or sub-Developers during any period of debarment, suspension, or placement in ineligibility status.

bb) Lead-Based Paint Poisoning Act (42 USC 4821, et. Seq.).

- cc) Cost Controls and Safe Harbor Standards for Homeownership Development (Effective April 1, 2004).
- dd) Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations in 24 CFR Part 135, if applicable, as amended by interim rule published on June 30, 1994 (59 FR 33866). Consultants (developer) and Sub-consultants (contractors and sub-contractors), awarded PHCD project work funded by HUD, shall comply with Section 3 HUD regulations, by providing training and employment opportunities to low and very-low income persons, preferably to residents of public housing developments, and business opportunities to firms that employ 30% or more low-income residents as full-time workers.
- ee) Prohibition Against Liens. The developer is prohibited from placing a lien on the Owner's property. This prohibition shall be placed in all sub-contractor contracts.
- ff) Federal Transit Administration Guidance on Joint Development. FTA Circular 7050.1 provides guidance to recipients of FTA financial assistance on how to use FTA funds or FTA-funded real property for joint development. This item is included as Exhibit K.
- gg) FTA Third Party Contracting Guidance. FTA Circular 4020 provides contracting guidance for recipients of federal assistance awarded by the FTA when using that federal assistance to finance its procurements (third party contracts). This item is included as Exhibit L.
- hh) Compliance with 49 C.F.R. 26.7 binding the lessee or transferee not to discriminate based on race, color, national origin or sex.
- ii) 49 C.F.R. 27.7 and 49 C.F.R. 27.9 (b) and 37 binding the lessee or transferee not to discriminate based on disability and binding the same to compliance with the Americans with Disabilities Act with regard to any improvements constructed; and language contained in FTA Master Agreement, updated annually in October, particularly relating to conflicts of interest, debarment and suspension, and continuing control of the property by DTPW.

1.23 REVIEW OF PROPOSALS FOR RESPONSIVENESS

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in the Solicitation. A responsive proposal is one which follows the requirements of the Solicitation, includes all documentation, is submitted in the format outlined in the Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in a proposal being deemed non-responsive.

1.24 COMMISSION AUDITOR ACCESS TO RECORDS

Pursuant to Ordinance No. 03-2, all vendors receiving an award of the contract resulting from this Solicitation will grant access to the Commission Auditor to all financial and performance related records, property, and equipment purchased in whole or in part with government funds.

1.25 QUARTERLY REPORTING WHEN SUB-CONTRACTORS ARE UTILIZED

Proposers are advised that when subcontractors or subconsultants are utilized to fulfill the terms and conditions of this contract, Miami-Dade County Resolution No. R-1634-93 will apply to this contract. This resolution requires the selected Proposer to file quarterly reports as to the amount of contract monies received from the County and the amounts thereof that have been paid by the contractor directly to Small Business Enterprises performing part of the contract work.

Additionally, the listed businesses are required to sign the reports, verifying their participation in the contract work and their receipt of such monies. For purposes of applicability, the requirements of this resolution shall be in addition to any other reporting requirements required by law, ordinance, or administrative order.

1.26 INSPECTOR GENERAL REVIEWS

A. INDEPENDENT PRIVATE SECTOR INSPECTOR GENERAL REVIEW

Pursuant to Miami-Dade County Administrative Order 3-20 and in connection with any award issued as a result of this Solicitation, if applicable, the County has the right to retain the services of an Independent Private Sector Inspector General ("IPSIG"), whenever the County deems it appropriate to do so. Upon written notice from the County, the selected Proposer shall make available, to the IPSIG retained by the County, all requested records and documentation pertaining to this Solicitation or any subsequent award, for inspection and copying. The County will be responsible for the payment of these IPSIG services. The terms of this provision herein, apply to the Proposer, its officers, agents, employees and assignees. Nothing contained in this provision shall impair any independent right of the County to conduct, audit or investigate the operations, activities and performance of the selected Proposer in connection with this Solicitation or any contract issued as a result of this Solicitation. The terms of this provision are neither intended nor shall they be construed to impose any liability on the County by the selected Proposer or third party.

B. MIAMI-DADE COUNTY INSPECTOR GENERAL REVIEW

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, if applicable, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise provided below. The cost of the audit of any Contract issued as a result of this Solicitation shall be one quarter (1/4) of one (1) percent of the total contract amount which cost shall be included in the total proposed amount. The audit cost will be deducted by the County from progress payments to the selected Proposer. The audit cost shall also be included in all change orders and all contract renewals and extensions.

Exception: The above application of one quarter (1/4) of one percent fee assessment shall not apply to the following contracts: (a) IPSIG contracts; (b) contracts for legal services; (c) contracts for financial advisory services; (d) auditing contracts; (e) facility rentals and lease agreements; (f) concessions and other rental agreements; (g) insurance contracts; (h) revenue-generating contracts; (i) contracts where an IPSIG is assigned at the time the contract is approved by the Commission; (j) professional service agreements under \$1,000; (k) management agreements; (l) small purchase orders as defined in Miami-Dade County Administrative Order 3-2; (m) federal, state, and local government-funded grants; and (n) interlocal agreements. ***Notwithstanding the foregoing, the Miami-Dade County Board of County Commissioners may authorize the inclusion of the fee assessment of one quarter (1/4) of one percent in any exempted contract at the time of award.***

Nothing contained above shall in any way limit the powers of the Inspector General to perform audits on all County contracts including, but not limited to, those contracts specifically exempted above.

1.27 PUBLIC ENTITY CRIMES

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO (\$10,000) for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.28 REQUIRED LISTING OF SUBCONTRACTORS AND SUPPLIERS ON COUNTY CONTRACTS

Ordinance 97-104, amended by Ordinance 00-30, requires a bid or proposal for a County or Public Health Trust construction contract involving the expenditure of \$100,000 or more include a listing of subcontractors and suppliers who will be used on the contract. The required listing must be filed prior to the contract award. The required listing must be submitted even though the Proposer will not utilize subcontractors or suppliers on

the contract. In the latter case, the listing must expressly state no subcontractors, or suppliers, as the case may be, will be used on the contract. The Proposer must list all first tier subcontractors who will perform any part of the contract and all suppliers who will supply materials for the contract work direct to the proposer. For purposes of this SOLICITATION, the required listing shall be included in the Technical Proposal as provided in Section 3 of this SOLICITATION. The Proposer shall not change or substitute subcontractors or suppliers from those listed except upon written approval of the County.

FORM A-7.1, OR A COMPARABLE LISTING MEETING THE REQUIREMENTS OF ORDINANCE NO. 97-104 AS AMENDED BY ORDINANCE NO. 00-30, MUST BE COMPLETED AND SUBMITTED EVEN THOUGH THE PROPOSER MAY NOT UTILIZE SUBCONTRACTORS OR SUPPLIERS FOR THIS PROPOSAL. THE PROPOSER SHOULD ENTER THE WORD "NONE" UNDER THE APPROPRIATE HEADING(S) ON FORM A-7.1 IN THOSE INSTANCES WHERE NO SUBCONTRACTORS AND/OR SUPPLIERS WILL BE USED ON THIS PROPOSAL.

1.29 FEDERAL FAIR SUBCONTRACTING POLICIES (24 C.F.R. 85.36(e))

Consistent with Presidential Executive Orders 11625, 12138, and 12432, and Section 3 of the US HUD Act of 1968, the Proposer is required to make efforts to ensure that Section 3, small businesses, minority-owned businesses, women-owned businesses, labor surplus area businesses, and individuals or firms located in or owned in substantial part by persons residing in the area are used when possible. This item is applicable to the housing portion, but not the transit portion of the development. Such efforts shall include, but not be limited to:

- a) Business outreach strategies and award of subcontracts to Section 3 businesses, in the priority order described in Section 3 Appendix B-5, Section E and in the Section 3, Economic Opportunity and Affirmative Marketing Plan (Document 00400) form, attached to Appendix B-5;
- a) Including such firms, when qualified, on solicitation mailing lists;
- b) Encouraging their participation through direct solicitation of bids or proposals whenever they are potential sources;
- c) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by such firms;
- d) Establishing delivery schedules, where the requirement permits, which encourage participation by such firms;
- e) Using the services and assistance of the Small Business Administration, and the Minority Business Development Agency of the Department of Commerce; and
- f) Providing opportunities for training and employment for lower income residents of in and around the project area and to award subcontracts for work in connection with the project to business concerns which are located in, or owned in substantial part by persons residing in the area of the project, as described in 24 CFR 135.

All Proposers seeking to contract with the County shall, as a condition of award, provide a statement of their subcontracting policies and procedures (**see attached Form A-7.2**). Proposers who fail to provide a statement of their policies and procedures may not be recommended by the County Mayor for award by the Board of County Commissioners.

SECTION 3 of the HUD ACT of 1968 REQUIRES THAT JOB TRAINING, EMPLOYMENT, AND CONTRACTING OPPORTUNITIES CONNECTED WITH THIS PROJECT BE DIRECTED TOWARD LOW-

AND VERY LOW-INCOME PERSONS.**THIS PROPOSAL CONTAINS PREFERENCES FOR SECTION 3 BUSINESSES**

FAILURE TO PROVIDE SECTION 3 DOCUMENTS ON OR BEFORE PHCD REQUESTED DUE DATES MAY RENDER A PROPOSAL NON-RESPONSIVE.

1.30 AFFIRMATIVE ACTION/NON-DISCRIMINATION OF EMPLOYMENT, PROMOTION, AND PROCUREMENT PRACTICES (ORDINANCE NO. 98-30)

In accordance with the requirements of Ordinance No. 98-30, all firms with annual gross revenues in excess of \$5 million seeking to contract with Miami-Dade County shall, as a condition of award, have a written Affirmative Action Plan and Procurement Policy on file with the County's Internal Services Department. Said firms must also submit, as a part of their proposals/bids to be filed with the Clerk of the Board, an appropriately completed and signed Affirmative Action Plan/Procurement Policy Affidavit (**see attached Form A-8**). Firms whose Boards of Directors are representative of the population make-up of the nation are exempt from this requirement and must submit, in writing, a detailed listing of their Boards of Directors, showing the race and ethnicity of each board member, to the County's Internal Services Department. Firms claiming exemption must submit, as part of their proposal/bids to be filed with the Clerk of the Board, an appropriately completed and signed Exemption Affidavit (**see attached Form A-8**) in accordance with Ordinance 98-30. These submittals shall be subject to periodic reviews to assure that the entities do not discriminate in their employment and procurement practices against minority and women-owned businesses.

It will be the responsibility of each firm to provide verification of their gross annual revenues to determine the requirement for compliance with the Ordinance. Those firms that do not exceed \$5 million annual gross revenues must clearly state so in their bid/proposal.

1.31 AFFIDAVIT - PAID FEES, TAXES, PARKING TICKETS, AND OBLIGATIONS ARE NOT IN ARREARS

In accordance with Section 2-8.1 (c) of the Miami-Dade County Code, and as amended by County Ordinance No. 00-30, and Section 2-8.1(h) as amended by Ordinance No. 00-67, the Proposer shall certify that all delinquent and currently due fees, taxes, parking tickets are not in arrears and that Proposer is not in arrears on any obligations to the County. (See attached **Form A-10**.)

1.32 CODE OF BUSINESS ETHICS

In accordance with Section 2-8.(1) of the Code of Miami-Dade County each person or entity that seeks to do business with Miami-Dade County shall have or shall adopt a Code of Business Ethics ("Code") and shall, prior to execution of any contract between the contractor and the County, submit an affidavit stating that the contractor has adopted a Code that complies with the requirements of Section 2-8.1(i) of the Miami-Dade County Code (see attached **Form A-12**). Any person or entity that fails to submit the required affidavit shall be ineligible for contract award.

1.33 BANKRUPTCY

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be considered non-responsive.

1.34 DOMESTIC VIOLENCE LEAVE AFFIDAVIT

Prior to entering into any contract with the County, a firm desiring to do business with the County shall, as a condition of award, certify that it is in compliance with the Domestic Leave Ordinance, 99-5 and Section 11A-60 of the Miami-Dade County Code. This Ordinance applies to employers that have, in the regular course of business, fifty (50) or more employees working in Miami-Dade County for each working day during each of twenty (20) or more calendar work weeks in the current or preceding calendar year. In accordance with Resolution No. R-185-00, the obligation to provide domestic violence leave to employees shall be a contractual obligation. The County will not enter into a contract with any firm that has not certified its compliance with the

Domestic Leave Ordinance (see attached **Form A-13**). Failure to comply with the requirements of Resolution No. R-185-00, as well as the Domestic Leave Ordinance may result in the contract being declared void, the contract being terminated, and/or the firm being debarred.

1.35 COUNTY USER ACCESS PROGRAM (UAP)

Not Applicable.

1.36 ORDINANCES, RESOLUTIONS, AND/OR ADMINISTRATIVE ORDERS

To request a copy of any ordinance, resolution, and/or administrative order cited in this Solicitation, the Proposer may contact the **Clerk of the Board at (305) 375-5126**.

1.37 CHARTER COUNTY TRANSIT SYSTEM SALE SURTAX

Not Applicable.

1.38 CONTRACT EXTENSION

The County reserves the right to exercise its option to extend a contract for up to one hundred-eighty (180) calendar days beyond the current Contract period and will notify the selected Proposer(s) in writing of the extension. This contract may be extended beyond the initial one hundred-eighty (180) calendar day extension period upon mutual agreement between the County and the selected Proposer(s), upon approval by the Board of County Commissioners.

1.39 LOBBYIST CONTINGENCY FEES

- a) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.
- b) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Mayor or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.40 SPECIAL SECURITY REQUIREMENTS AT THE SEAPORT DEPARTMENT

Not Applicable.

1.41 SPECIAL SECURITY REQUIREMENTS AT WATER AND SEWER DEPARTMENT

Not Applicable.

1.42 WORKFORCE GOAL

Not Applicable.

1.43 CRIMINAL CONVICTION

Pursuant to Miami-Dade County Ordinance No. 94-34, "Any individual who has been convicted of a felony during the past ten years and any corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten years shall disclose this information prior to entering into a contract with or receiving funding from the County." Accordingly, Criminal Record Affidavit forms are available upon request at the Department of Procurement Management/VIC at (305) 375-5773 for those individuals or firms requesting to disclose this information only.

SECTION 2.0 - SCOPE OF SERVICES

2.1 INTRODUCTION/BACKGROUND

PHCD and DTPW are seeking proposals from interested and experienced mixed-finance developers to perform development functions including evaluation of the Quail Roost Drive site described below, to provide a Development Plan of the site, to create an attractive and affordable supportive housing development taking into consideration the needs and current market conditions, and to leverage other public (County and State funds including obtaining Low Income Housing Tax Credits) and private funds for site development in the best manner possible for the community. The Development Plan for the site may include a substantial commercial component to augment and compliment the housing development, if it makes sense after conducting a market analysis. The Development Plan must include substantial parking to support the housing development and a park and ride for the South Dade Transitway. The selected Developer shall construct all improvements and after completion provide property management services through a long term land lease with rental payment to be negotiated pursuant to Resolution No. R-256-13. The resulting development will be composed of affordable housing units, Section 8 (project-based) units, low-income housing tax credit (LIHTC) units, and market rate rental units.

The Quail Roost Drive site consists of a total of approximately 8.5 acres; inclusive of 5.3 acres owned by PHCD and 3.2 acres owned by DTPW. Please refer to the map following Section 1.1., for a view of the site. The site is bordered by two residential homes, vacant land, and SW 184th Street/Eureka Drive on the north, a private business on the west, SW 186th Street/Quail Roost Drive on the south, and the South Miami-Dade Transitway on the east. Homestead Avenue bisects the site, dividing it into west and east portions consisting of 2.9 acres and 5.6 acres, respectively. A brief description of the five property folios that comprise the site follows below:

PHCD

- 30-6005-001-0140: 2.88 acres of vacant land located west of Homestead Avenue and north of SW 184th Street/Eureka Drive
- 30-6005-001-0290: 2.02 acres of land with a 14,024 square foot industrial building and paved parking lot and entrance/exit road located east of Homestead Avenue and north of SW 184th Street/Eureka Drive
- 30-6005-001-0292: 0.44 acre of vacant land located north of the industrial building and south of the Miami-Dade Transit parcels

DTPW

- 30-6005-001-0291: 2.34 acres of vacant land located at the southeast corner of SW 184th Street/Eureka Drive and Homestead Avenue
- 30-6005-001-0090: 0.83 acre of vacant land located south of SW 184th Street/Eureka Drive and west of the South Miami-Dade Transitway

The 14,024 square foot industrial building located on folio number 30-6005-001-0290 must be demolished at the expense of the successful proposer, to allow the entire 8.5 acres for development of a fully integrated transit-oriented development.

2.2 OBJECTIVES

Before commencement of any development activities, the selected Developer shall enter into a mutually agreeable Funding Agreement, setting forth the terms and conditions for the mixed-finance development for the Quail Roost Drive project. The draft Funding Agreement is provided as Exhibit D. The final negotiated Master Developer Agreement will be subject to the approval of US HUD and the BCC.

The selected Developer shall provide a Development Plan that results in the creation of an affordable, sustainable, mixed-income/mixed-use housing development (with all associated infrastructure) within the current market conditions that effectively maximizes the use of the available land to allow for a unit mix that provides an optimum number of affordable units, while maintaining the residential and commercial nature of the surrounding community. The Development Plan for the site may include a substantial commercial component to augment and compliment the housing development, if it makes sense after a market analysis has been conducted. The Development Plan must include adequate parking to support the housing development and an additional minimum of 261 parking spaces exclusively to support the park and ride for the South Miami-Dade Transitway, and must also include a kiss and ride and canopy connecting the park and ride with the station. The design and layout of the mixed-use housing and commercial buildings and associated parking structures or lots is left to the discretion of the successful proposer. The objective is to use the land in the most efficient way possible, by maximizing the number of housing rental units and maximizing provision of Transitway park and ride parking spaces for the community.

With this Solicitation, the County's goal is to incentivize a mixed-use, transit-oriented development. The development of attractive housing and commercial areas within walking distance to the Transitway will provide a substantial benefit to the community. The successful proposer should explore the potential for a live/work environment where housing residents work in the commercial areas of the development. To deter crime, the successful proposer is to comply with Crime Prevention Through Environmental Design (CPTED) guidelines and best practices. The Quail Roost Drive site development should be sensitive to and compatible with the surrounding residential neighborhood and commercial areas, and should comply with the Perrine Community Urban Center District zoning code (Exhibit F) or applicable future zoning. Amenities for bicyclists and pedestrians as connectors to the Transitway are encouraged.

The successful proposer, hereafter referred to as Tenant, acknowledges and agrees that it is required to comply with Miami-Dade County's, hereafter referred to as the Landlord, rules, regulations, and ordinances pertaining to constructing a sustainable (or "green") building(s) on the Premises that conserve the community's natural resources, save taxpayer dollars, reduce operating expenses, and create a healthier built environment for employees, tenants, and visitors on and about the Premises. **Proposals lacking the below required items needed to meet minimum threshold will be deemed non-responsive and will not be scored.** As a direct result of the Tenant's commitment to construct sustainable building(s), the Tenant further agrees to the following:

A.) The Tenant is required, at its sole cost and expense, to construct the Transit-Oriented Development Project, to at least a Silver certification rating from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED), and the construction of the building(s) is also in compliance with any and all of the "green building standards" required by the Landlord for new construction projects, in addition to any and all Florida building code restrictions and/or requirements. The Tenant acknowledges and agrees that the LEED Silver certification or designation means that the Transit-Oriented Development Project shall be constructed to meet certain specifications as outlined by the U.S. Green Building Council, which will include various "green" or environmentally responsible features including, but not limited to, the preparation of the Premises, as well as the design and construction of the building and/or other improvements; and all shall be reviewed, examined, approved, and certified by a neutral and independent third-party who is certified or approved by the U.S. Green Building Council, and who also regularly certifies such structures as meeting certain LEED standards and/or requirements. The Tenant agrees to regularly provide the Landlord with copies of any and all records and/or reports (including but not limited to any approvals, rejections and/or comments) from the neutral and independent third-party reviewing the construction of the Transit-Oriented Development Project, to establish that the Tenant is in fact proceeding with the construction in a manner to ensure that the LEED Silver designation can be secured from the U.S. Green Building Council. The Tenant also hereby acknowledges and agrees that it must incorporate high performance building concepts and technologies in order to enhance the overall design and construction of the building(s), while simultaneously making any and all other improvements and the remaining public spaces environmentally responsible in order to comply with the above mentioned requirement.

B.) The Tenant hereby acknowledges and agrees that the LEED Silver certification or designation is a

description or label designed to establish the level of energy efficiency and sustainability for the Transit-Oriented Development Project along with any and all other improvements that will be constructed on the Premises, and such energy efficiency should substantially improve the “normal” or “regular” energy efficiency and indoor air quality for the entire Transit-Oriented Development Project, including, but not limited to, each individual residential unit. Beyond these environmentally responsible steps, the Tenant specifically agrees to consider additional areas or means to improve and/or protect the environment with regard to the construction project, and inform the Landlord of any and all such additional methods or ways that the Tenant will utilize “green building standards” in the design and construction of the Affordable Housing apartment building(s), in an effort to achieve the important goals of creating a healthy place to live and work as well as an environmentally responsible development in the community.

C.) Substitution of Standard: The Landlord acknowledges and agrees that the requirement for the Tenant to secure the LEED Silver certification or designation may be exempted or modified due to special circumstances of the construction project. For example, the Florida Green Building Coalition has a standard for multi-family residential developments that might be equally acceptable to the Landlord. Such exemption(s) or modification(s) shall be for the express purpose of ensuring the use of the most appropriate or relevant rating standard or system, and shall not, in any way, exempt the requirement to apply green building practices at the Silver certification, or similar designation as administered by a different organization and obtain certification for the project. This substitution process shall be administered by and through the Miami-Dade County Office of Resilience of the Landlord.

In addition, regardless of the certification program selected in order to comply with the Sustainable Buildings Program, the project should also achieve the following goals:

- The project should allocate at least two (2) percent of parking spaces for Electrical Vehicle charging stations.
- Complete an Assessment and Plan for Resilience - encourages designers, planners, and building owners or operators to assess and then plan for a wide range of natural disasters or disturbances as well as consider longer-term trends affecting building performance such as changing climate conditions.
- Complete a Climate Resilient Plan or Emergency Preparedness Plan - Recognizing that climate change will increase some vulnerabilities in the years and decades ahead, this option calls for completing a vulnerability assessment of impacts associated with climate change.
- Consider Sea Level Rise.
- Design for Enhanced Resilience - ensuring that each of the top hazards identified in the Assessment and Plan for Resilience are addressed through specific mitigation strategies.
- Design for Passive Survivability and Functionality During Emergencies - ensuring that buildings will maintain reasonable functionality, including access to potable water, in the event of an extended power outage.

The County shall review and provide approval of the final Quail Roost Drive Development Plan, prior to the selected Developer proceeding to the development stage. The County’s goal is to have the Quail Roost Drive project proceed as expeditiously as possible, in order to complete, and have available for occupancy, all infrastructure and housing rental units by June, 2021.

The scope of services includes activities, coordination, documents, materials, and fees necessary to obtain certificates of occupancy for structures, including Administrative Site Plan Review (ASPR), T-Plat, and Final Plat approval, construction of the entire site infrastructure, including but not limited to: installation of water and sewer systems, utilities, storm drainage, street paving work, sidewalks and gutters, earthwork and related activities, and the construction of all new dwelling units, commercial areas, and parking structures or surface parking areas at the site. The County has identified required services; however, additional services may be required for the completion of this project.

2.3 OTHER RELEVANT INFORMATION/MINIMUM REQUIREMENTS

The selected Developer shall work with the County to put the Quail Roost Drive project on a fast track for development. The selected Developer shall oversee and manage all aspects of this project. The selected Developer's team shall have Florida experience due to the intricacies of tax-credits in the state; therefore it is required that the selected Developer must have completed at least one Florida mixed-finance project of more than 125 dwelling units, along with the associated infrastructure, including working with the Florida Housing Finance Corporation (FHFC) on that project. **Proposals lacking documentation of mixed-finance project experience needed to meet minimum threshold will be deemed non-responsive and will not be scored.**

The selected Developer's team shall include licensed and certified subconsultants or team members that have experience in affordable multi-family housing and construction with associated infrastructure that can optimize the site to meet the needs of the local community. Before proposal submission all subconsultants must have obtained the Pre-Qualification Certification from Miami-Dade County as described in the "Definitions" section of this RFP.

2.4 SERVICES TO BE PROVIDED BY DEVELOPER:

1. Phase I Services – Site Evaluation and Development Plan

A. Provide a Site Evaluation that shall:

1. Include the selected Developer's written evaluation of the potential to develop the Quail Roost Drive site into a mixed-use housing, commercial, and parking transit-oriented development.
2. Effectively maximize the use of the available land to allow for a unit mix that provides an optimum number of affordable units, while remaining sensitive to the residential and commercial nature of the surrounding community.

B. Provide a Development Plan that shall include:

1. A design and construction plan for affordable, sustainable, mixed income/mixed use housing development with all associated infrastructure, and a parking structure or surface lots adequate to support the housing development and Transitway park and ride, with the option to include a substantial commercial component, within the current market conditions.
2. A proposal describing the design concept, number and types of housing units, infrastructure and the development's commercial and parking layout and amenities, US HUD guidelines compliance, exhibits/information provided in this procurement document, and all applicable codes/regulations having jurisdiction.
3. A financing plan for successful completion of the project including a market analysis supporting the development and financing plan.
4. Color drawings of the entire site Development Master Plan, typical building elevations, typical building sections, and typical building plans.

C. The selected Developer shall explore opportunities and implement strategies to enhance the aesthetic, physical, social, and economic viability of the community.

D. The selected Developer shall submit the Development Plan to the County for review and approval at the 50% and the 100% completion stage.

E. The selected Developer shall participate in the presentation of the Development Plan to the US Department of Housing and Urban Development and the Board of County Commissioners for review and approval.

F. The selected Developer shall conduct community meetings to obtain community

participation input on their needs for the Quail Roost Drive site.

- G. The selected Developer shall provide a schedule for completion of the project, including the required elements of the Development Plan, construction strategy and implementation schedule to meet the County's timetable for completion.
- H. Prior to award of a lease agreement, the County is required to obtain approval from the FTA that the proposed development is in compliance with the National Environmental Policy Act of 1969 (NEPA), as amended (42 U.S.C 4321 et. seq.). As part of the planning process to construct a Transitway park and ride lot, the County completed the environmental document, attached as Exhibit J. However, because of the broader scope of the development proposed by this RFP, additional studies will need to be performed. Prior to award of any agreement resulting from this RFP, the Selected Proposer will be responsible for coordination with Miami-Dade County to ensure completion of any additional work required to obtain approval from the FTA that the proposed development is in compliance with all NEPA requirements.
2. Phase 2 Services – Administrative Site Plan Review (ASPR), T-Plat and Final Plat after approval of Development Plan by US HUD and the County.
- A. The selected Developer shall initiate and manage all issues relating to the ASPR, T-Plat and Plat approval process, including but not limited to scheduling and participating in all meetings with authorities having jurisdiction, paying all fees, providing all coordination required, and providing all drawings and documents required for the successful completion of these tasks.
- B. The selected Developer shall make all required changes to the drawings at no additional cost to the County. The selected Developer shall not implement any deviation from the approved Development Plan without PHCD and DTPW approval.
3. Phase 3 Services – Construction Documents, Permitting, and Regulatory Approvals
- A. Provide infrastructure and building construction documents at 50% and 100% completion for PHCD and DTPW review and approval.
- B. Incorporate into the site layout, building design and construction materials & techniques standards which enhance the security, sustainability, affordability, aesthetics, and maintenance of the completed improvements. The development shall also be pedestrian-friendly, and offer numerous transportation options.
- C. Provide all drawings and documentation to obtain all permit approvals required for the successful completion of the project from all authorities having jurisdiction.
- D. Undertake all geotechnical testing, as needed.
- E. Pay all fees, provide all documents, and coordination required in obtaining building permits, zoning, and other regulatory approvals including, but not limited to:
- Miami-Dade County Regulatory and Economic Resources Department
 - Miami-Dade County Department of Solid Waste Management
 - Florida Power and Light Company (FPL) for electrical distribution systems, street lights and tie-ins
 - BellSouth for telephone and high-speed digital transmission systems,
 - Cable-TV systems for the area

- Miami-Dade County Water and Sewer Department (WASD) for the water and sewer distribution and tie-ins and conveyance, if necessary
- Florida East Coast (FEC) Railway for crossings over or under FEC property or easements
- United States Postal Service for required location and types of mailboxes and deliveries
- Miami-Dade County Department of Solid Waste Management for any required dumpsters, trash containers, and service needs

4. Phase 4 Services – Construction and Completion of Scope of Services

- A. Provide the construction contractor or already include a construction firm or division as part of the team;
- B. Select third party contractors or already include the same as part of the team;
- C. For the housing component only, guarantee a commitment to the community through hiring and training of individuals to work on this project, and prepare them for future work of a similar nature;
- D. Commence construction in accordance with the approved Development Plan upon receipt of the Notice to Proceed;
- E. Obtain final inspection approvals from authorities having jurisdictions;
- F. Complete all punch-list items and acquire County acceptance of completed work;
- G. Work with PHCD and DTPW to undertake all marketing and leasing efforts; and
- H. Provide or obtain property management services for a period of at least 5 years, with option to cancel or renew at PHCD's and DTPW's discretion, to include maintenance and security functions.

5. Services applicable to all Phases of work to be provided:

- A. Obtain County approval prior to implementing any deviation from the approved Development Plan.
- B. Work with PHCD and DTPW advisors to implement a financing plan, including detailed development and operating budgets.
- C. Work with PHCD and DTPW to ensure that an environmental clearance is obtained for the site, prior to development.
- D. Provide monthly reports to PHCD and DTPW on the progress of the scope of services and development efforts including work completed associated costs, schedule, and budgetary requirements.
- E. Secure additional financing, as needed to ensure overall project completion.
- F. Be responsible for the design, construction, and quality control of the development.
- G. Comply with all applicable federal, state, and local licensing and certification requirements, including satisfying the Miami-Dade County technical certification requirements for all required services prior to submission deadline. Valid technical certification in all area(s) of

work must be held by a firm responding as a sole respondent, or a team of firms. Furthermore, if an individual is providing services that require technical certification by Miami-Dade County, the individual is required to have the relevant certification(s). Individuals who are not technically certified will not be "allowed" to perform work for those scopes of services requiring technical certification. Additionally, firms that list other areas of work as supplements to the required technical certifications must also be certified for those supplemental areas. For questions regarding Miami-Dade County's A/E Technical Certification, and further Certification Committee meeting information, call (305) 375-2738. For application forms visit <http://www.miamidade.gov/procurement/library/technical-certification-application1.pdf>, for a list of Pre-qualified Firms visit <http://www.miamidade.gov/business/library/reports/certify-all-by-categories.pdf>.

- H. Draft and submit draw requests to the County for approval and disbursement.
- I. Contribute resources to the community through an educational or social services component to provide greater opportunities for economic self-sufficiency to the families returning/moving to the property.
- J. Provide a job training and placement program for low-income residents who live in the target area that would result in a large number of job training placements and placements in employment related to the development.
- K. Assurance of Completion
- (a) Pursuant to s. 225.05 of the Florida Statutes, the successful proposer and all of the proposer's subcontractors shall furnish an assurance of completion prior to the execution of any contract under this solicitation. The proposer shall require each of its subcontractors to ensure that such assurance covers both the proposer and the County. This assurance may be:
- (1) A performance and payment bond in a penal sum of 100 percent of the contract price; or, as may be required or permitted by State law;
 - (2) Separate performance and payment bonds, each for 50 percent or more of the contract price;
 - (3) A 20 percent cash escrow; or
 - (4) A 25 percent irrevocable letter of credit.
- (b) Bonds must be obtained from guarantee or surety companies acceptable to the U.S. Government and authorized to do business in the state where the work is to be performed. Individual sureties will not be considered. U.S. Treasury Circular Number 570, published annually in the Federal Register, lists companies approved to act as sureties on bonds securing Government contracts, the maximum underwriting limits on each contract bonded, and the States in which the company is licensed to do business. Use of companies listed in this circular is mandatory. Free copies of the circular may be obtained by writing directly to: U.S. Department of Treasury, Financial Management Service, Surety Bond Branch, 401 14th Street SW, 2nd Floor, West Wing, Washington, D.C., 20226.
- (c) Each bond shall clearly state the rate of premium and the total amount of premium charged. The current power of attorney for the person who signs for the surety company must be attached to the bond. The effective date of the power of attorney shall not precede the date of the bond. The effective date of the bond shall be on or after the execution date of the contract.
- (d) Failure by the successful proposer and its subcontractors to obtain the required

assurance of completion within the time specified, or within such extended period as the County may grant based upon reasons determined adequate by the County, shall render the proposer ineligible for award. The County may then either award the contract to the next lowest ranked responsible bidder or solicit new bids. The County may retain the ineligible proposer's bid guarantee.

- L. Execute and deliver to the County Certificates and Policies of Insurance prior to commencing any operations, which indicate the selected Developer has insurance coverage in the type, amount, and classifications as identified in Article 10 of Section 5.

2.5 ITEMS TO BE PROVIDED BY PHCD AND DTPW:

- 1. Land under a long-term lease, with a minimum term of 65 years, with agreement to be negotiated
- 2. Environmental clearance for the site
- 3. Pool of residents eligible for rental and homeownership units

2.6 PERFORMANCE BOND

The selected proposer shall be required to furnish a performance bond as required by FS. [287.0935](#). The selected proposer shall furnish performance bond to secure the interest of the County at no cost to the County.

CONTRACT SECURITY

The selected proposer shall furnish with the executed Contract, performance payment (to provide for the full payment of the amounts owed by the Contractor to subcontractors, laborers and suppliers), at no cost to the County. The Bond, in the amount of 100% of the Contract amount (unless otherwise specified in the Contract Documents) may be in the form of a Surety Bond written through a local surety bond agency, rated as to Management and Strength as set forth below:

Surety Bond Qualifications: The following specifications shall apply to the performance, payment, and maintenance bonds:

- A. All bonds shall be written through surety insurers authorized to do business in the State of Florida as surety, with the following qualifications as to management and financial strength according to the latest edition of Best's Insurance Guide, published by A.M. Best Company, Oldwick, New Jersey:

<u>Bond Amount</u>	<u>Best's Rating</u>
500,001 to 1,500,000	B V
1,500,001 to 2,500,000	A VI
2,500,001 to 5,000,000	A VII
5,000,001 to 10,000,000	A VIII
Over 10,000,000	A IX

On a bond amount of 500,000 or less, the provisions of Section 287.0935, Florida Statutes (1985) shall be in effect and surety companies not otherwise qualifying with this paragraph may optionally qualify by:

- 1. Providing evidence that the surety has twice the minimum surplus and capital required by the Florida Insurance Code at the time the invitation to bid is issued,
- 2. Certifying that the surety is otherwise in compliance with the Florida Insurance Code, and

3. Providing a copy of the currently valid Certificate of Authority issued by the United States Department of the Treasury under ss. 31 U.S.C. 9304-9308.
- B. Surety insurers shall be listed in the latest Circular 570 of the U.S. Department of the Treasury entitled "**Surety Companies Acceptable on Federal Bonds**," published annually. The bond amount shall not exceed the underwriting limitations as shown in this circular.
- C. The attorney-in-fact or other officer who signs a Contract Bond for a surety company must file with such bond a certified copy of his power of attorney authorizing him/her to do so. The Contract bond must be countersigned by the surety's resident Florida Agent.

The Selected proposers may in lieu of a surety bond, submit a cash bond, conditioned upon the faithful performance of the work in strict accordance with this Contract and with the Plans and Specifications and the completion of the same free from all liens and within the time limit herein specified; said Bond shall be so worded as to make the Contract a part thereof and shall contain a clause providing the right of suit or action for whose benefit said bond shall be executed as disclosed by the text of said Bond and Contract to the same extent as if he or they were the obligee or obligee therein specifically mentioned, and all such persons shall be held or deemed to be an obligee thereof.

"A claimant, except a laborer, who is not in privity with the Principal and who has not received payment for his labor, materials, or supplies shall, within forty-five (45) days after beginning to furnish labor, materials, or supplies for the prosecution of the work, furnish the Principal with a notice that he intends to look to the bond for protection."

"A claimant who is not in privity with the Principal and who has not received payment for his labor, materials, or supplies shall, within ninety (90) days after performance of the labor or after complete delivery of the materials or supplies, deliver to the Principal and to the Surety written notice of the performance of the labor or delivery of the materials or supplies and of the non-payment."

"No action for the labor, materials, or supplies may be instituted against the Principal or the Surety unless both notices have been given. No action shall be instituted against the Principal or the Surety on the bond after one (1) year from the performance of the labor or completion of delivery of the materials or supplies."

2.7 DELIVERABLES

All deliverables are subject to review and approval of the County.

Phase I Services – Evaluation and Development Plan:

- A. A written summary of the manner in which to develop the Quail Roost Drive site into a mixed-use housing, commercial, and parking transit-oriented development;
- B. A report describing the design concept, number and types of units, infrastructure and the development's amenities, description of how the Development Plan addresses requirements based on community needs, US HUD guidelines compliance, exhibits/information provided in this procurement document, and all applicable codes/regulations having jurisdiction;
- C. Submit the Development Plan to PHCD and DTPW for review and approval at the 50% and the 100% completion stage;
- D. A financing plan to successfully complete the project;
- E. Color drawings of the entire site Development Master Plan, typical building elevations, typical building

sections, and typical building plans; and

- F. Schedule for the completion of the project, including the required elements of the Development Plan, construction strategy and implementation schedule to meet the County’s timetable for completion.

Phase 2 Services – ASPR, T-Plat and Final Plat approval:

- A. Schedule for coordination of all tasks required to complete the ASPR, T-Plat and Final Plat approval process;
- B. ASPR-approved drawings and documentation;
- C. T-Plat drawings and documentation; and
- D. Provide Final Plat drawings and documentation.

Phase 3 Services – Construction Documents and Permit & Regulatory Approvals:

- A. Provide schedule for coordination of all tasks required to complete construction documents and obtain permit/regulatory approvals;
- B. Provide infrastructure and building construction documents at 50% and 100% completion for review and approval by PHCD and DTPW; and
- C. Obtaining building permits, zoning, and other regulatory approvals from all entities having jurisdiction.

Phase 4 Services – Construction and Completion of Scope of Services:

- A. Provide schedule for coordination of all tasks required to complete construction and obtain final permit, certificates of occupancy/completion, punch list completion, and PHCD and DTPW acceptance of work completed;
- B. Copies of Certificates of Occupancy/Completion for the construction permit;
- C. Complete all punch list items identified by PHCD and DTPW or its representative(s); and
- D. Property management services to manage, service, maintain, and secure the accepted properties.

Other deliverables:

- 2.7.1 Monthly reports to the County on the development’s progress
- 2.7.2 Results of geotechnical testing, as needed
- 2.7.3 Job training and placement program for low-income residents who live in the area

2.8 SCHEDULE

The time frame for the project is established by the following Required Milestone Deadlines:

Required Milestone Deadlines

Quail Roost Drive Site

Task Item	Completion Deadline (in days after NTP)
Review of Development Plan at 50% completion	90
Development and completion of Development Plan	180
Infrastructure 50% Plan completion	364
Building 50% Plan completion	450
Final Plat recorded	475
Infrastructure 100% Plan completion	500
Infrastructure Construction Start	550
Building Construction 100% Plan completion	600
Building construction Start	650
Infrastructure Construction Completion	800
Building construction completion	1500

2.6 BUDGET/COST

The selected Contractor shall provide a Payment Schedule incorporating deliverables and the percentage of completion.

SECTION 3.0 - PROPOSAL FORMAT

3.1 INSTRUCTIONS TO PROPOSERS

Proposers should carefully follow the format and instructions outlined below, observing format requirements where indicated. All materials (except for plans and schematics, if any) are to be submitted on 8 1/2" X 11" pages, neatly typed on one side only, with normal margins and spacing. All documents and information must be fully completed and signed as required. The original document package must not be bound. The document package copies should be individually bound. Proposals that do not include the required documents may be deemed non-responsive and may not be considered for contract award.

3.2 CONTENTS OF PROPOSAL

The Technical Proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the proposed services. The Technical Proposal must include the following information:

1) Cover Page

The attached **Form A-1** is to be used as the cover page for the Technical Proposal. A cover page is required for the Technical Proposal. This form must be fully completed and signed by an authorized officer of the Proposer submitting the proposal. This letter should contain information on the proposer and project and be signed by an authorized officer of the Proposer submitting the proposal.

2) Table of Contents

The table of contents should outline in sequential order the major areas of the proposal. All pages of the proposal, including the attachments, must be clearly and consecutively numbered and correspond to the table of contents.

3) Executive Summary

Provide a brief summary describing:

- (a) the Proposer's ability to perform the work requested in this Solicitation;
- (b) a history of the Proposer's background and experience in providing similar services;
- (c) the qualifications of the Proposer's personnel to be assigned to this project;
- (d) the subcontractors or subconsultants and a brief history of their background and experience; and any other information called for by this Solicitation which the Proposer deems relevant, including any exceptions to this Solicitation.

This summary should be brief and concise to advise the reader of the basic services offered, experience and qualifications of the Proposer, staff, subcontractors or subconsultants, and any other relevant information.

4) Minimum Qualification Requirements

Proposers shall provide documentation that demonstrates their ability to satisfy all of the minimum threshold qualification requirements listed below. **Proposers who do not provide documentation needed to meet the minimum threshold qualification requirements will be deemed non-responsive and will not be scored.** If a prescribed format or required documentation for the response to minimum qualification requirements is listed below, Proposers must use said format and supply said documentation.

The minimum threshold qualification requirements for this Solicitation are:

Proposers shall have successfully completed at least one Florida mixed-finance project of more than 125 dwelling units, along with the associated infrastructure, including working with the Florida Housing Finance Corporation (FHFC) on that project. Proposers shall provide documentary corroboration in *Adobe* PDF format of this experience including, but not limited to, complete project description, FHFC

documents for the development, approved permit set of drawings for infrastructure and building construction, final construction permit approvals, and any other documentation that demonstrates that they comply with this requirement.

- Principals or designated administrators shall possess licenses to do business in Miami-Dade County.
- The selected proposer shall have experience with the development of at least 6 multi-family projects.

5) Technical Information

Describe Proposer's project plan and procedures, methodology and recommended solutions to be used in performing the services described in the Scope of Services (see Section 2.0). The Proposer shall describe its approach to project organization, development and management, including the responsibilities of Proposer's management and staff personnel that will perform work on this project. Proposed plans and schematics should be provided. Plans should denote features of the development and the quality of the features.

- a. Proposers shall provide a detailed narrative outlining their approach with graphic representations of the conceptual plan (that includes at a minimum: the master site plan, typical building elevations, typical building plans), and vision for the development of the property described in Section 2.0. The narrative shall include the number of units, unit bedroom mix, unit sizes, and construction and finish materials to be used. The narrative shall explain how the number of units proposed make the best use of the available land, optimize its use to allow for a unit mix that provides an optimum number of affordable units, including units for the extremely low-income, how the residential nature of the surrounding community is maintained in the new development, what kinds of strategies are being explored to enhance the aesthetic, physical, social and economic vitality of the community, and any other information that may be necessary for review.
- b. Provide a project schedule identifying specific key tasks and duration to successfully complete the tasks identified in their response to 3.2 A 5(b). Responses should demonstrate an ability to complete the development or the plan for development on the earliest possible, realistic schedule. The proposer's schedule should indicate timing for start-up of operation.
- c. Identify if Proposer has taken any exception to the terms of this Solicitation. If so, indicate what alternative is being offered and the cost implications of the exception(s).
- d. Proposers shall discuss the methodology to be implemented to obtain citizen participation in the planning process, including the number of community meetings the developer plans to convene in order to ascertain community input, and the resources the developer plans to contribute to advance educational and social services and providing greater opportunities for economic self-sufficiency. Describe examples of how to best involve the various stakeholders and community partners in a participatory planning process.
- e. The Proposers shall discuss their methodology for implementing a job training and placement program for low-income residents who live in the area
- f. Proposers shall provide documentation that supports that the Proposer has the financial capacity to undertake the project described in Section 2. Proposers shall provide their most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the proposer's present financial condition is materially the same as that

shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.

- g. Proposers shall discuss how they intend to finance the project, what resources they intend to utilize. Proposers shall provide a budget to support their conceptual design. Additionally, proposers shall provide rates for the team members associated with completion of the conceptual design.
- h. Proposers shall discuss how they can ensure compliance with the Uniform Federal Accessibility Standards and Voluntary Compliance Agreement requirements, if applicable, and demonstrate examples in their conceptual drawings.
- i. Proposers shall provide a copy of their quality control procedures for previous projects and identify what quality control mechanisms shall be implemented for each Phase of the project described in Section 2.0.
- j. Proposers shall discuss their methodology to obtain building permits, and regulatory approvals including those from USPS, Miami-Dade County departments, and non-governmental entities such as Florida Power and Light and Florida East Coast Railway, and how they intend to manage and maintain the approval process. Also include in this discussion the procedures for required drawing changes.
- k. Proposers shall identify how they can ensure compliance with all federal, state, and local licensing and certification requirements. List the names and addresses of all major first tier subcontractors or subconsultants, and describe the extent of work to be performed by each first tier subcontractor or subconsultant.
- l. Identify if Proposer's proposed plan meets the requirements of the Scope of Services described in Section 2.0, will meet the requirements with modifications (explain how) or cannot meet the requirements.
- m. Submit an actual or proposed budget and income and expense report for a property managed by the Proposer as evidence of the Proposer's financial reporting systems and expertise in operating matters.
- n. Submit an actual or proposed management plan as evidence of the Proposer's knowledge of affordable housing management.
- o. Provide proof of experience with affordable housing financing.
- p. Proposer shall describe how leasing and screening will be executed and enforced.
- q. Proposer shall provide a schedule of maintenance, including housing inspection.
- r. Proposer shall describe the services to be provided and the qualifications of the personnel providing such services.
- s. Proposer shall discuss the implementation of safety and security services measures.
- t. The selected Proposer shall demonstrate compliance with energy efficiency and green construction standards.
- u. Execute, date, and submit the "Section 3 Economic Opportunity Plan" (see Section 3 form) with

Proposal to comply with the Section 3 training, employment, and contracting requirements for low-income persons and to businesses that employ these persons. Complete and submit "Proposed Contracts/Subcontracts Breakdown" form with Proposal. Submit a plan for achieving the vicinity hiring requirements.

6) Proposer's Experience and Past Performance

1. Describe the Proposer's past performance and experience and state the number of years that the Proposer has been in existence, the current number of employees, and the primary markets served. Provide the total number of multi-family projects developed and managed.
 - a. Provide a detailed description of comparable contracts (similar in scope of services to those requested herein) which the Proposer has either ongoing or completed within the past ten (10) years. The description should identify for each project: (i) client, (ii) description of work, (iii) total dollar value of the contract, (iv) contract duration, (v) client contact person and phone number for reference, (vi) statement or notation of whether Proposer is/was the prime contractor or subcontractor or subconsultant, and (vii) the results of the project, including the projected completion date versus the actual completion date. Where possible, list and describe those projects performed for government clients or similar size private entities (excluding any work performed for the County). Proposers shall provide detailed information on all previous similar projects completed and in process. The Proposer shall address the following areas: the number of units, resident income ranges, use of the land, strategies for success completion. References will be contacted.
 - b. List all contracts which the Proposer has performed for Miami-Dade County. The County will review all contracts the Proposer has performed for the County in accordance with County Ordinance No. 98-42, which requires that "a Bidder's or Proposer's past performance on County Contracts be considered in the selection of Consultants and Contractors for future County Contracts." As such the Proposer must list and describe all work performed for Miami-Dade County and include for each project: (i) name of the County Department which administers or administered the contract, (ii) contact person on the contract and phone number, (iii) dates covering the term of the contract, and (iv) dollar value of the contract(s)
 - c. Proposers shall describe their experience in federally-funded project requirements, including compliance with Davis-Bacon Wage rates.
 - d. Proposers shall describe their experience, methodology and scheduling of site preparation and infrastructure developments including Administrative Site Plan Review (ASPR), T-platting and final platting process.
 - e. Proposers shall describe their experience related to Architectural/Engineering (A/E) for the development of large scale multi-family affordable housing communities. This includes validating an A/E firm and all other parties composing the Developer Team shall meet all Miami-Dade County and Florida licensing and technical certification requirements which shall be submitted as part of the developer team information.
 - f. Proposers shall describe any examples of affordable housing projects in which the Developer worked with low-income community organizations, resident organizations, or other low-income residents or community groups in the development of the project or any other significant aspect of the project. With respect to each, provide a detailed description of the interactions between the Developer and the organizations and the impacts of the interaction on the project.
 - g. Proposers shall describe any examples of successful efforts to provide preferences for job training and employment opportunities to (1) persons in public and assisted housing; (2) low-income persons in the project area; (3) participants in HUD Youthbuild programs; or (4) homeless persons; or to

provide contracting opportunities to locally-owned, small or minority businesses including those that meet the definition of a Section 3 business concern. With respect to each example Proposers shall provide a detailed description of the efforts and the results.

- h. Proposers shall describe any examples of successful efforts of incorporating community development corporations, locally-based non-profit development entities or other community-based non-profits in your development projects. With respect to each example provide a detailed description of the efforts and the results.
- i. Proposers shall describe any examples of innovative financing arrangements which increased the number of affordable units in a rental development project, particularly any financing arrangements which increased the number of rental units affordable to extremely low-income households.
- j. Proposers shall describe their experience with housing developments that incorporate tax credit and affordable housing financing.
- k. Proposers shall describe their experience in construction, construction management, and general contracting.
- l. Proposers shall describe their experience in residential rental property management including maintenance and security functions.
- m. Proposers shall describe their experience in working with non-profit organizations.
- n. Proposers shall describe their expertise in regulatory compliance issues.
- o. Proposers shall describe their expertise with local government authorities which regulate the permits and utilities necessary for development and Florida building code familiarities.
- p. Proposers shall describe their practical experience in Section 3 compliance; including training and subcontracting opportunities for local businesses.
- q. Proposers shall describe their experience with community meetings and charrettes; resident organizations, and tenant leaders, and other housing organizations.
- r. Describe any other experiences related to the work or services described in the Scope of Services (**see Section 2.0**), and any other information which may be specific to the required services to be provided.

7) Key Personnel and Subcontractors Performing Services

- a. Provide an organizational chart showing all key individuals and proposed team members, including their titles, to be assigned to this project. This chart must clearly identify the Proposer's employees and those of the subcontractors or subconsultants. This information shall include the functions to be performed by the key individuals. All key individuals includes all partners, managers, seniors and other professional staff that will perform work and/or services on this project.
- b. List the names and addresses of all first tier subcontractors or subconsultants and describe the extent of work to be performed by each first tier subcontractor or subconsultant. Describe the experience, qualifications and other vital information, including relevant experience with previous or similar projects, for all key individuals and proposed team members; including those of subcontractors or subconsultants who will be assigned to this project.

- c. Identify if key personnel or proposed team members have experience in the development, construction and management of at least one (1) Florida mixed-finance, multi-family rental housing development, along with the associated infrastructure, which is greater than 125 units. Please note if these individuals have had experience in the Florida market, and note experience in maximizing the use of various financing vehicles.
- d. Provide resumes with job descriptions and other detailed qualification information on all key individuals and proposed team members who will be assigned to this project, including any key personnel of subcontractors or subconsultants.

Note: After proposal submission, but prior to the award of any contract issued as a result of this Solicitation, the Proposer has a continuing obligation to advise the County of any changes, intended or otherwise, to the key personnel identified in its proposal.

8) Affidavits/Acknowledgements

The Proposer must complete, sign as required, and submit the following documents as part of its Proposal:

- Form A-2 Affidavit of Miami-Dade County Lobbyist Registration for Oral Presentations **(see Section 1.17)**
- Form A-3 Acknowledgement of Addenda **(see Section 1.8)**
- Form A-4 Disability Nondiscrimination Affidavit
- Form A-7.1 Proposer’s Disclosure of Subcontractors and Suppliers **(see Section 1.29)**
- Form A-7.2 Proposer’s Disclosure of Fair Subcontracting Policies **(see Section 1.30)**
- Form A-8 Affirmative Action Plan/Procurement Policy Affidavit **(see Section 1.31)**
- Form A-10 Miami-Dade County Collection of Taxes, Fees and Parking Tickets Affidavit and Individuals & Entities Attesting Being Current in Their Obligations to Miami-Dade County **(see Section 1.32)**
- Form A-12 Code of Business Ethics **(see Section 1.33)**
- Form A-13 Domestic Violence Leave Affidavit **(see Section 1.35)**

3.3 PROPOSAL PREPARATION REQUIREMENTS

Proposers must follow instructions of Section 1.4 “Proposal Submission.” The proposal must consist of a Technical Proposal, and the original and all copies must be submitted in a sealed envelope or container that should be addressed as follows:

Proposer’s Name Proposer’s Address Proposer’s Telephone Number	Public Housing and Community Development Department Overtown Transit Village North 701 NW 1st Court, 16th Floor Miami, FL 33136 ATTN: Ms. Indira Rajkumar-Futch, Procurement Contracting Manager
Quail Roost Drive Site RFP RFP Proposal Title: Proposal Due Date:	

SECTION 4.0 - EVALUATION/SELECTION PROCESS

4.1 INTRODUCTION

Following the opening of the proposal packages, the proposals will be evaluated by an Evaluation/Selection Committee appointed by the County Mayor. The Committee will be comprised of appropriate County personnel from multiple departments and members of the community, in accordance with Implementing Order 2-11, as deemed necessary, with the appropriate experience and/or knowledge, striving to ensure that the Committee is balanced with regard to race, ethnicity, and gender.

It is the Proposer’s responsibility to ensure that the proposal is complete. Proposals will be scored based on point totals and not a percentage factor. Contract award will be based on Technical Quality.

4.2 PROPOSAL EVALUATION

The Evaluation/Selection Committee will first evaluate and rank responsive proposals on the Technical Quality criteria listed below. The criteria are itemized with their respective weights for a maximum total of 100 points per each Evaluation/Selection Committee member, for all Technical criteria. A Proposer may receive the maximum points or a portion of this score depending on the merit of its proposal, as judged by the Evaluation/Selection Committee in accordance with:

<u>Evaluation Criteria</u>	<u>Maximum Points</u>	<u>Totals</u>
1.1. Proposer’s financial strategy and firmness of financing commitments, financing for each part of the proposed development, pro forma, and proposed County participation in revenue and income streams.	20	
1.2. Proposer’s Experience partnering (as a co-owner or co-developer) with small and minority firms and/or women-owned enterprises.	5	
		25
2. Quail Roost Drive Site Proposed Design, Development, and Operations Concept:		
2.1. Proposed design and development concept (including zoning) and its compatibility with proposed use.	5	
2.2. Proposed design and development concept has a mix of site uses including housing units, commercial spaces, accessible walkway connections for bicycles and pedestrians, and additional parking to support the Transitway; the development is well-integrated with the existing transit station and other transit components;	10	
2.3. Proposed design and development concept incorporates Crime Prevention Through Environmental Design (CPTED) principles and best practices.	5	
2.4. Proposed design and development project completion schedule and requirements.	5	
2.5. Proposed site operation and management concept.	5	
		30

3. Development Team's demonstrated qualifications, experience, (including past performance on PHCD, DTPW and other County projects) and capacity, including key personnel of developer, consultants, and property managers that will be assigned to the project proposed by Developer with similar complex mixed use development projects:		
3.1. Development Team key personnel experience in developing similar mixed use housing and commercial projects	7	
3.2. Development Team key personnel experience in developing parking structures or surface lots	5	
3.3. Proposer's Financial Strength and Capacity	5	
3.4. Architect's Experience	4	
3.5. Property Manager's Experience	4	
		25
4. Resident Job Training, Employment, Section 3 and small and minority firms, women-owned enterprises and labor surplus firms for proposed project:		
4.1. Commitment on number of job training classes for residents, capacity per class, trade covered for each class and strength of evidence supporting commitments.	5	
4.2. Commitment for total number of Section 3 jobs* to be created and breakdown by trade during construction and post-construction and strength of evidence supporting commitments	5	
4.3. Identity of Certified Section 3 * businesses and other certified small and minority firms, women-owned enterprises and labor surplus area firms, that are part of the development team and additional commitment on number of participating sub-contractors and suppliers that will be Certified Section 3 or other certified small and minority firms, women-owned enterprises and labor surplus firms	4	
4.4. Identity of partners and resources that will contribute to the West Perrine target area	3	
4.5. Training and employment of ex-offenders	3	
		20
		100
Bonus Points - At the proposer's discretion, the proposal may offer to:		
Provide an additional 10,000 square feet of commercial retail and/or office space beyond the minimum required 10,000 square feet, supported by a market analysis, up to 20,000 total square feet of commercial space	2	
Provide an additional 30,000 square feet of commercial retail and/or office space beyond the minimum required 10,000 square feet, supported by a market analysis, up to 40,000 total square feet of commercial space	4	
Provide an additional 70,000 square feet of commercial retail and/or office space beyond the minimum required 10,000 square feet, supported by a market analysis, up to 80,000 total square feet of commercial space	8	
Provide an additional 110,000 square feet of commercial retail and/or office space beyond the minimum required 10,000 square feet, supported by a market analysis, up to 120,000 total square feet of commercial space	10	110

Provide one or more Letters of Interest from commercial business entities, confirming interest in renting a specified square footage of commercial space at the site, signed by the entity’s authorized representative.	5	
Provide one or more signed agreements from commercial business entities, evidencing a commitment of the entity to rent a specified square footage of commercial space at the site, signed by the entity’s authorized representative.	10	120
* Note for Items 4.2 and 4.3: Miami-Dade County is not simply referring proposers to U.S. Housing and Urban Development (HUD) Section 3 requirements. Miami-Dade County is asking proposers to go beyond HUD’s Section 3 requirements to the greatest extent possible.		

Upon completion of the proposal’s criteria evaluation, rating and ranking, the Committee may choose to conduct an oral presentation(s) with the Proposer(s) if the Evaluation/Selection Committee deems to warrant further consideration based on the best rated proposal providing the highest quality of service to the County; scores in clusters; significant breaks in scoring; and/or maintaining competition. Upon completion of the oral presentation(s), the Committee may re-evaluate, re-rate, and re-rank the proposals remaining in consideration based upon the written documents combined with the oral presentation.

Following the evaluation and ranking of the proposals, the Evaluation/Selection Committee or PHCD and DTPW staff may proceed to negotiate with the highest ranked responsive and responsible Proposer.

4.3 APPLICATION OF SELECTION FACTOR

Not Applicable.

4.4 OVERALL RANKING

The Evaluation/Selection Committee will then determine the overall ranking of the proposals, according to the Technical (Quality) evaluation score.

Following the evaluation and ranking of the proposals, the Evaluation/Selection Committee will recommend to the County Mayor that a contract be negotiated with the highest ranked responsive and responsible Proposer. The County may enter into negotiations with the recommended Proposer or take such other action as it deems to be in the best interest of the County.

The Proposer recommended for negotiations shall be required to provide to the County:

- a) Its most recent certified business financial statements as of a date not earlier than the end of the Proposer’s preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.
- b) Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or subcontractors or subconsultants is or has been involved within the last three (3) years.
- c) Information on any defaults, foreclosures, or other adverse actions on projects where the proposer is a principal or partner.

4.5 LOCAL PREFERENCE

Not Applicable.

4.6 CONTRACT AWARD

Any negotiated contract, as a result of the Solicitation, will be submitted to the County Mayor or the County Mayor's designee for approval and may be submitted to the Board of County Commissioners for their approval. **All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation.** The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County Mayor to be in the best interest of the County. The County Mayor's decision to make the award and which proposal is in the best interest of the County shall be final.