

**SOLICITATION FOR PROJECTS  
FOR THE  
NEIGHBORHOOD STABILIZATION PROGRAM ROUND 3  
  
NSP3**

PRE-PROPOSAL CONFERENCE TO BE HELD ON  
June 10, 2011 at 10:00 AM (Local Time)

At  
111 NW 1st Street, 18<sup>th</sup> Fl, Conference Room 18-3  
Miami, Florida

DEPARTMENT:  
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
WITH  
GENERAL SERVICES ADMINISTRATION

NSP PROGRAM ADMINISTRATOR: Clarence Brown  
Telephone: (786) 469-2221  
cbbrown@miamidade.gov

PROPOSED PROJECTS ARE DUE AT THE ADDRESS SHOWN BELOW  
NO LATER THAN  
Friday, July 8, 2011

At  
General Services Administration  
Stephen P. Clark Center  
111 NW 1st STREET, 24<sup>TH</sup> FLOOR  
MIAMI, FLORIDA 33128

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

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

REV. 06-03-11

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**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:

- a) 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.
- b) 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”.
- c) The word “County” to mean Miami-Dade County, a political subdivision of the State of Florida.
- d) The word “Department” to mean Miami-Dade Department of Housing and Community Development.
- e) The word “Multi-family” to mean twenty (20) or more contiguous units under the control of one owner entity.
- f) The words “Proposer”, “Submitter” or “Respondent” to mean the person, firm, entity or organization submitting a response to this Solicitation.
- g) 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.
- h) The word “Solicitation” to mean this Solicitation For Projects or (SOLICITATION) or Request For Qualification (RFQ) or Request For Information (RFI) document, and all associated addenda and attachments.
- i) The words “Subcontractor” or “Sub consultant” 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.
- j) 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.
- k) 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.
- l) The words “Program Administrator” to mean the person holding the title of Neighborhood Stabilization Program Manager or his/her division director.

**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 Miami-Dade Department of Housing and Community Development (DHCD), seeks multi-family projects from interested, qualified firms to provide affordable housing for residents with incomes at and below 120% area median income (AMI).

Eligible firms are those that have been pre-qualified by the Request For Qualifications (RFQ) 686 and those that are responding jointly with the pre-qualified pool from RFQ 686. Other eligible respondents include those entities that have projects in the targeted areas that already have an award of other County resources, including land. The County is seeking to enter into an agreement for a Proposer to present a project that meets the following criteria:

- Approved plans for the construction, re-construction or rehabilitation of at least 20 contiguous units for the use of affordable rental units for eligible residents with incomes no greater than 120% AMI.
- These units must be in the designated target areas as prescribed in the County's NSP3 application. Color maps of the area can be found in the application posted at [www.miamidade.gov/ced/](http://www.miamidade.gov/ced/).
- Eligible projects include foreclosed properties available for acquisition and rehabilitation or the redevelopment of vacant or demolished property.
- Site control must be evidenced by title, lease, purchase agreement or other such instrument that gives the proposer the legal right to the site.
- Projects must be completed and occupied by March 6, 2014.

**1.2 SOLICITATION TIMETABLE**

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

SOLICITATION available for distribution:	June 6, 2011
Pre-Proposal Conference:	June 10, 2011 at 10:00 AM
Location:	Stephen P. Clark Center Rm. 18-3
Deadline for receipt of questions:	June 20, 2011
Deadline for receipt of proposals:	Friday, July 8, 2011 at 2:00 p.m. (Local Time) (See Section 1.4 for location)
Evaluation/Selection process:	July 22, 2011
Oral presentations, if conducted:	July 29, 2011
Projected Award Date:	August 29, 2011
Projected contract start date:	September 30, 2011

**1.3 SOLICITATION AVAILABILITY**

Copies of this solicitation package can be obtained through Department of Housing and Community Development, 701 NW 1st Court, 14<sup>th</sup> Floor, Miami, FL 33136. For your convenience the Solicitation is available online at the DHDC website listed above.

**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 8 bound copies (a total of 9) of the complete proposal (both the technical and price proposals) must be received by the deadline for receipt of proposal specified in this 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 and Proposal Due Date to:

**General Services Administration  
Stephen P. Clark Center  
111 NW 1st Street, 24th Floor  
Miami, FL 33128-1983  
Attention: Director, Real Estate Development Division**

Hand-carried proposals may be delivered to the above address **ONLY** between the hours of 8:00 a.m. and 4:30 p.m.; Mondays through Fridays (however, please note that proposals are due at GSA on the date and at the time indicated in Section 1.2. Additionally, GSA 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 at the stated prices.

### **1.5 PRE-PROPOSAL CONFERENCE**

A pre-proposal conference has been scheduled for **the 10th of June; time and place specified in this SOLICITATION Timetable (see Section 1.2)**. Attendance is recommended but not mandatory. Proposers are requested to inform the Program Administrator 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 Program Administrator in advance of the pre-proposal conference.

### **1.6 ADDITIONAL INFORMATION**

Requests for additional information or clarifications must be made in writing and received by the County's Program Administrator for this solicitation no later than the deadline for receipt of questions specified in the SOLICITATION Timetable (**see Section 1.2**). The request must contain the SOLICITATION title, Proposer's name, name of Proposer's contact person, address, phone number, and email address.

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

### **1.7 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 Evaluation/Selection Committee will only consider the latest version of the proposal.

### **1.8 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 prior to the Proposal Due Date or upon the expiration of ONE HUNDRED EIGHTY (180) calendar days after the opening of proposals.

### **1.9 SOLICITATION POSTPONEMENT/CANCELLATION**

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

### **1.10 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 prior to commencement of work as defined by a contract approved by the County Mayor or the County Mayor's designee.

**1.11 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)**.

**1.12 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.**

**1.13 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 selected Proposer. If the County and the selected Proposer cannot negotiate a successful contract, the County may terminate said negotiations and begin negotiations with another selected 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.

**1.14 RULES, REGULATIONS AND LICENSING REQUIREMENTS**

The Proposer shall comply with all laws, ordinances and regulations applicable to the services contemplated 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:

- 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 and implementing regulations, 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.
- b) The Copeland "Anti-Kickback" Act as supplemented in Department of Labor regulations (29 CFR Part 3).
- c) Davis-Bacon Act, 40 U.S.C. 276a to 276a-7, as supplemented by Department of Labor regulations (29 CFR Part 6).
- d) 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).
- e) USHUD's reporting requirements and regulations, as specified in the Funding Agreement and required of the Owner.

- f) 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).
- g) 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.
- h) 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).
- i) USHUD procurement regulations as set forth in 24 C.F.R. Part 85.
- j) Chapter 553 of Florida Statutes.
- k) 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.
- l) Vicinity Hiring as required in Dodd-Frank "Wall Street Reform and Consumer Protection Act," January 5, 2010 §1497(a)(8)

and any and all other local, State and Federal directives, ordinances, rules, orders, and laws relating to people with disabilities.

#### **1.15 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 Department of Procurement Management/VIC at (305) 375-5773 for those individuals or firms requesting to disclose this information only.

#### **1.16 QUARTERLY REPORTING WHEN SUB-CONTRACTORS ARE UTILIZED**

Proposers are advised that when subcontractors or sub-consultant are utilized to fulfill the terms and conditions of this contract, Miami-Dade County Resolution No. 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 Black, Hispanic and Women-Owned businesses 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.

#### **1.17 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.

**1.18 REQUIRED LISTING OF SUBCONTRACTORS AND SUPPLIERS ON COUNTY CONTRACTS**

Ordinance 97-104, amended by Ordinance 00-30, requires a bidder or proposer for a County or Public Health Trust construction contract involving the expenditure of \$100,000 to 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.

**1.19 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 USHUD Act of 1968, the Proposer is required to make efforts to ensure that small and minority-owned businesses, women's business enterprises, labor surplus area businesses, and individuals or firms located in or owned in substantial part by persons residing in the NSP target areas are used when possible. Such efforts shall include, but shall not be limited to:

- 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 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. Proposers who fail to provide a statement of their policies and procedures may not be recommended by the County Manager for award.

The term "business concern located in the area of the project" or "Section 3 business concern", means an individual or firm located within 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. 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, 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.

The term "labor surplus area business" is defined as 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.

The term "minority-owned business" is defined as 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 term "small business" is defined as 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 term "subcontractor" means a business independent of a Proposer that may agree with the Proposer to perform a portion of a contract.

The term "subcontract" means an agreement between a Proposer and a subcontractor to perform a portion of a contract between the Proposer and the County.

The term "women's business enterprise" means 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

#### **1.20 VICINITY HIRING GOAL**

This contract is subject to a Vicinity Hiring Goal to achieve the requirements for NSP3. The Vicinity Hiring Goal for this contract is 30%. All contracts and subcontracts must contain this goal. The designated vicinity is equal to or the same as the target areas as defined in the County's NSP3 Plan.

#### **1.21 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 Department of Business Development. 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. 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 or ethnicity of each board member, to the County's Department of Business Development. 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 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 minorities 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.

#### **1.22 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 selected Proposer and the County, submit an affidavit stating that the selected Proposer has adopted a Code that complies with the requirements of Section 2-8.1(i) of the Miami-Dade County Code. Any person or entity that fails to submit the required affidavit shall be ineligible for contract award.

#### **1.23 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 non-responsive.



## SECTION 2.0 - SCOPE OF SERVICES

### 2.1 INTRODUCTION/BACKGROUND

Pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Act) and subsequent regulations issued by the U.S. Department of Housing and Urban Development (HUD), Miami-Dade County submitted a Substantial Amendment to the Consolidated Plan and the 2010 Action Plan (Plan) to demonstrate how appropriated funding is going to be used based on the Act and HUD Notice.

The Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 appropriated \$1 billion for Neighborhood Stabilization Program funds, of which \$970 million was available for assistance to state and local governments for the redevelopment of abandoned and foreclosed homes. State and local governments may use the funds for financial mechanisms such as down payment and closing cost assistance to low- to moderate-income homebuyers; purchase and rehabilitate foreclosed and abandoned homes and residential properties; development of land banks for future development; demolition of blighted structures; and the redevelopment of vacant property. A portion of the funds are available to HUD. Miami-Dade County has been allocated **\$20,036,303** in HUD Neighborhood Stabilization Program 3 funds.

The County's Plan represents an ongoing coordinated planning process with the involvement of county departments, local governments, including, affordable housing partners and the residents of Miami-Dade County. The target areas outlined in the table below represents all the activities. This Plan also represents activities that may be currently underway and partially funded. Due to these facts the County is making funds available for the acquisition and rehabilitation of multi-family activity, demolition activity as well as the redevelopment activity, with projects in or near Opa-locka, South Miami, Liberty City, Florida City and Brownsville. The approved Plan along with maps of the target area is available at our website at [www.miamidade.gov/ced](http://www.miamidade.gov/ced).

The Amended Plan includes the following activities, funds, and census tracks:

Eligible Activity	Proposed Budget	Census Tracts
1 - Acquisition/Rehabilitation Multi-Family Rental Properties	\$2,592,985	4.01, 4.03, 4.04, 5.02, 5.03, 9.03, 10.04, 15.01, 15.02, 17.02, 17.03, 18.03, 113, 114.02
2 - Demolition of Blighted Structures	\$200,000	113, 114.02, 76.02, 76.03, 4.01, 4.03, 4.04, 5.02, 5.03
3 - Redevelopment of Vacant Properties	\$15,239,688	4.01, 4.03, 4.04, 5.02, 5.03, 9.03, 10.04, 15.01, 15.02, 17.02, 17.03, 18.03, 113, 114.02
Administration	\$2,003,630	NA
<b>Total</b>	<b>\$20,036,303</b>	

The primary objective of this HUD Program is the redevelopment of stable urban communities characterized by the provision of decent housing, a suitable living environment, and expanding economic opportunities for individuals/households having low, moderate and middle incomes. While the NSP3 Program's intent is to principally benefit low-, moderate- and middle-income persons, each activity must specifically address only one of the three (3) National Objectives: 1) to benefit low-, moderate- and middle-income persons, at or below 120% of area median income.

### 2.2 REQUIREMENTS AND SERVICES TO BE PROVIDED

1. This solicitation will serve as the County's official request to NSP Pool members and other qualified proposers with existing County funding to submit multi-family projects that are eligible for assistance under the NSP3.
2. Submit formal proposals for the multifamily property(s) they wish the County to consider for NSP3.
3. The Evaluation/Selection Committee for multifamily properties will review each proposal and decide which proposer(s) the County will negotiate with for the use of NSP3 funds.
4. The County and the selected proposer will then negotiate the terms of an agreeable transaction which will clearly outline the obligations of the proposer(s) including but not limited to all pertinent financial terms.
5. The County will then enter into a Letter of Commitment with the proposer(s) committing to the use of a specific amount of NSP3 funding, as agreed to in the negotiations, subject to the proposer bringing in a valid purchase and sale contract with an entity holding title to the subject property as a result of ownership transferring to that entity by means of either a certified Deed in Lieu of Foreclosure or a Deed received from a Foreclosure Sale prior to any NSP3 funds being released or title/lease to an eligible project that is vacant and eligible for redevelopment. As a result of this process the County and the proposer will be able to meet the foreclosure requirement of the Program or the redevelopment of vacant or demolish property.

In order to assist you with determining if your property qualifies for consideration, the NSP3 Plan along with maps and the Miami-Dade County Implementing Order 2-11 should be considered. It is imperative that you submit enough information about your project to allow the Committee to fairly appraise your project. At a minimum it should include:

- Proposer's Name
- Proposer's experience in multifamily housing
- Proposer's complete financial history for at least 3 years [Proposer should be aware that the County will seek to be in as secure a position as possible during the period that NSP funds are being expended, i.e. first mortgage position. In addition, all construction work will require a completion bond in favor of the County.]
- Project Name
- Address
- Number of units and types
- Number of parking spaces
- Number of existing leases, if applicable
- An assessment of the income levels of the existing residents, if applicable
- An assessment of the income levels of future residents showing how you will meet the NSP3 program's thresholds of the NSP3 dollars involved with the project being used to provide units for residents at 120% AMI or below.
- A projection of rent levels you are planning to charge once the project is purchased and, if required, rehabilitated
- A financial breakdown of Sources and Uses of funds for the project
- Proposed financing type
- Proposed terms, including repayment
- A 30 year cash flow projection clearly illustrating the rent levels you are committing to, as well as any payback of NSP funds to the County
- A detailed assessment (estimate) of the rehabilitation work you believe the project requires
- A timeframe for commencing work once the Commitment Letter has been executed
- A timeframe for completion of rehabilitation and lease-up

- Any photographs, site plans, surveys, architectural plans.
- Any other material that you think may assist the Committee in assessing your project

The multifamily NSP3 program has been allocated \$17,871,480. If you have a project that you feel qualifies for consideration, we urge you to submit it. Time is growing short for the County to spend the funding. We will consider projects as long as funds are available. Half of the total NSP3 funds must be spent by March 6, 2013 and all NSP3 funds must be expended by March 6, 2014

The County can provide construction loans and permanent financing. Greater preference will be given to proposals that seek a construction loan.

### **2.3 PERFORMANCE BOND**

The selected proposer shall be required to furnish 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:

<b><u>Bond Amount</u></b>	<b><u>Best's Rating</u></b>
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 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 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; the 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 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."

**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 proposal must consist of two separate parts: (A) Technical Proposal, and (B) Price Proposal, as follows:

**A. TECHNICAL PROPOSAL**

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

1) Cover Page

A cover page is required for the Technical Proposal. This letter should contain information on the proposer and project and 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 enclosures, must be clearly and consecutively numbered and correspond to the table of contents.

3) Executive Summary

Provide a brief summary describing the Proposer's ability to perform the work requested in this SOLICITATION; a history of the Proposer's background and experience in providing similar services; the qualifications of the Proposer's personnel to be assigned to this project; 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

(a) Principals or designated administrators shall possess licenses to do business in Miami-Dade County.

(b) The selected proposer shall have experience with a least 6 multi-family projects .

5) Technical Information

(a) Describe Proposer's project plan, methodology and recommended solutions in performing the services described in the Scope of Services (**see Section 2.0**), and describe Proposer's specific plans or techniques to be used in providing the services to be performed. Proposers shall identify principles of the Company and their plan to implement them. The Proposer shall describe its approach to project development and management, responsibilities of Proposer's management and

staff personnel that will perform work in this project. Proposed plans and schematics should be provided. Plans should denote features of the development and quality of the features.

- (b) 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.
- (c) Provide a project schedule identifying specific key tasks, and duration. Indicate timing for start-up of operation.
- (d) 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 provide the requirements.
- (e) 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.
- (f) Submit an actual or proposed management plan as evidence of the Proposer's knowledge of affordable housing management.
- (g) Provide proof of experience with affordable housing financing.
- (h) Proposer shall describe how leasing and screening will be executed and enforced.
- (i) Proposer shall provide a schedule of maintenance, including housing inspection.
- (j) Proposer shall describe the services to be provided and the qualifications of the personnel providing such services.
- (k) Proposer shall discuss the implementation of safety and security services measures.
- (l) The selected Proposer shall demonstrate compliance with energy efficiency and green construction standards.
- (m) 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

- (a) Describe the Proposer 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.
- (b) 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 five years. The description should identify for each project: (i) the client, (ii) description of work, (iii) total dollar value of the contract, (iv) contract duration, (v) customer 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 and any work performed for the County.

- (c) List all contracts which the Proposer and principals have 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 the name of the County Department which administers or administered the contract(s); the contact person(s) on the contract(s) and their telephone number; the dates covering the term of the contract(s); and, the dollar value of the contract(s).
- (d) 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 organization chart showing all individuals, 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.
- (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 on previous similar projects, of all key individuals and subcontractors or subconsultants who will be assigned to this project. This information shall include the functions to be performed by the key individuals and the subcontractors or subconsultants.
- (c) Provide resumes with job descriptions and other detailed qualification information on all key personnel who will be assigned to this project, including any subcontractors or subconsultants. All key personnel includes all partners, managers, seniors and other professional staff that will perform work and/or services in this project.

The Proposer must submit the Price Proposal as part of the package. The Proposer must submit the Technical Proposal with the Price Proposal. The Proposer’s price shall be submitted; there are no exceptions allowed to this requirement. If the Proposer wishes to submit an alternate pricing, the Proposer must first submit pricing in accordance with the **solicitation**, and then include a separate alternate pricing in a separate sealed envelope marked “ALTERNATE PRICE PROPOSAL” on the sealed envelope and on the first page of the alternate pricing. Proposers who do not submit pricing will not receive evaluation points for the Price/Cost portion. The alternate pricing will not be scored for evaluation purposes, but may be considered by the County if the Proposer is selected for negotiations.

Note: The Price Proposal shall consist of one original and eight copies.

1. Total Price that includes all costs associated with providing all requirements of the solicitation.
2. Detailed construction budget.
3. Projection of Proposer’s operational costs of this project for each of 30 years.
4. Terms and repayment schedules are critical for evaluation purposes.

**3.3 PROPOSAL PREPARATION REQUIREMENTS**

Proposers must follow instructions of Section 1.4 "Proposal Submission". The proposal must consist of Technical Proposal and Price Proposal (original and all copies). The Proposal must be packaged and 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

General Services Administration  
Stephen P. Clark Center  
701 NW 1st Court, 24th Floor  
Miami, FL 33128

NSP 3 SFP  
SFP 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 the Evaluation/Selection Committee appointed by the County Manager. The Committee will be comprised of appropriate County personnel from multiple departments, in accordance with Implementing Order 2-11, with the appropriate experience and/or knowledge, striving to ensure that the Committee is balanced with regard to both ethnicity and gender.

Contract award will be based on Technical (Quality) and Price. The Proposer shall ensure that the proposal is complete. Scoring proposals is based on point totals and not a percentage factor.

### 4.2 PROPOSAL EVALUATION

The Evaluation/Selection Committee will evaluate and rank responsive proposals on the Technical (Quality) criteria listed below as well as price. The criteria are itemized with their respective weights. 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>Criteria</u>	<u>Maximum Points</u>
1. <b>Relevant Experience.</b> Individuals, including all the subcontractors, that will be assigned to this project demonstrate experience in completing projects within the last 5 years that are similar to the proposed project. The number of projects and units are provided in the proposal.	15
2. <b>Qualifications.</b> The Proposer has the capabilities, financial and management resources and past performance in providing quality services in affordable housing development the management, especially as it relates to past and current related projects. Resumes are provided to support qualifications.	15
3. <b>Financing.</b> Short term and long term financing is available. Maximum points will be given to those proposals that are for short term financing, including but not limited to construction loans that are satisfied and not transferred to permanent financing. The proposal must clearly states the terms of the loan.	35
4. <b>Comprehensive Plan and Design.</b> Schematic drawing of proposed development that demonstrates the proposed project's design responds to design specifically for the site and is compatible with its physical setting and the neighborhood, is attractive and is likely to remain so over time, and contributes to the desirability of the community in which it is located and in which the proposal exceeds minimum construction features and amenities requirements set forth under this solicitation, including but not limited to energy efficiency and other green construction features.	25
5. <b>Vicinity Hiring and Section 3.</b> The proposal includes how the vicinity Hiring requirements for the NSP3 will be achieved. The proposal also demonstrates how it will meet the Section 3 requirements. The Section 3 form and the proposal includes the new low-income hires, including Section 3 businesses.	10

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) which 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.

#### **4.3 OVERALL RANKING**

The Evaluation/Selection Committee will then determine the overall ranking of the proposals.

Following the evaluation and ranking of the proposals, the Evaluation/Selection Committee will recommend to the County Manager that a contract be negotiated with the highest ranked responsive and responsible Proposer.

The Proposer recommended for negotiations shall 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.

#### **4.7 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 his/her approval. **All Proposers will be notified in writing when the County Manager makes an award.** The Contract award, if any, shall be made to the Proposer whose proposal shall be deemed by the County Mayor or the County Mayor's designee to be in the best interest of the County. The County Mayor or the County Mayor's designee decision of whether to make the award and which proposal is in the best interest of the County shall be final.

ATTACHMENT A

**RESPONDENT'S INITIAL SECTION 3 GOALS**

1. The Respondent agrees to comply with Section 3 of the Housing and Urban Development Act of 1968, as amended.
2. The Respondent estimates that there will be \_\_\_\_\_new employees hired during the performance of this contract. Furthermore, should this contract be let to the Respondent, the Respondent agrees to delineate work force needs (skilled, semiskilled, unskilled, labor, and trainees) by category.
3. Of these new employees, the Respondent plans to hire at least \_\_\_\_\_percent (%) from the Section 3 Covered Area (Dade County, Florida).
4. The Respondent estimates that \_\_\_\_\_percent (%) of those materials purchased for use on this project will be from business located in the Section 3 Covered Area (Dade County, Florida)

I, \_\_\_\_\_(please print), as an authorized Officer of the Respondent, do hereby acknowledge that we are aware of the requirements under Section 3 of the Housing and Urban Development Act of 1968, as amended, and will abide by them. We further agree to abide by this Affirmative Action Plan to the greatest extent feasible and realize that should we be awarded the contract, it becomes subject to monitoring for compliance with this plan by Miami-Dade County Department of Housing and Community Development.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Company

\_\_\_\_\_  
Employer (IRS) ID#

\_\_\_\_\_  
Date

## **ATTACHMENT B**

<p><b>FAIR SUBCONTRACTING POLICIES</b> <b>(Ordinance 97-35)</b></p>
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### **FAIR SUBCONTRACTING PRACTICES**

In compliance with Miami-Dade County Ordinance 97-35, the Developer submits the following detailed statement of its policies and procedures of awarding subcontracts:

I hereby certify that the foregoing information is true, correct and complete.

Signature of Authorized Representative:

\_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Firm Name: \_\_\_\_\_ Fed. ID No: \_\_\_\_\_

Address:

\_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_

## SUBCONTRACTOR/SUPPLIER LISTING (Ordinance 97-104)

This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, **MUST** be completed by the developers on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all developers on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. **This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, must be completed and submitted even though the developer will not utilize subcontractors or suppliers on the contract. The developer should enter the word "NONE" under the appropriate heading on this form in those instances where no subcontractors or suppliers will be used on the contract.** The developer who is awarded the contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified, except upon written approval of the County.

[illegible]

Date \_\_\_\_\_ Authorized Representative \_\_\_\_\_  
 (Duplicate if additional space is needed)