



**Housing Authority of the City of
Opelika Alabama
1706 Toomer Street
Opelika, AL 36801**

**Developer(s)
Partner(s) Request for
Qualifications**

RFQ #2019-008

**Due:
Monday, December 16th, 2019
@ 3:00 PM (CST)**

**Location:
Housing Authority of the City of Opelika, Alabama
2019-008 Developer Partner(s) RFQ
Attention: Matthew McClammey
OHA Main Office
1706 Toomer Street
Opelika, AL 36801**

REQUEST FOR QUALIFICATIONS

Developer Partner(s) RFQ #2019-08

Housing Authority of the City of Opelika, Alabama (OHA) has issued this solicitation with the intent to partner with entities to plan, acquire, improve, and develop certain properties in accordance with the requirements, terms, and conditions set forth herein. OHA is currently accepting sealed submissions in response to this Request for Qualifications (“**RFQ**”).

Sealed Submissions shall consist of one (1) USB Flash Drive, one (1) Original bound copy of the RFQ, and five (5) bound copies of the RFQ containing all materials as listed in the RFQ.

OHA reserves the right to reject any or all RFQs. MBE/WBE firms are encouraged to submit RFQs.

Any Questions regarding RFQ #2019-008 must be submitted in writing via email to Mr. Matthew McClammey at opelikaha@opelikaha.org no later than **November 15th, 2019** at 3:00 p.m. Central Standard Time (C.S.T.). For any and all questions, please title the subject field as “**RFQ #2019-008 Questions**”.

RFQ DUE DATE/TIME:

**Housing Authority of the City of Opelika, Alabama
2019-008 Developer Partner(s) RFQ
Attention: Matthew McClammey
1706 Toomer Street
Opelika, AL 36801
December 16th, 2019 @ 3:00 PM**

IN-PERSON INTERVIEWS:

TBD

SOLICITATION DOCUMENTS ARE AVAILABLE ONLINE AT:

www.opelikaha.org

Click: Business Opportunities

Click: Bids/RFPs/RFQs

Click: 2019-008 Developer Partner(s) RFQ

TABLE OF CONTENTS

I.	INTRODUCTION	4
II.	SCOPE OF QUALIFICATIONS	5
III.	ROLE OF DEVELOPER PARTNER(S)	6
IV.	SUBMISSION PROCEDURES AND REQUIREMENTS	7
V.	EVALUATION/SELECTION CRITERIA	11
VI.	GENERAL CONDITIONS OF THE RFQ	13

Exhibit A – HUD Forms

1. Instructions to Offerors Non-Construction (HUD-5369-B)
2. Certifications and Representations of Offerors -Non-Construction (HUD 5369-C)
3. General Conditions for Non-Construction Contracts (HUD-5370-C)

Exhibit B –OHA/State Form

1. Business References
2. Non-Collusion Affidavit
3. Statement of Economic Interests (**SEI Form**) which must be electronically filed at:
 - Alabama Ethics Commission <https://ethics-form.alabama.gov/SOEI-2015.aspx>

Exhibit C - Document Checklist

I. INTRODUCTION

The Housing Authority of the City of Opelika, Alabama (“OHA”) is committed to providing quality affordable housing in a suitable living environment to low and moderate-income individuals and families without discrimination and to create economic opportunities for our customers to become self-sufficient.

OHA is changing the face of affordable and attainable housing opportunities by providing low income rental possibilities that enable our clients to flourish in the community. OHA accomplishes this by assisting our clients in elevating themselves to the next level of self-sufficiency through life-changing programs. Through its real estate development program, OHA also delivers stable investment opportunities for our development partners. The Housing Authority of the City of Opelika owns 633 Multi-Family (PBRA) units, administers 490 HCVP Tenant-Based Housing Choice Vouchers, 25 VASH Vouchers and owns three (3) detached single family homes, all located within the Opelika City limits, in Lee County Alabama and Camp Hill, City limits, in Tallapoosa County.

OHA owns multiple parcels of land and desires to self-develop these parcels or to engage a single or multiple developers with which to partner to produce affordable housing opportunities, including mixed-income and mixed-use facilities.

The selection process under this RFQ may result in the selection of multiple developer partner(s). The successful parties will demonstrate through their respective responses that each possesses the necessary qualifications to implement a comprehensive redevelopment or rehabilitation plan for financing multi-family developments for either, family and/or elderly and/or disabled housing. The developer partner(s), working in concert with OHA and its affiliates/instrumentalities, will be responsible for all design, master planning, financing, pre-development and final development activities for the development(s) in accordance with an agreed upon plan.

Interested individuals, firms or entities with a record of success in the development of mixed-income developments, especially those able to demonstrate successful Low-Income Housing Tax Credit (“LIHTC”) application and development experience in Alabama, are encouraged to respond to this RFQ. In addition, it would be beneficial if the interested parties have knowledge and experience in other federal grant funding opportunities geared toward the development of affordable housing, as well as Opportunity Zone development benefits.

The OHA may contract with multiple firms for development projects.

Proposals are invited from any qualified not-for-profit or for-profit housing developer in good standing with the Alabama Housing Finance Authority (AHFA) and the State of Alabama.

This Request for Qualifications (RFQ) contains specific submission requirements, general scope of service requirements, as well as terms, conditions, and other pertinent information necessary for submitting a proposal.

In-Person Interviews are TBD and will be held in the Board room located at the Opelika Housing Authority's main office, located at 1706 Toomer Street, Opelika, AL 36801

In this solicitation when the term "Owner" is used, it is intended to mean Housing Authority of the City of Opelika or one of its affiliates/instrumentalities.

II. SCOPE OF QUALIFICATIONS

A. Scope of Qualifications

OHA issues this RFQ to procure developer partner(s) for all phases of planning and development required for the development, acquisition and/or construction of properties to be assigned to the developer and approved by OHA. Depending on the assigned project, OHA may retain responsibility for decision-making or alternatively, the developer partner may take on the responsibility for managing part or all of the development process, coordinating the work of the development team, serving as central point for communication and decision-making, and providing advice to the OHA, or its affiliate/instrumentality. In addition, the developer partner may take on several specific tasks either independently or in conjunction with other members of a development team. These tasks may include, but are not necessarily limited to, the following:

- Oversee the preparation of development projects and concept plan(s)
- Oversee and perform Environmental Review Process
- Facilitate necessary community meetings in reference to development projects
- Undertake market/need/demand analysis
- Identify, evaluate and assist with negotiating property acquisition
- Assist with project design (particularly from market and budget perspectives)
- Prepare capital and operating cost budgets
- Assist with zoning and other development approvals involving the City of Opelika
- Assist OHA in preparing applications for government assistance
- Prepare marketing materials and coordinate marketing/application/pre-leasing/pre-sales
- Prepare financing applications and negotiate terms
- Coordinate an acceptable procurement method and construction contract
- Coordinate, garnering, the necessary support for the project(s).
- Account for all project costs
- Assist with organizing property management and/or serving as the managing entity for an agreed term of no less than 1 year

Each respondent must have demonstrated experience and expertise in the following:

- Developing operating financial pro-formas
 - Gross potential rent projections
 - Effective gross income projections
 - Expenses and net operating income projections
 - Debt service and cash flow
 - Developer return on equity
 - Annual debt summary

- Developing project development budgets
 - Rents and Incomes including LIHTC and HUD funding sources
 - Operating Expenses
 - Outside financial sources, including loans, grants, and tax credits and an operating pro-forma
 - A gap analysis

- Developing conceptual building layouts and elevation
- Developing conceptual site plans
- The redevelopment or revitalization of neighborhoods
- Maximizing the use of various financing vehicles/tools
- The development, construction, and operation of a housing development;
- The development of housing that incorporates tax credit and affordable housing financing;
- Applicable regulatory compliance issues;
- MBE, WBE and Section 3, planning and compliance; and
- Working with local government authorities that regulate the permits and utilities necessary for revitalization efforts.

Projects may include:

- New construction and rehabbed tax credit developments.
- New construction workforce housing.
- Acquisitions/Renovations of either market rate or affordable developments.
- Mid-rise and high-rise development.
- New Construction and/or Rehab of converted Public Housing to Rental Assistance Demonstration (RAD)

OHA reserves the right to modify its plans with regards to future development projects to include additional types of projects or eliminate proposed projects.

OHA is seeking proposals from qualified not-for-profit or for-profit Developers to procure or provide all or some of the services listed above. The selected Developer must have the capacity and experience necessary to plan, direct, and execute complex mixed income/finance transactions.

III. ROLE OF DEVELOPER PARTNER

The responsibilities of the selected developer may include, but are not limited to, the following:

1. Identify opportunities for new construction or acquisition and preparation of a proposal for OHA consideration;
2. Undertake pre-development activities including environmental reviews and geotechnical testing, architectural and engineering work, analysis of the condition of existing utilities at the site, site analysis, rezoning (if necessary), market analysis, land acquisition opportunities and financial feasibility;
3. Develop architectural plans consistent with federal, state and local guidelines, and obtain all necessary approvals and permits;

4. Develop and manage an implementation schedule;
5. Obtain and/or provide additional leveraged funds from private, non-governmental sources;
6. Prepare a LIHTC application to be filed with the Alabama Housing Finance Authority (AHFA);
7. Prepare applications for other sources of funding;
8. Develop a project budget;
9. Coordinate all development activities, including reports and budget requirements, with OHA;
10. Determine a general management structure, prepare a management plan for the Development and recommend a property manager, if necessary, subject to approval by OHA;
11. Provide all necessary financial guarantees and assurances to assemble a financing package;
12. Develop and implement a "Section 3" resident employment program;
13. Solicit prices and contracts for construction;
14. Oversee construction and ensure completion in a timely manner;
15. Assist OHA in preparation and submission of any necessary Mixed-Income or Mixed-Use proposals and all required evidentiary materials; and
16. Deliver a project consistent with program guidelines.

A Development Agreement governing the development responsibilities of all parties for each project will be negotiated.

Development Team

The development team must be capable of handling the development and ongoing property management of a rental development project. The following will be viewed as favorable by the selection committee:

1. Previous experience developing Mixed Finance and/or Mixed Use Developments with an Affordable Housing component of 100 units or more;
2. Previous experience developing mid-rise or high-rise products
3. Previous experience involving layered financing including, but not limited to, LIHTC, bonds, conventional financing; and RAD portfolios
4. Financial capacity to complete the project;
5. Administrative capacity to complete the project;
6. Previous experience in applying to the AHFA for an allocation of LIHTC; and
7. Experience with HUD regulations and requirements.

The Respondent is required to confirm that he/she and any affiliates are in good standing with both HUD and AHFA, if applicable, and shall confirm that neither the Respondent nor any affiliate is currently debarred by either HUD or AHFA.

The developer partner may be headed by a non-profit community-based developer or a for-profit developer or be a joint venture. The team should include an experienced developer of multifamily housing (or developer consultant providing technical assistance in aiding in building or strengthening capacity of the developer); and may (but is not required to) include the following: contractor with applicable licenses and demonstrated financial capability. The developer may perform any of these functions, if qualified. OHA reserves the right to accept or reject individual members of the development team.

IV. SUBMISSION PROCEDURES & REQUIREMENTS

Sealed submission(s) must be submitted no later than 3:00 p.m. CST on December 16, 2019.

Any submission received after the specified date and time **will not** be considered. Submissions must be in the specified office of OHA on or before the above specified date and time. If you choose to mail your submission, it must arrive by the specified date and time, regardless of the postmark date.

The submission package must be received by OHA no later than the time listed above at the following location below:

Housing Authority of the City of Opelika Alabama
RFQ #2019-008 – Developer Partner(s) RFQ
Attention: Matthew McClammey
OHA Main Office
1706 Toomer Street
Opelika, AL 36801

Respondents must submit the following in order for the submission to be considered complete:

- One (1) paper version of the proposal with original signatures labeled "Original"
- Five (5) bound copies of the proposal labeled "Copy"
- One (1) USB Flash Drive containing the full proposal

The Respondent is required to submit the following information, although OHA reserves the right to request additional information upon review of initial submissions: **Please TAB Sections.**

Information Required in the Submission:

A. Letter of Interest (TAB 1)

The letter of interest (not to exceed four pages) should:

1. Introduce the development team, specifying roles and responsibilities of team members and identifying the authorized representative (with contact address, telephone number and e-mail address included) who will serve as the primary contact throughout the selection process. Include information for a contact alternate in the event that the authorized representative is absent or unavailable.
2. Describe the development team's understanding of its role and why it will be successful in implementing the efforts.
3. Copies of Certificate of Incorporation, Partnership Agreement, Joint Venture or other organizational document, and a corporate resolution, if applicable, signed by the Secretary of the Respondent and notarized, certifying the name of the individual(s) authorized to sign the offer, the contract and any amendments thereto.

B. Structure of the Team (TAB 2)

All entities that comprise the team are to be identified, indicating their specialization(s) and specific contribution to the team. Respondents are encouraged to include on the team specialists for all components of the project including design, construction, legal, financing, and management services. The form of relationship between participants should be designed to meet the needs of the team and the project. However, the team leader should be clearly identified. Ultimately, the identified team leader will be held responsible for the performance of all members of the development team. If the team members are from different companies or firms, then the team leader should enter into individual agreements with each member to ensure performance.

Respondents must submit an organization chart showing all of the individuals that will be assigned to this project. Also, resumes of the key individuals are to be included with a detailed description of the responsibilities that they will be required to perform. OHA is interested in assessing the capacity and capability of teams and their ability to respond to the demands of this initiative. Additionally, OHA will assess the capability of the project manager, the lead individuals in each discipline and the design team.

C. Experience of Team Members (TAB 3)

Descriptions of relevant experience should be provided for each member of the development team. Additionally, any previous collaboration among some or all members of the team should be noted. Successful experience in the development of similar projects to the one proposed in this RFQ will be favored. Likewise, experience in housing development efforts with resident and community participation will be favored. Please provide a company portfolio of comparable types of projects.

D. Client Information (TAB 4)

Respondents must submit at least 3 references for the team leader and 3 references for each of the other major team participants. (See **Exhibit B**)

E. Financial Statement

Current financial statements should be provided for each member of the development team. These statements should demonstrate the financial capacity of the developer or the entity that would most likely be responsible for executing all applicable guarantees. **Financial statement may be submitted in a separate sealed envelope (one copy only) marked "Financial Statements - Confidential."**

F. HUD Forms (TAB 5)

Each Respondent must complete the Certifications and Representations of Offerors as provided in Exhibit A.

G. OHA/State Forms (TAB 6)

Each Respondent must complete the Forms as provided in Exhibit B. Additional information on specific forms is included below.

1. Business References: Provide references from related service providers or agency personnel. Include a brief description of Respondent's business relationship with the reference, additional pages may be utilized, as necessary.
2. All other applicable forms listed in Exhibit B including the submission of the SEI Form by clicking on the following link: <https://ethics-form.alabama.gov/default.aspx>

H. Request for information

Respondents desiring any explanation or further information regarding the solicitation must submit an e-mail request no later than 3:00 p.m. CST on Friday, November 15th, 2019. The request must be submitted to the following email address: opelikaha@opelikaha.org. Any clarification and or information will be furnished promptly as a written addendum to the RFQ and posted on the OHA website at www.Opelikaha.org.

- Click Business Opportunities
- Click Bids/RFPs/RFQs
- Click 2019-008 Developer Partner(s) RFQ

I. Evaluation Process

An Evaluation Committee composed of OHA staff will review all submissions in accordance with this RFQ's evaluation criteria and will recommend to the OHA Board of Commissioners the firm(s) most qualified and supportive of the agency's needs. The firm(s) must demonstrate that it will create a successful, proactive and strategic business relationship with OHA. The Evaluation Committee and/or the Board of Commissioners may, at its discretion, request interviews with respondents to discuss specific aspects and clarifications of their submission(s). The Board of Commissioners will make the final decision with regards to the selection process.

OHA reserves the right to conduct negotiations with more than one of the finalist firms. OHA reserves the right to accept or reject in part or reject all proposals and/or to re-solicit new proposals. OHA may also reject any proposals that are incomplete or non-responsive and any proposals that are submitted after the deadline.

Anticipated Schedule of Events

The anticipated schedule for the RFQ and contract approval is as follows:

Event	Dates
RFQ available for distribution	10/30/2019
Deadline for receipt of written questions	11/15/2019
RFQ due date	12/16/2019
Estimated Contract Award Date: <i>Please note that the Housing Authority of the City of Opelika, Alabama reserves the right at its sole discretion to amend any or all of the dates associated with the anticipated schedule of events.</i>	
In-Person Interviews	TBD

V. EVALUATION/SELECTION CRITERIA

RFQ will be evaluated and rated on, but may not be limited to, the following criteria:

CRITERIA	POINTS
Technical Competence and Approach	40 Points
Financial Capacity and Access to Funding	20 Points
Prior Development Portfolios	40 Points
TOTAL POINTS POSSIBLE	100 Points

Selection of Short List:

An Evaluation Committee, appointed by OHA's Executive Director, will score each proposal in accordance with the stated criteria prior to the interviews. A minimum of the two highest scoring Development Teams will be shortlisted.

Oral Interviews - The Evaluation Committee will conduct an oral interview with the shortlisted respondents. This interview will consist of a Power Point presentation made by the Development Team(s) which must include photos of existing properties. The Evaluation Committee will also ask for clarification and/or additional information regarding items submitted in the proposal during the oral interview. The presentation portion of the oral interview should not exceed 20 minutes. The question and answer session of the oral interview will not exceed one hour.

Site Visits — OHA reserves the right to conduct site visits of the shortlisted Development Team(s). The purpose of the site visits will be to confirm information provided in the proposal package or presented at the oral interview. The site visit will not be scored independently from the stated evaluation factors, but such factors may be adjusted if the Evaluation Committee determines that information previously provided is not consistent with information or observations gathered during the site visit.

Final Recommendation - The recommended Developer Partner will be selected based on the highest total score for all evaluation factors combining the individual scores of each member of the evaluation committee. The Evaluation Committee will provide the final recommendations and scores to the Executive Director and then to the Board of Commissioners who will be responsible for final approval of the Developer Partner(s).

Potential "competitive Range" or "Best and Finals" Negotiations. OHA reserves the right to, as detailed within Section 7.2.N through Section 7.2.R of HUD Procurement Handbook 7460.8 REV 2, conduct a "Best and Finals" Negotiation, which may include oral interviews, with all firms deemed to be in the competitive range. Any firm deemed not to be in the competitive range shall be notified of such in writing by OHA in as timely a manner as possible, but in any case, within no longer than 10 days after the beginning of such negotiations with the firms deemed to be in the competitive range.

Evaluation Criteria:

Technical Competence and Approach

40 Points

- Demonstrated understanding of the real estate development process and quality performance in the development of rental and/or ownership of affordable housing,
- Level of previous successful development experience in the affordable housing market, mixed-use, and mixed-income developments, and working with community stakeholders during the development process.

- Degree of previous successful experience with AHFA, or like agencies and in particular, awards from AHFA or like agencies for Financing 9% LIHTC deals and 4% LIHTC/tax exempt bond financing.
- Capability and experience of the members of the Development Team; determination of availability of all required skills necessary for the development process.
- Prior experience and success working in a public/private partnership with a public housing authority to develop affordable housing.
- Prior experience in developing a RAD portfolio.

Financial Capacity and Access to Funding

20 Points

- Financial stability of the Development Team as demonstrated through prior success in obtaining funding for development projects.
- Demonstrated record of financing projects through a variety of funding sources, and knowledge and experience working with the funding providers identified in this RFQ. In particular, successful syndication of Financing 9% LIHTC deals and 4% LIHTC/tax exempt bond financing.

Portfolio

40 Points

- To include past and current LIHTC Projects.
- RAD projects
- New Construction and Substantial Rehab developments

TOTAL POINTS AVAILABLE:

100 POINTS

VI. GENERAL CONDITIONS OF THE RFQ

A. General Conditions

1. LATE SUBMISSIONS WILL NOT BE ACCEPTED OR CONSIDERED.
2. OHA reserves the right to accept or reject any and all submissions, either in whole or in part, with or without cause; to waive any formalities of any submission; to extend, amend or cancel this RFQ at any time; and, to make the award in the best interest of OHA.
3. OHA reserves the right to request additional information, if needed, from prospective respondent(s).
4. In the event that it becomes necessary for OHA to revise any part of this RFQ, revisions will be provided in the form of an Addendum to all prospective respondent(s) who picked up or were delivered the initial RFQ, who provided a name, address, telephone number, fax number, and e-mail address to OHA. OHA may issue and require Respondents to acknowledge addendum(s) to the RFQ. Submissions must conform to any addendum(s) that may be issued to this RFQ.
5. Submissions that are incomplete or not in conformance with the submission requirements may be eliminated from further consideration. Respondents should note carefully the submission requirements.
6. All submissions in response to this RFQ will be considered public information and may be made available to the general public (including news media) unless Confidential and/or Proprietary information is submitted under separate cover and is clearly designated as such. Notwithstanding anything in this section to the contrary, applicants acknowledge and agree that OHA may comply with any ruling from the Alabama Attorney General requiring disclosure of any information submitted in response to this RFQ in compliance with the Alabama Public Information Act.
7. The Respondent shall provide an oral presentation regarding submission(s), if requested to do so by OHA.
8. Respondents may modify or withdraw a submission prior to Submission Deadline by an authorized representative of that organization to OHA in writing. All submissions will become the property of OHA after the Submission Deadline.
9. The Respondent affirms that he/she is of lawful age and that no other person, firm, partnership, or corporation has any interest in this submittal or in the contract proposed to be entered into.

10. The Respondent affirms that its submission is made without any understanding, agreement or connection with any other person, firm, partnership or corporation making a submittal for the same purpose and is in all respects fair and without collusion or fraud.
11. The Respondent has carefully read the provisions, terms, and conditions of the RFQ document and does hereby agree to be bound thereby.
12. OHA retains the right to negotiate with any or all of the selected firm(s).
13. Additional services and/or service adjustments may be added or deleted during the life of any contract awarded hereunder as mutually agreed upon in writing between OHA and respondent.
14. The respondent must meet OHA's insurance requirements as requested by OHA.
15. The respondent will not offer any gratuity, favor, or anything of monetary value to any officials or employees of OHA for the purpose of influencing consideration of a response to this RFQ.
16. OHA reserves the right to disqualify any submission that may present a conflict of interest between or among Opelika Housing Authority, its employees or Board Members, Respondent, or other parties identified in the submission.

B. Mistakes in Proposals

If a mistake in a proposal is suspected or alleged, the proposal may be corrected or withdrawn during any negotiations that are held. If negotiations are not held, or if best and final offers have been received, the Respondent may be permitted to correct a mistake in its proposal and the intended correct offer may be considered based on the conditions that follow:

1. The mistake and the intended correct offer are clearly evident on the face of the proposal.
2. The Respondent submits written evidence which clearly and convincingly demonstrates both the existing offer and such correction would not be contrary to the fair and equal treatment of other Respondents.

Mistakes after award shall not be corrected unless the OHA CEO makes a written determination that it would be disadvantageous to the OHA not to allow the mistake to be corrected. The approval or disapproval of requests of this nature shall be in writing by the CEO.

C. Conflicts of Interest

The Respondent warrants that to the best of its knowledge and belief and except as otherwise disclosed, neither it nor the proposed developer team has any organizational conflict of interest. A Conflict of Interest is defined as a situation in which the nature of work under this contract and the Respondent's organizational, financial, contractual or other interests are such that:

1. Award of the contract may result in an unfair competitive advantage; or
2. The respondent's objectivity in performing the contract work may be impaired.

In the event the respondent has and organizational conflict of interest as defined herein, the respondent shall disclose such conflict of interest fully in the proposal submission.

1. The Respondent agrees that if after award he or she discovers an organizational conflict of interest with respect to this contract, he or she shall make an immediate and full disclosure in writing to the OHA CEO, which shall include a description of the action or actions which the Respondent has taken or intends to take to eliminate or neutralize the conflict. OHA may, however, terminate the contract if it is in its best interest.
2. In the event the Respondent was aware of an organizational conflict of interest before the award of this contract and intentionally did not disclose the conflict to the President, OHA may, in its sole discretion, terminate the contract for default.
3. The provisions of this Section C shall be included in all subcontracts and consulting agreements wherein the work to be performed is similar to the service provided by the Respondent. The Respondent shall include in such subcontracts and consulting agreements any necessary provisions to eliminate or neutralize conflicts of interest.
4. No member of or delegate to the U.S. Congress or OHA Board of Commissioners shall be allowed to any share or part of this contract or to any benefit to arise there from. This provision shall be construed to extend to this contract if made with a corporation for its general benefit.
5. No member, officer, or employee of OHA, no member of the governing body of the locality in which the project is situated, no member of the governing body in which the OHA was activated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the project, shall, during his or her tenure, or for one year thereafter, have any interest, direct or indirect, in this contract or the proceeds thereof.

D. Incurred Costs in Preparing Proposals

Respondent will be responsible for all costs incurred in preparing a response to this RFQ. All material and documents submitted by prospective development teams will become the property of the OHA and will not be returned. Developers selected for further negotiations, as well as a developer ultimately selected to enter into a contractual agreement with the OHA, will be responsible for all costs incurred by it during negotiations.

E. Award(s)

A contract shall be awarded in accordance with the terms and conditions of this RFQ to the Respondent(s) whose proposal is most advantageous to OHA considering qualifications, technical and other factors as specified in this RFQ. OHA reserves the right to negotiate and award any element of this RFQ, to reject any or all proposals or to waive any minor irregularities or technicalities in proposals received as the best interest of OHA may require. In the event that the Respondent's proposal is accepted for contract award, the Respondent agrees to enter into a negotiated contract with OHA at a later time and date.

OHA reserves total discretion to determine the proper treatment of any Conflict of Interest disclosed under this provision.

EXHIBIT A

ATTACHMENT A

HUD FORMS

5369-B (8/93) Instructions to Offerors Non-Construction
<https://www.hud.gov/sites/documents/5369-B.PDF>

5369-C (8/93) Certifications and Representations of Offerors for Non-Construction Contract
https://www.hud.gov/sites/documents/DOC_12132.PDF

5370-C (10/2006) Sections I & II General Conditions for Non-Construction Contracts, (With
or without
Maintenance Work)

<https://www.hud.gov/sites/dfiles/OCHCO/documents/5370-C1.pdf>
<https://www.hud.gov/sites/dfiles/OCHCO/documents/5370-C2.pdf>

EXHIBIT B

BUSINESS REFERENCES

Please provide a minimum of three (3) references and a brief description of the business relationship. Additional pages may be used, if necessary.

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Email: _____

Description: _____

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Email: _____

Description: _____

Company Name: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Email: _____

Description: _____

Non-Collusion Affidavit of Prime Bidder/Subcontractor:

Project Title:

State of Alabama
County of Lee
City of Opelika

I _____, being the first duly sworn, depose and say that:

1. He/she is _____ of _____

(Owner, partner, etc.) (Company)
the Bidder that has submitted the attached Bid;

2. He/she is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;

3. Such Bid is genuine and is not a collusive or sham Bid;

4. Neither the said Bidder nor any of its officers, partners, owners, subcontractors, agents, representatives, employees or parties in interest including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly sought by agreement or collusion or communication or conference with any other Bidder, firm or person to fix price or prices in the attached Bid or of any other Bidder, or to fix overhead, profit or cost element of the bid price or the bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement and advantage against the Housing Authority of the City of Opelika, Alabama (OHA), or the owner of the property interested in the proposed contract;

5. No member of OHA, or any person in the employ of the OHA is directly or indirectly interested in the bid, or the work to which it relates, or in any portion of the profits thereof; and,

6. The price of prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees or parties in interest including this affiant;

7. The Bidder is not indebted to OHA in any form or manner.

Signature of Offeror: _____

Corporate Seal: *(if applicable)*

Date: _____

Title: _____

Witness: _____

Subscribed and sworn to me

This _____ day of _____ 2018

My commission expires _____.

SEI Form Statement of Economic Interest Electronic Filing Application

- Please visit the Alabama Ethics Commission <https://ethics-form.alabama.gov/SOEI-2015.aspx> to electronically file the SEI Form Statement of Economic Interest.

EXHIBIT C

Documents Checklist

All documents, including this Checklist, must be completed in full and submitted in sealed proposal, in the requested order listed in the RFQ, or the package may be considered as a non-responsive submittal.

Document Checklist

Initial if Included

- 1. ACKNOWLEDGMENT OF RECEIPT OF ADDENDUM(s) _____
- 2. HUD FORMS 5369-B, 5369-C, 5370-C _____
- 3. BUSINESS REFERENCES _____
- 4. NON-COLLUSION AFFIDAVIT _____

I understand that failure to submit all these items may cause my submittal to be considered nonresponsive.

Name _____

Title _____

Company _____