

REQUEST FOR QUALIFICATIONS
CONSULTING SERVICES

RFQ NUMBER: **2021 – 0421**

HOUSING AUTHORITY OF
THE CITY OF MCKINNEY, TEXAS

QUALIFICATIONS MUST BE RECEIVED
NO LATER THAN 2:00 P.M. ON **May 25, 2021**

BACKGROUND

The Housing Authority of the City of McKinney, Texas ("**MHA**") is requesting firms or individuals (each, a "**Respondent**" and collectively, "**Respondents**") interested in providing Consulting Services (as defined herein) to MHA to submit qualifications for consideration. The Respondent will be expected to advise and assist MHA on the planned conversion of all or a portion of its remaining public housing portfolio to Section 8 project-based assistance under the U.S. Department of Housing and Urban Development's ("**HUD**") Rental Assistance Demonstration ("**RAD**") program, as well as on potential construction and rehabilitation projects to revitalize MHA's properties using a combination of public and private financing sources.

MHA is a public housing authority located in the City of McKinney, Texas. Over the last several years, MHA, together with its developer partner, successfully revitalized two of MHA's public housing properties into thriving affordable communities. The Merritt McGowan Manor development contains 136 new units of affordable housing on the site of the former Merritt Homes public housing development and the Newsome Homes development contains 180 new units of affordable housing on the site of the former Newsome Homes public housing development, each located in the City of McKinney, Texas. Both Merritt McGowan Manor and Newsome Homes were revitalized using a conversion of public housing assistance to Section 8 project-based assistance under the RAD program.

MHA now desires to revitalize its two remaining public housing sites, Cockrell Homes and Lloyd Owens. Both Cockrell Homes and Lloyd Owens have been awarded a Commitment to Enter into a Housing Assistance Payments Contract from HUD, which gives each development the opportunity to convert the existing public housing units from public housing assistance to project-based assistance using RAD. Currently, MHA is considering revitalizing these remaining public housing properties together with a to-be-selected developer partner and will also consider the acquisition of new properties for use in future affordable housing development projects or in conjunction with the revitalization of its existing public housing portfolio.

The selected Respondent will advise and consult with MHA as needed on selecting a development partner and on all planning, financings and programs involving acquisition, administration, training, grant applications, disposition, development, management, operation or redevelopment of affordable housing assets designed to improve and expand the availability of affordable housing in the City of McKinney and Collin County, Texas. The Respondent shall further advise and consult with MHA as needed on relationships with potential development partners, governmental agencies and authorities at the federal, state and local level as well as residents and community stakeholders.

MHA will consider utilizing multiple debt and equity instruments including tax-exempt bonds, low-income housing tax credits ("**LIHTC**"), mortgage financing, Section 8 project-based assistance pursuant to the RAD program, Section 8 project-based vouchers, public housing subsidy pursuant to the mixed-finance development program, HOME funds, and public/private collaborations as forms of financing. MHA may, from time to time, use proprietary funds for credit enhancements, development loans or other purposes in order to enhance affordable housing opportunities in the City of McKinney, Texas.

MHA does not guarantee any specific level of service and makes no representation or warranty as to any future level of service.

REQUEST FOR QUALIFICATIONS

MHA is inviting qualifications from experienced Respondents to participate in the Consulting Services as described herein.

MHA reserves the right to choose whether or not to utilize a Respondent or to re-solicit for Consulting Services based on the submissions received.

A. RESPONSE DUE DATE

Responses must be submitted by 2:00 p.m. CST on **May 25, 2021** to be eligible for consideration. Respondents should make early submission of the materials to avoid any risk of loss of eligibility brought about by unanticipated delays or other delivery related problems. Facsimile and e-mail responses will not be accepted. Responses received after the deadline for receipt will be deemed unresponsive and will be disqualified.

B. RECEIPT OF RESPONSES

An original and four (4) copies of the response to this RFQ shall be submitted in sealed packages and marked "**Response for Consulting Services RFQ # 2021-0421**". Sealed responses should be submitted in an 8 ½" x 11" format and submitted in some format of professional binding. All submissions must be received at the following address:

Housing Authority of the City of McKinney
603 N. Tennessee St., McKinney, TX 75069
Attention: Roslyn Miller, Executive Director

Respondents will be responsible for all costs incurred in preparing a response to this RFQ. MHA reserves the right to reject any or all responses wherever it is in the best interest of MHA. MHA is an Equal Opportunity Employer. Minority, Women-owned and Section 3 businesses are encouraged to submit a response.

C. SCOPE OF SERVICES

Although MHA has attempted to identify all of its needs, the following list of the Consulting Services may or may not be all-inclusive.

Additional tasks may be added in the response to this RFQ, if MHA deems that such tasks will enhance MHA's objectives.

The selected Respondent will provide the following consulting services (collectively, the "**Consulting Services**") that assist MHA on its existing and anticipated affordable housing development and revitalization projects:

1. Provide advice regarding the development and implementation of new and existing financing strategies utilizing options or programs available to expand MHA's affordable housing inventory, including RAD conversions or other asset repositioning of MHA's remaining public housing portfolio, mixed income and mixed finance projects, LIHTCs, and/or internally financed development.
2. Provide advice regarding the financing of affordable housing projects under development or to be developed. Advice will include the review and consultation on term sheets, letters of intent, loan documents, owner entity documents, specific covenant provisions and reasonableness of offers, loan fees, LIHTC fees, expenses and net proceeds.

3. Assist with preparing requests for proposals ("**RFP**") to developer partners, LIHTC investors and assist MHA with the preparation of RFPs and the identification or selection of other professionals needed by MHA to expand its inventory of affordable multifamily housing.
4. Provide information, advice and assistance to MHA from time to time in its general operations concerning matters that may affect the interests of MHA, including federal, state or local rules and regulations affecting housing financing options, tax law changes, and investment of available funds.
5. Work with MHA and related professionals, including a selected developer partner, in the development of a coordinated business approach to sustain and expand property under MHA ownership or management, recognizing applicable Texas law and HUD regulations regarding public facility corporations, instrumentalities and affiliates.
6. Assist in the preparation and submission applications to HUD, Texas Department of Housing and Community Affairs ("**TDHCA**"), the Federal Home Loan Bank ("**FHLB**"), the City of McKinney, Collin County and/or the State of Texas for the financing and development of affordable housing projects.
7. Assist in reviewing and evaluating development partner proposals and financing proposals, including the use of tax-exempt bonds, LIHTCs, HOME Investment Partnership funds, Community Development Block Grant funds, conventional financing, FHLB funds, TDHCA funds, Section 8, RAD, public housing funds and MHA funds.
8. Prepare and offer a comprehensive analysis of proposed financing terms, economic performance, replacement costs, opportunity costs, and financial modeling to determine the financial viability of each MHA development project opportunity and its benefit as a viable and sustainable long term asset or development and present results of analysis to MHA's Board of Commissioners and MHA staff as requested.
9. Attend resident and community stakeholder meetings and MHA Board of Commissioners meetings to discuss potential developments and operation and management of MHA's housing portfolio.
10. Provide innovative solutions and a proven process to assist the MHA Board of Commissioners and MHA staff to manage, operate, plan and transform its assets located throughout the City of McKinney, Texas.

MHA intends to employ an indefinite delivery indefinite quantity process where specific work items will be authorized through detailed task order requests on an as-needed basis. MHA is requesting hourly rates for all proposed project staff for Consulting Services to be determined on an as-needed basis and authorized by task order. The requested Consulting Services are to be performed in support of MHA's mission, and in compliance with the requirements of HUD programs placed upon MHA by HUD or other entities or established by MHA. All tasks shall be performed by the successful Respondent in a manner consistent with relevant federal, state and

local laws, the Code of Federal Regulations, and various HUD Handbooks and notices, as appropriate.

D. QUALIFICATIONS FOR SELECTION

Responses should demonstrate extensive knowledge and experience in a broad range of areas, including, but not limited to the following:

1. Abilities, qualifications and experience to provide the Consulting Services.
2. Experience with HUD-financed housing and working with public housing authorities, particularly on RAD conversion transactions and asset repositioning of public housing properties. This should include a detailed knowledge of applicable HUD statutes, regulations, and procedures including those promulgated by HUD in connection with the RAD program.
3. Familiarity with the HUD procurement regulations at 2 C.F.R. Part 200, *et seq.* and 24 C.F.R. § 905.316.
4. The HUD mixed-finance development regulations at 24 C.F.R. Part 905, *et seq.*, including experience in negotiation and preparation and completion of evidentiary materials required by HUD's mixed-finance development regulations.
5. Experience working with the various HUD offices and departments and their interrelation with one another.
6. Experience with LIHTCs and the process in Texas to obtain LIHTCs; and
7. Knowledge and experience with various programs in the State of Texas for the development and construction of affordable housing.

E. INSTRUCTIONS AND NOTICE TO RESPONDENTS

1. SUBMISSION AND CONTENT OF RESPONSES

Inquiries: The intent of this RFQ is to establish the general scope of the Consulting Services needed and to provide prospective Respondents with sufficient information to enable them to provide an acceptable response to this RFQ. Every effort has been made to outline the requirements, and to provide information in a format that is clear and concise. Nevertheless, questions may arise, or additional information may be needed. Questions and inquiries regarding this RFQ must reference this RFQ and be submitted in writing by email to:

Email: rmiller@mckinneyha.org

All inquiries must be emailed, referencing this RFQ and be received no later than **2 p.m. CST on May 17, 2021**. Answers will be e-mailed to all firms who have requested the RFQ questions and inquiries response.

2. SUBMISSION REQUIREMENTS

Responses that do not include all required information may be deemed unresponsive and may be disqualified.

Disadvantaged, minority and women-owned businesses are encouraged to respond to this solicitation.

Respondents must address their plan to meet the specific requirements of the Consulting Services as set forth in Section C of this RFQ by including, at a minimum, the following:

3. RESPONSE FORMAT

Responses must include the following:

a. **Letter of Interest**, discussing the firm's approach to providing the Consulting Services. The letter must list the Respondent's team members and identify the primary contact person. Please include telephone number, facsimile number and e-mail address. The letter must be signed by an authorized principal of the Respondent's firm and include a statement that the response will remain valid for not less than 30 days from the date of the response submission.

b. Technical Response

i. **Project Approach:** Provide a narrative which explains the firm's experience, anticipated relationship and proposed method for coordinating and communicating with MHA and the community and addressing the activities and the services listed comprising the Consulting Services.

ii. **Proposed Fee:** Include a fee schedule with the hourly billing rates of proposed staff.

Tasks may be negotiated as specific task orders based upon agreed hourly rates. Task orders will contain detailed descriptions of the services to be provided and a maximum price for each task.

iii. **Consulting Services Analysis:** Provide a narrative summary describing the Consulting Services needs and the services anticipated.

c. Organization, Support and Experience

Information in these areas should include:

- Organization chart, assignment and hourly billing rates of key staff with their responsibilities, including subcontracting firms (if any).

- Key personnel listing and resumes.
- Description of staff availability.
- A list of all projects similar in nature to MHA's anticipated development efforts for which the Respondent provided financial advisory services and a brief description of the subject transactions. Include the name and telephone number of a person to contact for each item on the list to verify this information.
- The names, addresses, and telephone numbers for a minimum of three references.
- The following signed Certifications in substantially the forms attached to this RFQ:
 - Certification of Respondent Regarding Debarment, Suspension and Other Responsibility Matters, attached hereto as Exhibit A.
 - Certification Regarding Lobbying, attached hereto as Exhibit B.
 - Certifications and Representations of Offerors, Non-Construction Contract form attached hereto as Exhibit C.

d. MBE/WBE, Resident Participation and Section 3

Describe whether any members of the Firm's team are Minority Business Enterprises and/or Women Business Enterprises (herein called MBE/WBE) certified as such and the number of Section 3 employment opportunities the team commits to, if any. Respondents should refer to the attached Exhibit D for more information on MHA's MBE/WBE/Section 3 policy.

4. EVALUATION FACTORS

A committee will evaluate the responses received under this solicitation in accordance with the minimum information requirements and the response criteria and points outline below. The evaluation process will be based on a weighted point system with the evaluation factor or sub-factor's relative weight listed immediately following each factor/subfactor. MHA urges all interested Respondents to carefully review the requirements of this RFQ.

All submissions will be evaluated by an Evaluation Committee. Submissions containing the requested information will serve as the initial basis for selection of finalists. Each submitted response has a possible score of one hundred (100) points as set forth below.

A short list of finalists will be established based upon the submitted responses. Interviews may or may not be conducted with the finalists.

All responses will be ranked in accordance with this point system and contract negotiations will be initiated with the highest ranked Respondent(s). If negotiations between MHA and the highest ranked Respondent(s) fail to produce a mutual agreement, MHA will terminate those negotiations and proceed with contract negotiations with the next highest ranked Respondent. At MHA's own discretion, MHA may continue that process until a mutual agreement is reached between MHA and a Respondent.

MHA reserves the right to reject any and/or all responses.

MHA further reserves the right to negotiate with the Respondent(s) selected and to accept the response which is in the best interest of MHA.

No.	Criteria	Points
1.	Client and professional references (at least 3)	Mandatory
2.	Submission of required certifications (<u>Exhibits A, B and C</u> to this RFQ)	Mandatory
3.	Evidence of the Respondent's: <ul style="list-style-type: none"> a) Experience with HUD-funded housing and working with public housing authorities, including detailed knowledge of applicable HUD development programs, statutes, regulations, and procedures, including RAD and asset repositioning. b) Knowledge of local housing and community development financing issues in the State of Texas. c) Knowledge and experience with various programs in the State of Texas for the development and financing of affordable housing, including LIHTCs and the process in the State of Texas to obtain an award of LIHTCs. d) General knowledge and expertise regarding affordable housing management, operation, development and financing programs. 	30
4.	Evidence of the Respondent's experience and expertise within each of the following areas: <ul style="list-style-type: none"> a) Developing and implementing financing strategies utilizing options or programs available to public housing authorities, including mixed income and mixed finance development projects, LIHTCs and partnering with developer partners or internally-financed self-development. b) Preparing and assisting in the preparation of RFPs and the identification or selection of developer partners, LIHTC investors, lenders and other professionals engaged in the 	25

	financing and development of affordable multifamily housing. c) Preparing and submitting applications to HUD, TDHCA, FHLB, or other state or local sources for the financing and development of affordable housing, including, without limitation, the RAD program. d) Preparing financial analyses and modeling proposed financing terms, economic performance, replacement costs and opportunity costs for development projects. e) Reviewing and evaluating development financing proposals using federal, state and local sources.	
6.	Respondent's capacity to handle this project in a timely manner	10
5.	Viability and relevance of respondent's project approach and narrative summary of anticipated issues.	10
6.	Utilization and/or employment of Section 3 residents in this project. a) Description of Section 3 utilization, if any.	5
7.	Involvement and use of MBE/WBE enterprises in this project. a) MBE /WBE / DBE participation and copy of appropriate certification.	5
8.	Hourly billing rates of proposed staff.	15
	Total	100

5. COMPLETE AND ACCURATE SUBMISSIONS

A Respondent's failure to provide accurate information in response to this RFQ may disqualify the Respondent from further participation in the selection process.

Responses may be corrected, modified, or withdrawn, provided that the correction, modification or request for withdrawal is made by the Respondent, in writing, and is received by MHA at Housing Authority of the City of McKinney, 603 N. Tennessee St., McKinney, TX 75069, Attn: Roslyn Miller, Executive Director, prior to the date and time designated in the RFQ for final receipt of submissions. After such date and time, the Respondent may not change any provision of its response in a manner prejudicial to the interest of MHA and/or fair competition. Respondents are solely responsible for ensuring timely delivery by courier services; MHA will not accept any responses to this RFQ after the final deadline due to Respondent's misunderstanding of courier service hours and delivery times.

6. RETENTION

All submissions are the property of MHA and shall be retained by MHA. Responses will not be returned.

7. CANCELLATION/WAIVER

MHA reserves the right to cancel this RFQ or to reject, in whole or in part, any and all submissions received in response to this RFQ upon its determination that such cancellation or rejection is in the best interest of MHA. MHA further reserves the right to waive any minor informality in any submissions received, if it is in the public interest to do so. The decision as to who shall receive a contract award, or whether or not an award shall be made as a result of this RFQ, shall be at the absolute sole discretion of MHA. In addition, multiple awards may be made.

8. KEY PERSONNEL

The key personnel specified by the successful Respondent will be considered essential to the work to be performed by the successful Respondent. Prior to diverting any of the key personnel for any reason(s), the Respondent shall notify MHA in writing, at least thirty (30) calendar days in advance, and shall submit justification (including proposed substitutions) in sufficient detail to permit evaluation of the impact on the contract. The firm shall not change key personnel or hours to be devoted, before or after contract award, without written permission from MHA.

9. PART OF CONTRACT

The contents of the documents submitted by the successful Respondent may become part of any contract award at the sole discretion of MHA.

10. NO COMPENSATION FOR RESPONSE

Respondent will not be compensated for work or costs related to preparation and submission of this response. Respondents selected for further interviews and negotiations will be responsible for all expenses incurred during these processes.

F. INITIAL REVIEW

All responses will be initially reviewed to determine compliance with the response format requirements specified within this RFQ. Responses that are not complete and accurate and/or that do not comply with these requirements may result in disqualification from the solicitation without further review.

G. AMENDMENTS / ADDENDA

MHA will endeavor to provide copies of applicable amendments or addenda to all potential Respondents to whom this RFQ has been provided. However, it will be the

responsibility of each Respondent to make inquiry as to the existence and content of amendments or addenda, as the same shall become part of this RFQ and all Respondents will be bound thereby, whether or not the amendment or addenda are actually received by the Respondent.

H. HUD REQUIRED ATTACHMENTS

HUD-required instructions and information for applicants on responding to this RFQ are attached hereto as Exhibit E.

I. MHA'S OPTIONS

MHA reserves the right to cancel this RFQ, or to reject, in whole or in part, any and all submissions received in response to this RFQ, upon its determination that such cancellation or rejection is in the best interest of MHA. MHA further reserves the right to waive any minor informality, or the failure of any Respondent to comply therewith, if it is in the public interest to do so. MHA will pay no compensation to any Respondent for any costs related to preparation or submittal of responses.

MHA will reject the response of any Respondent who is suspended and/or debarred by HUD from providing services to public housing authorities, and reserves the right to reject the response of any Respondent who has previously failed to perform any contract properly for MHA.

The determination of the criteria and process whereby submissions are evaluated and the decision as to whom shall receive a contract award shall be at the sole and absolute discretion of MHA.

By submitting a response to this RFQ, Respondent acknowledges and agrees to the following conditions:

- All submissions in response to this RFQ become the property of MHA. As such, all submissions are public records, subject to public review.
- MHA will make no determination as to the adequacy or accuracy of any system, process, procedure or representation made by any Respondent. As such, pre-qualification does not infer approval of any such systems, processes, procedures or representations.
- No Respondent shall initiate contact with any member of the Board of Commissioners of MHA regarding this RFQ until after the completion of the selection process and execution of a contract. If any Respondent has any reason, not related to this RFQ, to contact any of the above parties, they will be required to disclose to that party that they are a respondent in this RFQ. Failure to adhere to these requirements may result in disqualification from the RFQ.
- Respondent shall not have employed or retained any company or person, other than a bona fide employee working solely for the Respondent to solicit or secure the execution of a contract with MHA. Respondent certifies that they have not

paid or agreed to pay any person, company, corporation, individual or firm other than a bona fide employee working solely for the Respondent, any fee, commission, percentage, gift or any other consideration, contingent upon or resulting from the award of or the making of a contract from this solicitation.

**CERTIFICATION OF RESPONDENT REGARDING
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

I, _____, hereby certify on behalf of
_____ (insert name of Respondent) and its key
principals that we:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by a federal, state or local department or agency; and
2. Have not, within a three year period preceding this bid, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and
3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated in Paragraph (2) of this certification; and
4. Have not within a three year period preceding this bid, had one or more public transactions (federal, state or local) terminated for cause of default.

Signature of Key Principal of Respondent

CERTIFICATION REGARDING LOBBYING

I, _____, hereby certify on behalf of _____ (insert name of Respondent) and its key principals that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, or any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

2. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclosure accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Key Principal of Respondent

**CERTIFICATIONS AND REPRESENTATIONS OF OFFERORS, NON-
CONSTRUCTION CONTRACT**

(See Attached)

INFORMATION REGARDING MBE/WBE/SECTION 3 POLICY

(See Attached)

INSTRUCTIONS TO OFFERORS, NON-CONSTRUCTION

(See Attached)