



600 Park Avenue
Bremerton WA 98337
www.bremertonhousing.org

REQUEST FOR QUALIFICATIONS

RFQ NO. 2023-01

PUBLIC HOUSING REPOSITIONING
DEVELOPMENT & FINANCIAL CONSULTING SERVICES
For
BREMERTON HOUSING AUTHORITY (BHA)

Bremerton Housing Authority is requesting Statements of Qualifications from affordable housing developers to provide financial and development consulting services related to public housing repositioning, redevelopment, acquisitions, and new construction projects.

Proposals must be submitted by February 07, 2023 at 2:00 P.M. PST via email to Tina Walgren at twalgren@bremertonhousing.org.

Date Issued: January 13, 2023

Questions due by: January 24, 2023 at 2:00 P.M. PST

BHA Contact:
Bremerton Housing Authority
Tina Walgren, Contracts & Procurement Administrator
twalgren@bremertonhousing.org

LATE PROPOSALS WILL NOT BE ACCEPTED



Bremerton Housing Authority does not discriminate on the basis of race, color, creed, national origin, religion, disability, sex, sexual orientation, gender identity, age (over 40), military/veteran status, familial status, or any other basis protected under federal, state, or local law in admission or access to its program.
Equal Opportunity Employer.



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ATTACHMENTS:

- The majority of required attachments for return are electronically fillable.
- Please AVOID completing in handwriting to ensure legibility.
- Please sign hard copies in BLUE ink.

			Return	Read-only
Attachment	A	Form of Proposal	<input checked="" type="checkbox"/>	
Attachment	B	Form HUD-5369C: Certifications and Representations of Offers, Non-construction Contract (8/93)	<input checked="" type="checkbox"/>	
Attachment	C	Profile of Firm form	<input checked="" type="checkbox"/>	
Attachment	D	OPTIONAL: Section 3 forms, including explanation (<i>applies to Section 3 employers ONLY</i>)	<input type="checkbox"/> <i>(optional)</i>	
Attachment	E	Form HUD-5369B: Instructions to Offerors, Non-construction (8/93)		<input checked="" type="checkbox"/>
Attachment	F	Instructions to Proposers and Contractors		<input checked="" type="checkbox"/>
Attachment	G	Sample Contract , Professional Services, Non-Construction form (please note that this contract is being given as a <u>sample only</u> . BHA reserves the right to revise any clause herein and/or to include within the ensuing contract any additional clauses that BHA believes it is in its best intention to do so.)		<input checked="" type="checkbox"/>
Attachment	G-1	Form HUD-5370C PART 1: General Conditions for Non-construction Contracts, Section 1 (with or without maintenance work) (01/2014)		<input checked="" type="checkbox"/>
Attachment	H	W-9: Request for Taxpayer and Identification Number	<input checked="" type="checkbox"/>	
Attachment	I	Proposed Pricing (<i>on proposer's form</i>)	<input checked="" type="checkbox"/>	

RFQ Issued:	Questions Due:	Submittals Due:
01/13/2023	01/24/2023, TUE by 2:00 PM	02/07/2023, FRI by 2:00 PM

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1.0 RFQ INFORMATION AT-A-GLANCE:

OBTAIN THE RFQ AND ATTACHMENTS:	<p>Click on: https://ha.internationaleprocurement.com/</p> <p>Register with the Housing Agency Marketplace system. Call (866) 526-9266 Toll Free Web Support for help with registering. RFQ, Attachments and Addenda are posted on the Housing Agency Marketplace system</p>
HOW TO ASK QUESTIONS:	<p>*01/24/2023 TUES by 2:00 PM: DEADLINE</p> <p>Any questions or requests for further information must be submitted in writing no later than the above date to the following contacts:</p>
<i>No Phone Calls</i>	<p>To: Tina Walgren, Contracts & Procurement Administrator Via email at: twalgren@bremertonhousing.org Via fax at: (360) 616-2905</p>
HOW TO SUBMIT A RESPONSIVE PROPOSAL:	<p>1. You must be registered on the Housing Agency Marketplace website to download the RFQ, attachments and any addenda. Only those firms registered on the Housing Agency Marketplace website will be allowed to submit proposals.</p> <p>2. Submit your electronic copy of your proposal to: twalgren@bremertonhousing.org</p>
ENSURE:	<ul style="list-style-type: none"> ▪ The person signing the proposal must be authorized to commit the proposer and to conduct negotiations or discussions if requested or required, or both. ▪ By completing, executing, and submitting the <i>Form of Proposal, Attachment A</i>, the “proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFQ as issued by BHA, either in hard copy or on the noted eProcurement System,” and agrees to sign BHA’s contract including the contract clauses (Attachments G and G-1). (See <i>Section 9.0</i>) ▪ All information and Attachments required from proposers under the TABS in Section 5.0 must also be included for any major subconsultants (10% or more) or from any joint venture
PROPOSAL SUBMITTAL DEADLINE:	<p>*02/07/2023 TUE by 2:00 PM: DEADLINE</p>
PROPOSAL SUBMITTAL EMAIL ADDRESS:	<p style="text-align: center;">Email to twalgren@bremertonhousing.org</p> <p style="text-align: center;">“RFQ: 2023-01” should be included in the Subject Line</p>

2.0 INTRODUCTION

The Housing Authority of the City of Bremerton (BHA) was formed on July 17, 1940 under the authority of the Housing Authorities Law (RCW 35.82) and the Housing Cooperation Law (RCW 35.83). The area of operation for the Authority is contiguous with that of the Bremerton city limits and all of Mason

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County. BHA’s total housing portfolio includes 578 units of housing at twelve properties including public housing, project-based section 8, and low-income housing tax credit (LIHTC) units in multi-family developments and an assisted living facility and 5 newly acquired single-family homes. All properties are within the city limits of Bremerton. Of these properties, BHA owns ten and two are owned by separate tax credit partnership entities of which BHA is the General Partner. One of the BHA-owned properties is a Tax Credit Assistance Program (TCAP) project and is therefore subject to the requirements of a LIHTC partnership property. BHA is also the Project-Based Contract Administrator for the states of Washington, Nebraska, and Utah, BHA oversees 1,500 Section 8 vouchers for Kitsap and Mason Counties. BHA formed a Type I supporting organization under IRC Section 509 (a)(3) to obtain funding to support facility and resident/participant needs. BHA is also the managing entity for Pendleton Place, a 72-unit facility for housing homeless participants.

3.0 PROJECT BACKGROUND:

Overview: Housing Authorities across the country have been facing years long reductions of investment in public housing at the federal level and as such have had to consider how best to reposition their public housing portfolios. Many housing authorities, like BHA, are focusing on creating self-sustaining developments through public-private partnerships, thereby ensuring residents have a well-managed, and well-maintained place to live.

BHA has undertaken a review of its affordable housing portfolio to identify options, opportunities, and strategies to reposition BHA’s assets, address current and projected capital needs and repairs, preserve, and increase affordable housing units within BHA’s portfolio and strengthen the Authority’s overall long term financial position.

BHA is seeking proposals from qualified, experienced developers to provide full-service portfolio restructuring, redevelopment, and acquisition of affordable housing and oversee new construction. The selected contractor will be a direct advisor to BHA and is expected to work in partnership with BHA staff, other development partners if applicable, HUD representatives, BHA’s General Counsel, Bond Counsel, lenders, investors, residents and other relevant community and project partners. The following is a list of BHA’s properties and their unit dispositions. Note: BHA will consider re-syndication of existing LIHTC properties at a later phase of development:

Property	Built	Public Housing Units	Other Units	Total Units
Bay Vista Commons-Assisted Living Facility	2007	0	72	72
Bay Vista South-LIHTC	2011	41	27	68
Bay Vista West-LIHTC	2012	54	15	69
Casa Del Sol	1982	8	10	18
Charter House-Senior Housing	1978	11	19	30
Firs-Senior Housing	1978	0	60	60
Shadow Creek	1986	15	17	32
Summit at Bay Vista-LIHTC	2011	47	36	83
Tamarack-Senior Housing	1970	0	83	83
Tara Heights-RAD Converted	1981	0	21	21
Winfield	1970	24	0	24
Wright Court	1952	6	7	13
Single Family Homes	2021	0	5	5
		206	372	578

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- 4.0 SCOPE OF SERVICES:** BHA anticipates the scope of services may include, but is not limited to, the following:
- 4.1 Evaluate options and assist BHA through potential HUD RAD, Section 18 and Streamlined Voluntary Conversion of its public housing portfolio.
 - 4.2 HUD Approvals: Assist BHA in HUD application(s) for public housing repositioning, redevelopment, acquisitions, or construction, including assisting with information or due diligence needs to complete application submittals for potential HUD RAD, Section 18 and/or Streamlined Voluntary Conversion and responding to additional information requests from HUD.
 - 4.3 Provide strategic recommendations for asset repositioning, refinancing, renovation, acquisition, disposition or new construction for consideration by BHA.
 - 4.4 Develop renovation scopes of work for individual projects within the context of BHA's larger financing strategies and long-term capital needs plans.
 - 4.5 Assist with potential re-syndication of BHA's existing LIHTC projects.
 - 4.6 Staffing & Capacity: Provide the necessary staffing, expertise, supervision, and organizational capacity required to implement all aspects of BHA's portfolio redevelopment.
 - 4.7 Development Team & Consultants: Provide all consultants and contractors necessary to implement the redevelopment. These should include full service architectural and engineering teams, general contractor, geotechnical, survey, market study, appraisal and environmental consultants and contractors.
 - 4.8 Communication: Establish regular team meetings with BHA and members of the consulting team as needed, submit periodic progress reports on project status, budget, and schedule.
 - 4.9 Scheduling Management: Create and maintain a project schedule that includes critical tasks from predevelopment through permanent loan conversion. Specific schedules focused on discrete tasks, such as LIHTC applications, design process where applicable, and relocation will also be necessary.
 - 4.10 Resident Engagement: Maintaining a positive relationship with the residents is of great importance to BHA. BHA will maintain the primary relationship with residents; however, the Developer is expected to foster a positive working relationship with residents to successfully implement the redevelopment plans.
 - 4.11 Master Planning & Design Development: Lead the effort to create a master plan for each site which reflects BHA's policy principles and general development goals, land use requirements, public or franchise utility requirements, right-of-way requirements, and financial feasibility. Developer will work with BHA to create a program for applicable sites that includes unit mix, parking, non-residential space needs, open space, and outdoor play areas. BHA and developer will jointly participate in design meetings with the consultant team, community and resident meetings, and other meetings necessary during this phase of the project. Developer and BHA will review and approve any final master plan, housing program, and building designs.
 - 4.12 Land Use, Permits and Regulatory Approvals: Seek and obtain all necessary approvals related to land use and entitlements, public works, building permits where applicable.
 - 4.13 Finance & Guarantees: Prepare and update a financial plan for individual redevelopments that includes reasonable cost estimates for the master plan, building designs, relocation, and all other necessary soft costs. Sources of funds are anticipated LIHTC, permanent debt, other federal, state, local or private funding as is available. Developer is responsible for understanding current market conditions reflecting pricing and terms of financing, techniques to optimally structure financing, identifying newly created or otherwise available development subsidy and creating and implementing a viable financial plan.

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Solicit and negotiate pricing and terms with lenders and investors for any construction loans, permanent loans, equity investments, or other sources of funding. BHA and the Developer will review and approve any investment terms. Developer is responsible for securing the necessary commitments, providing guarantees, and closing financing.

4.14 **Construction:** Responsible for the successful completion of construction projects. This includes all pre-construction management work with the general contractor, negotiating a construction contract with guaranteed maximum price, responsible for all change management during construction, responsible for delivering the approved project on schedule and on budget.

4.15 **Relocation:** Responsible for the relocation of residents. This will include creating a relocation plan, producing, and delivering any required notice or communication to the residents, carrying out the responsibilities per 24 CFR 970.21 and facilitating physical relocation.

- **Contract Period:** BHA anticipates that it will initially award a contract for a period of approximately **three (3) years** with the option, at BHA’s discretion, of **two (2)** additional one (1) year option periods (+2/1).
- **Schedule:** BHA would like to begin working with the successful proposer on the following date:
 - ♦ **BEGIN:** **March 10, 2023**

5.0 INFORMATION TO BE PROVIDED IN SUBMITTALS:

- **Tabbed Proposal Submittal:** BHA intends to retain the successful proposer pursuant to a “Best Value” basis not a “Low Bid” basis.
- So that BHA can efficiently evaluate all responses, proposals must be put together in the order below, divided by the numbered tab.

Tab No.	Description
TAB 1:	Attachments: Completed and Signed: A: Form of Proposal B: Form HUD-5369C (8/93), Certifications and Representations of Offerors, Non-Construction Contract C: Profile of Firm H: W-9 Request for Taxpayer and Identification Number I: Proposed Pricing form -- License Copy: State of Washington Master Business or Legal Entity License

TAB 2: Eval Factor 1: Demonstrated Evidence of Ability to Perform the Work.
A) Qualifications, experience, expertise of each team member assigned to the project (principles and primary staff); and

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- B)** Current project load and capacity of team to effectively manage this project
-

TAB 3: Eval Factor 2: Demonstrated Evidence of Past Successful Experience with public housing relocation and affordable housing development and construction of similar scope and size, including, but not limited to:

- A)** Past or current projects utilizing RAD, Section 18, Streamlined Voluntary Conversion (SVC) & LIHTCs;
 - B)** Experience in relocating public housing;
 - C)** Past performance in quality of work, cost control, compliance with performance schedules and regulatory requirements;
 - D)** Experience and knowledge of local housing market, regulations and codes, familiarity with federal and local affordable housing programs and local agencies that administer these programs including the Washington State Housing Finance Commission (WSHFC);
-

TAB 4: Degree to which the proposer illustrates the overall vision for the project including, but not limited to:

- A)** Evidence the proposer understands the project and BHA's goals, whether from experience with similar projects or from preparatory research;
 - B)** The proposer's approach addresses project issues and indicates a good understanding of BHA's objectives, the local funding challenges and resident protections;
 - C)** Proven ability to work with stakeholders whose interests and redevelopment objectives may differ;
 - D)** Evidence that the proposed team has experience in providing for meaningful resident and community participation throughout the planning and implementation of the relocation and development, including the team's experience with addressing & overcoming issues and obstacles for successful project conclusion.
-

TAB 5: Documented ability to obtain financial commitments from:

- A)** Federal, state, local agencies, private investors, and banks;
 - B)** A proven track record of creative and viable financial plans that do not rely principally on the sponsor partner funds.
-

TAB 6: Project Management Capacity/Financial Health/Staffing Plan

- A)** Provide a description of the management and financial capacity to deliver proposed services. Describe the approach for managing this project for BHA.
- B)** Include qualifications to provide services; a description of the background and current organization of the firm (including a current organizational chart).

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- C) Detail the approach to the division of work, include the team members who will be responsible for same. Include professional resumes for key staff and descriptions of experiences for the persons identified to perform the work. Please provide a project specific organizational chart.
-

TAB 7: (Optional): Other Information

- A) The proposer may include hereunder any other general information that they believe is appropriate to assist BHA with its evaluation.
-

TAB 8: Proposed Fees: The Proposed Pricing shall be provided on proposer's form as **Attachment I**

- If no information is being placed under any of the tabs, please insert a statement that says, "THIS TAB LEFT INTENTIONALLY BLANK." DO NOT eliminate any of the tabs.
- Effort should be made to keep submittals concise.
- The person signing the proposal must be authorized to commit the responder and to conduct negotiations or discussions if requested or required, or both.
- None of the proposed services may conflict with any requirement BHA has published herein or has issued by addendum.
- Omission of any of the aforementioned documents or certifications will render the proposal non-responsive.

6.0 PROPOSAL SUBMISSION:

6.1 Bid Pricing:

Attachment I: Complete, sign, and insert "Proposed Pricing" and insert after Tab 8. Unless otherwise stated, the proposed pricing is to be **all-inclusive of related costs** that the successful proposer will incur to provide the noted services including, but not limited to the following: employee wages and benefits; clerical support; overhead; profit; sales tax; licensing; insurance; tools; equipment; long distance telephone calls; document copying; etc.

6.2 Quantities: All quantities entered above, and on the E-Procurement website are for calculating purposes only to allow BHA to compare the respondents "apples to apples". **BHA does not guarantee any minimum or maximum amount of work as a result of any award ensuing from this RFQ.** BHA reserves the right to award work, on a task order basis, in any amount of services or items that BHA requires.

6.3 Submission Conditions: Do not alter the attachments or proposal requirements in any way unless you have received written approval from BHA.

6.3.1 By accessing the [Agency Marketplace](#) internet site, registering and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that BHA delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFQ.

6.4 Submission Responsibilities: It is each proposer's responsibility to be aware of and to abide by all dates, times, conditions, requirements, and specifications set forth within all applicable

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documents issued by BHA, including the RFQ, Attachments, and any addenda. By virtue of completing, signing, and submitting the completed documents, the proposer is stating his/her agreement to comply with all the conditions and requirements set forth within those documents.

6.5 Proposer’s Responsibilities-Contact with BHA: It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFQ process to the contacts specified on [page 2](#). Proposers must not make inquiry or communicate with any other staff member or official (including members of the Board of Commissioners) pertaining to this RFQ. Failure to abide by this requirement may be cause for BHA to disqualify a submittal from consideration.

6.6 Addenda: All questions and requests for information must be received in writing to the BHA representative as directed on [page 2](#). Responses to all such inquiries will be in writing via the Q & A section on the [Housing Agency Marketplace](#) site which is automatically distributed to all registered (member) prospective proposers. During the RFQ solicitation process, BHA will not conduct any *ex parte* conversations (a substantive conversation - “substantive” meaning, when decisions pertaining to the RFQ are made - between BHA and a prospective proposer when other prospective proposers are not present) that may give one prospective proposer an advantage over other prospective proposers.

7.0 PROPOSAL EVALUATION:

7.1 Evaluation Factors: BHA will utilize the following factors to evaluate each proposal submittal received. Award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal.

No.	Evaluation Factors	Factor Type	Max Point Value
1	Demonstrated Ability to Perform the Work	Subjective (Technical)	15
2	Demonstrated Evidence of Past Successful Performance	Subjective (Technical)	30
3	Degree to which Proposer illustrates the overall vision for the project	Subjective (Technical)	15
4	Ability to Obtain Financial Commitments	Subjective (Technical)	15
5	Project Management Capacity/Financial Health/Staffing Plan	Subjective (Technical)	20
4	Overall quality, organization & professional appearance of proposal submitted	Subjective (Technical)	5
Maximum Points			100

7.1.1 Preference Evaluation Factors: BHA will utilize the following factors to evaluate each proposal submittal received.

Evaluation Factors: Optional, Additional (As per 24 CFR 135, Appendix, III. ii-B)	Factor Type	Max Point Value
S3 BUSINESS PREFERENCE PARTICIPATION: A firm may qualify for S3 status as detailed within Attachment D . (NOTE: No more than a max of 15 points awarded.)	Objective	
Priority I: As detailed on page 4 of Attachment D .		15 points

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Priority II: As detailed on page 4 of Attachment D .		10 points
Priority III: As detailed on page 4 of Attachment D .		5 points
Preference Points (Additional Maximum)		15 points
Total Possible Points		115

7.2 Evaluation Method:

- 7.2.1 Submittal Receipt:** All submittals received by the stated deadline will be opened by BHA’s CO or his/her designee and initially be screened for eligibility.
- 7.2.2 Evaluation Committee:** BHA shall select a minimum of a three-person committee to evaluate each of the responsive proposals submitted in response to this RFQ. The committee will be made up of BHA staff and other experienced persons, if needed.
- 7.2.3 Restrictions:** All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the BHA evaluation committee. Similarly, all persons having ownership interest in and/or contract with a proposer entity will be excluded from participation on the BHA evaluation committee.
- 7.2.4 PLEASE REMEMBER:** No proposer shall be informed at any time during or after the RFQ process as to the identity of any evaluation committee member. If, by chance, a proposer does become aware of such, he/she SHALL NOT make any attempt to contact or discuss with such person anything related to this RFQ. The BHA contacts noted on [page 2](#) are the only individuals at BHA that the proposers shall contact after the RFQ has closed. Failure to abide by this requirement may (and most likely will) cause such proposer to be eliminated from consideration for award.
- 7.2.5 Evaluation:** The appointed evaluation committee will evaluate the responsive proposals and award points based on the Evaluation Factors. Upon completing the evaluation process, the committee will forward the completed evaluations back to the BHA CO.
- 7.2.6 Determination of Top-ranked Proposer:** The points awarded by the evaluation committee will be tallied to determine the final rankings and then forwarded to the BHA Executive Director for approval.
- 7.2.7** Interviews may then be conducted with the top-ranked respondents.
- 7.2.8** BHA reserves the right to conduct negotiations with one or more respondents if, in the sole opinion of BHA, that method will provide the greatest benefit to BHA.
- 7.2.9 Notice of Award:** If an award is made notification of the announcement of the awarded firm shall be sent to all proposers via e-mail.
- 7.2.10 Minimum Evaluation Results:** To be considered to receive a contract award, a proposer must receive a total calculated average **of at least 70 points** (of the 115 total possible points detailed within the evaluation section of this RFQ). This total does not include the additional Interview Points detailed below.

8.0	INTERVIEW	Additional	50	Points
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- 8.1** After scoring the proposals, the evaluation selection committee may select a short-list of the most highly qualified respondents to interview. Prior to the interview, references will be checked by the evaluation selection committee. Interview questions will be directed solely to the proposed Project Team. The corporate executive dedicated to the project and all other personnel which may be a part of the winning firm or team’s Project Team are all required to attend. In addition to presenting their qualifications, experience, and approach to the project, the Project Team will be

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expected to respond to questions from the evaluation selection committee regarding the proposal as well as additional questions that might have been posed in the notification letter to the respondent.

9.0 CONTRACT AWARD:

9.1 Contract Award Procedure: If a contract is awarded from this RFQ, the following detailed procedures will be followed:

9.1.1 It is anticipated that upon final completion of the proposal evaluation process, the evaluation committee will forward the completed evaluations to the CO. The CO will formulate and forward to the ED for approval a written award recommendation. The ED will review the recommendation and, if in agreement, approve contract negotiations to begin with the awarded company. At the ED's discretion, the recommendation to award may also be presented to BHA's board of commissioners for final approval.

9.2 Contract Conditions: ➔ **IMPORTANT: Please review.** The following provisions are considered mandatory conditions of any contract award made by BHA pursuant to this RFQ:

9.2.1 Contract Form: BHA will not execute a contract on the successful proposer's form as HUD requires several specifically worded contract clauses. BHA has incorporated those requirements in addition to BHA's insurance company coverage requirements onto its contract form. No modifications to the required HUD contract attachments may be negotiated without written approval from HUD provided by the prospective proposer making the request. ([Attachments G](#) and [G-1](#)).

9.2.2 Amending Contract Clauses: BHA may consider 1) additional clauses 2) removing clauses (due to inapplicability) 3) amending an existing clause and/or 4) including an additional attachment (*provided by the prospective proposer*) the proposer desires.

9.2.3 Request Process:

9.2.3.1 It is the responsibility of each prospective proposer to notify BHA, in writing, no later than the deadline for Q & As noted on page 2 of this RFQ, of any contract clause that he/she is not willing to include and abide by in the final executed contract. BHA will consider and respond to such written correspondence. Submit requests via email to:

Tina Walgren
Contracts and Procurement Administrator
twalgren@bremertonhousing.org

or fax to: (360) 616-2905

9.2.3.2 The decision of BHA to exclude such clauses does not give the successful proposer the right to refuse to execute BHA's contract form. If the prospective proposer is not willing to abide by BHA's response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

9.2.3.3 Contract clause requests, concerns, clarifications, etc. will only be accepted during the open solicitation period. Accordingly, BHA has no responsibility to conduct any negotiations after the submittal deadline pertaining to the contract clauses already published. **Delays or refusal to execute BHA's contract upon contract award is not conducive to the SOW waiting to be performed.**

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9.2.3.4 By completing, executing, and submitting the *Form of Proposal*, [Attachment A](#), the “proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFQ as issued by BHA, either in hard copy or on the noted eProcurement System,” and agrees to sign BHA’s contract attached as [Attachments G](#) and [G-1](#).

9.2.4 **Assignment of Personnel:** BHA shall retain the right to demand and receive a change in personnel assigned to the work if BHA believes that such change is in the best interest of BHA and the completion of the contracted work.

9.2.5 **Subconsulting:** The successful proposer shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFQ (including, but not limited to, selling or transferring the contract) without the prior written consent of the CO. Any purported assignment of interest or delegation of duty without the prior written consent of the CO shall be void and may result in the cancellation of the contract with BHA or may result in the full or partial forfeiture of funds paid to the successful proposer as a result of the proposed contract; either as determined by the CO or the ED.

9.2.6 **Right to Negotiate Final Fees:** BHA shall retain the right to negotiate the amount of fees that are paid to the successful proposer, meaning the fees proposed by the top-rated proposer may, at BHA's option, be the basis for the beginning of negotiations. Such negotiations shall begin after the evaluation panel has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO and/or ED successfully concluded within five (5) business days, BHA shall retain the right to end such negotiations and begin negotiations with the next top-rated proposer. BHA shall also retain the right to negotiate with and make an award to more than one proposer, as long as such negotiation(s) and/or award(s) are addressed in the above manner (i.e., top-rated first, then next rated following until a successful negotiation is reached).

9.2.7 **Contract Service Standards:** All work performed pursuant to this RFQ must conform and comply with all applicable local, state, and federal codes, statutes, laws, and regulations.

10.0 INSURANCE & LICENSING REQUIREMENTS:

10.1 Required Insurance Coverage:

10.1.1 Minimum Scope of Insurance: **Coverage shall be at least as broad as:**

1. Insurance Services Office Commercial General Liability coverage (*occurrence form CG 0 01 10 01*)
2. Insurance Services Office Additional Insured form (*CG 20 37 or CG 20 26*)
3. Insurance Services Office form number CA 00 01 06 92 covering Automobile Liability Code 1 (*any auto*)
4. Workers’ Compensation insurance as required by state law and Employer’s Liability Insurance

10.1.2 Minimum Limits of Insurance: **Consultant shall maintain limits no less than as follows.**

General Liability:

- \$1 million each occurrence for Bodily Injury, Personal injury, and Property Damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the

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project/location or the general aggregate limit shall be twice the required occurrence limit.

- Workers' Compensation (statutory) and Employer's Liability:**
 - \$1 million per accident for Bodily Injury or Disease.
- Errors and Omissions Insurance including coverage for claims arising from wrongful acts under the Americans with Disabilities Act.
- Fidelity Insurance including Employee Dishonesty on a blanket basis.

Note: These limits can be attained by individual policies or by combining primary and umbrella policies.

10.1.3 Deductibles and Self-Insured Retentions: Any deductibles or self-insured retentions must be declared to and approved by BHA. At the option of BHA, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects BHA, its officers, officials, employees, and volunteers; or the Consultant shall provide a financial guarantee satisfactory to BHA guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

10.1.4 Other Insurance Provisions: The General Liability and Automobile Liability policies are to contain, or be endorsed to contain, the following provisions:

1. BHA, its officers, employees, and volunteers are to be covered as additional insured with respect to liability arising from services provided by the Consultant including bodily injury or equipment furnished; or arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant. General Liability coverage can be provided in the form of an appropriate Endorsement to the Consultant's insurance or as a separate policy for services of this contract.
2. For any claims relate to this contract, the Consultant's insurance coverage shall be primary insurance as respects BHA, its officers, employees, and volunteers. Any insurance or self-insurance maintained by BHA, its officers, employees or volunteers shall be in excess of the Consultant's insurance unless such claims are caused by the sole negligence, errors or omissions of BHA.
3. Each insurance policy required by these specifications shall be endorsed to state that coverage shall not be cancelled or materially changed, except after 30 days prior written notice by certified mail, return receipt requested, has been given to BHA.
4. Maintenance of the proper insurance for the duration of this contract is a material element of the contract. Material changes in the required coverage or cancellation shall constitute material breach of the contract by the Consultant.

10.1.5 Acceptability of Insurers: Insurance shall be placed with insurers with a current A.M. Best's rating of no less than B+:VI.

10.1.6 Verification of Coverage:

10.1.6.1 Consultant: Consultant shall furnish BHA with original Certificates of Insurance together with amendatory Endorsements effecting coverage

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required by these specifications. The Endorsements shall conform fully to the requirements. All Certificates of Insurance and Endorsements are to be received and approved by BHA in sufficient time prior to work commencing to permit the Consultant to remedy any deficiencies. BHA reserves the right to require complete, certified copies of all required insurance policies, including Endorsements effecting the coverage required by these specifications at any time.

10.1.7 Subconsultants: The use of subconsultants must be approved by BHA. Consultant shall include all subconsultants as insureds under its policies or shall furnish separate insurance certificates and endorsements for each subconsultant in a manner and in such time as to permit BHA to approve them before subconsultants' work begins. All coverages for subconsultants shall be subject to the requirements stated above.

10.1.8 Notwithstanding this provision, the Consultant shall indemnify BHA for any claims resulting from the performance or non-performance of the Consultant's subconsultants and/or their failure to be properly insured.

10.2 Licensing Requirements: Copies of the following license(s) shall be provided under [TAB 1](#).

10.2.1 State of Washington Master Business or Legal Entity License:

A copy of the proposer's license issued by the State of Washington Secretary of State allowing the proposer to provide the services in the state of Washington.

11.0 ADMINISTRATIVE INFORMATION

11.1 BHA'S Reservation of Rights:

11.1.1 While HUD Handbook No. 7460.8 REV 2 is not law, it is intended to and will serve as guidance for BHA's procurement activities as required for federally assisted projects.

11.1.2 BHA reserves the right to reject any or all proposals, to waive any informality in the RFQ process, or to terminate the RFQ process at any time, if deemed by BHA to be in its best interests.

11.1.3 BHA reserves the right not to award any contracts pursuant to this RFQ.

11.1.4 BHA reserves the right to terminate a contract awarded pursuant to this RFQ, at any time for its convenience upon ten (10) days written notice to the successful proposer(s).

11.1.5 BHA reserves the right to determine the days, hours and locations that the successful proposer(s) shall provide the services called for in this RFQ.

11.1.6 BHA reserves the right to retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the BHA CO.

11.1.7 BHA reserves the right to negotiate the fees proposed by the proposer entity.

11.1.8 BHA reserves the right to reject and not consider any proposal that does not meet the requirements of this RFQ, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.

11.1.9 BHA shall have no obligation to compensate any proposer for any costs incurred in responding to this RFQ.

11.1.10 BHA shall reserve the right to, at any time during the RFQ or contract process, prohibit any further participation by a proposer or reject any proposal submitted that does not

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conform to any of the requirements detailed herein. By accessing the [Housing Agency Marketplace](#) internet site and downloading this document, each prospective proposer is thereby agreeing to abide by all terms and conditions listed within this document and within the noted internet site.

- 11.1.11** BHA reserves the right to review and inspect the awarded contractor’s activities throughout the contract term.
- 11.2** **Equal Opportunity Employment:** BHA will not discriminate on the basis of race, color, gender, sexual preference, religion, age, disability, national origin, marital or familial status, or any other legally protected status.
- 11.3** **Minority-owned and Women-owned Business Enterprises:** BHA strongly encourages responses from Minority and Women’s Business Enterprises, or partnerships made up of M/W/DBEs as it BHA’s goal to increase that contract base. A respondent who is a M/W/DBE or who has plans to use an M/W/DBE as a subconsultant or partner in the response and that subconsultant or partner has *not* been certified as a M/W/DBE, the subconsultant or partner shall submit a certified application for such M/W/DBE to the appropriate local or state agency.
- 11.4** **Section 3 Requirements:** Section 3 of the Housing and Urban Development Act of 1968 (hereinafter “S3”) requires BHA to the greatest extent feasible to provide employment opportunities to S3 residents. S3 residents include residents of BHA communities and other low-income residents of Bremerton. Proposers wishing to claim a S3 preference should refer to [Attachment D](#) for instructions.
- 11.5** **Basic Eligibility:** The successful respondent must be licensed to do business in the State of Washington and must have a state Unified Business Identifier (UBI) number. In addition, they must not be debarred, suspended, or otherwise ineligible to contract with BHA, and must not be included on the General Services Administration’s “List of Parties Excluded From Federal Procurement and Non-procurement Programs” or HUD’s “Limited Denial of Participation” list.
- 11.6** **Payment Requirements:** Respondents should be aware that BHA will only make payments on the contract issued under this RFQ after the work being billed has been completed and will pay reimbursable expenses (if applicable to the particular contract) to the respondent only upon receipt of an invoice for the reimbursable expenses. *No advance payments will be made* to the selected respondent, who must have the capacity to meet all project expenses in advance of payments by BHA.
- 11.7** **Documents Produced:** All construction drawings, reports, specifications, and other documents produced under contract to BHA must be submitted to BHA in both hard copy and a digital format that meets BHA’s requirements, using Microsoft Office or AutoCad products in an IBM-compatible format. All documents and products created by the awarded firm and their subconsultant(s) shall become the exclusive property of BHA.
- 11.8** **Other Contracts:** During the original term and all subsequent renewal terms of the contract resulting from this RFQ, BHA expressly reserves the right, through any other sources available, to pursue and implement alternative means of soliciting similar or related services as described in this RFQ. BHA may award contracts to other vendors such as designers, consultants, or contractors.
- 11.9** **Funding Availability:** By responding to this RFQ, the respondent acknowledges that, for any contract signed as a result of this RFQ, the authority to proceed with the work is contingent upon the availability of funding.

11.10 **Acronyms:**

A.M. Best	Alfred M. Best (<i>founder</i>) Insurance Rating Guide
BHA	Housing Authority of the City of Bremerton
CO	Contract Officer
HUD	(U.S. Department of) Housing and Urban Development

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PBCA	Performance Based Contract Administrator
RFQ	Request for Qualifications
SOW	Scope of Work