

REQUESTS FOR QUALIFICATIONS

for

DEVELOPMENT SERVICES FOR THE SPOKANE HOUSING AUTHORITY FOR POSSIBLE TURNKEY DEVELOPMENT OF THE “APPLEWAY SITE.”

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A. INTRODUCTION

The Spokane Housing Authority (SHA) is seeking a development entity (hereinafter referred to as “Turnkey Developer”) interested in serving as the Turnkey Developer for the development of the Appleway Site to respond to this Request for Qualifications (RFQ). The Turnkey Developer selected through this process must demonstrate the expertise, capacity, and track record to redevelop the site.

The current site is ready for development with no demolition required. The only affordable housing covenant on the property is an affordability covenant restricting the rents to those that are affordable at 80% Area Median Income. Spokane Housing Authority proposes to use the 4% Low Income Housing Tax Credit program paired with tax exempt bond financing to fund this project. Development at the Appleway site will occur in 1 or more phases.

SHA is public body corporate and politic of the State of Washington and provides affordable housing to over 7,000 low-income families in six counties in Eastern Washington through its housing voucher programs. SHA owns and operates 752 total housing units in Spokane County, WA.

Appleway Site

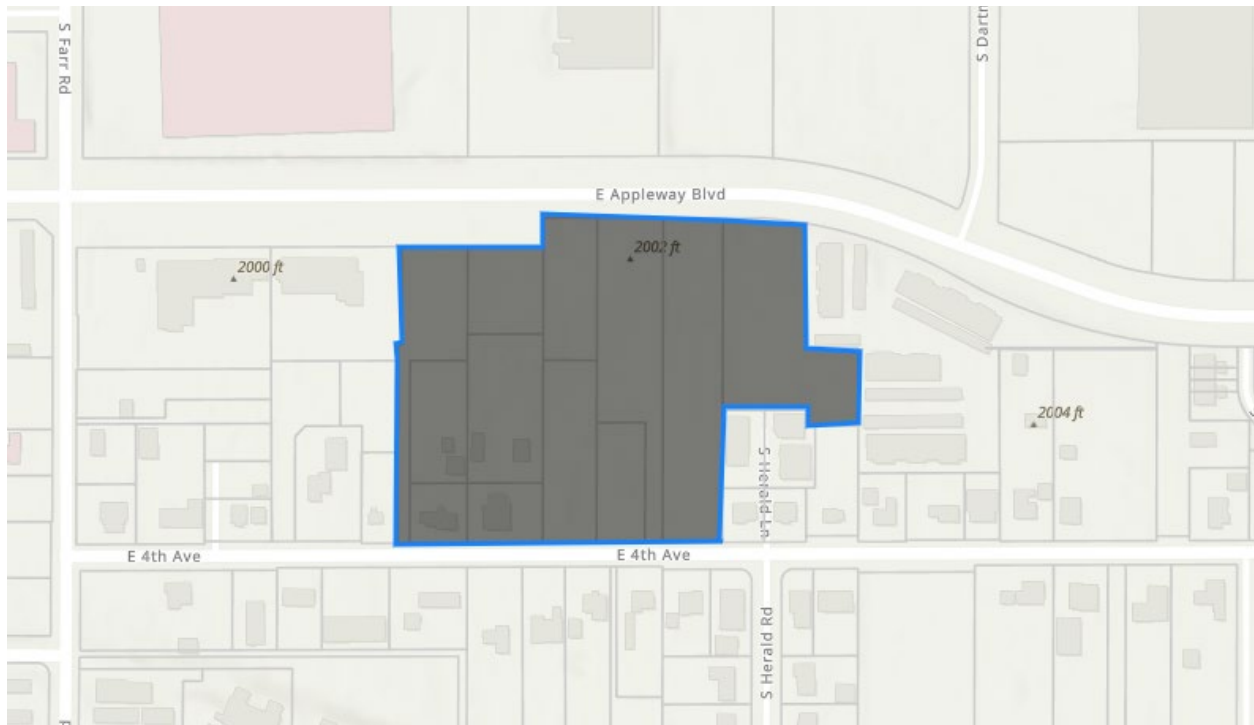
The Appleway site is a 7.5 acre site located at approximately 10003 E 4th Ave. in Spokane Valley, WA. The site was acquired from a developer in March of 2024. The site is flat and has no existing structures on it. The zoning for the site is Corridor Mixed Use and its density is limited by parking, not dwelling units.

SHA's goal for the development of the site is to create a vibrant, modern community that balances the site's density and livability for residents. A newly constructed development should leverage the proximity to amenities and connectivity to pedestrian, transit, and vehicular infrastructure.

SHA is interested in turnkey proposals, or as close to turnkey as legally possible, to enable efficiency and cost effectiveness in design, and construction, and communication.

SHA's objectives for the Project include:

- 1) Obtaining a minimum of 250 dwelling units on the site. The carrying capacity of the site is likely in excess of 300 units depending upon size and configuration.
- 2) Provide high quality affordable housing to residents at 60% AMI or lower.
- 3) Priority populations are: work force housing and senior housing likely existing in two separate phases.
- 4) Modern amenities and recreation areas comparable to market rate housing
- 5) A childcare facility that is either developed in conjunction with the project or located on its own parcel within the project and developed separately.
- 6) Project is financially viable and can achieve debt service coverage of 1.20 or better.



B. SCOPE OF WORK

SHA invites development teams interested serving as the Turnkey Developer for the development of the Appleway Site to respond to this RFQ. The Turnkey Developer selected through this process must demonstrate the expertise, capacity, and track record to redevelop the site with a new multifamily development financed with tax-exempt bonds and LIHTCs.

SHA recognizes there are numerous ways that a partnership can be formed to achieve the desired outcomes. SHA would like to encourage creativity to increase efficiency and cost effectiveness.

SHA currently envisions that the Turnkey Developer would be primarily responsible for the following, subject to negotiations and form of proposals:

- Proposing and outlining form of partnership/turnkey arrangement.
- Complete all pre-development activities including land surveys, market studies, appraisals, geotechnical and environmental reports, traffic studies, entitlements, design, and engineering.
- Contract for professional services such as environmental, architectural, engineering, marketing, accounting, and legal as needed.
- Communicate with the surrounding community related to the development
- Interface with the City of Spokane Valley to obtain all permits, approvals, and environmental clearances
- Provide all design documents, including site plan and building plans and specifications to SHA for review
- Propose and maintain project development and operating budgets to the satisfaction of SHA. Arrange construction and permanent financing based on parameters required by SHA
- Assist SHA with application for PHA set-aside private activity bond cap
- Arrange for construction of the maximum number of housing units allowable, infrastructure, and associated amenities on the site through hiring a general contractor and all trades, providing general contracting and all trades in house, or a combination of the two
Comply with all local, state, and federal laws and requirements, including Washington State and or Federal Prevailing Wage laws (if applicable), Section 504 of the Rehabilitation Act, as amended, the Fair Housing Act, Section 3 of the Housing Act of 1968, and the Americans with Disabilities Act.
- Complete all placed-in-service requirements for ownership entity to obtain final installment of tax credit investor equity and permanent loan conversion (dependent on scope of partnership proposals)
- Provide SHA with copies of all relevant documents, including updates on development and construction progress, permits, site reports, as-built plans, specifications, and certificate of occupancy and Operations and Maintenance Manuals.

In this scenario SHA's responsibilities will include the following:

- Secure PHA set-aside private activity bond cap in an amount sufficient to meet the bond test
- Issue tax-exempt bonds for the project
- Provide relevant information about the development and SHA to facilitate development and financial underwriting of the project
- Approve project design, including site plan, unit size, count, and mix, and specifications (including interior and exterior finishes, appliances, equipment, etc.)
- Approve bond purchaser and tax credit investor
- Approve major financing terms, including within operating/partnership agreement

As stated earlier, SHA recognizes a partnership can take many forms. Respondents may propose other partnership structures, and SHA encourages alternative proposals.

C. RFQ SCHEDULE AND PROCESS

1. Schedule

SHA issues this RFQ as part of a comprehensive process to select a development partner. SHA intends to evaluate the responses to this RFQ. SHA reserves the right to modify or cancel any and all parts of this RFQ and process. The general steps and preliminary schedule are described as follows:

Activity/Event	Date
<i>Release RFQ</i>	March 27, 2024
<i>Site Tours</i>	The site is available to view at anytime. SHA will coordinate a formal site visit on April 10, 2024
<i>Deadline for Questions</i> See below for required procedure for RFQ questions or requests for clarifications.	April 19, 2024
<i>RFQ Submittal Due Date</i> See below for required procedure for RFQ submission.	May 8, 2024
<i>RFQ Interviews</i>	Week of May 20, 2024
<i>Selection and Negotiation Process</i> SHA intends to select a Respondent (in accordance with the criteria identified in the RFQ) with whom to negotiate a development agreement.	May 31, 2024

2. Communications and Questions

All questions or requests for clarifications regarding this RFQ must be submitted in writing and directed to the following email address: rfq@spokanehousing.org. SHA will disregard any communications sent in any other manner with respect to this RFQ.

All questions or requests for clarification concerning this RFQ must be received by SHA no later than 12:00 PM Pacific Time, on April 19, 2024. Questions or requests for clarifications received after this time and date will not be considered.

SHA will provide responses to properly submitted questions or requests via formal RFQ Addendum, which will be published on SHA's website on May 3, 2024. Respondents shall be responsible to review and download any RFQ addenda issued. SHA's communications (including written or oral communications, interpretations or clarifications) outside this formal RFQ addenda process shall not be binding and shall be without legal effect.

3. Costs and Expenses

All costs associated with the preparation, submittal and delivery of a response to this RFQ is the responsibility of respondent. SHA will not be liable for any costs incurred by the responder in the preparation of submittals in response to this RFQ.

4. Public Records

Any records or materials submitted to SHA in response to this RFQ become public records under the Washington State Public Records Act (RCW 42.56). The Act mandates that public records be promptly disclosed upon request unless disclosure of the requested documents is specifically exempted by statute. There is no specific exemption for RFQ documents. If SHA receives a public disclosure request for a respondent's records, SHA will notify the respondent of the request and delay disclosing the requested documents for ten calendar days to allow the responder to file a lawsuit under RCW 42.56.540 to enjoin disclosure. By providing a submittal, responder acknowledges that SHA has no obligation to protect responder's documents and will have no liability to responder if records are disclosed.

5. Rights Reserved

SHA reserves the right to accept or reject any or all responses in their entirety or in part and to waive informalities and minor irregularities and to contract as the best interest of SHA may require. During the evaluation process, if SHA determines that a particular requirement may be modified or waived and still allow SHA to substantially meet its needs, then the requirement(s) may be modified or waived. SHA reserves the right to contact any Respondent to seek clarification, to ask any or all Respondents to submit additional information, or to request modified responses after the submission deadline.

SHA requests that firms refrain from requesting public disclosure of selection information until a contract has been executed as a measure to best protect the solicitation process. SHA shall continue to properly fulfill all public disclosure requests for such information as required by law.

D. SUBMITTAL REQUIREMENTS

1. Submittal Format and Details

- Number of copies: Respondents shall provide one electronic bookmarked pdf (in searchable format) via Microsoft SharePoint using the following upload only link: https://spokanehousingauthority.sharepoint.com/:f:/g/devel/EmHRPWqapxlDqBpngP37uPsBvBzFBn5VYA7_q1zWY2-psw SHA will not accept paper submittals.
- Page Limits: All submissions shall conform to the page limits (per section) identified in Submittal Content below.
- File Size: SHA will not accept files larger than 10MB. If a file is larger than 10 MB, the submittal must be sent in multiple emails. Each email must be clearly labeled: email 1 of 3, email 2 of 3, email 3 of 3.
- Submittal Deadline: Submittals must be received by SHA no later than 5:00 pm Pacific time on May 8, 2024 SHA will not consider any submittals received after the deadline. SHA will

provide all responders with an acknowledgment of receipt. All submittals received will become the property of SHA.

2. Submittal Content

Submittals should be organized in the order of the outline below and include the following information:

- Cover letter (no more than 2 pages): The cover letter should confirm Respondent's interest in serving as Turnkey Developer on the Appleway Development project, confirm that Respondent's development team can successfully perform the scope of work in this RFQ, and be signed by a principal or officer of the firm authorized to execute contracts or other similar documents on the firm's behalf.
- References (no more than 1 page): Respondent should provide a list of at least two references for whom the firm or team members have performed similar work in the last 5 years, including the name of the client, contact person, address, phone number, and email address.
- Resumes (no more than 3 pages): Respondent should provide resumes for the key personnel that would be involved in the project.
- Narrative responses (no more than 14 pages):
 - 1) Description of the proposed development entity and associated team's experience and composition, including:
 - Principals of the firm.
 - Proposed team and individual team members' experience, abilities, and skill.
 - Experience in planning, developing, financing, constructing, and placing in service projects similar in size and complexity to the Project.
 - History of delivering projects on time and within budget.
 - Respondent's philosophy, approach, lessons-learned, and core values for projects like the Project.
 - Organizational structure and description of specific roles and responsibilities for your proposed team members.
 - Which scopes of work will be provided by third-party contractors or outside consultants and the names of those entities.
 - Experience with public funding source including due diligence and compliance with LIHTC, WA State Housing Trust Fund, HOME, and other federal, state, or local funds.
 - 2) Description of up to three recent projects Respondent has completed that were similar in size and scope to the Project:
 - Describe each project (including at a minimum its size, type, number of units, quality of construction, and the sources of interim and permanent financing)

and Respondent's role in the planning, development, financing, construction, and lease-up.

- Describe which members of the proposed development team for the Project were involved in each project and their roles.
- Provide a description of the similarities and differences between each of the projects and the Project.
- Describe whether the projects were delivered on time and within budget and, if not why and how the cost overruns were resolved.
- Indicate the status of the project, occupancy, current ownership, and whether the project is available for tour by SHA.

3) Description of Respondent's financial strength:

- Describe your experience and skills in financial management of projects of the scope and scale of the Project, including the use of tax-exempt bonds and 4% tax credit financing to construct affordable housing.
- Describe any special concerns you have about financing for the Project, as well as any creative approaches you anticipate for such financing.
- An outline of the key development and financial parameters that SHA has for this project are outlined in Exhibit 1. In your response, please acknowledge acceptance of these parameters or set forth any areas of disagreement, with suggested alternatives.

4) Describe your overall strategy for development of the Project, including how your proposed development team can optimize the value of the project for SHA, mitigate risks to SHA, and otherwise achieve or exceed SHA's objectives. Respondents are encouraged, but not required to, include the following elements in their proposal:

- Schematic site plan
- Development and Operating Proformas
- Recommendations on building typologies for the intended target populations.

E. EVALUATION CRITERIA

Respondents' submittals will be evaluated based on the criteria listed in this section and further described in Section D above. It is important for respondents to clearly demonstrate that they have adequate staff capacity in all the areas of expertise required for successful completion of this project.

Respondents are encouraged to identify and clearly label in their submittal how each criterion is being fully addressed. Evaluation of responses to this RFQ will be based only on the information provided in the submittal and, if applicable, interviews and reference responses.

SHA reserves the right to request additional information or documentation from the responder regarding their submittal documents, personnel, financial viability, or other items to complete the selection process. The following is a list of threshold and evaluation criteria that will be used to rate RFQ submittals.

Evaluation Criteria

#	Criteria	Maximum Points
1	Description of proposed development entity and associated team’s experience <i>(See Section D.2.1 above for a complete description of this criterion)</i>	30
2	Description of up to three projects recently completed by firm that are similar in size and complexity to this project <i>(See Section D.2 above for a complete description of this criterion)</i>	20
3	Description of financial capacity <i>(See Section D.3 above for a complete description of this criterion)</i>	20
4	Description of overall strategy for redevelopment of the project <i>(See Section D.2.4 above for a complete description of this criterion)</i>	25
5	References	5
TOTAL		100

F. EVALUATION PROCESS

SHA will evaluate the RFQ submissions in accordance with the RFQ criteria. SHA reserves the right to make its final selection of a Respondent (without issuing a subsequent RFP) based solely on its review of the RFQ submissions.

At the conclusion of the RFQ process, SHA intends to enter into a period of exclusive negotiations with the selected Respondent, with the goal of arriving at a mutually acceptable master development agreement. SHA shall negotiate with the most qualified Respondent, as determined by evaluation of the responses and, if applicable, interviews. If SHA is unable to reach agreement with the highest ranked firm, it may negotiate with the second highest ranked firm, proceeding in turn to each firm, in order of rank, until a contract is executed.

SHA reserves the right to conduct reference checks at any point during the evaluation process. In the event that information obtained from the reference checks reveals concerns about the Respondent's past performance and their ability to successfully perform the contract to be executed based on this RFQ, SHA may, at its sole discretion, determine that the Respondent is not a responsible respondent and may select the next highest-ranked Respondent whose reference checks validate the ability of the Respondent to successfully perform the contract to be executed based on this RFQ. In conducting reference checks, SHA may include itself as a reference if the Respondent has performed work for SHA, even if the Respondent did not identify SHA as a reference.

By submitting in response to this RFQ, Respondents accept the procurement method used and acknowledge and accept that the evaluation process will require subjective judgments by SHA and the evaluation panel.

G. ADMINISTRATIVE INFORMATION

1. **Social Equity**. SHA encourages social equity provisions that will apply include but are not limited to employment of women and minorities as well as Women and Minority Business Enterprise participation.
2. **Basic Eligibility**: Prior to signing a Contract for these services, the successful respondent must be licensed to do business in the State of Washington and must have a state Unified Business Identifier (UBI) number.
3. **Conflict of Interest**: It is understood that, in the absence of any actual or apparent conflict, by responding to this RFQ, the Respondent, hereby warrants that to the best of its knowledge and belief, no actual or apparent conflict of interest exists with regard to its possible performance of the work to be covered by this solicitation. Conflict of interest is defined as a situation in which the nature of work under a proposed contract and a prospective Respondent's organizational, financial, contractual or other interest are such that: 1) Award of the contract may result in an unfair competitive advantage; 2) The Respondent's objectivity in performing the work may be impaired; or 3) The Respondent has disclosed all relevant information and requested the SHA to make a determination with respect to the contract.
4. **Contract Requirements**: The form of the contract to be negotiated as a result of the RFQ process shall be a Development Partner Agreement. While the bulk of the terms and conditions for such Agreement have yet to be determined, the Respondent may view required contract clauses that may be included in the event federal assistance is used in funding the underlying Agreement.
5. **Insurance**: Depending on the nature of the agreement developed between SHA and the successful Respondent, appropriate insurance requirements will apply. SHA's minimum general insurance requirements include:
 - Commercial General Liability Insurance including Additional Insured Endorsement - \$1,000,000 each occurrence - \$2,000,000 aggregate
 - Commercial Automobile Insurance - \$1,000,000 each occurrence
 - Professional Liability Insurance - \$1,000,000 per claim/aggregate

H. PROTEST AND DISPUTE RESOLUTION

1. **Purpose**: These protest procedures are included in this RFQ to provide a prompt, fair and equitable administrative remedy to Respondents regarding alleged substantive errors or omissions in the RFQ or regarding any decision by SHA to shortlist, execute an agreement, or to declare a response non-responsive.
2. **Timing**: Any Respondent showing a substantial economic interest under this RFQ may protest to SHA (a "Protest") only in accordance with the procedures set forth below. There are two types of protest available to Respondents. The first must be submitted prior to response submittal and by the date stated below. The second type of protest can be filed after notice of the shortlist and within the time period state below.

- a. Pre-response Protests (Protests based on the form or content of the RFQ documents): Any Protest based on the form or content of the documents included with the RFQ or any addendum (including, but not limited to, any terms, requirements and/or restrictions therein) must be filed with SHA as soon as practicable via email at: Rfq@spokanehousing.org. This is the point where Respondents must raise any concerns relating to the criteria for qualification published by SHA.

No protest based on the form or content of the solicitation documents, including the evaluation criteria, will be considered if received by SHA after April 19, 2024 at 5:00 p.m.

- b. Post-response Protests: Protests based on a determination by SHA regarding this RFQ (including shortlist determination, identification of a successful Respondent, or rejection of one or more Responses) must be filed with SHA, via email at: Rfq@spokanehousing.org., within three (3) business days (defined as Monday through Friday except of U.S. federal holidays) after the Respondent has received notice of a determination.

No protest will be considered by SHA if all responses are rejected or if the protest is received after three (3) business days of the notice of determination.

3. Contents of Protest: To be considered, a Protest shall be in writing and shall include: (1) the name, street address, telephone number and email address of the aggrieved party; (2) the economic interest of the aggrieved; (3) a detailed description of the specific grounds for the Protest and any supporting legal and/or factual documentation; and (4) the specific ruling or relief requested.
4. Review:

For Protests prior to response submission, SHA reserves the right to resolve or to attempt to resolve any Protest that concerns the form or content of the RFQ documents and which Protest was timely received before the response opening through written addenda to the RFQ documents.

The purpose of the Post-response Protest process is to ensure the appropriate steps have been taken by SHA when a Respondent is dissatisfied with a shortlist decision. This process does not create any due process rights but is intended to allow Respondents to raise concerns regarding actions taken regarding the process. SHA shall promptly consider the Protest based on the written submittal. In its sole discretion, SHA may give notice of the Protest to other interested parties, including other Respondents.

For Post-response Protests the following types of issues will be considered an appropriate basis for a Protest:

- An alleged violation of state or federal laws;
- An alleged violation of SHA policies or procedures; or
- An alleged failure of the SHA to follow terms or processes set out in the applicable RFQ.

SHA may issue a written Final Decision. In making its decision, SHA may consult with others and consider information relating to the Protest from any source, including other interested parties. A

copy of the Final Decision will be provided to the aggrieved party, and any other party as may be required, by email.

5. Judicial Proceedings: All judicial proceedings must be filed within three (3) business days of the issuance of SHA's Final Decision.

An aggrieved party that intends to commence judicial proceedings shall specifically provide notice to the SHA prior to the commencement of such proceedings. The notice shall be provided to SHA at Rfq@spokanehousing.org.

6. Strict Compliance: Strict compliance with these protest procedures is essential in furtherance of the public interest. Any aggrieved party that fails to comply strictly with these protest procedures is deemed, by such failure, to have waived and relinquished forever any right or claim with respect to alleged irregularities in connection with the solicitation or award of the contract. No person or party may pursue any judicial or administrative proceedings challenging the RFQ or any part of the process, without first exhausting the administrative procedures specified herein.
7. Acknowledgement: By submitting a response to this RFQ, the respondent acknowledges that it has reviewed and acquainted itself with the protest procedures herein and agrees to be bound by such procedures as a condition of submitting a response.

I. DOCUMENTS AVAILABLE FOR REVIEW

SHA has the following documents related to the subject property available for potential respondents to review:

- ALTA Survey
- Phase 1 ESA
- Title report
- SHA Property Specifications