

KINGSTON HOUSING AUTHORITY/STUYVESANT CHARTER, INC.

KINGSTON HOUSING AUTHORITY'S AFFILIATE STUYVESANT CHARTER, INC.:

REQUEST FOR QUALIFICATIONS (RFQ) TO SELECT A DEVELOPMENT PARTNER

The Kingston Housing Authority's (KHA's) not-for-profit affiliate Stuyvesant Charter, Inc. (SC) is seeking proposals from qualified responsible parties to serve as a Development Partner on a future Multi-Family Housing Development Project, in partnership with SC. The future Multi-Family Housing Development Project will be determined in collaboration between SC and the selected Development Partner but will likely include the financial restructuring and rehabilitation of existing SC public housing facilities in City of Kingston, and possibly a RAD Conversion. The project requires substantial rehabilitation, or if feasible, demolition and new construction.

Each party that submits a response to this RFQ is referred to herein as a "Respondent." A Respondent who is conditionally designated through this RFQ process is referred to herein as a "Designated Development Partner."

SC reserves the right to cancel this RFQ or to reject, in whole or in part, any or all Proposals received in response to this RFQ, upon its determination that such cancellations or rejections are in the best interest of SC.

SC (as well as KHA) is an Equal Opportunity Employer and does not discriminate based on race, color, national origin, sex, religion, age, disability, or familial status in employment or the provision of services. SC solicits and encourages the participation of Minority and Women Owned Businesses.

A restricted period under this RFQ is currently in effect and will remain in effect until a Designated Development Partner is selected, or the RFQ is canceled. Responders may not make any uninvited contact with SC (or KHA) Board Members/Commissioners, employees or residents. All communications shall be in writing to the designated contact, with an exception should a Responder be invited to interview with SC.

All expenses incurred by Responders in the preparation and submission of Proposals in response to this RFQ are the sole responsibility of the Responders.

RFQ ISSUED Date: **September 6, 2019**

PROPOSAL DUE DATE & Time: **On or before 4:00 PM EST on October 4, 2019**

Designated Contact for the Request for Qualifications:

- Maureen MacArthur, Assistant Executive Director and Project Manager, Kingston Housing Authority
Mailing Address: 132 Rondout Drive, Kingston, New York 12401
Email: mmacarthur@kingstonhousing.org

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For more information visit <http://www.kingstonhousing.org/>

INTRODUCTION

This RFQ has been issued by the Stuyvesant Charter, Inc. (SC) to improve and possibly expand affordable housing options for families, senior citizens and persons with special needs at its complex located at 1-143 Sheehan Court in Kingston, New York. SC is developing a plan to rehabilitate and restructure its portfolio, and possibly demolish and replace some of the existing multi-family public housing development under its control and management. To implement and complete this plan, SC anticipates a multi-phase, multi-source financing, and possibly a RAD Conversion. As part of the plan, SC seeks a Development Partner with demonstrated and successful experience in mixed-finance rehabilitation and restructuring of affordable multi-family housing. SC will enter into negotiations with the Respondent(s) whose proposal best serves the goals and interests of SC, which is expected to result in the execution of an agreement(s) between KHA, SC, or its affiliate, and the selected Development Partner.

KHA was organized under the laws of the State of New York in 1948 to provide safe, affordable and quality housing for senior citizens, low-income families and persons with disabilities, at rents which persons of low-income can afford in areas where there exists a shortage. KHA is a public corporation, legally separate, fiscally independent, and governed by a Board of Commissioners. KHA has entered into annual contributions contracts with the U.S. Department of Housing and Urban Development (HUD) to be the Administrator of a Public Housing Program.

KHA has a total of 481 housing units of Low-Income Public Housing under management. KHA also manages 359 HUD Section 8 Housing Choice Vouchers (HCV).

SC is a not-for-profit corporation established in 1997 under the New York State Not-For-Profit Corporation Law. SC contains a seven (7) member Board with all of the Board Commissioners of the KHA also serving as a Board member for SC. Similar to the KHA, SC's purpose is to acquire, rehabilitate and develop, own, operate, manage and control housing for low and moderate income tenants. SC's specific purpose is to ensure the availability of quality housing for persons of limited financial means and to insure safe, hospitable, public housing environment.

SC operates the Stuyvesant Apartments which are located within a complex on approximately 9.1 acres within the City of Kingston (the "SC Complex"). The SC Complex consists of one-hundred and twenty (120) rental units divided among seven (7) two-story buildings that were built circa 1974. Almost all of the rental units are currently occupied. The SC Complex has the following unit distribution, by tenant category:

Type	1BR	2BR
Former 236	4	43
Public Housing	6	19

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Project Based Section 8	30	18
Total	40	80

SC intends to serve as Co-Developer for all projects. All activities, endeavors, initiatives, and actions undertaken because of an award of this RFQ are hereinafter understood and incorporated by reference, to be in partnership with the SC, its entities, instrumentalities and/or affiliates, and is subject to SC final prior approval. If a contract is awarded, it will be awarded to the responsible Responder whose qualifications, fees, terms/conditions and other factors are deemed most advantageous to the SC. Additional requirements or restrictions imposed by lender, investor, HUD, NYS HCR and other governmental entities will also be considered in rendering a decision.

RFQ TIMELINE

The following table lists important dates under the RFQ process:

1. RFQ Release Date: **September 6, 2019**
2. Site Tour (Mandatory): **September 20, 2019**
3. Deadline for submission of Questions: **September 27, 2019**
4. Deadline for SC to Respond to Questions: **October 1, 2019**
5. Submission of Proposals: **October 4, 2019 (on or before 12:00pm EST)**
6. Interviews (if necessary): **October 2019**
7. Anticipated Decision Date: **November 1, 2019**

DEVELOPMENT OBJECTIVES

SC is in the early stages of planning several projects to upgrade its existing portfolio with rehabilitation to extend useful life by 30 years or more and undertake a substantial redevelopment of the existing SC Complex. The substantial redevelopment project may also include the development of new units within the site to accommodate more housing or to permit demolition and replacement housing at the current site.

The rehabilitation projects should be with tenants-in-place and include unit upgrades (kitchens and possibly baths), common area improvements, exterior improvements to the buildings, as well as updated lighting, electrical, and security systems.

Each project will require seeking outside sources of capital using mixed finance methods and securing the required United States Department of Housing and Urban Development (“HUD”) approvals. Financing is likely to include federal Low-Income Housing Tax Credits, and/or tax-exempt bonds in conjunction with Low-Income Housing Tax Credits and may involve a RAD Conversion.

The control, operations and management of all existing SC facilities shall remain under the control and management of SC or its affiliate during and after all development activities.

NOTE: The site tour is mandatory. The Respondent is not expected to provide SC with a proposed scope of work for the properties, as that work will be done in the future together with SC once a Development

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Partner is selected. The site tour allows responders to be more familiar with the SC Complex and the other properties operated by KHA. More information about the mandatory site tour is provided in the section below on RFQ Inquiries and Site Tour.

REQUIRED CONTENTS & SUBMISSION INSTRUCTIONS

REQUIRED CONTENTS

NOTE: Please provide responses that are in conformance with these instructions. We are looking for responses that are clear and comprehensive but also brief and to the point.

1. **Qualifications, Experience, and Capacity of the Respondent Team:** In a narrative, describe similar successful multi-family affordable housing projects developed with a complex financing structures that resulted in positive outcomes for the residents and local community or neighborhood. Include information about the partnership and development team members, the financing including any government issued tax credits, private activity bonds or loans, investors, rent structure and rental assistance if applicable, development schedule, supportive services if any, design considerations including energy efficiency plans, community outreach and participation efforts, M/WBE participation, achievement of HUD Section 3 participation goals if applicable and any other relevant information. Include at least one demolition/replacement project and at least one tenant-in-place moderate rehabilitation project with a brief description of the rehab scope of work.

Describe any previous collaboration on other similar projects with Public Housing Authorities that were successfully completed by any one or all members of the Respondent Team. If the Respondent has never collaborated with a Public Housing Authority, then describe at least one collaboration with a development partner, either a nonprofit or for-profit entity. Describe any previous collaboration projects with a Public Housing Authority that were planned but did not proceed to completion and explain the reasons the project did not proceed.

All entities that comprise the Respondent Team are to be identified, indicating their specialization(s) and specific contributions to the team. Please include the following:

- a. A team leader and main contact person for the RFQ should be clearly identified including all contact information.
- b. Provide resumes or detailed biographies of all team members with a description of the responsibilities they will be required to perform.
- c. Identify team members who are NYS Certified Minority or Women Business Enterprises.
- d. Submit information indicating where, and to what extent M/WBE Participation will be used.
- e. If Respondent has external members on their team, and a preference or prerequisite they be designated as part of the development team, such as engineers, architects or design professionals, legal counsel, investors or others, they should be identified, and their relevant experience and credentials provided. It should be noted if their participation is a preference or a prerequisite.
- f. If helpful, submit an organization chart showing all the individuals that will be assigned to work under this project.

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- g. Provide a 2018 financial statement for the Respondent entity or the principals of the Respondent, or for the Respondent's most recent fiscal year, prepared by a Certified Public Accountant. If the Respondent consists of multiple entities, then provide one recent financial statement for each entity, or the principals of each entity. This financial statement should demonstrate the financial capacity of the Respondent for executing all applicable project guarantees for a typical tax credit or tax-exempt bond financed project. Financial statements may be submitted in a separate, sealed envelope (one copy only) marked "Financial Statements – Confidential."
- h. Respondents must submit at least three references including contact information, relevant to the scope of work anticipated in this RFQ.

NOTE: Successful experience in the development of similar projects to the one proposed for this RFQ, together with the financial capacity to complete projects under this RFQ will be favored. Experience in housing development efforts with resident and community participation will be favored.

2. **Role of Development Partner/Proposed Ownership & Fee Structure:** The respondent shall provide a narrative describing the proposed structure and relationship between the Respondent and SC with respect to ownership and development activities, including project planning, design, financing and construction activities related to the implementation of the plan and delivery of the new or rehabilitated housing units to a new ownership entity in which SC and Respondent entity would share in the ownership interest, or alternatively, the Respondent might propose to provide development services in a turnkey arrangement.

Include in the narrative the proposed development fees and any other applicable fees the Respondent would expect to earn as part of any one transaction. Fees should be expressed as percentages of appropriate cost basis.

If Respondent has external members on their team, and a preference or prerequisite they be designated as part of the development team, such as engineers, architects or design professionals, legal counsel, or others, then report the fees to be charged by such team members as a percentage of appropriate cost basis.

The response should include a statement of the proposed terms and price to be paid to SC for a membership interest in the owner of the facility, unless a turnkey arrangement is proposed.

3. **Community Participation and Engagement:** Respondent should describe in detail how it would share information and inform about the project(s) throughout the planning and development process with SC Complex residents and the community in general and receive and process community input.
4. **MBE/WBE Participation and Section 3 Experience:** Submit information showing the composition of the development team, clearly indicating where, and to what extent, minority and female business enterprises are to be utilized. State which, if any, of the key team components mentioned in subparagraph (i) hereof are to be performed by qualified MBE/WBE firms.

Submit information demonstrating successful experience in and commitment to developing and implementing Section 3 plans.

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Documented information in establishing and achieving Section 3 goals followed by implementation should be noted including experience in the recruitment, hiring and training of local residents

5. Required Certifications and Affidavits:

- a. Complete and submit the attached Disclosure of Lobbying Activities form for the Respondent entity or if applicable the principals of the Respondent entity.
- b. Complete and submit the attached Certification of Payments to Influence Federal Transactions form for the Respondent entity or if applicable the principals of the Respondent entity.
- c. Complete and submit the attached Non-Collusive Affidavit form for the Respondent entity or if applicable the principals of the Respondent entity.

SUBMISSION INSTRUCTIONS

Proposals in response to this RFQ must be received by the Designated Contact at the office of the **Kingston Housing Authority, 132 Rondout Drive, Kingston, New York 12401**, no later than the due date/time of **12:00 p.m., October 4, 2019**. Late submissions will not be accepted. SC reserves the right to extend the date and time for Proposal submission at its discretion.

Responders must provide **one original and ten (10) print copies**, and **one digital copy on a flash drive**, or **in the form of a PDF**, of all required information in a submission marked "Kingston Housing Authority/Stuyvesant Charter, Inc. RFQ".

SELECTION CRITERIA

All Proposals received will be date and time stamped and checked for completeness. Complete Proposals received by or before the deadline will be reviewed and scored in accordance with the weighted criteria provided below. SC shall establish a review committee to evaluate Proposals. When evaluating Proposals, the following selection criteria will be considered with the accompanying weightings used to calculate an overall Proposal score.

CRITERIA	BRIEF DESCRIPTION	WEIGHT
Respondent Experience & Qualifications	Previous experience developing multi-family affordable housing with demonstrated financial capacity. Previous experience involving layered financing including, but not limited to, Low-Income Housing Tax Credits. Experience with RAD conversions. Experience collaborating with Public Housing Authorities or other organizations.	40%
Proposed Role of Development Partner	The proposed structure and relationship between the Respondent and SC with respect to ownership and development activities, including project planning, design, financing, construction activities and other, plus the sharing of developer fees.	30%

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Community Participation	Plan for community participation and engagement for this RFQ and success of previous plans for past completed projects.	10%
Section 3 Participation	Past experience and plan for how the project will accommodate HUD Section 3 program requirements.	10%
M/WBE Participation	Past experience achieving M/WBE participation goals.	10%

DUE DILIGENCE

SC will reject the proposal of any respondent who is debarred, suspended, or issued a Limited Denial of Participation by the U.S. Department of Housing and Urban Development and/or NYS Homes and Community Renewal (NYS Division of Housing and Community Renewal) from providing services to housing companies, and reserves the right to reject the proposal of any respondent who has previously failed to properly perform any contract for SC or the KHA.

The determination of the criteria and review process as well as any selection decision shall be at the sole and absolute discretion of SC.

RFQ INQUIRIES & SITE TOUR

This RFQ will be broadly distributed to all interested parties. It will be posted on the KHA's website - <http://www.kingstonhousing.org/>. A notice will be posted in the Kingston Freeman newspaper. The RFQ will be distributed to various public housing and affordable housing trade organizations, and it will be released to known affordable housing developers in the Hudson Valley and to all persons and entities that inquire and request a copy of the RFQ.

Questions and inquiries regarding this RFQ may only be submitted in writing to the email address provided for the Designated Contact. All inquiries must be received no later than **September 27, 2019**. Answers will be provided as written addenda to this RFQ and will be posted on the KHA website, and available on file for inspection in the KHA office. KHA and SC will endeavor to provide copies of all addenda to all potential Respondents to whom this RFQ was emailed, but it will be the responsibility of each Respondent to check the KHA website or make inquiry as to the existence and content of addenda, as the same shall become part of this RFQ and all Respondents will be bound thereby, whether the addenda are received by the Respondent.

Site tours are required for all interested parties so that they can be more familiar with the properties prior to responding to this RFQ.

Site tours of the KHA properties, including the SC Complex, will be held for all interested parties starting at **10:00 AM** on **September 20, 2019**. Please arrive promptly at the KHA main office for the start of the tour – **132 Rondout Drive, Kingston, New York 12401**.

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STATEMENT OF LIMITATIONS

SC reserves the right to (a) amend, modify, or withdraw this RFQ in its sole discretion; (b) revise any requirements of this RFQ; (c) reject any or all proposals received in response to this RFQ; (d) make an award under this RFQ in whole or in part; (e) disqualify any proposer whose conduct and/or proposal fails to conform to the requirements of this RFQ; (f) seek clarifications and revisions of proposals; (g) use proposal information obtained through interviews and its investigations of a proposer's qualifications, experience, ability or financial standing, and any material or information submitted by the proposer in response to the SC's request for clarifying information in the course of evaluation and/or selection under this RFQ; (h) prior to the proposal selection, amend the RFQ specifications to correct errors or oversights, or to supply additional information, as it becomes available; (i) prior to the proposal selection, direct proposers to submit proposal modifications addressing subsequent RFQ amendments; (j) change any of the scheduled dates; (k) eliminate any mandatory, non-material specifications that cannot be complied with by all of the prospective proposers; (l) waive any requirements that are not material; (m) negotiate with the selected proposer within the scope of the RFQ in the best interests of the SC; (n) conduct contract negotiations with the next responsible proposer, should the SC be unsuccessful in negotiating the selected proposer; (o) utilize any and all ideas submitted in the proposals received; and (p) require clarification at any time during the procurement process and/or require correction of arithmetic or other apparent errors for the purpose of assuring a full and complete understanding of a proposer's proposal and/or to determine a proposer's compliance with the requirements of this RFQ.

APPENDIX

The following forms, certifications and affidavits are attached.

- Disclosure of Lobbying Activities
- Certification of Payments to Influence Federal Transactions
- Non-Collusive Affidavit

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DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure.)

Approved by OMB
0348-0046

1. Type of Federal Action: <input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance	2. Status of Federal Action: <input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. initial award <input type="checkbox"/> c. post-award	3. Report Type: <input type="checkbox"/> a. initial filing <input type="checkbox"/> b. material change For Material Change Only: year _____ quarter _____ date of last report _____
4. Name and Address of Reporting Entity: <input type="checkbox"/> Prime <input type="checkbox"/> Subawardee Tier _____, if known: Congressional District, if known: 4c	5. If Reporting Entity in No. 4 is a Subawardee, Enter Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable: _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant <i>(if individual, last name, first name, MI):</i>	b. Individuals Performing Services <i>(including address if different from No. 10a)</i> <i>(last name, first name, MI):</i>	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.	Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____	
Federal Use Only:		Authorized for Local Reproduction Standard Form LLL (Rev. 7-97)

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OMB Approval No. 2577-0157 (Exp. 01/31/2017)

Certification of Payments to Influence Federal Transactions

U.S. Department of Housing
and Urban Development
Office of Public and Indian Housing

Applicant Name

Program/Activity Receiving Federal Grant Funding

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to 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 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 an 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 sub recipients shall certify and disclose 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.

I hereby certify that all the information stated herein, as well as any information provided in the accompniment herewith, is true and accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Authorized Official

Title

Signature

Date (mm/dd/yyyy)

Previous edition is obsolete

form HUD 50071 (01/14)
ref. Handbooks 7417.1, 7475.13, 7485.1, & 7485.3

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NON-COLLUSIVE AFFIDAVIT

Non-Collusive Bidding Certification:

By submission of this bid proposal, the Bidder certifies that:

(a.) this bid or proposal has been independently arrived at without collusion with any other Bidder or with any competitor or potential competitor, (b.) this bid or proposal has not been knowingly disclosed and will not be knowingly disclosed, prior to the opening of bids or proposals for this project, to any other Bidder, competitor or potential competitor, (c.) no attempt has been or will be made to induce any other person, partnership or corporation to submit or not to submit a bid or proposal, (d.) the person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under the penalties of perjury, affirms the truth thereof, such penalties being applicable to the Bidder as well as to the person signing in its behalf, (e.) that attached hereto (if corporate Bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid or proposal on behalf of the corporate Bidder.

Resolved that _____ be authorized to sign and
NAME of CORPORATION

submit this bid or proposal of this corporation for the following project:

DESCRIBE PROJECT

and to include in such bid or proposal the certificates as to non-collusion required by Section One Hundred Three-D of the General Municipal Law as the act and deed of such corporation and for any inaccuracies or misstatements, in such certificates this corporate Bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by _____
corporation at a meeting of its Board of Directors held on the _____ day of _____, 20 _____.

SEAL OF CORPORATION
Secretary