

REQUEST FOR QUALIFICATIONS No.

For

**DEVELOPMENT ON MIAMI-DADE COUNTY OWNED LAND FOR MIAMI-DADE
PUBLIC HOUSING AND COMMUNITY DEVELOPMENT**

PRE-PROPOSAL CONFERENCE TO BE HELD:

****, 2012 at **:00 AM (local time)
701 NW 1st Ct, 2nd Floor, Conf. Rm. (DERM), Miami, Florida 33136

ISSUED BY MIAMI-DADE COUNTY:

Department of Procurement Management (DPM)
for
Public Housing and Community Development (PHCD)

COUNTY CONTACT FOR THIS SOLICITATION:

Fred Simmons, Jr., CPPO: Senior Procurement Contracting Officer
Address: 111 NW 1st Street, Suite 1300, Miami, Florida 33128
Telephone: (305) 375-4259
E-mail: fred@miamidade.gov

PROPOSALS ARE DUE AT THE CLERK OF THE BOARD NO LATER THAN:

****, 2012 at *:00 PM (local time)

at
CLERK OF THE BOARD
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, Florida 33128-1983

The Clerk of the Board business hours are 8:00 a.m. to 4:30 p.m., Monday through Friday. Additionally, the Clerk of the Board is closed on holidays observed by the County.

All proposals received and time stamped by the Clerk of the Board prior to the proposal submittal deadline shall be accepted as timely submitted. The circumstances surrounding all proposals received and time stamped by the Clerk of the Board after the proposal submittal deadline will be evaluated by the procuring department in consultation with the County Attorney's Office to determine whether the proposal will be accepted as timely. Proposals will be opened promptly at the time and date specified. The responsibility for submitting a proposal on or before the stated time and date is solely and strictly the responsibility of the Proposer. The County will in no way be responsible for delays caused by mail delivery or caused by any other occurrence. All expenses involved with the preparation and submission of proposals to the County, or any work performed in connection therewith, shall be borne by the Proposer(s).

The submittal of a proposal by a Proposer will be considered by the County as constituting an offer by the Proposer to perform the required services at the stated prices. A Proposer may submit a modified proposal to replace all or any portion of a previously submitted proposal up until the proposal due date. The County will only consider the latest version of the proposal.

Requests for additional information or inquiries must be made in writing and received by the County's contact person for this Solicitation. The County will issue responses to inquiries and any changes to this Solicitation it deems necessary in written addenda issued prior to the proposal due date. Proposers who obtain copies of this Solicitation from sources other than the County's Department of Procurement Management website at www.miamidade.gov/dpm or the Vendor Assistance Unit risk the possibility of not receiving addenda and are solely responsible for those risks.

TABLE OF CONTENTS

SECTION	PAGE
1.0 PROJECT OVERVIEW.....	5
1.1 Introduction.....	5
1.2 Definitions.....	7
1.3 General Information.....	7
1.4 Cone of Silence.....	8
1.5 Public Entity Crimes.....	9
1.6 Lobbyist Contingency Fee.....	9
1.7 Collusion.....	9
1.8 Expedited Purchasing Program.....	10
1.9 Contract Measures.....	10
1.10 Applicable State Status.....	10
1.11 Required Personnel.....	10
1.12 Compliance with State and Federal Requirements.....	10
2.0 SCOPE OF WORK.....	13
2.1 Background.....	13
2.2 Objective.....	13
2.3 Qualification Requirements.....	13
3.0 RESPONSE REQUIREMENTS.....	15
3.1 Submittal Requirements.....	15
3.2 Proposer Information.....	15
3.3 Form A-1: Cover Page.....	15
3.4 Affidavits/Acknowledgements.....	15
3.5 Attachment A: Submittal Identification Form.....	15
3.6 Attachment B: HUD 5369-C: Certifications and Representations of Offeror Non-Construction.....	15
3.7 Exhibit E: Miami-Dade Public Housing Agency Section 3 of the HUD ACT of 1968.....	15
3.8 Not Used.....	15
4.0 EVALUATION PROCESS.....	17
4.1 Review of Proposals for Responsiveness.....	17
4.2 Evaluation Criteria.....	17
4.3 Oral Presentations.....	18
4.4 Selection Factors.....	18
4.5 Local Certified Service-Disabled Veteran's Business Enterprise Preference.....	18
4.6 Local Preference.....	18

4.7	Negotiations	18
4.8	Contract Award	19
4.9	Rights of Protest	19
4.10	Section 3 of the HUD Act of 1968	19
4.11	Contract Term	19
5.0	TERMS AND CONDITIONS	21
5.1	Vendor Registration	21
5.2	Insurance Requirements	21
5.3	Inspector General Reviews	21
6.0	PROPOSERS INFORMATION	22
A.	Proposer's Experience and Past Performance	22
B.	Key Personnel and Consultants Performing Services	23
C.	Approach to Providing the Services	23
D.	Management Experience	23
E.	Design Architect Experience	24
F.	Resident Employment and Involvement Plan	25
G.	Certifications and Representations of Offerors, Form HUD-5369C (8/93)	26
7.0	COUNTY FORMS	
	Form A-1: Proposal Cover Page	
	Form A-2: Affidavit of Miami-Dade County Lobbyist Registration for Oral Presentation	
	Form A-3: Acknowledgement of Addenda	
	Form A-4: Not Used	
	Form A-5: Subcontractor/Supplier Listing	
	Form A-7: Fair Subcontracting Policies	
8.0	ATTACHMENTS	
	Attachment A: Submittal Identification Form	
	Attachment B: Form HUD 5369-C: Certifications and Representations of Offerors, Non-Construction	
9.0	HUD and County Required Exhibits	
	Exhibit A: HUD-5369-B Instructions to Offerors, Non-Construction	
	Exhibit B: HUD 5370-C General Contract Conditions, Non-Construction	
	Exhibit C: HUD 5370 General Conditions for Construction Contract- Public Housing Programs	
	Exhibit D: Insurance Requirements, Non-Construction	
	Exhibit E: PHCD Section 3 of the HUD Act of 1968, Document 00400 – Section 3 Economic and Affirmative Marketing Plan and Section 3 Business Preference Claim Form	
	Exhibit F: Description of Existing Sites Available for Development or Rehabilitation	
	<ul style="list-style-type: none"> • PHCD Properties Map • Existing PHCD Developments Information 	

1.0 PROJECT OVERVIEW AND GENERAL TERMS AND CONDITIONS

1.1 INTRODUCTION

- Miami-Dade County, hereinafter referred to as the County, as represented by the Public Housing and Community Development (PHCD), is soliciting proposals for Developer Services to maximize and expedite the development potential of existing public housing sites as indicated herein and provide a financial return to PHCD, while increasing the supply of quality affordable housing for the residents of Miami-Dade County. The County seeks to rehabilitate/upgrade existing public housing units, remove and replace obsolete public housing units, increase the number of units on its under-utilized sites and permit commercial and other special purpose uses where appropriate. PHCD also seeks to replace its older units with new designs that resemble market-rate units (regardless of whether these are public housing, affordable or market rate units) and incorporate creative and sustainable design solutions. Through this solicitation (RFQ), the County seeks to qualify Proposers to develop existing County owned sites to accomplish the goals stated below.

The County's Development Goals:

- The County's primary goal is to increase the supply of affordable, quality housing for residents. The County seeks to match experienced developers to these properties that can meet this objective.
- The County seeks to participate in any revenue or income streams produced by the new development. This may include, but is not limited to, ground lease payments, net revenues, developer fees, reimbursement of PHCD's and administrative expenses (assume at 2% of total development cost) and other sources as may be provided by developers.
- The County seeks to provide employment opportunities for very low, low, and moderate income residents housed in the development areas, and improve the quality of life through the development of PHCD sites.

General Information:

The County seeks to qualify developers for development opportunities at existing public housing developments in Miami-Dade County, currently being managed by PHCD.

The County is interested in using the mixed-income and mixed-finance approach to development, which is authorized by the federal regulations governing the County's housing programs, such as public housing. The mixed-income and mixed-finance approach to the development of public housing has dramatically changed the manner in which public housing authorities (PHA) can deliver public housing units. This approach: (1) permits development of projects which include both non-public housing units and public housing units; (2) permits PHCD to enter into partnership arrangements with non-profit and private developers to own mixed-income and mixed-finance developments; (3) permits private, third party management of mixed-income and mixed-finance developments; and (4) permits PHCD to assign operating and capital subsidies to such properties.

This mixed-income and mixed-finance approach also encourages the leveraging of public housing financial resources with other private and public funds. There is more flexibility in funding mixed-finance projects, as well as in mixing unit types, so that developments may include mixed-income residents, with "affordable" and market-rate units along with public housing units. To this end, the County, as a PHA, is seeking developers who can successfully apply and compete for available financing opportunities from local, state and federal sources.

The United States Department of Housing and Urban Development (HUD) has encouraged PHAs to approach the development of new units in as entrepreneurial a manner as possible. PHCD has demonstrated the willingness, and the capacity, to plan mixed-income developments, and to execute mixed finance transactions.

Property Descriptions: Property sites included in this RFQ are described as indicated in **Exhibit G**. Additional information on PHCD is available at www.miamidade.gov/Housing.

Developments: Statements of interest may focus on more than one site. Work by the Selected Developer(s) may include entire site or only a portion of a site, and may include rehabilitation or demolition of existing structures, replacement housing, new infill housing between existing structures, development of new commercial or special purpose facilities, or any combination thereof.

Developers: Developers may be non-profit (including faith-based) or, for-profit entities, for development and ownership purposes. The dwelling units, commercial spaces or special purpose facilities may be sold (subject to a ground lease and/or other agreement), or rented. Miami-Dade County will retain ownership of the land and may participate in the partnership that owns the improvements, and expects to share in any revenue generated by new development.

This solicitation (RFQ No. ___) is subject to the budget and fiscal provisions under which PHCD operates.

Section 3 Compliance: The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance of HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing. (See attached **Exhibit E**).

The County anticipates entering into developer agreement(s) that contemplate the execution of additional documents, which comply with all applicable federal, state and local requirements with Selected developers subject to the Selected developer(s) successfully obtaining financing. The term of any agreement will be negotiated with Selected developer(s).

The anticipated schedule for this Solicitation is as follows:

Solicitation issued: ****, 2012

Pre-Proposal Conference: See front cover for date, time and place. Attendance is recommended but not mandatory. If you need a sign language interpreter or materials in accessible format for

this event, please call the DPM ADA Coordinator at (305) 375-1530 at least five days in advance.

Deadline for receipt of questions: **** 2012

Proposal due date: ****, 2012: See front cover for time and place.

Evaluation process: -****, 2012

Projected award date: ****, 2012

1.2 Definitions

The following words and expressions used in this Solicitation shall be construed as follows, except when it is clear from the context that another meaning is intended:

1. The word "Contractor" to mean the Proposer that receives any award of a contract from the County as a result of this Solicitation, also to be known as "the prime Contractor".
2. The word "County" to mean Miami-Dade County, a political subdivision of the State of Florida.
3. The word "Proposer" to mean the person, firm, entity or organization, as stated on Form A-1, submitting a response to this Solicitation.
4. The words "Scope of Services" to mean Section 2.0 of this Solicitation, which details the work to be performed by the Contractor.
5. The word "Solicitation" to mean this Request for Qualifications (RFQ) or Request for Qualifications (RFQ) document, and all associated addenda and attachments.
6. The word "Subcontractor" or "Consultant" to mean any person, firm, entity or organization, other than the employees of the Contractor, who contracts with the Contractor to furnish labor, or labor and materials, in connection with the Services to the County, whether directly or indirectly, on behalf of the Contractor.
7. The words "Work", "Services", "Program", or "Project" to mean all matters and things that will be required to be done by the Contractor in accordance with the Scope of Services and the terms and conditions of this Solicitation.
8. The word "Proposal" shall mean the response to the Request for Qualifications (RFQ) forwarded by Proposer(s) to the County.
9. The words "qualified Proposer(s)" to mean the Proposer(s) which have been Selected and qualified by the County for negotiations for each site.
10. The words "Selected Proposer(s)" to mean the Proposer(s) which have been Selected by the County to develop a site.

1.3 General Proposal Information

The County may, at its sole and absolute discretion, reject any and all or parts of any or all responses; accept parts of any and all responses; further negotiate project scope and fees; postpone or cancel at any time this Solicitation process; or waive any irregularities in this Solicitation or in the responses received as a result of this process. Proposers may take exceptions to any of the terms of this Solicitation unless the Solicitation specifically states where exceptions may not be taken. The County may accept or reject the exceptions at its sole discretion and the Proposer's proposal shall be binding on the Proposer as if submitted without exception. The County reserves the right to request and evaluate additional information from any respondent after the submission deadline as the County deems necessary.

Proposals once opened, shall be irrevocable until contract award unless the proposal is withdrawn. A proposal may be withdrawn in writing only, addressed to the County contact person for this Solicitation, prior to the proposal due date or upon the expiration of 180 calendar days after the opening of proposals.

Proposers are hereby notified that all information submitted as part of, or in support of proposals will be available for public inspection after opening of proposals, in compliance with Chapter 119, Florida Statutes, popularly known as the "Public Records Law". The Proposer shall not submit any information in response to this Solicitation which the Proposer considers to be a trade secret, proprietary or confidential. The submission of any information to the County in connection with this Solicitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to Proposer. In the event that the Proposer submits information to the County in violation of this restriction, either inadvertently or intentionally, and clearly identifies that information in the proposal as protected or confidential, the County may, in its sole discretion, either (a) communicate with the Proposer in writing in an effort to obtain the Proposer's written withdrawal of the confidentiality restriction or (b) endeavor to redact and return that information to the Proposer as quickly as possible, and if appropriate, evaluate the balance of the proposal. Under no circumstances shall the County request the withdrawal of the confidentiality restriction if such communication would in the County's sole discretion give to such Proposer a competitive advantage over other Proposers. The redaction or return of information pursuant to this clause may render a proposal non-responsive.

Any Proposer who, at the time of proposal submission, is involved in an ongoing bankruptcy as a debtor, or in a reorganization, liquidation, or dissolution proceeding, or if a trustee or receiver has been appointed over all or a substantial portion of the property of the Proposer under federal bankruptcy law or any state insolvency law, may be found non-responsive. To request a copy of any ordinance, resolution and/or administrative order cited in this Solicitation, the Proposer must contact the Clerk of the Board at (305) 375-5126.

1.4 Cone of Silence

Pursuant to Section 2-11.1(t) of the Miami-Dade County Code, as amended, a "Cone of Silence" is imposed upon each RFQ after advertisement and terminates at the time a written recommendation is issued. The Cone of Silence prohibits any communication regarding RFQs or RFQs between, among others:

- potential Proposers, service providers, lobbyists or consultants and the County's professional staff including, but not limited to, the County Manager and the County Manager's staff, the Mayor, County Commissioners or their respective staffs;
- the Mayor, County Commissioners or their respective staffs and the County's professional staff including, but not limited to, the County Manager and the County Manager's staff; or
- potential Proposers, service providers, lobbyists or consultants, any member of the County's professional staff, the Mayor, County Commissioners or their respective staffs **and** any member of the respective selection committee.

The provisions do not apply to, among other communications:

- oral communications with the staff of the Vendor Assistance Unit, the responsible Procurement Agent or Contracting Officer, provided the communication is limited strictly to matters of process or procedure already contained in the solicitation document;

- oral communications at pre-proposal conferences, oral presentations before selection committees, contract negotiations during any duly noticed public meeting, public presentations made to the Board of County Commissioners during any duly noticed public meeting; or
- communications in writing at any time with any county employees, official or member of the Board of County Commissioners unless specifically prohibited by the applicable RFQ documents.

When the Cone of Silence is in effect, all potential vendors, service providers, bidders, lobbyists and consultants shall file a copy of any written correspondence concerning the particular RFQ with the Clerk of the Board, which shall be made available to any person upon request. The County shall respond in writing (if County deems a response necessary) and file a copy with the Clerk of the Board, which shall be made available to any person upon request. Written communications may be in the form of e-mail, with a copy to the Clerk of the Board at clerkbcc@miamidade.gov.

1.5 Public Entity Crimes

Pursuant to Paragraph 2(a) of Section 287.133, Florida Statutes, a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a proposal for a contract to provide any goods or services to a public entity; may not submit a proposal on a contract with a public entity for the construction or repair of a public building or public work; may not submit proposals on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and, may not transact business with any public entity in excess of the threshold amount provided in Section 287.017 for Category Two (\$10,000) for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

1.6 Lobbyist Contingency Fees

A) In accordance with Section 2-11.1(s) of the Code of Miami-Dade County, after May, 16, 2003, no person may, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person may, in whole or in part, receive or agree to receive a contingency fee.

B) A contingency fee is a fee, bonus, commission or non-monetary benefit as compensation which is dependent on or in any way contingent upon the passage, defeat, or modification of: 1) any ordinance, resolution, action or decision of the County Commission; 2) any action, decision or recommendation of the County Manager or any County board or committee; or 3) any action, decision or recommendation of any County personnel during the time period of the entire decision-making process regarding such action, decision or recommendation which foreseeably will be heard or reviewed by the County Commission or a County board or committee.

1.7 Collusion

Where two (2) or more related parties, as defined herein, each submit a proposal for any contract, such proposals shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such proposals. Related parties shall mean Proposer or the principals thereof which have a direct or indirect ownership interest in another Proposer for the same contract or in which a parent company or the principals thereof of one Proposer have a direct or indirect ownership interest in another Proposer for the same

contract. Furthermore, any prior understanding, agreement, or connection between two or more corporations, firms, or persons submitting a proposal for the same services shall also be presumed to be collusive. Proposals found to be collusive shall be rejected. Proposers who have been found to have engaged in collusion may be considered non-responsible, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

1.8 Expedited Purchasing Program
INTENTIONALLY BLANK

1.9 Contract Measures (Pending Small Business Department Review)
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1.10 Applicable State Statutes
Section 255.05, Fla. Stat.
Section 255.20, Fla. Stat.
Section 125.35, Fla. Stat.
Section 125.38, Fla. Stat.

1.11 Required Personnel

In addition to architectural/engineering, financial and property management services and any other required services, developer shall procure a general contractor (preferably using a low-bid process) that has the experience, bonding and insurance capacity to build the project(s) of interest to developer. Bonds and Insurance shall comply with the standards outlined in Section herein.

1.12 Compliance with State and Federal Requirements

Selected Proposers shall comply with applicable State Statutes for the Work to be completed assigned under contract with the County, including, but not limited to, compliance with Florida Statute 255.05 and 255.20. Additionally, the Selected Proposer shall comply with all applicable federal laws, mixed-finance regulations, PIH notices, directives of HUD, and HUD's general conditions for construction, applicable professional standards, County orders, ordinances, rules and regulations which may pertain to this RFQ, including but not limited to:

- a) Executive Order 11246 "Equal Employment Opportunity", as amended by executive Order 11375 and as supplemented in Department of Labor regulations (41 CFR Chapter 60), as well as the Americans with Disabilities Act of 1990 and implementing regulations, the Rehabilitation Act of 1973, as amended, Chapter 553 of Florida Statutes and any and all other local State and Federal directives, ordinances, rules, orders, and laws relating to people with disabilities..
- b) Miami-Dade County Florida, Department of Small Business Development Participation Provisions, as may be applicable.
- c) Environmental Protection Agency (EPA), as applicable to this RFQ.
- d) Miami-Dade County Code, Chapter 11A, Article 3. All contractors and subcontractors performing work in connection with this Contract shall provide equal opportunity for employment because of race, religion, color, age, sex, national origin, sexual orientation, disability, marital status or source of income. The aforesaid provision shall include, but

not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Proposer agrees to post in conspicuous place available for employees and applicants for employment, such notices as may be required by the Dade County Fair Housing and Employment Commission, or other authority having jurisdiction over the work setting forth the provisions of the nondiscrimination law.

- e) "Conflicts of Interest" Section 2-11 of the County Code, and Ordinance 01-199.
- f) Miami-Dade County Code Section 10-38 "Debarment".
- g) Miami-Dade County Ordinance 99-5, codified at 11A-60 et. seq. of Miami-Dade Code pertaining to complying with the County's Domestic Leave Ordinance.
- h) Miami-Dade County Ordinance 99-152, prohibiting the presentation, maintenance, or prosecution of false or fraudulent claims against Miami-Dade County.
- i) The labor standards as set forth in the Davis-Bacon Act and other related acts, which are more fully described in General Conditions for Construction Contracts—Public Housing Programs, which is attached hereto as **Exhibit C**, and incorporated by reference, Section 46 of the General Conditions for Construction Contracts- Public Housing Program.
- j) The Copeland "Anti-Kickback" Act as supplemented in Department of Labor regulations (29 CFR Part 3).
- k) HUD's reporting requirements and regulations, as specified in the Grant Agreement and required of the Owner.
- l) Compliance with Executive Order 12549 "Debarment and Suspension", which stipulates that no contract(s) are to be awarded at any tier to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs.
- m) Mandatory standards and policies related to energy efficiency which are contained in the State of Florida energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871).
- n) HUD procurement regulations as set forth in 24 C.F.R. Part 85 and 24 CFR Part 963 as further explained in HUD Handbook 7460.8 Rev. 1.
- o) Lead-Based Paint Poisoning Act (42 USC 4821, et. Seq.)
- p) The Fair Housing Act (42 U.S.C. 3601-19 and regulations pursuant thereto (24 CFR Part 100); Executive Order 11063 (Equal Opportunity in Housing) and regulations pursuant thereto (24 CFR Part 107); and the fair housing poster regulations (24 CFR Part 110).
- q) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and regulations pursuant thereto (24 CFR Part relating to non-discrimination in housing).
- r) The prohibitions against discrimination on the basis of age under the Age Discrimination

Act of 1975 (42 U.S.C. 6101-07) and regulations issued pursuant thereto (24 CFR Part 146).

- s) The prohibitions against discrimination on the basis of disability under Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and regulations issued pursuant thereto (24 CFR Part 8); the Americans with Disabilities Act and regulations pursuant thereto (28 CFR Part 36); and the Architectural Barriers Act of 1968, as amended, and regulations issued pursuant thereto (24 CFR Part 40).
- t) Executive Orders 11246, 11625, 12432, and 12138. Consistent with HUD's responsibilities under these orders, the Developer must make efforts to encourage the use of minority and, women's business enterprises in connection with funded activities.
- u) Section 102 of the Department of Housing and Urban Development Reform Act of 1989 and regulations issued pursuant thereto (24 CFR Part 4, Sub-Part A) which contain provisions designed to ensure greater accountability and integrity in the provision of certain types of assistance administered by HUD.
- v) 24 CFR Part 24 which applies to the employment, engagement of services, awarding of contracts, sub-grants, or funding of any recipients, or Developers or sub-Developers during any period of debarment, suspension, or placement in ineligibility status.
- w) All applicable federal regulations including but not limited to 24 C.F.R. part 990 and 24 C.F.R. part 965, subpart C, and applicable HUD Public and Indian Housing Notices, including but not limited to PIH 2009-16(HA).

END OF SECTION 1.0

2.0 SCOPE OF SERVICES

2.1 Background

PHCD has identified various properties as described in **Exhibit: G**. Development activities may include more than one site, or may involve only a portion of a site. Development may include, but is not limited to, rehabilitation of existing structures, demolition of existing structures and construction of new replacement housing, new infill housing between existing structures, develop vacant land owned by the county, new commercial or special purpose facilities, or any combination thereof.

2.2 Objective

The objective is to establish a contract for developer services to maximize and expedite the development potential of public housing sites, as indicated herein, as timely as possible, and provide a financial return to PHCD, while increasing the supply of quality affordable, housing for the residents of Miami-Dade County. Development activities may include more than one site, or may involve only a portion of a site.

2.3 Developer Qualifications

The County seeks developers with demonstrated capabilities, expertise, and resources to perform the Scope of Work for property sites of interest to developer. Developer qualifications include, but may not be limited to:

2.3.1 A Proposer must be S-3 certified by the PHCD at least two weeks prior to the proposal due date and must comply with the requirements of Attachment 2, Document 00200-B, Section 3 Business Preference Claim Form to qualify for the preference.

2.3.2 Demonstrated experience and capacity to finance, develop, and operate high quality affordable, sustainable and mixed-income and/or mixed-use housing developments or for projects of interest to developer; and

2.3.3 Experience and expertise to create an appropriate and feasible concept for affordable developments that will be compatible with and enhance the community; and

2.3.4 Demonstrated successful experience, within the last six (6) years, on similar and comparable development and management projects for projects of interest to developer; and

2.3.5 Demonstrated ability to secure financing and obtain necessary local, state and federal approvals in a timely manner; and

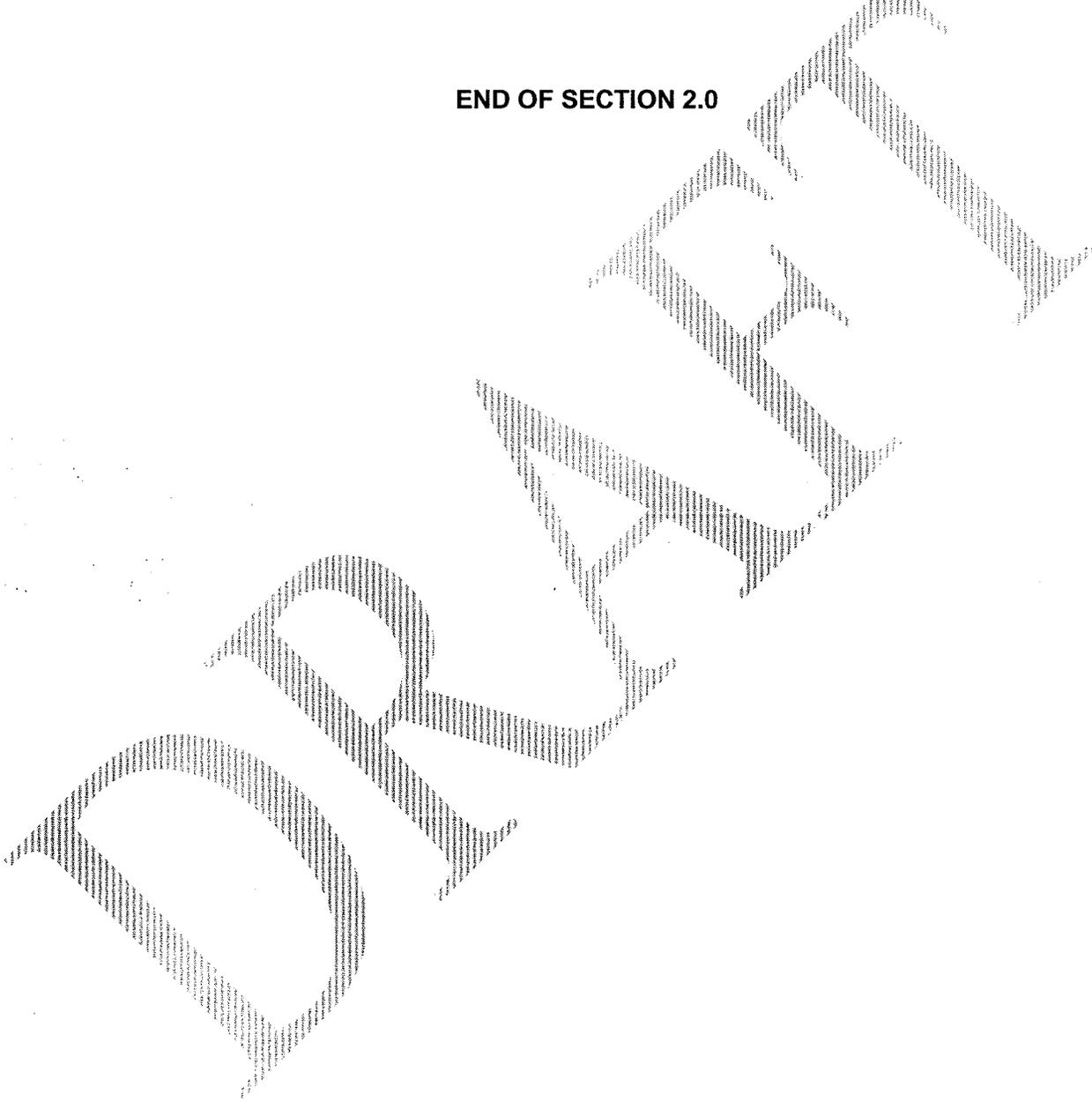
2.3.6 Ability to provide creative but realistic solutions to financing the development of affordable housing projects and leveraging local financial resources; and

2.3.7 Expertise to create a development and financing for projects of interest to developer that minimizes the need for local financial assistance; and experience and skill to assemble and manage a highly qualified development team including members having experience

with environmental, sustainable design, building department and other agency approvals, design, construction, financing, marketing, property management and all other aspects related to successful development and management of affordable housing or other project(s) of interest to developer.

- 2.3.8 Experience with the U.S. Department of Housing and Urban Development (HUD) requirements for development projects and experience in working with HUD.

END OF SECTION 2.0



3.0 RESPONSE REQUIREMENTS

3.1 Submittal Requirements

In response to this Solicitation, Proposer should **return the documents as noted below**. Proposers should carefully follow the format and instructions outlined therein. All documents and information must be fully completed and signed, as required. The proposal shall be written in sufficient detail to permit the County to conduct a meaningful evaluation of the required services. However, overly elaborate responses are not requested or desired.

3.2 Proposer Information

Complete and submit the Proposer Information Section herein.

Note: The Proposer Information document is available in an electronic format (Word) by submitting a written request via e-mail to the County contact person for this Solicitation.

3.3 Form A-1, Cover Page of Proposal

Complete and sign (by Proposer or representative of the Proposer who is legally authorized to enter into a contractual relationship in the name of the Proposer) as required.

3.4 Affidavits/Acknowledgements

Complete and sign the following forms:

- Form A-2: Lobbyist Registration for Oral Presentations
- Form A-3: Acknowledgement of Addenda
- Form A-4: **Not Used**
- Form A-5: Proposer's Disclosure of Subcontractors and Suppliers
- Form A-6: Fair Subcontracting Policies

3.5 Attachment A: Submittal Identification Form

3.6 Attachment B: HUD 5369-C: Certifications and Representations of Offerors, Non-Construction

3.7 Exhibit E: PHCD Public Housing and Community Development (PHCD) Section 3 of the HUD Act of 1968

- Section 3 Business Preference Claims Form: Document 00200-B
- Section 3 Economic Opportunity and Affirmative Marketing Plan: Document 00400

3.8

Submit in hardcopy format an original, complete Proposal Submission Package and ten (10) copies of the complete package, as well as two (2) complete Proposal Submission Packages on two Compact Disks (CD: one complete proposal for each CD), **by the Proposal Due Date** (see front cover of Solicitation) in a sealed envelope/container addressed as follows:

Proposer's Name:
Proposer's Address:
Proposer's Telephone Number:

Clerk of the Board
Stephen P. Clark Center
111 NW 1st Street, 17th Floor, Suite 202
Miami, FL 33128-1983

RFQ No.:
RFQ Title: Development of Miami-Dade County
Owned Land for Miami-Dade Public Housing Agency
Proposal Due Date:

END OF SECTION 3.0

4.0 EVALUATION PROCESS

4.1 Review of Proposals for Responsiveness

Each proposal will be reviewed to determine if the proposal is responsive to the submission requirements outlined in this Solicitation. A responsive proposal is one which follows the requirements of this Solicitation, includes all documentation, is submitted in the format outlined in this Solicitation, is of timely submission, and has the appropriate signatures as required on each document. Failure to comply with these requirements may result in the proposal being deemed non-responsive.

4.2 Evaluation Criteria

Proposals will be evaluated by an Evaluation/Selection Committee which will evaluate and rank all proposals received for each project site on criteria listed below. The Evaluation/Selection Committee will be comprised of appropriate County personnel with the appropriate experience and/or knowledge, striving to ensure that the Evaluation/Selection Committee is balanced with regard to both ethnicity and gender. The criteria are itemized with their respective weights for a maximum total of one hundred (100) points per Evaluation/Selection Committee member. Additionally, Proposer will receive an extra five points if they qualify for optional points based on Section 3 business preferences qualification; making the total maximum number of points per Evaluation/Selection Committee member 105 points.

<u>Technical Criteria</u>	<u>Points</u>
1. Successful experience of the Proposer in senior and/or family housing and/or commercial and/or special purpose facilities similar to project site(s) of interest to developer and; including developers experience, investments and/or initiatives in the immediate neighborhood area of property site(s) of interest to developer, and the Proposer's financial capacity.	60
2. Relevant experience and qualifications of the development team, including key personnel of professional consultants performing services, that will be assigned to this project, experience and qualifications of consultants. Capacity and capability of the development team to manage and deliver all projects of interest.	35
3. Resident Employment and Involvement Plan	5

Section 3 of the HUD Act of 1968 requires that job training and employment opportunities be directed to businesses that are owned by, or that substantially employ low or very-low income persons (see **Exhibit C**). Section 3 businesses pre-qualified by PHCD are eligible to receive a maximum of five (5) additional points. For further information, email: Section3@miamidade.gov or call 786-469-4230.

4. Optional points based on Section 3 business preferences:	5
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Note: Proposers pre-certified by PHCD as a Section 3 business are eligible to receive a maximum of five additional points. Proof of certification shall be submitted with proposal as per **Exhibit E: Document 00200-B**. A Proposer must be S-3

certified by the PHCD at least two weeks prior to the proposal due date and must comply with the requirements of Attachment 2, Document 00200-B, Section 3 Business Preference Claim Form to qualify for the preference.

4.3 Oral Presentations

INTENTIONALLY OMITTED

4.4 Selection Factor (Section 3 language)

INTENTIONALLY BLANK

4.5 Local Certified Service-Disabled Veteran's Business Enterprise Preference

INTENTIONALLY BLANK

4.6 Local Preference

INTENTIONALLY BLANK

4.7 Negotiations (Not needed, this is only to qualify Proposers)

~~The County may initiate negotiations with qualified Proposers, for each site, in the Zone of Consideration for award of a contract following evaluation of proposals, and oral presentations, if any. The County intends to initially negotiate, subject to the approval of the Miami-Dade Board of County Commissioners, an Agreement, which will serve as evidence of site control over the property(ies). This Agreement will be conditioned on the Selected Proposer obtaining financing. The County further intends to negotiate other mixed finance documents which are required and subject to HUD's approval.~~

~~The Evaluation/Selection Committee will evaluate, score and rank proposals, and submit the results of their evaluation to the County Mayor or designee with recommendations for negotiations. It is the County's intent to select and rank qualified Proposers for each site. The County Mayor or designee will determine with which qualified Proposer(s) the County shall negotiate, if any. In his sole discretion, the County Mayor or designee may direct negotiations with the highest ranked qualified Proposer per site, negotiations with multiple qualified Proposers per site, or may request best and final offers from qualified Proposers for each site. The County intends to negotiate a Developer Agreement and other applicable agreement(s) with Selected Proposers for sites recommended by the County Mayor through the evaluation process. This process may continue until a contract acceptable to the County has been executed or all proposals are rejected. No Proposer shall have any rights against the county arising from such negotiations or termination thereof. County reserves the right not to award a particular site as it may not be in the County's best interest.~~

~~Any qualified Proposer(s) recommended for negotiations shall:~~

- ~~a) Complete a Non-Collusion Affidavit, in accordance with Sections 2-8-1.1 of the Miami-Dade County Code as amended by Ordinance 08-113. (If a Proposer fails to submit the required Non-Collusion Affidavit, said Proposer shall be ineligible for award.)~~

~~Any qualified Proposer(s) recommended for negotiations may be required to provide to the County a development application including;~~

- ~~a) Its most recent certified business financial statements as of a date not earlier than the end of the Proposer's preceding official tax accounting period, together with a statement in writing, signed by a duly authorized representative, stating that the present financial~~

~~condition is materially the same as that shown on the balance sheet and income statement submitted, or with an explanation for a material change in the financial condition. A copy of the most recent business income tax return will be accepted if certified financial statements are unavailable.~~

~~b) Information concerning any prior or pending litigation, either civil or criminal, involving a governmental agency or which may affect the performance of the services to be rendered herein, in which the Proposer, any of its employees or consultants is or has been involved within the last three years.~~

c) Development Plan Summary for Specific Site(s) of interest to qualified Proposer(s):

Provide a development plan including:

- 1. General approach to developing the property site.**
- 2. Existing units on site: number to be demolished (if applicable), to be rehabilitated (if applicable), and units to remain as is.**
- 3. New units to be added to site.**
- 4. Existing site amenities: to be demolished (if applicable), to be rehabilitated (if applicable), and to remain as is.**
- 5. A description of the range of dwelling unit types to be provided (townhouse, walk-up, elevator building, etc.), a range of total units by bedroom count, the types of community rooms and other development amenities, the types of management and maintenance facilities, and the types of non-dwelling uses.**
- 6. A description of affordability mixes, (i.e. number of public housing units, affordable tax credit units, market-rate units, other).**
- 7. A description of on-street and off-street parking.**
- 8. Re-zoning, if applicable.**
- 9. A site plan indicating a schematic concept.**
- 10. Advise whether Proposer intends to pair this site with any "non-public housing sites" for financing related applications and if so, describe accordingly. (See also County approvals)**
- 11. Plan of action indicating what major steps that must be taken by PHCD to accomplish the development concept and financial strategies.**
- 12. If housing is not included in the development concept, summarize how the residents will benefit since this will be a major consideration by PHCD, Board of County Commissioners (Board) and the United States Housing and Urban Development (HUD) in evaluating the concept.**
- 13. Provide a detailed scope of work for the preservation/rehabilitation or new construction to be done at the site.**
- 14. Describe a development schedule and timeline for the specific site(s), addressing all phases of development including; entitlements, abatement, temporary tenant relocation in accordance with the Uniform Relocation Act (if applicable), demolition (if applicable), re-zoning (if applicable), platting (if applicable), Administrative Site Plan Review (ASPR, if applicable), design, permit approvals, financing applications and approvals/closings, construction, marketing and lease-up.**

d) Financial Plan Summary for Specific Site(s) of interest to qualified Proposer(s):

Provide the following:

- 1. Briefly describe the approach to financing a project on the specific site(s), including how the Annual Contribution Contract (ACC) and other units will be financed, identifying subsidy sources. Describe financing terms, affordability, target resident population, service and/or commercial space use, etc.**
- 2. Describe participation by PHCD in any revenue and income streams, including but not limited to, ground lease and/or other agreement payments, net revenues, developer fees, (in accordance with Safe Harbor Standards), reimbursement of PHCD's administrative expenses (assume at 2% of total development costs), and other participation. Provide detailed pro-forma identifying all funding sources and their use.**
3. Identify all costs which the developer requires PHCD to pay prior to financial closing and subsequent to financial closing.

Selected Proposer(s) shall be required to comply with the following:

a) Design, Construction and accessibility requirements:

1. Selected Proposer(s) shall provide information in a form and format as required by PHCD including but not limited to, information required for environmental review and demolition and/or disposition applications.
2. Selected Proposer(s) shall conduct value engineering reviews during design and construction document phases to minimize construction cost and maximize scope of work to be done with allocated funding.
3. Selected Proposer(s) shall monitor various available funding sources, including competitive grants, and apply as applicable to project site(s) of interest.
4. Selected Proposer(s) shall provide a one for one replacement of any demolished public housing units unless the County determines it is in its best interest to waive this requirement. The County reserves the right to determine waiver of the one for one replacement requirement at its sole discretion.
5. Selected Proposers are strongly encouraged to include in their design elements of "New Urbanism", "Smart Growth", and "Universal Design" principles.
6. Selected Proposer shall meet all applicable US HUD federal requirements, State of Florida requirements and Miami-Dade County requirements including but not limited to General Conditions for Construction Contracts – Public Housing Programs, form HUD-5370 (11/2006). All projects receiving any type of federal funds, including subsidy shall meet, federal requirements on all phases of the project.
7. Selected Proposer(s) shall meet or exceed federal accessibility requirements including those indicated herein. Section 504 of the Rehabilitation Act of 1973, as amended, 29 US 794 and 24 CFR, Parts 8 and 9, prohibits discrimination against persons with disabilities in any program or activity receiving Federal Financial

assistance. 24 CFR 40.4 established the Uniform Federal Accessibility Standards (UFAS) as the standard design, construction, or alteration of residential structures. UFAS became effective July 11, 1988. For new construction and/or rehabilitation projects, the Selected Proposer shall provide at a minimum (unless more stringent requirements apply) 5 percent or at least one unit (whichever is greater) is required for mobility, impaired persons. An additional minimum of 2 percent or at least one unit (whichever is greater) is required for people with hearing or vision impairments. UFAS compliance is required for all areas required by UFAS including interior and exterior of units, common areas, site, etc. A third party certification of UFAS Compliance is required in a form and format acceptable to the County. On-going information concerning UFAS units and its occupants may also be required by the County. Selected Proposer shall provide required UFAS – related information as required. In addition, Selected Proposers are highly encouraged to provide units that are easily “adaptable” to UFAS units.

8. Selected Proposers shall maximize energy and water conservation systems, materials, equipment and initiatives. Selected Proposers shall coordinate its work with PHCD’s Energy Performance Contractor (EPC) to secure its review and comments and incorporate their input into its development plan.
9. Davis-Bacon wage requirements; Selected Proposer shall meet Davis-Bacon wage requirements and shall monitor and ensure Davis-Bacon wage compliance by general contractor(s), sub-contractors, sub – sub contractors, etc. (contractors). Selected Proposer shall ensure that all contracts issued to any contractor on the project include Davis-Bacon requirements. Selected Proposers shall carefully review Davis-Bacon requirements with all contractors on site on an on-going basis and shall appoint a Davis-Bacon compliance officer to ensure compliance during the entire construction duration. Selected Proposers shall provide Davis-Bacon compliance reporting to County as it may require. Any costs incurred by the County due to Davis-Bacon non-compliance by the Selected Proposer and/or any of its contractors, shall be reimbursable to the County.
10. For preservation/rehabilitation projects, maximize the storage capacity (kitchen cabinets, closets, pantry, vanity, etc.) for existing units as to not reduce existing capacity whenever possible.

b) County Approvals

1. In general, all aspects of the preservation/rehabilitation and/or new construction redevelopment plan shall be submitted for review, comment and approval by PHCD prior to implementation.
2. Selected Proposers shall forward a “financing application schedule” advising PHCD of the type of financing it intends to apply for and the dates in which applications are due. Prior to submitting any application for financing and with sufficient time for review by PHCD, Selected Proposer shall provide a “finance application summary” indicating all pertinent project information for evaluation and PHCD’s approval. Any changes that would impact public housing residents and/or current conditions at the property site shall be specifically identified for review and approval (or denial, when not acceptable). Finance application summary may also include, when requested

by PHCD, the anticipated scoring of a funding related application for each scoring component of the application and the probability of a funding award.

3. On preservation/rehabilitation projects, Selected Proposers may not reduce the size of existing units to obtain more units within the same building envelope or change the unit designation (family, elderly, etc.) without a written request and written approval from PHCD.
4. Selected Proposer shall forward the drawings for preservation/rehabilitation and/or new construction to PHCD as these are developed for review, comment and approval.
5. Selected Proposer(s) shall closely coordinate with PHCD and attend meetings with public housing residents as required to inform and receive input from residents on all aspects of the development plans. Selected Proposer shall incorporate input received from residents, in coordination with PHCD, as feasible and consistent with applicable codes, zoning, federal requirements, etc. PHCD will coordinate and schedule meetings with Selected Proposer(s) and residents.
6. The focus of this RFQ is to rehabilitate and/or re-develop public housing sites. Selected Proposer shall not pair public housing and "non-public housing sites" for financial and/or other applications without obtaining prior written approval from PHCD. PHCD reserves the right to withhold approval of any application that is not deemed to be in the County's best interest.
7. Selected Proposer shall submit a detailed relocation plan for review and approval by PHCD. Relocation plan shall include appropriate notification and minimum disruption/convenience for residents, safety and provision of temporary housing as major considerations. Provide a "relocation coordinator" to plan, organize, implement and monitor all aspects of relocation plan. Closely coordinate all aspects required for relocation including phasing and duration, moving and storage of furnishings, transportation, meals, pets, mail, etc. For public housing units, existing residents shall have right of first refusal to return to rehabilitated and/or newly constructed units.

4.8 Contract Award

Any recommendation to award a site, resulting from this Solicitation, will be submitted to the County Mayor or designee for approval. All Proposers will be notified in writing when the County Mayor or designee makes an award recommendation. Notwithstanding the rights of protest listed below, the County's decision of whether to make the award a site and to which Proposer shall be final.

4.9 Rights of Protest **INTENTIONALLY OMITTED**

4.10 Section 3 of the HUD Act of 1968

This Solicitation includes evaluation criteria for Section 3 (S-3) of the HUD Act of 1968 business concerns as indicated in the Section 4.2(5) herein. The Acceptability of Section 3 Compliance Strategy (Section 4.2(4)(a)) portion of the proposal will be evaluated subjectively, including the Proposer's response to **Exhibit E: Document 00400**, Section 3 Economic Opportunity and

Affirmative Marketing Plan. The Section 3 Preference (Section 4.2(4)(b)) full 5 points will be afforded to S-3 Proposers who qualify for the preference. A Proposer must be S-3 certified by the PHCD at least two weeks prior to the proposal due date and must comply with the requirements of Document 00200-B, Section 3 Business Preference Claim Form to qualify for the preference.

In cases where S-3 certified Proposers have a tie score, the S-3 Business Priority will be applied to determine which Proposer will be higher ranked. Refer to the PHCD Section 3 of the HUD Act of 1968 Guidelines which are attached in **Exhibit E**. The S-3 Business application is available at <http://www.miamidade.gov/housing/section3.asp> or by e-mail request to the PHCD Section 3 Coordinator, at section3@miamidade.gov.

4.11 RFQ Term

The County may negotiate with Selected Proposer(s) for a period not to exceed six (6) years from the date of award of a site by the Board of County Commissioners. Thereafter, the term of this RFQ shall automatically expire.

END OF SECTION 4.0

5.0 TERMS AND CONDITIONS

The terms and conditions summarized below are of special note.

5.1 Vendor Registration

Prior to being recommended for award, the Proposer shall complete a Miami-Dade County Vendor Registration Package. Effective June 1, 2008, the new Vendor Registration Package, including a Uniform Affidavit Packet (Affidavit form), must be completed. The Vendor Registration Package, including all affidavits can be obtained by downloading from the DPM website at http://www.miamidade.gov/DPM/vendor_registration.asp or from the Vendor Assistance Unit at 111 N.W. 1st Street, 13th Floor, Miami, FL. The recommended Proposer shall affirm that all information submitted with its Vendor Registration Package is current, complete and accurate, at the time they submitted a response to the Solicitation, by completing an Affirmation of Vendor Affidavit form.

5.2 Insurance Requirements

The Contractor shall furnish to the County, Department of Procurement Management, prior to the commencement of any work under any agreement, Certificate(s) of Insurance which indicate insurance coverage has been obtained that meets the stated requirements.

5.3 Inspector General Reviews

According to Section 2-1076 of the Code of Miami-Dade County, as amended by Ordinance No. 99-63, Miami-Dade County has established the Office of the Inspector General which may, on a random basis, perform audits on all County contracts, throughout the duration of said contracts, except as otherwise indicated.

END OF SECTION 5.0

6.0 PROPOSER INFORMATION

Developer for Miami-Dade County Owned Land For Miami-Dade Public Housing and Community Development

A. Proposer's Experience and Past Performance

1. Provide a cover letter, not to exceed three pages, summarizing the most pertinent experience and qualifications of the Proposer on projects similar to projects of interest to Proposer. Including;
 - a) Past performance and experience in developing similar projects to projects of interest.
 - b) past performance and experience in obtaining financing on similar projects.
 - c) state the number of years that the Proposer has been in existence.
 - d) location of main office and other offices, if applicable.
 - e) the current number of employees in each office.
 - f) the primary markets served.
 - g) the total number of units developed and corresponding total development costs.
 - h) for the last six years, the total number of units developed and the corresponding total development costs.

2. For the most recent and most comparable three (3) projects (completed or in progress) to the project(s) of interest to developer for which funding/financing has been secured, provide the following information:
 - a) Table of organization (TO) indicating the development team for the project
 - b) the client and contact information (name, title, phone number and email)
 - c) project name
 - d) project location/address
 - e) a brief description of the work
 - f) developer's project manager
 - g) current project status (design, construction, etc.)
 - h) site acreage and density
 - i) total number of units, rental or homeownership and affordability type for each unit type (e.g. 30 - ACC rental units, 20 - affordable /tax credit rental units, 10 - market rate rental units, etc.)
 - j) unit types and numbers of each (e.g. 20 - 2-story walkup units, 30-townhouse units, etc.)
 - k) bedroom mix and number of each (e.g. 20 - 2-BR units, 30 - 3-BR units, etc.)
 - l) size and use of commercial or special purpose space (non-housing development, if applicable)
 - m) income groups served
 - n) total development costs and development cost per square foot.
 - o) total construction cost and construction cost per square foot
 - p) Amounts of participation in the project by owner including;

- ground lease and/or other applicable agreement payments
 - percentage of net revenues
 - percentage of developer fee and total developer fee
 - reimbursement of owners administrative costs
 - any other participation by owner
- q) dates covering the term of the contract,
 - r) notice to proceed (NTP) date
 - s) pre-construction activities duration (in months), construction duration (in months) and lease-up activities (in months)
 - t) financial closing date
 - u) substantial completion date
 - v) funding/financing sources and amounts for each received contact names and phone numbers for all funding/financing sources
 - w) funding sources gaps (if applicable) and how these were funded
 - x) project pro-forma indicating all funding sources and uses.
 - y) community and supportive services provided (if applicable)
 - z) job training programs provided (if applicable)
 - aa) property manager (if different from developer, briefly explain relationship)
 - bb) architect(s)
 - cc) general contractor(s)
 - dd) in 8 ½ x 11 format, provide a rendered site plan and exterior renderings or photographs (no more than 3) depicting the design and general character of the project.
3. Briefly describe the developers experience, investments and/or initiatives in the immediate neighborhood (within a ½ mile radius) of each of the properties of interest to the developer.
 4. List all contracts which the Proposer has performed or is performing for Miami-Dade County. The County will review all contracts the Proposer has performed for the County in accordance with Section 2-8.1(g) of the Miami-Dade County Code, which requires that "a Bidder's or Proposer's past performance on County Contracts be considered in the selection of Consultants and Contractors for future County Contracts." As such the Proposer must list and describe all work performed for Miami-Dade County and include for each project:
 - a) Name of the County Department which administers or administered the contract,
 - b) description of work,
 - c) total dollar value of the contract,
 - d) dates covering the term of the contract,
 - e) County contact person and phone number,
 - f) statement of whether Proposer was the prime contractor or subcontractor, and
 - g) the results of the project.

B. Key Personnel and Professional Consultants Performing Services

1. Provide an organization chart showing all key personnel, including their titles, to be assigned to the project(s) of interest to Proposer(s). This chart must clearly identify the Proposer's employees and those of the consultants, and shall include the functions and duration of involvement by key personnel. .. Key personnel shall include all partners, senior management, managers and other professional staff that will perform work and/or services in this project. Describe your management approach for the projects of interest to the Proposer.
2. List the names and addresses of all first tier consultants, and describe briefly the extent of work to be performed by each first tier subcontractor. Briefly describe the experience, qualifications and other vital information, including relevant experience on previous similar projects, of the consultants who will be assigned to this project and its key personnel.
3. If multiple projects are of interest to Proposer, describe Proposer's approach to managing multiple projects and the capacity to deliver multiple and simultaneous projects of the size and complexity of all projects of interest to Proposer.

Note: After proposal submission, but prior to the award of any site issued as a result of this Solicitation, the Proposer has a continuing obligation to advise the County of any changes, intended or otherwise, to the key personnel identified in its proposal.

C. Approach to Providing the Services

1. Identify if Proposer has taken any exception to the terms of this Solicitation. If so, indicate what alternative is being offered and the cost implications of the exception(s).

D. Management Experience

1. Provide a maximum one-page narrative chronicling the developer's experience in overseeing the operation, management, maintenance, and financial reporting for all of its low-income rental buildings, with identification of family and senior developments.
2. Provide a separate list describing all affordable or mixed-income mixed-finance rental buildings owned and/or controlled by the developer which have a vacancy rate of more than 5 percent, have adverse tax credit findings, or have any missed payments of debt. Include the development name and address, length of time in operation, and number of dwelling units (separating residential and commercial).
3. Provide the latest year's audited financial statement for the most comparable development (i.e., in operation for one year and financed with tax exempt bonds and/or low income housing tax credits).

E. Design Architect Experience

- 1 Briefly describe in no more than three pages, not more than three completed developments within the last six (6) years where the design architect was the lead architect on completed projects that are comparable to the development of interest.
- 2 Include the development name and address and tabulation of units, commercial or other spaces (as applicable), construction cost, and year completed.
- 3 Describe sustainable design experience and any other innovative design/construction approaches by the architect on similar projects (if applicable).
- 4 If available, provide an 8-1/2 x 11 or smaller site plan and photos or renderings (not to exceed three) of the exteriors of these developments that display architectural design features, relationships of buildings, and relationships with adjacent properties.

F. Resident Employment and Involvement Plan

Provide a description not to exceed two pages of the Proposer's experience in providing resident employment opportunities and involvement by the community in addition to the Section 3 requirements noted herein on previous and recent projects.

G. Certifications and Representations of Offerors, form HUD-5369-C (8/93)

Complete and sign one form for the development firm.

END OF SECTION 6.0

Form A-1

PROPOSER'S NAME (Name of firm, entity or organization):		
FEDERAL EMPLOYER IDENTIFICATION NUMBER:		
NAME AND TITLE OF PROPOSER'S CONTACT PERSON:		
Name: _____		Title: _____
MAILING ADDRESS:		
Street Address: _____		
City, State, Zip: _____		
TELEPHONE: (____) _____	FAX: (____) _____	E-MAIL ADDRESS: _____
PROPOSER'S ORGANIZATIONAL STRUCTURE:		
____ Corporation	____ Partnership	____ Proprietorship
____ Joint Venture		
____ Other (Explain): _____		
IF CORPORATION:		
Date Incorporated/Organized: _____		State Incorporated/Organized: _____
States registered in as foreign corporation: _____		
PROPOSER'S SERVICE OR BUSINESS ACTIVITIES OTHER THAN WHAT THIS SOLICITATION REQUESTS FOR:		
LIST NAMES OF PROPOSER'S SUBCONTRACTORS OR SUBCONSULTANTS FOR THIS PROJECT:		
LOCAL CERTIFIED SERVICE-DISABLED VETERAN BUSINESS ENTERPRISE:		
<p>A Local Certified Service-Disabled Veteran Business Enterprise is a firm that is a) a local business pursuant to Section 2-8.5 of the Code of Miami-Dade County and b) prior to proposal submittal is certified by the State of Florida Department of Management Services as a service-disabled veteran business enterprise pursuant to Section 295.187 of the Florida Statutes. At the time of proposal submission, the Local Certified Service-Disabled Veteran Business Enterprise must affirm in writing its compliance with the certification requirements of Section 295.187 of the Florida Statutes and submit said affirmation and a copy of the actual certification along with the proposal submission.</p> <p><input type="checkbox"/> Place a checkmark here only if affirming Proposer is a certified Local Certified Service-Disabled Veteran Business Enterprise. A copy of the required certification must be submitted with the proposal.</p>		
CRIMINAL CONVICTION DISCLOSURE:		
<p>Pursuant to Miami-Dade County Ordinance No. 94-34, any individual who has been convicted of a felony during the past ten years and any corporation, partnership, joint venture or other legal entity having an officer, director, or executive who has been convicted of a felony during the past ten years shall disclose this information prior to entering into a contract with or receiving funding from the County.</p> <p><input type="checkbox"/> Place a checkmark here only if Proposer has such conviction to disclose to comply with this requirement.</p>		
PROPOSER'S AUTHORIZED SIGNATURE		

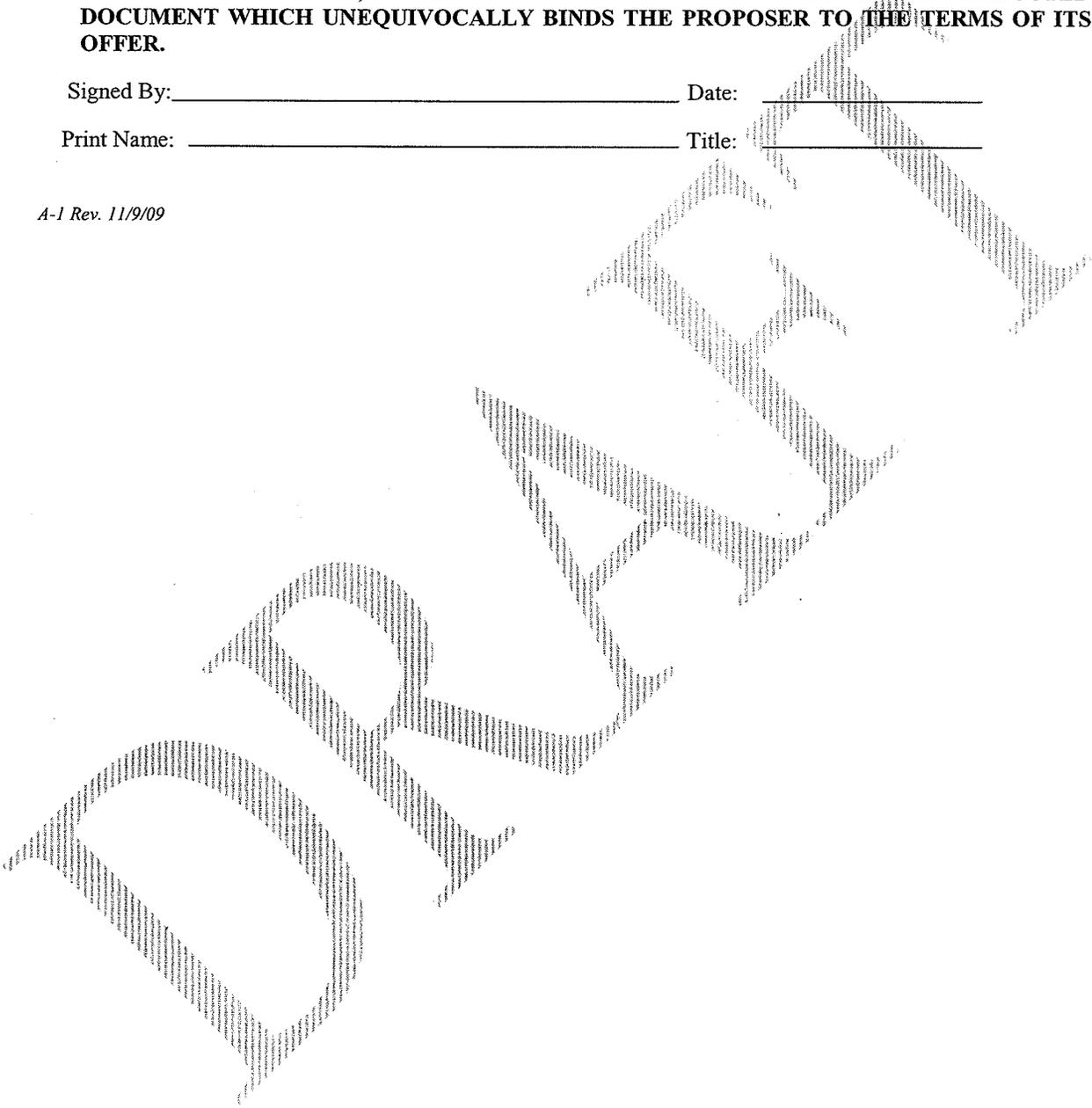
The undersigned hereby certifies that this proposal is submitted in response to this solicitation.

THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED BELOW BY AN AUTHORIZED REPRESENTATIVE SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE COUNTY MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS OFFER.

Signed By: _____ Date: _____

Print Name: _____ Title: _____

A-1 Rev. 11/9/09



Form A-2
AFFIDAVIT OF MIAMI-DADE COUNTY
LOBBYIST REGISTRATION FOR ORAL PRESENTATION

(1) Project Title: _____ Project No.: _____
(2) Department: _____
(3) Proposer's Name: _____
Address: _____ Zip: _____
Business Telephone: (____) _____

(4) List All Members of the Presentation Team Who Will Be Participating in the Oral Presentation:

NAME	TITLE	EMPLOYED BY	TEL. NO.
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(ATTACH ADDITIONAL SHEET IF NECESSARY)

The individuals named above are Registered and the Registration Fee is not required for the Oral Presentation ONLY.

Any person who appears as a representative for an individual or firm for an oral presentation before a County certification, evaluation, selection, technical review or similar committee must be listed on an affidavit provided by the County. The affidavit shall be filed with the Clerk of the Board at the time the response is submitted. The individual or firm must submit a revised affidavit for additional team members added after submittal of the proposal with the Clerk of the Board prior to the oral presentation. Any person not listed on the affidavit or revised affidavit may not participate in the oral presentation, unless he or she is registered with the Clerk's office and has paid all applicable fees.

Other than for the oral presentation, Proposers who wish to address the county commission, county board or county committee concerning any actions, decisions or recommendations of County personnel regarding this solicitation in accordance with Section 2-111.1(s) of the Code of Miami-Dade County MUST register with the Clerk of the Board and pay all applicable fees.

I do solemnly swear that all the foregoing facts are true and correct and I have read or am familiar with the provisions of Section 2-111.1(s) of the Code of Miami-Dade County as amended.

Signature of Authorized Representative: _____ Title: _____
STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____, by _____, a _____, who is personally known _____ (Individual, Officer, Partner or Agent) _____ (Sole Proprietor, Corporation or Partnership) to me or who has produced _____ as identification and who did/did not take an oath.

(Signature of person taking acknowledgement)

(Name of Acknowledger typed, printed or stamped)

(Title or Rank) _____ (Serial Number, if any)

Form A-3
ACKNOWLEDGEMENT OF ADDENDA

Instructions: Complete Part I or Part II, whichever is applicable.

PART I: Listed below are the dates of issue for each Addendum received in connection with this solicitation.

Addendum #1, Dated _____, 201____
Addendum #2, Dated _____, 201____
Addendum #3, Dated _____, 201____
Addendum #4, Dated _____, 201____
Addendum #5, Dated _____, 201____
Addendum #6, Dated _____, 201____
Addendum #7, Dated _____, 201____
Addendum #8, Dated _____, 201____
Addendum #9, Dated _____, 201____

PART II:

____ No Addendum was received in connection with this solicitation.

Authorized Signature: _____ Date: _____

Print Name: _____ Title: _____

Firm Name: _____

FORM A-5

SUBCONTRACTOR/SUPPLIER LISTING

(Ordinance 97-104)

Name of Proposer _____

This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, **MUST** be completed by all bidders and Proposers on County contracts for purchase of supplies, materials or services, including professional services which involve expenditures of \$100,000 or more, and all bidders and Proposers on County or Public Health Trust construction contracts which involve expenditures of \$100,000 or more. **This form, or a comparable listing meeting the requirements of Ordinance No. 97-104, must be completed and submitted even though the bidder or Proposer will not utilize subcontractors or suppliers on the contract. The bidder or Proposer should enter the word "NONE" under the appropriate heading in those instances where no subcontractors or suppliers will be used on the contract.** A bidder or Proposer who is awarded the contract shall not change or substitute first tier subcontractors or direct suppliers or the portions of the contract work to be performed or materials to be supplied from those identified except upon written approval of the County.

Business Name and Address of First Tier Subcontractor/Subconsultant	Principal Owner	Scope of Work to be Performed by Subcontractor/Subconsultant	(Principal Owner)	
			Gender	Race
Business Name and Address of Direct Supplier	Principal Owner	Supplies/Materials/Services to be Provided by Supplier	(Principal Owner)	
			Gender	Race

I certify that the representations contained in this Subcontractor/Supplier Listing are to the best of my knowledge true and accurate.

 Signature of Proposer's Date Print Name Print Title
 Authorized Representative

(Duplicate if additional space is needed)
 Form A-5(new 5/7/99)

Form A-6

FAIR SUBCONTRACTING POLICIES
(Section 2-8.8 of the Miami-Dade County Code)

FAIR SUBCONTRACTING PRACTICES

In compliance with Section 2-8.8 of the Miami-Dade County Code, the Proposer submits the following detailed statement of its policies and procedures for awarding subcontracts:

I hereby certify that the foregoing information is true, correct and complete.

Signature of Authorized Representative: _____

Title: _____ Date: _____

Firm Name: _____

SECTION II

Attachments to be included with submittal

- Attachment A Submittal Identification Form..... 3 pages
- Attachment B HUD-5369-C Certifications and Representations of Offerors,
Non -Construction 2 pages

Download: http://www.hudclips.org/sub_nonhud/html/pdfforms/5369-c.pdf

ATTACHMENT A

SUBMITTAL IDENTIFICATION FORM

A. DEVELOPMENT OF GREATEST INTEREST TO DEVELOPER <i>(List below all property sites (projects) of interest to developer(s) with the highest priority first)</i>		
1. Development Name:		
Development Number:		
Development Address:		
2. Development Name:		
Development Number:		
Development Address:		
3. Development Name:		
Development Number:		
Development Address:		
4. Development Name:		
Development Number:		
Development Address:		
5. Development Name:		
Development Number:		
Development Address:		
6. Development Name:		
Development Number:		
Development Address:		
7. Development Name:		
Development Number:		
Development Address:		
8. Development Name:		
Development Number:		
Development Address:		
9. Development Name:		
Development Number:		
Development Address:		
10. Development Name:		
Development Number:		
Development Address:		
<i>(If additional sites are of interest, attach additional sheet(s).)</i>		

B. DEVELOPER AND JOINT VENTURE FIRM (if any)	
Entity Name:	Form of Organization:
Contact Name:	Taxpayer ID or SS Number:
Address:	
Phone:	Fax:
JV Entity Name:	Form of Organization:
Contact Name:	Taxpayer ID or SS Number:
Address:	
Phone:	Fax:
Entity Name:	Form of Organization:

C. PRINCIPALS	
Name:	Title:
Address:	
Phone:	Fax:
Name:	Title:
Address:	
Phone:	Fax:
Name:	Title:
Address:	
Phone:	Fax:

D. OTHER DEVELOPMENT TEAM MEMBERS	
Company Name:	Role in Project:
Contact Name:	Title:
Address:	
Phone:	Fax:

SUBMITTAL IDENTIFICATION FORM

Company Name:	Role in Project:
Contact Name:	Title:
Address:	
Phone:	Fax:
Company Name:	Role in Project:
Contact Name:	Title:
Address:	
Phone:	Fax:

E. BANK REFERENCES	
Bank Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

Construction Lender Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

Permanent Lender Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

F. PUBLIC HOUSING AUTHORITY REFERENCE	
Project Name:	Project Type:
Project Address:	Number of Dwelling Units:
Nature of Developer's Involvement:	
Public Housing Authority Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

G. PUBLIC HOUSING AUTHORITY REFERENCE	
Project Name:	Project Type:
Project Address:	Number of Dwelling Units:
Nature of Developer's Involvement:	
Public Housing Authority Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

H. PUBLIC HOUSING AUTHORITY REFERENCE	
Project Name:	Project Type:
Project Address:	Number of Dwelling Units:
Nature of Developer's Involvement:	
Public Housing Authority Name:	
Contact Name:	Title:
Address:	
Phone:	Fax:

CERTIFICATION OF ELIGIBILITY

This is to certify that _____

(Firm's Name)

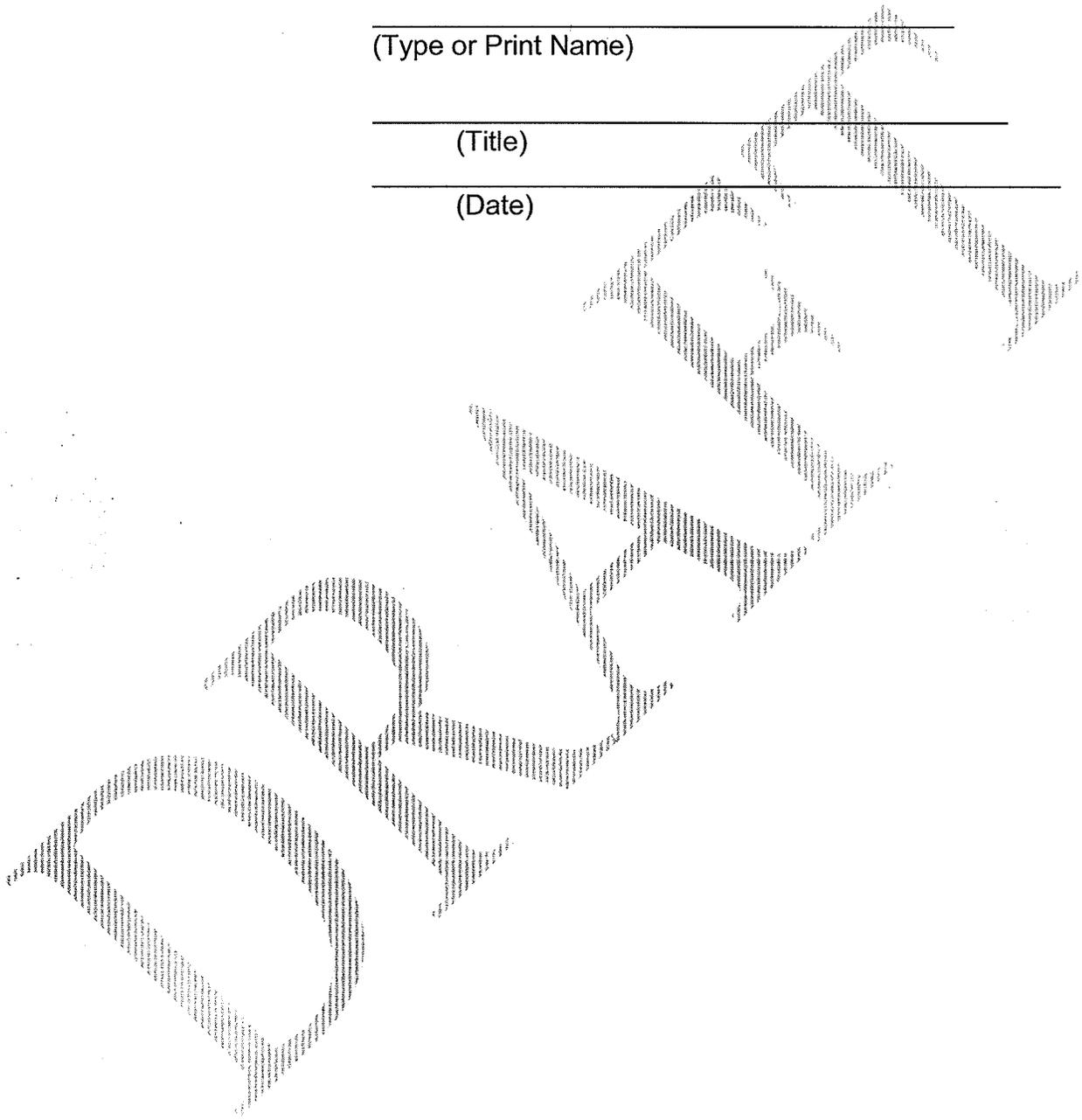
involved with this work, is not debarred, suspended, or otherwise prohibited from contracting by any Federal, State, or Local Agency.

(Signature)

(Type or Print Name)

(Title)

(Date)

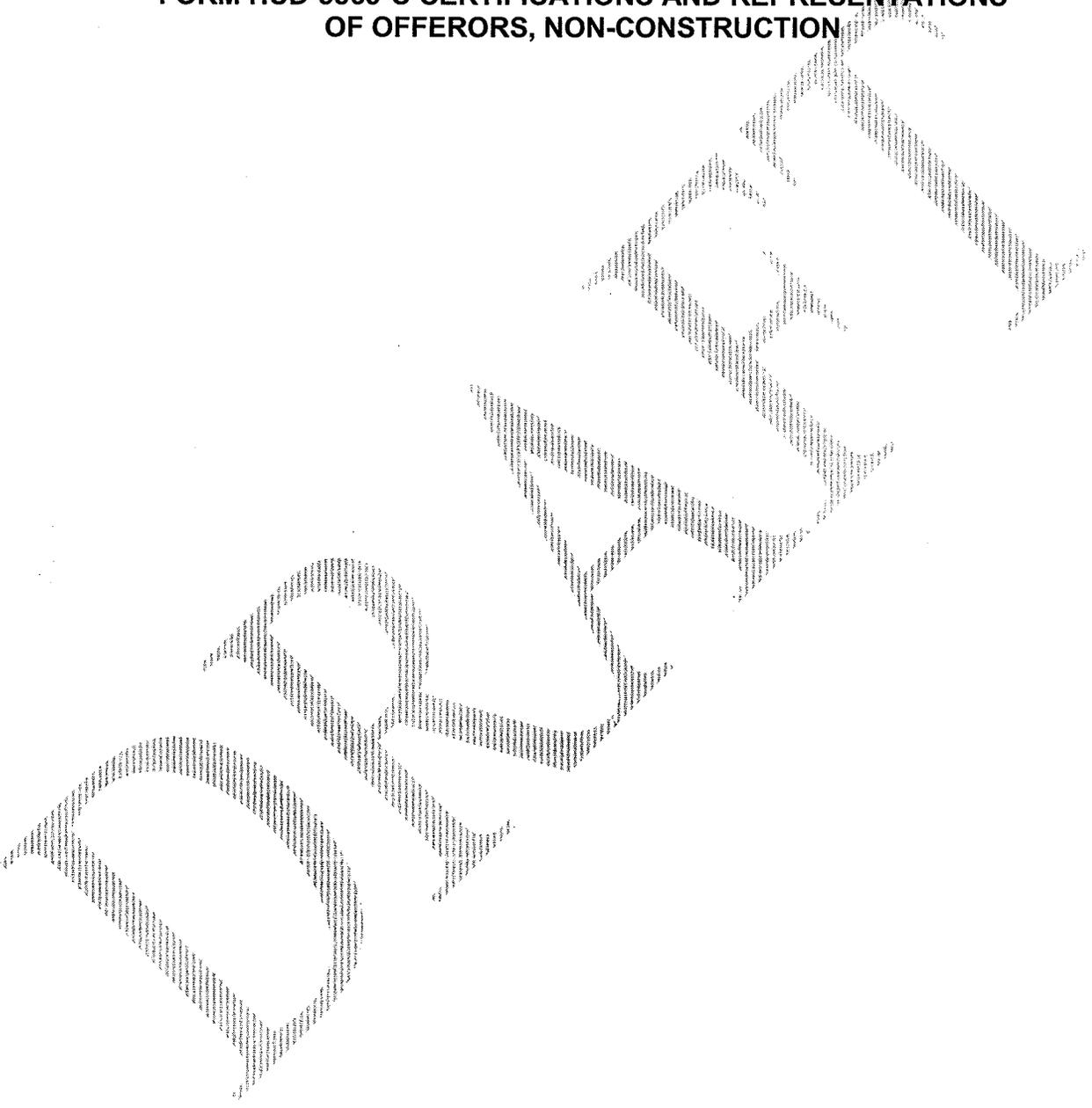


PLACEHOLDER PAGE

FOR

ATTACHMENT B

**FORM HUD-5369-C CERTIFICATIONS AND REPRESENTATIONS
OF OFFERORS, NON-CONSTRUCTION**



HUD AND COUNTY REQUIRED EXHIBITS

Exhibit A HUD-5369-B Instructions to Offerors, Non-Construction..... 4 pages
Download: http://www.hudclips.org/sub_nonhud/html/pdfforms/5369-b.pdf

Exhibit B HUD-5370-C General Contract Conditions, Non-Construction 5 pages
Download: http://www.hudclips.org/sub_nonhud/html/pdfforms/5370-c.pdf

Exhibit C HUD-5370-A General Conditions for Construction Contract- Public Housing Programs 19 pages

Exhibit D Insurance Requirements, Non-Construction 2 pages

Exhibit E PHCD Section 3 of the HUD Act of 1968 and Document 00400 - Section 3 Economic and Affirmative Marketing Plan..... xxxpages

Exhibit F Description of Existing Sites Available for Development or Rehabilitation xxxpages

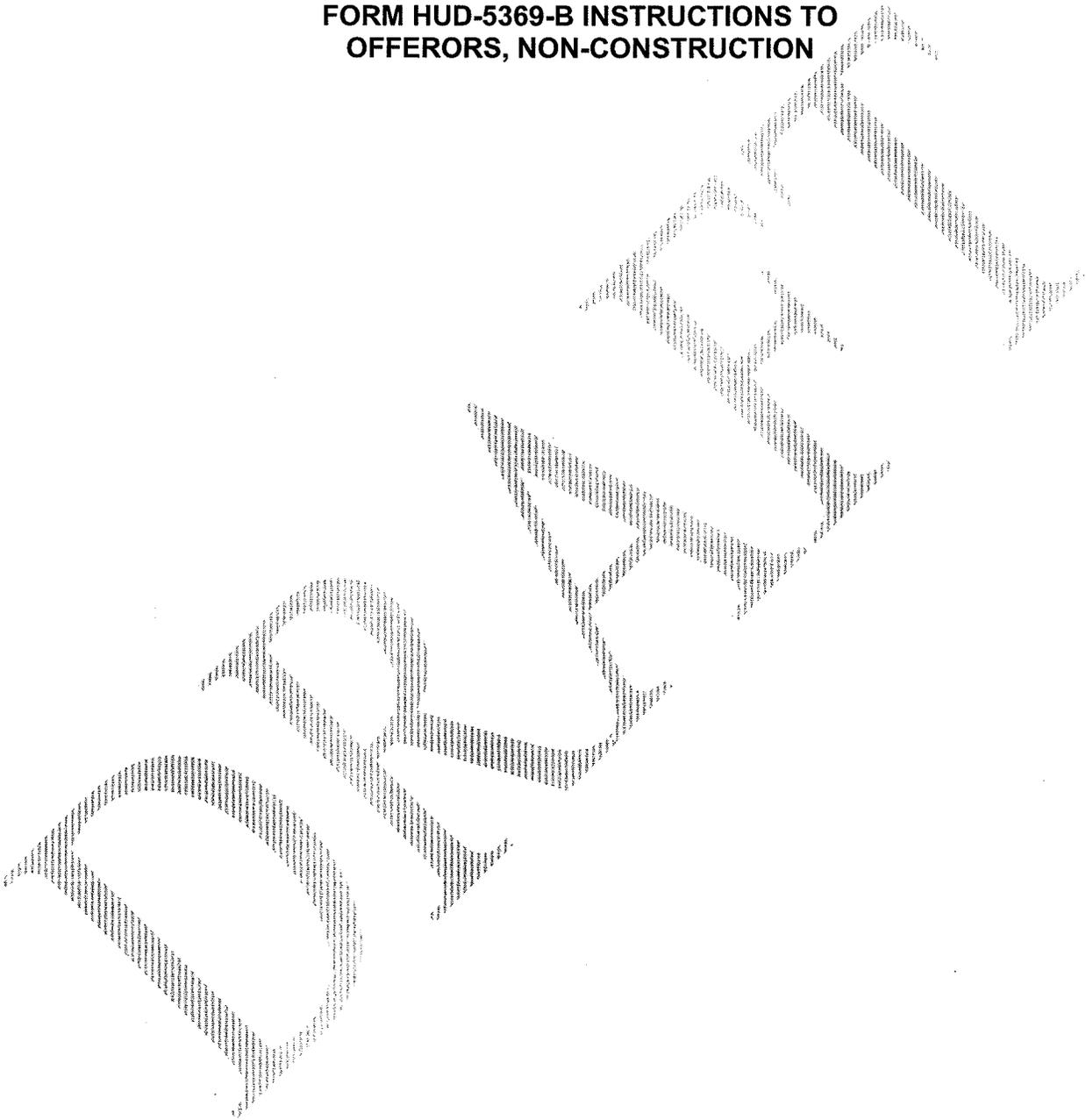
- PHCD Properties Map
- Existing PHCD Developments Information

PLACEHOLDER PAGE

FOR

EXHIBIT A

**FORM HUD-5369-B INSTRUCTIONS TO
OFFERORS, NON-CONSTRUCTION**



PLACEHOLDER PAGE

FOR

EXHIBIT B

FORM HUD-5370-C GENERAL CONTRACT CONDITIONS, NON-CONSTRUCTION

PLACEHOLDER PAGE

FOR

EXHIBIT C

**FORM HUD-5370-A GENERAL CONTRACT CONDITIONS FOR CONSTRUCTION
CONTRACTS- PUBLIC HOUSING PROGRAMS**

EXHIBIT D

INSURANCE REQUIREMENTS, NON-CONSTRUCTION
(We will use County insurance requirements established by Risk Management)



EXHIBIT E

APPENDIX B

PUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD)
SECTION 3 OF THE HUD ACT OF 1968



APPENDIX B
PUBLIC HOUSING AND COMMUNITY DEVELOPMENT (PHCD)
SECTION 3 OF THE HUD ACT OF 1968

CONE OF SILENCE EXEMPTION. PHCD staff and bidders may communicate orally while a bid is in progress and prior to award of bid to clarify Section 3 definitions, requirements and business preference procedures, pursuant to the Miami-Dade Commission on Ethics opinion on March 10, 2004.

I. GENERAL REQUIREMENTS FOR PHCD ONLY

This contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968 and the implementing regulations in 24 Code of Federal Regulations (CFR) Part 135, as amended by interim rule published on June 30, 1994 (59 FR 33866). Bidders interested in receiving copy of this regulation may email their request to Public Housing and Community Development (PHCD) Resident Services Unit at section3@miamidade.gov. Section 3 requires that, to the greatest extent feasible and consistent with Federal, State and local laws and regulations, job training, employment, and contracting opportunities be directed to low and very-low income persons. Contractors must familiarize themselves with Section 3 regulations and requirements.

This contract is also subject to federal affirmative marketing plan requirements, which require the contractor to take all necessary affirmative marketing steps to ensure small, minority and women-owned business enterprises are used only, if subcontracting is applicable to this contract.

II. SECTION 3 DEFINITIONS

The term "Section 3 business" is defined as follows:

Firms owned by Miami-Dade County (M-DC) residents who meet M-DC's low income household limits (see "Miami-Dade Income Limits") or whose firms include 30% of these persons as full-time employees.

The term "new hires" is defined as follows:

New hires means full-time employees for permanent, temporary or seasonal employment opportunities and include, but are not necessarily limited to, all management, maintenance, clerical and administrative jobs arising in connection with the development(s) stipulated in the contract award.

The term "Section 3 Resident" is defined as follows:

A **Section 3 Resident** is an individual who lives in Miami-Dade County and (a) is a resident of public housing; or (b) is a resident of another federally assisted housing program (Section 8, Section 202, etc.); or is a current recipient or participant in a public assistance program (TANF, JTPA, etc.); or (c) whose family household income meets the definition of a low-or very-low income family (see no. 5, below).

The current Miami-Dade Income Limits are as follows:

MIAMI-DADE 2010 INCOME LIMITS

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
*Very Low Income (50%)	\$24,650	\$28,150	\$31,650	\$35,150	\$38,000	\$40,800	\$43,600	\$46,400
** Low-Income (80%)	\$39,400	\$45,000	\$50,650	\$56,250	\$60,750	\$65,250	\$69,750	\$74,250

III. SECTION 3 BID PREFERENCE TERMS AND REQUIREMENTS

Preference in the award of PHCDPHCD requests for quotes under this contract will be provided as follows:

1. Bids are being solicited from all businesses. If no responsive bid by a PHCD pre-certified Section 3 business meets the "X" factor, as defined below, the contract may be awarded to the lowest responsive, responsible bidder.
2. Where applicable, an award will be made to the LOWEST responsive, responsible pre-certified Section 3 business, with the highest priority ranking, as stipulated under Section III, "Section 3 Business Priority Rankings", if that bid is within the maximum total contract price established in PHCD's budget, and is not more than "X" higher than the total bid price of the lowest responsive bid from any responsible bidder. "X" is determined as follows:

Bid Amount	X = Lesser of:
When the lowest responsive bid is less than \$100,000	10% of that bid, up to \$9,000
When the lowest responsive bid is between:	
\$100,000, but less than \$200,000	9% of that bid, up to \$16,000
\$200,000, but less than \$300,000	8% of that bid, up to \$21,000
\$300,000, but less than \$400,000	7% of that bid, up to \$24,000
\$400,000, but less than \$500,000	6% of that bid, up to \$25,000
\$500,000, but less than \$1 million	5% of that bid, up to \$40,000
\$1 million, but less than \$2 million	4% of that bid, up to \$60,000
\$2 million, but less than \$4 million	3% of that bid, up to \$80,000
\$4 million, but less than \$7 million	2% of that bid, up to \$105,000
\$7 million or more	1 %of lowest/responsive bid, with no dollar limit

3. For information on how to become a PHCD-certified Section 3 business, download application at www.miamidade.gov/housing/section3 or email, PHCD Resident Services Unit, at section3@miamidade.gov.
4. **In order for bidder to qualify for a Section 3 contracting preference**, bidder must be pre-certified by PHCD as a Section 3 business, at least two weeks prior to the bid opening date, and submit **Document 00200-B, "Section 3 Business Preference Claim"** (Attachment 2) with bid quote.
5. Section 3 businesses are required to comply with procedures listed under Section IV, "Section 3 Required Documents to Be Submitted with Each PHCD Bid (When Subcontracting is Not Applicable)", page 3, and Section VI "Section 3 Required Contractor and Subcontractor Post-Award Procedures (PHCD Projects Only)".
6. **SECTION 3 BUSINESS PRIORITY RANKINGS:** (The highest priority ranking (PR) is #1.)
PR#1: 51% or more owned by PHCD public housing residents, or whose full-time, permanent work force includes 30 percent of these persons as employees (**Category 1 Businesses**);

- PR#2:** Business owners who are or were participants (within last three years) in HUD Youth build programs currently operating in Miami-Dade County. For more information, contact YWCA of Greater Miami, Inc., at 305- 377-9922, or Fax 305-373-9922 (**Category 2 Businesses**);
- PR#3:** 51% or more owned by residents of a federally assisted housing program, such as Section 8, Section 202, HOME, etc., or whose full-time, permanent work force includes no less than 30 percent of those persons as employees (**Category 3 Businesses**);
- PR#4:** a) 51 percent or more owned by low or very low-income persons who reside in Miami-Dade County; or whose permanent, full-time work force includes no less than 30 percent of low-income Miami-Dade County persons as employees, including persons that are not currently low or very low-income persons but were low or very-low-income persons, as long as the date of first employment with the business concern has not exceeded a period of three years (see Section II. no. 4", for current Miami-Dade low and very-low income limits); or
- b) Provide evidence of a commitment to subcontract in excess of 25 percent of the total amount of subcontracts to be awarded to business concerns identified under Priority # 1 (category 1 businesses only (PR#4 a and b above are **Category 4 Businesses**).

IV. SECTION 3 REQUIRED DOCUMENTS TO BE SUBMITTED WITH EACH PHCD BID (WHEN SUBCONTRACTING IS NOT APPLICABLE)

This contract is a Section 3 covered activity (Public Housing and Community Development (PHCD) only). Section 3 requires that job training, employment and contracting opportunities be directed toward low and very-low income persons and to businesses that provide economic opportunities to those persons.

All bidders are required to execute and submit Document 00400, "Section 3 Economic Opportunity and Affirmative Marketing Plan (Plan)", with the bid (see Appendix Attachment 1). An executed Plan document is the bidder's certification that he or she will take all necessary affirmative marketing steps required, in connection with PHCD project award, to (a) meet Section 3 training and employment goals, where feasible, when filling vacant or new positions resulting from PHCD awards, and also seek to recruit qualified minorities and women to fill vacant or new positions resulting from PHCD awards; and (b) meet Section 3 subcontract goals and ensure small minority and women subcontractors are used (where applicable is permitted).

V. SECTION 3 OPTIONAL DOCUMENT (TO BE SUBMITTED WITH BID)

Bidders who wish to claim a Section 3 bid preference, are required to submit *Document 00200-B, "Section 3 Business Preference Claim"* (Attachment 2), with the bid (see Section II., Section 3 Bid Preference Terms and Requirements, page 2). Only bidders who have been pre-certified by PHCD as a Section 3 business shall be eligible to claim a Section 3 business preference.

VI. SECTION 3 POST-AWARD PROCEDURES (PHCD PROJECTS ONLY)

1. The contractor must submit required PHCD post-award forms (presented at a PHCD post-award meeting), during the performance of the contract in the frequency and format requested by PHCD.
2. Contractor will be required to submit documentation to PHCD of efforts and results made to train and employ Section 3 residents (resulting from PHCD awards only) in accordance with his or her Plan during the performance of the contract in the format and frequency required by PHCD.
3. Contractor, including any Section 3, small, minority or women-owned business concern awarded work through this PHCD project, must commit to train and employ qualified Section 3

residents (only where vacant or new positions exist in connection with this award) to the greatest extent feasible, not less than **30% of the total number of new hires, but no less than one, whichever is greater**, within their labor force during the term of the contract, in the priority order indicated under Section VII, "Section 3 Resident Priority Order for Training and Employment Opportunities", No.8, below.

4. Contractor is also required to undertake efforts to hire public housing, Section 8 and other Section 3 residents (only where vacant or new positions exist in connection with this award), in part-time positions, for permanent, temporary, or seasonal employment.
5. In addition to nos. 1 and 2 above, contractors must solicit to all minorities and women when filling vacant or new full-time or part-time positions generated through PHCD projects.
6. Contractor must explain to all job applicants how to claim a Section 3 preference (using PHCD forms provided at each pre-construction meeting) and show them the Miami-Dade income chart, included under Section II, page 1.
7. When there is a need for new hires, contractor must include Section 3 preference language in job news ads, flyers, and community notice. Notices must be placed at the site where work is to take place and in the surrounding community.
8. When there is a need for new hires resulting from PHCD awards, contractor must carry out recruitment in accordance with the training and employment recruitment requirements listed in Contractor's Plan (see Document 00400, Attachment 1).

VII. SECTION 3 RESIDENT PRIORITY ORDER FOR TRAINING AND EMPLOYMENT OPPORTUNITIES

1. PHCD public housing residents (Category 1 residents);
2. Participants in HUD Youth build programs currently operating in Miami-Dade County. For more information, contact YWCA of Greater Miami, Inc. at 305-377-9922, or Fax 305-373-9922 (Category 2 residents);
3. Recipients of federal government housing assistance programs, such as Section 8, Section 202, HOME, etc., or who are participants in a federally funded job training program, such as J.T.P.A., etc. (Category 3 residents); or
4. Other individuals who reside in Miami-Dade County, and meet the definition of a low, or very low-income person, as defined, in the current Miami-Dade Income limits (Category 4 residents).

VIII. WELFARE-TO-WORK TAX INCENTIVE AND WORK OPPORTUNITY TAX CREDIT PROGRAM

For information and application assistance, contact the South Florida Workforce, at 305-693-2060, 7900 NW 27 Avenue, Miami, FL 33147.

IX. SECTION 3 CLAUSE

The *Section 3 Clause* found at Section 3 regulation, 24 CFR Part 135, p.135.38, must be included in all Section 3 covered contracts. The awarded contractor and subcontractors (where applicable) will be bound by its provisions and the *Clause* and must be included in all subcontractor agreements.

SECTION 3 CLAUSE

- a. The work to be performed under this contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (Section 3). The purpose of Section 3 is to ensure that the employment and other economic opportunities generated by HUD assistance of HUD-assisted projects covered by Section 3, shall, to the greatest extent feasible, be directed to low and very low income persons, particularly persons who are recipients of HUD assistance for housing.
- b. The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this

contract certify that they are under no contractual or other impediment that would prevent them from complying with the Part 135 regulations.

- c. The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or worker's representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
- d. The contractor agrees to include this Section 3 clause in every subcontract subject to be in compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon a finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.
- e. The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is Selected but before the contract is executed; and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under 24 CFR part 135.
- f. Noncompliance with HUD's regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.
- g. With respect to work performed in connection with Section 3 covered Indian housing assistance, Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450e) also applies to the work to be performed under this contract. Section 7(b) requires that to the greatest extent feasible (i) preference and opportunities for training and employment shall be given to Indians, and (ii) preference in the award of contracts and subcontracts shall be given to Indian organizations and Indian-owned Economic Enterprises. Parties to this contract that are subject to the provisions of Section 3 and Section 7(b) agree to comply with Section 3 to the maximum extent feasible, but not in derogation of compliance with Section 7(b).

Section 3 Economic Opportunity and Affirmative Marketing Plan (Plan)

Firm Name: _____ Contact Name: _____

The individual above, (consultant), is responsible for planning, implementing and tracking firm's Section 3 (S-3) and affirmative marketing training, employment and contracting goals applicable to Public Housing and Community Development (PHCD) projects and must comply with United States Housing and Urban Development's (USHUD) S-3 regulation at 24 CFR Part 135.

Recruitment Procedures Required to Fill Vacant or New Contractor or Consultant or Subcontractor Positions (only if subcontracting is permitted) Resulting from all PHCD PHCD Project Awards

1. The PHCD Section 3 Coordinator may assist by providing referrals for economic opportunities from public housing, other housing program recipients and Section 3 residents.
2. Advertise at job site and surrounding neighborhood for targeted workers and use *Document 00404*, "**Section 3 Language for News Ads, Flyers and Job Notices**" in all job notices & flyers.
3. Schedule a time and place convenient for public housing, other S-3 residents (listed under no. 1 above), minorities and women to complete job applications.
4. Contact YWCA of Greater Miami, Inc. at 305-377-9922, or fax 305-373-9922, for HUD Youth build employment referrals.
5. Send notices about S-3 training and employment obligations and opportunities required for Miami-Dade Public Housing Agency projects to labor organizations, where applicable (review **Section 3 Clause**).
6. Present *Document 00401*, "**Section 3 Resident Preference Claim Form**" to all job applicants, explaining S-3 residents will receive preference in the recruitment process, if they meet minimum job eligibility criteria.
7. Ensure applicants that claim a S-3 preference provide proof as described in *Document 00401*, or complete *Document 00402*, "**Section 3 Resident or Employee Household Income Certification Form**". (Public housing residents must receive the highest preference points during the interview/selection process.)
8. Consultant and sub consultants are required to: (a) establish files to document all recruitment efforts and results when filling vacancies or new positions in connection with PHCD projects; (b) use *Document 00403*, "**Training & Employment Outreach Documentation**" form to document agency referral responses, and (c) produce evidence of recruitment efforts to PHCD as requested.
9. Consultant is responsible for collection of sub consultant(s) training and employment documentation outreach efforts (described under no. 8), new hire reports (required) and weekly employment forms (only when sub consultant(s) hire workers for vacant or new positions in connection with PHCD awards).

Forms described above, under nos. 2 and 6-8, are post-award forms, applicable to successful PHCD bidder only, and will be distributed at each pre-construction meeting.

Contractor's Recruitment of Section 3, Small, Minority and Women-Owned Businesses (Solicitation Requirements Applicable only on Projects which permit Subcontracting).

Consultant will follow Plan's affirmative marketing steps for each PHCD award, when he or she subcontracts work, to award a minimum goal of 10% of the overall award amount to S-3 businesses, where feasible, and ensure small, minority and women-owned businesses are used (definitions of a S-3 business and a small, minority and/or women-owned business may overlap, permitting S-3 and affirmative marketing goals in these awards to be simultaneously met). Consultants who subcontract work are required to provide PHCD with a written explanation if the S-3 minimum subcontracting goal is not met.

Consultant shall demonstrate compliance in solicitation to the business categories, listed above, by following the steps described on page two of this Plan and providing evidence to PHCD when requested.

1. Refer any interested sub consultants that may meet the criteria to become a certified S-3 business to PHCD Resident Services Unit for S-3 business application assistance. The application to become a Section 3 pre-certified business is available at <http://www.miamidade.gov/housing/section3.asp>.
2. You may solicit Section 3 pre-certified businesses from PHCD S-3 business lists by emailing a request to the Section 3 Coordinator at section3@miamidade.gov.
3. Contact Department of Small Business Development (SBD), 305-375-3111 or via email miamidade.gov to obtain lists of small, minority and/or women-owned businesses. Solicitations and awards must be made, where feasible, to various minority-owned firms, including minorities other than firm's own minority, and to women firms.
4. Advertise for S-3 sub consultants/subcontractors (subs) in construction trade journals, such as "The Dodge Reports", and post notices and distributes flyers at work site and surrounding neighborhood. The purpose of such advertisements is to make prospective subs aware of the Section 3 preference requirements applicable to PHCD project awards.
5. Fax, send or deliver "**Sub consultant Solicitation to Section 3, Small, Minority and Women Businesses**" form, to all prospective sub consultant firms solicited for each PHCD award.
6. Allow each sub consultant a *minimum of five business days* to respond to consultant's solicitation request. Include all "**Letters of Intent**" forms received from S-3, small, and minority, and women-owned sub consultants. Request sub consultants not interested or unavailable to bid to provide consultant with "**Certificate of Unavailability**" form.
7. Use the "**Outreach Documentation Form**" to document recruitment and follow-up with sub consultants. Make a second attempt to solicit to any S-3 firms who did not respond to the first solicitation attempt, using a variety of communication methods, i.e. facsimile, telephone, pager, e-mail, etc.
8. Consultants are required to negotiate with S-3 businesses, first and small, minority and women-owned businesses; second, if the sub consultant's bid amount would make the project infeasible.
9. Submit the following evidence to PHCD when requested (described under nos. 3-8 above and under "Contractors Recruitment of S-3, Small, Minority and Women businesses", page one, para. one). Other post-award required submittals include Document 00430, "**List of Subcontractors/Sub consultants**", and, from consultant and its sub consultants or subcontractors, Documents 00450, 00452 and 00453, "**Estimated Workforce Breakdown**", "**Employee List**" and "**Consultant/Sub consultant Certification**".
10. For each PHCD project award, retain documentation of outreach efforts and responses received from any organizations and sub consultants contacted for three years after project is completed.

Forms described above, under nos. 5-9, are post-award forms, and applicable only if successful bidder will be subcontracting (where subcontracting is permitted)

(To obtain copies or additional information send request to PHCD Section 3 Coordinator at email section3@miamidade.gov)

Sign and Print Firm Official's Name and Title

Submission Date ____ / ____ / ____

Firm Name/Address

Firm Telephone and Fax Numbers: _____

EXHIBIT F

**DESCRIPTION OF EXISTING SITES AVAILABLE FOR
DEVELOPMENT OR REHABILITATION**

