

REQUEST FOR PROPOSALS

The Housing Authority of the City of Rock Hill (RHHA) will accept Proposals for Real Estate Brokerage Services until 2:00 p.m. local prevailing time, Thursday, August 25, 2022 at 467 South Wilson Street, Rock Hill, South Carolina 29730.

Copies of the Request for Proposals identifying the scope of services and evaluation factors for selection may be obtained from the Authority's Procurement Office at the above address or call (803) 324-6360.

Firms are strongly encouraged to attend a virtual pre-proposal meeting at 10:00 a.m. on Thursday, August 4, 2022 at 467 South Wilson Street, Rock Hill, South Carolina 29730.

Minority-owned and Women-owned Business Enterprises are encouraged to submit proposals.

Bonnie Patton,
Purchasing Specialist, RHHA

Pre-Proposal Conference - Brokerage Services
Thu, Aug 4, 2022 10:00 AM - 11:00 AM (EDT)

Please join my meeting from your computer, tablet or smartphone.

<https://meet.goto.com/596532133>

You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)

United States: +1 (646) 749-3122
- One-touch: tel:+16467493122,,596532133#

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REQUEST FOR PROPOSAL
SOLICITATION RHHA 22-RFP-003



The Housing Authority of the City of Rock Hill (RHHA) will accept quotes for Real Estate Brokerage Services until 2:00 P.M. local prevailing time August 25, 2022 at 467 S. Wilson Street, Rock Hill, SC 29730.

Minority-Owned and Women-Owned Business Enterprises are encouraged to submit proposals.

Copies of the solicitation may be obtained from the Authority's Procurement Office at 467 S. Wilson Street, Rock Hill, SC 29730 or from the RHHA web site: www.rhha.org.

Bonnie Patton
Purchasing Specialist, RHHA
(803)324-6360

**REQUEST FOR PROPOSALS
FOR
REAL ESTATE BROKERAGE SERVICES**

RHHA 22-RFP-003

ROCK HILL HOUSING AUTHORITY

**467 S. WILSON STREET
P.O. BOX 11579
ROCK HILL, SC 29731**

JULY 19, 2022

SOLICITATION, OFFER, AND AWARD <small>(Construction, Alteration, or Repair)</small>	1. SOLICITATION NO. RHHA -22-RFP-003	2. TYPE OF SOLICITATION <input type="checkbox"/> SEALED BID (IFB) <input checked="" type="checkbox"/> NEGOTIATED (RFP)	3. DATE ISSUED 7/19/2022	PAGE 1	PAGES OF 31
	IMPORTANT - The "Offer" section on the reverse must be fully completed by the offeror.				
4. ISSUED OFFICE Housing Authority of the City of Rock Hill 467 South Wilson Street Rock Hill, SC 29730		5. ADDRESS OFFER TO PROGRAM (Same as Block 4)			
6. FOR INFORMATION CALL Bonnie Patton, Purchasing Specialist		TELEPHONE NO. (803) 324-6360			
SOLICITATION					
NOTE: In sealed bid solicitations "offer" and "offeror" mean "bid" and "bidder"					
1. THE HOUSING AUTHORITY REQUIRES PERFORMANCE OF THE WORK DESCRIBED IN THESE DOCUMENTS					
Real Estate Brokerage Services					
NOTICE TO OFFERORS: To assist in familiarizing offerors with the project, a non-mandatory pre-proposal conference will be held at RHHA Offices located at 467 So. Wilson Street, Rock Hill.					
8. The Contractor shall begin performance within <u>1</u> calendar days and complete it within <u>365</u> calendar days after receiving a Notice To Proceed. This performance period is mandatory. (See HUD Form 5370, Clause 25)					
9A. THE CONTRACTOR MUST FURNISH ANY REQUIRED PERFORMANCE AND PAYMENT BONDS?			9B. CALENDAR DAYS		
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
10. ADDITIONAL SOLICITATION REQUIREMENTS					
A. Sealed offers, as specified herein, to perform the work required are due at the place specified in Item 4 by <u>2:00 p.m.</u> (hour) local time <u>August 25, 2022</u> . If this is a sealed bid solicitation, offers will be opened in public after that time. Sealed envelopes containing offers shall be marked to show the offeror's name and address, the solicitation number, and the date and time offers are due.					
B. An offer guarantee <input type="checkbox"/> is, <input checked="" type="checkbox"/> is not required.					
C. All offers are subject to (1) the work requirements, and (2) other provisions and clauses incorporated in the solicitation in full text or by reference.					
D. Offers providing less than <u>60</u> calendar days for RHHA acceptance after the date offers are due will not be considered and will be rejected.					

OFFER (Must be fully completed by offeror)

Page 2

11. NAME AND ADDRESS OF OFFEROR (Include ZIP Code)	12. TELEPHONE NO. (Include area code)	12. A. FAX NO. (Include area code)
	13. REMITTANCE ADDRESS (Include only if different than Item 11)	
11. A. E-MAIL ADDRESS:		
11. B. FEDERAL TAX ID:		

14. The offeror agrees to perform the work required at the prices specified below in strict accordance with the terms of this solicitation if this offer is accepted by the Housing Authority in writing within _____ calendar days after the date offers are due. (Insert any number equal to or greater than the minimum requirement stated in Item 10D. Failure to insert any number means the offer accepts the minimum in Item 10D.)

AMOUNTS

15. The offeror agrees to furnish any required performance and payment bonds.

ACKNOWLEDGEMENT OF OFFER AND AMENDMENTS

(The offeror acknowledges receipt of amendments to the solicitation - give number and date of each.)

AMENDMENT	DATE								

16A. NAME AND TITLE OF PERSON AUTHORIZED TO SIGN OFFER	16B. SIGNATURE	16C. OFFER DATE
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AWARD (To be completed by the Housing Authority)

17. ITEMS ACCEPTED
Base year services as specified

Contract to consist of this document, Solicitation Sections I through VII and Contractor Bid documents.

18A. AMOUNT \$	18B. AWARDED CONTRACT NO.
19. SUBMIT INVOICES TO ADDRESS SHOWN IN ITEM 4	21. PAYMENT WILL BE MADE BY (Same as Block 20)
20. ADMINISTERED BY Housing Authority of the City of Rock Hill 467 South Wilson Street Rock Hill, SC 29730	

CONTRACTING OFFICER WILL COMPLETE ITEM 22 OR 23 AS APPLICABLE

~~XXXXXX~~ 22. NEGOTIATED AGREEMENT (Contractor is required to sign this document and return _____ copies to issuing office.)
Contractor agrees to furnish and deliver all items or perform all work requirements identified on this form and any continuation sheets for the consideration stated in this contract. The rights and obligations of the parties to this contract shall be governed by (a) this contract award, (b) the solicitation, and (c) the clauses, representations, and specifications incorporated by reference in or attached to this contract.

23. AWARD
(Contractor is not required to sign this document.)
Your offer on this solicitation is hereby accepted as to the item listed. This award consummates the contract, which consists of (a) the Housing Authority solicitation and your offer, and (b) this contract award. No further contractual document is necessary.

24A. NAME AND TITLE OF CONTRACTOR OR PERSON AUTHORIZED TO SIGN	25A. NAME OF CONTRACTING OFFICER (Type or print) DEWAYNE ALFORD
24B. SIGNATURE	24C. DATE
25B. Housing Authority of the City of Rock Hill	25C. AWARD DATE

I. INTRODUCTION

A. General Information

Project Title:	Real Estate Brokerage Services
Issue Date:	July 19, 2022
Issuing Agency:	ROCK HILL HOUSING AUTHORITY and its related entities
Location(s) of Work:	South Carolina, with emphasis in the Counties of York, Chester, and Lancaster
Contract Period:	Award through twelve months after award with option for up to four additional years
Pre-Proposal Conference:	Thursday, August 4, 2022, 10:00 a.m. (local time) Central Office at 467 S. Wilson Street, Rock Hill, SC 29730
Due Date:	Thursday, August 25, 2022; 2:00 p.m. (local time) Central Office at 467 S. Wilson Street, Rock Hill, SC 29730

All questions/concerns prior to submittal of a proposal shall be in writing and submitted on company letterhead and faxed to Ms. Bonnie Patton, Purchasing Specialist at (803) 324-6360 or emailed to bpattan@rhha.org at least 10 days prior to qualifications proposal due date.

1. Organization

The Housing Authority of the City of Rock Hill, South Carolina (the "Authority") is a public body organized and existing under the Housing Authorities Law of the State of South Carolina, S.C. Code Ann. Section 31-3-10, et seq (the "Act"). As such, the Authority has as a principal purpose overcoming the shortage of decent, safe and sanitary housing that can be afforded by persons of low and moderate income. The Authority's stated mission is to "provide safe, decent and sanitary housing conditions for very low income families and to manage resources efficiently and to promote personal, economic and social upward mobility to provide families the opportunity to make the transition from subsidized to non-subsidized housing." Additionally, the Authority seeks to provide affordable, quality housing options and programs that promote self-sufficiency and assist in addressing the needs of low-income, very low-income and extremely low-income families in the City of Rock Hill and York County. The six member Board of Commissioners is appointed by the Mayor of the City of Rock Hill for staggered five-year terms. The Board, in turn, elects a Chairman and appoints an Executive Director to administer the affairs of the Authority.

The Authority's nonprofit, Carolina Housing and Community Development Corporation (hereafter, "CHCDC) is a 501 (c) 3 tax exempt organization with a stated mission to acquire, construct, rehabilitate, own, manage, and develop affordable housing for low to moderate income individuals and families and to promote comprehensive economic development. CHCDC owns 33 units of affordable housing.

The Housing Authority of the City of Rock Hill owns and operates 369 units of Low Rent Public Housing, owns and operates a 56 unit HUD Multifamily Section 8 New Construction apartment complex, administers a 500 unit Section 8 Housing Choice Voucher program, a 24 unit Veterans Affairs Supportive Housing Voucher program, a 25 unit Foster Youth Initiative Tenant Protection Voucher, and owns 8 other units of rental housing. All of the Authority's funds are enterprise funds. These funds are grouped under the following programs: federally subsidized programs, and real estate management activities. Federally subsidized programs include low-income public housing, housing choice voucher program, and capital fund programs. The real estate management activities of the Authority are: Crosby Street Apartments, Chestnut Street apartments, and Great Falls apartments.

The Authority's operations and relationship with the federal government are governed by contracts allowing the Authority to construct, own, and operate public housing facilities, as well as make housing assistance payments for eligible individuals and families. The Board of Commissioners authorizes these contracts with the United States Department of Housing and Urban Development (HUD) pursuant to the latter agency's regulations and statutory authorizations.

2. Background

In support of the Authority's and its instrumentality's operations, real estate brokerage services are required on an as-needed basis. RHHA and its' instrumentality, are requesting proposals from qualified real estate brokerage firms with experience in providing both commercial and residential real estate broker services.

II. PRICING

A. Professional Services Pricing

- 1. Provide the commission percentage associated with a smooth and/or typical commercial and a residential real estate transaction.**

COMMISSION

TASK	PERCENTAGE
Sale/Closing of Commercial Real Estate transaction	
Sale/Closing of Residential Real Estate transaction	

III. SCOPE OF SERVICES

Residential and Commercial Real Estate -The selected Real Estate Broker(s) shall perform the following services as they relate to residential and commercial real estate services:

1. Perform market analysis.
2. Develop strategies for sale of properties (e.g. social media marketing, Event Announcements, and Video Promotions).
3. Perform all aspects of sales / purchases of commercial and residential properties;
4. Manage negotiations with seller / buyers;
5. Coordinate real estate appraisals;
6. Coordinating real estate transactions closings;
7. Handle all customary activities and services associated with real estate transactions; and
8. Provide guidance and advice on commercial and residential real estate legal issues and related laws;
9. Services will include consultation with RHHA and CHCDC staff relating to the sale / purchase of residential and commercial real estate, and presentations at public meetings if required.
10. Demonstrate familiarity with HUD Homes sales and HUD multifamily sales and other FHA homebuyer programs.
11. Demonstrate familiarity with first-time homebuyer programs at the local, state, and Federal level for first-time homebuyers earning 120 percent of area median income or below.
12. Identify potential properties and assist in evaluating the feasibility of acquiring, rehabilitating, and the eventual resale of foreclosed properties.
13. Demonstrate familiarity with lender REO, HUD REO, Fannie Mae, Freddie Mac and other foreclosed properties in the focus area.

Related Services - Represent RHHA and/or CHCDC as the direct buyer of properties in South Carolina with an emphasis on the counties of York, Chester, and Lancaster.

14. Price properties / Appraise correctly;
15. Communicate;
16. Vet buyer's qualifications;
17. Negotiate best terms (i.e. adjustment to contingency dates or closing times);
18. Attend home inspections to represent RHHA and/or CHCDC.
19. Attend home appraisal (if not performed by offeror)
20. Design / Print materials (i.e. flyers or brochures);
21. Submission to RSS feeds (i.e. Facebook, Twitter, LinkedIn and other applicable social media);
22. Locate properties in the following categories, including but not limited to: open listing, exclusive agency listing, exclusive right to sell listing, for sale by owner, ; and MLS
23. Perform other broker services and tasks as requested.

Consultation Services - In the event RHHA and/or CHCDC has special interests that fall outside of the acquisition or sell of a property (e.g. investments or recommendations on development), the Contractor will provide a fixed fee hourly rate for consultation services.

Reporting and Post Closing Services - The Contractor will retain at its premises a complete file on each property for the term of the Contract. Maintain files sufficient to document compliance with program policies and HUD regulations, and will provide reports and make files available to RHHA, CHCDC staff or HUD representatives upon request. Files pertaining to any sales not closed at the end of the Contract will be retained until settlement is completed, funds disbursed, Contractor commissions paid, and any escrow accounts resolved/dispensed. Provide monthly reports to CHCDC detailing the status of prospect properties and properties in some stage of acquisition.

IV. SCHEDULE

A. Contract Term

The contract is for a one-year base period beginning at contract award. The contract may be renewed for up to four additional one-year terms if RHHA exercises the options. Written notice of RHHA's intention to renew any option for any additional years of service shall be given approximately 60 days prior to the expiration date of the contract. Option exercise is at the sole discretion of the Authority.

In the event the initial contract period is extended for more than 12 months, the resulting contract may be terminated by RHHA without penalty, after the initial 12 months of the contract period upon 60 days written notice to the other party. Any contract cancellation notice shall not relieve the contractor of the obligation to deliver and/or perform on all outstanding orders issued prior to the effective date of cancellation.

B. Time and Order of Work

The successful Offeror must be readily available and capable of immediately assuming all duties involved in the representation of RHHA upon award, and shall be capable of meeting any and all deadlines.

V. PAYMENT TERMS

A. General Terms

1. Payment terms are net 30 days and shall be made upon proper submittal and receipt of an invoice, and upon completion/acceptance of work pursuant to individual orders placed hereunder. All invoices shall only include the work that has been accepted and approved for payment. Submit invoices to RHHA, P.O. Box 11579, Rock Hill, SC 29731.
2. Invoices shall be submitted pursuant to individual orders issued under the base contract. Each invoice shall clearly indicate the base contract number, the order number, the date submitted, the property or project description and the amount invoiced.

B. Additional General Terms and Conditions

1. Subcontracting

None of the services covered by this Contract shall be subcontracted without the prior written consent of the Authority. The Service Provider shall be as fully responsible to the Authority for the acts and omissions of his subcontractors, and of persons either directly or indirectly employed by them, as he is for the acts and omissions of persons directly employed by him. The Service Provider shall insert in each subcontract appropriate provisions requiring compliance with the labor standards provisions of this Contract.

2. Drug-Free Workplace

During the performance of this contract, the Service Provider agrees to (i) provide a drug-free workplace for the Service Provider's employees; (ii) post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Service Provider's workplace and specifying the actions that will be taken against the employees for violations of such prohibitions; (iii) state in all solicitations or advertisements for employees placed by or on behalf of the Service Provider that the Service Provider maintains a drug-free workplace; and (iv) include the provisions of the foregoing clauses in every subcontract or purchase order of over \$10,000., so that the provisions will be binding upon each subcontractor or vendor.

For the purpose of this provision, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a Service Provider in accordance with this chapter, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the contract.

3. Employment Discrimination by Service Provider Prohibited

During the performance of this contract, the Service Provider agrees as follows:

The Service Provider will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Service Provider. The Service Provider agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

The Service Provider, in all solicitation or advertisements for employees placed by or on behalf of the Service Provider, will state that such Service Provider is an equal opportunity employer. Notices, advertisements, and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

The Service Provider will include the provisions of the foregoing paragraphs in every subcontract or purchase order of over \$10,000 so that the provisions will be binding upon each Service Provider or vendor.

4. Equal Opportunity Requirements

Subcontracting with Small and Minority Firms and Women-Owned Business Enterprises
It is RHHA's policy to ensure those Minority Business Enterprises (MBE's) and Women-owned Businesses (WBE's) are provided maximum opportunity to participate in contracts administered by RHHA. This requirement applies to all minority and non-minority businesses performing as the prime contractor. For these purposes, an MBE is defined as "any legal entity other than a joint venture, organized to engage in commercial transactions, that is at least fifty-one percent owned and controlled by one or more minority persons." For these purposes, a minority person is defined as a member of a socially or economically disadvantaged minority group, which includes African-Americans, Hispanic-Americans, Native-Americans, and Asian-Americans. RHHA has not established a minimum threshold for participation of WBE's, however, RHHA strongly encourages and affirmatively promotes the use of WBE's in all RHHA professional services contracts.

5. Compliance With Section 3 of the Housing and Urban Development Act of 1968

The successful Responder shall be required to comply with all applicable provisions of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u, and the regulations issued pursuant thereto, as set forth in 24 C.F.R. Part 135, and all applicable rules, directives and orders issued by HUD thereunder. Section 3 requires that, to the greatest extent feasible, opportunities for training and employment generated by a Section 3 covered contract be given to public housing residents and other low income persons residing in the metropolitan area, and subcontracts in connection with such contracts be awarded to Section 3 covered business concerns which are located in, or owned in substantial part by persons residing in the areas of the project. The successful Responder shall be required to insert in any subcontract resulting from the proposed contract, the Section 3 clause set forth in Section I, Article 21, subparagraph D of the General Conditions for Non-Construction Contracts, form HUD 5370-C, above.

6. Insurance Requirements

- a) **Required Coverage:** The proposal package must include evidence of the Responder's ability to provide Worker's Compensation Insurance; General Liability Insurance; Comprehensive Automobile Liability Insurance; and if applicable to the services requested hereunder, Professional Liability (Errors and Omissions) Insurance coverage at the following limits of overage:
 - i. Workers' Compensation, in accordance with state or Territorial Workers' Compensation laws.
 - ii. Commercial General Liability with a combined single limit for bodily injury and property damage of not less than \$1,000,000.00 per occurrence to protect the Contractor and each subcontractor against claims for bodily injury or death and damage to the property of others. This shall cover the use of all equipment, hoists,

and vehicles on the site(s) not covered by Automobile Liability under (3) below. If the Contractor has a "claims-made" policy, then the following additional requirements apply: the policy must provide a "retroactive date" which must be on or before the execution date of the Contract; and the extended reporting period may not be less than five years following the completion date of the Contract.

- iii. Automobile Liability on owned and non-owned motor vehicles used on the site(s) or in connection therewith for a combined single limit for bodily injury and property damage of not less than \$500,000.00 per occurrence.

Such insurance shall be procured from a company licensed to do business in the State of South Carolina and placed with a carrier possessing an A.M. Best's Rating of B+VI or better, and maintained for the entire duration of the proposed contract. Deductible levels shall not exceed \$1,000 per occurrence on any policy. RHHA must be named as an additional insured on all policies and the policy must provide that coverage cannot be canceled without notice to RHHA at least thirty (30) days before the effective date of such cancellation. RHHA reserves the right in, its sole discretion, to raise, waive or reduce in limits, any insurance coverage required under the proposed contract.

- b) **Proof of Insurance Upon Notice of Award:** Within ten (10) days of the date of the Notice of Award, each successful Responder shall furnish to RHHA a certified copy of the Certificate of Insurance for the policy or policies covering all work or services under the proposed contract as evidence that the required insurance is maintained and in force for the entire duration of the contract. RHHA may, at its sole discretion, immediately cancel the contract award without prior notice to a successful Responder upon any failure to submit timely any or all of the required Certificates of Insurance and any and all other documents required under the proposed contract. In such case, any and all existing agreements between RHHA and the successful Responder shall immediately become null and void upon such cancellation.

B. Submission of Qualifications Proposals

1. Procurement Standards

All matters and issues related to this RFP and any contract resulting from the RFP shall be governed by the procurement principles set forth in the HUD Procurement Handbook for Public Housing Authorities, Handbook 7460.8, REV 2, (2/2007); and the Statement on Procurement Policy for the Housing Authority of the City of Rock Hill, and its implementing procedures. In the event of a conflict between this RFP and Handbook 7460.8 or RHHA procurement policy or procedures, the provision of Handbook 7460.8 shall govern.

2. Submission of Qualifications Proposal

Any party interested in being considered for award must submit a Qualifications Proposal in response to this RFP in accordance with the instructions and terms hereunder. By submitting a Qualifications Proposal, the Offeror agrees to be bound by the terms and conditions of this RFP.

3. Qualifications Proposal Submission Deadline

RHHA must receive the Offeror's Qualifications Proposal **by 2:00 p.m. Eastern Time on, August 25, 2022** at the location designated in Subsection B, 4 below. It is the Offeror's responsibility to ensure that the Qualifications Proposal is delivered by the designated time and date. Qualifications Proposals, which for any reason are not delivered within the deadline, will not be considered and will be returned unopened to the Offeror.

4. Place of Submission

Proposals, including all required information and certifications, properly formatted in accordance with Subsections C. and D. below must be submitted in sealed envelope(s) at the address below. **The face of the envelope must contain, in addition to the address below, the RFP title, and number stated above.** Due to COVID-19, the Authority will accept electronic submissions of proposals by the submission deadline. Electronic submissions shall be submitted to: bpatton@rhha.org. All Proposals must be delivered to:

Bonnie Patton, Purchasing Specialist
Housing Authority of the City of Rock Hill
467 South Wilson Street
Rock Hill, SC 29730
(803) 324-6360

5. Pre-Qualifications Proposal Conference

Contractors are strongly encouraged to attend the virtual Pre-Proposal Conference scheduled for, **August 4, 2022 at 10:00 a.m. (local time)** to be held at 467 South Wilson Street, Rock Hill, SC 29730. **Details of the specified requirements and how to submit a Qualifications Proposal will be discussed.** Prospective Offerors may submit questions regarding the RFP to the person identified in Section B. 4 above.

6. Interpretations

Any requests for interpretation or questions concerning this RFP must be submitted in writing to the addressee noted in Subsection B. 4 above and must be received 10 days prior to the deadline for receipt of Qualifications Proposals. Inquiries must reference the RFP number and title, and the deadline for receipt of Qualifications Proposals. No interpretations shall be considered binding unless provided in writing by RHHA.

7. Preparation of Qualifications Proposal

Offerors are expected to examine all elements of the RFP including the Scope of Services, submission requirements, evaluation criteria, equal opportunity compliance requirements, the General Conditions for Non-Construction Contracts, Section I, Article 16, form HUD 5370-C, above, and all instructions prior to preparing the Qualifications Proposal. Failure to do so will be at the Offeror's risk. Offers for services other than those specified will not be considered. All costs incurred, directly or indirectly, by the Offeror including, travel, preparation, submission and miscellaneous expenses, in response to this RFP shall be the sole responsibility of the Offeror and shall be borne by the Offeror. Offerors should make provisions for any and all costs and expenses related to the performance of the contract in their price Qualifications Proposal, and should identify all such costs and expenses in the itemized breakdown of costs.

8. Execution of Qualifications Proposal

The original Qualifications Proposal in the quantities required by Subsection C below must contain a manual original signature of an authorized representative of the Offeror. The authorized representative of the Offeror must initial all corrections made on the Qualifications Proposal. The company name must appear on the cover sheet. The Qualifications Proposal must include all documents, materials and information required herein.

9. Attachments

Each writing or other document referred to in this RFP as being attached hereto as an attachment or otherwise designated herein as an attachment hereto is hereby made a part of this RFP. The Offeror is required to complete the certifications and representations attached hereto as part of the Qualifications Proposal package and shall be subject to the requirements therein.

10. Confidentiality

There will be no public opening of Qualifications Proposals. All Qualifications Proposals and information concerning same shall remain confidential until all negotiations are completed and the Notice of Award is issued. Offerors are hereby notified that all Qualifications Proposals received by RHHA shall be included as part of the official contract file. Therefore, any part of the Qualifications Proposal that is not considered confidential, privileged or proprietary under any applicable Federal, State or local law shall be available for public inspection upon completion of the procurement process. Notwithstanding the foregoing, the applicable provisions of Federal, State and local laws shall govern the confidentiality of Qualifications Proposals despite anything contrary to this provision stated in the Qualifications Proposal.

C. QUALIFICATIONS PROPOSAL:

1. Title Page

The Qualifications Proposal is to be submitted in **original and three (3) copies** marked to include the Request for Qualifications Proposal subject, the name of the Offeror's firm, address, telephone number, fax number, email address and name of the contact person, and the date.

2. Content

Return the required copies, as detailed in C. 1. Above, of the **complete Solicitation Document** including completion of all blanks for requested information, completed Certifications and Representations and Attachments 1 through 4. Return the **entire solicitation** in **original and one (1) copy**, including **properly executed** Solicitation, Offer and Award form (Pages 1 and 2) completed Certifications and Representations and **ATTACHMENTS 1 through 4**, also properly executed, signed and, where required, notarized. Offerors should ensure that the Qualifications Proposal submission is properly signed by a person authorized to bind the company and that all pricing blanks are properly completed.

3. Table of Contents

Include a clear identification of the material by section and by page number.

4. Summary of Submission Requirements

- a) RHHA intends to retain the successful Offeror(s) on a "Qualifications Based" basis, not a "Low Bid" basis. Therefore, so that the RHHA can properly evaluate the offers received, all Qualifications Proposals submitted in response to this RFP must be formatted in accordance with the sequence noted below. Each category must be separated by index dividers numbered (which number extends so that each tab can be located without opening the Qualifications Proposal) and labeled with the corresponding tab reference also noted below. None of the proposed services may conflict with any requirement RHHA has published herein or has issued by addendum. The Technical Qualifications Proposal shall be formatted as follows:
- b) An original and three (3) copies of the typewritten, executed Qualifications Proposal must be properly executed and submitted in a sealed envelope. Offerors are requested to provide a definitive plan for carrying out the tasks as provided in the above scope of work. The Qualifications Proposal shall include all elements as follows.

5. Required Submittals:

Proposals shall include the following:

A. General Information

1. Letter of Interest (Cover letter)
2. Type of Organization; Corporation, Partnership, Joint Venture or Sole Proprietorship. Names of shareholders, partners, principals and any other persons exercising control over the Firm.
3. Description of the Offeror's capacity including staff resources.
4. Organizational Certifications:
 - (a) Copies of Certificate of Incorporation, Partnership Agreement, Joint Venture or other organizational document.
 - (b) A corporate resolution signed by the Secretary of the Corporation and notarized, certifying the name of the individual(s) authorized to sign the offer, the contract and any amendments thereto.

B. Firm's Previous Related Experience

The proposers must provide a clear, concise statement of qualifications as it relates to the required scope of services, as well as the proposer's ability to comply with the requirements under this RFP. Proposals must include the following information in sequence, to the questions listed below. Responses to each question must begin on a new page with the question restated at the top:

1. General Information.

Provide a brief description your firm including, but not limited to the following:

- a. A description of the general capabilities of your firm, relating to total size and staffing, location of offices, research capability, resource facilities, professional staff and clerical support.
- b. Discuss your firm's experience within the last five years working with a housing authority or similar entity.

2. Single Family and Multifamily Housing Experience and Firm Resources.

Provide the following information with regard to your firm's experience, particularly as it relates to housing matters:

- a. Describe your firm's relevant experience within the last 5 years with the acquisition and/or sale of the following: HUD Multifamily properties, HUD Homes (REO), lender REO, Fannie Mae (HomePath), Freddie Mac (HomeSteps) and other foreclosed properties.
- b. Describe your firm's relevant knowledge of and experience with first-time homebuyer programs at the local, state, and Federal level.
- c. Provide a list of agent(s) who would work for RHHA and their role. Describe their qualifications and experiences, specifically related to single family and multi-family acquisitions and resales.

3. Legal Issues.

- a. State whether or not your firm has insurance. If the firm is insured, please state the following:
- Name of carrier and policy number.
 - Effective date of insurance and expiration date (Attach Copy as Attachment).
 - Policy exclusion, if any.
 - Current coverage amounts.
 - Attorneys covered.
- b. Lawsuits Against Firm - Provide all pertinent information on any and all litigation against the firm arising out of real estate transactions or agents within the firm which is currently pending or which has been settled within the past five (5) years.
- c. Does your firm presently represent any clients that may present conflicts with representation of RHHA or CHCDC? Please list potential conflicts. If applicable, address your ability to resolve any conflicts.
- d. Provide a written statement which indicates whether the proposer is or is not under any investigation or review by any regulatory bodies. If your firm or any principal is, or has been, under an investigation or review, provide detailed information of the matters under review. Describe any arrangements, formal or informal, that the proposer has with any other party that might interfere with the proposer's ability to provide independent and unbiased real estate advice and services under this RFP.

4. References.

Provide three-(3) references from housing bond issuers, including contact person and phone number. The references should be similar to RHHA, if possible.

5. Miscellaneous. Briefly discuss any additional information that you would like RHHA to consider in evaluating your firm's proposal.

6. Proposed Staffing and Sub-consultants Responsibilities and Qualifications

Provide the following information relative to the proposed staffing and sub-consultants for this contact:

1. Provide background information (resume) regarding each identified Staff member that accurately describes his or her employment history and relevant experience providing services similar to those described in this RFP.
2. Description of the Scope of Services for at least three (3) projects in which the Staff and/or sub-consultant has provided services similar to those described in this Request for Qualifications.

D. Staff Availability. Describe the availability of the Staff proposed.

E. Firm's Commission (Fee) Proposal

In a separate, sealed envelope, provide the Offeror's Fee Proposal to complete the services described in this Request for Proposal and the Offeror's Proposal. It is noted that the proposed fees will be evaluated separately (**Section II, Pricing**).

Weighted, based on lowest price at 15 points

$$\text{Score} = \frac{\text{Lowest Proposer's Price}}{\text{Proposer's Price}} \times 15$$

IX. EVALUATION OF QUALIFICATIONS PROPOSALS

A. Importance of Technical Factors:

1. RHHA shall make an award(s) to the responsible Offeror(s) whose offer conforms to the solicitation and is most advantageous to RHHA (i.e., that Offeror receiving the overall best Qualifications Score), all below detailed factors considered.

B. The Evaluation Factors are defined as:

ELEMENT	MAX POINT VALUE	CRITERION DESCRIPTION
1	40 POINTS	The firm's experience providing brokerage services for a public housing authority or similar entity; Firm's relevant experience within the last 5 years with the acquisition and/or sale of the following: HUD Multifamily properties, HUD Homes (REO), lender REO, Fannie Mae (HomePath), Freddie Mac (HomeSteps) and other foreclosed properties. Firm's relevant knowledge of and experience with first-time homebuyer programs at the local, state, and Federal level.
2	30 POINTS	The professional and technical competence and experience of the proposed project staff and sub-consultants proposed for this engagement.
3	10 POINTS	Firm's demonstrated understanding and commitment to the engagement; The firm's ability to perform the work in a timely manner and meet deadlines.
4	15 POINTS	The firm's proposed fee and fee structure. Weighted, based on lowest price at 15 points Score = $\frac{\text{Lowest Proposer's Price}}{\text{Proposer's Price}} \times 15$
5	5 POINTS	Firm's demonstrated experience and/or commitment to assist RHHA in meeting its requirements and goals related to Section 3.
	100 POINTS TOTAL	

C. Selection

1. General

RHHA will use the following procedure to evaluate the Qualifications Proposals and select a successful Offeror. All Qualifications Proposals received by RHHA within the established deadline, which meet the submission requirements of the RFP will be evaluated by the RFP Evaluation Panel.

2. RFP Evaluation Panel

An RFP Evaluation Panel consisting of three (3) or more voting members will be established. The RFP Evaluation Panel shall consist of RHHA employees and may also include RHHA residents and consultants, RHHA Commissioners and Rock Hill City personnel and consultants. RHHA may also identify non-voting technical advisors to the Panel.

3. Qualifications Proposal Evaluation

The Procurement Officer will forward Qualifications Proposals that comply with the submission requirements to the RFP Evaluation Panel. Each such Qualifications Proposal will be evaluated by

the RFP Evaluation Panel using the selection criteria set forth in Section IX, A. above, and scored on the basis of the information contained in the Qualifications Proposal. Factors not specified in the RFP shall not be considered. Each Qualifications Proposal will be considered on its own individual merit and not analyzed in comparison with other Qualifications Proposals. Each panel member assigning points shall be asked to provide a written narrative justification to support the rating given. The sum of the points assigned to each Qualifications Proposal by an individual panel member shall be known as the Offeror's "Raw Score." The evaluation panel chairperson shall fill out a composite worksheet displaying each panel member's Raw Score for each Qualifications Proposal. The chairperson shall then average all the panel members' Raw Scores for each Offeror and post these numbers as the "Final Score" for each Offeror. Each Qualifications Proposal shall be rated acceptable, potentially acceptable, or unacceptable based on the Final Score received.

4. Competitive Range

A competitive range will be established based on the rankings of the Offerors and the Qualifications Proposals will be classified as acceptable, potentially acceptable or unacceptable. Qualifications Proposals determined to be acceptable or potentially acceptable and that have a reasonable chance of award shall be included in the competitive range. RHHA reserves the right to limit the number of Offerors to be included in the competitive range. Further, RHHA reserves the right to establish a minimum score for the competitive range. Offerors whose Qualifications Proposals are classified as unacceptable shall be excluded from the remainder of the selection process and notified accordingly.

5. Oral Presentations/Interviews

At the sole discretion of RHHA, Offerors who are considered by the evaluation panel to be competitive based on the total scores received and relative rankings of Offerors, may be asked to make a presentation of the Qualifications Proposal during any negotiations that may be held. The purpose of the presentation will be to provide an opportunity to the Offeror to clarify its Qualifications Proposal, respond to questions from RHHA, and substantiate representations in the Qualifications Proposal. No comments about other Offerors or other Qualifications Proposals will be permitted and Offerors shall not be permitted to attend presentations by other Offerors. A time limit for presentations shall be imposed. Offerors invited to make presentations shall be informed of the date and time of the presentation and the time limit for completing such presentation. Evaluations may be revised based upon information provided by the Offerors in the oral presentation.

6. Discussions

Discussions or negotiations, oral and/or written, may be conducted by RHHA or its authorized representatives with all responsible Offerors whose offers are within the competitive range. RHHA reserves the right to conduct negotiations, oral and/or written, on any element of the contract including price, with all responsible Offerors whose offers are within the competitive range. RHHA reserves the right to make a selection of a successful Offeror based solely on the initial submissions and award without discussions.

7. Best and Final Offers

In the event discussions/negotiations are held, Offerors in the competitive range will be provided an opportunity to change or revise their Qualifications Proposals to reflect any changes resulting from the negotiations, if any, in the form of a written "Best and Final Offer ("BAFO")," within a deadline of not less than five (5) business days from notification by RHHA, unless otherwise indicated by RHHA in writing. The BAFO will be evaluated by the RFP Evaluation Panel based on the evaluation criteria stated in the RFP. Such BAFO will be treated as a firm Qualifications Proposal in place of the Qualifications Proposal originally submitted. If no revised Qualifications Proposal is received from any such Offerors in the competitive range within the deadline provided for submitting the BAFO, the originally submitted Qualifications Proposal will be treated as the BAFO.

8. Negotiations

The Offeror established as the highest ranking candidate, based on the evaluation procedures stipulated above, will be requested to submit rate information. The RHHA Contracting Officer shall conduct negotiations with the candidate to reach mutually agreeable rate terms to be applied to any orders issued pursuant hereto. If agreement cannot be reached based on the aforementioned negotiations, the highest ranked candidate will be notified that negotiations are concluded with no award. RHHA shall then proceed to the second highest ranking candidate and price negotiations shall be initiated utilizing the same procedure as conducted with the first candidate. This method shall be applied to successively ranked candidates until a successful negotiation results in an award hereunder.

X. AWARD OF CONTRACT

A. Contract Award

Following completion of the evaluations, receipt of best and final offers (if required), and successful negotiations a contract will be offered to the firm with the most advantageous proposal, considering cost and technical factors.

1. Standard for Contract Award

Upon a determination by RHHA of the availability of funds, RHHA may negotiate a contract with any one or more of the successful Offeror(s). Any contract awarded pursuant to this RFP shall be made to the responsible Offeror(s) whose proposal is determined to be the most advantageous to RHHA, price and technical factors considered. Award will be based on the ranking of the most qualified firms in accordance with the criteria in Section IX, above. RHHA will negotiate rates/pricing with the highest ranked firm. IF negotiations cannot be successfully completed with the highest ranked firm, that firm will be notified and dropped from the competition and negotiations will be initiated with the second highest ranked firm. This process will continue with successively ranked firms until negotiations are successfully completed.

2. Award without Discussions

Notwithstanding the foregoing, RHHA reserves the right to make an award without discussions based solely on original proposal scores. RHHA will make an award to the responsible Offeror whose offer conforms to the solicitation and is the most advantageous to RHHA (i.e., that which represents the best value to RHHA), price and other factors considered.

ATTACHMENTS

- 1) Affidavit of Non-Collusion (must be notarized)
- 2) RHHA Conflict of Interest Statement (must be executed)
- 3) Authorization for Verification of References (must be executed)
- 4) W-9 Form

ATTACHMENT 1

RHHA AFFIDAVIT ON NON-COLLUSION

NON-COLLUSIVE AFFIDAVIT

STATE OF }
COUNTY/CITY OF :§
}

_____ .being first duly sworn, deposes and says:

That he or she is _____ (a partner or officer of the form of, etc.) the party making the foregoing proposal or bid, that such proposal or bid is genuine and not collusive; that said bidder has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication of conference, with any person, to fix the bid prices of affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or of that of any other bidder, or to secure any advantage against the Housing Authority of the City of Rock Hill or any person interested in the proposed contract; and that all statements in said proposal or bid are true.

Signature of:

(Bidder, if the bidder is an Individual)

(Partner, if the bidder is a Partnership)

(Officer, if the bidder is a Corporation)

SUBSCRIBED AND SWORN TO BEFORE ME
THIS _____ DAY OF _____, 2022

My Commission Expires: _____
(Date)

(Notary Public)

Contract No: _____