



**DELRAY BEACH
COMMUNITY REDEVELOPMENT AGENCY**

**REQUEST FOR PROPOSALS
CRA NO.2024-XX
FOR THE DISPOSITION OF CRA-OWNED VACANT LOTS
FOR THE DEVELOPMENT OF AFFORDABLE/WORKFORCE HOUSING**

**ISSUE DATE
WEDNESDAY, JUNE XX, 2024**

**VOLUNTARY PRE-PROPOSAL MEETING
MONDAY, JUNE XX, 2024
10:00AM EST**

**QUESTION SUBMITTAL DEADLINE
FRIDAY, JUNE XX, 2024
5:00PM EST**

**PROPOSAL SUBMISSION DEADLINE
WEDNESDAY, JULY XX, 2024
10:00AM EST**

CONTACT
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I. INVITATION

The Delray Beach Community Redevelopment Agency (CRA) is seeking proposals from qualified not-for-profit entities, hereinafter referred to as Proposers, for the purchase and development of XX CRA-owned vacant lot properties (Subject Properties), more specifically described in Section III of this RFP. It is the CRA's intention to dispose of the Subject Properties to a qualified not-for-profit entity and enter into an Agreement for the purpose of developing and constructing affordable/workforce housing to provide for-sale single-family housing that is restricted on a long-term basis for affordable/workforce housing. It is the CRA's intent to ensure that the Subject Properties are developed with quality interior and exterior designs, materials, and workmanship. The designs and plans for the single-family homes to be built on each of the Subject Properties must be in accordance with the City of Delray Beach Land Development Regulations, architectural design guidelines, and take into account existing streetscape improvements, including traffic calming measures, on-street parking, and/or improved alley access.

Proposers are invited to submit a complete Proposal for consideration. Any submitted Proposal must clearly address and contain all items and forms requested herein.

Proposers are advised that Proposals submitted with irregularities, omissions, errors, deviations, and/or technicalities that, at the sole discretion of the CRA, do not meet the minimum requirements of the RFP, may result in a non-responsive determination. Proposers will not be given the opportunity to cure any irregularity, omission, error, deviation, and/or technicality. The CRA reserves the right to accept any Proposal(s) deemed to be in the best interest of the CRA, to waive any minor irregularities, scrivener's errors, omissions, deviations, and/or technicalities in any Proposal(s), or to reject any or all Proposal(s), and to re-advertise for new Proposal(s). It is at the sole discretion of the CRA to waive or not waive any irregularity, omission, error, deviation, and/or technicality.

Factors that the CRA will use in evaluating the Proposals include, but are not limited to, the Proposer's plans (which should include, but are not limited to, overall plans, architectural design plans, interior floorplans, and building materials and interior features) for each of the Subject Properties included within their Proposal, their experience and qualifications in the construction and development of affordable/workforce housing, sales prices of the homes, offering price for the Subject Properties, development fees, financing capabilities, and the Proposal's consistency with the CRA's Redevelopment Plan. The Evaluation Criteria and Selection Procedures are discussed in more detail within this RFP.

The CRA is vested by the State of Florida pursuant to its powers under Florida Statutes, Chapter 163, Part III, the Community Redevelopment Act of 1969 as amended, with the authority to request proposals for the redevelopment of any area within its District in order to effectuate redevelopment pursuant to the goals and objectives of the CRA Redevelopment Plan (<https://delraycra.org/wp-content/uploads/2019/04/Community-Redevelopment-Plan.pdf>).

The CRA intends to negotiate an Agreement for the sale, development, and construction of each of the Subject Properties upon the award of this RFP to a Proposer that best

satisfy the Evaluation Criteria, and the selection of that Proposer is deemed to serve in the best interests of the CRA.

Upon the award of an acceptable Proposal by the CRA Board, and an executed, negotiated Agreement with a Successful Proposer, as well as the Successful Proposer's compliance with conditions precedent to closing, the CRA will close on each of the Subject Properties as agreed to pursuant to the Agreement between the Successful Proposer and the CRA.

Proposers are required to submit one (1) original hard copy of their full Proposal (all required documents, information, and forms with wet signatures in blue ink only) in a hard cover binder and an electronic, searchable PDF file of the full Proposal on a USB drive in a sealed package with the outside of the package marked with the Proposer's name, return address, "Request for Proposals No. CRA 2024-0X, for the Disposition of CRA-owned Vacant Lots for the Development of Affordable/Workforce Housing", and Proposal Submission Due Date and Time. All Proposals shall be delivered (mailed or hand-delivered) to the CRA at:

20 North Swinton Avenue, Delray Beach, FL 33444
on or before the Proposal Submission Due Date and Time of
Wednesday, June XX, 2024, at 10:00AM EST

The responsibility for submitting a Proposal at the correct location on or before the stated Proposal Submission Due Date and Time is solely and strictly that of the Proposer. The CRA is not responsible for any delayed, late, misdelivered, or non-delivered Proposal(s), no matter the cause. Submission of Proposals electronically will not be accepted. Proposals that arrive after the Proposal Submission Due Date and Time will not be accepted and will be returned to the sender unopened.

The CRA reserves the right to accept or reject any or all Proposal(s), in whole or in part, with or without cause without any liability to the CRA. The CRA does not warranty or represent that any award or recommendation will be made as a result of the issuance of this RFP, or receipt of a Proposal(s). The CRA and any Proposer will be bound only if and when a Proposal, as it may be modified, is approved and accepted by the CRA, and the applicable negotiated Agreement pertaining thereto is approved, executed, and delivered by the Proposer to the CRA, and any conditions precedent are complied with by the Proposer, and then only pursuant to the terms of the Agreement executed by the Proposer and the CRA.

THIS SECTION IS LEFT INTIONALLY BLANK.

II. RFP OVERVIEW

RFP Issued	Wednesday, June XX, 2024
Voluntary Pre-Proposal Meeting Date and Location Attendance is VOLUNTARY and is recommended but is not mandatory.	Monday, June XX, 2024 at 10:00AM EST In person at: CRA Office 20 N Swinton Avenue Delray Beach, FL 33444
Question Submittal Deadline	Friday, June XX, 2024 at 5:00PM EST Questions must be submitted in writing via email to: Christine Tibbs, Assistant Director tibbsc@mydelraybeach.com
Proposal Submission Due Date and Location	Wednesday, July XX , 2024 at 10:00AM EST Mail or Hand-deliver Proposals to: Delray Beach CRA Office ATTN: Christine Tibbs 20 N Swinton Avenue Delray Beach, FL 33444
Evaluation Committee	TBD
CRA Board Meeting	TBD

*The CRA reserves the right to advance or delay the above scheduled dates.

*Mailed Proposals will be considered timely when **received** by the CRA at the stated Location on or before the stated Due Date and Time. All received Proposals will be timestamped by the CRA. The CRA shall not be responsible for late, delayed, misdelivered, or undelivered Proposals. Proposals not received by the CRA by the Due Date and Time at the stated Location shall not be reviewed or considered by the CRA.

BROADCAST

All documents related to this RFP, including any addenda, can be obtained from: (a) Periscope Holdings aka Periscope S2G (fka Bidsync) – www.periscopeholdings.com/s2g; and (b) the CRA’s website: www.delraycra.org.

Proposers who obtain solicitation information from sources other than those named above are cautioned that the RFP package may be incomplete and incomplete Proposal submittals may be deemed non-responsive by the CRA. Periscope Holdings is an independent entity and is not an agent or representative of the CRA. Communications to any independent entities does not constitute communications to the CRA. The CRA is not responsible for errors and omissions occurring in the transmission or downloading of any documents, addenda, plans, or specifications from these websites.

CONTACT PERSON

Any questions regarding the RFP documents and/or solicitation process must be submitted in writing to Christine Tibbs, Assistant Director at tibbsc@mydelraybeach.com. Questions must be received prior to the Question Submittal Deadline. Oral explanations, information, and instructions shall not be considered binding on the CRA. All prospective Proposers are encouraged to independently verify the accuracy of any information provided. Neither the CRA nor any of its agents or employees shall be responsible for the accuracy of any oral information provided to any Proposer.

REQUIRED INFORMATION

This RFP contains various sections which require submission of certain information and forms which require completion and signature. The responsibility for submitting a complete Proposal at the correct location before the stated Proposal Submission Due Date and Time is solely and strictly that of the Proposer.

ADDENDA

Any interpretations, corrections, clarifications, or changes to this RFP will be made by addenda. Sole issuing authority shall be vested in the CRA. Addenda will be posted and available through the CRA notification methods shown above.

LATE PROPOSALS

Proposers must submit complete Proposals before the stated Proposal Submission Due Date and Time. Proposals received after the Proposal Submission Due Date and Time shall be returned unopened and shall be found non-responsive. It is the sole responsibility of Proposer to ensure its Proposal is received by the CRA by the stated Proposal Submittal Due Date and Time. The CRA is not responsible for any delayed, late, misdelivered, or non-delivered Proposal(s), no matter the cause.

SUBMITTAL FORMAT REQUIREMENTS

Proposals shall be submitted in the format as stated within Section VI of this RFP. Proposers are required to submit one (1) original hard copy of their full Proposal (all required documents, information, and forms with wet signatures in blue ink only) in a hard cover binder, and one (1) electronic, searchable .pdf file of the full Proposal on a USB drive in a sealed package with the outside of the package marked "Request for Proposals CRA No. 2024-03 - Disposition of CRA-owned Vacant Lots for the Development of Affordable/Workforce Housing".

All Proposals shall be delivered (mailed or hand-delivered) to the CRA at:

20 N Swinton Avenue, Delray Beach, Florida 33444
on or before the Proposal Submission Due Date and Time of
Wednesday, June XX, 2024, at 10:00AM EST

PROPOSAL OPENING

All proposals submitted on or before the Proposal Submission Due Date and Time shall be publicly opened at the CRA Office, located at 20 N. Swinton Avenue, Delray Beach, FL 33444, immediately after the Proposal Submission Due Date and Time.

PROPOSAL OMISSIONS, ERRORS, DEVIATIONS

Proposers are advised that Proposals submitted with irregularities, omissions, errors, deviations, and/or technicalities that, at the sole discretion of the CRA, do not meet the minimum requirements of the RFP, may result in a non-responsive determination. Proposers will not be given the opportunity to cure any irregularity, omission, error, deviation, and/or technicality. It is at the sole discretion of the CRA to waive or not waive any irregularity, omission, error, deviation, and/or technicality.

EVALUATION

Proposals shall be evaluated in accordance with the criteria and procedures stated within Section VII of this RFP.

AWARD

The CRA reserves the right to accept any Proposal(s), or combination of Proposal(s), deemed to be in the best interest of the CRA, to waive any minor irregularities, scrivener's errors, omissions, deviations, and/or technicalities in any Proposal(s), negotiate terms with Successful Proposer(s), or to reject any or all Proposal(s), and to re-advertise for new Proposal(s). The best interest of the CRA shall be determined solely by the CRA. See Section IX, Disclosure and Disclaimers, of the RFP.

DEFINITIONS

The CRA will use the following definitions in its solicitation documents, agreement documents, and any other document used in the solicitation process and any resulting agreement:

- A. CRA – shall refer to the Delray Beach Community Redevelopment Agency
- B. REQUEST FOR PROPOSALS (RFP) – this solicitation, including all documentation and any and all addenda, issued by the CRA seeking qualified Proposers.
- C. PROPOSER – Person, company, partnership, firm, or corporation submitting a Proposal.
- D. PROPOSAL – A Proposer's response to this RFP.
- E. RESPONSIVE PROPOSER – A Proposer whose Proposal conforms in all material respects to the terms, conditions, specifications, requirements included in the RFP.
- F. RESPONSIBLE PROPOSER – A Proposer who meets the minimum qualification requirements and has the capability to perform the RFP and Agreement requirements.
- G. SUCCESSFUL PROPOSER – Proposer who is awarded an Agreement for the provision of services detailed in this RFP.
- H. AGREEMENT – The RFP, all addenda issued thereto, all affidavits and required forms, the signed Agreement, and all related documents will comprise the totality of the Agreement between the CRA and the Successful Proposer(s) to perform the services described in this RFP.

III. PROPERTY INFORMATION

A. Subject Properties' Location & Legal Description:

Lot	Property Address	Parcel Control Number (PCN)	Zoning Designation and Legal Description
1	TBD	TBD	TBD

NOTE:

TBD

B. Aerial Map and Site Conditions

All lots are currently vacant land.

For informational purposes, an aerial map and surveys of all Subject Properties are included in this RFP within Section XI, Exhibits.

The City of Delray Beach is currently undergoing a Streetscape and Utility Improvement Project in the Northwest Neighborhood of The Set, which includes improvements to utilities (water, sewer, drainage, lighting) alleys, sidewalks, installation of streetlights. More information can be found at: <https://nwneighborhoodproject.com/>.

C. Land Use Regulations

All Proposals shall be subject to the City of Delray Beach development approval process.

The Subject Properties are all currently zoned R-1-A (Single Family Residential). Development of the Subject Properties shall be subject to the current zoning restrictions as stated under the City of Delray Beach's Land Development Regulations and the Subject Properties shall not be rezoned from its current zoning designation by either the CRA or the Proposers as a condition of development of the Subject Properties.

For additional information, visit <https://www.delraybeachfl.gov/>, Planning and Zoning Department, Land Development Regulations, Section 4.4.3.

IV. RFP OBJECTIVES

A. CRA Redevelopment Plan

The CRA's Redevelopment Plan provides specific goals for Affordable/Workforce Housing (See Project #2.9 Affordable/Workforce Housing Program within the CRA's Redevelopment Plan), which include:

- Revitalization and stabilization of neighborhoods in the southwest area; and
- Improvements in the quality and condition of housing stock; and
- Provision of housing to meet a range of income levels and ages.

B. Development Objectives

The CRA intends to dispose of the Subject Properties to one (1) qualified not-for-profit entity specializing and/or experienced in developing and constructing affordable/workforce housing, for the purpose of providing for sale long-term and/or permanent affordable/workforce housing within the CRA District.

Proposers must submit a Proposal that includes development and construction plans for all X (X) of the Subject Properties. The CRA reserves the right to award the Subject Properties in a manner that serves the best interests of CRA, at the sole and absolute discretion of the CRA.

Each single-family home developed and constructed on each of the Subject Properties shall be consistent with the City of Delray Beach's Land Development Regulations Article 4.6, Family and Workforce Housing requirements. Specifically, all housing units shall remain affordable for a period of no less than forty (40) years commencing from the date of closing of the single-family home to the homebuyer. Proposals that include terms that conflict with the City of Delray Beach's Family and Workforce Housing Requirements, especially the affordability term of forty (40) years, shall be deemed non-responsive and will not be evaluated by the Evaluation Committee.

In addition to the City of Delray Beach's Land Development Regulations, development and construction on the Subject Properties shall follow the CRA's Redevelopment Plan. Proposals shall include detailed information related to the Subject Properties the Proposer is interested in developing, the Proposer's purpose for acquiring the Subject Property(ies), and must contain the terms, conditions, and responses to other matters and requirements as hereinafter described, which will provide the CRA with the greatest opportunity to meet its goals and objectives as stated within its the CRA Redevelopment Plan.

The Successful Proposer will be responsible for developing and constructing the homes, and if applicable, may be responsible for marketing and outreach to prospective buyers, income qualification of prospective buyers, and facilitation of the sale of the homes to home buyers.

C. Development Requirements

Proposals shall state the Proposer's ability to develop each of the Subject Properties included in their Proposal and construct and complete each of the single-family homes subject to the below requirements:

- The Proposer must include all the Subject Properties listed within this RFP as part of its Proposal. For each Subject Property the Proposer must provide detailed information that shall include, but is not limited to, the Proposer's overall plans, architectural design plans, interior floorplans, and building materials and interior features, sales price of the home, sales structure of the home, development fees, financing capabilities, and the Proposal's consistency with the CRA's Redevelopment Plan.
- The development and construction on each Subject Property must be permissible under the Subject Property's current (as of the date of issuance of this RFP) zoning designations and the City of Delray Beach Land Development Regulations.
- The single-family home on each Subject Property must be restricted, developed, constructed, and priced for sale in accordance with the City of Delray Beach's Workforce Housing Program, Article 4.7, specifically, all housing units shall remain affordable for a period of no less than forty (40) years commencing from the date of closing on the single-family home to the home buyer.
- The development and construction of the single-family home on each Subject Property must be ready for sale within eighteen (18) months of the commencement date of the Agreement between the Successful Proposer and the CRA. If the Successful Proposer is awarded more than one Subject Property, the development and construction of all single-family homes on each Subject Property must occur in one (1) phase and all of the single-family homes must be ready for sale within eighteen (18) months of the commencement date of the Agreement between the Successful Proposer and the CRA; and
- The Proposer shall be financially responsible for **ALL** development costs, construction costs, permit fees, and impact fees; and
- The Proposer shall be responsible for coordinating all utility connections, as needed.
- *** If applicable***For Lots 2 and 3, the Successful Proposer(s) will be responsible for submitting to the City of Delray Beach an address assignment application.
- Perform marketing and outreach to prospective buyers, income qualification of prospective buyers, buyer selection, and facilitation of the sale of the

singlefamily homes to home buyers in accordance with the City of Delray Beach's Workforce Housing Program.

Failure to include and/or acknowledge the above Development Objectives in a submitted Proposal may be cause for determination that the Proposer is non-responsive and may be a cause of rejection of the Proposal at the sole and absolute discretion of the CRA.

Section VI, Submittal Requirements, provides more detailed specifications and information on development requirements.

D. Construction Documents and Permits

The CRA will not be providing design documents, construction documents or building permits for any of the Subject Properties included in this RFP.

The CRA will not be providing funding or funding assistance for the design documents, construction documents, building permits and/or fees for any of the Subject Properties included in this RFP.

E. Home Sales Pricing Requirements

The Successful Proposer shall price the homes for sale in accordance with the City of Delray Beach's Workforce Housing Program. The target population of prospective buyers for the affordable and/or workforce housing units to be developed and constructed under this RFP is the Low to High-Moderate income range (51% to 140% of Palm Beach County Area Median Income). The homes MUST be developed, constructed, and priced to prospective buyers within the targeted income range.

See City of Delray Beach Land Use Regulations Article 4.7 for additional information on the City's Workforce Housing Program - <https://www.delraybeachfl.gov/home/showdocument?id=660>.

F. Home Sales Structure

The Proposal must contain whether the Home Sales Pricing includes the land or does not include the land.

Note: The Evaluation Criteria and Evaluation Committee will not consider whether the Home Sales Structure of the single-family homes is with or without the land (i.e. no points are assigned for Home Sales Structure.) This information is requested and required so the CRA has a full picture of the Proposer's development and construction plans.

V. MINIMUM QUALIFICATIONS AND EXPERIENCE REQUIREMENTS

Proposers shall possess the below stated minimum qualifications and demonstrate the minimum experience as of the Proposal Submission Due Date and Time to develop and construct affordable/workforce housing on the Subject Property(ies) (a Sub-Consultant's/Sub-Contractor's qualifications and experience may not be used to satisfy the minimum qualifications of experience required of a Proposer):

- A. Proposer shall be a not-for-profit entity; and
- B. Proposer shall have been authorized to conduct business in the State of Florida for the last five (5) years under its current business name (current business name means the actual official name on file with the State of Florida of the entity submitting the Proposal); and
- C. Proposer shall possess a minimum of five (5) years of proven experience developing and constructing affordable/workforce housing; and
- D. Proposer shall provide information on at least (3) affordable/workforce development and construction projects **completed** within the last five (5) years; and
- E. Proposer shall provide at least three (3) professional references from projects **completed** within the last five (5) years; and
- F. Proposer shall provide information on their qualifications, experience, and methodology for marketing and outreach, income qualification of buyers, buyer selection, and facilitation of home sales to home buyers.

NOTE: More specific information that is required to be submitted by each of the Subject Properties is stated within Section VI, Submittal Requirements.

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VI. SUBMITTAL REQUIREMENTS

The following describes certain information and documents that must be submitted with each Proposal. Failure to provide any of the information or failure to provide the information in the required format may be cause for determination that a Proposer is non-responsive at the sole and absolute discretion of the CRA. Proposals deemed non-responsive may be disqualified, rejected, and receive no further consideration at the sole and absolute discretion of the CRA. This RFP requires the use and submission of specific CRA forms. The CRA forms shall not be expanded or altered. Failure to utilize the CRA's forms will result in the rejection of the Proposal as non-responsive at the sole and absolute discretion of the CRA.

The Proposer shall submit **one (1) original hard copy (original documents with wet signatures in blue ink) in a hard cover binder, and one (1) electronic, searchable .pdf file of the full Proposal on a USB drive.** Each Proposal shall contain a Table of Contents following the format outlined within this Section VI, Submittal Requirements, with each item listed in the Table of Contents separately tabbed (original hard copy) and bookmarked (PDF copy).

Proposals must be manually and duly signed (wet signature, blue ink) by an authorized agent. Anyone signing the Proposal as an authorized agent must submit evidence of signature authority with the Proposal.

Do not include additional information not requested in this RFP, unless specified in an Addendum. Proposers are not to submit any information in response to this RFP that has not been specifically requested or which the Proposer considers confidential. Submission of any confidential information will be deemed a waiver of any confidentiality or other such protection, which would otherwise be available to the Proposer, except as specifically permitted under State of Florida Statutes. The submission of such documentation may adversely affect the evaluation of the Proposal by the Evaluation Committee.

The CRA reserves the right to validate any and all information submitted by a Proposer. At its sole and absolute discretion, the CRA may disqualify any Proposer if the CRA determines that their Proposal does not sufficiently document experience and qualifications. Further, at its sole and absolute discretion, the CRA may request and require that additional information be provided by a Proposer.

Proposers understand that submitting a Proposal in response to this RFP does not constitute an agreement between the CRA and the Proposer. A Proposer has no contract right or expectation by submitting to the CRA a response to this RFP.

Submitted Proposals shall be organized and formatted in the below manner and shall include the following:

TABLE OF CONTENTS:

The Table of Contents should follow in sequential order as specified below. All pages of the Proposal must be consecutively numbered and correspond to the Table of Contents.

SECTION 1 – NARRATIVE/EXECUTIVE SUMMARY:

The Proposer shall include a general introduction statement identifying the non-profit entity responding to this RFP, overview of the non-profit entity (its mission, vision, goals, objectives), a summary of its qualifications and experience, and their understanding and commitment to the development and construction of affordable and/or workforce housing, especially as it relates to the CRA's Redevelopment Plan.

SECTION 2 – PROPOSER'S INFORMATION:

Proposers shall provide the following information related to its organizational structure, key personnel, qualifications, experience, and financial capacity:

- a. Proposer shall complete and submit the Proposal Acknowledgement Form and Proposer's Information Form provided in Section X, Required Forms.
- b. A copy of the not-for-profit determination letter, or a copy of the application for 501(c)(3), tax exempt status submitted to the Internal Revenue Service and a complete list of the non-profit entity's Board of Directors including names, addresses and phone numbers and the name of the non-profit entity's Executive Director. If the proposing non-profit entity is affiliated with another entity for the purposes of this application or otherwise, please provide a statement representing the nature of the affiliation along with the other entity's name, address, phone number, legal organizational structure (including state of organization or incorporation), and a listing of the Board of Directors, principals, officers, partners, etc.
- c. Anyone signing a Proposal as an authorized agent, must submit legal evidence of signature authority with the Proposal.
- d. A copy of the Proposer's authorization to transact business in the State of Florida for the past five (5) years under its current business name (registration with the State of Florida Division of Corporations)

The CRA may consider a Proposal responsive where a Proposer has less than the stipulated minimum number of years of experience under its current business name solely where the Proposer has undergone a name change and such change-of-name has been filed with the State of Florida, or where the Proposer has merged with another firm, company, corporation. Proposers must include documentation substantiating the name change or merger as part of its Proposal for the CRA to consider crediting the years of experience from the Proposer under its previous name, if applicable. **Failure to include such documentation with the Proposal may result in the Proposal being deemed non-responsive.**

- e. Proposer's Key Personnel: List all individuals, staff, employees, etc. directly employed and/or staffed (regardless of monetary compensation) by the Proposer who will be involved in the development and construction

of the affordable/workforce homes to be located on each of the Subject Properties, and include name, title, description of position/role and responsibilities, qualifications and experience for each individual. List shall also encompass individuals who will be involved in marketing and public outreach, income qualification, and facilitation of home sales shall be included in this section, if directly employed and/or staffed by the Proposer.

- f. List all Sub-Consultants/Sub-Contractors that the Proposer has or will have a contract with, other than the direct employees and/or staff of the Proposer, who will assist in the performance of providing any services under this RFP (including development and construction services, and marketing and outreach, income qualification, buyer selection, and facilitation of home sales, if applicable). Name of Sub-Consultant/Sub-Contractor, description of role and responsibilities including services to be provided, qualifications and experience shall be included in this section.

Proposer shall also submit the Sub-Contractor/Sub-Consultant Information Form contained in Section X, Required Forms.

- g. Provide an organization chart identifying all individuals and entities, including Sub-Consultants/Sub-Contractors, who will be involved in the development and construction of the affordable/workforce homes to be located on each of the Subject Properties included within the Proposal.
- h. Disclose the name of any director, employee, staff member, agent, or key personnel of the Proposer who is also an employee of the CRA. If no conflicts of interests are present, Proposer must submit a statement to that affect. Conflicts of interest may be grounds for the CRA to deem the Proposal non-responsive.

Proposer shall also submit the Conflict of Interest Form contained in Section X, Required Forms.

No brochures, pamphlets or marketing materials are to be included as part of the Proposal.

SECTION 3 – PROPOSER’S FINANCIAL INFORMATION

- a. The Proposer must provide a current (audited, if available) financial statement which includes a balance sheet, a three-year statement of past income, and a projected one-year income statement for the current fiscal year for the Proposer (and its parent entity if it is a subsidiary). Tax returns may be substituted for financial statements.
- b. Per Section VIII, General Terms and Conditions, the Proposer shall be required to submit with its Proposal evidence of its Financial Capacity to commence and complete the single-family home(s) on time, and evidence

of its ability to secure and submit a Payment and Performance Bond prior to closing on the Subject Properties.

Note: Section VIII also states that a Future Deposit will be required from the Successful Proposer(s).

- c. Disclosure of any bankruptcies and legal actions by the Proposer or any of the above or related parties and/or entities during the past ten (10) years must be submitted with the Proposal (resolved or pending.) Information regarding any legal or administrative actions, past or pending, that might impact the capacity of the Proposer to complete the development and construction of an affordable/workforce home on the Subject Property(ies) must be disclosed.

SECTION 4 – PROPOSER’S QUALIFICATION AND EXPERIENCE

Provide a detailed description of and information on at least three (3) affordable/workforce development and construction projects **completed** within the last five (5) years that are similar in size, scope, and complexity as that contemplated by this RFP. Proposers may utilize any format of their choosing to provide the following information for each submitted project:

- i. Physical Address
- ii. Pictures (exterior and interior), architectural renderings and/or plans, floor plans, construction documents, site plans, or other documents to thoroughly describe the submitted completed project, etc.
- iii. List of exterior materials and features used and provided
- iv. List of interior materials and features used and provided
- v. Complete project timeline from design of the home to completion (concluding at the sale of the home)
- vi. Development and construction key personnel – please list the names, titles, and role of all individuals, agents, companies, partners, entities, etc. that were involved in the design, development, and construction of the home.
- vii. Total project costs with a breakdown – including design, permitting, construction, overhead, etc. – and the financing structure used by the Proposer to finance the development and construction.
- viii. Sales price of home to buyer with a breakdown – including developer fees
- ix. Sales structure of the home to the buyer - home sold with the land or home sold without the land.
- x. Provide information on whether there is any Workforce Housing Restriction on the home and/or land.
- xi. Proposer should include any and all information related to the submitted project that they believe would be beneficial for the

Evaluation Committee to consider when reviewing the Proposer's qualification and experience.

Note: Please note that in assessing the qualifications and experience of a Proposer the CRA may visit each submitted project site.

SECTION 5 – PROPOSER'S PROFESSIONAL REFERENCES

Provide a minimum of three (3) professional references from projects completed in the last five (5) years. Name, title, and contact information for the reference must be included.

SECTION 6 – PROPOSER'S DEVELOPMENT AND CONSTRUCTION PLAN:

The Proposer shall submit a detailed and thorough plan as to how the single-family home will be developed and constructed on each Subject Property included within its Proposal.

The Proposer shall provide information on all aspects of the development and construction plan, including, but not limited to the proposed architectural design and renderings/pictures, square footage of the homes, number of bedrooms, bathrooms, garage spaces, and proposed interior and exterior materials and features of the homes, proposed utility locations, etc.

The Proposer should include any and all information they believe would be beneficial for the Evaluation Committee to consider when reviewing the Proposer's Proposal.

As stated in Section IV, RFP Objectives, the Proposer is required to include and/or acknowledge the following in its development and construction plan for each Subject Property for which it is including in its Proposal:

- i. Develop and construct a single-family home on each Subject Property that is included in the submitted Proposal following all applicable City of Delray Beach Land Development Regulations and Building Codes; and
- ii. If submitting for more than one Subject Property, Proposer must develop and construct all single-family homes included in this RFP in one (1) phase; and
- iii. Complete construction of all single-family homes and have all homes ready for sale within eighteen (18) months of the commencement date of the Agreement between the Successful Proposer and the CRA; and
- iv. Restrict and price all single-family homes in accordance with the City of Delray Beach's Workforce Housing Program; and
- v. Pay for **ALL** development costs, construction costs, permit fees, and impact fees; and
- vi. Coordinate all underground utility connections;

- vii. ***if applicable*** The Successful Proposer(s) of Lots 2 and 3 will need to submit an application to the City of Delray Beach for the assignment of new street addresses.

Additionally, the Proposer's development and construction plan shall incorporate, at minimum, the following features for the single-family home to be developed and constructed on each Subject Property:

- i. Elevations – must comply with City of Delray Beach Architectural Guidelines
- ii. Minimum of 1,300 sf under air
- iii. Minimum two (2) bedrooms
- iv. Minimum two (2) full bathrooms
- v. Minimum of one (1) garage (no carports)
- vi. Hurricane impact glass for all windows
- vii. Hurricane impact doors for all exterior doors
- viii. Hurricane impact garage door
- ix. Energy efficient appliance package in stainless steel finish – shall include refrigerator, range, microwave, dishwasher
- x. Energy efficient washer and dryer set
- xi. Energy efficient water heater
- xii. High efficiency toilets in all bathrooms
- xiii. Energy efficient AC unit
- xiv. Wood cabinetry (or comparable material) in kitchen and all bathrooms
- xv. Granite countertops (or comparable material) in kitchen and all bathrooms
- xvi. Tile flooring (or comparable material) in at least the kitchen and all bathrooms
- xvii. Recessed lighting in all common areas
- xviii. Ceiling fans with lighting in all bedrooms

SECTION 7 – DEVELOPMENT AND CONSTRUCTION COSTS:

The Proposer must submit a total Cost Analysis and Construction Costs (Section XI, Exhibits, provides an example of the type of Cost Analysis and Construction Costs that shall be submitted. Proposers should ensure that all development and construction costs are accounted for within their submitted Proposal) stating, by category, the major cost items involved in the development and construction of the homes on each of the Subject Properties included in their Proposal and development fees. The major cost items shall include, at a minimum, land costs and construction costs (materials, labor, overhead, etc.)

SECTION 8 – HOME SALES PRICE:

The Proposer shall state the sales price of each single-family home to be constructed on each Subject Property included in their Proposal.

Per Section IV, RFP Objectives, the sales prices of the homes shall be in accordance with the City of Delray Beach's Workforce Housing Program. The target population of prospective buyers for this affordable and/or workforce housing development is the Low to High-Moderate income range (51% to 140% of Palm Beach County Area Median Income). The homes must be developed, constructed, and priced to sell within the targeted income range.

See City of Delray Beach Land Use Regulations Article 4.7 for additional information on the City's Workforce Housing Program –

<https://www.delraybeachfl.gov/home/showdocument?id=660>.

SECTION 9 – HOME SALES STRUCTURE AND FACILITATION OF HOME SALES:

HOME SALES STRUCTURE:

The single-family home on each Subject Property must be restricted in accordance with the City of Delray Beach's Workforce Housing Program, Article 4.7, specifically, all housing units shall remain affordable for a period of no less than forty (40) years commencing from the date of closing on the single-family home to the home buyer. Proposals that include home sales terms that conflict with the City of Delray Beach's Family and Workforce Housing Requirements shall be deemed non-responsive and will not be evaluated by the Evaluation Committee.

The Proposer shall state whether the Home Sales Price of each single-family home to be constructed on each Subject Property included in their Proposal includes the land or does not include the land.

If the Home Sales Price will not include the land, the Proposer shall state how the land will be handled after the sale of the home to the home buyer.

Note: The Evaluation Criteria and Evaluation Committee will not consider whether the Home Sales Structure of the single-family homes is with or without the land (i.e. no points are assigned for Home Sales Structure.) This information is requested and required so the CRA has a full picture of the Proposer's development and construction plans.

MARKETING AND OUTREACH, INCOME QUALIFICATION, BUYER SELECTION, FACILITATION OF HOME SALES:

Specialized marketing and outreach will need to be performed in order to reach the targeted population of prospective buyers, and all prospective buyers will need be income qualified in order to purchase the single-family homes.

Proposers will be required to show their experience performing specialized marketing and outreach to reach the targeted population of prospective buyers, qualifying prospective buyers based on set income requirements, following established procedures for buyer selection, and finalizing the sales of homes to new home buyers.

Proposer must provide information that demonstrates:

- a. Experience, ability, and methodology performing specialized marketing and outreach to reach the targeted population of prospective buyers; and
- b. Experience, ability, and methodology identifying prospective buyers and evaluating the income qualifications of prospective buyers on set income requirements; and
- c. Experience, ability, and methodology related to developing and following established procedures for homebuyer selection (buyer chosen to move forward with purchase, i.e. how is the home buyer chosen?); and
- d. Experience, ability, and methodology for facilitating and processing the sale of a home to the home buyer.

If a Proposer has already developed a pool of prospective buyers from which to select homebuyers, the Proposer will need to indicate that such a pool exists, and provide information on:

- a. Methodology identifying prospective buyers and evaluating the income qualifications of buyers within pool; and
- b. Methodology related to developing and following established procedures for home buyer selection (buyer chosen to move forward with purchase, i.e. how is the home buyer chosen?); and
- c. Experience, ability, and methodology for facilitating and processing the sale of a home to the home buyer.

NOTE:

Proposers shall be responsible for **ALL** marketing and outreach costs, income qualification costs, buyer selection costs, and facilitation of sales costs.

Additionally, the final methods (which shall be agreed upon by both the Successful Proposer and the CRA) used for marketing and outreach, income qualification, buyer selection, and facilitation of sales will be made a part of the negotiated Agreement executed by the CRA and the Successful Proposer.

Terms will include, but will not be limited to, terms regarding the use of the CRA logo and website on all marketing and outreach materials, notification of the CRA of all applications, forms, dates, and deadlines related to each single-family home to be developed and constructed on each Subject Property, notification of the CRA of all potential income qualified buyers for each home on each Subject Property, and the presence of a CRA representative when buyers are to be selected for each home on each Subject Property

SECTION 10 – PROPOSER’S OFFER PRICE:

The Proposer shall state their offering price and terms in consideration for their acquisition of each of the Subject Properties included within their Proposal. The offering

price and terms should include the terms of payment and any conditions, contingencies, and additional requirements that would affect the disposition and purchase of the Subject Properties.

SECTION 11 – DEVELOPMENT AND CONSTRUCTION SCHEDULE:

The Proposer shall submit a tentative Development and Construction Schedule for the completion of the single-family homes to be built on each of the Subject Properties included in their Proposal. If the Proposal includes development of and construction on more than one (1) Subject Property, the RFP requires that all homes are developed and constructed in one (1) phase with all the homes completed and ready for sale within eighteen (18) months of the commencement date of the Agreement between the Successful Proposer and the CRA.

SECTION 12 – ADDITIONAL CONSIDERATIONS:

The Proposer should identify and provide any additional or unique resources, capabilities, or assets which the Proposer believes would be beneficial for the Evaluation Committee to consider when reviewing the Proposer’s Proposal.

SECTION 13 – REQUIRED FORMS:

The Proposer shall submit the following forms provided in Section X, Required Forms:

- Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
- Notification of Public Entity Crimes Law
- Notification of Public Records Law
- Drug-Free Workplace
- Non-Collusion Affidavit

THIS SECTION IS INTENTIONALLY BLANK.

VII. EVALUATION CRITERIA & SELECTION PROCEDURES

A. Evaluation and Selection Procedures

Sealed proposals may be submitted to the **CRA Office, located at 20 North Swinton Avenue, Delray Beach, FL 33444 until 10:00 am on, Wednesday June XX, 2024.** CRA staff will open the timely received Proposals immediately after the Proposal Submission Due Date and Time and review them for responsiveness and compliance with submission requirements, including verification that each Proposal includes all information, documentation, and forms required. CRA Staff is responsible for the review of all Proposals for responsiveness before distributing them to the Evaluation Committee. However, responsiveness determinations may be made at any time prior to award of the RFP.

Proposers are advised that Proposals submitted with irregularities, omissions, errors, deviations, technicalities, and/or failures to use or complete the required forms that, at the sole discretion of the CRA, do not meet the minimum requirements of the RFP, may result in a non-responsive determination. Proposers will not be given the opportunity to cure any irregularity, omission, error, deviation, technicality, and/or failure to use or complete the required forms. It is at the sole discretion of the CRA to waive or not waive any irregularity, omission, error, deviation, technicality, and/or failure to use or complete the required forms. At any time during the evaluation process, the CRA may conduct any investigations, inquiries, or any other action it deems necessary to fairly review a Proposal. Each Proposer shall promptly provide the CRA with any additional information reasonably requested by the CRA.

The CRA will establish an Evaluation Committee to review and score all responsive Proposals in accordance with the requirements of this RFP and criteria listed below. The Evaluation Committee will determine whether a Proposer is responsible, has the capacity to fully perform the requirements as stated in this RFP, and has the integrity and reliability that will ensure good faith performance. CRA staff will calculate the total score for each responsive Proposal reviewed and scored by the Evaluation Committee.

The Evaluation Committee may shortlist Proposers deemed the most highly qualified to perform the requirements of the RFP and ask those Proposers to hold brief oral presentations at a later date. If oral presentations are conducted, consideration will be given for qualified answers to Evaluation Committee questions, comprehensive explanations of relevant experience, and understanding of the requirements of the RFP, and presentation style. Clarification information as well as information obtained during the oral presentation will be considered in the final evaluations and scores of Proposals.

Subsequent to oral presentations with the shortlisted Proposers, the Evaluation Committee will re-evaluate and re-score the Proposals, in conjunction with the oral presentations. CRA Staff will calculate the final score for each shortlisted Proposer and finalize the composite scores.

Please note that the Evaluation Committee does not need to request oral presentations. For this reason, each Proposer should ensure that its Proposal contains all the information and documentation requested in this RFP.

The final scores will be forwarded to the CRA Executive Director. After which, the CRA Executive Director will place the RFP onto a CRA Board meeting agenda.

The CRA Board will review the Evaluation Committee final scores and may elect to award the RFP and the Subject Properties to a single Proposer or the CRA Board may cancel the RFP at any time, and/or reject all submitted Proposals, and/or direct CRA staff to re-issue the RFP.

The CRA reserves the right to negotiate such terms and conditions with the Successful Proposer(s) as it is determined to be in the CRA's best interest, which is determined at the CRA's sole and absolute discretion . In the event an agreement is not negotiated to the CRA's satisfaction, the CRA may abandon such negotiations, and at its sole and absolute discretion, may commence negotiations with another Successful Proposer, if applicable. All Proposers should be familiar with the requirements of Florida Statutes Chapter 163.380 to which this solicitation is subject.

Any and all decisions by the CRA to modify the schedule described herein, to request additional information from Proposers, to reject insufficient or unclear Proposals, to formulate an objective point system for review, to form the Evaluation Committee, to calculate the scores of the Proposals, to negotiate an Agreement, to abandon negotiations, to approve an Agreement, etc., shall be at the CRA's sole and absolute discretion. The CRA reserves its right to cancel this RFP at any time, and/or reject all submitted Proposals, and/or re-issue the RFP. Submittal of a Proposal to this solicitation on the part of any and all Proposers constitutes acceptance of this policy.

B. Evaluation Criteria

Proposals have the possibility to receive a total maximum of 100 Points. Proposals will be reviewed and scored by an Evaluation Committee according to the following requirements and respective weight:

REQUIREMENTS	EVALUATION CRITERIA	POINTS
<p style="text-align: center;">Qualifications and Experience</p> <p style="text-align: center;">&</p> <p style="text-align: center;">Financial Capacity</p>	<ul style="list-style-type: none"> • Qualifications and experience of the Proposer to develop and construct affordable and/or workforce single-family homes • Project and Professional References • Financial capacity of the Proposer to complete the development and construction of the home on each of the Subject Properties included within their Proposal within the allotted time frame per this RFP • Income Qualification, Buyer Selection & Facilitation of Home Sales 	<p>35 Points</p>
<p style="text-align: center;">Development and Construction Plan(s)</p> <p style="text-align: center;">&</p> <p style="text-align: center;">Development and Construction Costs</p>	<ul style="list-style-type: none"> • Proposed Development and Construction Plan(s) • Proposed Development and Construction Schedule • Development and Construction Costs and Analysis (including any developer fees) 	<p>35 Points</p>
<p style="text-align: center;">Home Sales Price(s)</p> <p style="text-align: center;">&</p> <p style="text-align: center;">Offer Price</p>	<ul style="list-style-type: none"> • Offer Price for each of the Subject Properties included in the Proposal (including any conditions, terms, etc.) • Sales Price(s) for the single-family home(s) 	<p>30 Points</p>
Total Maximum Points Available		100 Points

VIII. GENERAL TERMS AND CONDITIONS

A. Financial Capacity & Payment and Performance Bond (REQUIRED)

The Proposer must submit with their Proposal evidence of its Financial Capacity to commence and complete the Project. Such evidence may include a loan commitment letter, or other documentation clearly supporting the Proposer's Financial Capacity to commence and complete the Project and all necessary responsibilities within the timeframe stated in this RFP.

Finally, as a condition precedent to closing, the Successful Proposer shall be required to submit a Payment and Performance Bond. The Payment and Performance Bond shall serve to guarantee completion of construction of the single-family homes. As such, the Proposer must submit with their Proposal evidence that they will be able to obtain such a Payment and Performance Bond.

B. Future Deposit

The Agreement between the CRA and the Successful Proposer will require a deposit at the time of execution. The Successful Proposer must provide a deposit equal to ten percent (10%) of the combined purchase price for all of the Subject Properties awarded to them. The CRA, in its sole and absolute discretion, reserves the right to waive this requirement if such waiver is found to be in the best interest of the CRA. If the Successful Proposer cannot provide a deposit, the Successful Proposer should indicate the reasons for its inability to provide a deposit and request a waiver of this requirement.

C. Reverter Provision

The CRA will require a reverter provision to be negotiated as part of the Agreement between the Successful Proposer and the CRA in the event the Successful Proposer fails to complete its obligations for the commencement and completion of the development and construction of the single-family homes on the Subject Properties.

D. Site Visits

Any interested party may visit the Subject Properties included in this RFP at any time to become familiar with any conditions.

Proposers should carefully examine the Subject Properties before submission of a Proposal and make all necessary investigations to inform themselves thoroughly as to all difficulties involved in the completion development and construction requirements required pursuant to the mandates and requirements of this RFP. No plea of ignorance of conditions or difficulties that may hereafter exist, or of conditions or difficulties that may be encountered in the execution of the services pursuant to the Proposal as a result of failure to make the necessary examinations and

investigations, will be accepted as an excuse for a failure or omission on the part of the Successful Proposer to fulfill, in every detail, all of the requirements, as defined in the subsequent agreement, nor will they be accepted as a basis for any claims whatsoever for an extension of time.

E. Cone of Silence/No Lobbying

As to any matter relating to this RFP, any Proposer, team member, or anyone representing a Proposer is advised that they are prohibited from contacting or lobbying the CRA Chair, any CRA Commissioner, CRA staff, or any other person working on behalf of the CRA on any matter related to or involved with this RFP. For purposes of clarification, a team's representatives shall include, but not be limited to, the Proposer's employees, partners, attorneys, officers, directors, consultants, lobbyists, or any actual or potential subcontractor or consultant of the proposer and the proposer's team. There will be an opportunity for inquiries to be made of CRA staff during the scheduled voluntary Pre-Proposal Meeting. All inquiries must be in writing and directed to the CRA (tibbsc@mydelraybeach.com). Any violation of this condition may result in rejection and/or disqualification of the proposer. This "Cone of Silence/No Lobbying" is in effect from the date of publication of the RFP and shall terminate at the time the CRA Board selects a proposal, rejects all proposals, or otherwise takes action which ends the solicitation process.

F. Questions

Questions and inquiries concerning this RFP and the specifications contained herein shall be submitted in writing via email to Christine Tibbs, Assistant Director, at tibbsc@mydelraybeach.com no later than Friday, March 22, 2024, 5:00PM EST. Questions must be received prior to the Question Submittal Deadline. Late or misdelivered questions may not receive a response in a subsequent addendum.

Any discrepancies, errors, or ambiguities in the RFP or addendum (if any) should also be reported in writing. If applicable, the CRA will issue a written addendum to the RFP clarifying such conflicts or ambiguities. It is agreed that any such alleged discrepancies, errors, or omissions will not be construed against the drafting party.

CRA staff will issue responses to timely received questions and any other clarifications the CRA deems necessary via written addendum prior to the Proposal Submission Due Date and Time. Proposers should not rely on any representations, statements, or explanations other than those made in this RFP and in any written addendum to this RFP. Oral explanations, information and instructions shall not be considered binding on the CRA. Neither the CRA nor any of its agents or employees shall be responsible for the accuracy of any oral information provided to any Proposer. All prospective Proposers are encouraged to independently verify the accuracy of any information provided.

Where there appears to be conflict between the RFP and any addendum issued, the last addendum issued shall prevail.

Any issued addendum will only be made available on the CRA webpage , www.delraycra.org, and at www.periscopeholdings.com/s2g . It is the Proposer's sole responsibility to ensure its review and receipt of all addenda.

G. Agreement Terms and Conditions

Proposers should note that certain provisions contained within a potential agreement with the CRA are non-negotiable. These include, but are not limited to, applicability, and compliance with applicable laws (e.g., Federal Statutes, State Statutes, County and City Codes), venue, hold harmless, duty to defend, indemnity and insurance, payment and performance bond, and cancellation for convenience.

By submitting a Proposal, Proposer agrees to all terms and conditions in this RFP, which incorporates all addenda, appendices, exhibits, attachments.

Once the CRA Board selects the Proposal and awards the RFP, the CRA shall negotiate an Agreement with the Successful Proposer. The negotiated Agreement shall then be presented to the CRA Board for consideration.

H. Award of Agreement

An Agreement may be awarded to a Successful Proposer by the CRA Board. The CRA reserves the right to execute or not execute, as applicable, an Agreement with the Successful Proposer, when it is determined to be in the CRA's best interest. The CRA does not represent that any award will be made.

I. Responsible Proposer Determination

Proposer is hereby notified that Section 287.05701, Florida Statutes, requires that the CRA may not request documentation of or consider a Proposer's social, political, or ideological interests when determining if the Proposer is a responsible Proposer.

J. Protest

A Proposer that has submitted a response to this RFP and is adversely affected by the decision to award, may file a formal written protest through filing a type-written protest with the CRA office. The Proposer shall file its type-written protest with the CRA, delivered to the CRA Executive Director, at 20 N Swinton Avenue, Delray Beach, Florida, 33444, Monday through Friday, between the hours of 8:00 AM EST and 5:00 PM EST, excluding legal holidays. Protests shall not be accepted through email. Protests shall contain the name, address, and phone number of the petitioner, name of the petitioner's representative (if any), and the title and number of the solicitation. Additionally, the protest shall be signed by an authorized agent of the Proposer and notarized. The protest shall specifically describe the subject matter, facts giving rise to the protest, and the action requested from the CRA. The protest shall be limited to 15 type-written pages. A written protest shall not challenge the specifications, scope of work/services, relative weight of evaluation criteria, a formula

for assigning points, any request for additional information from Proposers, to reject insufficient and unclear Proposals, ranking of Proposals, to negotiate an agreement, to abandon negotiations, and to approve an agreement.

The written protest must be received within three (3) business days from the time of initial posting of the intended award. Notice of Intent to Award shall be posted on the CRA's website, www.delraycra.org, and on, www.periscopeholdings.com/s2g. Failure to file a timely formal written protest within the time period specified shall constitute a waiver by the Proposer of all rights of protest.

The letter of protest shall be accompanied by a non-refundable protest application fee in an amount equal to one percent (1%) of the protestor's Offer Price or five thousand dollars (\$5,000), whichever is less. The protest application fee must be a cashier's check, a certified check, or an attorney's trust account check made payable to the Delray Beach Community Redevelopment Agency. Failure to provide the required protest application fee shall deem the protest as incomplete and invalid.

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IX. DISCLOSURE AND DISCLAIMERS

This RFP is being issued by the CRA. As more fully set forth in this RFP, any action taken by the CRA in response to Proposals made pursuant to this RFP, or in making any award or failure or refusal to make any award pursuant to such Proposals, or in any cancellation of award, or in any withdrawal or cancellation of this RFP, either before or after issuance of an award, shall be without any liability or obligation on the part of the CRA.

In its sole discretion, the CRA may withdraw this RFP either before or after receiving Proposals, may accept or reject Proposals, and may accept Proposals which deviate from this RFP. In its sole discretion, the CRA may determine the qualifications and acceptability of any party or parties submitting Proposals in response to this RFP (each such party being a "Proposer").

Following submission of a Proposal, the Proposer agrees to promptly deliver such further details, information and assurances including, but not limited to, financial and disclosure data, relating to the proposal and/or the Proposer, including the Proposer's affiliates, officers, directors, shareholders, partners and employees, as requested by the CRA.

The information contained herein is provided solely for the convenience of Proposers. It is the responsibility of a Proposer to assure itself that information contained herein is accurate and complete. Neither the CRA, nor its representatives, provide any assurances as to the accuracy of any information in this RFP. Any reliance on the contents of this RFP, or on any communications with CRA representatives shall be at each Proposer's own risk. Proposers should rely exclusively on their own investigations, interpretations and analyses in connection with this matter. This RFP is being provided by the CRA without any warranty or representations, express or implied, as to its content, accuracy or completeness, and no Proposer or other party shall have recourse to the CRA if any information herein contained shall be inaccurate or incomplete. No warranty or representation is made by the CRA that any proposal conforming to these requirements will be selected for consideration, negotiation or approval.

The CRA shall have no obligation or liability with respect to this RFP, or the selection and award process contemplated hereunder. The CRA does not warrant or represent that any award or recommendation will be made as a result of the issuance of this RFP. All costs incurred by a Proposer in preparing and responding to this RFP are the sole responsibility of the Proposer. Any recipient of this RFP who responds hereto fully acknowledges all the provisions of this Disclosure and Disclaimers and agrees to be bound by the terms hereof. Any Proposal submitted pursuant to this RFP is at the sole risk and responsibility of the party submitting such Proposal.

This RFP is made subject to correction of errors, omissions, or withdrawal without notice. Information contained in the RFP is for guidance only and each recipient hereof is cautioned and advised to independently verify all of such information. In the event of any differences between this Disclosure and Disclaimers and the balance of the RFP, the provisions of this Disclosure and Disclaimers shall govern. The CRA reserves

the right to select the proposal which, in the opinion and sole discretion of the CRA, will be in the best interest and/or most advantageous to the CRA. The CRA reserves the right to waive any irregularities and technicalities and may, at its discretion, request re-submittal of proposals. All expenses in preparing the proposal and any re-submittals shall be borne by the Proposer.

The CRA and the Proposer will be bound only if and when a proposal, as it may be modified, is approved and accepted by the CRA, and the applicable agreements pertaining thereto are approved, executed and delivered by the Proposer to the CRA, and then only pursuant to the terms of the agreements executed by the Proposer and the CRA. All or any responses to this RFP may be accepted or rejected by the CRA for any reason, or for no reason, without any resultant liability to the CRA.

The CRA is governed by the Sunshine Law and the Public Records Law of the State of Florida and all Proposals and supporting data shall be subject to disclosure as required by such laws. All Proposals shall be submitted in sealed form and shall remain confidential to the extent permitted by the Public Record Law until the date and time selected for opening responses.

THIS SECTION IS INTENTIONALLY BLANK

X. REQUIRED FORMS

The forms listed below must be completed by an official having legal authorization to contractually bind the Proposer and must be submitted with the Proposal. Each signature represents a binding commitment upon the Proposer to provide the goods and/or services stated within this RFP and the Proposer's Proposal to the CRA if the Proposer is awarded an agreement and an agreement is successfully negotiated and executed.

- Proposal Acknowledgement Form
- Proposer Information Form
- Conflict of Interest Disclosure Form
- Scrutinized Companies Certification Pursuant to Florida Statutes § 287.135
- Notification of Public Entity Crimes Law
- Notification of Public Records Law
- Drug-Free Workplace
- Non-Collusion Affidavit
- Sub-Contractor/Sub-Consultant Information Form

PROPOSAL ACKNOWLEDGEMENT FORM

The Proposer hereby acknowledges and affirms to the contents of this RFP, its response thereto, including without limitation, all addenda have been read, understood, and agreed to by assigning and completing the spaces provided below:

A. RFP Addendum Acknowledgment

Addendum No. 1, Dated _____
Addendum No. 2, Dated _____
Addendum No. 3, Dated _____
Addendum No. 4, Dated _____
Addendum No. 5, Dated _____

- B. The undersigned certifies that they are authorized to sign for the Proposer (additional proof shall be submitted as required in this RFP).
- C. The undersigned certifies that any and all information contained in response to this RFP is true and correct.
- D. The Proposer certifies, by submission of a response to this solicitation, that neither it nor its principals or subcontractors are presently debarred or suspended by any Federal, State or City department or agency.
- E. THE EXECUTION OF THIS FORM CONSTITUTES THE UNEQUIVOCAL OFFER OF PROPOSER TO BE BOUND BY THE TERMS OF ITS PROPOSAL, FOR NOT LESS THAN 90 DAYS, AND THE PROPOSER'S UNEQUIVOCAL OFFER TO BE BOUND BY THE TERMS AND CONDITIONS SET FORTH IN THIS SOLICITATION. FAILURE TO SIGN THIS SOLICITATION WHERE INDICATED, BY AN AUTHORIZED AGENT, SHALL RENDER THE PROPOSAL NON-RESPONSIVE. THE CRA MAY, HOWEVER, IN ITS SOLE DISCRETION, ACCEPT ANY PROPOSAL THAT INCLUDES AN EXECUTED DOCUMENT WHICH UNEQUIVOCALLY BINDS THE PROPOSER TO THE TERMS OF ITS PROPOSAL.

RFP CRA NO. 2024-XX: FOR THE DISPOSITION OF CRA-OWNED VACANT LOTS FOR THE DEVELOPMENT OF AFFORDABLE/WORKFORCE HOUSING

Proposer's Name: _____

Principal Business Address: _____

Mailing Address: _____

Telephone Number(s): _____

Fax Number(s): _____

Email Address: _____

Authorized Agent Name and Title: _____

(Signature of Authorized Agent)

Date: _____

PROPOSER INFORMATION FORM

Provide all requested information below and review all requirements listed in RFP to ensure all necessary information is submitted with the Proposal.

PROPOSER NAME:

PRINCIPAL OFFICE ADDRESS:

LOCAL OFFICE ADDRESS:

MAILING ADDRESS:

PHONE NUMBER:

AUTHORIZED AGENT:

AUTHORIZED AGENT TITLE:

AUTHORIZED AGENT EMAIL:

PROPOSER REPRESENTATIVE NAME (if different from Authorized Agent):

PROPOSER REPRESENTATIVE EMAIL (if different from Authorized Agent):

PROPOSER REPRESENTATIVE PHONE NUMBER: (if different from Authorized Agent):

FEDERAL EMPLOYER IDENTIFICATION NUMBER:

LEGAL STRUCTURE:

ATTACH: A COMPLETE LIST OF NON-PROFIT ENTITY'S BOARD OF DIRECTORS INCLUDING NAMES, ADDRESSES, PHONE NUMBERS AND THE NAME OF THE NON-PROFIT ENTITY'S EXECUTIVE DIRECTOR. ADDITIONAL INFORMATION MAY BE REQUIRED WITHIN SECTION VI, SUBMITTAL REQUIREMENTS.

ATTACH: LEGAL EVIDENCE OF SIGNATURE AUTHORITY FOR AUTHORIZED AGENT

ATTACH: NOT-FOR-PROFIT DETERMINATION LETTER, OR COPY OF APPLICATION FOR 501(c)(3) TAX EXEMPT STATUS SUBMITTED TO IRS

ATTACH: AUTHORIZATION TO TRANSACT BUSINESS IN FLORIDA

PROPOSER IS RESPONSIBLE FOR REVIEWING SECTION VI, SUBMITTAL REQUIREMENTS, FOR ALL INFORMATION REQUIRED TO BE SUBMITTED AS PART OF A PROPOSAL.

CONFLICT OF INTEREST DISCLOSURE FORM

The award of this contract is subject to the provisions of Chapter 112, *Florida Statutes*. All Proposers must disclose within their Proposals: the name of any officer, director, or agent who is also an employee of Delray Beach Community Redevelopment Agency (“CRA”).

Furthermore, all Proposers must disclose the name of any CRA employee who owns, directly, or indirectly, an interest of more than five percent (5%) in the Proposer’s firm, partnership, company, or corporation or any of its branches.

The purpose of this disclosure form is to give the CRA the information needed to identify potential conflicts of interest for evaluation team members and other key personnel involved in the award of this contract.

The term “conflict of interest” refers to situations in which financial or other personal considerations may adversely affect, or have the appearance of adversely affecting, an employee’s professional judgment in exercising any CRA duty or responsibility in administration, management, instruction, research or other professional activities.

Please check one of the following statements and attach additional documentation if necessary:

_____ To the best of our knowledge, the undersigned Proposer has no potential conflict of interest due to any other Cities, Counties, contracts, or property interest for this Proposal.

_____ The undersigned Proposer, by attachment to this form, submits information which may be a potential conflict of interest due to other Cities, Counties, contracts, or property interest for this Proposal.

Acknowledged by:

Proposer Name

Authorized Agent Signature

Authorized Agent Name and Title (Print or Type)

Date

SCRUTINIZED COMPANIES CERTIFICATION PURSUANT TO *FLORIDA STATUTES § 287.135*

I, _____, on behalf of _____,
Print Name and Title Proposer Name

certify that _____ does not:
Proposer Name

1. Participate in a boycott of Israel; and
2. Is not on the Scrutinized Companies that Boycott Israel List; and
3. Is not on the Scrutinized Companies with Activities in Sudan List; and
4. Is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
5. Has not engaged in business operations in Syria.

Submitting a false certification shall be deemed a material breach of contract. The Delray Beach Community Redevelopment Agency (“CRA”) shall provide notice, in writing to the Proposer of the CRA’S determination concerning the false certification. The Proposer shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If the Proposer does not demonstrate that the CRA’s determination of false certification was made in error then the CRA shall have the right to terminate the contract and seek civil remedies pursuant to *Florida Statutes § 287.135*.

Section 287.135, Florida Statutes, prohibits the CRA from:

- 1) Contracting with companies for goods or services in any amount if at the time of bidding on, submitting a proposal for, or entering into or renewing a contract if the company is on the Scrutinized Companies that Boycott Israel; and
- 2) Contracting with companies, for goods or services over \$1,000,000.00 that are on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, created pursuant to s. 215.473, or are engaged in business operations in Syria.

As the person authorized to sign on behalf of the Proposer, I hereby certify that the company identified above in the section entitled “Proposer Name” does not participate in any boycott of Israel, is not listed on the Scrutinized Companies that Boycott Israel List, is not listed on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, and is not engaged in business operations in Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject the company to civil penalties, attorney’s fees, and/or costs. I further understand that any contract with the DBCRA for goods or services may be terminated at the option of the DBCRA if the company is found to have submitted a false certification or has been

placed on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

PROPOSER NAME

AUTHORIZED AGENT SIGNATURE

PRINT: AUTHORIZED AGENT NAME

AUTHORIZED AGENT TITLE

DATE

Must be executed and returned with the submitted Proposal to be considered.

NOTIFICATION OF PUBLIC ENTITLY CRIMES LAW

Pursuant to Section 287.133, *Florida Statutes*, you are hereby notified that a person or affiliate who has been placed on the convicted contractors list following a conviction for a public entity crime may not submit a Bid/Proposal on a contract to provide any goods or services to a public entity, may not submit a Bid/Proposal on a contract with a public entity for the construction or repair of a public building or public work, may not submit Bids/Proposals on leases or real property to a public entity, may not be awarded or perform work as a contractor, supplier, sub-vendor, 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 [F.S.] for Category Two [\$35,000.00] for a period of thirty-six (36) months from the date of being placed on the convicted contractors list.

Acknowledged by:

PROPOSER NAME

AUTHORIZED AGENT SIGNATURE

NAME AND TITLE (PRINT OR TYPE)

DATE

PUBLIC RECORDS LAW

Notification of Public Records Law Pertaining the Public Contracts and Requests for Contractor Records Pursuant to Chapter 119, Florida Statutes

Pursuant to Chapter 119, Florida Statutes, Contractor shall comply with the public records law by keeping and maintaining public records required by the Delray Beach Community Redevelopment Agency ("DBCRA") in order to perform the service. Upon request from the DBCRA custodian of public records contract shall provide the DBCRA with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes or as otherwise provided by law. Contractor shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the Contractor does not transfer the records to the DBCRA. Contractor upon completion of the contract, shall transfer, at no cost to the DBCRA all public records in possession of Contractor or keep and maintain public records required by the DBCRA in order to perform the service. If the Contractor transfers all public records to the DBCRA upon completion of the contract, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of the contract, the Contractor keeps and maintains public records upon completion of the contract, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the DBCRA, upon request from the DBCRA custodian of public records, in a format that is compatible with the information technology systems of the DBCRA

IF THE AWARDED PROPOSER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE AWARDED PROPOSER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS, ASHLYN DARDEN, AT THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY, 20 N. SWINTON AVE., DELRAY BEACH FLORIDA AND MAY BE CONTACTED BY PHONE AT 561-276-8640 OR VIA EMAIL AT DARDENA@MYDELRAYBEACH.COM

Acknowledged by:

PROPOSER NAME

AUTHORIZED AGENT SIGNATURE

AUTHORIZED AGENT NAME AND TITLE (PRINT OR TYPE)

DATE

DRUG-FREE WORKPLACE

_____ is a drug-free workplace and has a
(Proposer Name)
substance abuse policy in accordance with and pursuant to Section 440.102, *Florida Statutes*.

Acknowledged by:

PROPOSER NAME

AUTHORIZED AGENT SIGNATURE

AUTHORIZED AGENT NAME AND TITLE (PRINT OR TYPE)

DATE

NON-COLLUSION AFFIDAVIT

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, personally appeared _____, who, after being by me first duly sworn, deposes and says of his/her personal knowledge that:

- a. He / She is _____ of _____, the Proposer that has submitted a Proposal to perform work for the following:

RFP No.: _____ Title: _____

- b. He / She is fully informed respecting the preparation and contents of the attached Request for Proposals, and of all pertinent circumstances respecting such Solicitation.

Such Proposal is genuine and is not a collusive or sham Proposal.

- c. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly, with any other Proposer, firm, or person to submit a collusive or sham Proposal in connection with the Solicitation and contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other Proposer, firm, or person to fix the price or prices in the attached Proposal or any other Proposal, or to fix any overhead, profit, or cost element of the Proposal price or the Proposal price of any other Proposer or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against the Delray Beach Community Redevelopment Agency or any person interested in the proposed contract.
- d. The price of prices quoted in the attached Proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant

Signature

Subscribed and sworn to (or affirmed) before me this _____ day of _____ 20__, by _____, who is personally known to me or who has produced _____ as identification.

SEAL

Notary Signature _____
Notary Name: _____
Notary Public (State): _____
My Commission No: _____
Expires on: _____

SUB-CONTRACTOR/SUB-CONSULTANT INFORMATION FORM

Instructions

This form is to be completed and submitted in accordance with the requirements of the RFP to which the Proposer is responding. Do not leave any blanks or fail to provide any information or details that are required. Failure to submit this form or the use of any other form will result in the rejection of a proposal as non-responsive. The failure to provide the information or details required by the form may result in the rejection of a proposal as non-responsive.

RFP CRA No. and Title: _____

Proposer: _____

Name of Sub-Consultant /Sub-Contractor	Address of Office Providing Services	Services to be Provided	License Numbers	Team Members from Sub-Consultant /Sub-Contractor

XI. EXHIBITS

EXHIBIT A - CRA DISTRICT MAP WITH SUBJECT PROPERTIES

EXHIBIT B - SURVEYS OF SUBJECT PROPERTIES

EXHIBIT C - EXAMPLE COST ANALYSIS AND CONSTRUCTION COSTS