

<u>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</u>			Page of Page(s) 1 7	
1. <u>Amendment/Modification No.</u> A00001	2. <u>Effective Date</u> August 10, 2017	3. <u>Requisition/Purchase Order No.</u>	4. <u>Project No. (if applicable)</u> RAD 18-R-0030	
5. ISSUED BY Housing Authority of the City of El Paso, Texas Procurement Department 5300 E. Paisano Dr. El Paso, TX 79905-2931 Mr. Juan Pulido, Procurement Manager		6. ADMINISTERED BY (if other than Item 5) Housing Authority of the City of El Paso, Texas Public Housing Department 5300 E. Paisano Dr. El Paso, TX 79905-2931 Tel: 915-849-3789 Fax: 915-849-3868 erocha @hacep.org		
7. NAME AND ADDRESS OF CONTRACTOR (No., Street Name, County, State & Zip Code)		8a. <u>Amendment of Solicitation No.</u> RAD 18-R-0030		
		8b. <u>Dated (see item 10)</u> August 10, 2017		
		9a. <u>Modification of Contract No.</u>		
		9b. <u>Dated (see item 12)</u>		
10. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATION				
The above numbered solicitation is amended as set forth in Item 13. The hour and date specified for receipt of Offers is: <input type="checkbox"/> is extended <input type="checkbox"/> is not extended. Offerors must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 7 & 14, and returning _____ copy (ies) of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter, email or fax which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGEMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such a change may be made by email, fax or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.				
11. ACCOUNTING AND APPROPRIATION DATE (if required) PHA				
12. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACT IT MODIFIES THE CONTRACT NO. DESCRIBED IN ITEM 13.				
<input type="checkbox"/>	A. This change order is issued pursuant to (Specify Authority) The changes set forth in Item 13 are made in the Contract No. in Item 9a.			
<input type="checkbox"/>	B. The above numbered contract is modified to reflect the administrative changes (such as changes in paying office, appropriation data, etc). Set forth in Item 13 pursuant to the authority of FAR 43.103 (b).			
<input type="checkbox"/>	C. This supplemental agreement is entered into pursuant to the authority of:			
<input type="checkbox"/>	D. Other (Specify type of modification and authority)			
E. IMPORTANT: Contractor <input type="checkbox"/> is not <input type="checkbox"/> is required to sign this document and return <u>ALL</u> copies to the issuing office.				
13. Description of <u>amendment/modification</u>: Amendment No. A00001. Pre-proposal Conference, Q & A, and Attachments A and B				
14a. <u>NAME AND TITLE OF SIGNER (Type or print)</u>		15a. <u>NAME AND TITLE OF CONTRACTING OFFICER (Type or print)</u> Gerald Cichon, Chief Executive Officer		
14b. <u>OFFEROR/CONTRACTOR</u> _____ (Signature of Authorized Person)	14c. <u>Date Signed</u>	15b. _____ (Signature of Contracting Officer)	15c. <u>Date Signed</u>	
APPROVED AS TO FORM: _____ HACEP Legal Counsel		DATE: _____ HACEP Form 001		



MEMORANDUM FOR FILE

DATE: *August 3, 2017 @ 2:00 P.M.*

SUBJECT: *Pre-Proposal Conference*
RAD 18-R-0030; Developer Services for 2018 Projects

Schedule of Events

I. Chronology

A meeting was held Thursday, August 3, 2017 in reference to the above-mentioned subject.

Meeting began at 2:00 P.M.

Location: Conference Room 212

Attendees: **See Attachment A**

II. Minutes of the Meeting

Ms. Eddie Rocha, Contract Specialist continued the Pre-Proposal agenda

1. INTRODUCTION

- Taping of the Meeting
- Introduction of Staff
- Purpose of the Meeting

2. INTENT OF THE ACQUISITION

- Description of the acquisition
- Evaluation Criteria
- Contract Type – RFP
- Terms and Conditions, HUD Form 5370-C
- Proposal Closing Date/Time; August 18, 2017 at 3:00 P.M.
- Attachments to be submitted (bank letter, etc.)
- Electronic Signatures; new method of signing contracts; opportunity to opt out

3. STATEMENT OF WORK – Overview of the intent of the acquisition.

4. NOTICE OF INTENT TO DISTRIBUTE QUESTIONS AND ANSWERS TO POTENTIAL OFFERORS – Deadline to submit questions in writing is August 4, 2017 at 5:00 P.M.

5. QUESTIONS AND ANSWERS

Question: Has HACEP decided which RAD projects are being assigned to the two projects included in the RFP? *Response:* It has not been decided which projects will be included in the 2018 RFP.

Question: It is my understanding that some of these RAD portfolios have already been awarded to developers on a 4% RFP, considering that, is HACEP considering putting the projects in this RFP as only 9% or could they possibly be 9% and 4%? *Response:* Right now we are assuming that these are only 9%. The 9% - 4% split that was done in prior awards was somewhat of an anomaly and we do not anticipate that this will happen in the 2018 awards.

Question: The scope of work calls for Project 1 and Project 2 both at 190 units each of those projects, correct? *Response:* Yes, that is our thought, up to.

Question: It is not in stone yet exactly what these 9% applications will look like. You are going to rely on the developer that you choose to partner with to come to table with those sort of scenarios based on what they know on the 9% round, etc., correct? *Response:* Yes.

Question: What is your target closing date for both of these fields, I understand you have some RAD guidelines to abide by? *Response:* Closing date for the RFP or the financing? *Comment:* For the financing. *Response:* Those won't be award until July of 2018, do not know at this point.

Question: The reason we ask is because we heard from multiple public forums that HACEP stated goals to close RAD stuff by the end of 2018. The credits don't get award until July and if you are expecting a closing prior to December 31, 2018, it drastically changes how a developer approaches these 9% deals. If we are hearing you correctly, you don't anticipate these having to close by the end of 2018?

Response: We do not know but will address that question and provide an answer. You want to know when we anticipate closing the financial deal for 2018.

Question: Is the selected developer expected to provide site collections for these tax credit applications, meaning, is the developer bringing the sites to the table for HACEP to choose or is HACEP selecting the sites for the application? *Response:* We will work with the developer to select the best possible site.

Mr. Juan Pulido made comment that throughout this HACEP will retain the right to approve anything and everything related to these projects, it is stated throughout the RFP. HACEP will have to approve any and all decisions of that kind.

Question: I am assuming that HACEP has a broker that they work with or for this? *Response:* We do have a broker that we work with but other brokers will bring deals to the table, we will check our contract with our broker to see how flexible it is.

Question: Saw on RFP that certain Green building techniques will have to be incorporated into the design, can you emphasized on that? Are these LEED certifications or just the Green building techniques that the tax credit requires? *Response:* Yes, we are requiring LEED certification but we do want Green building techniques that add to the efficiency of the property and also contribute to the awarding of tax credits but we are not specifying any type of LEED certification.

Question: Project Overview says HACEP anticipates applying for up to five (5) and receiving two 9% awards; the selected developer would be responsible for submitting five application? Is that the intent of this RFP? *Response:* We could submit up to five and we would be doing the submission in conjunction with the developer so we anticipate applying up to five but we could only receive two, we are only allowed two.

Mr. Pulido rephrased the question as such: Is the selected developer expected to the applications or work concurrently with HACEP to file the applications for tax credits? The paperwork does say HACEP will be applying and submitting the application.

Question: Back to the site selections; these are not HACEP owned sites, we need to go out and identify and contract third party sites, is that correct? *Response:* We would work with the developer to identify the best site for the projects, we may have some in mind but we would work with the developer to determine the best course of action.

Question: These are not redevelopments of existing HACEP owned projects? *Response:* No, that is correct.

Question: In the event that two different developers are selected and both developers bring the same site to the table or the two different projects how does HACEP anticipate to handle that? *Response:* I think it would include the entire packet of qualifications, the best plan to include the qualifications of the developer themselves, the site that they are proposing, the project as a whole, it just depends on the site. Mr. Pulido will ask how it would be handled.

Question: I am assuming the ownership structure would be of a typical Housing Authority structure where HACEP is the sole general partner or an affiliate of HACEP was the sole general partner and thereby they can bring the tax exemptions to the transaction? *Response:* What we have done in the past is we have grout lease the land to the development partnership and thereby were able to get awarded the tax credits and then generally what we've done is we created an entity that acts as the general contractor on the project and then we subcontract to a true general contractor and that way we are able to get a tax exemption.

Question: Is the development fee structure part of it, are we to propose that on our RFP? *Response:* You are to propose that in your RFP. On the bottom of page 17 it explains what we are looking for in the COMPENSATION PROPOSAL: Respondents will propose a percentage split of the developer fee between HACEP and the developer, and it reads on further.

Question: When do you anticipate making an award? *Response:* We are moving quickly, right now we can't commit to a board date but we are pushing it as quick as we can.

Comment: Ms. Rocha noted the Evaluation Criteria is included in pages 24 and 25.

Question: On page 22, the certifications that are required, are all those forms on your website?
Response: They are included in the back of the RFP packet.

Meeting concluded at 2:32 P.M.

Attachments:

A – Attendance Sheet

B – Pre-Proposal Conference Agenda

Questions received

Q. Will you accept a proposal in which the developer already has a general contractor?

A. We will accept a proposal in which the developer has a general contractor provided upon review the general contractor has sufficient experience including with 9% LIHTC affordable housing projects.

Q. Will you consider a proposal that sends in an amended MOU?

A. We will consider proposals which respond with an amended MOU; acceptance of MOU is subject to review and approval by HACEP.

Q. I have not been able to find much information on the site in the RFP & wonder if I am missing something? Even exhibit A doesn't give any information on the size site & zoning which I think would be relevant given the proposed mixed income use.

Q. Do you know the site size & zoning and maximum density?

A. Site: The sites have not yet been identified and therefore we are unable to provide an answer your question.

Zoning: The sites have not yet been identified and therefore we are unable to provide an answer your question.

Maximum Density: The sites have not yet been identified and therefore we are unable to provide an answer your question.

Q. The reason we ask is because we heard from multiple public forums that HACEP stated goals to close RAD stuff by the end of 2018. The credits don't get award until July and if you are expecting a closing prior to December 31, 2018, it drastically changes how a developer approaches these 9% deals. If we are hearing you correctly, you don't anticipate these having to close by the end of 2018?

A. HACEP will close the deals by year end December, 2018 as required.

Q. In the event that two different developers are selected and both developers bring the same site to the table or the two different projects how does HACEP anticipate to handle that?

A. Developer that first identifies the site and presents to HACEP for evaluation will advance. HACEP will advise of site status to other developer if any.

**HACEP
PRE-PROPOSAL CONFERENCE**

SOLICITATION NO: RAD 18-R-0030; Developer Services for 2018 Projects
DATE: August 3, 2017

NAME OF ATTENDEE	COMPANY NAME OR HACEP DEPARTMENT	PHONE NUMBER	FAX NUMBER	EMAIL ADDRESS
JOHN MOYE	HACEP - Development	849-3654		JOHNM@HACEP.ORG
Eddie Rocha	HACEP - Procurement	849-3789		erocha@HACEP.ORG
Tom Pulido	HACEP	849-3695		tpulid@hacep.org
REBECCA MARTINEZ	PROCUREMENT	849-3809	849-3868	rmartinez@hacep.org
TELE-CONFERENCE ATTENDEES:				
RYAN WILSON	FRANKLIN DEVELOPMENT			
BRECK KING	RAY VENTURE GROUP			
CASSANDRA BISHOP	GORMAN & COMPANY			
LEWIS BERNARDY	MCCORMACK, BARRON, SALAZAR			
LUCY LADIAS	FRANKLIN DEVELOPMENT			

HACEP
PRE – PROPOSAL CONFERENCE AGENDA

ATTACHMENT B

Solicitation Number: **RAD 18-R-0030**
Solicitation Name: **Developer Services for 2018 Projects**

Date: **August 3, 2017**

1. INTRODUCTION:

- Taping of the meeting (Yes or No)
- Introduction of staff
- Purpose of the meeting – improve understanding of HACEP requirements and allowing potential offerors the opportunity to judge whether or how they can satisfy the requirements
- Nothing said at this conference will change any of the terms of the RFQ unless a subsequent written amendment to the solicitation is issued.

2. INTENT OF THE ACQUISITION:

- Description of the acquisition – methodology - Competitive
- Proposals Process that will use several criteria to evaluate the proposals.
- Evaluation criteria
- Contract type
- Terms and Conditions
- Proposal Closing Date and Time is **August 18, 2017 at 3:00 p.m.** The proposal must be received by Contract Compliance at that time.
- Attachments to be submitted (bank letter, etc.)
- Electronic Signatures; new method of signing contracts; opportunity to opt out

- 3. STATEMENT OF WORK – Overview of the intent of the acquisition
- 4. NOTICE OF INTENT TO DISTRIBUTE QUESTIONS AND ANSWERS TO POTENTIAL OFFERORS
- 5. **Be advised that during the solicitation process, the Contract Specialist is the only point of contact. Any form of contact by a offeror or potential offeror with Commissioners of the Housing Authority of the City of El Paso, Texas, any person employed by HACEP or HACEP contracted consultant will constitute grounds for rejection of their proposal.**
- 6. REMINDER – Proposers must submit (1) original proposal and (4) copies of the proposal and (1) digital copy.
- 7. ALL QUESTIONS – Must be submitted in writing no later than **August ~~17~~, 2017 at 5:00 p.m.**