



REQUEST FOR QUALIFICATIONS (RFQ)

For

Affordable Housing Developers

Application Guidelines

Deliver responses electronically to:

Porchia.Rawls@birminghamal.gov

ATTN: Porchia Rawls, Project Manager
Community Development Department

720 20th Street 10th Floor

Birmingham, AL 35233

205-254-2721

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1. INTRODUCTION

The City of Birmingham (“City”) is seeking qualified real estate developers interested in Producing mixed-used, mixed- income, multi-family development and homeownership housing developments in the City of Birmingham. Currently, the amount of funds, and the timing of their availability are uncertain, but it is anticipated there could be Federal and H.U.D. funding available to support the new construction of multifamily housing that will provide long-term affordability to individuals and low to moderate income families (at 80% AMI or below), as defined by HUD. Other City funding sources would support acquisition and rehabilitation projects and may have different expenditure restrictions. This RFQ is intended to attract and select qualified development teams that have experience to perform the development of affordable housing, so that the city can promptly reach out at such time as funding, or a project site is available. A list of qualified and selected developers will be retained by the city.

2. PROJECT GOALS – CITY OBJECTIVES

The city seeks to incentivize the production of affordable multifamily housing, remove regulatory barriers to housing at all income levels (especially low, very-low, median, and moderate-income households), and participate financially in the creation of affordable housing by providing local, gap financing to be used as leverage for additional funding sources. The issuance of this RFQ serves the objective of reaching the broadest array of qualified developers, benefiting key underserved communities while encouraging transparency and competitiveness.

3. EVALUATION CRITERIA

Response Packages will be reviewed by a committee composed of City of Birmingham staff. Each member of the review committee will evaluate each Response Package against the RFQ evaluation criteria that is listed below. For each Response Package, the individual criterion will be ranked on a scale of 1 to 5 and multiplied by its weight factor. Criteria scores will be added together for a total score, with a maximum possible score of 50.

Developer name				
CRITERION	STANDARD	WEIGHT FACTOR	Score 1-5	Weighted Score
Financial Capacity	The Development Team must provide prior examples of how they secured the necessary funding. Including equity and debt capital to finance housing projects	5	5	25
Project Team Qualifications	The Development Team must provide relevant experience for all persons and sub-developers who will be actively engaged in the project.	2	5	10
Prior Project Experience	The Development Team must provide examples of similar, relevant projects completed by their organization within the last 10 years.	2	5	10
Stakeholders and Community Engagement	The Development Team must provide examples of prior community engagement and stakeholders in the design and development of the project, as well as the long-term management of the project.	1	5	5
				50

4. APPLICATION TIMELINE

The City intends to hold this RFQ open for thirty (30) days and allow developers to continue to submit responses until the RFQ is closed. The City, at its sole discretion, may amend the dates or extend the RFQ by addendum to the RFQ.

Action Date

Issuance of RFQ - September 11th, 2024

Informational Webinar - September 23, 2024, at 4pm

Login at <https://birmingham.webex.com/meet/porchia.rawls>

Final Submittals Due** October 11th, 2024

The City may change dates at its sole discretion.

Applicants are encouraged to submit their responses via email to porchia.rawls@birminghamal.gov

5. SELECTION PROCESS

The city will review and evaluate all complete and responsive submittals to verify the Applicant's eligibility. Submittals from Applicants that do not meet the RFQ stated and required experience or do not comply with the City's housing goals will not be considered. Incomplete responses will not be considered. Application materials must be complete and included with the submittals.

The City will evaluate each Applicant's response based upon criteria as outlined in Section 3. A submittal that fails to meet the criteria, including, without limitation, any minimum requirement, will not be placed on the list of qualified development team.

6. SUBMITTAL INSTRUCTIONS

Applications will be accepted upon publication of this RFQ after submission of the following material by providing one (1) "high quality" digital PDF file containing the following:

Proposal Packages submitted for consideration should be arranged following the format shown below:

Proposal Package Structure

1. Cover Letter / Letter of Interest -1 page maximum
2. Table of Contents
3. Executive Summary – 2 page maximum
4. Project Team Qualifications
5. Financial Reports
5. Prior Project Experience; including Stakeholder/ Community Engagement
6. References

7. REQUEST FOR INFORMATION AND QUESTIONS

In-person questions and requests for information will not be accepted and must be submitted electronically. All requests for clarifications, changes, exceptions, or deviations to or from the

terms and conditions set forth in this RFQ must be submitted electronically via email to Porchia Rawls, Project Manager, Community Development at Porchia.Rawls@birminghamal.gov. Any substantive changes in the submittal requirements by City, if any, may be made and issued in the form of addenda. Such addenda, if any, will be posted on the Community Development Department page on the City's website at www.cobcd.com.

8. Additional Information from Applicants

The City reserves the right to request information from any Applicant to clarify information submitted.

A. City's Rights to this Solicitation

This RFQ does not create any legal rights or obligations between the City and any Applicant hereto nor any obligation to proceed with negotiations. It is intended that all legal rights and obligations between the City and an Applicant will come into existence only when a definitive agreement is signed and delivered by both parties. The city accepts no financial responsibility for any cost incurred by the Applicant during the solicitation process. Applicants to this RFQ shall bear all expenses in connection with their submittals and responses. All Submittals become the property of the City and may be used in any way deemed appropriate.

B. Incurred Costs

Each Development Team is solely and fully responsible for all costs associated with submitting its qualifications package in response to this RFQ. The city will not be responsible for any costs incurred by in the preparation and/or submission of the RFQ response.

C. Addenda

The City may issue addenda to this RFQ as necessary. All addenda are incorporated into this RFQ. Each Applicant is responsible for determining whether addenda were issued prior to a response submission. Failure to respond to or properly address addenda in a response may result in rejection of the response.

E. Public Records

By submitting a response, the Applicant acknowledges that any information submitted in response to this RFQ is a public record subject to disclosure unless the city determines that a specific exemption in the Alabama Public Records Act (CPRA) applies. If the Applicant submits information clearly marked confidential or proprietary, the city may protect such information and treat it with confidentiality to the extent permitted by law. However, it will be the responsibility of the Applicant to provide to the City the specific legal grounds on which the city can rely in withholding information requested under the CPRA should the Cities choose to withhold such information. General references to sections of the CPRA will not suffice. Rather, the Applicant must provide a specific and detailed legal basis, including applicable case law, that clearly establishes the requested information is exempt from the disclosure under the CPRA. If the Applicant does not provide a specific and detailed legal basis for requesting the city to withhold Applicant's confidential or proprietary information at the time of response submittal, City will release the information as required by the CPRA and Applicant will hold the city, its elected officials, officers, and employees harmless for release of this information. It will be the Applicant's obligation to defend, at Applicant's expense, any legal actions or challenges seeking to obtain from the City any information requested under the CPRA withheld by the city at the Applicant's request. Furthermore, the Applicant shall indemnify

and hold harmless the City, its elected officials, officers, and employees from and against any claim or liability, and defend any action brought against the City, resulting from the City's refusal to release information requested under the CPRA which was withheld at Applicant's request. Nothing in the agreement resulting from the response creates any obligation on the part of the city to notify the Applicant or obtain the Applicant's approval or consent before releasing information subject to disclosure under the CPRA.

F. City's Right to Modify and Withdraw RFQ and Reject All Responses

The City reserves the rights to modify and withdraw the solicitation, and to reject all RFQ responses for any legally permissible reasons without indicating the reasons. The city makes no representation that any agreement will be awarded to any Applicant. Additionally, the city expressly reserves the right to postpone opening responses to this solicitation for its own convenience, and/or to waive any informality or irregularity in the responses received.

G. News Releases/Public Comment

The Applicants agree that, during the RFQ process and if selected, the city will review and approve all news releases and other public comment pertaining to this solicitation and/or subsequent agreement(s) prior to release. All news releases will be submitted in writing to the city project manager for the solicitation. No news releases or public comment pertaining to this RFQ, the proposals and responses, and/or subsequent agreement(s) shall be released or made public without the prior approval of the City.

H. Indemnification

The Applicants agree, if selected, to indemnify and hold harmless the city and all officers, agents and employees of each entity from all liability, claims, costs (including reasonable attorneys' fees), demands, damages, expenses, and causes of action.

I. Examination of Solicitation

The Applicants understand that the information provided herein is intended solely to assist each Applicant in submittal preparation. To the best of the City's knowledge, the information provided is accurate. However, the city does not warrant such accuracy, and any errors or omissions subsequently will not invalidate this solicitation. The date and time of submittal is fixed, and extensions may not be granted. All submittals received after the deadline shown will be rejected and will not receive further consideration. Copies sent by fax will not be accepted.