

SANTA FE COUNTY
GROWTH MANAGEMENT
DEPARTMENT
REQUEST FOR PROPOSALS



GALISTEO ROAD REDEVELOPMENT

RFP # 2014-0240-GM/BT

FEBRUARY 2014

TABLE OF CONTENTS

	PAGE NO.
I. ADVERTISEMENT.....	4
II. CONTRACT OBJECTIVES	5
A. PURPOSE OF THIS REQUEST FOR PROPOSAL.....	5
B. PROCESS FOR THIS SOLICITATION	5
C. EXISTING SITE CONDITIONS.....	6
D. ROLES OF THE COUNTY AND THE SELECTED OFFEROR.....	6
E. QUALIFICATIONS.....	7
F. INSURANCE REQUIREMENTS.....	7
G. PROCUREMENT MANAGER AND PROJECT MANAGER.....	8
H. DEFINITION OF TERMINOLOGY.....	8
III. CONDITIONS GOVERNING THE PROCUREMENT.....	11
A. SEQUENCE OF EVENTS	11
B. EXPLANATION OF EVENTS	12
1. Issuance of RFP	12
2. Pre-Proposal Conference	12
3. Acknowledgement of Receipt Form Due	12
4. Deadline to Submit Additional Written Questions	12
5. Response to Written Questions	12
6. Submission of Proposals	13
7. Proposal Evaluation	13
8. Selection and Notification of Finalists.....	13
9. Oral Presentations by Finalists.....	14
10. Best and Final Offers from Finalists (If Applicable).....	14
11. Selection of Offeror.....	14
12. Negotiation of Purchase Contract with Selected Offeror	14
13. BCC Approval of Purchase Contract.....	14
14. State Board of Finance Approval of Purchase Contract	15
15. Right to Protest	15
C. GENERAL REQUIREMENTS	15
1. Acceptance of Conditions Governing the Procurement.....	15
2. Incurring Cost	16
3. Prime Contractor Responsibility.....	16
4. Subcontractors.....	16
5. Amended Proposals.....	16
6. Offerors' Rights to Withdraw Proposal	16
7. Proposal Offer Firm	16
8. Disclosure of Proposal Contents	17
9. No Obligation.....	17
10. Termination.....	17
11. Sufficient Appropriation	17
12. Legal Review	18

13. Governing Law	18
14. Basis for Proposal	18
15. Contract Terms and Conditions	18
16. Contract Deviations	18
17. Offeror Qualifications	18
18. Right to Waive Minor Irregularities	18
19. Change in Contractor Representatives	19
20. Notice	19
21. County Rights	19
22. Right to Publish.....	19
23. Ownership of Proposals	19
24. Electronic Mail Address Required	19
IV. RESPONSE FORMAT AND ORGANIZATION	20
A. NUMBER OF RESPONSES	20
B. NUMBER OF COPIES	20
C. PROPOSAL FORMAT	20
1. Proposal Organization.....	20
2. Letter of Transmittal	21
V. SPECIFICATIONS.....	22
A. GENERAL INFORMATION	22
B. SUBMITTAL REQUIREMENTS	22
1. Experience/Qualifications of Development Team (Offeror)	22
2. Description of Comparable Projects	23
3. Concept Construction and Permanent Financing Strategy	23
4. Concept Development Program	24
5. Concept Affordable Housing Plan	24
6. Concept Senior Housing Plan.....	24
7. Concept Green Building Program	25
VI. EVALUATION OF PROPOSALS	26
A. EVALUATION FACTORS.....	26
B. EVALUATION PROCESS.....	26
APPENDICES:	
A. ACKNOWLEDGEMENT OF RECEIPT FORM	
B. CAMPAIGN CONTRIBUTION DISCLOSURE FORM	
C. PROPERTY SURVEY	
D. CONTINUED MINIMUM SITE ASSESSMENT	
E. ZONING MAP	
F. WATER AND SEWER MAPS	
G. TOPOGRAPHICAL MAP	
H. FLOOD ZONE MAP	

I. ADVERTISEMENT

GALISTEO ROAD REDEVELOPMENT RFP#2014-0240-GM/BT

The Santa Fe County Growth Management Department is requesting proposals from qualified Offerors to redevelop the 6.144 acre County-owned Galisteo Road site located at 2600 Galisteo for residential development with an affordable housing component and a senior housing component. All proposals submitted shall be valid for one hundred twenty (120) days subject to action by the County. Santa Fe County reserves the right to reject any and all proposals in part or in whole. A completed proposal shall be submitted in a sealed container indicating the proposal title and number along with the Offeror's name and address clearly marked on the outside of the container. **All proposals must be received by 2:00 pm on Friday, March 28, 2014 at the Santa Fe County Purchasing Division, 142 W. Palace Avenue (Second Floor), Santa Fe, NM 87501.** By submitting a proposal each Offeror is certifying that their proposal complies with regulations and requirements stated within the Request for Proposals.

A **Pre-Proposal Conference** will be held on Friday, February 28, 2014 at 2:00 pm at the Santa Fe County Administration Building, 102 Grant Avenue, Second Floor Legal Conference Room. Although attendance at the pre-proposal conference is not mandatory it is strongly recommended that all interested Offerors attend. The purpose of this meeting is to explain the project and provide detailed information about the project purpose, the County role in the project and the procurement process, including submittal requirements and evaluation criteria. Copies of the property survey, Continued Minimum Site Assessment, zoning map, water and sewer maps, topographical map and flood zone map are included as Appendices C, D, E, F, G and H, respectively. CDs of the Phase 1 Environmental Site Assessment are available upon request. County will attempt to respond to all questions and provide necessary information at the meeting; however, the County may require questions or comments to be submitted in writing before the County responds in the form of an addenda or if a response requires the County to conduct additional inquiry or research.

EQUAL OPPORTUNITY EMPLOYMENT: All qualified Offerors will receive consideration without regard to race, color, religion, sex, national origin, ancestry, age, physical and mental handicap, serious mental condition, disability, spousal affiliation, sexual orientation or gender identity.

Request for proposals will be available by contacting Bill Taylor, Procurement Manager, 142 W. Palace Avenue (Second Floor), Santa Fe, New Mexico 87501, by telephone at (505) 986-6373 or by email at wtaylor@santafecountynm.gov or on our website at http://www.santafecounty.org/services/bid_&contracts/current_solicitations

PROPOSALS RECEIVED AFTER THE DATE AND TIME SPECIFIED ABOVE WILL NOT BE CONSIDERED AND WILL BE REJECTED BY SANTA FE COUNTY.

Santa Fe County
Growth Management Department
Publish: February 16, 2014

II. CONTRACT OBJECTIVES

A. PURPOSE OF THIS REQUEST FOR PROPOSAL

The purpose of this RFP is to solicit proposals for the redevelopment of the Santa Fe County-owned Galisteo Road property located at 2600 Galisteo Road for an energy-efficient mixed-income residential project with a senior housing component and an affordable housing component that exceeds City of Santa Fe inclusionary zoning requirements. The current use of the site as a maintenance facility and storage yard will be terminated and existing structures will be demolished by the County; the cleared site will be redeveloped by the awarded Offeror. The development must be done with a site plan and architectural design that provides for an effective buffer between residential land uses to the north and west of the property and non-residential land uses to the south and east of the property and provides for reasonable compatibility with the adjacent residential neighborhoods. Santa Fe County (County) expects to receive proposals which include a strong affordable housing component, over and above what is required by the City inclusionary zoning regulations. In addition, the County expects to receive proposals which include a strong senior housing component. Although maximizing land sale revenue is not a primary objective of this RFP, the land must be sold or leased at appraised value, pursuant to New Mexico State law. Land discount or donation may be considered by the County if the Offeror commits to provide an equal or greater value of discounts for affordable housing, in the estimation of County staff, over and above what is required by City of Santa Fe Code.

The County is interested in selecting a Development Team (Offeror) with a proven track record in developing mixed income residential projects on infill sites. The selected Offeror will demonstrate a feasible strategy for securing construction and permanent financing for the project. The selected Offeror will demonstrate sensitivity to neighborhood concerns and the creativity to design a project which can receive the required development approvals, implement City of Santa Fe and New Mexico Mortgage Finance Authority green building criteria, satisfy County and City of Santa Fe housing affordability requirements, and be financially capable to complete this project.

B. PROCESS FOR THIS SOLICITATION

The process for this solicitation enables the County to short list Offerors based on the following: 1) experience and qualifications of the Offeror and the assembled development and management team, including an evaluation of past comparable projects; 2) proof of the Offeror to secure viable and long-term financing; 3) a description of the preliminary development concepts and program and its compatibility with the project purpose; 4) concept affordable housing plan and senior housing plan; and 5) concept green building program.

After proposals are evaluated and a short list is prepared, the County will ask the short-listed Offerors to make an oral presentation and present more detailed information that allow the County to better evaluate how the proposed projects would fit with the existing neighborhood and meet County affordable housing and senior housing objectives. Short-listed Offerors who do not secure the contract to purchase/lease the land will be offered compensation for documented

expenses incurred in preparing the detailed work for the oral presentation, up to a maximum of \$7,500 per Offeror.

C. EXISTING SITE CONDITIONS

Located within City limits, the 6.144 acre tract is the site of a Public Works facilities maintenance and storage facility. Additional equipment and material from other departments is currently stored in buildings and on the premises. The County intends to demolish all existing structures, move all equipment and material and relocate all personnel by the end of calendar year 2014.

Given the presence of underground fuel tanks and septic tanks on the property, soil conditions have been evaluated by the County, Glorieta Geoscience, as its agent, and the New Mexico Environment Department Petroleum Storage Tank Bureau for possible contamination. Toward that end, Glorieta Geoscience has completed a Phase 1 Environmental Site Assessment for the subject site and has performed soil borings and evaluations, resulting in the preparation of a "Continued Minimum Site Assessment Report", submitted to the NMED Petroleum Storage Tank Bureau on December 20, 2013. The report concludes that all criteria for an NMED determination of "No Further Action" (NFA) have been met and it recommends that "the property be made available for unrestricted use including the potential for residential structures with permanent occupancy". As a result, the State Petroleum Storage Tank Bureau is being petitioned for an NFA determination.

The subject site is served by a 16" water line that runs along Galisteo Road. 8" sewer lines that run along Camino Capitan to the west of the property and Camino Lumbre, Calle de Rincon Bonito and Calle Miquela to the north of the property would provide sewer service. Electric, gas and cable service are all located within Galisteo Road and adjacent to the subject site. The site slopes from east to west, as its highest points are on the north east corner of the site on Galisteo Road and its lowest point is the western edge of the property, adjacent to two separate residential developments.

The site is currently zoned R-1 residential and is currently designated as part of a Business Park on the Future Land Use Map of the City General Plan. In order to make the site ready for a higher density mixed-income residential project, the site would need to be rezoned and would need to receive City general plan amendment approval. Surrounding zoning may support the case for a more intensive zoning on the property, as the residential developments to the north and west of the subject site are all zoned at higher residential densities than the subject site.

D. ROLES OF THE COUNTY AND THE SELECTED OFFEROR

The County will be responsible for clearing the site of all structures and stored equipment and materials and for completing all necessary reports, soil borings, investigations, evaluations and remediation, if necessary, which may be further required by the New Mexico Environment Department Petroleum Storage Tank Bureau to render a determination of "No Further Action"

(NFA) on the site. The County anticipates that site clearance will be completed by the end of calendar year 2014.

The County will negotiate the sale, lease, donation or partial donation of the land with the awarded Offeror. Any discount or donation provided by the County from the property's appraised value must be in accordance with the New Mexico Affordable Housing Act and all applicable federal and state statutes. If the Offeror is requesting a donation or discount from the appraised value, the value of the subsidy to be provided for the amount of affordable housing over and above what is required by City of Santa Fe Land Development Code must be equal to or greater than the value of the requested donation or discount, in the estimation of the County.

The awarded Offeror will be responsible for securing any required rezoning and general plan amendment approvals, as well as subdivision and/or development plan approvals and approval of building permits. The awarded Offeror will be responsible for securing viable and long-term financing for the project. Santa Fe County Housing Authority (SFCHA) may consider applications from Offerors for construction financing or gap financing in return for the provision of rental units at monthly rents affordable to households on the SFCHA waiting list at income levels designated by the SFCHA, provided that all applicable U.S. Department of Housing and Urban Development (HUD) requirements are met.

The awarded Offeror will be responsible for designing, building and managing the project once all approvals are secured from the City of Santa Fe. Included in the responsibility for project construction is all site development activity.

E. QUALIFICATIONS

The selected Offeror will be experienced in developing mixed-income multi-family and / or single family residential developments on infill parcels with site plans and architectural designs that fit the context of the neighborhoods within which the developments were built and will have successful experience in working collaboratively with neighborhood associations within which areas the built projects were located. The Offeror must have a proven ability to secure construction and permanent financing. For Offerors that propose a multi-family rental project, the Offeror must demonstrate a strong track record in property management concerning all aspects of marketing, leasing, income certification and ongoing compliance.

F. INSURANCE REQUIREMENTS

The insurance required by Offeror are listed below.

- a. General Conditions. Contractor shall submit evidence of insurance as is required herein. Policies of insurance shall be written by companies authorized to write such insurance in New Mexico.
- b. General Liability Insurance, Including Automobile. Contractor shall procure and maintain during the life of this Agreement a comprehensive general liability and automobile insurance policy with liability limits in amounts not

less than \$1,050,000 combined single limits of liability for bodily injury, including death, and property damage for any one occurrence. Said policies of insurance shall include coverage for all operations performed for County by Contractor; coverage for the use of all owned, non-owned, hired automobiles, vehicles and other equipment, both on and off work; and contractual liability coverage under which this Agreement is an insured contract. County of Santa Fe shall be a named additional insured on the policy.

- c. Workers' Compensation Insurance. Contractor shall comply with the provisions of the Workers' Compensation Act.
- d. Increased Limits. If, during the life of this Agreement, the Legislature of the State of New Mexico increases the maximum limits of liability under the Tort Claims Act (NMSA 1978, Sections 41-4-1 through 41-4-29, as amended), Contractor shall increase the maximum limits of any insurance required herein.

G. PROCUREMENT MANAGER AND PROJECT MANAGER

The County has designated a Procurement Manager who is responsible for the conduct of this procurement whose name, address and telephone number is listed below. All deliveries via express carrier should be addressed as follows:

Bill Taylor, Procurement Manager
 Santa Fe County Purchasing Division
 142 W. Palace Avenue (Second Floor)
 Santa Fe, New Mexico 87501
 Phone (505) 983-6373
 Fax (505) 989-3243
 wtaylor@santafecountynm.gov

Any inquiries or requests regarding this procurement should be submitted to the Procurement Manager in writing. Offerors may contact ONLY the Procurement Manager regarding the procurement. Other County employees do not have the authority to respond on behalf of the County.

H. DEFINITION OF TERMINOLOGY

This section contains definitions and abbreviations that are used throughout this procurement document.

“BCC” means the elected Board of County Commissioners.

“Close of Business” means 5:00 PM Mountain Standard Time or Mountain Daylight Time, whichever is in effect on the date given.

“Contract” or “Agreement” means a written agreement for the procurement of items of tangible personal property or services.

“Contractor” means a successful Offeror who enters into a binding contract.

“County” means Santa Fe County.

“Determination” means the written documentation of a decision by the Procurement Manager including findings of fact supporting a decision. A determination becomes part of the procurement file.

“Desirable” The terms “may”, “can”, “should”, “preferably”, or “prefers” identify a desirable or discretionary item or factor (as opposed to “mandatory”).

“Developer” means a firm that is in the business of building residential projects for-sale or for-lease.

“Evaluation Committee” means a body appointed by the County management to perform the evaluation of Offeror proposals.

“Finalist” is defined as an Offeror who meets all the mandatory specifications of this Request for Proposals and whose score on evaluation factors is sufficiently high to merit further consideration by the Evaluation Committee.

“Mandatory” The terms “must”, “shall”, “will”, “is required”, or “are required”, identify a mandatory item or factor (as opposed to “desirable”). Failure to meet a mandatory item or factor will result in the rejection of the Offeror’s proposal.

“Offeror” is any person, corporation, or partnership who chooses to submit a proposal.

“Procurement Manager” means the person or designee authorized by the County to manage or administer a procurement requiring the evaluation of competitive sealed proposals.

“Purchasing Division” means the Santa Fe County Purchasing Division, Administrative Services Department.

“Request for Proposals” or “RFP” means all documents, including those attached or incorporated by reference, used for soliciting proposals.

“Responsible Offeror” means an Offeror who submits a responsive proposal and who has furnished, when required, information and data to prove that his financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services or items of tangible personal property described in the proposal.

“Responsive Offer” or “Responsive Proposal” means an offer or proposal which conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements.

THIS SECTION LEFT INTENTIONALLY BLANK

III. CONDITIONS GOVERNING THE PROCUREMENT

This section of the RFP contains the schedule for the procurement, describes the major procurement events and the conditions governing the procurement.

A. SEQUENCE OF EVENTS

The Procurement Manager will make every effort to adhere the following schedule:

	<u>Action</u>	<u>Responsibility</u>	<u>Date</u>
1.	Issuance of RFP	Purchasing Division	2/16/14
2.	Pre-Proposal Conference	GM/Purch/Offerors	2/28/14
3.	Acknowledgement Form Due	Offerors	2/28/14
4.	Deadline to Submit Additional Questions	Offerors	3/7/14
5.	Response to Written Questions	Purchasing/GM	3/14/14
6.	Submission of Proposal (2:00 pm)	Offerors	3/28/14
7.	Proposal Evaluations	Evaluation Committee	3/31/14 thru 4/11/14
8.	Selection and Notification of Finalists	Evaluation Committee	4/14/14
9.	Oral Presentation by Finalists	Offerors	4/21/14
10.	Best and Final Offers From Finalists (If Applicable)	Offerors	4/23/14
11.	Selection of Top-Rated Offeror	Evaluation Committee	4/25/14
12.	Negotiation of Purchase Contract With Selected Offeror	County/Offeror	4/28/14 thru 5/2/14
13.	BCC Approval of Purchase Contract	BCC	5/27/14
14.	State Board of Finance Approval	Board of Finance	6/19/14

Note: The dates listed are tentative dates and Santa Fe County will work diligently to ensure that the project stays on schedule.

B. EXPLANATION OF EVENTS

The following paragraphs describe the activities listed in the sequence of events shown in Section III, Paragraph A.

1. Issuance of RFP

This RFP is being issued by the Growth Management Department and the Purchasing Division.

2. Pre-Proposal Conference

A Pre-Proposal Conference is scheduled on the date indicated in the "Sequence of Events" at Section III.A. Questions may be submitted at the Pre-Proposal Conference and up until the date indicated in the "Sequence of Events" at Section III.A. A public log will be kept of the names of potential Offerors that attended the pre-proposal conference. Attendance at the pre-proposal conference is strongly recommended but is not mandatory.

3. Acknowledgement of Receipt Form Due

A potential Offeror should hand-deliver, return by facsimile or e-mail the "Acknowledgement of Receipt Form" provided as Appendix A to have its name and firm placed on the procurement distribution list. The form should be signed by an authorized representative of the organization, dated and returned by close of business on the date indicated in the "Sequence of Events" at Section III.A.

The procurement distribution list will be used for the distribution of written responses to questions and any RFP addendums.

4. Deadline to Submit Additional Written Questions

Potential Offerors may submit written questions regarding this RFP until the close of business on the date indicated in the "Sequence of Events" at Section III.A. All written questions must be addressed to the Procurement Manager, listed in Section II, Paragraph G and sent via facsimile or e-mail. **Any contact with any other County staff member other than the Procurement Manager or designee named in this solicitation will be grounds for rejection of a proposal.**

5. Response to Written Questions

Written responses to written questions and any RFP addenda will be distributed on the date indicated in the "Sequence of Events" at Section III.A, to all potential Offerors whose names appear on the procurement distribution list.

Additional written requests for clarification of distributed answers or addenda must be received by the Procurement Manager no later than one (1) day after the answers or addenda were issued.

6. Submission of Proposal

ALL OFFEROR PROPOSALS MUST BE RECEIVED FOR REVIEW AND EVALUATION BY THE PROCUREMENT MANAGER OR DESIGNEE NO LATER THAN 2:00 P.M. (MOUNTAIN STANDARD TIME) ON MARCH 28, 2014. Proposals received after this deadline will not be accepted. The date and time of receipt will be recorded on each proposal. Proposals must be addressed and delivered to the Procurement Manager at the address listed herein and in Section II. G. Proposals must be sealed and labeled on the outside of the package to clearly indicate that they are in response to the County's Request for Proposals (RFP# 2014-0240-GM/BT) and refer to the RFP number. Proposals submitted by facsimile or other electronic means will not be accepted.

Proposals must be delivered to:

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501

A public log will be kept of the names of all Offeror organizations that submitted proposals. Pursuant to NMSA 1978, Section 13-1-116, the contents of any proposal shall not be disclosed to competing Offerors prior to contract award.

7. Proposal Evaluation

The evaluation of proposals will be performed by an Evaluation Committee comprised of Bill Taylor, Procurement Manager and other County representatives. This process will take place during the timeframe indicated in the "Sequence of Events" at III.A. During this time, the Procurement Manager or designee may initiate discussions with Offerors who submit responsive or potentially responsive proposals for the purpose of clarifying aspects of the proposals, but proposals may be accepted and evaluated without such discussion. Discussions SHALL NOT be initiated by the Offerors.

8. Selection and Notification of Finalists

The Evaluation Committee shall select and the Procurement Manager shall notify the Finalist Offerors on the date indicated in the "Sequence of Events" at Section III.A. Only Finalists will be invited to participate in the subsequent steps of the procurement.

9. Oral Presentation by Finalists

Finalists will be required to present their proposals to the Evaluation Committee. The Procurement Manager will schedule the time for all presentations. All presentations will be held at the Santa Fe County Purchasing Division, 142 W. Palace Avenue (Second Floor), Santa Fe, New Mexico. Each presentation will be limited to no more than one and one-half (1.5) hours in duration.

The oral presentations will include more detailed information than what had been provided in the original submittal. The Procurement Manager will provide all short-listed Offerors with a list of the additional information that must be presented as part of the oral presentation. The additional information may include more design details on the site plan and building elevations, green building features to be included as part of site and building design, more details on the proposed development program including the proposed affordable housing and senior housing components, more detailed project financials, and details on the offer for the land and any requested subsidies from the County and/or the County Housing Authority. Information such as this would provide the Evaluation Committee a more complete understanding of the type of project that would be built on the site if an Offeror were selected and enable the Committee to determine which proposal would best address the project purpose.

10. Best and Final Offers from Finalists (If Applicable)

Finalist Offerors may be asked to submit revisions to their proposals for the purpose of obtaining best and final offers by the date indicated in the "Sequence of Events" at Section III.A.

11. Selection of Top-Rated Offeror

The Evaluation Committee shall select and the Procurement Manager shall notify the Top-Rated Offeror on the date indicated in the "Sequence of Events" at Section III.A.

12. Negotiation of Purchase Contract with Selected Offeror

The purchase contract or lease agreement with the selected Offeror will be finalized for submittal to the BCC during the timeframe indicated in the "Sequence of Events" at Section III.A. In the event that mutually agreeable terms cannot be reached within the time specified, the County reserves the right to finalize an agreement with the next most advantageous Offeror without undertaking a new procurement process.

13. BCC Approval of Purchase Contract

The County anticipates approving the agreement on the date in the "Sequence of

Events" at Section III.A. These dates are subject to change at the discretion of the Santa Fe County Procurement Manager and the BCC.

The agreement shall be approved with the Offeror whose proposal is most advantageous to the County, taking into consideration the evaluation factors set forth in the RFP. The most advantageous proposal may or may not have received the most points.

14. State Board of Finance Approval of Purchase Contract

If the BCC approves the purchase contract as set forth above, the contract would be forwarded to the State Board of Finance for approval. The Board of Finance must review and approve all real estate transactions proposed by local governments in New Mexico.

15. Right to Protest

Any protest by an Offeror must be timely and in conformance with NMSA 1978, Section 13-1-172 and applicable procurement regulations. Protests must be written and must include the name and address of the protestor and the request for proposals number. It must also contain a statement of grounds for protest including appropriate supporting exhibits. The protests must be delivered to the Santa Fe County Purchasing Division:

Santa Fe County
Attn: Procurement Office
P.O. Box 276
Santa Fe, New Mexico 87504

Protests will not be accepted by facsimile or other electronic means. Protests received after the deadline will not be accepted.

C. GENERAL REQUIREMENTS

This procurement will be conducted in accordance with Chapter 13, NMSA 1978, NMAC 1.4.1 and the Santa Fe County Procurement Regulations.

1. Acceptance of Conditions Governing the Procurement

Offerors must indicate their acceptance of the Conditions Governing the Procurement section in the letter of transmittal. Submission of a proposal which includes the letter of transmittal constitutes acceptance of the Conditions Governing the Procurement stated herein.

2. Incurring Cost

Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror. Once short-listed Offerors are selected, unsuccessful Offerors will be compensated up to \$7,500 as reimbursement for the documented expenses of preparing, transmitting and presenting the more detailed information that must be presented as part of the short-listed Offerors' oral presentations.

3. Prime Contractor Responsibility

Any agreement that may result from this RFP shall specify that the prime contractor is solely responsible for fulfillment of the agreement with the County. The County will sell or lease subject property to only the prime contractor.

4. Subcontractors

Use of subcontractors must be clearly explained in the proposal, and major subcontractors must be identified by name. The prime contractor shall be wholly responsible for the entire performance whether or not subcontractors are used.

5. Amended Proposals

An Offeror may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the transmittal letter. County personnel will not merge, collate, or assemble proposal materials.

6. Offerors' Rights to Withdraw Proposal

Offerors will be allowed to withdraw their proposals at any time prior to the deadline for receipt of proposals. The Offeror must submit a written withdrawal request signed by the Offeror's duly authorized representative addressed to the Procurement Manager. The approval or denial of withdrawal requests received after the deadline for receipt of the proposals is governed by the applicable procurement regulations.

7. Proposal Offer Firm

Responses to this RFP will be considered firm for one hundred twenty (120) days after the due date for receipt of proposals or one hundred twenty (120) days after receipt of a best and final offer if one is submitted.

8. Disclosure of Proposal Contents

The proposals will be kept confidential until a contract is awarded. At that time, all proposals and documents pertaining to the proposals will be open to the public, except for the material that is proprietary or confidential. The Procurement Manager will not disclose or make public any pages of a proposal on which the Offeror has stamped or imprinted "proprietary" or "confidential" subject to the following requirements.

Proprietary or confidential data shall be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. Confidential data is normally restricted to confidential financial information concerning the Offeror's organization and data that qualifies as a trade secret in accordance with the Uniform Trade Secrets Act, 57-3A-1 to 57-3A-7, NMSA 1978. The price of products offered or the cost of services proposed shall not be designated as proprietary or confidential information.

If a request is received for disclosure of data for which an Offeror has made a written request for confidentiality, the Santa Fe County Procurement Manager shall examine the Offeror's request and make a written determination that specifies which portions of the proposal should be disclosed. Unless the Offeror takes legal action to prevent the disclosure, the proposal will be so disclosed. The proposal shall be open to public inspection subject to any continuing prohibition on the disclosure of confidential data.

9. No Obligation

This procurement in no manner obligates Santa Fe County or any of its departments to sale or lease of the subject site until a valid written agreement is created and approved by the appropriate authorities.

10. Termination

This RFP may be canceled at any time and any and all proposals may be rejected in whole or in part when the County determines such action to be in the best interest of the County.

11. Sufficient Appropriation

Any agreement awarded as a result of this RFP process may be terminated if sufficient appropriations or authorizations for clearance and preparation of the subject site, or any requested development subsidies do not exist. Such termination will be effected by sending written notice to the Offeror. The County's decision as to whether sufficient appropriations and authorizations are available will be accepted by the Offeror as final.

12. Legal Review

The County requires that all Offerors agree to be bound by the General Requirements contained in this RFP. Any Offeror concerns must be promptly brought to the attention of the Procurement Manager.

13. Governing Law

This procurement and any agreement with Offerors that may result shall be governed by the laws of the State of New Mexico.

14. Basis for Proposal

Only information supplied by the County in writing through the Procurement Manager or in the RFP should be used as the basis for preparing Offeror proposals.

15. Contract Terms and Conditions

The format and terms and conditions for the purchase or lease contract between the County and the selected Offeror shall be set forth after Offerors are short-listed.

16. Contract Deviations

Any additional terms and conditions, which may be the subject of negotiation, will be discussed only between the County and the selected Offeror and shall not be deemed an opportunity to amend the Offeror's proposal.

17. Offeror Qualifications

The Evaluation Committee may make such investigations as necessary to determine the ability of the Offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any Offeror who is not a responsible Offeror or fails to submit a responsive offer as defined in Sections 13-1-83 and 13-1-85 NMSA, 1978, subject to Procurement Manager approval.

18. Right to Waive Minor Irregularities

The Evaluation Committee reserves the right to waive minor irregularities. The Evaluation Committee also reserves the right to waive mandatory requirements provided that all of the otherwise responsive proposals failed to meet the mandatory requirements and/or doing so does not otherwise materially affect the procurement. This right is at the sole discretion of the Evaluation Committee, subject to Procurement Manager approval.

19. Change in Contractor Representatives

The County has the right to require a change in contractor representatives if the assigned representatives are not, in the opinion of the County, adequately meeting its needs. Any change in contractor representatives must receive prior County approval.

20. Notice

The Procurement Code, Sections 13-1-28 through 13-1-199, NMSA 1978, imposes civil and misdemeanor criminal penalties for its violation. In addition, the New Mexico criminal statutes impose felony penalties for bribes, gratuities and kick-backs.

21. County Rights

The County reserves the right to accept all or a portion of an Offeror's proposal.

22. Right to Publish

Throughout the duration of this procurement process and contract term, potential Offerors and contractors must secure from the County written approval prior to the release of any information that pertains to the potential work or activities covered by this procurement or the subsequent contract. Failure to adhere to this requirement may result in disqualification of the Offeror's proposal or termination of the contract.

23. Ownership of Proposals

All documents submitted in response to this Request for Proposals shall become the property of the County. However, any technical or user documentation submitted with the proposals of non-selected Offerors shall be returned after the expiration of the protest period.

24. Electronic Mail Address Recommended

A large part of the communication regarding this procurement will be conducted by electronic mail (e-mail). It is recommended that all Offerors should have a valid e-mail address to receive this correspondence.

IV. RESPONSE FORMAT AND ORGANIZATION

A. NUMBER OF RESPONSES

An Offeror shall submit one proposal in response to this RFP; an Offeror cannot submit more than one proposal. An Offeror who is short-listed will be invited to make an oral presentation which will require additional detailed information on the development proposal to be prepared and presented.

B. NUMBER OF COPIES

Offerors shall deliver one (1) original and five (5) identical copies of their proposal to the location specified in Section II, Paragraph G on or before the closing date and time for receipt of proposals.

C. PROPOSAL FORMAT

All proposals shall be limited to twenty five (25) pages each, with the exception of professional licenses and certifications, which shall be added as appendices. The document shall be typewritten on standard 8 1/2 x 11 paper, with a font no smaller than 12 pt. pitch, with nominal 1" margins and normal line spacing. Proposals shall be placed within a binder with tabs delineating each section.

1. Proposal Organization

The proposal must be organized and indexed in the following format and must contain, as a minimum, all listed items in the sequence indicated.

- a) Letter of Transmittal
- b) Table of Contents
- c) Proposal Summary (optional)
- d) Submittal Requirements listed in Section V
- e) Campaign Contribution Disclosure Statement
- f) Project Listing Form

Within each section of their proposal, Offerors should address the items in the order in which they appear in this RFP under Section V., Paragraph B. All forms provided in the RFP must be thoroughly completed and included in the appropriate section of the proposal.

Any proposal that does not adhere to these requirements may be deemed non-responsive and rejected on that basis.

The proposal summary may be included by Offerors to provide the Evaluation Committee with an overview of the technical and business features of the proposal; however, this material will not be used in the evaluation process unless specifically referenced from other portions of the Offeror's proposal.

Offerors may attach other materials that they feel may improve the quality of their responses. However, these materials should be included as items in a separate appendix.

2. Letter of Transmittal

Each proposal must be accompanied by a letter of transmittal. The letter of transmittal MUST:

- a) Identify the submitting organization;
- b) Identify the name and title of the person authorized by the organization to contractually obligate the organization;
- c) Identify the name, title and telephone number of the person authorized to negotiate the contract on behalf of the organization;
- d) Identify the names, titles and telephone numbers of persons to be contacted for clarification;
- e) Explicitly indicate acceptance of the Conditions Governing the Procurement stated in Section III, Paragraph C.1;
- f) Be signed by the person authorized to contractually obligate the organization;
- g) Acknowledge receipt of any and all amendments to this RFP.

THIS SECTION LEFT INTENTIONALLY BLANK

V. SPECIFICATIONS

Offerors should respond in the form of a thorough narrative to each mandatory specification. The narratives along with required supporting materials will be evaluated and awarded points accordingly.

A. GENERAL INFORMATION

The County wants to sell, lease or donate the subject site to an Offeror who will be successful in building an energy efficient mixed income residential project with a senior housing component and an affordable housing component that exceeds City inclusionary zoning requirements. In order to achieve success, the Offeror must demonstrate that it has an experienced team with a track record in developing this type of infill product, and the financial strength necessary to get the project built. It must also demonstrate that what it proposes to build has a good chance of gaining neighborhood support and being approved through the City regulatory process. The requested submittals described below will enable the County to conduct a satisfactory evaluation of the Offerors' capabilities without requiring the expenditure of a substantial amount of money in preparation of a response to this RFP. The evaluation process will result in a short list of Offerors who will be invited to make an oral presentation to the Evaluation Committee.

As part of their oral presentations, the short-listed firms would be invited to present more detailed information regarding their proposal which would require greater investments in time and money to prepare. The specific information to be requested of the short-listed Offerors will be provided by the Procurement Manager once the short-list is selected. The unsuccessful short-listed Offerors would be compensated up to \$7,500 for the documented cost of preparing and presenting the material used as part of the oral presentation. The additional information may include more design details on the site plan and building elevations, green building features to be included as part of site and building design, more details on the proposed development program including the proposed affordable housing and senior housing components, more detailed project financials, and details on the offer for the land and any requested subsidies from the County and/or the County Housing Authority.

B. SUBMITTAL REQUIREMENTS

A brief explanation of the submittal requirements for this RFP process is listed below. The submittal requirements directly relate to the evaluation criteria to be used, as set forth in Section VI of this RFP. Information for one submittal requirement may overlap information presented in a different submittal requirement. Offerors are encouraged to fully address each submittal requirement as points are given for an Offeror's narrative response used in each evaluation factor. Responses shall include information and past experience specific to the Offeror or Development Team submitting the proposal. An Offeror's discussion presented in each submittal requirement should be sufficiently detailed to inform and educate the Evaluation Committee members.

1. Description of Experience and Qualifications of Development Team (Offeror)
 - Provide Offeror's legal name and address and principal place of business.

- Provide the name, address, telephone number and e-mail address of the principal contact person for the Offeror.
- Provide a brief history and organizational chart of Offeror.
- If the Offeror is a corporation, partnership, limited partnership or limited liability company, provide the names of each general, managing and limited partner shareholder and member.
- Provide qualifications and experience of Offeror in successfully developing, owning and/or managing the operation and financing of a mixed-income project.
- List the design firms included as part of the Offeror and provide qualifications and experience of the firms in the design of comparable projects of similar size, scope and complexity.
- If a construction firm is included as part of the team, provide qualifications and experience of the firm in constructing projects of similar size, scope and complexity.
- Identify key members of the various firms that together represent the Offeror for this project and provide a clear organizational chart citing roles and responsibilities; cite number of years of experience with mixed-income multi-family and single-family development projects, and how long key Offeror members have worked together on comparable projects.
- Describe any foreseen conflicts of interest with Santa Fe County.

2. Description of Comparable Projects

- Identify three development projects comparable to the Offeror's proposed project and which members of the proposed Offeror had primary involvement in the design and implementation of those projects.
- Identify project names or titles; Offeror names; location or address of the projects; names and contact information for team members involved in the project, along with a description of the role of each member in the project;
- Description of the projects, including use(s), total square footage, number of units and number of affordable and senior units.
- Description of total project cost and the sources and amounts of financing for each project.
- Statement of projected groundbreaking and completion date, if project is not yet complete, or actual groundbreaking and completion date, if project is complete, for each project.
- Highlight experience in obtaining LEED or Green Communities certification and describe how energy and water-conserving design features and products were included in these projects and how longer-term utility costs were lowered for occupants.
- Cite references, at least one per project, including names, mailing addresses, e-mail addresses and telephone numbers.
- If comparable projects have been multifamily rental developments, provide a description of property management services that were provided and which members of the Offeror were involved in property management.

3. Concept Construction and Permanent Financing Strategy

- Specify the intended sources of construction and permanent financing for this

- project and the timeframe for requesting different sources of financing.
- State the projected amount of Offeror's equity that may be contributed.
- State your preference for a land sale or a land lease.
- State the type of subsidy that you would request of the County and/or County Housing Authority for this project; describe the justification for requesting this subsidy and how the subsidy would be used to provide affordable housing.

4. Concept Development Program

- Provide a narrative description of the concept and vision for the development of the subject site and how that addresses the project purpose articulated in Section II A of this RFP.
- Describe and/or show visually in a sketch, how the proposed development will integrate with and impact the surrounding residential neighborhoods.
- State a range of number of residential units that you would like to provide, desired affordable component, desired senior component, for-sale or for-rent, description of housing unit types, attached or detached units, and desired number of stories.
- Describe the proposed approach for interacting with neighborhood associations and other stakeholders and for securing rezoning, general plan amendment and development plan approvals from the City.
- Provide a general timeline estimated to complete the proposed project. Include time for planning and securing required approvals, securing construction and permanent financing, architectural design and engineering, construction and occupancy.

5. Concept Affordable Housing Plan

- Provide a narrative on the amount, type and general pricing of affordable housing to be provided, whether you intend to meet or exceed City inclusionary zoning requirements and the target market, in terms of percentage of Area Median Income, for such housing.
- Describe how you intend to achieve the required affordable pricing while maintaining the financial feasibility of the project; included in this explanation should be a description of the types of subsidy that you would request of the County and/or the County Housing Authority for this project, including your preference for purchasing or leasing the land.

6. Concept Senior Housing Plan

- Provide a narrative on the amount, type and general pricing of senior housing to be provided, the target market for such housing, and whether the senior housing would be affordable, or market, or a combination of both.
- State the site design and building design features that you have used in the past and may use for this project to improve accessibility for the targeted senior population.
- Describe any health care or assisted living services which may be provided as part of the proposed development.

7. Concept Green Building Program
- Describe how you intend to design the project to fit the site, to foster community, to insure an efficient use of resources and to provide a healthy indoor environment.
 - State whether a LEED accreditation will be sought for the project and/or whether MFA Green Building Criteria will be met and/or whether you have a target HERS rating that you intend to meet.

THIS SECTION LEFT INTENTIONALLY BLANK

VI. EVALUATION OF PROPOSALS

A. EVALUATION FACTORS

The Evaluation Committee will evaluate proposals as follows:

Each factor below has a maximum number of points that can be assigned to an Offeror’s proposal based on the thoroughness and responsiveness of the proposal and how the Offeror addresses each evaluation factor. The maximum number of points a proposal can receive based on the evaluation factors is **1000**.

Evaluation Factors

1) Experience and Qualifications of Proposer & Offeror	200 points
2) Description of Comparable Projects	150 points
3) Construction and Permanent Financing Strategy.....	100 points
4) Development Program Compatibility with Project Purpose	200 points
5) Affordable Housing Plan.....	150 points
6) Senior Housing Plan.....	100points
7) Green Building Program	100points
TOTAL POINTS	1000 POINTS

B. EVALUATION PROCESS

The evaluation process will follow the steps listed below:

1. All proposals will be reviewed for compliance with the mandatory specifications stated within the RFP. Proposals deemed non-responsive will be eliminated from further consideration.
2. The Procurement Manager or designee may contact the Offeror for clarification of the response as specified in Section III, Paragraphs B.7 and B.10.
3. Responsive proposals will be evaluated using the factors in Section VI. The responsible Offerors with the highest scores will be selected as short-listed finalist Offerors based upon the proposals submitted. Finalist Offerors who are asked or choose to submit revised proposals for the purpose of obtaining best and final offers will have their points recalculated accordingly. The responsible Offeror whose proposal is most advantageous to the County, taking into consideration the

evaluation factors in Section VI, will be recommended for contract award following the process specified in Section III, Paragraph B. Please note, however, that a serious deficiency in the response to any one factor may be grounds for rejection regardless of overall score.

THIS SECTION LEFT INTENTIONALLY BLANK

APPENDIX A

ACKNOWLEDGEMENT OF RECEIPT FORM

**GALISTEO ROAD REDEVELOPMENT
RFP #2014-0240-GM/BT**

In acknowledgement of receipt of this Request for Proposal the undersigned agrees that he/she has received a complete copy, beginning with the title page and table of contents, and ending with Appendix H.

The acknowledgement of receipt should be signed and returned to the Procurement Manager no later than close of business on February 28, 2014. Only potential Offerors who elect to return this form completed with the indicated intention of submitting a proposal will receive copies of all Offeror written questions and the County's written responses to those questions as well as RFP amendments, if any are issued.

FIRM: _____

REPRESENTED BY: _____

TITLE: _____ PHONE NO.: _____

E-MAIL: _____ FAX NO.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

SIGNATURE: _____ DATE: _____

This name and address will be used for all correspondence related to the Request for Proposal.

Firm does/does not (**circle one**) intend to respond to this Request for Proposals.

Bill Taylor, Procurement Manager
Santa Fe County Purchasing Division
142 W. Palace Avenue (Second Floor)
Santa Fe, New Mexico 87501
Phone (505) 983-6373
Fax (505) 989-3243
wtaylor@santafecountynm.gov

APPENDIX B

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

“Applicable public official” means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

“Campaign Contribution” means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official’s behalf for the purpose of electing the official to statewide or local office. “Campaign Contribution” includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Prospective contractor” means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any: _____
(Completed by State Agency or Local Public Body)

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(Attach extra pages if necessary)

Signature Date

Title (position)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature Date

Title (Position)