

RFP Document

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INTRODUCTION

The Housing Authority of the City of Laredo (hereinafter, "LHA") is a public entity that was formed in 1937 to provide federally subsidized housing and housing assistance to low-income families, within the City of Laredo. The LHA is headed by an Executive Director (ED) and is governed by a five-person board of commissioners and is subject to the requirements of Title 24 of the Code of Federal Regulations (hereinafter, "CFR") and the LHA's procurement policy. Though brought into existence by a Resolution of the City of Laredo, it is a separate entity from the City of Laredo.

The Housing Authority of the City of Laredo (LHA) is a unit of government and its functions are essential governmental functions. The property of LHA is used for essential public and governmental purposes, and is exempt from all taxes, including sales tax on all its purchases of supplies and services.

Currently, the LHA owns and manages: three public facility corporations, 764 public housing units throughout the City of Laredo and Asherton, TX; and administers a total of 1,620 Section 8 Housing Choice Vouchers in the City of Laredo, Asherton, and Zapata County, Texas. The LHA currently has approximately 100 employees.

In keeping with its mandate to provide efficient and effective services, the LHA is now soliciting proposals from qualified, licensed and insured entities to provide the above noted services to the LHA. All proposals submitted in response to this solicitation must conform to all of the requirements and specifications outlined within this document and any designated attachments in its entirety.

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RFP INFORMATION AT A GLANCE

[Table No. 2]

HA CONTACT PERSON	Maria Hernandez, Procurement Officer (956)722-4512 Ext. 1210
HOW TO OBTAIN THE RFP DOCUMENTS ON THE APPLICABLE INTERNET SITE	Procurement Department LHA Administrative Office 2nd Floor 2000 San Francisco Avenue Laredo, TX 78040 Telephone: (956) 722-4521 Ext. 1210 Email: maria@larha.org Or can be downloaded from www.larha.org (Procurement Portal Tab)
PRE-PROPOSAL CONFERENCE	Thursday, October 28, 2019 at 10:00 A.M. Housing Authority of the City of Laredo Conference Room 2 nd Floor 2000 San Francisco Avenue Laredo, TX 78040
HOW TO FULLY RESPOND TO THIS RFP BY SUBMITTING A PROPOSAL SUBMITTAL	As instructed within Section 3.0 of the RFP document, submit one (1) copy of your "hard copy" and one (1) electronic proposal to the LHA.
PROPOSAL SUBMITAL RETURN & DEADLINE	Thursday, November 14, 2019 at 3:00 P. M. Housing Authority of the City of Laredo Procurement Office 2nd Floor 2000 San Francisco Avenue Laredo, TX 78040
ANTICIPATED APPROVAL BY HA BOARD OF COMMISSIONERS	Friday, November 22, 2019 2000 San Francisco Avenue Laredo, TX 78040

1.0 LHA'S RESERVATION OF RIGHTS:

- 1.1 LHA reserves the right to reject any or all proposals, to waive any informality in the RFP process, or to terminate the RFP process at any time, if deemed by LHA to be in its best interests.
- 1.2 LHA reserves the right not to award a contract pursuant to this RFP.
- 1.3 LHA reserves the right to terminate a contract awarded pursuant to this RFP, at any time for its convenience upon 30-days written notice to the successful Offeror(s).
- 1.4 LHA reserves the right to determine the days, hours and locations that the successful Offeror(s) shall provide the services called for in this RFP.
- 1.5 LHA reserves the right to retain all proposals submitted and not permit withdrawal for a period of 60 days subsequent to the deadline for receiving proposals without the written consent of the LHA Contracting Officer (CO).
- 1.6 LHA reserves the right to negotiate all fees with the top Offerors. If such negotiations are not, in the opinion of LHA's CO successfully concluded within a reasonable timeframe as determined by LHA, LHA shall retain the right to end such negotiations and proceed to negotiate with the next highest scoring offeror.
- 1.7 LHA reserves the right to reject and not consider any proposal that does not meet the requirements of this RFP, including but not necessarily limited to incomplete proposals and/ or proposals offering alternate or non-requested services.
- 1.8 LHA shall have no obligation to compensate any Offeror for any costs incurred in responding to this RFP.
- 1.9 LHA shall reserve the right to at any time during the RFP or contract process to prohibit any further participation by an Offeror or reject any proposal submitted that does not conform to any of the requirements detailed herein. By requesting this document, each prospective Offeror is thereby agreeing to abide by all terms and conditions listed within this document, and further agrees that he/she will inform the CO in writing within 5 days of the discovery of any item listed herein or of any item that is issued thereafter by LHA that he/she feels needs to be addressed. Failure to abide by this time frame shall relieve LHA, but not the prospective Offeror, of any responsibility pertaining to such issue.

- 1.10** LHA reserves the right to require additional information from all Offerors to determine level of responsibility. Such information shall be submitted in the form required by LHA within two (2) days of written request.
- 1.11** LHA reserves the right to amend the sample contract submitted or may be included herein, at any time prior to contract execution.
- 1.12** LHA reserves the right to contact any individuals, entities, or organizations that have had a business relationship with the Offeror regardless of their inclusion in the reference section of the proposal submittal.
- 1.13** LHA reserves the right to add or delete locations and/or properties for services on an as needed basis.
- 1.14** LHA is subject to the Texas Open Records Act and therefore cannot guarantee that information submitted will not be subject to disclosure. Each Offeror will clearly designate those documents included with its response which it in good faith determines to be a trade secret or confidential proprietary information protected from disclosure under applicable law. To the extent permitted by local, state and federal law and consistent with LHA's practices, LHA will attempt to reasonably maintain the confidentiality of such information.
- 1.15** LHA will own all Statements of Qualifications submitted as response to this RFP solicitation.

2.0 Scope of Work (SOW)

2.1 Scope of Work (SOW)

- 2.1.1** The HA is seeking proposals from qualified entities from qualified Retail Electric Providers (REPs) for electric service to meet the electricity requirements of all of its accounts and to provide the HA with the following detailed services:
- 2.1.2** The Housing Authority of the City of Laredo is seeking proposals from qualified Retail Electric Providers (REPs) for electric service to meet the electricity requirements of all of its accounts. The service shall begin on the first meter reading on or after November 30, 2019.
- 2.1.3** The Housing Authority of the City of Laredo has approximately 57 Electric Service Identifiers (ESI IDs) on the AEP Texas Central delivery system (AEP). These ESID's are a combination of IDR metered, scalar metered and un-metered locations (as defined by AEP Texas Central).
- 2.1.4** The provision of a safe, reliable and high-quality electricity supply is essential to the Housing Authority of the City of Laredo.

- 2.1.5 The Housing Authority of the City of Laredo seeks a REP that is prepared to provide a reliable supply of electricity, associated services and a high level of customer service. The pricing options submitted by REPs to this RFP for these services must be competitively priced and offer ongoing value to the Housing Authority of the City of Laredo.
- 2.1.6 The Housing Authority of the City of Laredo is interested in receiving fixed price proposals for one, two, three, four, and five year terms. Changes in monthly usage due to facility expansions will be provided prior to seeking best and final pricing and contract execution. All pricing should be based on the historical usage data as provided by AEP Texas.

2.2 General Requirements

- 2.2.1 The REP is expected to supply the included ESI ID's firm, total electricity power supply requirements. The successful REP will have full responsibility for meeting any and all load following requirements and for supplying all line losses and providing all necessary Electric Reliability Council of Texas (ERCOT) ancillary services. All of the aforementioned responsibilities/services must be included in the pricing proposal.
- 2.2.2 In the event REP fails to properly schedule all of the Housing Authority of the City of Laredo's electricity requirements with ERCOT, the REP shall be responsible for the full replacement cost of power to serve the Housing Authority of the City of Laredo's loads.
- 2.2.3 Description of the firm's qualifications, principals, and areas of expertise.
- 2.2.4 Able to provide proof of financial stability within the last 5 years.
- 2.2.5 Attend pre-submission informational conference by phone or in-person prior to submission.
- 2.2.6 Agree to travel to Laredo, if required
- 2.2.7 A short description of the REP's corporate (or other) entity that will be supplying electric power. Include a list of Texas offices and the contact information (including email address) for the REP's primary representative.
- 2.2.8 A description of the REP's ownership structure and a list of any affiliate companies that do business in Texas,

- 2.2.9** A copy of REP's most recent audited financial statements, and current debt rating for the entity that will be supplying the power (the REP) or for the entity that provides credit assurance to the REP. If the REP is relying on a parent's credit for qualification, a parental guarantee must be included.
- 2.2.10** A general summary of existing electric capacity under contract within ERCOT (location, term and amount under contract).
- 2.2.11** Information on the number of meters currently being served by REP. The number does not have to be exact and can be rounded to the nearest 100 meters.
- 2.2.12** A statement agreeing to the Housing Authority of the City of Laredo's Contract – Terms and Conditions contained in RFP. The Housing Authority of the City of Laredo's terms and conditions are attached as appendix A and made part of these specifications.
- 2.2.13** State how you plan to ensure that all the Housing Authority of the City of Laredo ESI ID's will be timely switched on the first meter reading date in December 2019. What assurances and financial guarantees will you provide in the event that any of the Housing Authority's ESI ID's incur charges from their existing supplier or are dropped either to the affiliated REP or the POLR that will keep the Housing Authority of the City of Laredo financially whole
- 2.2.14** Provide a sample of your firm's proposed invoice under your billing system.
- 2.2.15** The Housing Authority of the City of Laredo prefers that they receive only one summary bill package per month. Invoices must be delivered in one envelope. The Housing Authority also requests that monthly billing data be delivered electronically on an Excel spreadsheet that corresponds to the ESI ID's in ascending order.
- 2.2.16** Describe a specific plan to address the Housing Authority of the City of Laredo's needs for reliable delivery services, including protocols for reporting outages to the TDSP, restoring power following an outage, arranging for construction services, resolving billing disputes, and other reliability issues. Respondents should provide evidence demonstrating that they have established good working relationships with AEP Texas.
- 2.2.17** Respondent must be a Registered Retail Electric Provider by the Public Utility.
- 2.2.18** Commission of Texas or have legislative authority to sell Electricity in Texas. Provide your Certification number, if applicable, in your response.

2.2.19 Provide a hard copy of and an unprotected electronic copy of your company's electric contract in Microsoft Word format (including any attachments, confirmation sheets and related documents).

2.2.20 Provide a statement the REP is not presently debarred, suspended, declared ineligible, or voluntarily excluded from participating in any state or federal program.

2.2.21 The requested related information shall also be entered where provided for on the Profile of Firm Form (DO NOT ATTACH OR SUBMIT COPIES WITHIN THE PROPOSAL SUBMITTAL) we will garner the necessary certificates from the proposer prior to contract execution.)

3.0 Proposal Format:

3.1 Tabbed Proposal Submittal: LHA intends to retain the successful proposer pursuant to a "Best Value" basis, not a "Low Proposal" basis ("Best Value," in that the LHA will, as detailed within the following Section 4.0, consider factors other than just cost in making the award decision). Therefore, so that the LHA can properly evaluate the offers received, all proposals submitted in response to this RFP must be formatted in accordance with the sequence noted following. Each category must be separated by numbered index dividers (which number extends so that each tab can be located without opening the proposal) and labeled with the corresponding tab reference also noted below. Additionally, an electronic copy is required at the time of submittal of the proposal. None of the proposed services may conflict with any requirement the LHA has published herein or has issued by addendum.

[Table No. 3]

Tab No.	Description
1	Form of Proposal: This Form is attached hereto as Attachment A to this RFP document. This 1-page Form completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
2	Form HUD-5369-C (8/93), Certifications and Representations of Offerors, Non-Construction Contract: This Form is attached hereto as Attachment B to this RFP document. This 2-page Form must be fully completed, executed where provided thereon and submitted under this tab as a part of the proposal submittal.
3	Profile of Firm Form: The Profile of Firm Form is attached hereto as Attachment C to this RFP document. This 2-page Form must be fully completed, executed and submitted under this tab as a part of the proposal submittal.
4	<p>Proposed Services: As more fully detailed within Section 2.0, Scope of Proposal, of this document, the proposer shall, at a minimum, clearly detail within the information submitted under this tab documentation showing:</p> <p>As detailed within Section 4.1, Evaluation Factor No. 2, herein, the proposer's Demonstrated Understanding of the HA's Requirements.</p> <p>As detailed within Section 4.1, Evaluation Factor No. 3, herein, the proposer's management of operations capabilities (in terms corporate assets and customer base.)</p> <p>As detailed within Section 4.1, Evaluation Factor No. 4, herein, the proposer's demonstrated financial robustness and experience in performing similar work and the proposer's demonstrated successful past performance (including experience in retailing electricity sales within the State of Texas) of contract work substantially similar to that required by this solicitation as verified by reference checks or other means.</p> <p>As detailed within Section 4.1, Evaluation Factor No. 5, herein, the proposer's overall quality and professional appearance of the proposal submitted, based upon the opinion of the evaluators.</p> <p>The proposed quality control program;</p>

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	<p>An explanation and copies of forms that will be used and reports that will be submitted and the method of such reports (i.e. written; fax; internet; etc.);</p> <p>A complete description of the products and services the firms provide.</p>
5	<p>Managerial Capacity/Financial Viability: The proposer entity must submit under this tab a concise description of its managerial and financial capacity to deliver the proposed services, including brief professional resumes for the persons identified within areas (5) and (6) of Attachment C, Profile of Firm Form. Such information shall include the proposer's qualifications to provide the services; a description of the background and current organization of the firm.</p>
6	<p>Client Information: The proposer shall submit a listing of former or current clients, including the Public Housing Authorities, for whom the proposer has performed similar or like services to those being proposed herein. The listing shall, at a minimum, include:</p> <p>The client's name;</p> <p>The client's contact name;</p> <p>The client's telephone number;</p> <p>A brief description and scope of the service(s) and the dates the services were provided;</p>
7	<p>Equal Employment Opportunity: The proposer must submit under this tab a copy of its Equal Opportunity Employment Policy.</p>
8	<p>Subcontractor/Joint Venture Information (Optional Item): The proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the proposal is a joint venture with another firm. Please remember that all information required from the proposer under the proceeding tabs must also be included for any major subcontractors (10% or more) or from any joint venture.</p>
9	<p>Section 3 Business Preference Documentation (Optional Item): For any proposer claiming a Section 3 Business Preference, he/she shall under this tab include the fully completed and executed Section 3 Business Preference Certification Form attached hereto as Attachment D and any documentation required by that form.</p>
10	<p>Other Information (Optional Item): The proposer may include hereunder any other general information that the proposer believes is appropriate to assist the HA in its evaluation.</p>

If no information is to be placed under any of the above noted tabs (especially the "Optional" tabs), please place there under a statement such as "NO INFORMATION IS BEING PLACED UNDER THIS TAB" or "THIS TAB LEFT INTENTIONALLY BLANK." DO NOT eliminate any of the tabs.

- 3.2 Proposal Submittal Binding Method:** It is preferable and recommended that the proposer bind the proposal submittals in such a manner that the HA can, if needed, remove the binding (i.e. "comb-type;" etc.) or remove the pages from the cover (i.e. 3-ring binder; etc.) to make copies then conveniently return the proposal submittal to its original condition.
- 3.3 Entry of Proposed Fees:** The proposed fixed price proposal shall be submitted by the proposer and received by the HA where provided. Do not submit, enter or refer to any fees or costs within the 10-tab "hard copy" proposal submittal detailed within Section 3.0— any proposer that does so may be rejected without further consideration. Unless otherwise stated, the proposed fees are all-inclusive of all related costs that the successful proposer will incur to provide the noted services, including, but not limited to: employee wages and benefits; clerical support; overhead; profit; licensing; insurance; materials; supplies; tools; equipment; long distance telephone calls; document copying not specifically agreed to by the HA; etc. Any costs for approved travel required by the will be reimbursed at reasonable cost, as pre-approved by the HA.
- 3.4 Additional Information Pertaining to the Pricing Items/Contract Terms:**
- 3.4.1** The Housing Authority of the City of Laredo's existing contract extends through the regularly scheduled meter reads after November 30, 2019. All pricing should be quoted based on this start date (December 1, 2019.)
- 3.4.2** The fixed price proposal should include energy only prices for all generation services and ERCOT/Ancillary Service Charges that include capacity, energy, congestion, UFE, losses, ERCOT Administration Fees, all required ancillary services, renewable energy credits, balancing energy, QSE Fees, and other ERCOT assessments.
- 3.4.3** The "Pass Through" charges consist of the following: TDSP charges, TDSP discretionary fees, state gross receipts tax, and PUCT assessment fees. The Housing Authority of the City of Laredo is exempt from state and local sales use taxes. All pass through charges shall be at cost with no mark up.
- 3.4.4** Pricing should anticipate net 30 days payment terms. However, if your firm offers any form of early pay discounts, or pre-pay discounts, please indicate those options in your proposal.

3.4.5 Addition and Deletion of Accounts. The contract should provide for the ability of the LHA to add or delete accounts if the cumulative net impact of the additions and deletions is 10% or less of the aggregated forecasted usage. In addition to stating whether there is a price impact due to a risk premium for the 10% (and if so, the amount of the price impact), please state whether any such price impact would change if the add/delete tolerance were reduced to 5% or increased to 15% and if so, the amount of any such price impact. Please also state if there is an add/delete tolerance that would not create any price impact or risk premium.

3.4.6 The Housing Authority of the City of Laredo requests that individual ESI ID monthly billing data be included in Excel format delivered electronically by email to the Housing Authority of the City of Laredo when the monthly bill is delivered. Quantities: All quantities entered by the HA herein are for calculating purposes only. As may be further detailed herein, the HA does not guarantee any minimum or maximum amount of work as a result of any award ensuing from this RFP, as the ensuing contract will be a Requirements Contract, in that the HA shall retain one contractor only and shall retain the right to order from that contractor (successful proposer), on a task order basis, any amount of services the HA requires.

3.5 Proposal Submission: All proposals must be submitted and time-stamped received in the designated HA office by no later than the submittal deadline stated herein (or within any ensuing addendum). A total of one (1) original signature copy (marked "ORIGINAL") and one (1) electronic copy of the proposal submittal, shall be placed unfolded in a sealed package and addressed to:

Housing Authority of the City of Laredo, TX
Attention: Alma Mata, Executive Director
2000 San Francisco Avenue
Laredo, TX 78040

The package exterior must clearly denote the above noted RFP number and must have the proposer's name and return address. Proposals received after the published deadline will not be accepted.

3.5.1 Submission Conditions: DO NOT FOLD OR MAKE ANY ADDITIONAL MARKS, NOTATIONS OR REQUIREMENTS ON THE DOCUMENTS TO BE SUBMITTED! Proposers are not allowed to change any requirements or forms contained herein, either by making or entering onto these documents or the documents submitted any revisions or additions; and if any such additional marks, notations or requirements are entered on any of the documents that are submitted to the HA by the proposer, such may invalidate that proposal. If, after accepting such a proposal, the HA decides that any such entry has not changed the intent of the proposal that the HA intended to receive,

the HA may accept the proposal and the proposal shall be considered by the HA as if those additional marks, notations or requirements were not entered on such. By accessing the noted Internet System, registering and downloading these documents, each prospective proposer that does so is thereby agreeing to confirm all notices that the HA delivers to him/her as instructed, and by submitting a proposal, the proposer is thereby agreeing to abide by all terms and conditions published herein and by addendum pertaining to this RFP.

3.5.2 Submission Responsibilities: It shall be the responsibility of each proposer to be aware of and to abide by all dates, times, conditions, requirements and specifications set forth within all applicable documents issued by the HA, including the RFP document, the documents listed within the following Section 3.7, and any addenda and required attachments submitted by the proposer. By virtue of completing, signing and submitting the completed documents, the proposer is stating his/her agreement to comply with the all conditions and requirements set forth within those documents. Written notice from the proposer not authorized in writing by the CO to exclude any of the HA requirements contained within the documents may cause that proposer to not be considered for award.

3.6 Proposer's Responsibilities-Contact with the HA: It is the responsibility of the proposer to address all communication and correspondence pertaining to this RFP process to the CO only. Proposers must not make inquiry or communicate with any other HA staff member or official (including members of the Board of Commissioners) pertaining to this RFP. Failure to abide by this requirement may be cause for the HA to not consider a proposal submittal received from any proposer who may has not abided by this directive.

3.6.1 Addendums: All questions and requests for information must be addressed in writing to the CO. The CO will respond to all such inquiries in writing by addendum to all prospective proposers (i.e. firms or individuals that have obtained the RFP Documents). During the RFP solicitation process, the CO will NOT conduct any ex parte (a substantive conversation—"substantive" meaning, when decisions pertaining to the RFP are made—between the HA and a prospective proposer when other prospective proposers are not present) conversations that may give one prospective proposer an advantage over other prospective proposers. This does not mean that prospective proposers may not call the CO—it simply means that, other than making replies to direct the prospective proposer where his/her answer has already been issued within the solicitation documents, the CO may not respond to the prospective proposer's inquiries but will direct him/her to submit such inquiry in writing so that

the CO may more fairly respond to all prospective proposers in writing by addendum.

- 3.7 Pre-proposal Conference:** The scheduled pre-proposal conference identified on Page 2 of this document is, pursuant to HUD regulation, not mandatory. Many prospective proposers have previously responded to an RFP with a multi-tabbed submittal and feel comfortable in doing so without attending the pre-conference. Typically, such conferences last 1 hour or less, though such is not guaranteed. The purpose of this conference is to assist prospective proposers in having a full understanding of the RFP documents so that he/she feels confident in submitting an appropriate proposal; therefore, at this conference the HA will conduct an overview of the RFP documents, including the attachments. Prospective proposers may also ask questions, though the CO may require that some such questions are delivered in writing prior to a response. Whereas the purpose of this conference is to review the RFP documents, attendees should bring a copy of the RFP documents to this conference; however, the HA will not distribute at this conference any copies of the RFP documents.

General Directions to the Pre-proposal Conference:

[Table No. 4]

Steps	Attachment Description
1	Take U.S. 35 to the Park St exit
2	East on Park St to San Francisco Ave.;
3	North on San Francisco Ave.; the Administration building is the 2 story yellow brick building you can see to your right hand side.
4	Enter the drive way and proceed to the north side of the building; park in any open spot and enter the building through the double metal doors nearer to the north end of the building, ask the receptionist for the pre-proposal conference.

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- 3.8 Recap of Attachments:** It is the responsibility of each proposer to verify that he/she has downloaded the following attachments pertaining to this RFP, which are hereby by reference included as a part of this RFP:

[Table No. 5]

Attach	Attachment Description
A	Form of Proposal
B	Form HUD-5369-C (8/93), Certifications and Representations of Offerors, Non-Construction Contract
C	Profile of Firm Form
D	Section 3 Forms, including explanation
E	Form HUD-5369-B (8/93), <i>Instructions to Offerors, Non-Construction</i>
F	<i>HA Instructions To Proposers & Contractors</i>
G	HA Sample Contract Form (please note that this contract is being given as a sample only--the HA reserves the right to revise any clause herein and/or to include within the ensuing contract any additional clauses that the HA feels it is in its best interests to do so)
G-1	Form HUD-5370-C (01/2014), <i>General Conditions for Non-Construction Contracts Section I (With or without Maintenance Work)</i>
H	Conflict of Interest questionnaire
I	LHA Service Address and ESI ID Number

4.0 PROPOSAL EVALUATION:

- 4.1 Evaluation Factors:** The following factors will be utilized by the HA to evaluate each proposal submittal received; award of points for each listed factor will be based upon the documentation that the proposer submits within his/her proposal submittal:

[Table No. 6]

NO.	MAX POINT VALUE	FACTOR TYPE	FACTOR DESCRIPTION
1	50 points	Objective	The PROPOSED RATE/COSTS (Pricing Flexibility) the proposer proposes to charge the HA over the proposed energy services period.
2	20 points	Subjective (Technical)	The proposer's DEMONSTRATED UNDERSTANDING of the REQUIREMENT ;
3	10 points	Subjective (Technical)	The proposer's MANAGEMENT OF OPERATIONS CAPABILITIES (in terms corporate assets and customer base.)
4	10 points	Subjective (Technical)	The proposer's DEMONSTRATED FINANCIAL ROBUSTNESS AND EXPERIENCE in performing similar work and the proposer's DEMONSTRATED SUCCESSFUL PAST PERFORMANCE (including experience in retailing electricity sales within the State of Texas) of contract work substantially similar to that required by this solicitation as verified by reference checks or other means.
5	10 points	Subjective (Technical)	The OVERALL QUALITY AND PROFESSIONAL APPEARANCE OF THE PROPOSAL SUBMITTED , based upon the opinion of the evaluators.
	100 points	100 points	Total Points (other than preference points)

4.1.2 Preference Evaluation Factor: The following factors will be utilized by the CO to evaluate each proposal submittal received:

[Table No. 6a]

NO.	MAX POINT VALUE	FACTOR TYPE	FACTOR DESCRIPTION
7		Objective	SECTION 3 BUSINESS PREFERENCE PARTICIPATION: A firm may qualify for Section 3 status as detailed within Attachment D (NOTE: A max of 5 points awarded).
7a	15 points		Priority I: As detailed on page 5 of Attachment D.
7b	12 points		Priority II: As detailed on page 5 of Attachment D.
7c	9 points		Priority III: As detailed on page 5 of Attachment D.
7d	6 points		Priority IV: As detailed on page 5 of Attachment D.
7e	3 points		Priority V/VI: As detailed on page 5 of Attachment D.
	15 points		Maximum Preference Points (Additional)

4.2 Evaluation Method:

4.2.1 Initial Evaluation for Responsiveness: Each proposal received will first be evaluated for responsiveness (e.g., meets the minimum of the published requirements). The HA reserves the right to reject any proposals deemed by the HA not minimally responsive (the HA will notify such firms in writing of any such rejection).

4.2.2 Evaluation Packet for Proposals Deemed Responsive: Internally, an evaluation packet will be prepared for each evaluator, including the following documents:

4.2.2.1 Instructions to Evaluators;

4.2.2.2 Proposal Tabulation Form;

4.2.2.3 Written Narrative Justification Form for each proposer;

4.2.2.4 Recap of each proposer's responsiveness;

4.2.2.5 Copy of all pertinent RFP documents.

4.2.3 Evaluation Committee: The HA anticipates that it will select a minimum of a three-person committee to evaluate each of the responsive "hard copy" proposals submitted in response to this RFP. PLEASE NOTE: No proposer shall be informed at any time during or after the RFP process as to the identity of any evaluation committee member. If, by chance, a proposer does become aware of the identity of such person(s), he/she SHALL NOT make any attempt to

contact or discuss with such person anything related to this RFP. As detailed within Section 3.5 of this document, the designated CO is the only person at the HA that the proposers shall contact pertaining to this RFP. Failure to abide by this requirement may (and most likely will) cause such proposer(s) to be eliminated from consideration for award.

- 4.2.4 Evaluation:** The CO will evaluate and award points pertaining to Evaluation Factors No. 1 and Section 4.1.2 (the "Objective" Factors). The appointed evaluation committee, independent of the CO or any other person at the HA, shall evaluate the responsive proposals submitted and award points pertaining to Evaluation Factors No. 2, 3, 4, 5 and 6 (the "Subjective" Factors). Upon final completion of the proposal evaluation process, the evaluation committee will forward the completed evaluations to the CO.
- 4.2.5 Potential "Competitive Range" or "Best and Finals" Negotiations:** The HA reserves the right to, as detailed within Section 7.2.N through Section 7.2.R of HUD Procurement Handbook 7460.8 REV 2, conduct a "Best and Finals" Negotiation, which may include oral interviews, with all firms deemed to be in the competitive range. Any firm deemed not to be in the competitive range shall be notified of such in writing by the HA in a timely manner as possible, but in any case within no longer than 5 days after the beginning of such negotiations with the firms deemed to be in the competitive range.
- 4.2.6 Determination of Top-ranked Proposer:** Typically, the subjective points awarded by the evaluation committee will be combined with the objective points awarded by the CO to determine the final rankings, which is typically forwarded by the CO to the ED for approval. If the evaluation was performed to the satisfaction of the ED, the final rankings may be forwarded to the Housing Authority Board of Commissioners (BOC) at a scheduled meeting for approval. Contract negotiations may, at the HA's option, be conducted prior to or after the BOC approval.
- 4.2.6.1 Minimum Evaluation Results:** To be considered to receive an award a proposer must receive a total calculated average of at least 70 points (of the 115 total possible points detailed within Section 4.1 herein).
- 4.2.6.2 Ties:** In the case of a tie in points awarded, the award shall be decided as detailed within Section 6.12.C of HUD Procurement Handbook 7460.8 REV 2, by "drawing lots or other random means of selection."

4.2.7 Notice of Results of Evaluation: If an award is completed, all proposers will receive by e-mail a Notice of Results of Evaluation. Such notice shall inform all proposers of:

4.2.7.1 Which proposer received the award;

4.2.7.2 Where each proposer placed in the process as a result of the evaluation of the proposals received;

4.2.7.3 The cost or financial offers received from each proposer;

4.2.7.4 Each proposer's right to a debriefing and to protest.

4.2.8 Restrictions: All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a proposer entity will be excluded from participation on the HA evaluation committee. Similarly, all persons having ownership interest in and/or contract with a proposer entity will be excluded from participation on the HA evaluation committee.

5.0 Contract Award:

5.1 Contract Award Procedure: If a contract is awarded pursuant to this RFP, the following detailed procedures will be followed:

5.1.1 By completing, executing and submitting the Form of Proposal, Attachment A, the "proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFP as issued by the HA, including the contract clauses already attached as Attachment G and G-1. Accordingly, the HA has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses already published.

5.2 Contract Conditions: The following provisions are considered mandatory conditions of any contract award made by the HA pursuant to this RFP:

5.2.1 Contract Form: The HA will during the RFP process (prior to the submittal deadline) consider any contract clauses that the proposer wishes to include therein and submits in writing a request for the HA to do so; but the failure of the HA to include such clauses does not give the successful proposer the right to refuse to execute the contract form. It is the responsibility of each prospective proposer to notify the HA, in writing, prior to submitting a proposal, of any contract clause that he/she is not willing to include in the final executed contract and abide by. The HA will consider and respond to such written correspondence, and if the prospective proposer is not willing to abide by the HA's response (decision), then that prospective proposer shall be deemed ineligible to submit a proposal.

- 5.2.1.1 Please note that the HA has no legal right or ability to (and will not) at any time negotiate any clauses contained within ANY of the HUD forms included as a part of this RFP.
- 5.2.2 **Assignment of Personnel:** The HA shall retain the right to demand and receive a change in personnel assigned to the work if the HA believes that such change is in the best interest of the HA and the completion of the contracted work.
- 5.2.3 **Unauthorized Sub-Contracting Prohibited:** The successful proposer shall not assign any right, nor delegate any duty for the work proposed pursuant
- 5.3 **Contract Period:** The HA anticipates that it will initially award a contract for a period minimum of 1 year with the option, at the HA's discretion, of 4 additional one-year option periods (per HUD regulation, legal services may be contracted for a maximum of only 5 years).
- 5.4 **Right To Negotiate Final Rates/Fees:** The HA shall retain the right to negotiate the amount of rates/fees that are paid to the successful proposer, meaning the rates/fees proposed by the top-rated proposer may, at the HA's options, be the basis for the beginning of negotiations. Such negotiations shall begin after the HA has chosen a top-rated proposer. If such negotiations are not, in the opinion of the CO successfully concluded within 5 business days, the HA shall retain the right to end such negotiations and begin negotiations with the next-rated proposer. The HA shall also retain the right to negotiate with and make an award to more than one proposer, as long as such negotiation(s) and/or award(s) are addressed in the above manner (i.e. top-rated first, then next-rated following until a successful negotiation is reached).
- 5.5 **Contract Service Standards:** All work performed pursuant to this RFP must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.

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