



State of Delaware
Delaware State Housing Authority
Request For Proposals (RFP)
For Consultant Services for Energy Conservation Measures in the
Delaware Qualified Allocation Plan

September 2016

To be completed:
From October 2016 – December 2017

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Project Overview

A. Introduction

The Delaware State Housing Authority (DSHA), a public corporation in the State of Delaware, is soliciting proposals from qualified consultants to assist DSHA in evaluating and enhancing the energy efficiency and green building standards outlined in the Delaware Qualified Allocation Plan (QAP).

DSHA intends to hire a consultant (contractor) to assist DSHA in two areas:

1. To work with 2016 LIHTC recipients, architects, and contractors to achieve Energy Star 3.1 certification and to achieve better HERS ratings for both new construction and rehabilitation projects.
2. To provide DSHA with technical review and enhancement of the current Energy Conservation Measure category found in the QAP. In order to maximize the environmental benefits for affordable housing development, DSHA will require the consultant to review energy efficiency and green building programs that affordable housing development can cost effectively and realistically achieve. Specifically, the consultant will review and make recommendations on energy conservation measures to be incorporated into the Low Income Housing Tax Credit (LIHTC) program along with other financing of multifamily developments via the State's housing trust fund, known as the Housing Development Fund (HDF), the National Housing Trust Fund (NHTF), and the HOME Investment Partnership (HOME) program, as shown in the QAP.

The specifications contained in this RFP shall be considered to be clear and complete unless written attention is called to any apparent discrepancy or omission thereof prior to the opening of proposals.

The respondent ("Applicant") agrees that any estimates, as stated in the RFP, are only to provide a uniform basis for comparison of proposals and are not represented to be accurate. Such estimates shall not be considered a binding feature of any contract nor may they be used in any other way to determine a liability against DSHA.

B. DSHA Overview

DSHA was created in 1968 as a public corporation in the Delaware State Department of Housing. Since then, when the Delaware General Assembly appropriated \$100,000 for first-year operations, DSHA's physical and financial assets have grown to \$1.2 billion and the agency is now an independent authority in the Executive Department with its Director reporting directly to the Governor as a member of the Cabinet.

DSHA has the power to make loans and grants to both for-profit and nonprofit housing sponsors; to make loans to mortgage lenders and require that they use the proceeds to make new residential mortgage loans; to apply for and receive subsidies from the federal government and other sources; and to issue its own bonds and notes. In addition to its role as the State's Housing Finance Agency, DSHA is unique in that it also serves as a Public Housing Authority and acts as a Community Development and Planning Agency.

As a Public Housing Authority, DSHA owns and operates public housing sites and operates the Housing Choice Voucher program in Kent and Sussex Counties, two of Delaware's three Counties.

As a U.S. Department of Housing and Urban Development (HUD) Community Development Agency, DSHA administers the Community Development Block Grant (CDBG) program in Kent and Sussex Counties, HOME funds statewide, as well as the Emergency Solutions Grants (ESG), Housing Opportunities for Persons with AIDS (HOPWA), and Neighborhood Stabilization Program (NSP) programs. In addition to these HUD-funded programs, DSHA manages a variety of State and locally-funded programs, including below-market rate mortgages, downpayment and settlement assistance, foreclosure prevention programs, and financing for multifamily developments via HDF, NHTF, LIHTC, and HOME.

C. Background

DSHA is the administrator of the federal LIHTC program in Delaware and operates the LIHTC program in accordance with the U.S. Internal Revenue Code and applicable federal and state laws, including a QAP. Delaware's QAP is adopted and published annually. The annual process includes input from DSHA staff (from Development, Policy and Planning, Compliance, and Asset Management sections) and various stakeholders, including developers, nonprofits, lenders, and investors. A public forum is held to discuss possible changes to the annual QAP and gather feedback. After a draft is published, a public comment period commences and is closed upon a final public hearing. The final draft is presented to the Director of DSHA for approval. After approval, the draft is presented to the Governor for annual certification.

In 2016, the Energy Conservation Measures category was added to the QAP as a scoring category for applicants. All applicants showed interest in this category, but after further review, discovered that reaching the energy criteria of Energy Star 3.0/3.1/3.2 with additional HERS ratings may be more difficult than originally thought. This has prompted DSHA to seek technical expertise to review additional options.

DSHA stakeholder input throughout the QAP process has indicated a need for additional energy, green, and sustainable building certification programs to select from that can be achieved for further incentives in the QAP.

Copies of the 2016 Delaware QAP and QAP Attachments are available online at: http://destatehousing.com/Developers/dv_lihtc.php. DSHA will also provide a Microsoft Word copy of the 2016 QAP and QAP Attachments to the selected consultant.

D. Request for Proposals

This RFP is issued pursuant to 29 Del. C. §§ 6981 and 6982. The contract will be awarded to the most responsible Applicant(s) that offers the most advantageous proposal, taking into consideration responsiveness to the evaluation criteria established within this RFP, as well as costs for the proposed services, and time frame needed to complete the review. Proposals will be opened publicly and evaluated privately. Applicants can propose to provide services for one or all of the project details in the scope of work.

Proposals will be reviewed against the evaluation criteria and members of a proposal review committee will make a recommendation for an award. The Director of DSHA will subsequently make the final announcement of the awarded proposal.

Scope of Work

A. Project Details

The following is a list of objectives with respect to data collection and analysis for energy conservation measures as outlined in the QAP. The scope of services to be provided by the selected consulting organization shall include, but not be limited to, the following:

1. Assist 2016 LIHTC Recipients in Achieving Energy Star 3.0/3.1/3.2

Consultant will provide technical assistance to the five (5) recipients of 2016 LIHTCs. Assistance will include site visit(s), technical review of project plans and specifications, and collaboration with project design professionals and contractors. Consultant will provide recommendations to achieve Energy Star 3.0/3.1/3.2 and the highest HERS rating possible for each project;

2. Provide Energy Conservation Recommendations to DSHA

Consultant will analyze and review all of the energy, green, and sustainable certification programs for multifamily housing and make recommendations to DSHA for which certification programs, or which parts of programs can apply to new construction, adaptive re-use, and rehabilitation projects to achieve the highest energy conservation standards possible. The consultant will review DSHA's current requirements, IRS requirements, local, state, and federal building and rehabilitation codes, energy conservation requirements of DSHA funding sources (i.e. NHTF and HOME) and any other applicable state requirements, as well as review other state initiatives prior to making recommendations to DSHA.

Consultant will draft program design language to be incorporated into the amended 2017 QAP;

3. Provide Utility Benchmarking Recommendations to DSHA

Consultant will research utility benchmarking requirements and make recommendations of software or systems available to monitor and analyze the energy use in LIHTC projects that will utilize the energy conservation programs. The utility benchmarking design will include, but not be limited to, a catalog of the inventory of properties, documentation and analysis of utility usage, training for maintenance staff, outreach to residents and education, and the cost and environmental impact of the investment in energy conservation measures to the project.

Consultant will draft Energy Audit threshold requirements and criteria to be incorporated into the QAP, should any LIHTC applicants select this type of utility allowance method; and

4. Technical Assistance and Other Duties

Consultant will visit various LIHTC projects in various stages of construction to better understand the energy conservation needs of the State. Consultant will review DSHA's minimum construction standards to assure that DSHA's utility and energy building requirements will meet certification programs and minimum energy saving requirements. Consultant will provide technical assistance to DSHA construction management and inspection staff, as well as LIHTC project design professionals.

Consultant will perform other duties, as assigned by DSHA, related to the revised energy conservation measures category as amended in the Delaware QAP.

Proposal Format, Content, and Submission Requirements

A. Submission of Proposals and Deadline

Provide one paper copy and one electronic copy of the proposal in a single, sealed, company-marked, envelope clearly labeled, “DSHA Consulting Services for Energy Conservation Measures” to DSHA by 4:00 p.m. EST on September 30, 2016. The proposal should be addressed to:

Ruth Ann Jones
Delaware State Housing Authority
18 The Green
Dover, DE 19901

Proposals will not be accepted after 4:00 PM on September 30, 2016. Proposals will be opened publicly and evaluated privately.

There is no expressed or implied obligation for DSHA to reimburse responding firms for any expenses incurred in preparing proposals in response to this request. DSHA reserves the right to retain all proposals submitted and to use any ideas in a proposal, regardless of whether that proposal is selected.

Submission of a proposal indicates acceptance by the Applicant of the conditions contained in this RFP, unless clearly and specifically noted in the submitted proposal and confirmed in the contract between DSHA and the selected consultant.

B. Equal Opportunity

All qualified persons and firms will receive consideration without regard to race, color, religious creed, ancestry, national origin, age, handicap or sex. Minority Business Enterprises, (MBE), Women-Owned Business Enterprises (WBE), Veteran-Owned Business Enterprises (VBE), Service-Disabled Veteran-Owned Business Enterprises (SDVOBE), Individuals with Disabilities Owned Business Enterprises (IWDBE) and Small Business Focus (SBF) program vendors are encouraged to apply.

C. Subcontracting

Applicants submitting proposals are encouraged to consider subcontracting portions of the engagement to small businesses owned and controlled by socially- and economically-disadvantaged individuals. If this is to be done, the name and role of the proposed subcontracting firm(s) must be clearly identified in the proposal. Following the award of the contract, no additional subcontracting will be allowed without consent from DSHA.

D. Questions about the Request For Proposals (RFP)

This RFP is also available on DSHA’s website at <http://www.destatehousing.com> and on the State of Delaware’s Bid Solicitation Directory at <http://www.bids.delaware.gov>.

Any questions about this solicitation should be directed to:

Ruth Ann Jones
Delaware State Housing Authority

ruthann@destatehousing.com
302-739-0205

Interested Applicants may also ask questions about the RFP on DSHA's RFP Forum (<http://www.destatehousing.com/forum>). Questions and DSHA responses will also be posted on the Forum.

E. Minimum Proposal Requirements

Contents of the proposal must include:

1. An executive summary of not more than one page;
2. A description of approach/methodology to the scope of services;
3. A description of deliverable products;
4. An implementation schedule of how the review should progress, and at what points various tasks will be completed, including at 25%, 50%, and 75% of completion;
5. A general background of the Applicant's organization, including:
 - a. A description of similar studies undertaken;
 - b. The location of the organization;
 - c. Description of the organization's capabilities in analyzing both regional and national trends and experience working with other state Housing Finance Agencies and/or other state QAPs;
 - d. Resumes of staff members to be assigned to this review;
 - e. Resumes of any sub-consultants, if any;
 - f. Samples of similar work completed in the last three (3) years; and
 - g. Names and contact information for three (3) references familiar with similar work.
6. Costs by work product;
7. Signed Applicant warranty as contained in the Attachments; and
8. Subcontracting plan, if any, and necessary certifications of subcontractors.

F. Debarred, Suspended, and Ineligible Contractors

The applicant certifies by submission of a proposal that it is not a debarred, suspended, or ineligible contractor by any Agency of Federal or State government. (No proposal received from a debarred, suspended, or ineligible contractor will qualify for award).

G. Acceptance of Proposals

DSHA reserves the right to reject any and all proposals, to accept or reject any part of any proposal, or to waive informalities and minor irregularities in the proposals. Proposals which contain erasures, alterations, conditional proposals, omissions, or irregularities may be rejected.

H. Consultant Selection and Contract Execution

Each proposal will be rated and ranked in accordance with the following criteria:

1. Approach for conducting comprehensive review (20 points);
2. Specific methodologies for completing various aspects of the review (15 points);
3. Demonstrated ability and capacity (15 points);

4. Technical qualifications and experience with affordable housing programs of individuals to be assigned to the project (15 points);
5. Ability to meet proposed timetable (15 points);
6. Total price of review and services (10 points); and
7. Continuity and stability of Applicant (10 points).

Based on a review of submitted proposals, a list of no more than three (3) Applicants will be selected for interviews. DSHA reserves the right to award a contract based solely on the proposals or to negotiate further with one or more Applicants. The selected consultant will be chosen on the basis of the greatest benefit to DSHA, not necessarily on the basis of the lowest price. The selected consultant agrees, if successful, to execute a contract within twenty (20) days after Notice of Award. No contract may be assigned, either in whole or in part, without the prior approval of DSHA.

DSHA may request additional information or clarification from Applicants during the evaluation process.

I. Contract Price and Payment

The Proposal must state the total planned hours and hourly rate by staff classification of those anticipated to work on the project. An all-inclusive maximum fee for each work product, broken out by planned hours and hourly rates by staff classification must be provided, as well as an all-inclusive maximum fee for the entire study.

The price quoted in the proposal must be firm and not subject to change by vendor for ninety (90) days from the date of proposal opening. The price shall represent the total cost to DSHA including direct, indirect, and out-of-pocket costs. Quoted costs should include meetings with DSHA staff and a presentation of the main findings of the report for at least one major public event.

Payments shall be made upon approval by DSHA for work products submitted at 25%, 50% and 75% completion. The final 25% will be paid upon completion and approval of all products.

J. Conflict of Interest

No Applicant, subcontractor, or sub-consultant or otherwise related entity as determined by DSHA that has an interest in a project financed by DSHA or a project receiving LIHTCs from DSHA either now or during the performance of the work hereunder, may have any benefit, either direct or indirect in connection with the work performed under this proposal.

Timeline

A. RFP Timeline

September 30, 2016: Proposals due to DSHA by 4:00 p.m.

Week of October 3, 2016: Interviews (via teleconference if necessary)

Week of October 10, 2016: Execute contract and commence work

B. Review Timeline

Interim due dates are estimated and will be confirmed upon execution of a contract. Applicants are encouraged to develop their own more detailed proposed timelines for completion of the project. All work products must be complete by December 30, 2017.

Week of October 10, 2016: Initial meeting with DSHA

October 13, 2016: Energy conservation measures presentation at DSHA Developer Forum (25% completion)

October 17-21, 2016: Site visits (50% completion)

November 1, 2016: Draft of energy conservation language for QAP due to DSHA (75% completion)

October 3, 2016-December 30, 2017: Provide technical assistance to 2016 LIHTC projects (100% completion)

Attachments

Attachment A – Certifications and Applicant Warranties

DELAWARE STATE HOUSING AUTHORITY

The Applicant certifies that it has current coverage under an Insurance Professional Errors and Omissions insurance policy with an amount of no less than US \$2 million per loss.

The Applicant certifies that it will provide all services set forth in this RFP, and that it will not delegate, subcontract, or assign its responsibilities without the prior written permission of the Delaware State Housing Authority.

The Applicant warrants that it is licensed to do business in the State of Delaware.

The Applicant warrants that all information provided by it in connection with this proposal is true and accurate.

Signature of Official: _____

Name (typed): _____

Title: _____

Firm: _____

Address: _____

Date: _____

Attachment B – Non-Collusion Certification

Applicant's Name (typed): _____

Address: _____

Project: _____

This is to certify that neither the above-named Applicant, nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, has in any way colluded, conspired, connived or agreed, directly or indirectly, with any other Applicant, firm or person to submit a collusive or sham proposal in connection with the Contract for which the attached proposal has been submitted or to refrain from proposing in connection with such Contract, or has in any matter, directly or indirectly, sought by agreement or collusion or communication or conference with any Applicant, firm or person to fix the price or prices in the attached proposal or of any other Applicant, or to fix any overhead, profit or cost element of the proposal price of any other Applicant, or to secure through any collusion, conspiracy, connivance of unlawful agreement any advantage against the Owner or any person interested in the proposed Contract; and the price or prices quoted in the attached proposal are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Applicant or any of its agents, representatives, owners, employees or parties in interest.

(Signed)

Title

Date

Seal - If Applicant is a Corporation

ATTEST:

Secretary