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|---|-----------------------------|--|---|--|---------|--|---|--|--|------|---|
| SOLICITATION, OFFER, AND AWARD | | | 1. Caption Real Estate Development Advisory Services | | | Page of Pages 1 22 and Attachments | | | | | |
| 2. Contract Number | | 3. Solicitation Number CFOPD-23-RFQ-022 | | 4. Type of Solicitation <input type="checkbox"/> Sealed Bid (IFB) <input type="checkbox"/> Sealed Proposals (RFP) <input checked="" type="checkbox"/> Qualification (RFQ) <input type="checkbox"/> Emergency | | 5. Date Issued 4/4/2023 | | 6. Type of Market <input checked="" type="checkbox"/> Open <input type="checkbox"/> Set Aside <input type="checkbox"/> Open Market with Set-Aside SBE Designated Category: | | | |
| 7. Issued By: Office of the Chief Financial Officer Office of Contracts and Procurement 1100 4th Street, SW, Room 620E Washington, DC 20024 | | | | 8. Address Offer to: Office of Chief Financial Officer Office of Contracts and Procurement 1100 4th Street, SW, Room 620E Washington, DC 20024 | | | | | | | |
| NOTE: In sealed bid solicitations "offer" and offeror" means "bid" and "bidder" | | | | | | | | | | | |
| SOLICITATION | | | | | | | | | | | |
| 9. Sealed offers in original copy for furnishing the supplies or services in the Schedule will be received by the point of contact on Page 1 of this solicitation via the Gateway portal, pursuant to Section L.12, until <u>2:00PM</u> local time <u>April 25, 2023</u> (Hour) (Date) | | | | | | | | | | | |
| 10. For Information Contact | A. Name Annmarie McQueen | | | B. Telephone (Area Code) 202 (Number) 442-6428 (Ext) | | | C. E-mail Address Annmarie.McQueen@dc.gov | | | | |
| 11. Table of Contents | | | | | | | | | | | |
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| OFFER | | | | | | | | | | | |
| 12. In compliance with the above, the undersigned agrees, if this offer is accepted within <u>120</u> calendar days from the date for receipt of offers specified above, to furnish any or all items upon which prices are offered at the price set opposite each item, delivered at the designated point(s), within the time specified herein. | | | | | | | | | | | |
| 13. Discount for Prompt Payment <input type="checkbox"/> 10 Calendar days % 20 Calendar days % 30 Calendar days % ___ Calendar days % | | | | | | | | | | | |
| 14. Acknowledgement of Amendments (The offeror acknowledges receipt of amendments to the SOLICITATION): | | | | Amendment Number | | Date | | Amendment Number | | Date | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| 15A. Name and Address of Offeror | | | | 16. Name and Title of Person Authorized to Sign Offer/Contract | | | | | | | |
| 15B. Telephone (Area Code) (Number) (Ext) | | | 15 C. Check if remittance address is different from above - Refer to Section G <input type="checkbox"/> | | | 17. Signature | | 18. Offer Date | | | |
| AWARD (TO BE COMPLETED BY GOVERNMENT) | | | | | | | | | | | |
| 19. Accepted as to Items Numbered | | | 20. Amount | | | 21. Accounting and Appropriation | | | | | |
| | | | | | | | | | | | |
| 22. Name of Contracting Officer (Type or Print) | | | 23. Signature of Contracting Officer (District of Columbia) | | | | 24. Award Date | | | | |
| Government of the District of Columbia | | | Office of the Chief Financial Officer | | | | | | | | |

SECTION B

PROCUREMENT TYPE AND PRICING

B.1 INTRODUCTION

B.1.1 The District of Columbia Office of the Chief Financial Officer, Office of Contracts on behalf of the Office of Economic Development Finance (the “District”) seeks to prequalify vendors for future procurements to provide real estate advisory services.

B.2 PROCUREMENT TYPE: REQUEST FOR QUALIFICATION (RFQ)

B.2.1 The District intends to prequalify multiple vendors for future procurements, which will be solicited through the District’s small purchase, Invitation for Bid, or Request for Proposal process, by the District for services related to the general statement of work in this RFQ. Such future procurements may result in a subsequent contract or agreement.

B.2.2 Participation in future procurements related to the general statement of work set forth in Section C of this RFQ will be limited to vendors who have been prequalified.

B.2.3 This RFQ is not a contract or agreement and the District is not committed to purchase any quantity of services as a result of this RFQ. The District will only be obligated to the extent authorized in any subsequent contract or agreement for specific services with a prequalified vendor.

B.2.4 Performance of services shall be made only as authorized by a subsequent contract or agreement. There is no limit on the number of subsequent contracts or agreements that may result from this RFQ.

B.2.5 The RFQ shall not be construed as a representation that the contractor is guaranteed any quantity of service as a result of this RFQ.

B.3 PRICING

This RFQ excludes price/cost information. All pricing quoted, bid, or offered by a vendor in future competitive procurements pursuant to this RFQ should be firm, fixed, and all-inclusive (i.e. travel, supplies, material, etc.), unless otherwise stated in the respective solicitation.

SECTION C

GENERAL STATEMENT OF WORK

C.1 PURPOSE

C.1.1 The District of Columbia Office of the Chief Financial Officer, Office of Contracts on behalf of the Office of Economic Development Finance (the “District”) seeks to prequalify vendors for future procurements to provide real estate advisory services.

C.1.2 The District anticipates a future need for real estate advisory services for the following categories of real estate analysis:

| Category | Real Estate Development Advisory Service |
|-----------------|--|
| 1. | Construction Cost and Schedule Analysis |
| 2. | Real Estate Financial/Economic Impact Analysis |
| 3. | Alternative Financing and Ownership Structuring Analysis |
| 4. | Real Estate Valuation and Market Studies |

C.2 BACKGROUND

The Office of Economic Development Finance (EDF) within the OCFO reviews tax increment financing (TIF) applications and many other aspects of real estate development projects in which District funds are involved. From time to time, it is necessary to obtain independent evaluations of construction projects, plans, or concepts, and their associated costs or projected revenues or public benefits. The OCFO seeks to establish a contractual relationship with a number of qualified firms to perform various real estate advisory services as described in Section III below.

EDF typically works in collaboration with District agencies to evaluate the financial, economic, and fiscal impacts of proposed economic development projects. Furthering the OCFO’s objective of maintaining the District’s strong financial position, EDF also works to structure District projects to minimize financial risk to the District, and advises the Mayor and Council on proposed development subsidies in order to promote effective use of taxpayer funds. In addition to TIF projects, EDF has supported implementation of a range of District initiatives in affordable housing production and preservation, sustainability, and infrastructure upgrades.

C.3 REQUIREMENTS

C.3.1 Construction Cost Analysis and Verification (Category 1)

C.3.1.1 The Contractor shall analyze proposed or planned real estate development projects and provide construction cost analysis to help validate project costs and timelines. Tasks under this category shall include, but are not limited to, validation or development of:

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- a) Construction cost estimates,
- b) Inspection of project construction sites, invoices, and other relevant documents to verify that expenses are eligible for TIF reimbursement,
- c) Environmental remediation cost estimates,
- d) Cost allocation methodology,
- e) Construction schedule, and
- f) Recommendations to achieve given OCFO goals (such as cost reduction or accelerated completion).

C.3.1.2 Further, the Contractor shall meet with District personnel and other third-party participants, as necessary to obtain supporting information.

C.3.2 Real Estate Financial/Economic Impact Analysis (Category 2)

C.3.2.1 The Contractor shall analyze the costs and benefits of District sponsorship of a particular project, the associated project revenues and expenses, financial need for District sponsorship, as well as tax revenues to the District as a basis for determining supportable debt. Tasks under this category shall include, but are not limited to, validation or development of:

- a) Pro forma operating statements showing revenues and expenses,
- b) Calculations of the internal rate of return to equity and other metrics,
- c) Projected incremental sales, property, income, franchise, parking, or other tax imposed by the District, sensitivity and break-even analyses,
- d) Alternative funding sources and impacts to real estate (for example, federal and local tax credits, housing production trust fund, Opportunity Zone investments, and bonus density), and
- e) Recommendations to achieve given OCFO goals (such as maximizing tax revenues).

C.3.2.2 Further, the Contractor shall meet with District personnel and other third-party participants, as necessary to obtain supporting information.

C.3.3 Alternative Finance and Ownership Structuring Analysis (Category 3)

C.3.3.1 The Contractor shall analyze alternative ownership structures. The tasks under this category shall include, but are not limited to, validation or development of:

- a) Public private partnership alternatives, including design, build, finance, operate, and maintain (DBFOM) project delivery structures; leaseback arrangements; development under master ground leases, Federal tax credit programs, and other alternative financing arrangements for real estate and infrastructure projects,
- b) Special Assessment design/evaluation for a particular area, revenue projections, and administration of an established Special Assessment,
- c) Full lifecycle cost estimates of alternative structures,
- d) Risks and benefits analysis of alternative structures,
- e) Common terms and agreements used in alternative structures, and

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- f) Recommendations to achieve given OCFO goals (such as minimizing debt impact or lifecycle costs).

C.3.3.2 Further, the Contractor shall meet with District personnel and other third-party participants, as necessary to obtain supporting information.

C.3.4 Real Estate Valuation and Market Studies (Category 4)

C.3.4.1 The Contractor shall properly evaluate potential in a given property to determine the value of the relevant real estate. The tasks under this category shall include, but are not limited to:

- a) Actual and projected real estate valuation (including any potential encumbrances on a property),
- b) Development rights valuation (including air or underground rights),
- c) Property appraisals,
- d) Design and/or execution of demand studies, for example, to determine highest and best use or evaluate market conditions for a pioneering development product (such as a hotel in a neighborhood without other hotels),
- e) Analyzing the District market, as well as submarket neighborhoods.
- f) Identifying and assessing the financial metrics used by equity and debt financing institutions when evaluating projects, specific to that project's type and location.

C.3.4.2 Further, the Contractor shall meet with District personnel and other third-party participants, as necessary to obtain supporting information.

C.3.5 Non-Disclosure Agreement

- A. The Contractor shall maintain as confidential and shall not disclose to third parties without the District's prior written consent, any District information including, but not limited to, the District's business practices, proprietary third-party data provided to the District and the Contractor, systems, conditions, products, services, public information and education plans and related materials, and game and marketing plans.
- B. The Contractor shall at all times obtain the prior written approval from the Contracting Officer before it, any of its officers, agents, employees or subcontractors, either during or after expiration or termination of the contract, make any statement, or issue any material, for publication through any medium of communication, bearing on the work performed or data collected under this contract.
- C. No information regarding the Contractor's performance of the contract shall be disclosed by the Contractor to anyone other than District Government officials unless written approval is obtained in advance from the Contracting Officer.
- D. The District will ensure that its personnel do not disclose to any non-District person or organization information concerning the process the Contractor uses to provide services under the awarded contract.

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C.3.6 Conflict of Interest

- C.3.6.1 Conflict of Interest: A conflict of interest or the appearance of a conflict of interest may occur if the Contractor is directly or indirectly involved with the subject of the real estate advisory services. The Contractor shall not have any professional, personal, or other interest, including but not limited to, the representation of other clients, that would conflict with his or her obligations under the contract.
- C.3.6.2 For the District to evaluate any potential conflict of interest that may exist or may be perceived to exist, the Contractor shall disclose its affiliation(s) and/or relationship(s), ended within the past 12 months or ongoing, with the subject of the real estate advisory services, prior to and/or during performance of any work pursuant to the specifications in the Contract. When disclosing the Contractor, include a proposed mitigation of a potential conflict, such as separation of personnel.
- C.3.6.3 If, in the reasonable judgement of the Contracting Officer, a known conflict substantially impacts the fair and equitable performance of the contract, the contract may be deemed voidable or terminated, depending on the circumstances surrounding the conflict.

SECTION D

PACKAGING AND MARKING

INTENTIONALLY OMITTED

SECTION E

INSPECTION, ACCEPTANCE AND WARRANTY OF SERVICES

INTENTIONALLY OMITTED

SECTION F

TERM AND DELIVERABLES

INTENTIONALLY OMITTED

SECTION G

ADMINISTRATION DATA

G.1 ADMINISTRATION

Contracting Officer

The Contracting Officer (or “CO”) for this RFQ is:

Drakus Wiggins, CPPB, CPPO
Contracting Officer
Office of the Chief Financial Officer
1100 4th Street, SW, Suite E620
Washington, DC 20024
Telephone: (202) 442-7121
Fax: (202) 442-6454
E-mail address: drakus.wiggins@dc.gov

The Contracting Officer is the ONLY official authorized to legally bind the District or make changes to the terms and conditions of this RFQ. Only the Contracting Officer can extend or terminate this RFQ. All other changes are unauthorized.

G.2 INVOICING AND PAYMENT PROVISIONS

The vendor shall comply with the invoicing and payment provisions as required in any subsequent contract or purchase order.

SECTION H

SPECIAL REQUIREMENTS

INTENTIONALLY OMITTED

SECTION I

AGREEMENT CLAUSES

INTENTIONALLY OMITTED

SECTION J
ATTACHMENTS

The following attachments are hereby incorporated.

| Attachment Number | Document |
|--------------------------|----------------------------------|
| J.1 | Past Performance Evaluation Form |
| J.2 | Doing Business with The District |

SECTION K
REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS

INTENTIONALLY OMITTED

SECTION L

INSTRUCTIONS, CONDITIONS AND NOTICES

L.1 SOLICITATION CONDITIONS

- L.1.1 (a) The District reserves the right to accept/reject any/all statements of qualifications (SOQs) resulting from this solicitation.
- (b) The District may reject as non-responsive any SOQ that fails to conform in any material respect to this solicitation.
- (c) The Contracting Officer may reject all SOQs or waive any minor informality or irregularity in SOQs received whenever it is determined that such action is in the best interest of the District.
- L.1.2 (a) **THIS SOLICITATION EXCLUDES THE REQUIREMENT FOR PRICE/COST INFORMATION. THE OFFEROR MUST NOT INCLUDE PRICING INFORMATION IN ITS SOQ.**
- (b) All SOQ documents will be retained by the District, and therefore will not be returned to the offeror.
- (c) Offerors are expected to examine the Requirements and all instructions and attachments in this Solicitation. Failure to do so shall be at the sole risk of the Offeror.
- (d) The District shall not be liable for any costs incurred any Offeror associated with the preparation of a SOQ submitted in response to this Solicitation.

L.2 EXPLANATION TO PROSPECTIVE OFFERORS

- L.2.1 If a prospective offeror has any questions, exceptions/alternatives it wishes to present to the District, or assumptions (referred to collectively herein as “inquiries”) relative to this solicitation, the prospective offeror shall email inquiries to the point of contact on Page 1 of this solicitation no later **April 10, 2023, by 2:00 p.m. EST**. The District may not consider any inquiries received after the date specified. An amendment to the solicitation will be posted online on the Solicitation Gateway at <https://bit.ly/2GXc2r5> if that information is necessary in responding to the solicitation, or if the lack of its dissemination would be prejudicial to other prospective offerors. Oral explanations or instructions given before the award of the contract will not be binding on the District.
- L.2.2 Upon the release of this Solicitation and during the selection process, there shall be no communication concerning this Solicitation between any prospective Offeror and/or its representatives, and employees of the Government of the District of Columbia, consultants or advisors to the Government of the District of Columbia; and elected or appointed officials of the Government of the District of Columbia or their staff, except as provided for in this Solicitation.

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Any violation of this provision by any prospective Offeror and/or its representatives may be grounds for immediate disqualification.

L.3 PREPARATION AND SUBMISSION OF SOQS

L.3.2 The Offeror shall submit its SOQ in one (1) part: a technical SOQ. See Section L.12 for delivery details.

L.3.3 TECHNICAL SOQ

L.3.3.1 Offerors shall clearly identify the category(ies) of Real Estate Advisory Services that the Offeror is interested in providing as a result of this Solicitation. Offerors may identify multiple categories.

| Category | Real Estate Development Advisory Service |
|-----------------|--|
| 1. | Construction Cost and Schedule Analysis |
| 2. | Real Estate Financial/Economic Impact Analysis |
| 3. | Alternative Financing and Ownership Structuring Analysis |
| 4. | Real Estate Valuation and Market Studies |

- 1) Offerors are directed to the specific SOQ evaluation criteria found in Section M, Evaluation of this solicitation. The Offeror shall respond to the requested information of the technical evaluation criteria in a way that will allow the District to evaluate the offeror’s response against the criteria. The Offeror shall submit information in a clear, concise, factual and logical manner providing a comprehensive description of program supplies and services and delivery thereof. The information requested for the technical SOQ shall facilitate evaluation for all SOQs. The technical SOQ must contain sufficient clear and concise detail.
- 2) Representations, Certifications and Acknowledgements: The Offeror shall submit the following forms and information:
 - a) Solicitation, Offer and Award form (cover page) of this solicitation; and
 - b) Acknowledgement of Amendments – signed cover page of any amendments to this solicitation, if any.

L.4 SIGNING SOQS AND CERTIFICATIONS

Each SOQ must show a full business address and telephone number and email address of the offeror and be **SIGNED BY A PERSON OR PERSONS LEGALLY AUTHORIZED TO BIND THE ENTITY TO THE TERMS AND CONDITIONS OF A CONTRACT OR AGREEMENT**. All correspondence concerning the SOQ or resulting agreement will be in writing addressed to as shown on the Signed Solicitation, Offer and Award form (page 1 of this solicitation) in the absence of written instructions from the proposer or contractor to the contrary. Any SOQ submitted by a partnership must be signed with the partnership name by a

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general partner with authority to bind the partnership. Any SOQ submitted by a corporation must be signed with the name of the corporation, followed by the signature and title of the person having authority to sign for the corporation. Upon request, an offeror shall provide to the District satisfactory evidence of authority of the person signing on behalf of the corporation. If an agent signs a SOQ, the offeror shall submit to the Contracting Officer evidence satisfactory to the Contracting Officer of the agent's authority to bind the offeror. The offeror shall complete and sign all Representations, Certifications and Acknowledgements in this solicitation. Failure to do so may result in a SOQ being rejected.

L.5 ERRORS IN SOQS

Offerors shall thoroughly familiarize themselves with the terms and conditions of this Solicitation, acquainting themselves with all available information regarding difficulties that may be encountered and the conditions under which the work is to be accomplished. Offerors will not be relieved from assuming all responsibility for properly estimating the difficulties and the cost of performing the services required herein due to their failure to investigate the conditions or to become acquainted with all information, schedules and liability concerning the services to be performed.

L.6 SOQS FOR ALL OR PART

Unless otherwise specified in the solicitation, the Contracting Officer may make award either on all items/categories or on any of the items/categories according to the best interests of the District. Unless prohibited by the solicitation, an offer may specify that the offeror will accept award based on all of the items/categories required.

L.7 WITHDRAWAL OR MODIFICATION OF SOQS

An offeror may modify or withdraw its SOQ in writing if received in the location designated in the solicitation for submission of SOQs, but not later than the exact time set for the SOQ due date. Modifications to SOQs must be prepared and submitted in accordance with the instructions in this Section L. Requests for withdrawals may be made upon written notice via mail, facsimile transmission or email to the point of contact.

L.8 LATE SOQS, LATE MODIFICATIONS, AND LATE WITHDRAWALS

L.8.1 Any SOQ or modification to any SOQ received at the location designated in the solicitation after the time and date set for receipt of SOQs shall be considered "late" unless it was received prior to the prequalification determination and any of the following applies:

- (a) It was sent by registered or certified mail not later than five (5) calendar days before the date and time specified for receipt of SOQs;
- (b) It was sent by mail and the contracting officer determines that the late receipt was due solely to mishandling by the District after receipt at the location specified in the solicitation;

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(c) Section L.12 requires electronic delivery and it was sent electronically by the offeror prior to the time and date specified and there is objective evidence in electronic form confirming that the offer was received prior to the date and time specified for receipt; or

(d) It was the only SOQ received.

L.8.2 Any request for withdrawal or request for modification of an SOQ received after the time and date set for receipt of SOQs is late.

L.8.3 A SOQ, late request for modification, or late request for withdrawal shall not be considered, except as provided in this section.

L.8.4 A late modification of a successful SOQ which makes its terms more favorable to the District shall be considered at any time it is received and may be accepted.

L.8.5 A late SOQ, late modification, or late withdrawal that is not considered shall be held unopened, unless opened for identification, until after prequalification and then retained with unsuccessful SOQs.

L.8.6 If any information received electronically is unreadable, the contracting officer immediately shall notify the offeror and permit the offeror to resubmit the unreadable portion of the information. The method and time for resubmission shall be prescribed by the contracting officer after consultation with the offeror and documented in the contract file. The resubmission shall be considered as if it were received at the date and time of the original unreadable submission for the purpose of determining timeliness, provided the offeror complies with the time and format requirements for resubmission prescribed by the contracting officer.

L.9 QUALIFIED NOTICE

The District will send to all responsive Offerors a written determination of qualification electronically. The determination will indicate the items/categories qualified, if any.

L.10 ACKNOWLEDGEMENT OF AMENDMENTS

The Offeror shall acknowledge receipt of any amendments to this solicitation by identifying the amendment number and date in the space for amendment(s) on the Solicitation, Offer and Award Form, page 1 of the solicitation. The District must receive the acknowledgement by the date and time specified for receipt of SOQs. Offerors' failure to acknowledge an amendment may result in rejection of SOQ.

L.11 ACCEPTANCE PERIOD

The offerors agrees that its SOQ remains valid for a period specified in Box #12 of the Solicitation, Offer and Award Form (page 1 of this solicitation).

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L.12 GATEWAY UPLOAD OF PROPOSALS

- L.12.1 The Offeror shall submit its SOQ in Zip folders or individual files uploaded to the Gateway portal in parts as:
1. the Technical SOQ Zip folder or file with content per Section L.3.3, and
 2. a Redacted SOQ Copy Zip folder or file pursuant to Section L.12.6.
- L.12.2 The Offeror shall not include pricing information in its technical SOQ.
- L.12.3 All documents should be in a .pdf file. The District will not be responsible for corruption of any file submitted. All Zip folders or files should be conspicuously named with the company name, solicitation number, and content description. See the format below:
“ABCCo.CFOPD-20-RFQ-000 Technical SOQ”
“ABCCo.CFOPD-20-RFQ-000 Redacted SOQ”
- L.12.4 To upload to the Gateway portal:
1. Login,
 2. Click “View” on the Public Solicitation
 3. Click “Register as a Respondent”
 4. Click “Solicitations” tab, “My Solicitations”
 5. Click “View” on the solicitation
 6. Under the Response Status section, complete “Indicate your organization's response status”, then click “Submit”
 7. Upload solicitation response in the My File section – **Note: Uploads cannot be deleted or replaced, and each file size should not be larger than 1GB.**
- L.12.5 If you do not already have a Gateway Login Account, complete a Vendor Registration Form and W-9 form at <https://dc.cobblestonesystems.com/gateway/> in the Document Library tab and send it to OCFOvendorhelp@dc.gov to receive credentials within two (2) business days to Login to the Gateway. **The response due date will not be changed while an offeror receives Gateway Login credentials.**
- L.12.6 Redacted SOQ Copy: In addition to other SOQ submission requirements, the offeror must submit a copy of its SOQ, redacted in accordance with any applicable exemptions from disclosure in D.C. Official Code §2-534, in order for the District to comply with §2-536(b) that requires the District to make available electronically copies of records that must be made public. The District’s policy is to release documents relating to District solicitations following awards, subject to applicable Freedom of Information Act (FOIA) exemption under §2-534(a)(1).

L.13 PROCUREMENT PROTESTS

Any actual or prospective Offeror or contractor, who is aggrieved in connection with the solicitation or award of a contract, must file a protest with the Contract Appeals Board at <http://cab.dc.gov> no later than 10 business days after the basis of protest is known or should have been known, whichever is earlier. A protest based on alleged improprieties in a

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solicitation which are apparent prior to SOQ opening or the time set for receipt of initial SOQs shall be filed with the Board prior to SOQ opening or the time set for receipt of initial SOQs. In procurements in which SOQs are requested, alleged improprieties which do not exist in the initial solicitation, but which are subsequently incorporated into this solicitation, must be protested no later than the next closing time for receipt of SOQs following the incorporation.

L.14 STANDARDS OF RESPONSIBILITY

The prospective contractor must demonstrate to the satisfaction of the District the capability in all respects to perform fully the contract requirements, therefore, the prospective contractor must submit the documentation listed below, within five (5) days of the request by the District.

L.14.1 To be determined responsible, a prospective contractor must demonstrate that it:

- (a) Has adequate financial resources, or the ability to obtain such resources, required to perform the contract;
- (b) Is able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and governmental business commitments;
- (c) Has a satisfactory performance record;
- (d) Has a satisfactory record of integrity and business ethics;
- (e) Has a satisfactory record of compliance with the applicable District licensing and tax laws and regulations;
- (f) Has a satisfactory record of compliance with labor and civil rights laws and rules, and the First Source Employment Agreement Act of 1984, as amended, D.C. Official Code §2-219.01 et seq.;
- (g) Has, or has the ability to obtain, the necessary organization, experience, accounting, and operational control, and technical skills;
- (h) Has, or has the ability to obtain, the necessary production, construction, technical equipment, and facilities;
- (i) Has not exhibited a pattern of overcharging the District;
- (j) Does not have an outstanding debt with the District or the federal government in a delinquent status; and
- (k) Is otherwise qualified and is eligible to receive an award under applicable laws and regulations.

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L.15 PROPRIETARY OR CONFIDENTIAL INFORMATION IN SOQS

L.15.1 Each Offeror shall designate information contained in a response to the request for SOQs as proprietary or confidential by specifically identifying that information in writing in the bid or SOQ in accordance with §417 of the Procurement Practices Reform Act of 2010, D.C. Mun. Regs. tit. 27 §3111 and the Freedom of Information Act (D.C. Code §2-531 et. seq.). Information which has been designated as confidential or proprietary by an Offeror, and which has been submitted by that Offeror as a part of its response to an invitation for bids, a request for SOQs, or competitive sealed SOQs, is to be treated by the contracting officer, an employee of that office, or any other employee of the District in a confidential manner, and is to be disclosed only to District employees for use in the procurement process and is not to be disclosed to other persons or parties without the prior written consent of that Offeror.

L.15.2 If the contracting officer does not agree that evidence presented by the Offeror supports the confidential or proprietary designation of the information identified by the contracting officer, the contracting officer shall do one (1) of the following, in accordance with D.C. Mun. Regs. tit. 27 §3111:

(a) Declare the SOQ unacceptable and eliminate the SOQ from consideration; or

(b) If the contracting officer determines that it would be in the best interests of the District to consider the SOQ, the contracting officer may remove the confidential or proprietary designation and consider the SOQ.

L.15.3 If, after inspection of a bid or SOQ, the Contracting Officer or other District official determines that all or any part of the information designated as confidential or proprietary may be subject to disclosure under the D.C. Freedom of Information Act, §2-531 et seq., the contracting officer shall notify the Offeror of that determination and allow the Offeror/ contractor ten (10) days to respond.

SECTION M
EVALUATION

M.1 EVALUATION FOR QUALIFICATION

- M.1.1 The District intends, but is not obligated, to prequalify multiple contractors resulting from this request for qualifications to responsive offerors, based upon the Contracting Officer’s determination that qualifying is in the best interest of the District, considering the offeror’s qualifications, its capacity of providing services, including financial and professional responsibility. Thus, while the points in the evaluation criteria indicate their relative importance, the total scores will not necessarily be determinative of the qualification. Rather, the total scores will guide the District in making an intelligent decision based upon the evaluation criteria that consists of a combination of experience, qualifications and ability to meet the needs of the District.
- M.1.2 The District reserves the right to request oral presentations from those vendors and must use the information derived from these oral presentations, if any, in its evaluation.
- M.1.3 The District may qualify vendors on the basis of initial offers received, without further discussion. Therefore, each initial offer must contain the Contractor’s best terms from a standpoint of technical standards and other factors. The District may reject any or all SOQs if such action is in the District’s interest.
- M.1.4 The District will evaluate each SOQ to be prequalified for the Offeror’s selected category(ies) of Real Estate Advisory Services.

M.2 TECHNICAL RATING

- M.2.1 The technical rating scale and guidelines for each evaluation factor identified in the solicitation is as follows:

| Rating | Score as a Percentage of Total Available Points for Criteria | Guidelines |
|---------------|---|---|
| Excellent | 90-100% | The response to the criteria is complete and well defined, providing relevant supporting details and examples. The response to this criteria indicates a high prospect for outstanding performance on the resulting contract. The expectations for this criteria are clearly met or exceeded. |
| Good | 70-89% | The response to the criteria is generally complete and well defined, providing reasonably well-developed responses with a good amount of relevant supporting details and examples. The response to this criteria indicates a moderate to high |

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| | | |
|------|--------------|---|
| | | prospect for good performance on the resulting contract. Most of the expectations are met for this criteria. |
| Fair | 50-69% | The response to the criteria is fairly complete but lacking some definition or clarity. The response is not well developed to address the criteria and provides limited supporting details and examples. The response to this criteria indicates a prospect of achieving satisfactory performance on the resulting contract, but there may also be some risk. Few of the expectations are demonstrated to be met for this criteria. |
| Poor | 49% or below | The response to the criteria is not complete or provides minimal information, lacking sufficient details and examples. The response to this criteria indicates a moderate to high risk of not achieving satisfactory performance on the resulting contract. Does not demonstrate ability to meet expectations for this criteria. |

M.2.2 The technical rating is a guideline that will be applied to the point value for each evaluation factor or sub-factor to determine the offeror’s score for each factor. For example, if an evaluation factor has a maximum point value of 40, using the technical rating guidelines above, if the District evaluates the offeror’s response as “Good,” then the score for that evaluation factor would fall between 28 to 35. The offeror’s total technical score will be determined by adding the offeror’s score in each evaluation factor.

M.3 EVALUATION CRITERIA

SOQs will be evaluated based on the following evaluation factors for each category of real estate advisory services the Offeror has selected.

M.3.1 TECHNICAL CRITERIA (100 Points Maximum)

The technical evaluation will be subjective. The technical SOQs will be scored up to the maximum possible points based on the quality of the response to the solicitation. The technical SOQ will be evaluated based on the following subfactors:

M.3.1.1 Offeror and Staff Technical Expertise (60 Points Maximum)

1. Provide a brief history and organizational structure of the Offeror’s firm.
2. Provide responses to the following for each category of real estate advisor for which the Offeror would like to be considered:

I. Construction Cost and Schedule Analysis (Category 1)

Describe the qualification and experience of the Offeror in Construction Cost Analysis. Responsive proposals must also include the specific academic credentials (type of degree and year earned, name of institution, and/or professional certifications) and experience of the staff who would perform work under this category. The description should include, but not be limited to:

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- a. Experience in cost estimation of commercial and residential real estate development projects.
- b. Experience in inspection of construction sites, invoices, and other relevant documents to verify expenditures meet funding criteria.
- c. Experience in estimating environmental remediation costs,
- d. Experience in allocating costs to different portions or phases of a project.
- e. Experience in estimating or validating construction schedules and identifying critical events that might alter a schedule.
- f. Experience in proposing value-added creative solutions related to construction to improve projects, reduce costs, accelerate the schedule, or achieve other goals.
- g. Access to and experience with relevant data sources (examples include current material and labor costs, inflation estimates, location cost adjustments).

II. Real Estate Financial/Economic Impact Analysis (Category 2)

Describe the qualification and experience of the Offeror in Real Estate Financial and Economic Impact Analysis. Responsive proposals must also include the specific academic credentials (type of degree and year earned, name of institution, and/or professional certification) and experience of the staff who would perform work under this category. The description should include, but not be limited to:

- a. Experience in creating pro-forma revenue and expense statements for commercial and residential projects, large mixed-use projects, developments under Master ground leases, and unique single purpose properties such as convention and sports centers and museums.
- b. Experience in calculating the internal rate of return, or other project metrics, to equity investors.
- c. Experience in estimating tax revenues that would result from development projects, including property, sales, income, parking, and other taxes, including sensitivity and break-even analyses.
- d. Experience with alternative funding sources (including but not limited to federal and local tax credits, housing production trust fund, Opportunity Zone investments, and bonus density).
- e. Access to and experience with relevant data sources (examples include current rents, tenant concessions, expenses, vacancy rates, cap rates, and current lending terms for construction and permanent financing).

III. Alternative Financing and Ownership Structuring Analysis (Category 3)

Describe the qualification and experience of the Offeror in Alternative Finance and Ownership Structuring Analysis. Responsive proposals must also include the specific academic credentials (type of degree and year earned, name of institution, and/or professional certifications) and experience of the staff who would perform work under this category. The description should include, but not be limited to:

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- a. Experience providing advice and innovative solutions for alternative financing structures such as, but not limited to, public-private partnerships (including DBFOM, leaseback arrangements, master ground leases, Federal tax credits programs, and other alternative financing arrangements), especially in the area of public buildings, transportation, or infrastructure,
- b. Experience in designing, evaluating and administering special assessments,
- c. Experience in full lifecycle cost of alternative structures,
- d. Identification of risks and benefits analysis of alternative structures,
- e. Experience in contract terms and agreements used in alternative structures.

IV. Real Estate Valuation and Market Studies (Category 4)

Describe the qualification and experience of the Offeror in Real Estate Valuation. Responsive proposals must also include the specific academic credentials (type of degree and year earned, name of institution, and/or professional certifications) and experience of the staff who would perform work under this category. The description should include, but not be limited to:

- a. Estimating value for buildings in their current, future, or redeveloped state (including any potential encumbrances)
- b. Experience valuing development rights (including air or underground rights)
- c. Appraisals for land and buildings.
- d. Experience designing demand studies specific to unique project types or locations, such as a highest and best use study for a pioneering development.
- e. Experience in the District and neighborhood submarkets.
- f. Knowledge of financial metrics used by equity and debt financing institutions in evaluating project valuations.
- g. Access to and experience with relevant data sources (examples include current rents, tenant concessions, expenses, vacancy rates, and cap rates).

M.3.1.2 Offeror's Past Performance (20 Points Maximum)

- a. Describe the Offeror's general experience in real estate advisory services.
- b. The Offeror shall provide a reference list of contracts or subcontracts the Offeror has satisfactorily performed within the past five (5) years that are similar in size and scope as the required services described in Section C. The Offeror's list shall include the following information for each contract or subcontract:
 - i. Contract Title
 - ii. Contract number
 - iii. Contract duration (or Period)
 - iv. Total contract value
 - v. Description of work performed that relates to the service category(ies) the Offeror has selected

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- Type of real estate
 - Size
 - Location
- vi. Contact Person name, phone, and e-mail address

The District may contact listed references.

- c. Provide client completed Attachment J.1, Past Performance Evaluation Forms, for each category of services the Offeror has selected, from the list of references identified in response to Item (b) above. Nonetheless, the Offeror should provide at least three (3) total forms.

M.3.1.3 Offeror's Financial Stability (20 Points Maximum)

The Offeror shall provide its Dun & Bradstreet (D&B) D-U-N-S Number, recent financial statement prepared in accordance with Generally Accepted Auditing Standards (GAAS) by a certified public accountant, or a copy of the Offeror's most recently submitted IRS tax filing.