

Grand Traverse Band of Ottawa and Chippewa Indians

Kchi-noodin Kaamdaakiing Residential Development

**Notice of Amendment to
Request for Proposals**

Date: April 1, 2019
Proposals due by: July 31, 2019 12:00 p.m.

To: Offerors and Prospective Offerors
Subject: Notice of Amendment Request for Proposals

Offerors and Prospective Offerors on the above Request for Proposals are notified that the time to receive proposals is extended to 12:00 p.m. on **July 31, 2019**. No other amendments are made.

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS

Kchi-noodin Kaamdaaking Residential Development

REQUEST FOR PROPOSALS

~~March 8, 2019~~ See amendment

Contact:

**Sonya Zotigh, Tribal Manager
2605 N. West Bay Shore Drive
Peshawbestown, MI 49682-9275**

Grand Traverse Band of Ottawa and Chippewa Indians

Kchi-noodin Kaamdaakiing Residential Development

Request for Proposals

SUMMARY

Date: March 8, 2019
Proposals due by: March 22, 2019 12:00 p.m.

To: Prospective Offerors
Subject: Request for Proposals

The Grand Traverse Band of Ottawa and Chippewa Indians (“GTB”) solicits a firm to seek an award of Low-Income Housing Tax Credits (“LIHTC”) to the Michigan State Housing Development Authority (“MSHDA”) in April of 2019. GTB is inviting *architect / engineering / development firms with experience in planning, preliminary design, and construction project management to submit sealed proposals for architectural / engineering services relating to the Low-Income Housing Tax Credit Project* to join in the following project: **Kchi-noodin Kaamdaakiing Residential Development (“the Project”)**. The purpose of the Project is the development, financing, construction, and management of a 72.51-acre parcel of GTB land, held in trust by the federal government, for residential use by tribal members. Preliminary parcel designs indicate 173 residential units in a combination of single-family lots, cottages, townhomes, and apartments. Some or all units are intended to be designated so as to be eligible for low-income housing tax credits. Other uses of the parcel will include administrative and maintenance spaces, a community center, a gymnasium, a daycare facility, and a pavilion. Project roads and infrastructure are in place and not subject to revision. As described in more detail in Section 9 below, the services shall include the following major tasks, which will take place in two phases, with the second phase contingent upon a LIHTC award from MSHDA for the Project.

Phase One:

1. Preliminary Design as required by the MSHDA for the submission of an application for LIHTCs, to include existing designs provided by GTB.
2. Preliminary Environmental Reviews / Reports / Certifications as required
3. Preparation and submission of application for LIHTCs to MSHDA

Phase Two:

1. Construction Management
2. Bidding and awarding for construction services
3. Onsite construction project inspections

Proposals submitted in response to this Request for Proposals will be received at the address on the cover sheet until 12:00 p.m. Eastern Standard Time on March 22, 2019.

INSTRUCTIONS TO OFFERORS

1. Format, Timing, and Submission of Proposals

Firms or individuals wishing to be considered in the selection process must submit 1 original and 4 copies of their complete proposal sealed in an appropriate envelope no later than 12:00 p.m. Eastern Standard Time on March 22, 2019, with the front of the package plainly marked as follows:

Sonya Zotigh, Tribal Manager
2605 N. West Bay Shore Drive
Peshawbestown, MI 49682

Proposal Name: _____
Submission Date: _____
Firm Name: _____

The package shall include a cover letter written on the official letterhead of the firm or individual submitting the proposal, and the letter shall be signed by a person authorized to submit the proposal. The letter shall further include the name of the firm or individual, business address, telephone number, the name of the person authorized to submit and sign the proposal, and his or her title, telephone number, and email address.

All proposals received up to the designated time will be considered in the selection process. GTB reserves the right to accept or reject any or all proposals and to waive informalities or irregularities in the selection process.

All proposals shall be written in the English language and shall contain concise written language. A proposal may contain illustrations. Legibility, clarity, and completeness are essential. All submissions must include the following tabbed headings:

- Proposal cover letter
- Ownership interest
- Description of firm / team experience providing relevant services
- Discounts or cost savings for materials that may be available
- Previous experience responding to work requests for GTB, other Indian tribes, or non-tribal rural communities
- Previous experience (if any) with projects involving NAHASDA
- Previous experience (if any) with projects involving LIHTC
- Indian Preference Eligibility, if applicable
- Non-Collusion Affidavit
- References
- Compensation, hourly rates, and billing schedules

Proposals will not be accepted via fax or e-mail.

2. Costs of Preparing and Submitting a Proposal

GTB will not be liable for any costs incurred by the offerors in replying to this Request for Proposals (“RFP”). GTB is not liable for the cost of any work or services performed by a selected firm or individual prior to the execution of a formal written contract for such work or services.

3. Ownership Interest

The offeror shall include the following ownership information in its proposal: the name of each person having an ownership interest in the offeror; the identity of each person having an ownership interest in the offeror who is, or who within one year prior to the date of submission of the proposal has been, a commissioner, officer, or employee of GTB or a member of its governing body or any other public official who exercise or who may reasonably be expected to exercise any responsibilities or functions with regard to the development covered by this RFP; and the identity of each person having an ownership interest in the offeror who has been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the United States Department of Housing and Urban Development, GTB, any other Indian tribe, or any state or federal agency. If none of the persons having an ownership interest in the offeror has been suspended, debarred, or otherwise determined to be ineligible for an award of contracts as described above, the proposal must expressly certify that this is the case by including the following statement in the ownership interest section: ***“None of the persons having an ownership interest in the offeror have been suspended, debarred, or otherwise determined to be ineligible for award of contracts by the U.S. Department of Housing and Urban Development, GTB, any other Indian tribe, or any state or federal agency.”***

4. Applicable Law

This Request for Proposals and all contracts and subcontracts for the Project will be subject to the applicable governing law, which includes, but is not limited to:

- 4.1 The laws, policies, and regulations of the Grand Traverse Band of Ottawa and Chippewa Indians;
- 4.2 Any applicable provisions of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) and the regulations promulgated pursuant thereto;
- 4.3 The Indian Preferences provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. § 450e(b)), which provides that, to the greatest extent feasible, (1) preference and opportunities for training and employment may be given to enrolled members of federally-recognized Indian tribes; and (2) preference in the award of contracts and subcontracts may be given to Indian organizations and Indian-owned economic enterprises;

4.4 The applicable provisions of the United States Internal Revenue Code and the laws of the State of Michigan regarding the application for and allocation of Low-Income Housing Tax Credits; and

4.5 Such other federal laws as may be applicable.

5. Confidentiality

To the extent permitted under applicable law, all proposals will be kept confidential. In the event that any offeror believes that any information submitted with its proposal is confidential, classified, proprietary, or privileged, such information must be explicitly identified and marked. The reason for such designation must also be stated.

6. Requests for Information

Questions related to this Request for Proposals may be directed to and existing plans received from **Sonya Zotigh, Tribal Manager**, at the GTB Administrative Office, 2605 N. West Bay Shore Drive, Peshawbestown, MI 49682, by phone at (231) 534-7136, or by email at Sonya.Zotigh@gtbindians.com.

Requests for further information or questions regarding this RFP should be addressed only to Ms. Zotigh. **Unauthorized contact regarding this RFP with any other GTB employee, agent, or official may result in disqualification.** Any oral communication is considered unofficial and non-binding; offerors may only rely on written addenda issued to all participants by Sonya Zotigh.

7. Responsibility of Offerors

It is the responsibility of each offeror before submitting a proposal to:

7.1 Examine and carefully study all documents in this RFP and other documents related to the Project. The documents described in the preceding sentence re collectively referred to in this RFP as “the RFP Documents.”

7.1 Visit or otherwise become familiar with the site and with the general, local, and site conditions that may affect cost, progress, and/or performance of any work on the Project.

7.3 Become familiar with all applicable laws and regulations that may affect cost, and have proposed costs reflect the impact of such laws and regulations.

7.4 Obtain and carefully study any other related documents or studies regarding the Project;

7.5 Agree at the time of submitting its proposal that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of its proposal for performance of the work on the Project within the times and in accordance with the other terms and conditions of the RFP documents.

7.6 Become aware of the general nature of the work to be performed by the GTB and others at the Project site that are related to Project work.

7.7 Correlate the information known to the offeror, information and observations obtained from any visits to the Project site, and all additional examinations, investigations, explorations, tests, studies, and data with the RFP documents.

7.8 Promptly give GTB written notice of all conflicts, errors, ambiguities, or discrepancies discovered by the offeror in the RFP or RFP documents and confirm that the written resolution thereof by GTB is acceptable to the offeror.

7.9 Review the **HUD Model Form of Agreement between Owner and Design Professional (January 2014)**, **HUD Contract Provisions Required by Federal Law or Owner Contract with the U.S. Department of Housing and Urban Development (January 2014)**, and the **Supplemental Conditions to the HUD Model Form of Agreement Between Owner and Design Professional (January 2014)**, which will either be the form Contract used or will be the basis of the form of Contract to be drafted by the GTB for retaining Architect / Engineering Services, subject to additional Supplemental Conditions to be drafted by GTB.

8. Representations by Offeror

Submission of a proposal will constitute an incontrovertible representation by the offeror that the offeror has complied with all the requirements set out in Section 7 of this RFP, that without exception the proposal is premised upon providing the labor and materials under the RFP and applying any specific means, methods, techniques, sequences, and procedures that may be shown or indicated or expressly required by the RFP, that offeror has given GTB written notice of all conflicts, errors, ambiguities, or discrepancies that offeror discovers in the RFP and has confirmed that the written resolution thereof by GTB is acceptable to the offeror, and that the RFP documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the work.

By submission of a proposal, the offeror agrees, if its proposal is accepted within sixty (60) days after the deadline for submitting proposals, to enter into a written contract with GTB in the form consistent with the RFP and offeror's final proposal. By submission of a proposal, the offeror further accepts all terms and conditions of the RFP.

9. Services to be Provided

The purpose of the Kchi-noodin Kaamdaaking Residential Development Project is the development, financing, construction, and management of up to 173 residential units in a combination of single-family lots, cottages, townhomes, and apartment buildings. Non-residential use of the 72.5-acre parcel will include administrative and maintenance spaces, a community center, a gymnasium, a daycare facility, and a pavilion. The successful qualified firm or individual will be available by phone and / or email to provide a timely response to any questions.

The Architect / Engineer's Scope of Services on this Project will be broken out into two Phases, with the work on Phase Two contingent on GTB's obtaining the necessary funding through the LIHTC program for moving forward with the project. The proposals should break out estimated costs separately for each phase, as well as describing separately the personnel and approach to be used for each phase. The following is the scope of work for the architect / engineering firm selected pursuant to this RFP:

Phase 1:

9.1 Preliminary Design – Property Design Standards, Drawings, and Plans. Prepare preliminary design of the Kchi-noodin Kaamdaaking Residential Development Project in conformity with the Michigan State Housing Development Authority Qualified Allocation Plan for 2019, including, but not limited to, the following:

- i. Prepare design schedule that includes:
 - Residential Floor Area of buildings
 - Residential Gross Floor Area of buildings
 - Non-Residential Floor Area
 - Non-Residential Gross Floor Area
 - Total Project Square Footage (Net and Gross)
- ii. Prepare site plan showing the site topography, general development of the site, streets bordering the site, the homes, community / administrative spaces, and parking locations.
- iii. Prepare site plan showing Community Building layout and net floor area.
- iv. Prepare site plans and elevations for each proposed home / building.

9.2 Environmental Reports. Provide Phase One environmental assessment of the subject properties for the Kchi-noodin Kaamdaaking Residential Development Project.

9.3. Sustainable Development Specification List. Document all of the Sustainable Development products, building methods, and energy systems corresponding to any respective point categories claimed, and specify and ensure the use of all claimed Sustainable Development products and materials.

9.4 Capital Needs Assessment. Prepare Capital Needs Assessment per the MSHDA requirements.

9.5 Architect Certification. Provide certification signed by the architect that the following are included in design documentation / specifications: (1) all sustainable development products / systems under MSHDA Low-Income Housing Tax Credit point system are included in design documents / specifications, and; (2) energy efficiency standards outlined in the MSHDA Standards of Design 2017 have been met.

Phase 2: The work on Phase 2 of the Project is conditional upon GTB obtaining an award of Low-Income Housing Tax Credits.

9.6 Construction Design. Finalize all stages of existing design of the Project including Technical Memoranda, Design Report(s), Final Design, and Construction Plans, including, but not limited to: site visits to gather and verify design information; field verification of the existing site conditions to include items such as documents or drawings used as references or information for the purpose of developing, preparing, and submitting project related plans, specifications, and design reports; prepare detailed essentially complete project documents, with plans and specifications properly coordinated (essentially complete drawings shall include construction access locations and work limits for the proposed construction); incorporate GTB comments received on the essentially complete documents and if applicable in prior workshops to prepare final design documents; prepare and submit camera-ready sealed plans and specifications to GTB for printing and bidding purposes; prepare and submit final design report, final design, and construction plans.

9.7 Bid Award for Construction Services. Conduct the bidding and award process, including, but not limited to: researching, drafting, preparing, and finalizing all bid documents for construction; conducting pre-bid preparation activities, preparing for, and attending the pre-bid meeting and project site tours; preparing and submitting addenda as needed; responding to bid questions during bidding period; finalizing and overseeing award of the contract to selected contractor; attending the bid opening; evaluating the bids received; preparing and submitting a memoranda to GTB on its review analysis, conclusions, and recommendations associated with the bids received; coordinating, preparing for, and attending joint meeting(s) with GTB and the apparent low bidder.

9.8 Construction Management. Provide construction management services for the Kchi-noodin Kaamdaaking Residential Development Project under the direction of a Project Manager who shall have overall responsibility for coordination, management, and reporting of the Team activities to the GTB Project Manager.

9.9 Onsite Construction Project Inspection. Provide support and onsite oversight services during construction including conducting field visits and inspections of completed facilities and discussing with the construction contractor, or operating personnel as necessary.

9.10. Compliance with MSHDA Low-Income Housing Tax Credit Program. Assist in compliance with any applicable design and construction requirements of the MSHDA LIHTC Program.

10. Evaluation of Proposals

Offerors will be evaluated on the basis of proposals submitted and references, and on the basis of the evaluation factors set forth in this RFP. A maximum of 100 points will be available for the evaluation of each proposal. Offerors seeking to qualify as an Indian-owned enterprise of an Indian organization, or as a minority-owned small business, women's business enterprise, labor surplus area business, or business concern located in or owned in substantial part by persons residing in

the area of the project, must submit the required documentation and information not later than the deadline for the submission of proposals.

Negotiations may be conducted with offerors who submit proposals determined to have a reasonable chance of being selected for award, and offerors may be requested to clarify or revise all or portions of their proposal based on such negotiations.

The following information **must** be included in each proposal and will form the basis of the evaluation. The point number reflects the weight of each criterion. Telephone interviews may be conducted to obtain additional information regarding a proposal.

10.01. Cost of the Project Identified in the RFP – 30 points.

The proposal should set forth the full cost to GTB of accepting the offeror's proposal for these services. The proposal shall provide the hourly rate for each person or position who would be providing services pursuant to the proposal, as well as the cost of any subcontractors necessary for provision of the services and supporting documentation is required. The proposal must set forth the offeror's understanding of the full and exclusive scope of services and supporting documentation required pursuant to Section 9 above. The proposal must detail how the offeror will provide such architectural / engineering services to GTB. The proposal should also include any discount provided to GTB and the offeror's billing and payment terms. All costs shall be shown in U.S. dollars. The lowest responsive proposal shall be scored the full 30 points.

10.2 Experience Providing LIHTC Architectural / Engineering Services – 30 points.

The proposal should describe in detail the offeror's experience providing services related to the scope of work provided in Section 9 above. The offeror's description and understanding of the full scope of services and the supporting documentation needed will be considered in evaluating this factor. The offeror must provide not more than three examples of similar projects performed by the offeror's team within the last five years. The examples must include the nature of the offeror's involvement in the project, any special environmental, political, or technical problems involved in the project, how such problems were resolved, the name and phone number of the owner's representative in charge of eth project, the architect / engineering firm's contracted amount of the project, and total project cost, and when the project was performed.

10.3 Previous Experience Working with Indian Tribes or Other Rural Locations – 15 points.

GTB seeks a reliable contractor who is responsive to work requests and able to respond to such requests in a timely and professional manner. The proposal should describe the offeror's experience providing such services to GTB or other Indian tribes, or in other rural locations, as well as how the offeror proposes to structure the working relationship in order to provide the most timely and professional responses. Proposals should include references for the provision of similar types of services to GTB or other Indian tribes, or in other rural locations.

10.4 Indian Preference – 15 points. Any qualified Indian-owned economic enterprise or Indian organization submitting a proposal will receive 15 points.

10.5 Training and Employment of Tribal Members – 10 points. GTB will award up to an additional 10% for evaluation of the offeror's statement regarding the training and employment of tribal members.

Proposals will be received at the time and place indicated in this RFP or in an addendum, unless GTB has withdrawn this Request for Proposals. In the event of any discrepancies, the amount shown in words shall have precedence, and item's unit price shall have precedence over the item extended price, and the arithmetic sum of the extended unit and lump sum prices shall have precedence over the total amount of proposal. Any interlineation, alteration, or erasure shall be initialed by the offeror for the proposal to be considered. It is the intent of GTB to award a Contract to the responsible Offeror providing the best proposal, provided the proposal has been submitted in accordance with the requirements of this RFP and associated contract documents.

11. Attachments

11.1 Conflict of Interest Disclosure

11.2 Certification of Indian-Owned Enterprise or Indian Organization (for offerors claiming Indian preference)

11.3 Form HUD-5369-C: Certification and Representations of Offerors

11.4 GTB Indian Preference Policy

11.5 Form HUD-5369-B: Instruction of Offerors (Non-Construction)

11.6 Supplemental Conditions re: Instructions to Offerors Non-Construction Form HUD-6369-B (8/1993)