

Note:

The following RFP document is being published for informational purposes only.

Proposals have already been received by King County

REQUEST FOR PROPOSAL


King County

 Department of Executive Services
 Finance and Business Operations Division
 Procurement and Contract Services Section
 206-263-9400 TTY Relay: 711

DATE RELEASED: August 24, 2009

RFP Title: Sale of 3 Properties Totaling 24 Acres of Land for King County's Sustainable Communities and Housing Pilot Project

Requesting Dept./ Div.: King County Department of Executive Services – Facility Management Division – Real Estate Services Section

RFP Number: 1010-09RLD

Due Date: **Not an active RFP – Proposals already accepted**

Buyer: Roy L. Dodman, roy.dodman@kingcounty.gov, (206) 263-9293

Pre-Proposal Conference:

A conference to discuss questions related to this RFP shall be held at **9:00 a.m. on Wednesday, September 2, 2009**, in Conference Room 115 on the 1st Floor of The Chinook Building, 401 Fifth Avenue, Seattle, WA 98104.

Sealed Proposals are hereby solicited and will **ONLY** be received by

King County Procurement Services Section
The Chinook Building, 3rd Floor
401 Fifth Avenue
Seattle, WA 98104-2333

Office Hours - 8:00 a.m. - 5:00 p.m.
 Monday - Friday

SUBMITTERS MUST COMPLETE AND SIGN THE FORM BELOW (TYPE OR PRINT)

Company Name		
Address		City/State/Zip Code
Signature	Authorized Representative / Title (Please Print Name and Title)	
E-mail	Phone	Fax
<i>Office Use Only:</i> NUM 8 CD-ROM 1 CON FED N TERM/YR Y/3-1		

This Request for Proposal will be provided in alternative formats such as Braille, large print, audio cassette or computer disk for individuals with disabilities upon request.

Sealed proposals are hereby solicited and will be received only at the office of the King County Procurement Services Section at 401 Fifth Avenue, Seattle, Washington, 98104 no later than 2:00 p.m. on the date noted above regarding the Sale of Three Properties totaling approximately 24 acres of land for King County's Sustainable Communities and Housing Pilot Project. The properties are offered by the King County Department of Executive Services, Real Estate Services Section. These submittals shall be provided to King County in accordance with the following and the attached instructions, requirements, and specifications.

Submittal: King County requires the Proposer to sign and return *this entire Request for Proposal (RFP) document*. In addition to one (1) signed original of this RFP document, each Proposer shall submit one (1) signed original letter of interest and one (1) unbound original Proposal. Further, each Proposer shall submit eight (8) copies of both its letter of interest and Proposal. The letter of interest shall not exceed two (2) pages and shall contain information not requested in the Proposal but that the Proposer deems important. Each copy of the Proposal shall include the name and address of the Proposer. The original in both cases shall be noted or stamped "Original". In addition, provide one (1) CD-ROM, with either one (1) pdf version of the Proposal, or one (1) Microsoft Word version of the Proposal (2000-2005 edition), or both.

Pre-Proposal Conference: A conference to discuss questions related to this RFP shall be held at 9:00 a.m. on Wednesday, September 2, 2009, in Conference Room 115, 1st Floor of The Chinook Building, 401 Fifth Avenue, Seattle, WA 98104. See link for driving instructions.

<http://www.kingcounty.gov/operations/procurement>, go to Contact Us menu and access Find Us web page.

Questions: After the Pre-Proposal Conference, Proposers will be required to submit any further questions in writing prior to the close of business Monday, September 21, 2009 in order for staff to prepare any response required to be answered by Addendum. Questions are best received and most quickly responded to when sent via e-mail directly to the following King County procurement personnel: *Primary* – Roy L. Dodman, Contract Specialist III, roy.dodman@kingcounty.gov / *Secondary* – Cathy M. Betts, Buyer, cathy.betts@kingcounty.gov. Questions may also be sent via email to the address above.

SECTION I - GENERAL INFORMATION

- A. King County is an Equal Opportunity Employer and does not discriminate against individuals or firms because of their race, color, creed, marital status, religion, age, sex, national origin, sexual orientation, or the presence of any mental, physical or sensory handicap in an otherwise qualified handicapped person.
- B. All submitted proposals and evaluation materials become public information and may be reviewed by appointment by anyone requesting to do so at the conclusion of the evaluation, negotiation, and award process. This process is concluded when a signed Real Estate Purchase and Sale Agreement is completed between King County and the selected Proposer. Please note that if an interested party requests copies of submitted documents or evaluation materials, a standard King County copying charge per page must be received prior to processing the copies. King County will not make available photocopies of pre-printed brochures, catalogs, tear sheets or audio-visual materials that are submitted as support documents with a proposal. Those materials will be available for review at King County Procurement.
- C. No other distribution of proposals will be made by the Proposers prior to any public disclosure regarding the RFP, the proposal or any subsequent awards without written approval by King County. For this RFP all proposals received by King County shall remain valid for one hundred eighty (180) days from the date of submittal. All proposals received in response to this RFP will be retained.
- D. Proposals shall be prepared simply and economically, providing a straightforward and concise but complete and detailed description of the Proposer's abilities to meet the requirements of this RFP. Fancy bindings, colored displays and promotional materials are not desired. Emphasis shall be on completeness of content.
- E. King County reserves the right to reject any or all proposals that are deemed not responsive to its needs.
- F. In the event it becomes necessary to revise any part of this RFP, addenda shall be created and posted at a special section of the King County Procurement web site. Addenda will also be conveyed to those potential submitters providing an accurate e-mail address. If desired, a hard copy of any addenda may be provided upon request.

- G. King County is not liable for any cost incurred by the Proposer prior to executing a Real Estate Purchase and Sale Agreement. All costs incurred in the preparation of proposals, and participation in this RFP process, shall be borne by the Proposer.
- H. It is proposed that if a selection is made as a result of this RFP, a Real Estate Purchase and Sale Agreement will be negotiated. The Agreement is subject to King County Council approval. King County reserves the right to reject any or all proposals submitted.
- I. News releases pertaining to this RFP, the services, or the project to which it relates, shall not be made without prior approval by, and then only in coordination with, the King County Department of Executive Services – Facilities Management Division.
- J. King County Code 4.16.025 prohibits the acceptance of any proposal after the time and date specified on the Request for Proposal. There shall be no exceptions to this requirement.
- K. King County agencies' staffs are prohibited from speaking with potential Proposers about the project during the solicitation.

Please direct all questions to:

Roy L. Dodman, Contract Specialist III and
 (206) 263-9293
roy.dodman@kingcounty.gov

Cathy Betts, Buyer
 (206) 263-9291
cathy.betts@kingcounty.gov

NOTE: Documents and other information is available in alternate formats for individuals with disabilities upon advance request by calling the Procurement Receptionist at 206-263-9400 or TTY711.

- L. Protest Procedure - King County has a process in place for receiving protests based upon either proposals or contract awards. If you would like to receive or review a copy, please contact the Buyer named on the front page of this document or call Procurement Services at 206-263-9400.
- M. Unless otherwise requested, letters and other transmittals pertaining to this RFP will be issued to the e-mail address noted in our files, and after submittal, noted on the first page of this document. If other personnel should be contacted via e-mail in the evaluation of this proposal, or to be notified of evaluation results, please complete the information in the table below.

Contact Name	Title	Phone	E-mail address

- N. Washington State Public Records Act (RCW 42.56) requires public agencies in Washington to promptly make public records available for inspection and copying unless they fall within the specified exemptions contained in the Act, or are otherwise privileged.
- O. Proposals submitted under this RFP shall be considered public documents and with limited exceptions proposals that are recommended for agreement award will be available for inspection and copying by the public. King County may request an electronic copy of your proposal response at a later time for this purpose. This copy may be requested in MS Word format, and delivered either by e-mail or directly delivered on CD.

If a Proposer considers any portion of his/her proposal to be protected under the law, the Proposer shall clearly identify on the page(s) affected such words as "CONFIDENTIAL," "PROPRIETARY" or "BUSINESS SECRET." The Proposer shall also use the descriptions above in the following table to identify the effected page number(s) and location(s) of any material to be considered as confidential (attach additional sheets as necessary). If a request is made for disclosure of such portion, the County will determine whether the material should be made available under the law. If the material is not exempt from public disclosure law, the County will notify the Proposer of the request and allow the Proposer ten (10) days to take whatever action it deems necessary to protect its interests. If the Proposer fails or neglects to take such action within said period, the County will release the portion of the proposal deemed subject to disclosure. By submitting a proposal, the Proposer assents to the procedure outlined in this paragraph and shall have no claim against the County on account of actions taken under such procedure.

Type of exemption	Beginning Page / Location	Ending Page / Location

- P. Proposers are urged to use recycled/recyclable products and both sides of paper for printed and photocopied materials, whenever practicable, in preparing responses to this RFP.
- Q. During the solicitation process, King County strongly discourages the transmittal of Company information, brochures, and other promotional materials, other than address, contact and e-mail information, prior to the due date of proposals. Any pre-packaged material received from a potential Proposer prior to the receipt of proposals shall not be reviewed by the County.
- R. Proposal Identification Label: Please see the Proposal Identification Label on the last page of Section III..

SECTION II - PURPOSE OF SALE, GOALS, INCENTIVES, SITE INFORMATION, BACKGROUND MATERIALS, PROPOSAL EVALUATION, AND SCHEDULE

PART 1 - PURPOSE OF SALE

The purpose of this RFP is to provide for a discounted sale of King County surplus property for primarily residential development, including affordable and workforce housing, in order to create new housing opportunities affordable for a wide range of income levels.

The King County Department of Executive Services is pleased to offer this opportunity for those three Submitters who responded to RFQ 1010-09RLD to respond to this Request for Proposals (RFP) for the purchase of three properties totaling approximately 24 acres of land for King County's Sustainable Communities and Housing Pilot Project.

A major goal of this RFP is to identify developers capable of providing additional housing with affordable housing and workforce housing integrated into developments containing market rate housing. In order to achieve the goals of the RFP, partnerships between for-profit and non-profit developers are allowed, and may be preferred by Proposers. Proposals for these properties will be required to meet minimum requirements for affordable and workforce housing, with options available to the developer for fulfilling the minimum requirements. Definitions of affordable, workforce and market rate housing are defined under Section III, Part 1, of this RFP.

The County is seeking one developer for all three properties, with a particular emphasis on the sale of the Brooks Village property. The competitive process will accordingly reward proposals that include all three properties and, to a lesser extent, reward proposals that include fewer than three properties, but do include Brooks Village.

King County retains the right to modify this RFP by adding additional properties, should the county determine that any such property is not needed by the County for other uses. Such modification would be issued under an addendum to the RFP. King County also retains the right to reject proposals for any or all of the properties included in this RFP.

PART 2 - GOALS/OBJECTIVES

King County's goals in selling the properties are to maximize achievement of the following objectives:

- A. To ensure affordable housing and workforce housing integration, for a range of income levels, within new developments on all properties included in this offering, and to provide a variety of housing types.
- B. To ensure that all affordable and workforce housing remains affordable for at least fifty (50) years.
- C. To ensure the inclusion of basic elements of universal design in all housing units to make the housing as usable as possible by a large portion of the population.
- D. To ensure sustainable development that is compatible with the surrounding community and provides a model for similar developments in the future and includes:

- Innovative design and development techniques that promote livable communities, including, for example, bike/pedestrian connections to nearby retail and commercial areas, connected street network, mix of housing types, and mix of uses if appropriate;
 - Use of recyclable materials, and low impact environmental sustainability and green development concepts comparable with the provisions of King County's Green Building Initiative;
 - Utilization of solar or other alternative energy sources;
 - Implementation of enhanced energy conservation and other measures to reduce greenhouse gas emissions and to lower tenant and home owner costs; and
 - Design elements to address potential climate change impacts on the development and its residents, such as extreme heat and weather events and intense flooding.
- E. To ensure attractive, well designed developments that will assist in improving safety and preventing crime in surrounding areas.
- F. To ensure that open space, park and/or trail amenity improvements or investments are key components of any development whenever feasible. During the RFQ process, this goal was considered a subset of the preceding sustainable development goal. It is presented as a separate goal in this RFP for the purpose of clarification.
- G. To ensure that any developer awarded a real estate purchase and sale agreement for these properties shall be responsible in their labor practices, environmental practices and safety practices.
- H. To utilize state-certified apprentices in the construction of these properties, across the trades, including women, at risk youth, and people of color.
- I. To have one developer acquire all three properties. The County may also permit acquisition of fewer properties, with particular emphasis on sale of the Brooks Village property.
- J. To sell the properties "AS IS, WHERE IS". This includes the Buyer being solely responsible for removal of any existing improvements.

PART 3 – INCENTIVES

In addition to the incentives currently allowed per King County Code, the following incentives, unique to the competitive process associated with this RFP, are expected to be available.

A. Purchase Price Discount

The purchase price for the properties is substantially discounted to reflect the requirements that will be imposed on the Buyer including most notably the obligation to provide affordable and workforce housing.

B. Funding Set-Aside for Affordable Housing

The King County Department of Community and Human Services/Housing and Community Development Program (HCD) expects to set aside funds for the development of these properties if the project provides eligible affordable housing that meets the priorities of King County administered competitive capital fund sources, including a minimum percentage of units to serve very low-income and homeless households. HCD will work with the successful funding applicant to potentially align other sources of funding with the project, to the extent feasible, depending on the affordable housing goals of the proposal. HCD funds will have to be supplemented with other funding sources, such as the Washington State Housing Trust Fund, Low-Income Housing Tax Credits and/or Tax exempt Bonds. See the HCD Housing Finance website for more information:

<http://www.kingcounty.gov/socialservices/Housing/ServicesAndPrograms/Programs/HousingDevelopment/HousingFinance.aspx>

C. King County Housing Authority

In order to enhance the affordability of the project, King County has invited the King County Housing Authority (KCHA) to make available a package of financing options to the selected developer. KCHA has indicated that it is prepared to work with the selected developer to obtain certain types of tax exempt, taxable and leasehold financing that may have cost advantages over other financing alternatives. KCHA has also indicated that it will also consider making some amount of project-based Section 8 resources available for projects that will include very low-income housing for homeless households, particularly those homeless households that are a high priority for housing amongst local funders in the regional Combined Notice of Funding Availability.

D. Purchase of All Three Properties by One Developer

It is the County's strong preference to sell all three properties to one developer. Therefore, during the competitive process offers to purchase all three properties may be eligible to receive a purchase price discount as well as additional proposal evaluation points. Refer to Section III, Part 1, Subsections C and D of this RFP for details.

E. Livable Communities

Subject to adoption of an authorizing ordinance, King County will entertain as part of the underlying permit review process requests for modifications or waivers to certain existing King County Code requirements where appropriate to achieve the goals for livable communities and affordable housing/workforce housing integration. Proposed ordinance 2009-0385 was passed out of the King County Council Physical Environmental Committee on July 28, 2009, and has been sent to the full County Council for adoption. It is anticipated that the full Council will consider the ordinance on September 14, 2009. As a result of the ordinance public process, certain refinements have been made to the criteria for evaluating requests for modification of standards that were in the RFQ. Those refinements are reflected in the criteria below. A request to modify standards will be evaluated by King County based on the following criteria:

- How well the request contributes to the achievement of a three-star or higher rating for the project under the Built Green program;
- How well the request uses the natural site characteristics to protect the natural system;
- How well the request contributes to the creation of a livable community (i.e. connected street network, mix of housing types, pedestrian/bike routes throughout the development, direct bus connections, no front garages, front porches, mix of uses, etc.); and
- If a road variance, that requirements for safety, function, fire protection, appearance and maintainability based on sound engineering judgment are fully met.

Exhibit 3 at the [County website](#) includes:

1. A list of King County Code modifications or waivers that will be entertained for developments under this RFP if proposed ordinance 2009-0385 is adopted;
2. Proposed ordinance 2009-0385 as passed out of the King County Council Physical Environmental Committee; and
3. A list of the incentives currently allowed under King County Code.

F. Environmental Assessment

As an incentive, the county is providing in this RFP, at no charge, recently prepared Level 1 Environmental Assessments for each of the three properties. These assessments are included in Section II, Part 5 of this RFP.

PART 4 - SITE INFORMATION

Section II, Part 5 of this RFP includes information on how to access specific site information and maps for each sale property.

All of these sites are located in urban unincorporated areas that may be subject to annexation to cities consistent with the Growth Management Act and state law. Therefore, King County will work collaboratively with cities as appropriate on related issues such as design and development standards.

Disclaimer: *The information in this RFP has been prepared with care; however, it is provided only for informational purposes as general reference and guidance for potential Proposers. It is each Proposer's responsibility to perform its own review and due diligence with respect to facts and the application of laws and regulations to its proposal, and to ultimately apply for and obtain any required approvals for its project proposal. Proposers may not rely to their detriment on the information contained herein.*

PART 5 - BACKGROUND MATERIALS AND TEMPLATE DOCUMENTS AVAILABLE FROM KING COUNTY

For the Request for Qualifications (RFQ) phase of this solicitation, the County created a special web site that included general information regarding these properties, and where most referenced Exhibits could be found. The County is providing that information again for this RFP phase and is also providing supplemental information. Interested parties may download the specific Exhibits and other referenced documents from this website. Most of the available information will be included as pdf files, readable by Adobe Acrobat. The website for general information regarding this RFP is:

http://www.kingcounty.gov/operations/procurement/News/Housing_Pilot.aspx

Specific Exhibits may be found directly by accessing this link:

http://www.kingcounty.gov/operations/procurement/News/Housing_Pilot.aspx#exhibits

The following materials and documents are either included with this RFP, available at the above referenced website, or available for review and purchase. If you are interested in a copy of any of the documents listed below, please contact the King County procurement personnel listed in Section I of this RFP, preferably by e-mail. The King County staff will indicate what your costs would be and when the documents would be available for pick up at the Real Estate Services office located in the King County Administration Building, Room 500, 5th Floor, 500 Fourth Avenue, Seattle, WA 98104. A copying charge payment must be received upon delivery of the photocopies. (\$0.15 per page for 8 1/2" by 11" copies, and \$1.18 per page for 36" by 48" copies of drawings.) A set of documents will be available in the Procurement & Contract Services Section offices for "Review Only". If you would like to review the documents, please contact the listed King County procurement personnel.

A. Site Information, including Site Maps, for each of the three properties

1. Brooks Village
2. White Center Workshop
3. Kit's Corner

King County retains the right to add additional properties to this RFP.

Exhibit 1 at the [County website](#)

B. Title Reports, Pacific Northwest Title Company of Washington, Inc.

1. Brooks Village - Exhibit 2, Item 1
2. White Center Workshop - Exhibit 2, Item 2
3. Kit's Corner - Exhibit 2, Item 3

Exhibit 2 at the [County website](#)

C. King County Code Incentives

1. A list of King County Code modifications or waivers that will be entertained for developments under this RFP if proposed ordinance 2009-0385 is adopted;
2. Proposed ordinance 2009-0385 as passed out of the King County Council Physical Environmental Committee; and
3. A list of the incentives currently allowed under King County Code.

The first two paragraphs of the list of code modifications or waivers that will be entertained are updates since the RFQ.

Exhibit 3 at the [County website](#)

D. King County Environmental Sustainability Resource List

Exhibit 4 at the [County website](#)

E. King County Housing and Community Development Minimum Universal Design Requirements Menu

Exhibit 5 at the [County website](#)

Information and a practical guide to universal design may be found on these web sites:

<http://www.lifease.com/lifease-universaldesign.html>

<http://www.accessliving.org>

F. Current Annual Median Income (AMI) Guidelines for King County

The guidelines that would be applied to these properties are the annual median income guidelines in effect at the time the housing units are rented or sold.

Exhibit 6 at the [County website](#)

G. King County Code

http://www.kingcounty.gov/council/legislation/kc_code.aspx

H. State Environmental Protection Act (SEPA): General Overview of SEPA and SEPA Exemptions

Exhibit 8 at the [County website](#)

I. King County Department of Development and Environmental Services Informational bulletin #26, State Environmental Policy Act (SEPA) Process

<http://www.kingcounty.gov/property/permits/publications/~media/property/permits/documents/bulletins/26.ashx>

J. King County Department of Development and Environmental Services Informational bulletin #55, Green Building and Low Impact Development

<http://www.kingcounty.gov/property/permits/publications/~media/property/permits/documents/bulletins/55.ashx>

K. King County Green Building Initiative

<http://your.kingcounty.gov/solidwaste/greenbuilding/program/ordinance.asp>

L. King County Transfer of Development Rights Program

<http://www.kingcounty.gov/environment/stewardship/sustainable-building/transfer-development-rights.aspx>

M. White Center Workshop Easement Description and Cell Tower Information

Survey drawings and legal description showing approximate areas that will be reserved through an easement or other interest for continued operation of an existing King County radio tower and equipment building on the property and access to same. Available information on the location of cell tower microwave beam paths and the grounding system that extends away from the tower is also provided. Since the survey drawing was prepared, the County has determined that the fencing by the cell tower will need to be

located immediately next to the outer edge of the tower's large concrete footings and the shared access will need to extend 12 feet from the fencing. Buyer at their own expense would be responsible for relocating the existing chain link fence as described above. The fencing will enclose the area containing the county's radio tower building and cell tower facility, and will be under the exclusive control of the County.

Exhibit 13 at the [County website](#)

N. Kit's Corner Property

Critical Areas Designation Letter, including a map, L08SA198 and L08SA199, King County Department of Development and Environmental Services, 7/9/08.

Exhibit 15 at the [County website](#)

O. Brooks Village Property

2007 Map of Wetland Categories and Approximate Buffers for Brooks Village.

Exhibit 16 at the [County website](#)

P. Brooks Village Property

Critical Areas Designation Letter L07SA178, Parcel 1148300010—1148300500--Parcels Associated with the Brooks Village Plat, King County Department of Development and Environmental Services, 4/18/07.

Exhibit 17 at the [County website](#)

Q. Brooks Village Property

Office of the Hearing Examiner, King County, Washington, Report and Decision on Application for Preliminary Plat Approval, File No. L97P0042, 8/26/98.

Exhibit 18 at the [County website](#)

The 21 Exhibits offered and entered into record are identified on the last two pages of this document and available through the records department of the King County Department of Development and Environmental Services, 206-296-6696.

R. Brooks Village Property

Approved Site Plan, 8/17/04.

Exhibit 19, referenced at the [County website](#) (Only available as hard copy, 36" x 48" sheets.)

S. King County Real Estate Purchase and Sale Agreement Template

King County reserves the right to modify such Template Agreement at any time.

Exhibit 20 at the [County website](#)

The real estate purchase and sale agreement (REPSA) will also include meaningful conditions requiring the buyer to comply with the affordable housing and workforce housing requirements, to comply with the other development requirements specified in this RFP, and to timely apply for regulatory development approvals and to timely commence and complete construction. The REPSA will also limit the ability of an acquiring entity to resell any acquired property in a manner that would jeopardize the development of affordable housing and workforce housing on the property. The REPSA conditions will also be included in restrictive covenants in the deed of conveyance.

T. Level 1 Environmental Assessments for Brooks Village, White Center Workshop and Kit's Corner properties

Exhibit 21 at the [County website](#).

U. National Center for Healthy Housing

<http://www.cdc.gov/healthyplaces/newhealthyhomes.htm>

<http://www.nchh.org/Home.aspx>

Information and suggestions on healthy housing may be found on these web sites.

V. Prevailing Wages and Apprentice Utilization Requirements

Exhibit 23 at the [County website](#).

W. Purchase Offer Worksheet and Example

Exhibit 24 at the [County website](#).

X. Proposal Checklist

See Section III, Part 4 of this RFP.

SECTION III – PROPOSAL SELECTION PROCESS AND SCHEDULE

This RFP section outlines the information necessary to understand the selection process and the documentation required for submitting proposals.

After reviewing this RFP and attending the Pre-Proposal Conference, eligible proposers shall apply for consideration by submitting a letter of interest (cover letter) and Proposal.

Those parties submitting letters of interest and Proposals shall be referred to as “Proposers”.

In addition to one (1) signed original of this RFP document, each Proposer shall submit one (1) signed original letter of interest and one (1) unbound original Proposal. Further, each Proposer shall submit eight (8) copies of both its letter of interest and Proposal. The letter of interest shall not exceed two (2) pages and shall contain information not requested in the Proposal but that the Proposer deems important. Each copy of the Proposal shall include the name and address of the Proposer. The original in both cases shall be noted or stamped “Original”. In addition, provide one (1) CD-ROM, with either one (1) pdf version of the Proposal, or one (1) Microsoft Word version of the Proposal (2000-2005 edition), or both.

Following receipt of the letter of interest and Proposal, and at the County’s sole discretion, the County reserves the right to request additional information.

An Evaluation Committee (“Committee”) will evaluate each Proposal. Each proposer may be requested to make an oral presentation to the Committee as part of the selection process. The Committee will review and evaluate Proposals using the evaluation criteria set forth in this RFP. The Proposals will be ranked by the Committee.

PART 1 – PROPOSAL EVALUATION

To be eligible for Proposal evaluation, the Proposer must: 1) be a developer who responded to RFQ No. 1010-09RLD and was selected by that RFQ’s Evaluation Committee to proceed to the RFP phase of this project, and 2) submit evidence that the development meets the Minimum Requirements presented in Section III, Part 1, Sub-section B.1 and B.2 below.

An award, if any, will be made to the Proposer who, in the opinion of King County, best satisfies this RFP’s evaluation criteria. To assist in evaluation, Proposers shall include all of the following requested information in a clear, comprehensive and concise manner, restating the evaluation criteria being addressed.

A. Definition of Affordable Housing and Workforce Housing

1. For the purposes of this RFP, “Affordable” housing shall mean:

Residential units intended for rent or sale to households at or below 80% of the Annual Median Income (AMI) as defined by HUD Income Guidelines for King County as of the date of rental or sale. Affordable housing encompasses housing for households with incomes that are very low (30% AMI and below); low (30% to 50% AMI); and moderate (50% to 80% AMI). Such rental units or sale units shall have a monthly housing payment that does not exceed 30% of household income as defined by HUD guidelines for the applicable percentage of AMI established for the units. The monthly payment for ownership housing includes homeowner’s insurance, taxes, dues and mortgage payment, with principal and interest based on standard interest rate and down payment assumptions. The monthly payment for rental housing includes rent plus utilities or a utility allowance, other than telephone, as chosen by the rental housing developer.

2. For the purpose of this RFP, “Workforce” housing shall mean:

Residential units intended for sale or rental to households earning between 80% and 115% of Annual Median Income (AMI) as defined by HUD Income Guidelines for King County as of the date of rental or sale. Such sale or rental units shall have a monthly housing payment that does not exceed 30% of household income as defined by HUD guidelines for the applicable percentage of AMI established for the units. The monthly payment for ownership housing includes homeowner’s insurance, taxes, dues

and mortgage payment, with principal and interest based on standard interest rate and down payment assumptions. The monthly payment for rental housing includes rent plus utilities or a utility allowance, other than telephone, as chosen by the rental housing developer.

B. Minimum Requirements

1. Minimum Requirements - Commitment to Principles.

To be eligible for Proposal evaluation, the Proposer must expressly acknowledge and agree in the Proposal to abide by the following principles which are minimum requirements carried forward from the RFQ.

- a. That affordable housing and workforce housing must be included in any development of the properties purchased from King County as part of this RFP competitive process.
- b. Development of the properties must include one of the following overall minimum requirements for affordable and/or workforce housing for all the properties in totality:
 - i. 40% of all residential units developed will be affordable to households at 80% AMI and below ("Affordable Option"). The purchaser may select the housing types and either a mix of rental and ownership or all ownership.

or

- ii. 60% of all residential units developed will be a combination of workforce and affordable housing for households at 115% of AMI and below ("Workforce Option"). The purchaser may select housing types and either a mix of rental and ownership or all ownership. The 60% must be split between the following three tiers:
 - 80% AMI and below (25% of units)
 - 80% to 100% AMI (25% of units)
 - 100 to 115% AMI (10% of units)

Please note: The two options above set the minimums; Proposals may score more points by supplementing the minimums; for example, adding additional affordable housing if the Workforce Option is chosen, adding some workforce housing if the Affordable Option is chosen, and/or including a portion of very low-income housing units under either Option.

- c. That the following minimum affordable and workforce housing requirement shall apply for each property: 20% of units of each property are affordable and/or workforce housing depending on the option chosen above; developer may choose mix for each property.
- d. That the inclusion of a minimum set of universal design elements, presented as Exhibit 5, referenced at the King County website, must be included in the design of all housing units included in the Proposal. It is the county's intent that the universal design elements presented in the RFQ and this RFP apply to all housing units in total and serve as a menu from which Proposers shall select the maximum amount of universal design elements they believe feasible for individual housing units.
- e. That affordability of all affordable and workforce housing units developed must be ensured through the recording of affordability covenants. A county goal is for the affordable and workforce housing to remain affordable for at least fifty (50) years through such mechanisms.
- f. To seek a variety of housing types in developing the properties, including attached single family homes, cottages, multi-family homes and, as appropriate and feasible, small footprint single family detached homes and utilization of compact design.
- g. That development of the sites must provide density that meets at least the minimum density requirements for each property.

- h. As this RFP is for multiple properties and a developer may, therefore, need to phase development of properties, all Proposals submitted *must* include a proposed development timeline for each property. The completion of construction of all properties in a timely manner is of utmost importance to the county. If the developer has a specific and reasonable need for additional time, such as for approval of a plat, the county will adjust the schedule accordingly.
 - i. That developer must in the construction of these properties be responsible in their labor practices, including, but not limited to ensuring the payment of prevailing wages to all subcontractors and suppliers. King County's requirements concerning prevailing wages are attached to this RFP as Exhibit 23.
 - j. The developer must in the construction of these properties use state-certified apprentices, across the trades, including women, at risk youth, and people of color. King County has established a 15% apprenticeship utilization goal for this project. The County's requirements concerning state-certified apprentices are attached to this RFP as Exhibit 23.
 - k. That the purpose of this RFP is to sell all three properties, preferably to one developer/development partnership. The county encourages Proposals of two or more properties with Brooks Village being one of them.
 - l. The Proposer acknowledges that purchase of the properties will be "AS IS, WHERE IS". This includes the Buyer being solely responsible for removal of any existing improvements.
 - m. That King County retains the right to modify this RFP by adding additional properties, should the county determine that any such property is not needed for other county uses. King County also retains the right to reject Proposals for any or all of the properties included in this RFP.
 - n. The real estate purchase and sale agreement (REPSA) will include meaningful conditions requiring the Buyer to comply with the affordable housing and workforce housing requirements, to comply with the other development requirements specified in this RFP, and to timely apply for regulatory development approvals and to timely commence and complete construction. The REPSA will also limit the ability of an acquiring entity to resell any acquired property in a manner that would jeopardize the development of affordable housing and workforce housing on the property. The REPSA conditions will also be included in restrictive covenants in the deed of conveyance.
2. Minimum Requirements - Additional Required Information

To be eligible for Proposal evaluation, the Proposal shall clearly indicate whether the following documentation, submitted as a minimum requirement during the RFQ phase, remains current and the Proposal shall include any documentation updates. Documentation shall demonstrate that the proposed general contractor:

- a. Has a certificate of registration in compliance with chapter 18.27 RCW;
- b. Has a current state Unified Business Identifier (UBI) number;
- c. If applicable:
 - i. Has Industrial Insurance (workers' compensation) coverage for its employees working in Washington, as required in Title 51 RCW;
 - ii. Has a Washington Employment Security Department number as required in Title 50 RCW;
 - iii. Has a Washington Department of Revenue state excise tax registration number as required in Title 82 RCW; and
- d. Is not disqualified from bidding on any state or federal public works contract. Additional information only needs to be submitted if there have been changes to the materials submitted during the RFQ process. If no updates or corrections need to be disclosed, the Proposer need only acknowledge that the above information remains the same and is still current.

C. Discounted Purchase Price and Form of Payment.

1. Discounted Purchase Price. Proposals satisfying the RFP's Minimum Requirements are eligible to have discounts applied against the market value King County has established for each property. The market value of a property adjusted for the following two categories of discounts shall be a property's Discounted Purchase Price, also known as the property's minimum purchase price.

For each property included in the Proposal, indicate the property's Discounted Purchase Price and include a completed Purchase Offer Worksheet. The worksheet is attached to this RFP as Exhibit 24. The discounts shall be calculated as follows:

Step 1: Market Value

- ▮ Brooks Village: \$2,522,000
- ▮ White Center Workshop: \$609,500
- ▮ Kit's Corner: \$2,262,000

Step 2: Affordable Housing Discount

- ▮ Up to 15% of all units, for each 1% of residential units proposed to be sold or rented at prices affordable to households earning at or below 30% AMI, the property's market value, determined by King County, shall be reduced by **0.75%**.
- ▮ Not counting units discounted above, for each 1% of residential units proposed to be rented at prices affordable to households earning up to 50% of AMI, or sold at prices affordable to households earning 50.1 to 80% of AMI, the property's market value, determined by King County, shall be reduced by **0.50%**.
- ▮ For each 1% of residential units proposed to be sold at prices affordable to households earning 80.1 to 100% of AMI, the property's market value, determined by King County, shall be reduced by **0.25%**.
- ▮ There shall be no discount for residential units proposed to be sold or rented at prices affordable to households earning **100.1%** of AMI or more.

*Step 3: Discount for Purchase of all Three Properties **or** Discount for Purchase of Brooks Village and One Other Property*

- a. If the Proposal is an offer for the purchase of all three properties, the County shall apply a 10% discount to each property's market value after adjustment for the property's Affordable Housing Discount; **or**
- b. If the Proposal is an offer for the purchase of Brooks Village and one other property (White Center Workshop or Kit's Corner), the County shall apply a 5% discount to each property's market value after adjustment for the property's Affordable Housing Discount.

Step 4: The market value adjusted by the Affordable Housing Discount and the Discount for Purchase of all Three Properties shall be the Discounted Purchase Price.

Step 5: Purchase Offer Lower than the Discounted Purchase Price

King County reserves the right to consider a purchase offer that is lower than the Discounted Purchase Price. Such an offer must be clearly stated in the Proposal and must include ample information to allow the county to evaluate the offer against the Proposal Evaluation Criteria contained in Section III, Part I, D of this RFP. The offer must be included in the property's Purchase Offer Worksheet, Exhibit 24 of this RFP. The county reserves the right to request additional information concerning the offer.

2. Payment: Unless agreed to by King County all payments will be cash at Closing.

D. Proposal Evaluation Criteria.

Proposals shall be evaluated and ranked using the following evaluation criteria. *A total of 400 points are possible for each property included in the Proposal. The award will go to the Proposal with the highest average score for the properties included in that Proposal. The award will be for the properties included in that Proposal. If that Proposal does not include all three properties, the award for any remaining property will go to the Proposal with the highest score on that property.*

1. If a Proposal includes an offer to purchase the Brooks Village property only, *the Proposal shall receive 60 evaluation points.* If a Proposal includes an offer to purchase the Brooks Village property and one other property, *each property in the Proposal shall receive 90 evaluation points.* If a Proposal includes an offer to purchase the Brooks Village property and two other properties, *each property in the Proposal shall receive 120 evaluation points.*
2. If a Proposal includes an offer to provide a mix of for-sale housing and rental housing, and the offer does not exceed either 75% for-sale or 75% rental housing, *each property in the Proposal with this mix shall receive 20 evaluation points.*
3. If a Proposal exceeds this RFP's Minimum Affordable and Workforce Housing Requirements, then for each additional 5% of total residential units in the Proposal to be sold or rented at prices affordable to households earning at or below 100% of AMI, *each property in the Proposal shall receive two (2) Proposal evaluation points, up to a maximum of 20 points per property.*
4. For each 5% by which a purchase offer in the Proposal is higher than the property's Discounted Purchase Price, *the property shall receive two (2) evaluation points, up to a maximum of 20 points, as set forth in the Purchase Offer Worksheet.*
5. Conceptual Design Elements: The conceptual/site design package showing the development scheme and quality proposed for each property. It is understood that these plans will be preliminary in nature, but the mass, scale and size of structures should be apparent. Proposals that are cutting edge, innovative, creative and progressive are strongly encouraged. *Up to 40 points possible for each property.* The package shall include, but is not limited to, the following information:
 - a. The layout, the total number of housing units to be developed, and whether or not a subdivision will be proposed. It is the County's judgment that each of the three properties offered has topography that would allow for maximum density as defined in Exhibit 1 of the RFP; therefore, Proposals exceeding a property's base density, as defined in Exhibit 1 of this RFP, shall earn more evaluation points than Proposals providing a lesser density.
 - b. A plan that shows the total number of affordable housing units to be developed; the total number of workforce housing units to be developed; and the breakdown of affordable housing units and workforce housing units by number of bedrooms and median income category.
 - c. A representative floor plan.
 - d. A vehicular circulation plan.
 - e. The overall architectural character of the development.
6. Quality Livable Communities components for each property. *Up to 50 points possible for each property.* The RFP's Livable Communities Incentives are presented in Exhibit 3. Proposals that are cutting edge, innovative, creative and progressive are strongly encouraged. In addition to the conceptual design elements requested above, at a minimum, the following plan and development components shall be provided; engineering details are not required as part of the RFP process:
 - a. Sustainable site design and landscaping elements, such as protection of the existing natural systems, sustainable construction practices, on-site storm water treatment, minimizing of

impervious surfaces, re-use of water, low-energy street lighting, native vegetation, or community-based alternative energy generation, etc..

- b. Demonstration that each development is compatible and integrates well with existing and planned land uses in the surrounding area, including pedestrian corridors and transportation corridors, and assists in improving safety and preventing crime in surrounding areas.
 - c. A plan to interface each housing development with parks, trails and/or open spaces, when the property allows an opportunity for such a plan.
 - d. Pedestrian/bicycle routes within the development.
7. Housing Elements. *Up to 70 points possible for each property.* Housing elements shall include, but are not limited to, the following information:
- a. The type and size of housing structures to be provided for each property.
 - b. The quality of design and materials to be used for the housing units or buildings, including the types of materials that will be used to help provide healthy housing. Information and suggestions on healthy housing may be found at the National Center for Healthy Housing electronic links provided in the Background section of this RFP.
 - c. Provision for private or common recreational space, the former near the units and the latter easily accessible to the units.
 - d. "Built green" elements to be incorporated into housing units such as energy efficiencies, passive solar design, water conservation/re-use measures, sustainable/re-usable materials, etc..
 - e. Inclusion of front porches, no front garages, etc., as appropriate.
 - f. A description of the basic elements of the universal design that will be used. The RFP's Universal Design Requirements Menu is presented in Exhibit 5.
8. The type, size, quality, location and number of quality retail and commercial uses to be provided, if applicable and if any, by property. *Up to 10 points possible for each property.*
9. The proposed milestone schedule for development of each property, including, but not limited to, permit/land use submittal date, construction start date, construction end date, and building occupancy date(s). *Up to 20 points possible for each property.*
10. Provision of ample information and support for evaluating the financial viability and marketability of each development. Information must include a business plan. *Up to 30 points possible for each property.*
11. 10 points will be deducted from the Proposal for each property with a purchase offer lower than the Discounted Purchase Price (refer to Step 5 in Section III, Part 1, C above.)

The following evaluation criteria (12 – 14) do not include evaluation points. These questions were included in the RFQ.

Proposers should include in their Proposal any changes or updates to the information previously submitted during the RFQ process. If there are any changes or updates, the County will evaluate the response to determine whether the Proposer remains qualified to be considered.

12. A description of the individual(s), firm(s) or organizations that would be making and implementing the developments. A description of the key individuals involved in making the Submittal and the role of each individual in the development. Resumes and qualifications of key individuals involved in making the Submittal and who would be involved in the development. Key members shall include the general contractor and main subcontractors if they were not identified in the RFQ.
13. Evidence of successful experience and commitment to use safety practices in development. To this end, please submit the proposed general contractor's accident/injury experience factor from the

Department of Labor and Industries from the year 2003 to present. Please further list the number of WISHA or OSHA violations received by the proposed general contractor from 2003 to present. Describe the final resolution or result of each violation.

14. Has the developer/development team (including the proposed general contractor if this question was not answered as to the general contractor in the RFQ) ever been fined, received an adverse judgment, penalty, or received any mandated changes to its corporate policy from 2003 to present resulting from violations of State or Federal labor laws, including but not limited to the National Labor Relations Board, or the Equal Opportunity Commission (i.e. sexual harassment and/or discrimination violations). If yes, please explain and provide copies of all written findings.

PART 2 - ORAL PRESENTATION AND INTERVIEW

If an award is not based solely on the written Proposals, interviews may be conducted with the top ranked Proposers. There will be zero (0) points awarded for the interview; however, the responses will be used to verify and finalize scoring from the written evaluation.

PART 3 - SCHEDULE (some dates tentative and subject to change) **Note: Proposals have already been submitted to the County – this publication is for informational purposes only.**

Issue Request for Proposals	August 24, 2009
Pre-Proposal Conference.....	September 2, 2009, 9:00 – 10:00am
Final Questions Deadline	September 21, 2009
Addendum Issued if needed	September 23, 2009
Due Date for Proposals.....	October 6, 2009
Oral Interviews, if necessary	week of October 12, 2009
Tentative Selection of Proposer(s).....	week of October 26, 2009

PART 4 - PROPOSAL CHECKLIST

- A. One (1) signed copy of entire RFP package
- B. One (1) signed copy of any Addendum that was issued. (If it has signature box at bottom of first page, it must be returned.)
- C. One (1) signed original letter of interest.
- D. One (1) unbound copy of Proposal response marked "Original."
- E. Eight (8) copies of both the letter of interest and Proposal response, plus One (1) CD-ROM in pdf or MS-Word format.
- F. A Purchase Order Worksheet for each property in your Proposal.
- G. Complete the Proposal Identification Label below (or reasonable facsimile) and attach it to a prominent place on the exterior of the submission envelope, box, etc.

URGENT – SEALED BID ENCLOSED
Do Not Delay – Deliver Immediately



King County

King County Procurement &
Contract Services Section
Chinook Bldg, 3rd Floor, 401
Fifth Avenue
CNK-ES-0340
Seattle, WA 98104-2333

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Bid No. RFP 1010-09RLD
Bid Title Sale of 3 Properties
Totaling 24 Acres
Due Date
Vendor