

REQUEST FOR PROPOSALS

REAL ESTATE DEVELOPMENT AND ADVISORY SERVICES

RFP #269-2024-021



**CITY OF CHARLOTTE
NORTH CAROLINA**

OCTOBER 18, 2023

REQUEST FOR PROPOSALS
RFP # 269-2024-021
Real Estate Development and Advisory Services

October 18, 2023

Interested Company:

The City of Charlotte, North Carolina, is now accepting Proposals for Real Estate Development and Advisory Services. The requirements for submitting a Proposal are stated in the attached Request for Proposals (the "RFP"). Please review them carefully.

The City of Charlotte is using the Bonfire e-Procurement Portal ("Procurement Portal" - <https://charlottenc.bonfirehub.com>) to accept and evaluate proposals for this RFP. Proposals must be submitted electronically through the Procurement Portal on or before the Due Date in order to be accepted.

THERE WILL BE NO PRE-PROPOSAL CONFERENCE.

Submission of written questions prior to Proposal Submission are permitted for companies for purposes of clarifying this RFP. In order for questions to be addressed prior to the Proposal Submission date, all questions must be submitted no later than **October 31, 2023 at 2:00 p.m.**, in writing electronically through the **Vendor Discussions** section on the Procurement Portal, Bonfire, under the respective project page.

Responses to questions will be posted in Public Notices via addenda before Proposal Submissions.

Any changes to the terms, conditions or specifications stated in this RFP will be documented in a written addendum and will be posted on the Procurement Portal. Each Company is required to acknowledge receipt of all addenda. Please note that we may not consider any Proposal that fails to acknowledge receipt of each issued addendum.

Proposal submissions are due no later than **November 9, 2023, at 2 p.m.**

The City is an equal opportunity purchaser.

Sincerely,

Tammy Hamilton
Procurement Agent

Checklist for submitting a Proposal:

- Step 1** **Read the document fully.**
- Step 2** Review the solicitation timeline and upcoming events in the Procurement Portal and download copies of any documents if you plan to submit a Proposal.
- Step 3** (Optional) Submit any questions via the Procurement Portal by the deadline(s) noted for the solicitation.
- Step 4** Conduct a thorough review of the Sample Contract. Any exceptions to the Sample Contract must be uploaded in word format (with redlines/tracked changes)
- Step 5** Monitor the Procurement Portal for any addendums and/or responses to questions.

If you plan to submit a Proposal, you must submit all required documents and respond to all questions within the Procurement Portal for the RFP.

If awarded a contract, your company will be required to provide an insurance certificate(s) that meets or exceeds the requirements set forth in the Sample Contract.

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Section 1

Introduction and General Information

1. INTRODUCTION.

1.1. Objective.

The objective of this RFP is to solicit Proposals that will enable the City to determine which companies will best assist the City with their Real Estate Development and Advisory Services.

1.2. Definitions.

As used in this RFP, the following terms shall have the meanings set forth below:

Acceptance: Refers to receipt and approval by the City of a Deliverable or Service in accordance with the acceptance process and criteria in the Contract.

Affiliates: Refers to all departments or units of the City and all other governmental units, boards, committees or municipalities for which the City processes data or performs services.

Biodegradable: Refers to the ability of an item to be decomposed by bacteria or other living organisms.

Charlotte Business INclusion/CBI: Refers to the Charlotte Business INclusion office of the City of Charlotte.

Charlotte Business INclusion Policy/CBI Policy: Refers to the policy adopted by City Council, which seeks to enhance competition in contracting and procurement opportunities for MWSBEs located in the Charlotte Combined Statistical Area.

Charlotte Combined Statistical Area: Refers to the area consisting of the North Carolina counties of Anson, Cabarrus, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rowan, Stanly, and Union, and the South Carolina counties of Chester, Lancaster, and York; a criterion used by Charlotte Business INclusion to determine eligibility to participate in the program.

City: Refers to the City of Charlotte, North Carolina.

City Project Manager: Refers to a specified City employee representing the City's best interests in this Project.

Company: During the solicitation process, refers to a company that has interest in providing the Services. After the solicitation process, refers to a company that has been selected by the City to provide the Services.

Company Project Manager: Refers to a specified Company employee representing the best interests of the Company for this Project.

Contract: Refers to a written agreement executed by the City and the Company for all or part of the Services.

Deliverables: Refers to all tasks, reports, information, designs, plans, and other items that the Company is required to deliver to the City in connection with the Contract.

Department: Refers to a department within the City of Charlotte.

Documentation: Refers to all written, electronic, or recorded works that describe the use, functions, features, or purpose of the Deliverables or Services or any

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component thereof, and which are provided to the City by the Company or its subcontractors, including without limitation all end user manuals, training manuals, guides, program listings, data models, flow charts, and logic diagrams.

Evaluation Committee: Refers to a City-appointed committee that will evaluate Proposals and identify the Company (or Companies) best meeting the needs of the City.

*Minority-owned
Business Enterprise/
MBE:*

Refers to a business enterprise that: (i) is certified by the State of North Carolina as a Historically Underutilized Business (HUB) within the meaning of N.C. Gen. Stat. § 143-128.4; (ii) is at least fifty-one percent (51%) owned by one (1) or more persons who are members of one of the following groups: African American or Black, Hispanic, Asian, Native American or American Indian; and (iii) has significant business presence in the Charlotte Combined Statistical Area.

MWSBE: Refers to SBEs, MBEs, and WBEs, collectively.

MWSBE Goal: If an RFP or Contract has separate Subcontracting Goals for MBEs, WBEs, and/or SBEs, the term MWSBE is a shorthand way to refer collectively to all MBE, WBE, and SBE Goals set for the RFP. In some instances, the City may set one (1) combined goal for MBEs, WBEs, and/or SBEs, in which event the term MWSBE Goal refers to that one (1) combined goal. In the latter instance, calculated as a percentage, the MWSBE Goal represents the total dollars spent with MBEs, WBEs, and SBEs as a portion of the total Proposal amount, including any contingency.

Project: Refers to the City's need for a company to provide Real Estate Development and Advisory Services for the City.

Proposal: Refers to the proposal submitted by a Company for the Services as outlined in this RFP.

Services: Refers to the Real Estate Development and Advisory Services as requested in this RFP.

*Small Business
Enterprise/SBE:*

Refers to a business enterprise that is certified by the City of Charlotte under Part E of the CBI Policy as meeting all of the requirements for SBE certification.

*Specifications and
Requirements:*

Refers to all definitions, descriptions, requirements, criteria, warranties, and performance standards relating to the Deliverables and Services that are set forth or referenced in: (i) this RFP, including any addenda; (ii) the Documentation; and (iii) any functional and/or technical specifications that are published or provided by the Company or its licensors or suppliers from time to time with respect to all or any part of the Deliverables or Services.

Subcontracting Goal: Refers to a SBE, MBE, WBE, and/or MWSBE Goal established by the City for an RFP and resulting Contract.

Trade Secrets: Information of the City or any of its suppliers, contractors or licensors that: (i) derives value from being secret; and (ii) the owner has taken reasonable steps to keep confidential. See N.C. Gen. Stat. § 66-152 et seq. Examples of trade secrets include information relating to proprietary software, new

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technology, new products or services, flow charts or diagrams that show how things work, manuals that tell how things work and business processes and procedures.

*Woman-owned
Business Enterprise/
WBE:*

Refers to a business enterprise that: (i) is certified by the State of North Carolina as a Historically Underutilized Business (HUB) within the meaning of N.C. Gen. Stat. § 143-128.4; (ii) is at least fifty-one percent (51%) owned by one or more persons who are female; and (iii) has significant business presence in the Charlotte Combined Statistical Area.

Work Product:

Refers to the Deliverables and all other programs, algorithms, reports, information, designs, plans and other items developed by the Company in connection with this RFP, and all partial, intermediate or preliminary versions of any of the foregoing.

1.3. Accuracy of RFP and Related Documents.

Each Company must independently evaluate all information provided by the City. The City makes no representations or warranties regarding any information presented in this RFP, or otherwise made available during this procurement process, and assumes no responsibility for conclusions or interpretations derived from such information. In addition, the City will not be bound by or be responsible for any explanation or conclusions regarding this RFP or any related documents other than those provided by an addendum issued by the City. Companies may not rely on any oral statement by the City or its agents, advisors, or consultants.

If a Company identifies potential errors or omissions in this RFP or any other related documents, the Company should immediately notify the City of such potential discrepancy in writing. The City may issue a written addendum if the City determines clarification necessary. Each Company requesting an interpretation will be responsible for submitting them per Section 2.2.

1.4. City's Rights and Options.

The City reserves the right, at the City's sole discretion, to take any action affecting this RFP, this RFP process, or the Services or facilities subject to this RFP that would be in the best interests of the City, including:

- 1.4.1. To supplement, amend, substitute, or otherwise modify this RFP, including the schedule, at any time;
- 1.4.2. To cancel this RFP with or without the substitution of another RFP;
- 1.4.3. To require one or more Companies to supplement, clarify or provide additional information in order for the City to evaluate the Proposals submitted;
- 1.4.4. To investigate the qualifications, experience, capabilities, and financial standing of each Company submitting a Proposal;
- 1.4.5. To waive any defect or irregularity in any Proposal received;
- 1.4.6. To reject any or all Proposals;
- 1.4.7. To share the Proposals with City employees other than the Evaluation Committee or City advisory committees as deemed necessary;
- 1.4.8. To award all, none, or any part of the Services and enter into Contracts with one or more of the responding Companies deemed by the City to be in the best interest of the City, which may be done with or without re-solicitation;

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- 1.4.9. To discuss and negotiate with any Company (or Companies) their Proposal terms and conditions, including but not limited to financial terms;
- 1.4.10. To terminate discussions and negotiations with any Company at any time and for any reason;
- 1.4.11. To issue additional requests for information; and
- 1.4.12. To take any action affecting this RFP, this RFP process, or the Services or facilities subject to this RFP that would be in the best interest of the City.

1.5. Expense of Submittal Preparation.

The City accepts no liability, and Companies will have no actionable claims, for reimbursement of any costs or expenses incurred in participating in this solicitation process. This includes expenses and costs related to Proposal submission, submission of written questions, attendance at pre-proposal meetings or evaluation interviews, contract negotiations, or activities required for contract execution.

1.6. Proposal Conditions.

- 1.6.1. The following terms are applicable to this RFP and the Company's Proposal Not An Offer. This RFP does not constitute an offer by the City. No binding contract, obligation to negotiate, or any other obligation shall be created on the part of the City unless the City and the Company execute a Contract. No recommendations or conclusions from this RFP process concerning the Company shall constitute a right (property or otherwise) under the Constitution of the United States or under the Constitution, case law, or statutory law of North Carolina.

- 1.6.2. Right to Terminate Discussions.

The Company's participation in this process might result in the City selecting the Company to engage in further discussions. The commencement of such discussions, however, does not signify a commitment by the City to execute a Contract or to continue discussions. The City can terminate discussions at any time and for any reason.

- 1.6.3. Trade Secrets and Personal Identification Information.

Definition.

Upon receipt by the City, all materials submitted by a Company (including the Proposal) are considered public records except for (1) material that qualifies as "trade secret" information under N.C. Gen. Stat. § 66-152 et seq. ("Trade Secrets") or (2) "personally identifiable information" protected by state or federal law, to include, but not be limited to, Social Security numbers, bank account numbers, and driver's license numbers ("Personally Identifiable Information" or "PII").

Instructions for Marking and Identifying Trade Secrets.

If any Proposal contains Trade Secrets or PII, such Trade Secrets and PII must specifically and clearly be identified by clearly separating them from the rest of the Proposal and marked either "Personally Identifiable Information – Confidential" or "Trade Secret—Confidential and Proprietary Information." This confidentiality caption must appear on each page of the Trade Secret or PII materials, and the document(s) must be submitted separately in the Procurement Portal.

Availability of Proposals to City Staff and Contractors.

By submitting a Proposal, each Company agrees that the City may reveal any Trade Secret materials and PII contained therein to all City staff and City officials involved in the selection process, and to any outside consultant or other third parties who serve on the Evaluation Committee or who are hired or appointed by the City to assist in the evaluation process.

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Availability of Proposals via Public Records Requests.

Any person or entity (including competitors) may request Proposals submitted in response to an RFP. Only those portions of RFPs properly designated as Trade Secret or PII are not subject to disclosure. The public disclosure of the contents of a Proposal or other materials submitted by a Company is governed by N.C. Gen. Stat. §§ 132 and 66-152, et seq.

When determining whether to mark materials as Trade Secret, please note the following:

- Entire Proposals may not be marked as Trade Secret
- Pricing may not be marked as Trade Secret

The City may disqualify and Company that designates its entire Proposal as a trade secret, or any portion thereof that clearly does not qualify under applicable law as a Trade Secret or PII. Each Company agrees to indemnify, defend, and hold harmless the City and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the Company has designated as a Trade Secret or PII. This includes an obligation on the part of the Company to defend any litigation brought by a party that has requested Proposals or other information that the Company has marked Trade Secret or PII.

1.6.4. Statutory Requirements.

Any Contract awarded as a result of this RFP shall be in full conformance with all statutory requirements of North Carolina and all statutory requirements of the Federal Government, to the extent applicable.

1.6.5. Reservation of Right to Change Schedule.

The City shall ultimately determine the timing and sequence of events resulting from this RFP. The City reserves the right to delay the closing date and time for any phase if City staff believe that an extension will be in the best interest of the City.

1.6.6. Reservation of Right to Amend RFP.

The City reserves the right to amend this RFP at any time during the process, if it believes that doing so is in the best interests of the City. Any addenda will be posted to [the Procurement Portal](#). Companies are required to acknowledge receipt of each addendum.

1.6.7. No Collusion or Conflict of Interest.

By responding to this RFP, the Company shall be deemed to have represented and warranted that the Proposal is not made in connection with any competing Company submitting a separate response to this RFP and is in all respects fair and without collusion or fraud.

1.6.8. Proposal Terms Firm and Irreversible.

The signed Proposal shall be considered a firm offer on the part of the Company. The City reserves the right to negotiate price and other terms. All Proposal elements (including all statements, claims, declarations, prices, and specifications) shall be considered firm and irrevocable for purposes of future Contract negotiations unless specifically waived in writing by the City. The Company chosen for award should be prepared to have its Proposal and any relevant correspondence incorporated into the Contract, either in part or in its entirety, at the City's election. Any false or misleading statements found in the Proposal or Contract exceptions not included in the Proposal may be grounds for disqualification.

1.6.9. Charlotte Business INclusion Program.

Pursuant to Charlotte City Council's adoption of the Charlotte Business INclusion (CBI) Policy, the CBI program promotes diversity, inclusion, and local business opportunities in the City's contracting and procurement process for Minority-owned, Woman-owned, and Small Business Enterprises (MWSBEs) with a significant business presence in the Charlotte Combined Statistical Area. The CBI Policy is posted at www.charlottebusinessinclusion.com.

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The City is committed to promoting opportunities for maximum participation of certified MWSBEs on City-funded contracts at both the prime and subcontract level. For MWSBE participation to count towards a Subcontracting Goal, MWSBEs must meet both the certification and geographic requirements as detailed throughout this solicitation and in the CBI Policy.

The City intends to negotiate utilization of MWSBE(s), The Company is required to submit the “MWSBE Utilization Form” through the Procurement Portal. Failure to submit this form with the Proposal shall render the Proposal non-responsive.

City certified MWSBE firms can be found in the City’s InclusionCLT system:

<https://charlotte.diversitycompliance.com/>

- 1.6.10. Subcontracting.
The Company given contract award shall be the prime contractor and shall be solely responsible for contractual performance. In the event of a subcontracting relationship, the Company shall remain the prime contractor and will assume all responsibility for the performance of the Services that are supplied by all subcontractors. The City retains the right to approve all subcontractors. Additionally, the City must be named as a third-party beneficiary in all subcontracts.
- 1.6.11. Equal Opportunity.
The City has an equal opportunity purchasing policy. The City seeks to ensure that all segments of the business community have access to supplying the goods and services needed by City programs. The City provides equal opportunity for all businesses and does not discriminate against any Companies regardless of race, color, religion, age, sex, and national origin or disability.
- 1.6.12. Title VI Solicitation Notice: Note: Unless otherwise stated herein, this section is only applicable to purchases made by or on behalf of the Aviation Department. The City, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 USC §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders or offerors that it will affirmatively ensure that for any contract entered into pursuant to this advertisement, disadvantaged business enterprises or airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and no businesses will be discriminated against on the grounds of race, color, national origin (including limited English proficiency), creed, sex (including sexual orientation and gender identity), age, or disability in consideration for an award.
- 1.6.13. Use of City’s Name.
No advertising, sales promotion, or other materials of the Company or its agents or representatives may identify or reference the City in any manner absent the prior written consent of the City.
- 1.6.14. Withdrawal for Modification of Proposals.
Companies may change or withdraw a previously submitted Proposal at any time prior to the Proposal due date by editing or removing their submission on the Procurement Portal.
- 1.6.15. No Bribery.
In submitting a response to this RFP, each Company certifies that neither it, any of its affiliates or subcontractors, nor any employees of any of the foregoing has bribed, or attempted to bribe, an officer or employee of the City in connection with the Contract.

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1.6.16. Exceptions to the RFP.

Other than exceptions that are stated in compliance with this Section, each Proposal shall be deemed to agree to comply with all terms, conditions, specifications, and requirements of this RFP including the Sample Contract language. An “exception” is defined as the Company’s inability or unwillingness to meet a term, condition, specification, or requirement in the manner specified in the RFP including in the Sample Contract. All exceptions taken must be identified and explained in writing in your Proposal and must specifically reference the relevant section(s) of this RFP. If the Company provides an alternate solution when taking an exception to a requirement, the benefits of this alternative solution and impact, if any, on any part of the remainder of the Company’s solution, must be described in detail.

Exceptions must be submitted under the Acknowledgement Section in the Procurement Portal. **If exceptions are not identified and submitted in your Proposal, they may not be considered during Contract negotiation and could result in Proposal being rejected from further consideration.** If legal counsel needs to review the Sample Contract prior to signature, reviews must be completed before your Proposal is submitted. The City reserves the right to refuse consideration of any terms not so included. Any proposed changes to the Sample Terms after tentative contract award may constitute a material change to the Company’s Proposal and be grounds for revoking the award.

The City intends to enter into a City-drafted Contract with the successful Company that contains the terms and conditions set forth in the Sample Services Contract. The number and extent of any exceptions and proposed additions to the Sample Terms will be one of the City’s evaluation criteria.

Notwithstanding the foregoing, the City reserves the right to modify the Sample Terms prior to or during contract negotiations if it is in the City’s best interest to do so.

1.6.17. Fair Trade Certifications.

By submitting a Proposal, the Company certifies that:

- The prices in its Proposal have been arrived at independently, without consultation, communication, or agreement with anyone, as to any matter relating to such prices for the purpose of restricting competition;
- Unless otherwise required by law, the prices quoted in its Proposal have not been knowingly disclosed by the Company and will not knowingly be so disclosed prior to the Proposal due date; and
- No attempt has been made or will be made by the Company to induce any other person or firm to submit or not to submit a Proposal for the purpose of restricting competition.

1.6.18. Companies’ Obligation to Fully Inform Themselves.

Companies or their authorized representatives must fully inform themselves as to all conditions, requirements, and specifications of this RFP before submitting a Proposal. Failure to do so will be at the Company’s own risk.

1.6.19. Environmentally Preferable Purchasing.

The City promotes the practice of Environmentally Preferable Purchasing (EPP) in acquiring products or services.

1.6.20. Disclaimer

Each Company must perform its own evaluation and due diligence verification of all information and data provided by the City. The City makes no representations or warranties regarding any information or data provided by the City.

Section 2

Procurement Process

2. PROCUREMENT PROCESS.

This Section 2 contains information about the procurement process for this Project.

2.1. Schedule and Process.

The following chart shows the schedule of events for the conduct of this RFP. The key events and deadlines for this process are as follows, some of which are set forth in more detail in the Sections that follow:

DATE	EVENT
October 18, 2023	<i>Issuance of RFP.</i> The City issues this RFP.
October 31, 2023	<i>Submission of Written Questions Prior to Proposal Submission.</i> Companies are permitted to submit questions for purposes of clarifying this RFP. All questions must be pursuant to the instructions in Section 2.2 by 2 p.m.
November 9, 2023	<i>Proposal Submission.</i> Proposals are due by no later than 2 p.m. via the Procurement Portal.
November 20 , 2023 – November 22, 2023	<i>Evaluation.</i> The Evaluation Committee will assess each Proposal and conduct evaluation activities.
February 1, 2024 (Tentative)	<i>Services Commence.</i> Company begins providing the Services.

2.2. Interpretations and Addenda.

Submit a question through the **Vendor Discussion** section on the Procurement Portal (<https://charlottenc.bonfirehub.com>). Companies should refrain from contacting City staff prior to the Proposal due date.

The City is not bound by any statements, representations or clarifications regarding this RFP other than those provided in writing by the Procurement Officer.

In order for questions to be addressed prior to the Proposal Submission date of November 1, 2023 at 2:00 p.m., they must be submitted by **October 31, 2023, no later than 2 p.m..**

All solicitation questions must be submitted electronically to the Procurement Portal, Bonfire, under the respective project page, through the Vendor Discussions section. In the case of questions not submitted by the written question deadline, the City will, based on the availability of time to research and communicate an answer, decide whether an answer can be given before the Proposal submission deadline.

All responses to questions submitted after the written question deadline will be posted in Public Notices via addenda.

2.3. Pre-Proposal Conference.

There will be no Pre-Proposal Conference.

2.4. Submission of Proposals.

Proposals must be submitted in the format specified in Section 4 of this RFP by **November 9, 2023, on or before but no later than 2 p.m.**

When received, all Proposals and supporting materials, as well as correspondence relating to this RFP, shall become the property of the City. The Proposals will not be read aloud or made available to inspect or copy until any trade secret issues have been resolved.

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2.5. Correction of Errors.

The person signing the Proposal must initial erasures or other corrections in the Proposal. The Company further agrees that in the event of any obvious errors, the City reserves the right to waive such errors in its sole discretion. The City, however, has no obligation under any circumstances to waive such errors.

2.6. Evaluation.

As part of the evaluation process, the Evaluation Committee may engage in discussions with one or more Companies. Discussions might be held with individual Companies to determine in greater detail the Company's qualifications, to explore with the Company the scope and nature of the required contractual Services, to learn the Company's proposed method of performance and the relative utility of alternative methods, and to facilitate arriving at a Contract that will be satisfactory to the City.

The City may in its discretion require one (1) or more Companies to make presentations to the Evaluation Committee or appear before the City and/or its representatives for an interview. During such interview, the Company may be required to present its Proposal orally and otherwise and to respond in detail to any questions posed. Additional meetings may be held to clarify issues or to address comments, as the City deems appropriate. Companies will be notified in advance of the time and format of such meetings.

Since the City may choose to award a Contract without engaging in discussions or negotiations, the Proposals submitted shall state the Company's best offer for performing the Services described in this RFP.

2.7. Vendor Inclusion.

The City's vendor management philosophy supports a fair, open, and inclusive process that offers the same access and information to all Companies. Although Companies are not required to be registered in the City's vendor registration system prior to submitting a Proposal, in order to execute a contract with the City and receive payment from the City, all Companies must register with the City's vendor registration system.

Your registration provides the City with baseline information for your company including location, contact and demographic information, as well as your areas of expertise with specific commodity and/or service descriptions.

You will also have the opportunity to complete any applicable certifications if your company desires to establish itself as an SBE, MBE, or WBE. The link below will provide you with the opportunity to complete your registration on-line with the City. <http://charlottenc.gov/vendors>

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3. SCOPE OF REAL ESTATE DEVELOPMENT AND ADVISORY SERVICES.

The Consultant shall, as directed from time to time during the contract term, provide on-going, on-call consulting services for various initiatives driven by the Economic Development Department. In order to meet the City's needs on a timely basis, it is anticipated that a minimum of three (3) proposers will be awarded a contract to provide the continuing consultant services on an as needed basis as projects and opportunities are developed from time to time. The City will select a particular consultant from among the available pool of consultants based upon the City's perceived needs and/or the particular project, as determined in the City's sole discretion.

Below are the topic areas covering the services sought by the City. General examples of services under the topic areas are also presented below. Respondents are not expected to respond to more than one topic in order for the submission to be responsive, but respondents are welcome to respond to multiple topics.

Example Scope of Services

1. Economic and Fiscal Impact Analysis

- Using an industry approved-model such as REMI, IMPLAN, or an equivalent industry-proven model, quantify the direct, indirect, and induced economic impacts, including, but not limited to:
 - Jobs created during construction and permanent jobs created during operations;
 - Earnings, wages and salaries, or income received;
 - Consumer spending;
 - Supplier impacts of businesses or related local industries; and
 - Statewide gross domestic product and/or other related macro-economic factors.
- Quantify fiscal impacts on City revenue as a whole and each source of City revenue, including but not limited to property, sales, and tourism taxes.
- Prepare project-based fiscal impact model (using Microsoft Excel), suitable for simple input of critical project assumptions and public review of such assumptions, calculations, and outputs. The methodology employed should be clearly stated and capable of being independently recreated by the City. The fiscal model should project current dollar revenues and costs, and allow for potential phasing of projects, as well as allowing for key project variables to be capable of independent input. The base fiscal impact model should allow for multiple revenue inputs and application to varying land uses/building types including, but not limited to office, hotels, condos, flex industrial, manufacturing, multifamily, mixed use/retail, destination recreation/retail, parking facilities, and others as determined by the City.
- Analyze, determine and calculate appropriate return on public investment measures.
- Prepare or review tax increment projections.

2. Market and Feasibility Analysis

- Perform financial feasibility analyses;
- Perform highest and best use studies (including redevelopment feasibility);
- Supply, analyze and benchmark market data for the project, including the uses contained therein, including construction and other development costs, rents, and operating expenses, including trends and cost/value drivers;
- Conduct market and submarket analysis for any given product type (e.g., hotel, multi-family, office, mixed use, etc.) indicating market inventory, rents, vacancy, absorption as well as new supply projections; and
- Confirm or determine highest and best use.

- 3. Real Estate Financial Analysis** *(Note: Any and all financial analyses and pro formas to be completed in Excel and to include detailed assumption templates.)*
- Calculate or verify the investment returns, levered and unlevered, indicating ROC, IRR, cash-on-cash, and other customary financial metrics;
 - Analyze project/investment feasibility;
 - Investment analysis including financial projections and detailed modeling;
 - Estimate current construction and/or replacement costs;
 - Evaluate all proposed public investment being requested for any project to determine which, if any, investment is necessary for the project; and
 - Analyze, evaluate, and recommend a financial structure that optimizes the public investment, including an analysis, evaluation and mitigation strategy of public sector risk in a proposed transaction.
- 4. Public Private Partnerships**
- Identification of the attributes that support or hinder future development at specific sites;
 - Identification and structure of economic development projects and public/private partnerships;
 - Exploration and identification of opportunities available for leveraging real property; and
 - Management of developer solicitation, interview and negotiations, and selection process.

Deliverables will be established in individual task orders. The City will notify Consultants under contract in the appropriate category when work is required.

Scope and Timeline determined between the Economic Development Department and the selected Consultant(s).

Deliverables may vary, and deliverables could include, but are not limited to: written reports and memoranda, tabular applications/spreadsheets for quantitative studies, attendance at meetings, and presentations to elected officials, government agencies, the business community and the public at-large.

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4. PROPOSAL FORMAT AND CONTENT.

The City desires all Proposals to be identical in format in order to facilitate comparison. While the City's format may represent departure from the Company's preference, the City requires strict adherence to the format. All Forms and Questionnaires shall be found and submitted in the City's Procurement Portal.

Each **required** Proposal Document listed in the Requested Information section on the Procurement Portal must be submitted for a Company to be deemed responsive to this RFP. Companies must complete all required Proposal Forms.

The Proposal shall be submitted in the format described below:

- A. Cover letter;
- B. Proposed Solution;
- C. Required Proposal Forms:
 - The "Proposal Submission" Form;
 - The "Pricing Narrative" Form;
 - The "References Form";
 - The "MWSBE Utilization" Form;
 - The "DBE Program" Form;
 - The "Certification Regarding Debarment, Suspension and Other Responsibility Matters" Form;
 - The "Byrd Anti-Lobbying Certification" Form;
 - The "Company's Background & Additional Questions" Questionnaires (*Complete all questions.*); and
 - The "Acknowledgements".

The following additional documentation must also be uploaded, *if applicable*:

- Any documentation of items marked Trade Secret. Trade Secrets or PII must be identified in accordance with **Sections 1.6.3** of this RFP.
- Any Exceptions to the RFP, including the Sample Contract. Exceptions shall be identified in accordance with **Sections 1.6.16** of this RFP, including the Sample Contract.

4.1. Proposal Content.

4.1.1. Cover Letter.

The Proposal must include a letter of transmittal attesting to its accuracy, signed by an individual authorized to execute binding legal documents. The cover letter shall provide the name, address, telephone and facsimile numbers of the Company along with the name, title, address, email address, and telephone numbers of the executive that has the authority to contract with the City. The cover letter shall present the Company's understanding of the Project and a summary of the approach to perform the Services.

4.1.2. Proposed Solution.

Given the purpose of this Project and the City's goals as stated in this RFP, provide a creative solution to meet such goals. **For each component of the Project described in Section 3, state whether and how your Proposed Solution complies as well as any additional information requested, including but not limited to other duties related to the scope as required by the City.** If you wish to add supplemental information, it shall be labeled "Supplemental Information."

4.1.3. Required Forms.

To be deemed responsive to this RFP, Companies must complete all Proposal Forms listed in the Requested Information section on the Procurement Portal

4.1.4. Acknowledgements.

To be deemed responsive to this RFP, Companies must complete all Acknowledgements listed in the Requested Information section on the Procurement Portal.

4.1.5. Exceptions to the RFP.

Companies must review Section 1.6.16 for an overview of Exceptions to the RFP. If you elect to take Exceptions to the RFP, including the Sample Contract, then you must upload a redlined version under

Section 4

Proposal Format and Content

the Acknowledgement Section in the Procurement Portal. If exceptions are not identified by way of an uploaded redline version, then they may not be considered during Contract negotiation and could result in Proposal being rejected from further consideration.

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5. PROPOSAL EVALUATION CRITERIA.

Proposals will be evaluated based on the Company's ability to meet the performance requirements of this RFP. This section provides a description of the evaluation criteria that will be used to evaluate the Proposals. To be deemed responsive, it is important for the Company to provide appropriate detail to demonstrate satisfaction of each criterion and compliance with the performance provisions outlined in this RFP. Proposals must contain information specifically related to the proposed Services and requested herein. Failure of any Company to submit information requested may result in the elimination of the Proposal from further evaluation.

Proposals will be assessed to determine the most comprehensive, competitive and best value solution for the City based on, but not limited to, the criteria below. The City reserves the right to modify the evaluation criteria or waive portions thereof. Proposals will be evaluated on the following major categories:

- a. Qualifications, Experience, And Approach
- b. Cost Effectiveness and Value
- c. MWSBE inclusion efforts
- d. Acceptance of the Terms of the Contract

5.1. Qualifications, Experience, and Approach / Proposed Solution.

Companies will be evaluated based upon their understanding, experience and qualifications in performing the same or substantially similar Services, as reflected by its experience in performing such Services. The evaluation will include references regarding work for organizations with needs similar to the City's, and the feasibility of the Company's approach for the provision of the Services.

5.2. Cost Effectiveness and Value.

Under this criterion, Proposals will be compared in terms of the most reasonable and effective pricing options. The Evaluation Committee will also take into consideration any indirect costs associated with the Services and administration of the Contract.

5.3. MWSBE Subcontractor Utilization.

The City maintains a strong commitment to the inclusion of MWSBEs in the City's contracting and procurement process. For the purposes of this RFP, the City will consider a Company's MWSBE certification and/or MWSBE subcontracting inclusion efforts. To count towards a Department MWSBE Goal, MWSBE certified Companies and/or their MWSBE subcontractors must meet the following certification criteria prior to Proposal submission:

- Be designated as a City certified SBE; and/or
- Be designated as a City registered MBE or WBE

MWSBE utilization is only one (1) criterion considered in the totality of all criteria listed in this Section 5.

5.4. Acceptance of the Terms of the Contract.

The City will evaluate the Proposals for compliance with the terms, conditions, requirements, and specifications stated in this RFP including the sample contract language provided. Regardless of exceptions taken, Companies shall provide pricing based on the requirements and terms set forth in this RFP. Exceptions shall be identified in accordance with Sections 1.6.16 of this RFP.

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