



**STATE OF NORTH CAROLINA**  
**APPALACHIAN STATE UNIVERSITY**

**Request for Qualifications #55-090823**

**Description: Public Private Partnership for  
On-Campus and Off-Campus Student Housing**

**Date of Issue: September 8, 2023**

**Statements of Qualifications are due no later than  
4:00 pm ET, October 9, 2023**

Direct all inquiries concerning this selection process to:

**Chad Hicks**  
Director of Materials Management  
Email: [hicksce@appstate.edu](mailto:hicksce@appstate.edu)  
Phone: 828-262-4004

**TENTATIVE SCHEDULE**

The table below shows the *intended* schedule for this RFQ. The University will make every effort to adhere to this schedule.

<b>Event</b>	<b>Responsibility</b>	<b>Date and Time</b>
Issue RFQ	University	September 8, 2023
Deadline to Submit SOQ	Developer	October 9, 2023 at 4:00 PM Eastern

**STATE OF NORTH CAROLINA**  
**APPALACHIAN STATE UNIVERSITY**

**Request for Qualifications # 55-090823**

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For internal State agency processing, please provide your company's Federal Employer Identification Number or alternate identification number (e.g. Social Security Number). Pursuant to North Carolina General Statute 132-1.10(b) this identification number shall not be released to the public. **This page will be removed and shredded, or otherwise kept confidential**, before the procurement file is made available for public inspection.

**This page is to be filled out and returned with your submittal.**  
**Failure to do so may subject your submittal to rejection.**


**ID Number:**

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Federal ID Number or Social Security Number

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Company Name

		<b>STATE OF NORTH CAROLINA</b> <i>Appalachian State University</i>	
<b>Refer <u>ALL</u> Inquiries regarding this RFQ to:</b>  <b>Chad Hicks</b>  <b>Director of Materials Management</b>  <b>Appalachian State University</b> <b>hicksce@appstate.edu</b>  <b>828-262-4004</b>		<b>Request for Qualifications # 55-090823</b>	
		<b>SOQs will be opened: October 9, 2023 at 4:00 PM Eastern</b>	
		<b>Contract Type: Open Market</b>	
		<b>Project Description: Public-Private Partnership for On-Campus and Off-Campus Student Housing</b>	
		<b>Using Agency: APPALACHIAN STATE UNIVERSITY</b>	
		<b>Requisition No.:</b>	
		<b>Issue Date: September 8, 2023</b>	

**EXECUTION**

In compliance with this Request for Qualifications (RFQ), and subject to all the conditions herein, the undersigned Developer offers and agrees to furnish and deliver any or all items upon which prices are bid, at the prices set opposite each item within the time specified herein. By executing this submittal, the undersigned Developer certifies that its Statement of Qualifications is submitted competitively and without collusion (N.C.G.S. 143-54), that none of its officers, directors, or owners of an unincorporated business entity has been convicted of any violations of Chapter 78A of the General Statutes, the Securities Act of 1933, or the Securities Exchange Act of 1934 (G.S. 143-59.2), and that it is not an ineligible Vendor as set forth in G.S. 143-59.1. False certification is a Class I felony. Furthermore by executing this submittal, the undersigned certifies to the best of Developer's knowledge and belief, that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any Federal or State department or agency. As required by N.C.G.S. §143-48.5, the undersigned Developer certifies that it, and each of its sub-Contractors for any Contract awarded as a result of this RFQ and subsequent Request for Proposals, complies with the requirements of Article 2 of Chapter 64 of the NC General Statutes, including the requirement for each employer with more than 25 employees in North Carolina to verify the work authorization of its employees through the federal E-Verify system. N.C.G.S. 133-32 and Executive Order 24 (2009) prohibit the offer to, or acceptance by, any State Employee associated with the preparing plans, specifications, estimates for public Contract; or awarding or administering public Contracts; or inspecting or supervising delivery of the public Contract of any gift from anyone with a Contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**Failure to execute/sign proposal prior to submittal shall render proposal invalid and it WILL BE REJECTED. Late submittals cannot be accepted.**

<b>DEVELOPER:</b>		
<b>STREET ADDRESS:</b>	<b>P.O. BOX:</b>	<b>ZIP:</b>
<b>CITY &amp; STATE &amp; ZIP:</b>	<b>TELEPHONE NUMBER:</b>	<b>TOLL FREE TEL. NO:</b>
<b>PRINCIPAL PLACE OF BUSINESS ADDRESS IF DIFFERENT FROM ABOVE:</b>		
<b>PRINT NAME &amp; TITLE OF PERSON SIGNING ON BEHALF OF VENDOR:</b>		<b>FAX NUMBER:</b>
<b>DEVELOPER'S AUTHORIZED SIGNATURE:</b>	<b>DATE:</b>	<b>E-MAIL:</b>

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## 1.0 PURPOSE AND BACKGROUND

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### 1.1 Request for Qualifications (RFQ)

#### 1.1.1 Overview of the Opportunity

Appalachian State University ("App State" or "the University") is issuing this Request for Qualifications ("RFQ") to solicit responses from interested parties ("Developers") who are qualified to enter into a public-private partnership (P3) with the University to design, build, finance, and maintain student housing buildings, parking, and potential student support facilities on campus in a development plan which may occur over multiple phases. The buildings will be developed, operated, and maintained in a manner consistent with the objectives of the University, which are described within this document.

The University is seeking to enhance the on- and off-campus housing experience at App State through the expansion of the University's on-campus housing inventory and the off-campus housing inventory owned by the University (the "Project"). The University intends the Project to accommodate robust demand from first year students and upper-division students who wish to stay on-campus in an environment that promotes their academic and personal success. The University also intends the Project to accommodate a demand for upper-division students who want to move off-campus into more privacy-focused apartments that are high quality and affordable. The Project should create a lively, cohesive residential community across multiple residential buildings.

The first phase of the Project is anticipated to include approximately 1,850 beds that are designed and built by the Developer on land owned by the University and ground leased to its affiliated 501(c)3 real estate development corporation, Appalachian Real Estate Development Corporation ("AREDC"). The University intends to finance and own the Project through AREDC. The University intends for its Department of University Housing to operate and maintain the on-campus Project improvements (the "On-Campus Project Facilities"). The University would consider a developer-managed solution or AREDC-managed solution for the off-campus residential improvements (the "Off-Campus Project Facilities"). Developer should have experience managing off-campus residential facilities targeted at students.

The University is contemplating additional phases of student housing above and beyond the planned 1,850 beds based on demand for additional or replacement student beds, on- and off-campus. The selected Developer would be determined qualified for these additional phases.

The University anticipates that development will occur on multiple sites located on- and off the main campus, most of which are within the boundaries of one or more App State property that has been designated as a Millennial Campus property. The development sites include several sites on App State's main campus and App 105 property, both of which are in Boone, North Carolina. Parking to serve the Project will consist of surface lots that will need to be constructed adjacent to the residential improvements. Please see the site plan located in Section 1.4.5 SITE DESCRIPTION of this RFQ for additional details.

The University requests that interested Developers submit a Statement of Qualifications ("SOQ") that demonstrates their experience, capability, and approach to partnering with a top-tier university known for its high-quality, engaging on-campus experience. The SOQ must be submitted in accordance with the terms and conditions of this RFQ and any addenda issued hereto. A single Developer will be certified by the University as qualified through this RFQ process to partner with the University to develop the Project.

### **1.1.2 Overview of the Selection Process**

Through this RFQ process, the University is seeking to identify a Developer with the best qualifications, experience, financial capacity, and proven track records of executing similar projects. An Evaluation Committee (see Section 1.1.3 EVALUATION COMMITTEE) designated by the University will conduct an evaluation of all materials submitted by Developers as part of this RFQ process. The evaluation will rank the Developer's qualifications based on specific criteria stated herein. The University will select, at its sole discretion, a single Developer it deems most qualified to partner with the University to undertake this Project ("Selected Developer"). The Selected Developer will receive the designation of being "qualified" and will be invited to participate in the pre-development process following the evaluation of SOQs. Participation in this RFQ is a prerequisite to participating in the pre-development process.

Two (2) or more entities may collaborate in submitting a response to this RFQ; however, a single Developer must be designated to contract with the University and must be responsible for performance under any future pre-development or development agreement.

Developers are prohibited from contacting any undesignated University officials, University Housing staff, or advisors of the University with regard to this opportunity. All inquiries must be made through the channels described within this RFQ. Developers are advised that unauthorized contact with University officials, related parties, or advisors of the University may result in disqualification of the Developer from this RFQ process at the University's sole discretion.

### **1.1.3 Evaluation Committee**

The review and evaluation of the received SOQs will be conducted by an Evaluation Committee ("Committee") designated by the University. The Committee will be responsible for evaluating all SOQs and making final recommendations to the University regarding all issues relating to the Project.

## **1.2 Appalachian State University**

### **1.2.1 University Background**

As the premier public undergraduate institution in the Southeast, App State prepares students to lead purposeful lives as global citizens who understand and engage their responsibilities in creating a sustainable future for all. The Appalachian experience promotes a spirit of inclusion that brings people together in inspiring ways to acquire and create knowledge, to grow holistically, to act with passion and determination, and to embrace diversity and difference. Located in the Blue Ridge Mountains, App State is one of 17 campuses in the University of North Carolina System. App State enrolls nearly 21,000 students, has a low student-to-faculty ratio and offers more than 150 undergraduate and graduate majors.

### **1.2.2 Enrollment**

App State's Fall 2022 total enrollment headcount was 20,436 students, including 1,752 distance education students. The Fall 2022 enrollment headcount for students at the main campus consisted of 17,767 undergraduate students and 917 graduate students for a total main campus enrollment of 18,684 students. Enrollment totals by classification for the past ten years can be seen in Table 1 below.

Table 1. App State Main Campus Enrollment, 2013-2022

Enrollment Classification	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change 2013-2022	% Change 2013-2022
Undergraduate Total	15,421	15,634	15,746	15,962	16,456	16,767	16,993	17,519	18,034	17,767	2,346	35.80%
Graduate Total	1,003	1,002	1,031	1,102	1,081	1,021	1,008	991	997	917	-86	-8.57%
<b>Main Campus Total Enrollment</b>	<b>16,424</b>	<b>16,636</b>	<b>16,777</b>	<b>17,064</b>	<b>17,537</b>	<b>17,788</b>	<b>18,001</b>	<b>18,510</b>	<b>19,031</b>	<b>18,684</b>	<b>2,260</b>	<b>13.76%</b>

Headcount enrollments of first-time Freshmen and new undergraduate transfer students at App State's main campus over the past ten years, which are included in the total undergraduate enrollment above, are broken out separately in Tables 2 and 3 below.

Table 2. App State Main Campus Freshman Enrollment, 2013-2022

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change 2013-2022	% Change 2013-2022
First-time Freshmen Main Campus Enrollment	2,883	3,033	3,049	3,125	3,306	3,445	3,501	3,906	4,099	3,917	1,034	35.86%

Table 3. App State Main Campus New Transfer Student Enrollment, 2013-2022

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change 2013-2022	% Change 2013-2022
New Undergraduate Transfer Students Main Campus Enrollment	1,329	1,360	1,440	1,596	1,527	1,568	1,449	1,459	1,524	1,498	169	12.72%

The University projects that main campus undergraduate enrollment will increase moderately over the next eight years. Projected undergraduate enrollment for App State's main campus is shown in Table 4. Actual enrollment growth is subject to market dynamics and may be limited at the University's discretion.

Table 4. App State Projected Main Campus Undergraduate Enrollment, 2023-2031\*

Year	Undergraduate Headcount Enrollment	New Freshmen	New Transfers
2023-24	18,057	4,240	1,558
2024-25	18,235	4,240	1,558
2025-26	18,386	4,090	1,558
2026-27	18,408	4,090	1,558
2027-28	18,422	4,090	1,558
2028-29	18,435	4,090	1,558
2029-30	18,453	4,090	1,558
2030-31	18,463	4,090	1,558

\*Note: Projections are not official.

### 1.2.3 Vision Statement

Appalachian State University aspires to strengthen its role as a leading public institution in the Southeast. We commit to empowering learners through innovative academic programs accompanied by experiences that take place beyond the classroom, excellence and equity in all our activities, and the cultivation of scholarship, engagement and creativity.



#### **1.2.4 Mission Statement**

Appalachian State University, a constituent member of the University of North Carolina System sustained by the generous support of North Carolinians, is a long-established public institution that honors our founding commitment to educational access and excellence and our rural mountain heritage through teaching, research and service.

The university's vibrant culture shapes students into globally minded, responsible members of society who engage with and actively contribute to their communities.

Our exemplary faculty and staff prepare students in bachelor's, master's and professional doctoral programs to be the leaders of the future.

#### **1.2.5 Sustainability Statement**

Sustainability at Appalachian State University is not a trend, it is a tradition. We are active stewards of our State's interconnected financial, cultural and natural resources. Through engaged scholarship, we balance critical, creative, and global thinking in a living laboratory, transforming theory into practice and fostering responsible citizenship.

### **1.3 University Housing**

#### **1.3.1 University Housing Mission**

Through a culture of care and inclusion, in partnership with residential students, we provide well-maintained housing and cultivate supportive, learning-centered communities.

#### **1.3.2 University Housing Goals**

University Housing strives to:

- a. Provide safe and sustainable housing for the Appalachian community
- b. Create a learning-centered home that engages residents to become active citizens of the world
- c. Provide high-quality support services in a fiscally responsible manner

#### **1.3.3 Existing App State Housing Inventory**

App State's on-campus housing system currently consists of 6,288 beds in 18 residence halls and in a local hotel, the Sleep Inn, which serves as overflow from the on-campus housing system inventory. Approximately 141 beds are reserved for Resident Assistant (RA) staff, but Developers should consider all on-campus beds to be revenue-generating. RA staff are paid an hourly rate and billed for their accommodation at standard housing rental rates. Each of the 18 residence halls is owned by the University. Within the existing student housing inventory, App State provides multiple unit-types, including traditional, semi-suite, hotel-style, and apartment units. Apartment units are available in a single configuration, which includes two double-occupancy bedrooms, two bathrooms, and a common living room, kitchen, and dining room. The apartment community is typically designated for upper-division students. Nearly all existing on-campus units are double-occupancy bedrooms in order to satisfy student demand to live on campus. The residence halls with unit type, 2023-24 Fall / Spring semester rental rate information, bed count, gross square footage, and square footage per bed are shown in Table 5 below.

Table 5. Existing App State Housing Inventory and 2023-24 Rental Rates

Residence Hall	Unit Type	2023-24 Rate (per Semester)	Assignable Beds	Gross SF	GSF per Bed
Appalachian Heights	Apartment	\$3,433	290	96,121	325
	RA	\$2,973	6		
	Total:		296		
Belk	Double Occupancy Common Bath	\$2,973	152	34,000	213
	Single Occupancy Common Bath	\$3,415	4		
	RA	\$2,973	4		
	Total:		160		
Cannon	Double Occupancy Common Bath	\$2,973	280	58,803	205
	RA	\$2,973	7		
	Total:		287		
Cone	Double Occupancy Common Bath	\$2,973	266	58,803	215
	RA	\$2,973	7		
	Total:		273		
Dogwood	Double Occupancy Common Bath	\$2,973	264	45,060	167
	RA	\$2,973	6		
	Total:		270		
Doughton	Double Occupancy Common Bath	\$2,973	264	49,114	182
	RA	\$2,973	6		
	Total:		270		
Elkstone	Double Occupancy Common Bath	\$2,973	212	87,272	402
	RA	\$2,973	5		
	Total:		217		

Frank	Double Occupancy Common Bath	\$2,973	178	40,900	206
	Single Occupancy Common Bath	\$3,415	5		
	Double Occupancy Private Bath	\$3,284	6		
	RA	\$2,973	5		
	Total:		194		
Laurel Creek	Double Occupancy Shared Bath	\$3,514	584	150,063	236
	Apartment	\$3,723	36		
	Single Occupancy Private Bath	\$3,774	1		
	RA	\$2,973	14		
	Total:		635		
Living-Learning Center (LLC)	Double Occupancy Shared Bath	\$3,226	282	49,200	159
	Single Occupancy Private Bath	\$3,406	18		
	RA	\$2,793	9		
	Total:		309		
Mountain Laurel	Double Occupancy Private Bath	\$3,315	248	98,450	389
	RA	\$2,973	5		
	Total:		253		
Mountaineer	Double Occupancy Private Bath	\$3,315	438	118,434	263
	RA	\$2,973	11		
	Total:		449		
Newland	Double Occupancy Shared Bath	\$3,226	256	65,060	220
	Double Occupancy Private Bath	\$3,315	34		
	RA	\$2,973	6		
	Total:		296		

<b>New River</b>	Double Occupancy Shared Bath	\$3,514	564	167,226	227
	Apartment	\$3,723	124		
	Single Occupancy Shared Bath	\$3,678	26		
	Single Occupancy Private Bath	\$3,774	2		
	RA	\$2,973	21		
	<b>Total:</b>		<b>737</b>		
<b>Raven Rocks</b>	Double Occupancy Shared Bath	\$3,514	264	86,627	272
	Apartment	\$3,723	20		
	Single Occupancy Shared Bath	\$3,678	16		
	Single Occupancy Private Bath	\$3,774	10		
	RA	\$2,973	8		
	<b>Total:</b>		<b>318</b>		
<b>Sleep Inn Boone</b> *Used as overflow space; Not owned by University;	Double Occupancy Private Bath	\$3,315	116	-	-
	Single Occupancy Private Bath	\$3,575	21		
	RA	\$2,973	3		
	<b>Total:</b>		<b>140</b>		
<b>Summit</b>	Double Occupancy Shared Bath	\$3,226	324	106,820	321
	RA	\$2,973	9		
	<b>Total:</b>		<b>333</b>		
<b>Thunder Hill</b>	Double Occupancy Shared Bath	\$3,514	484	158,002	269
	Apartment	\$3,723	48		
	Single Occupancy Shared Bath	\$3,678	26		
	Single Occupancy Private Bath	\$3,774	15		
	RA	\$2,973	14		

	<b>Total:</b>		<b>587</b>		
<b>White</b>	Double Occupancy Common Bath	\$2,973	258	46,617	177
	RA	\$2,973	6		
	<b>Total:</b>		<b>264</b>		
<b>Totals</b>			<b>6,288</b>	<b>1,516,572</b>	<b>241</b>

### 1.3.4 University Housing Programming and Residential Learning Communities

The first-year experience for both freshmen and transfer residential students plays a significant role in student success at Appalachian State University. We provide Residential Learning Communities and Theme Residence Hall Floors where students, faculty and staff interact in structured learning experiences in groups of 25 to 100 students and often take academic classes together either adjacent to or within the residence hall classrooms. Students who participate in these activities tend to become more involved in campus events, make more friends, create more robust connections with peers and faculty/staff, earn higher grades, and are retained at a higher level.

The University anticipates that new on-campus housing will support its residential programming priorities in two key ways. First, the Project should provide a mix of unit-types within each building that will allow Freshmen through Seniors to reside on the same floors and participate in these communities for multiple years. Second, the Project should facilitate a strong living-learning environment by including multipurpose support spaces.

### 1.3.5 Occupancy

App State's current inventory of on-campus beds is not sufficiently sized to accommodate robust housing demand from its students seeking on-campus housing options. For Fall 2023, the University housing system had a Fall semester occupancy rate of 101.2%, housing. The University has a live-on residency requirement for first-time Freshmen, but is currently unable to house significant numbers of continuing and transfer students who wish to live on campus.

Please note that a recent detailed student housing demand assessment will be provided to the selected Developer to facilitate planning. The University is committed to meeting its enrollment goals and maintaining high occupancy levels within its housing inventory, but does not guarantee any future occupancy level.

## 1.4 DESCRIPTION OF DEVELOPMENT OPPORTUNITY

### 1.4.1 Project History

The Project concept began to take shape in 2015 as part of a Student Housing Master Plan update. App State identified that its aging inventory required significant renovation or replacement in order to continue provision of a safe, comfortable, convenient, and engaging living experience. A Student Housing Assessment conducted in 2017 confirmed these findings. As a result, the University elected to pursue the Project concept outlined herein in order to create a dynamic living-learning environment through student housing and necessary support spaces.

Since 2017, the University has successfully completed a three-phase on-campus student housing development, led by a P3 developer and utilizing a 501(c)3 ownership structure. This development included the construction of four residence halls containing 2,300 beds, a parking deck, and the wholesale improvement of 14 acres of App State's campus, including new underground utilities, site lighting, walkways, streets, and landscaping.

In 2023, the University engaged with Brailsford & Dunlavy, Inc. to complete a revised Student Housing Master Plan. That work included a comprehensive market analysis, student engagement, and predictive analytics related to on-campus housing. On the basis of that update, it was determined that additional on- and off-campus beds were needed to meet demand and expand access to the App State residential experience.

#### **1.4.2 Overall Project Goals and Objectives**

The goal of the Project is to accommodate institutional enrollment growth and unmet demand for the App State on-campus residential experience while enhancing the quality of App State's residential assets and academic resources. The University's underlying goals for the Project are to:

##### On-Campus Project Facilities

- a. Support App State's standing as a destination of choice for dedicated, high-achieving students;
- b. Increase the total number of beds available to App State students to ensure sufficient on-campus supply for first-time freshmen, transfer students, and other students who wish to remain on campus;
- c. Seamlessly integrate the Project into the fabric of campus;
- d. Create an active, cohesive residential environment on the Project site;
- e. Provide dynamic living and learning environments with programming and academic-focused space;
- f. Contribute to the long-term financial health of the overall App State housing system;

##### Off-Campus Project Facilities

- a. Support App State's standing as a destination of choice for dedicated, high-achieving students;
- b. Increase the total number of apartment-style beds available to App State students to ensure sufficient off-campus supply to accommodate the needs of upper-division students;
- c. Seamlessly integrate the Project into the existing footprint of the App 105 site, a university-owned property located 1.5 miles away from the main campus;
- d. Contribute to the long-term financial health of the overall App State housing system and AREDC.

#### **1.4.3 Student Housing Program**

The University has completed market and financial analyses to create a market-responsive program and to confirm the feasibility of the Project. Current plans for the first phase of this Project are to provide at least 1,850 beds of student housing for Fall 2026 or over multiple phases. The selected Developer could be used to develop additional beds in additional phases as needed by the University at either its Boone, North Carolina or Hickory, North Carolina campuses.

##### On-Campus Project Facilities

The University anticipates approximately 1,000 beds to be developed on its main campus in Boone, North Carolina.

The approximate distribution of total beds by unit-type within the On-Campus Project Facilities is as follows:

- a. Approximately 90% of the total beds should be in semi-suite units in double-occupancy bedrooms with an adjoining bathroom between the rooms and no living rooms.
- b. Approximately 10% of the total beds should be in apartment-style units with two double-occupancy bedrooms, a living room, kitchen and two bathrooms.
- c. The University will determine a nominal number of single-occupancy bedrooms to accommodate special student needs and may be dispersed throughout the Project.
- d. The desired staffing model includes one RA for every 40-45 residents. RA units should be single-occupancy and should have an adjoining private bathroom. Single-occupancy RA bedrooms should be approximately 75% the size of a double-occupancy bedroom (excluding the square footage of the adjoining bathroom).

Each building should contain multiple unit-types (i.e., one building may have a mix of apartments, semi-suite, and single occupancy rooms).

#### **Off-Campus Project Facilities**

The university anticipates approximately 850 beds to be developed as apartments on its App 105 site. A detailed program describing both the desired number of beds and unit configurations, associated rental rates, and the desired menu of amenities will be provided to the Selected Developer during the development process.

The Off-Campus Project Facilities will provide amenities to the extent that amenities generate positive developmental outcomes, but providing amenities for the sole purpose of competing with the high-end off-campus apartment market is not required. The Off-Campus Project Facilities concept should prioritize a balanced approach that responds to the importance of quality and the sensitivity to affordability. This means that the Off-Campus Project Facilities should not reduce quality to drive down pricing and rental rates should not be increased in order to add unnecessary amenities to compete with the off-campus market.

#### **1.4.4 Non-Housing Program**

Parking: The Developer is expected to provide an appropriate amount of parking for the Project, to be specified by the University after Developer selection. The total number of parking spaces will be determined by the University at a later date, but will likely be inclusive of replacement of any current parking displaced due to the redevelopment of that area as part of the Project. This may include the development of surface parking or a structured parking deck for the Project. Demolition and replacement of existing parking must be carefully phased in order to minimize the net loss of parking during the Fall semester of any year and to minimize the loss of parking at any time.

Multipurpose Space and Student Meeting Space: Adequate student meeting, lounge, and study spaces will be part of the detailed Project program, which will be specified by the University after Developer selection. The University may also require the Developer to include classroom and/or multipurpose spaces to facilitate living-learning environments and University Housing programming. These spaces should be consistent with current on-campus spaces seen in residence halls such as Thunder Hill and New River Hall.

Student Support Spaces: The University may require the Developer to provide additional student support facilities, such as classroom spaces, dining spaces, and University Housing offices, depending upon the configuration of the Project and the assessed needs of the University. A detailed program will be provided to the selected Developer.

Child Care Facility: The University has an identified need for an additional facility to provide affordable and high quality child care to the University community. The University may require the Developer to provide a Child Care Facility at the off-campus site, depending on the configuration of the Project and the financial feasibility of adding this purpose-built facility into the Project. If the University moves forward with a child care facility, the University anticipates a master lease agreement between the AREDC and University for the improvements.

#### **1.4.5 Site Description**

There are four proposed project sites. The University may consider additional project sites after project planning discussions with the selected Developer if the additional sites improve the efficiency or feasibility of the Project.

The Project site available for the On-Campus Project Facilities, as seen in Figure 1 below, is approximately 4.85 acres in size divided between three distinct areas on the western side of campus. The New River Hall Area (Figure 2, below) is bound by New River Residence Hall to the Northeast, and Thunder Hill Hall to the Northwest. The Bodenheimer Project Area (Figure 3, below) is bound by several residential parcels to the North, Student Recreation Center to the East, Bodenheimer Street to the South, and Mountaineer Residence Hall to the West. The Hill Street Area (Figure 4, below) is bound by residential parcels to the East, South and West, and by the John Thomas Hall to the North.

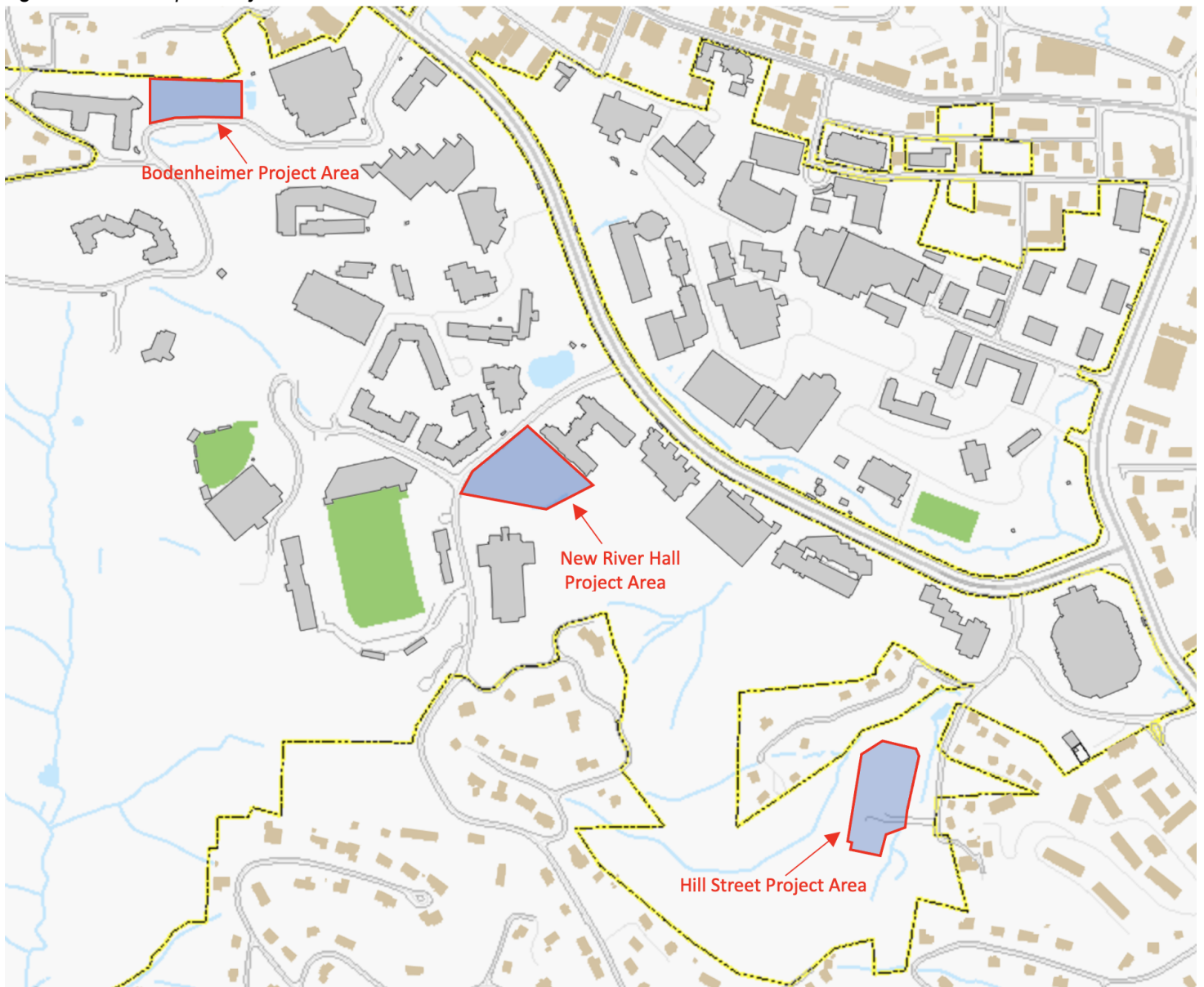
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The Project site available for the Off-Campus Project Facilities, as seen in Figure 5, below, is approximately 14.5 acres in size, located at the App 105 property, which is owned by the University.

Please note that all sites of this Project are located on currently designated Millennial property or on property to be designated as Millennial Campus.



Figure 1. On-Campus Project Site



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Figure 2. New River Hall Project Area (1.45 Acres)



Figure 3. Bodenheimer Project Area (1.2 Acres)



Figure 4. Hill Street Project Area - Detail (2.2 Acres)

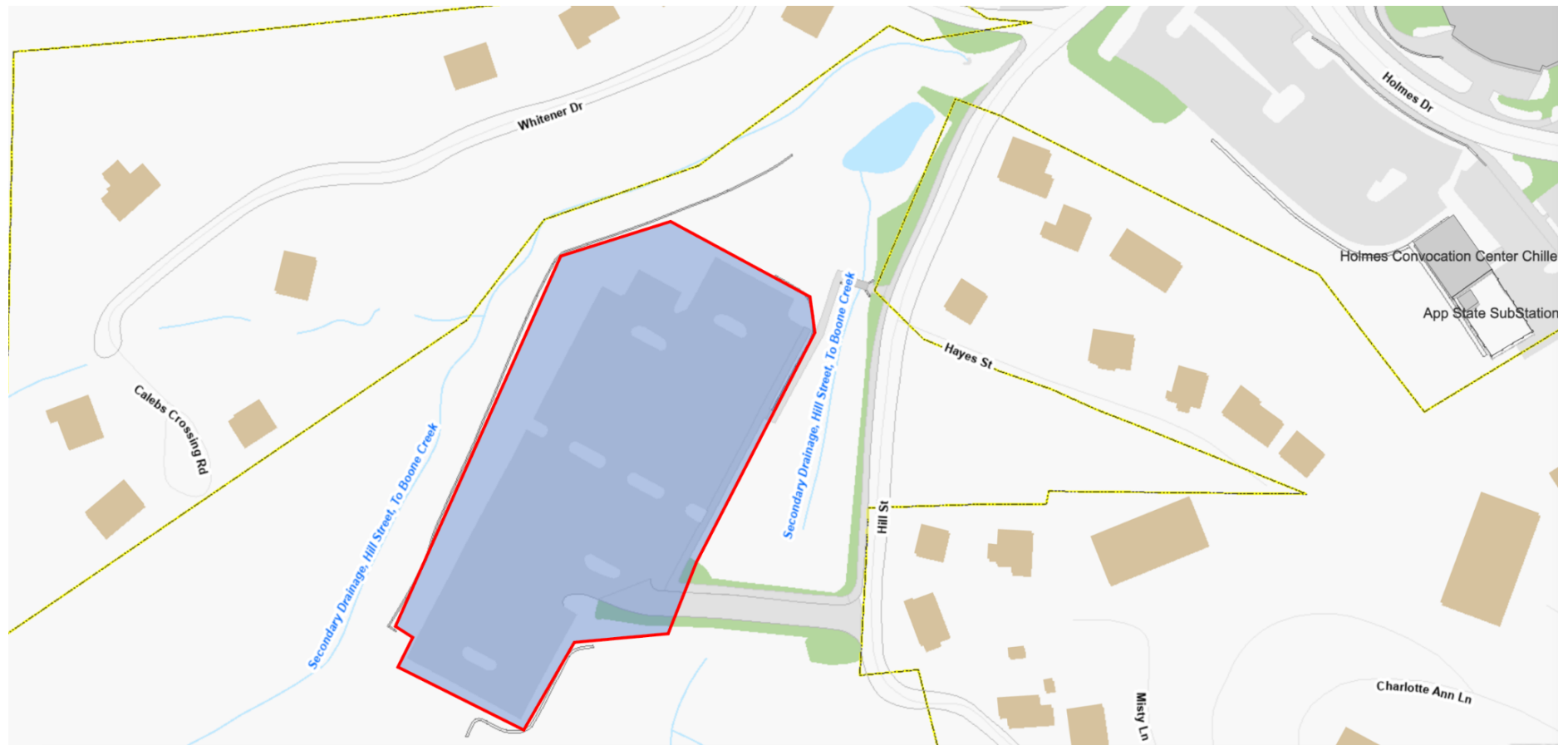
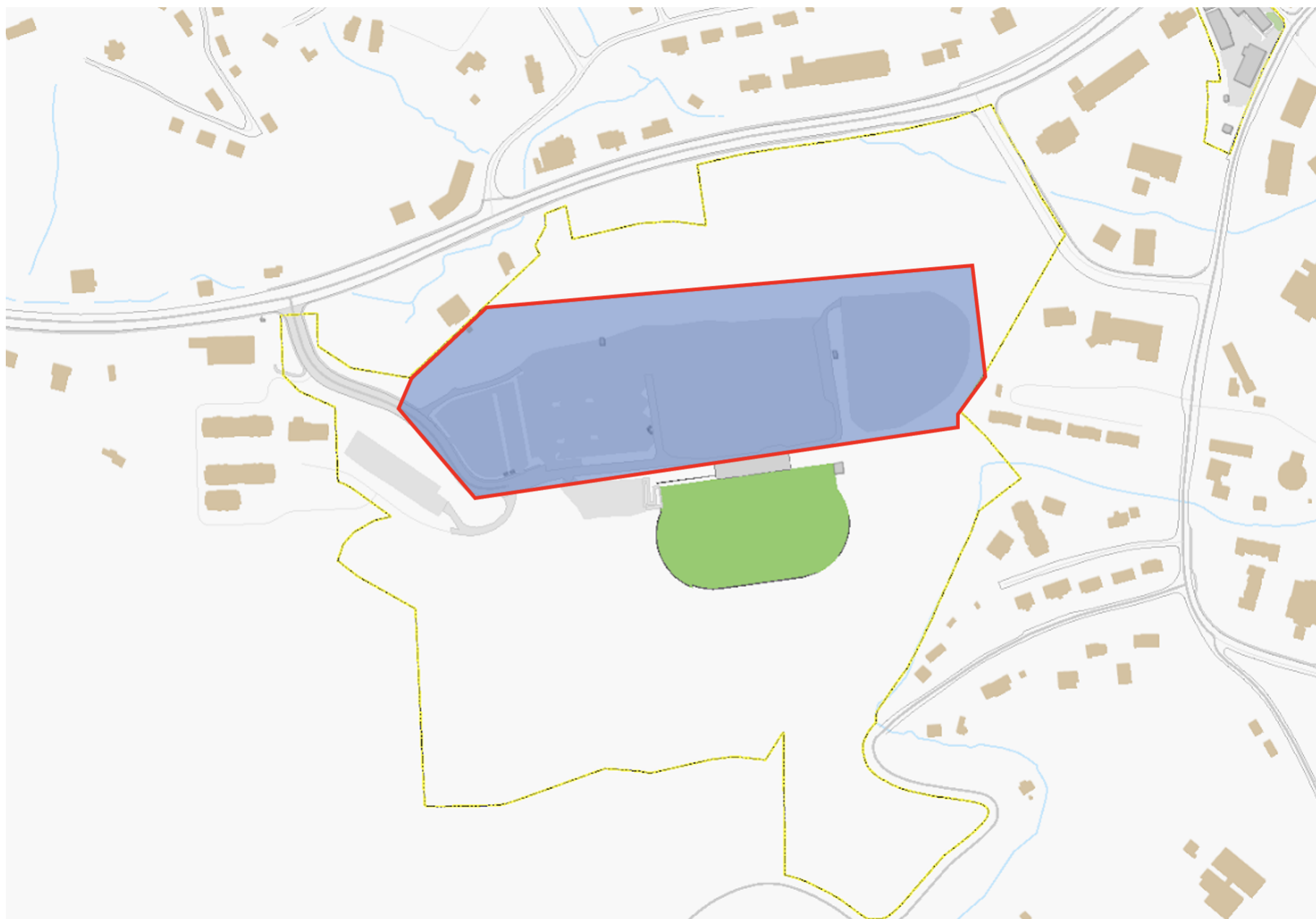


Figure 5. App 105 Project Area – Detail (14.5 Acres)



There are no anticipated building demolitions as a part of this phase. Demolition of all existing parking facilities located on the overall Project site will be the responsibility of the Selected Developer.

The Selected Developer will be responsible for conducting any extensive site investigation required during the pre-development phase of the Project.

#### 1.4.6 Design Objectives

The expectation is that this Project will demonstrate the design tenets adopted by the Association of College and University Housing Officers – International (ACUHO-I) 21st Century Project focused on sustainability, flexibility, community, and technology. The Project should incorporate unified architectural themes and materials throughout each building and in outdoor common areas. In particular, the on-campus project areas should create a distinctive sense of place through configuration of the residential improvements in a “village-style” concept. The village-style concept will be realized with vibrant, centrally located community spaces that will serve as hubs of residential and campus life. In keeping with optimal community design and institutional criteria from ACUHO-I 21st Century Project standards, the buildings will likely be a mid-rise development with ample green space and pedestrian connections.

The on-campus development must draw inspiration from and reflect the aesthetics of existing App State residence halls, such as Thunder Hill, Raven Rocks, Laurel Creek and New Rivers halls. The project is expected to be designed in accordance with App State’s design standards, including the Appalachian State University Facility Design Manual (2009), as well as any other applicable University standards. These may include:

- a. Campus Greenspace and Landscape Standards;
- b. Residential Life Standards;
- c. Academic & Student Support Space Standards;
- d. Parking Standards;
- e. Site Standards;
- f. Wayfinding Standards;
- g. Sustainability Standards;
- h. IT Standards; and,
- i. Physical Security Standards.

App State’s design standards for the items listed above will be provided to the selected developer. Provided that the University’s objectives are satisfied, the Selected Developer will have some design flexibility towards programming the amended master site plan and its buildings. **The Selected Developer should recognize that the Project’s final designs will be negotiated with the University through a rigorous plan review process, including a review for approval of Programming, Schematic Design, Design Development, and Construction Documents performed by the University’s Department of Planning, Design, and Construction, University Housing, and other University, UNC system, State Construction Office, local and state officials, as may be required.**

#### 1.4.7 Timeline

The University has an immediate need for the additional beds created by the Project. Time is of the essence for the development of the Project and the Selected Developer will be expected to work with the University to provide the greatest number of beds possible for a Fall 2026 semester delivery. At a minimum, Phase I should begin construction in Fall 2024 and should be ready for occupancy by the Fall semester of 2026. The University and Selected Developer will negotiate the details of the full phasing schedule.

#### 1.4.8 University Priorities for the Project

In alignment with the stated Project objectives, the University has prioritized the following objectives for the Project:

##### Overall

- a. The contracting party must be a single Developer who commits to developing and providing the Project as outlined in this RFQ document.
- b. Conveyance of the University-owned parcels for development will be by a long-term ground lease(s) to the AREDC and are anticipated to be no more than 50 years in duration.
- c. The University will assume ownership of the Project's improvements at the expiration of the ground lease term or earlier termination of the ground lease(s).
- d. The development will generate income for the University through a land lease.
- e. When developing the project pro forma, the Selected Developer will establish a designated reserve and replacement fund as part of the Project. Funds, including interest earned, will be used for major maintenance or replacement and/or for demolition at the end of the lease term, but not for ongoing routine maintenance. The annual required contribution to this reserve fund will be included in the development agreement.
- f. Payment and Performance Bonds will be required for each Phase of the Project to ensure successful and timely completion of the entire Project. These bonds will cover 100% of the value of the construction contracts to be entered into between the Selected Developer and design and construction contractors.
- g. The University and AREDC will require contractual terms that make any future assignments of the leases or agreements executed for the Project, as well any financing related to the Project, subject to the University's approval.
- h. Respondents to this RFQ should understand that the University's credit ratings and credit condition are important factors that will be considered when selecting a Developer for this Project. The University expects that any agreement for the development of the Project will be structured in order to have either neutral or positive financial impacts to the University.
- i. The selected Developer will be required to agree to a policy of nondiscrimination against any subcontractor, consultant, employee, or applicant for employment on account of age, color, disability, gender, gender identity and expression, genetic information, national origin, political affiliation, race, religion, sex, sexual orientation, or veteran status.
- j. The Developer shall comply with all State and federal laws, executive orders, rules, and regulations relating thereto.
- k. The selected Developer will track minority business and other Historically Underutilized Business (HUB) subcontractor participation in the project; the Developer will put forth a good faith effort both to recruit small businesses and to meet HUB participation goals established by the State under N.C.G.S.143-128.2 and N.C.G.S.143-128.4.
- l. It is the University and AREDC's intent for the Project to be tax-exempt. The selected Developer will track and submit to the AREDC, all North Carolina and county sales tax paid by the developer and their contractor, subcontractors, designers and consultants for reimbursement.



On-Campus Project Facilities

- a. A Use Agreement will be in place between the University and AREDC which will allow the University's Department of University Housing to operate and maintain the On-Campus Project Facilities.
- b. The University will review and approve rental rates for student occupants in the initial year of operation. These rates will be proposed by the Selected Developer as part of the development process and, if necessary, negotiated by the University and the Selected Developer prior to execution of a partnership agreement. While the University understands that rental rates for the On-Campus Project Facilities may need to be set at rates higher than current campus rates in order to achieve financial feasibility, rental rates should be consistent with rents charged for the University's other on-campus housing. The rate at which rents are permitted to be increased annually thereafter will also be negotiated by the University and AREDC. Initial and subsequent rental rates are subject to the approval of the Appalachian State University Board of Trustees.
- c. The delivery of operations and maintenance for the On-Campus Project Facilities will be consistent with services currently provided on campus through University Housing and the University Facilities Operations. The University intends to operate and maintain the buildings in the On-Campus Project Facilities. The University also seeks to retain the responsibility for residence life and programming, marketing, student billings, collections, room assignments, cleaning, security, and simple maintenance tasks for the On-Campus Project Facilities through University Housing. The University will maintain the grounds around all On-Campus Project Facilities buildings.
- d. The University will require that the Developer incorporate as part of the Project green development building technologies and sustainable practices. These may include, but are not limited to, natural lighting, energy efficient lighting, sustainable building materials, water efficiency, recycling, and other measures. The University does not intend to seek certification, but buildings in the On-Campus Project Facilities should meet LEED Silver or Green Built Home Silver sustainability standards.

Off-Campus Project Facilities

- a. AREDC or the selected Developer will operate and maintain the Off-Campus Project Facilities.
- b. The AREDC Board will review and approve rental rates for student occupants in the initial year of operation. These rates will be proposed by the Selected Developer as part of the development process and, if necessary, negotiated by the University and the Selected Developer prior to execution of a development agreement. The AREDC Board anticipates rental rates for the Off-Campus Project Facilities will be consistent with rents charged at other off-campus multi-family developments focused on student tenants. The rate at which rents are permitted to be increased annually thereafter shall be developed and approved by the AREDC Board of Directors.
- c. The AREDC Board is interested in comparing the cost of operations and maintenance by the Selected Developer versus undertaking the operations and maintenance itself. The delivery of operations and maintenance for the Off-Campus Project Facilities must be consistent with services currently provided on campus through University Housing and the University Facilities Operations. If the AREDC Board determines the Selected Developer can provide satisfactory operations and maintenance services, then the facility operations, maintenance and asset management during the term of the Ground Lease will be the responsibility of the Developer, which the Developer may undertake itself or provide through a contracted third-party. The Developer or any third-party must provide a level of service consistent with AREDC standards for its other off-campus properties. AREDC will provide additional details on its operations and maintenance requirements as part of the development process with the Selected Developer.



- d. If the Selected Developer is contracted to perform operations and maintenance functions for the Off-Campus Project Facilities, AREDC will work with the Developer to develop an agreement that delineates the standards for operations and maintenance services within the Off-Campus Project Facilities.
- e. The University is willing to consider a variety of equity and non-equity structures submitted by the responding Developers that are not contemplated by the RFQ.

#### **1.4.9 Regulatory Environment**

The Developer is solely responsible for complying with all applicable federal, state, and local laws and regulations governing the development, financing, and permitting of public facilities, including without limitation those specifically governing P3 delivery structures in North Carolina.

In addition to carefully considering applicable regulatory milestones to ensure the timely delivery of the Project, the Developer must further comply with all pertinent licensing, certification, and registration requirements for developers and contractors in North Carolina.

## **2.0 GENERAL INFORMATION**

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### **2.1 REQUEST FOR QUALIFICATIONS DOCUMENT**

The RFQ is comprised of the base RFQ document, any attachments, and any addenda released before the deadline for submittals. All attachments and addenda released for this RFQ in advance of the submittal deadline are incorporated herein by reference.

### **2.2 QUALIFICATION REQUIREMENTS**

This RFQ is open to all prospective parties who seek qualification to pursue the development of the Project. Qualification will be based on a determination by the University at its sole and complete discretion. The Developer must meet the requirements highlighted in Section 2.8 SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA.

Upon receipt, all RFQ submissions will be reviewed for completeness in accordance with the submission requirements and assessed in the areas of technical and financial capability, relevant project experience, and references, with respect to the standards set forth in this RFQ.

After reviewing all submissions, the University intends to qualify a single Selected Developer it deems most qualified to be invited to the development process.

The University will not consider any response to the RFQ that does not completely fulfill these requirements. The University reserves the right to accept or reject any or all submissions.

### **2.3 NOTICE TO DEVELOPERS REGARDING RFQ TERMS AND CONDITIONS**

It shall be the Developer's responsibility to read the Instructions, the University's terms and conditions, all relevant exhibits and attachments, and any other components made a part of this RFQ, and comply with all requirements and specifications herein. Developers also are responsible for obtaining and complying with all Addenda and other changes that may be issued in connection with this RFQ.

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If Developers have questions, issues, or exceptions regarding any term, condition, or other component within this RFQ, those must be submitted as questions in accordance with the instructions in Section 2.6 RFQ SUBMITTAL QUESTIONS. If the University determines that any changes will be made as a result of the questions asked, then such decisions will be communicated in the form of a RFQ addendum. Other than through this process, the University rejects and will not be required to evaluate or consider any additional or modified terms and conditions submitted by the Developer. This applies to any language appearing in or attached to the document as part of the Developer's submittal that purports to vary any terms and conditions or Developers' instructions herein. **By execution and delivery of an SOQ in response to this RFQ, the Developer agrees that any additional or modified terms and conditions, whether submitted purposely or inadvertently, shall have no force or effect, and will be disregarded. Noncompliance with, or any attempt to alter or delete, this paragraph shall constitute sufficient grounds to reject Developer's SOQ as nonresponsive.**

If a Developer desires modification of the terms and conditions of this solicitation, it is urged and cautioned to inquire during the question period, in accordance with the instructions in this RFQ, about whether specific language proposed as a modification is acceptable to or will be considered by the University.

Developers must not contact anyone working for or with the University regarding this RFQ or the subsequent RFP other than the University official named on the face page of this RFQ, in the manner specified by this RFQ.

## 2.4 RFQ SCHEDULE

The table below outlines the *intended* schedule for this RFQ, as also shown on the face page of this document. The University will make every effort to adhere to this schedule.

Event	Responsibility	Date and Time
Issue RFQ	University	September 8, 2023
Deadline to Submit SOQ	Developer	October 9, 2023 at 4:00 PM Eastern

## 2.5 STATEMENT OF QUALIFICATIONS SUBMITTAL

**IMPORTANT NOTE: This is an absolute requirement.** Late submittals, regardless of cause, will not be opened or considered, and will be automatically disqualified from further consideration. Vendor shall bear the sole risk of late submission due to unintended or unanticipated delay. It is the Vendor's sole responsibility to ensure its Statement of Qualifications has been received as described in this RFP by the specified time and date of opening. The date and time of receipt will be marked on each proposal when received. Any submittal or portion thereof received after the proposal submission deadline will be rejected.

### eVP

If applicable to this RFQ and using eVP, all SOQ responses shall be submitted electronically via the electronic Vendor Portal (eVP). Additional information can be found at the eVP updates for Vendors link:  
<https://eprocurement.nc.gov/news-events/evp-updates-vendors>.

If confidential and proprietary information is included in the SOQ, also submit one (1) signed, REDACTED copy of the proposal. Such information may include trade secrets defined by N.C. Gen. Stat. § 66-152 and other information exempted from the Public Records Act pursuant to N.C. Gen. Stat. §132- 1.2. Vendor may designate information, Products, Services or appropriate portions of its response as confidential, consistent with and to the extent permitted under the statutes and rules set forth above. By so redacting any page, or portion of a page, the Vendor warrants that it has formed a good faith opinion, having received such necessary or proper review by counsel and other knowledgeable advisors, that the portions determined to be confidential and proprietary and redacted as such, meet the requirements of the Rules and Statutes set forth above. However, under no circumstances shall price information be designated as confidential.

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If the Vendor does not provide a redacted version of the SOQ with its submission, the Department may release an unredacted version if a record request is received.

Failure to submit a SOQ in strict accordance with these instructions shall constitute sufficient cause to reject a Vendor's submittal(s). Vendors are strongly encouraged to allow sufficient time to upload submittals.

Critical updated information may be included in Addenda to this RFP. It is important that all Vendors responding on this RFQ periodically check the State's eVP website for any Addenda that may be issued prior to the opening date. All Vendors shall be deemed to have read and understood all information in this RFQ and all Addenda thereto.

## **2.6 SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA**

The following constitutes the Submittal Requirements and evaluation criteria for the University to evaluate the SOQs. The SOQ must follow the order provided below to facilitate evaluation of the responses. In addition, the SOQ must provide tabs correlating to each of the following criteria numbers below. It is critical that responses to the RFQ are consistent in order to ensure accuracy in the University's review process. Failure to submit SOQs in the requested order poses risk that all Submittal Requirements may not be included and may hinder the University's ability to accurately compare submittals. The total response should be limited to 50 pages, beginning at Tab 1.1. All pages should be numbered. Page count limit does not include resumes of key personnel or financial statements.

**Please note that the Submittal Requirements and evaluation criteria listed in this RFQ apply only to the responding Developer and its chosen design and general contracting partners. Information pertaining to additional potential team members (such as engineers and other subcontractors) do not need to be submitted as part of the Developer's SOQ.**

**The SOQ must contain the following sections in the order below:**

- a. Cover Page
- b. Cover Letter
- c. Table of Contents
- d. Tab 1.1: Developer Background & Information
- e. Tab 1.2: Technical Capability
- f. Tab 1.3: Financial Capability
- g. Tab 1.4: Relevant Experience
- h. Tab 1.5: Approach

A description of Tabs 1.1, 1.2, 1.3, 1.4, and 1.5 is included below in further detail.

### **2.6.1 Tab 1.1 – Developer Background & Information**

- a. Description of Developer: Provide a description of the Developer and the anticipated legal relationship (governance and capital structure) for the proposing Developer. Include in the description of Developer the year founded, description and approximate value of real estate developed and currently under control, number of employees by function, and an organizational chart. All equity investors should be identified.
- b. Role of Developer's Key Personnel: Briefly outline the roles of the key personnel for the Developer. Provide resumes of key personnel, including length of time in current position with the company. For all key personnel, list information on any lawsuits, legal claims or litigation in which they have been named individually or that resulted from a project in which they served on the development team or played a management role in the project oversight.
- c. Contact Person: Provide a single contact person for all future communication with the University. Disclose the contact person's name, title, organization, address, telephone number, and email address.

- d. Controlling Interest: Identify the individuals or companies who hold a major or controlling interest in each of the participating Developers.
- e. Description of Project Team: Provide a description of the Developer's chosen project team, including a list of the licensed general contractors and licensed design professionals whom the Developer proposes to use for the project's design and construction. The description should include an explanation of the project team selected, a brief overview of each firm, the firm's relevant experience, and the roles of the firm's key personnel. Developers are required to undertake good faith efforts as outlined in N.C.G.S. 143-128.2(f) to include small businesses, minority businesses, and historically underutilized businesses on their project teams.

## 2.6.2 Tab 1.2 – Technical Capability

- a. Development Implementation: Developers should demonstrate that they, their design partners, or their contractors have significant experience working with the State Construction Office (SCO) to build public facilities in North Carolina. Developers must demonstrate that their proposed project teams have knowledge of State of North Carolina design and construction requirements and an ability to work with state regulators to complete projects on-schedule.
- b. Facility Maintenance & Asset Management Experience:

As noted in Section 1.4.8 UNIVERSITY PRIORITIES FOR THE PROJECT, *Off-Campus Project Facilities*:

1. The AREDC Board is interested in comparing the cost of operations and maintenance by the Selected Developer versus undertaking the operations and maintenance itself. The delivery of operations and maintenance for the Off-Campus Project Facilities must be consistent with services currently provided on campus through University Housing and the University Facilities Operations. If the AREDC Board determines the Selected Developer can provide satisfactory operations and maintenance services, then the facility operations, maintenance and asset management during the term of the Ground Lease will be the responsibility of the Developer, which the Developer may undertake itself or provide through a contracted third-party. The Developer or any third-party must provide a level of service consistent with AREDC standards for its other off-campus properties. The AREDC will provide additional details on its operations and maintenance requirements as part of the development process with the Selected Developer.
2. If the Selected Developer is contracted to perform operations and maintenance functions for the Off-Campus Project Facilities, the AREDC will work with the Developer to develop an agreement that delineates the standards for operations and maintenance services within the Off-Campus Project Facilities.

Submittals must include evidence demonstrating the Developer's ability to maintain a project of this nature and scope. The Developer should demonstrate that it possesses:

1. Substantial experience maintaining large-scale student housing facilities;
2. Advanced knowledge of campus facilities maintenance, repair, construction, and practical application of equipment and materials;
3. Demonstrated understandings in facility aging behavior to assess and determine the applicability of remedial maintenance action and lifecycle management; and
4. All capabilities necessary to successfully maintain the campus Project, as applicable to the division of responsibilities proposed between the Developer and the University; these capabilities may include routine maintenance, preventive maintenance, and asset management.

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5. The Developer must demonstrate its ability to efficiently undertake required capital improvements to the Project during the proposed term.

### 2.6.3 Tab 1.3 – Financial Capability

The Developer must demonstrate both their financial strength and their capacity to complete and, if selected as the operator of the Off-Campus Project Facilities, maintain the Off-Campus Project Facilities over the term of the agreement. The Developer must provide specific evidence that it has available the appropriate financial resources to complete all aspects of the Project, or demonstrate its capability to raise financing for a project of this nature and scope. This evidence should include copies of audited financial statements for the past three (3) years together with any other relevant financial information. If audited financial statements cannot be provided, the Developer should provide sufficient financial information to demonstrate that it has the financial resources to successfully execute a project of this nature and scope. Except as required by applicable law, materials marked as proprietary or confidential will be considered as such. "Trade secrets," as that term is defined in N.C.G.S. 66-152(3), are exempt from disclosure under Chapter 132 of the North Carolina General Statutes.

Information that must be provided, in addition to the requested financial audited statements, include:

- a. Available financial resources;
- b. Capability of raising capital (public placement debt, private-placement debt, equity, other) in the current capital market;
- c. The number and size of past relevant transactions; and
- d. Specific experiences on past relevant transactions.

### 2.6.4 Tab 1.4 – Relevant Experience & References

Provide a list, in order of relevance to the Project, of at least four (4) recent comparable projects in which the Developer has participated (preferably projects that were developed within the past ten (10) years).

The Developer should specify how each of these comparable projects relates to the proposed Project outlined in this RFQ. If possible, the Developer should specify projects that include 1,000 or more beds developed in either a single or multiple phases. Include information on the submitting Developer's role, the size of the project, and which submitting Developer's key personnel worked on the project. Evidence should include brief project descriptions and a statement regarding the duration of the Developer's financial and operational involvement with each such project following completion. Project examples should include capital budget information and number of beds to allow comparison of the cost of various levels of student housing quality. If applicable, please describe the level of university involvement in cited project examples.

Relevant projects will demonstrate an ability to design, build, finance, operate and maintain the project while maintaining a long-term relationship with the institution. Project examples should demonstrate familiarity with on-campus student housing development and student support facilities, and should include a variety of models the Developer has used successfully to meet institutional goals for risk transfer. The Developer should demonstrate that its role in the project added substantive value to the institution. Examples should also include the project's performance including any other factual indications of success (facility operating standards, housing occupancy, operating performance, lifecycle management, alignment with financial requirements, etc.). Except as required by applicable law, materials marked as proprietary or confidential will be considered as such. **The name, title, address, telephone number, and e-mail address of a primary contact at the relevant university/institution with detailed knowledge of the projects listed must be provided.**

For each of the four (4) required comparable recent projects, a general project description must be provided along with the following specific information submitted in the order and format prescribed:

- a. Title of project;
- b. Owner of project with a representative's name, phone number and email address;
- c. Location of project;

- d. Use(s) of facilities (types of spaces included in facilities);
- e. Square footage of facilities in total and by types of space (i.e. housing, dining, living learning, recreational, etc.);
- f. Total project cost of facilities constructed on the site;
- g. Construction costs on a per sq. ft. basis and a “per bed” basis for the facilities;
- h. Architect for the project;
- i. General Contractor for the project;
- j. Total project schedule, including the date of Notice to Proceed and date of issuance of the Certificate of Occupancy;
- k. Photographs of the completed project or if the project has not been constructed, architectural renderings of the project;
- l. Structure of contract with the owner (i.e. design, build, finance, operate, maintain); specify on Developer’s operation and maintenance obligations;
- m. For any developments that involve revenue sharing or profit splitting with the university/institution, a summary of the structure of the general financial arrangements with university/institution;
- n. A brief summary of the P3 financial structure used for each project (i.e. 501(c)(3), equity, concessionaire, or others);
- o. All arbitration, mediation, or litigation that has arisen from each development contract, and the current stage of resolution of any of those items. For those items that have been concluded or resolved, the outcome of the arbitration, mediation, or litigation that was conducted.

## **2.6.5 Tab 1.5 – Approach**

Realizing that the project approach will be solidified during the design process, please include a description of the Developer’s anticipated project approach. Discuss how the Developer will advance the Project’s requirements, build on work completed to date, or otherwise add distinctive value to the University.

With the Developer’s approach, the Developer should include a statement of its availability to undertake this Project as well as a preliminary and conceptual Project schedule. The Project schedule should depict major milestones, durations, and dependencies that would lead to a delivery date of all or a portion of the Project in time for the Fall 2026 semester, with all subsequent phases completed as efficiently and expeditiously as feasible while meeting the University’s stated priorities for the Project.

## **2.6.6 Required Submittals**

It is the Developer’s sole responsibility to submit all signature pages, execution pages, and information in fulfillment of the requirements of this RFQ. If pertinent information or required submittals are not included within the Developer’s submittal, the SOQ may be rejected or adversely impacted on evaluation.

# **3.0 METHOD OF REVIEW AND SOQ EVALUATION PROCESS**

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## **3.1 REQUEST FOR QUALIFICATIONS PROCESS**

The purpose of the RFQ is to identify interested parties that demonstrate the best qualifications, experience, and financial capacity necessary to assume the responsibilities of the Developer.

The University’s evaluation of each SOQ will be based upon the information provided, additional information requested by the University, information obtained from references and independent sources, and formal presentations, if requested.

The Developer deemed most qualified by the University in the RFQ process will become the Selected Developer for the Project and begin design and negotiation with the University.

The University reserves the right to waive any minor informality or technicality in submittals received.

### **3.2 CONFIDENTIALITY AND PROHIBITED COMMUNICATIONS DURING EVALUATION**

During the evaluation period—the issuance date of this RFQ through the date the prequalified Developers are notified—each Developer submitting an SOQ (including its representatives, sub-contractors and/or suppliers) is prohibited from having any communications with any person inside or outside the University, other government agency office, or body (including the Purchasing official named above, department secretary, agency head, members of the General Assembly and/or Governor's Office), or private entity, if the communication refers to the content of Developer's qualifications, another Developer's qualifications or ability to perform the contract, and/or the transmittal of any other communication of information that could be reasonably considered to have the effect of directly or indirectly influencing the evaluation of SOQs and/or the designation of Developers as "qualified." A Developer not in compliance with this provision shall be disqualified from qualification, unless it is determined in the University's discretion that the communication was harmless, that it was made without intent to influence and that the best interest of the University would not be served by the disqualification. A Developer's submittal may be disqualified if its agent, employee, contractor, sub-contractor, or supplier engage in any of the foregoing communications during the evaluation period (i.e., the issuance date of this RFQ to the date the prequalified Developers are notified). Only those discussions, communications or transmittals of information authorized or initiated by App State for this RFQ or general inquiries directed to the Purchasing Services official regarding requirements of the RFQ (prior to SOQ submission) or the status of the prequalification notifications (after submission) are excepted from this provision.

### **3.3 SUBMITTAL EVALUATION PROCESS**

The University shall review all Developer responses to this RFQ to confirm that they meet the specifications and requirements of the RFQ.

#### **App State will conduct a One-Step evaluation of submitted qualifications:**

1. SOQs will be received from each responsive Developer via electronic submission to the NC eVP website as instructed herein.
2. All submittals must be received by the University not later than the date and time specified on the cover sheet of this RFQ.
3. SOQs will generally be evaluated according to completeness, content, and experience with similar projects, and the ability of the Developer and its staff. Specific evaluation criteria are listed in Section 2.8 SUBMITTAL REQUIREMENTS AND EVALUATION CRITERIA above.
4. Developers are cautioned that the University reserves the unqualified right to reject any and all submittals at any time if such rejection is deemed to be in the best interest of the University.
5. Upon completion of the evaluation process and on the basis of this evaluation, the University will award the Project to a Selected Developer. Selection of a Developer does not mean that the other Developers' SOQs lacked merit, but that, all factors considered, the Selected Developer was deemed most qualified and represented the best value to the University.



## 4.0 DISCLAIMER

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Any representations or statements made within this RFQ shall not be considered a contractual obligation by the University and the Developers shall not be entitled to rely upon them. The University reserves the right to reject any and all submittals and to identify and select the Developer which the University, in its sole and absolute discretion, deems most qualified.

The Developer shall be solely and totally responsible for all costs associated with responding to this RFQ, and the University accepts no responsibility with regard thereto. Submissions will become the property of the University upon receipt.

The University reserves all rights available to it by law in administering this RFQ, including without limitation, the right, in its sole discretion, to:

- a. Reject any or all submittals at any time;
- b. Terminate evaluation of any or all submittals at any time;
- c. Suspend, discontinue and/or terminate negotiations with any Developers at any time prior to the actual authorized execution of a Development Agreement;
- d. Negotiate with a Developer without being bound by any provision in its submittal;
- e. Accept and review a nonconforming submittal;
- f. Request or obtain clarifications, revisions or additional information from any source;
- g. Issue addenda to and/or cancel this RFQ;
- h. Issue a new request for qualifications;
- i. Decline to financially participate in a proposed project;
- j. Extend any deadline or time and waive or permit the correction of minor deficiencies or irregularities in a submittal and minor or technical violations of this RFQ;
- k. Change the scope and the range of services from what is defined in this RFQ at any time; and
- l. Select any submitted P3 structure.

This RFQ does not commit the University to enter into a contract. In no event shall the University be bound by, or liable for, any obligations with respect to a project until such time (if at all) as a Development Agreement, in form and substance satisfactory to the University, has been executed and properly authorized, and then only to the extent set forth therein.

Under no circumstances shall the University be liable for, or reimburse, the costs incurred by Developers, whether or not selected for negotiations, in developing submittals or in negotiating agreements.

Each Developer, by submitting qualifications, thereby accepts all risk of adverse public notice, damages, financial loss, criticism or embarrassment that may result from any disclosure or publication of any material or information required or requested by any of the University in connection with the submission of qualifications. In submitting qualifications, the Developer expressly waives, on behalf of itself, its partners, joint venture members, officers, employees, and agents, any claim against any of the University, and its trustees, officers, and employees, for any damages that may arise therefrom.

Any and all information the University makes available to a Developer shall be as a convenience to the Developer and without representation or warranty of any kind.

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**Attachments to this RFQ begin on the next page.**

## ATTACHMENT A: INSTRUCTIONS TO DEVELOPERS

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1. **READ, REVIEW AND COMPLY:** It shall be the Developer's responsibility to read this entire document, review all enclosures and attachments, and any addenda thereto, and comply with all requirements specified herein, regardless of whether appearing in these Instructions to Developers or elsewhere in this RFQ document.
2. **LATE SUBMITTALS:** Late submittals, regardless of cause, will not be opened or considered, and will automatically be disqualified from further consideration. It shall be the Developer's sole responsibility to ensure delivery at the designated office by the designated time.
3. **ACCEPTANCE AND REJECTION:** The University reserves the right to reject any and all SOQs, to waive any informality in SOQs and, unless otherwise specified by the Developer, to accept any item in the SOQ. If either a unit price or an extended price is obviously in error and the other is obviously correct, the incorrect price will be disregarded.
4. **BASIS FOR REJECTION:** Pursuant to 01 NCAC 05B .0501, the University reserves the right to reject any and all offers, in whole or in part, by deeming the offer unsatisfactory as to quality or quantity, delivery, price or service offered, non-compliance with the requirements or intent of this solicitation, lack of competitiveness, error(s) in specifications or indications that revision would be advantageous to the University, cancellation or other changes in the intended Project or any other determination that the proposed requirement is no longer needed, limitation or lack of available funds, circumstances that prevent determination of the best offer, or any other determination that rejection would be in the best interest of the University.
5. **EXECUTION:** Failure to sign EXECUTION PAGE in the indicated space will render SOQ non-responsive, and it shall be rejected.
6. **ORDER OF PRECEDENCE:** In cases of conflict between specific provisions in this solicitation or those in any resulting contract, the order of precedence shall be (high to low) (1) any special terms and conditions specific to this RFQ, including any negotiated terms; (2) requirements and specifications in Sections 2, 3, and 4 of this RFQ; (3) Instructions in ATTACHMENT A: INSTRUCTIONS TO DEVELOPERS; and (4) Developer's SOQ.
7. **INFORMATION AND DESCRIPTIVE LITERATURE:** The Developer shall furnish all information requested and in the spaces provided in this document. Further, if required elsewhere in this SOQ, each Developer must submit with its SOQ sketches, descriptive literature and/or complete specifications covering the products and/or services offered. Reference to literature submitted with a previous SOQ or available elsewhere will not satisfy this provision. SOQs that do not comply with these requirements shall be subject to rejection without further consideration.
8. **SUSTAINABILITY:** To support the sustainability efforts of the State of North Carolina, the University solicits your cooperation in this effort. Pursuant to Executive Order 156 (1999), it is desirable that all responses meet the following:
  - All copies of the SOQ are printed double-sided.
  - All submittals and copies are printed on recycled paper with a minimum post-consumer content of 30%.
  - Unless absolutely necessary, all SOQs and copies should minimize or eliminate use of non-recyclable or non-reusable materials such as plastic report covers, plastic dividers, vinyl sleeves, and GBC binding. Three-ringed binders, glued materials, paper clips, and staples are acceptable.
  - Materials should be submitted in a format which allows for easy removal, filing and/or recycling of paper and binder materials. Use of oversized paper is strongly discouraged unless necessary for clarity or legibility.
9. **HISTORICALLY UNDERUTILIZED BUSINESSES:** Pursuant to General Statute 143-48 and Executive Order #150 (1999), the State invites and encourages participation in this procurement process by businesses owned by minorities, women, disabled, disabled business enterprises and non-profit work centers for the blind and severely disabled.

- 10. CONFIDENTIAL INFORMATION:** To the extent permitted by applicable statutes and rules, the University will maintain confidential trade secrets that the Developer does not wish disclosed. As a condition to confidential treatment, each page containing trade secret information shall be identified in boldface at the top and bottom as "CONFIDENTIAL" by the Developer, with specific trade secret information enclosed in boxes or similar indication. Cost information shall not be deemed confidential under any circumstances. Regardless of what a Developer may label as a trade secret, the determination whether it is or is not entitled to protection will be made in accordance with N.C.G.S. 132-1.2. Any material labeled as confidential constitutes a representation by the Developer that it has made a reasonable effort in good faith to determine that such material is, in fact, a trade secret under N.C.G.S. 132-1.2. Developers are urged and cautioned to limit the marking of information as a trade secret or as confidential so far as is possible.
- 11. PROTEST PROCEDURES:** When a Developer wishes to protest a qualification resulting from this solicitation, a Developer shall submit a written request addressed to Appalachian State University, Attn: [\$primary\_contact], 438 Academy Street, Boone, NC 28608. The protest request must be received in the proper office within thirty (30) consecutive calendar days from the date of the prequalification notification. Protest letters **shall** contain specific grounds and reasons for the protest, how the protesting party was harmed by the selection made and any documentation providing support for the protesting party's claims. **Note:** Qualification notices are sent only to the Selected Developer, and not to every person or firm responding to a solicitation. Submittal status and the qualification notice are posted on the Internet at <https://www.ips.state.nc.us/ips/>. All protests will be handled pursuant to the North Carolina Administrative Code, 01 NCAC 05B .1519.
- 12. MISCELLANEOUS:** Masculine pronouns shall be read to include feminine pronouns, and the singular of any word or phrase shall be read to include the plural and vice versa.
- 13. COMMUNICATIONS BY DEVELOPERS:** In submitting its SOQ, the Developer agrees not to discuss or otherwise reveal the contents of its submittal to any source, government or private, outside of the using or issuing agency until after the notification of prequalified Developers or cancellation of this RFQ. All Developers are forbidden from having any communications with the using or issuing agency, or any other representative of the University concerning the solicitation, during the evaluation of the SOQs (i.e., the issuance date of this RFQ through the date the prequalified Developers are notified ), except for the RFQ Submittal Questions process outlined in this RFQ and unless the University directly contacts the Developer(s) for purposes of seeking clarification or another reason permitted by the solicitation. A Developer shall not: (a) transmit to the issuing and/or using agency any information commenting on the ability or qualifications of any other Developer to provide the advertised good, equipment, commodity; (b) identify defects, errors and/or omissions in any other Developer's SOQ and/or prices at any time during the procurement process; and/or (c) engage in or attempt any other communication or conduct that could influence the evaluation and/or award of the Contract that is the subject of this RFQ. Developers not in compliance with this provision may be disqualified, at the option of the University, from the Contract award. Only those communications with the using agency or issuing agency authorized by this RFQ are permitted.
- 14. DEVELOPER REGISTRATION AND SOLICITATION NOTIFICATION SYSTEM:** The North Carolina electronic Vendor Portal (eVP) allows Developers to electronically register free with the State to receive electronic notification of current procurement opportunities for goods and services of potential interest to them available on the Interactive Purchasing System, as well as notifications of status changes to those solicitations. Online registration and other purchasing information is available at the following website <https://www.ips.state.nc.us/>.
- 15. INFORMAL COMMENTS:** The University shall not be bound by informal explanations, instructions or information given at any time by anyone on behalf of the University during the competitive process or after award. The University is bound only by information provided in this RFQ and in formal Addenda issued through IPS.
- 16. DEVELOPER'S REPRESENTATIVE:** Each Developer shall submit with its SOQ the name, address, and telephone number of the person(s) with authority to bind the Developer and answer questions or provide clarification concerning the Developer's SOQ.
- 17. SUBCONTRACTING:** Unless expressly prohibited, a Developer may subcontract portions of the work to subcontractor(s). During the development process, the Selected Developer will have the opportunity to more comprehensively describe its proposed project team, what work they plan to subcontract, and other relevant business information for project team members.