

6909 Ryan Drive



Request For Qualifications

6909 Ryan Drive

Affordable Rental Housing Development Opportunity

Submissions Due: 11:59 p.m. CST on March 20th, 2024



HOUSING
DEPARTMENT



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1. Request For Qualifications

The Austin Housing Finance Corporation (AHFC) formally releases this Request for Qualifications (RFQ) to identify a preferred developer to partner with AHFC to develop, own, and operate a proposed approximately 300-unit multifamily apartment on a 5.5-acre property owned by AHFC located at 6909 Ryan Drive in central Austin.

Submission Instructions

Interested respondents must submit their qualifications to AHFC by 11:59 p.m. CST on Wednesday, March 20th, 2024 to be considered for selection under this RFQ. Respondents must submit their qualifications in accordance with the requirements presented in [Exhibit A](#) and discussed within this RFQ.

Applications must be submitted using the form available at:

https://cityofaustin.formstack.com/forms/6909_ryan_drive

Applications must be submitted by 11:59 p.m. CST on Wednesday, March 20, 2024.

Any questions related to this RFQ must be sent by email to AHFC's Authorized Contacts identified below:

Sarah Ramos

Procurement Specialist

Sarah.Ramos@austintexas.gov

Alex Radtke

Housing Development Manager

Alex.Radtke@austintexas.gov

Persons desiring further information or interpretation of the RFQ requirements must make a written request for such information to AHFC by **March 6**, which is **no later than ten working days before** the RFQ submittal due date. Changes to the RFQ documents will be made by addendum only. Questions and Answers that are significant will be provided as a Clarification Document(s).

RFQ Reference Materials

Available on the [RFP webpage](#)

- Land Title Survey
- Phase I Environmental Site Assessment
- TCEQ Certificate of Completion for Voluntary Cleanup
- Special Warranty Deed
- Title Policy
- City of Austin Housing Preference Policy
- Summary of Community Engagement Feedback
- Memorandum of Understanding and Summary of Terms

Additional Materials within RFQ Exhibits

The following materials are available within [Exhibit A](#) of this RFQ.

- RFQ Response Form (responses to be submitted online via [Formstack](#))
- Affidavit of Negotiation
- Non-Suspension and Debarment Certification
- Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying Disclosures

2. About AHFC

The Austin Housing Finance Corporation (AHFC) is a quasi-public instrumentality of the City of Austin formed in 1979 under Chapter 394 of the Texas Local Government Code to implement strategic solutions to increase the supply of affordable low-income housing in Austin. AHFC spends more than \$20 million per year on housing programs funded through a variety of both federal, state, and local sources. These programs include Down Payment Assistance, Home Repair, Rental Assistance, Gap Financing, and Acquisition and Development using public-private partnerships. AHFC is also an issuer of Private Activity Bonds used to finance construction of affordable housing and, as a ground-lessor and development owner, qualifies for a 100% property tax exemption for affordable housing developments. AHFC has an existing portfolio of more than sixty acres of vacant and underutilized commercial property anticipated to be developed with affordable housing through public-private partnerships over the next decade.

3. Property Information

6909 Ryan Drive is an approximately 5.5-acre property located in the Crestview neighborhood of central Austin. Austin Energy purchased the site in 1997 for their operations. The site was also used by Austin Energy for storage. Austin Energy completed demolition of the existing buildings and site cleanup in summer 2023. This process included participating in TCEQ's Voluntary Cleanup program, which the site subsequently received a Certificate of Completion available as an exhibit to this RFQ. The property was purchased by AHFC in 2023 using general obligation bonds approved by City residents in 2018. The site is level, roughly rectangular in shape, and fronted on the east by the Red Line railway and the west by Ryan Drive and a small portion along Justin Lane. The property is bordered on the north and south by privately owned properties. The property is in the Lamar Blvd./Justin Lane Transit Oriented Development (TOD) district with a subdistrict designation of TOD Mixed-use. The regulating plan for the Lamar Blvd./Justin Lane TOD can be found [here](#).

The property is across from the Red Line MetroRail Crestview Station and a short walking distance to the MetroRapid 801 bus route stop located at the intersection of North Lamar Boulevard and Airport Boulevard. [Project Connect](#) has identified extending Phase I light rail from 38th street to Crestview Station as a priority. Capital Metro is also in the process of planning for the double tracking of a portion of the Red Line that includes the area running along the site.

AHFC has provided several important reference materials to this RFQ that will assist respondents in understanding the physical and regulatory factors affecting the development of this property. Additional materials are located on the [RFP webpage](#).

4. Development Description

Prior to AHFC acquiring the property, Austin Energy partnered with the City's Economic Development Department to solicit for a redevelopment partner. Community engagement began in 2018 and the solicitation was issued in 2020, and a finalist development partner was selected in 2021. Due to changing economic conditions, the City and developer mutually decided to terminate negotiations in 2024. City Council directed AHFC to acquire the property and resolicit for a new development partner. For more details about initial community engagement and the first solicitation please visit the following site: <https://www.austintexas.gov/department/6909-ryan-drive>

AHFC's solicitation for the site builds on the significant community engagement work done for the first solicitation. AHFC conducted public engagement between October to December 2024. The Summary of Community Engagement Feedback, which is an exhibit to this RFQ, provides a full overview of these efforts, community feedback, and how feedback was incorporated into the solicitation. The latest community engagement confirmed that the community's priorities for the site had not shifted significantly. These priorities are:

- Affordable housing
- Park space
- Connectivity to transit
- Neighborhood amenities

The site's location in a transit-oriented district and community's priorities for the site will necessitate a heavy focus on sustainable and accessible design. The project will integrate the different uses on the site and connect the site to the greater district. Alternative deal structures involving other parties, such as nonprofit sponsors, equity investors, or similar, may be suggested and will be given full consideration if beneficial to the development. This development has been determined by AHFC to not be appropriate for housing tax credits and will not be converted to a housing tax credit project. However, developers with prior experience with housing tax credit projects are encouraged to respond to this RFQ, although such experience is not required.

Development Requirements

The respondent selected to partner with AHFC must design, develop, and operate a development that aligns with the following RFQ requirements, as informed through community-driven process:

- Approximately 300-unit multifamily development
 - 90% of units are anticipated to be affordable, targeting a range of households earning from 50% to 120% of the Median Family Income (see Table 1 for additional anticipated MFI estimates)
 - Initial affordability period is anticipated to be at least 55 years, or for the period required by applicable funding sources
- Approximately 1.25 acres of the site is anticipated to be park space and/or publicly accessible amenities (which may be publicly dedicated or privately maintained)
- A portion of the site will be dedicated as a transit plaza with safe bike and pedestrian access from public right-of-way to the plaza

- As funding sources permit, a portion of the site could be used as commercial space and would be ground leased under a separate agreement for development of integrated commercial improvements (ex., retail, restaurants, neighborhood services)

Table 1. Income Level Requirements

Income Level (% of MFI)	Min. % of Units*	Estimated # of Units
50%	20% @ ≤ 50% MFI	60
80%	30% @ ≤ 80% MFI	90
100%	40% @ ≤ 100% MFI*	120
120%	10% @ 120 MFI	30
Total		300

*Anticipated unit mix only. May be modified for compliance with the requirements for density bonus programs or other incentives (ex. S.M.A.R.T., Affordability Unlocked, etc.).

5. Deal Structure

The selected developer will enter into the following anticipated ownership and financing structure with AHFC following the award of the development opportunity:

- Land Ownership** AHFC is expected to retain ownership of the land, potentially qualifying the property for a 100% property tax exemption for the land and improvements.
- Development Ownership** An affiliate of AHFC and the selected developer or affiliate of developer are expected to enter into a limited partnership that will own the development and ground lease the land from AHFC. The AHFC affiliate is expected to act as the general partner and the selected developer to act as the administrative limited partner of the limited partnership. The deal terms for this development are described in detail in the Memorandum of Understanding and Summary of Terms provided as part of the RFQ Reference Materials (available on the [RFP webpage](#)). Following award of the development opportunity, the selected developer will be required to execute the Memorandum of Understanding and Summary of Terms, and the AHFC affiliate and developer affiliate will enter into a limited partnership agreement to formalize and facilitate the partnership and the development. As funding sources permit a portion of the site could be ground leased to a commercial developer under a separate sublease agreement from the development partnership. The development partnership shall establish the terms, location and design requirements for such ground lease, if applicable. The ground lease payment is anticipated to be additional income to the project.
- Financing** The selected developer is anticipated to fund this development in part with equity and debt via a conventional mortgage and will pursue all appropriate funding sources, subject to AHFC approval. While AHFC is not able to provide funding for the entire development and has limited funding opportunities available, AHFC recognizes that this proposed development may have a

financing gap. The selected developer may make a loan application post-award to AHFC's Rental Housing Development Assistance Program or other City or AHFC financing source to apply for such gap financing; provided, however, no RHDA funds have been allocated to this project as of the date of this solicitation.

The selected developer will be responsible for securing all necessary funding for the development, and the selected developer will be a guarantor for such funding sources. The selected developer will be responsible for the construction and management of the development, subject to the approval of the general partner in accordance with the anticipated limited partnership agreement, as required by AHFC.

Additional Information

The developer is anticipated and encouraged to apply for and participate in the City of Austin's [S.M.A.R.T. Housing Program](#). The developer is anticipated and encouraged to apply for density bonus programs, [Affordability Unlocked](#), and/or any similar programs that may be beneficial to the project.

6. Submittal Requirements

All respondents must submit their qualifications by completing the online Formstack application available [here](#).

Respondents must submit their completed application including all required supporting documents discussed in the online application by 11:59 p.m. CST on Wednesday, March 20th, 2024 to be considered for the award of the development opportunity discussed in this RFQ.

One of the RFQ's Authorized Contacts will notify each respondent within three business days of receiving a completed online application.

Any questions about this RFQ must be sent by email to the RFQ's Authorized Contacts:

Sarah Ramos

Procurement Specialist
Sarah.Ramos@austintexas.gov

Alex Radtke

Housing Development Manager
Alex.Radtke@austintexas.gov

Any clarifications made to this RFQ will be posted on the [RFP webpage](#).

Modifications to applications previously submitted may be made by respondents up until the close of the RFQ, March 20th, 2024. Respondents may modify their applications by submitting a new application online and notifying the RFQ's Authorized Contacts by email that a new application has been submitted to replace the previous.

Respondents may withdraw their application at any time. Requests to withdraw a previously submitted application from consideration must be made by email to the RFQ's Authorized Contacts.

All materials submitted as part of the application become public property and are subject to the requirements of the Texas Open Records Act. **Respondents who would like to keep portions of their application confidential or redacted prior to any potential public release must notify the RFQ's Authorized Contact by email of the portions of the application that the respondent would like to redact or remain confidential and provide a statement describing why the redaction or confidentiality is being requested.** AHFC will endeavor to protect such information from disclosure to the extent allowed by state law. **AHFC will not make public any certified or compiled financial documents submitted with the application.**

AHFC reserves the right to cancel this RFQ at any time prior to the selection of a selected developer by the AHFC Board of Directors, should it deem appropriate. AHFC may also deem an application non-responsive based on an initial review. All costs directly or indirectly related to the preparation of an application are the sole responsibility of the respondents.

Mandatory Requirements

Each entity that comprises the development team must meet the following requirements to be eligible for award of the development opportunity discussed in this RFQ:

- The developer must be a legally incorporated business entity that is able to conduct business and contract with the federal government, State of Texas, and City of Austin.
- The developer must have submitted all applicable tax returns to the Internal Revenue Service (IRS), State of Texas, and the City of Austin.
- The developer must provide their organization's most recent certified financial audit or compiled financial documents (within the last two years) with the submission of their application.
- The developer must maintain and potentially purchase additional insurance coverage meeting AHFC's minimum standards and must be able to add the AHFC as an insured party on their insurance policies.
- The selected developer and the property manager must implement a Housing Preference Policy meeting the criteria described in the Memo to the Mayor and Austin City Council available: <https://www.austintexas.gov/edims/document.cfm?id=330931>.
- The selected developer will be required to enter into the Memorandum of Understanding and Summary of Terms with AHFC, or its affiliate, provided in substantially final form as Reference Materials for this RFQ. AHFC reserves the right to prepare other legal documents that the selected developer must execute to facilitate the development of the property.
- The selected developer must comply with the deal terms described in the Memorandum of Understanding and Summary of Terms included as Reference Materials for this RFQ.
- The partnership/development owner will pay for the cost of AHFC's title insurance policy associated with the ground lease and loan policy associated with the RHDA program loan, if any, at the close of the ground lease and financing, as applicable.
- The selected developer will provide all necessary guarantees to facilitate the financing, construction, and operation of the development.
- AHFC, through its affiliate, will not elect to treat its affiliate as a taxable entity.
- The selected developer will pay for all pre-development costs necessary for the development of the property; the developer will be reimbursed for such expenses at the close of construction financing. The partnership/development owner will pay for AHFC's legal fees

associated with negotiating and executing agreements necessary for the development of the property at the close of construction financing.

Grounds for Rejection

AHFC reserves the right to reject any applications and to waive any minor informality in any application requirement. A minor informality is one that does not affect the competitiveness of the respondent.

The following may be cause to reject an application as determined by AHFC in its sole discretion:

- Submission of an application which is not signed by an individual empowered to bind the respondent.
- Evidence of collusion among respondents.
- Applications received from a respondent who has been debarred or suspended by AHFC or the City of Austin.
- Applications received from a respondent when its principals are currently debarred or suspended by federal, state or city governmental agencies.
- Poor performance in execution of work under a previous AHFC or City contract.
- Failure to achieve reasonable progress on an existing or previous AHFC or City contract.
- Default on previous AHFC or City contracts or failure to execute a previous contract after award.
- Evidence of failure to pay subcontractors, suppliers, or employees in accordance with previous contract requirements.
- Applications containing omissions, alterations of form, additions, qualifications or conditions not called for by AHFC, or incomplete applications, AHFC reserves the right to determine the interpretation or to reject the application.
- Failure to negotiate and execute necessary agreements after award in a timely manner.
- Previous safety or environmental violations resulting in fines or citations by a governmental entity (e.g., U.S. Environmental Protection Agency, Texas Commission on Environmental Quality, etc.).
- Failure of a respondent to demonstrate its experience with projects of similar size, scope, and complexity.
- Evidence of a respondent's lack of sufficient resources, workforce, equipment, bonding capability, or supervision.

Protest Rights

Protests

The AHFC Treasurer has the authority to settle or resolve any claim of an alleged deficiency or protest. The procedures for notifying the AHFC of an alleged deficiency and making a protest are listed below. If a protester fails to comply with any of these requirements, the AHFC Treasurer may dismiss the complaint or protest.

Protest Regarding the RFQ (Pre-Submittal Protest)

Any protest regarding the RFQ must be made no later than five business days prior to the due date and time for applications. Any protest made after that date which raises issues regarding the RFQ will not be considered.

Protests Regarding the Evaluation of Proposals

Any protest regarding the evaluation of applications by the AHFC must be made with AHFC no later than five business days after the notification of award, or notification that the protestor's status as a respondent has changed, such as notification that an application has been found to be non-responsive or a respondent has been found to be non-responsible. Any protest filed after such date which raises issues regarding the evaluation will not be considered. Respondents may only protest the evaluation of their application.

Protest Regarding Award of Contract (Post-Award Protest)

Any protest regarding the award of the development opportunity must be filed no later than ten days after the date of award. Any protest regarding the award of the development opportunity made after such date will not be considered.

Process to Submit a Protest

Protests must be made by email to Sarah Ramos at Sarah.Ramos@AustinTexas.gov, and must include the following information in the subject line: Protest and the name of the RFQ; in the body of the email: your name, address, telephone, and email address, the specific facts and/or law upon which the protest of the RFQ or the award is based, including all pertinent documents and evidence thereto, and the form of relief requested.

- The protest must be concise and presented logically and factually to help AHFC review.
- When AHFC receives a timely written protest, the AHFC Treasurer will determine whether the grounds for the protest are sufficient. If the AHFC Treasurer determines that the grounds are sufficient, a protest hearing will be scheduled, usually within five business days. If the AHFC Treasurer determines that the grounds are insufficient, AHFC will notify the protester of that decision in writing.
- The protest hearing is informal and is not subject to the Texas Open Meetings Act. The purpose of the hearing is to give the protester a chance to present its case; it is not an adversarial proceeding.
- Those who may attend the protest hearing are representatives from AHFC that oversaw the RFQ, the City of Austin Law Department, and other appropriate City of Austin staff. The protestor may bring a representative or anyone else that will present information to support the factual grounds of the protest at the hearing.
- A decision will be made within thirty calendar days after the hearing.
- AHFC will send the protester a copy of the hearing decision after the appropriate staff have reviewed the decision.
- When a protest is made, AHFC usually will not make an award until a decision on the protest is determined. However, AHFC will not delay an award if the City Manager for the City of Austin or the AHFC Treasurer determines that AHFC urgently requires the development of the property, and failure to make an award promptly will unduly delay the development. In those instances, AHFC will notify the protester and make every effort to resolve the protest before the award.

7. Process and Timeline

February 21st, 2024

Request for Qualifications Published

March 20th, 2024

Applications Due by 11:59 p.m. CST

All completed applications, including all required supporting materials, must be received prior to the due date to be considered for award.

March 25th, 2024

Application Scoring

The RFQ Evaluation Panel will score each complete application submitted prior to the due date.

March 29th, 2024

Finalist Interviews

One of the RFQ's Authorized Contacts will notify the top two to three highest scoring respondents and request that they meet virtually with the RFQ Evaluation Panel to allow them to ask additional questions about their qualifications. All respondents should be prepared to make themselves available the day of March 29th, 2024.

April 1st – April 14th, 2024

Public Evaluation

Following the conclusion of respondent interviews, AHFC will publish a summary of the RFQ Evaluation Panel's scores online, as well as all complete applications submitted prior to the due date, less any redactions requested and financial disclosures provided by each respondent, on the [RFP webpage](#).

AHFC will provide an online platform available on the RFP webpage in which City residents may choose which application they think is most qualified, as well as provide general and application-specific comments. This information will be provided to the AHFC Executive Team and the AHFC Board of Directors, in addition to the RFQ Evaluation Panel Scores, to assist each body in recommending and selecting the preferred development partner for this development.

April 15th, 2024

Executive Team Recommendation

The AHFC Executive Team will review the RFQ Evaluation Panel Scores, and the Public Preference and Comments Summary, and recommend a preferred development partner to the AHFC Board of Directors for consideration of the award of the development opportunity.

May 2nd, 2024

AHFC Board of Directors Selection

The AHFC Board of Directors will convene publicly and will consider AHFC's recommendation for award. It is the AHFC Board of Directors' discretion to select and award the development opportunity to the

selected developer. Following award, the selected developer will enter into an Exclusive Negotiation Period with AHFC per the [Affidavit of Negotiation](#) (signed as part of the RFQ Response Form). All parties must diligently pursue contract negotiations within the Exclusive Negotiation Period set forth in the Affidavit of Negotiation with the intent of executing agreements to create the limited partnership, apply for funding, and facilitate the development.

November 1st, 2024

End of Exclusive Negotiation Period

Primary partnership documents must be executed before the end of the Exclusive Negotiation Period. These are anticipated to include the Partnership Summary of Terms and Memorandum of Understanding. The Exclusive Negotiation Period will expire on November 1st, 2024, at 5:00 pm (CST). The Exclusive Negotiation Period may be extended by up to an additional three months upon the mutual agreement of both parties.

8.Exhibit A: RFQ Response Form, Affidavits, and Certificates

RFQ Response Form

To be considered for the award of this development opportunity, please complete the RFQ Response Form available at the following web address and submit it to AHFC based on the directions described in the [Submission Instructions](#) and [Submittal Requirements](#) sections of this RFQ:

https://cityofaustin.formstack.com/forms/6909_ryan_drive

Response Form Questions and Scoring Criteria

Applications will be scored (for a total of 115 points) across four categories described below:

Table 2. Scoring Criteria

Category	Scored Questions	Unscored Questions	Points
Development Team Questions	4	2	35
Example Developments	1	0	40
Community Review Questions	4	0	20
Finalist Interviews	-	-	20
		Total	115

Development Team Questions – 35 points

The following questions provide AHFC with initial qualifying information regarding a respondent's experience with and approach to multi-family and mixed use developments.

- 1) Please provide the company name, point of contact name, and point of contact email for each of the following members of your proposed development team for this development. **Unscored**
 - a) Developer
 - b) Co-Developer (if applicable)
 - c) Architect
 - d) Engineer
 - e) Property Manager
- 2) Please describe why your development team is best suited to develop the site. **5 points**
- 3) How many multi-family developments has the developer or co-developer who will act as guarantor for this development placed in service within the last ten years? Provide a list of developments with the following. **15 Points**
 - a) Name
 - b) Address
 - c) Number of units
 - d) Date of last Certificate of Occupancy
 - e) Affordability Restrictions; if any

- 4) Please describe your development team's experience with designing, financing, developing, and operating mixed-use developments. **10 points**
- 5) Please describe your anticipated financing strategy for this project. **Unscored**
- 6) Provide a copy of the most recent certified financial audit or disclosures (completed within the last two years) from the developer who will act as guarantor for this development. **5 points**

Example Developments – 40 Points

The following multi-part question provides AHFC with more detailed information regarding specific, relevant, projects completed by a respondent.

- 7) Provide a detailed summary of two of the developer's or co-developer's most innovative and successful developments placed in service within the last seven years; please be sure to include the following. **40 points**
 - a) Project description
 - b) Placed-in-service date
 - c) Address
 - d) Type of development (e.g., garden walk-up, 5-story structured parking, etc.)
 - e) Income restrictions (Number of Units at or below 30% MFI, Number of Units at or below 50% MFI, Number of Units at or below 60% MFI, Number of units at or below 80% MFI, Number of units at or below 120% MFI, Number of unrestricted units)
 - f) Number of Units by Bedroom Count (Number of efficiencies, Number of 1 bedrooms, Number of 2 bedrooms, Number of 3 bedrooms, Number of 4+ bedrooms)
 - g) Target population
 - h) Partnership structure, including specifying if this was a public/private partnership
 - i) Primary funding strategy and sources
 - j) Current occupancy rate
 - k) What were the design considerations for this project and how did they impact the project?
 - l) How did the project shift from initial underwriting/approvals through closing, construction, and conversion?
 - m) Describe your community engagement efforts during pre-development, construction, and operation.
 - n) Please attach underwriting pro forma for the development, as approved by either the state housing finance agency, the lender, or the equity investor.

Community Review Questions – 20 Points

The following questions are designed provide an opportunity for potential partners to address the community directly. **Responses should be written with the community as the primary audience.**

- 8) Please describe your development team's construction management practices that will be used as part of this development to act as a good neighbor to the adjacent property owners. **5 points**
- 9) Please describe your proposed property management company for this development and why they are best suited to operate and maintain the property. **5 points**

10) Please describe how your development team will develop and operate the proposed development in a way that advances racial equity within the community and your organizations.

5 points

11) Please describe how your development team will form and leverage relationships with neighborhood groups, organizations, and business to help support a vibrant and enriching neighborhood. **5 points**

Finalist Interviews – 20 Points

Qualifying finalists will be invited to interview with AHFC.

Finalist Interviews (by invitation only) **20 points**

Affidavits & Certifications

Respondents must also complete the following affidavits and certificates via Formstack as part of their applications to be considered for the award of this development opportunity.

Affidavit of Negotiation

THIS FORM MUST BE FULLY COMPLETED AND SIGNED BY THE RESPONDENT VIA FORMSTACK TO BE CONSIDERED FOR THE AWARD OF THE DEVELOPMENT OPPORTUNITY.

I, _____, an authorized representative of _____ (developer entity) a legally formed entity, submit this application in response to the RFQ released by the Austin Housing Finance Corporation (AHFC) on February 21, 2024 requesting qualifications for potential developers to partner with AHFC to develop income-restricted affordable housing on a property AHFC owns at 6909 Ryan Drive in Austin, Texas.

If selected for the award of the development opportunity, I do hereby agree to enter into an Exclusive Negotiation Period (ENP) with AHFC the term of which will begin on the date of selection by the AHFC Board of Directors and end on November 1, 2024.

I agree to diligently pursue contract negotiations with AHFC within the ENP in a good faith effort to execute the agreements necessary for the development of the property prior to the end of the ENP. If after a reasonable time of negotiation AHFC concludes that little progress has been made toward negotiating the necessary agreements, AHFC reserves the right to terminate negotiations with the Selected Developer from the Board, and request authorization to begin negotiations with the next highest scoring respondent.

I understand and agree that if the agreements necessary for the development of the property are not executed within the ENP, the ENP may be extended as needed by the mutual agreement of both parties.

I understand and agree that AHFC reserves the right to select the next highest scoring respondent or resolicit for new qualifications if, at the conclusion of the ENP, the necessary agreements have not been executed.

I understand that if awarded the development opportunity, I must comply with the deal terms stated in the Memorandum of Understanding and Summary of Terms on the RFP webpage. These terms may be amended by mutual consent of both parties post-award. However, such amendments will be supported by AHFC only in the instance where such amendments are necessitated by new information learned post-award that was not available prior to the close of the RFQ.

I understand and agree that I am responsible for any and all costs necessary to prepare and submit my application and agree to pay any and all necessary costs to be incurred prior to the execution of the agreements necessary to develop the property, including but not limited to any and all costs associated with the preparation of plans and applications if my organization is selected for the development opportunity.

I understand if awarded the development opportunity, I am responsible for the full payment of all pre-development costs necessary to facilitate the successful financing, design, and permitting of the development.

I understand that if selected I will be required to comply with the Mandatory Requirements described in this RFQ as a condition of the award of the development opportunity.

Developer Entity (Printed Name)

Authorized Representative (Printed Name)

Authorized Representative (Signature)	Date
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Authorized Representative Email

Certificate of Non-Suspension and Debarment

THIS FORM MUST BE FULLY COMPLETED AND SIGNED BY THE RESPONDENT VIA FORMSTACK TO BE CONSIDERED FOR THE AWARD OF THE DEVELOPMENT OPPORTUNITY.

I affirm my organization is not currently suspended or debarred from bidding or contracting with the United States Federal Government, State of Texas, or City of Austin.

Developer Entity (Printed Name)

Authorized Representative (Printed Name)

Authorized Representative (Signature)

Date

Affidavit of Non-Collusion, Non-Conflict of Interest, and Anti-Lobbying

THIS FORM MUST BE FULLY COMPLETED AND SIGNED BY THE RESPONDENT VIA FORMSTACK TO BE CONSIDERED FOR THE AWARD OF THE DEVELOPMENT OPPORTUNITY.

I certify and agree that I have not and will not influence the AHFC RFQ evaluation and award process in any way either directly or indirectly including but not limited to offering or providing any good or service of value to AHFC staff or officers in exchange for more favorable consideration.

I certify I have no present knowledge of a potential or existing conflict of interest with AHFC that may give my proposal an unfair advantage over other proposers or unduly benefit my organization in any way. I agree to notify an AHFC Authorized Contact or Project Manager in writing as soon as I become aware of any potential or existing conflict of interest in the future.

I understand and agree to comply with the City of Austin’s Anti-Lobbying Ordinance (Ordinance No. 20180614-056) while this RFQ is open.

<https://www.austintexas.gov/edims/document.cfm?id=301199>

Developer Entity (Printed Name)

Authorized Representative (Printed Name)

Authorized Representative (Signature)

Date

