



Request For Qualifications

Drowsy Willow Affordable Ownership Housing Development Opportunity

Submissions Due: By 11:59 p.m. CST on September 22, 2023



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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 team to include a developer, project architect, and engineer to develop 30 to 50 units of attached and detached housing to be sold by AHFC as long-term affordable owner-occupied housing held within its Community Land Trust.

Within 90 days following the award of the development opportunity by the AHFC Board, the selected developer shall work diligently with AHFC to make any necessary modifications and execute the draft Memorandum of Understanding attached as an Exhibit to this RFQ.

The executed MOU will contain provisions outlining the Selected Developer and AHFC's obligations vis-à-vis the proposed development and each other, and include milestones related to design, phasing, and funding. The Selected Developer should anticipate coordinating with AHFC as Owner to design the development so it can be constructed in phases and efficiently sold by AHFC to income-eligible homebuyers. Please reference the attached MOU to fully apprise yourself of the anticipated development process and requirements. The Selected Developer shall be solely responsible for securing the financing necessary to fully fund and develop the Project. AHFC understands the proposed development will have a funding gap and is prepared to recommend to its Board of Directors approval of up to \$9 million to complete the funding sources necessary to finance and develop the Project. AHFC's funding request shall be based on the development budget prepared by the Developer and approved by AHFC following the award of this development opportunity. Developers who have knowledge of and can demonstrate success previously securing funding necessary to finance attached and detached owner-occupied housing will be given additional points as part of the evaluation associated with this RFQ.

Submission Instructions

Interested respondents must submit their qualifications to AHFC by 11:59 p.m. CST on Friday, September 22, 2023 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 here:

https://cityofaustin.formstack.com/forms/5901_drowsywillow_rfq

Applications must be submitted by 11:59 p.m. CST on Friday, September 22, 2023.

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

Travis Perlman

Project Coordinator

travis.perlman@austintexas.gov

Persons desiring further information or interpretation of the RFQ requirements must make a written request for such information to AHFC **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: <https://www.austintexas.gov/page/request-proposals>

- Land Title Survey
- Phase I Environmental Site Assessment
- Special Warranty Deed
- Title Policy
- Development Concept
- Summary of Community Engagement Feedback & Community Engagement Survey Data
- Memorandum of Understanding

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 \$50 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 also operates as a Community Land Trust (CLT) and currently has 19 homes in its CLT portfolio sold to and occupied by income-eligible homeowners. Additionally, AHFC has a pipeline of more than 20 CLT homes currently being renovated and anticipated to be sold in the next few years. Community Land Trusts are a housing ownership structure where the CLT, a non-profit, maintains ownership of the land, sells the home to an income-eligible household, and leases the land to the homeowner. This ownership model significantly reduces the property taxes paid by the homeowner and provides for long-term affordability of the homes. Learn more about AHFC's CLT here: <https://www.aclt-homes.org/>.

AHFC owns 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. To date, AHFC has closed four previous Requests for Proposals (RFPs) and one Request for Qualifications (RFQ), an executed agreements with developers to develop more than 700 units of affordable rental and owner-occupied housing on these properties. Four of these developments have or are anticipated to break ground in 2023 or 2024.

3. Property Information

The property, located at 5901 Drowsy Willow Trail, is an approximately 2.7-acre piece of vacant land located in the Dove Springs neighborhood of southeast Austin. The property was purchased by AHFC in 2021 using general obligation bonds approved by City residents in 2018. The property is level, rectangular in shape, and fronted on the north by Village Square Drive and the east by Nuckols Crossing Road. The property is bordered on the west by the Villages at Pleasant Valley condominiums and on the south, across an urban creek, by single family homes. The southern half of the property is within a Critical Water Qualify Zone, and the 100- and 500-year floodplain to a lesser degree. These environmental features limit the developable area of the property and informed AHFC's development concept for this property. The property currently has a Planned Unit Development zoning district designation that was approved in 1979, which are the entitlements under which the neighboring multifamily condominium property was developed. The existing zoning regulations permit the development of no more than twenty-four dwelling units on this property. Given this limitation, it is anticipated the property will need to be rezoned prior to development. AHFC has submitted Zoning and Neighborhood Plan Amendment applications to begin rezoning the property to a zoning category compatible with the proposed development concept.

The property is a short walking distance to many civic amenities including Mendez Middle School, Widen Elementary School, Dove Springs Recreation Center and District Park, and the Southeast Branch Public Library. It is also adjacent to an existing high-frequency bus stop. Capital Metro's Project Connect initiative includes adding a bus rapid transit stop nearby which is expected to be operational at this location in the coming years.

The surrounding neighborhood has experienced a significant increase in housing costs. The median sales price of homes in this neighborhood has increased by more than 100 percent over the last half decade, with the median sales price for homes in the area nearing almost \$500,000 in 2022 (Redfin). The annual household income that is currently required for a household to qualify for a mortgage to purchase a home at this price is over \$110,000, more than double the median household income of residents in the neighborhood. This sustained and dramatic increase in housing costs has undoubtedly contributed to the approximately twelve percent decrease in low-income households residing in the area over the last five years, including low-income households of color with generational ties to the area.

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. Community and Development Priorities

Prior to beginning public engagement in January 2023, AHFC contracted and worked with a third-party architectural firm to perform site analysis and develop building massing studies to share with the public and get feedback.

The proposed design sought to achieve and balance the following development priorities:

- Maximize the number of affordable units to be sold to households earning at or below 80 percent of Austin's median family income, within an appropriate land use context.

- Prioritize the incorporation of multi-bedroom units for families.
- Provide fully accessible units for persons with mobility and sensory disabilities.
- Deliver the development as cost-efficiently as possible to ensure the responsible stewardship of public funds.

AHFC conducted public engagement between January and March 2023, which included the following efforts:

- Launching a project website with an online survey, bilingual overview video, and additional informational materials: <https://publicinput.com/5900southpleasantvalley>
- Promoting the website and survey on social media
- Meeting with and collecting feedback from neighborhood and stakeholder groups (see the Summary of Community Engagement Feedback on the [RFP webpage](#) for more details)
- Posting yard signs in the immediate neighborhood advertising ways to provide feedback on the project
- Mailing flyers and surveys to all addresses within 500 feet of the project site
- Participating in neighborhood tabling events to inform attendees of the project and collect feedback (see the Summary of Community Engagement Feedback available on the [RFP webpage](#))

Through these engagement efforts, AHFC collected more than 100 survey responses in addition to more general feedback from attendees of group and public events. Following the conclusion of public engagement, AHFC summarized and reviewed the feedback received and began to identify common elements of consensus for potential incorporation into the development concept. A summary of the community engagement events and feedback, as well as the complete survey results, is available on the [RFP webpage](#).

AHFC incorporated feedback received throughout the initial community engagement phase as best as possible. Table 1 captures key themes AHFC addressed within the RFQ and corresponding Reference Materials (available on the [RFP webpage](#)).

Table 1. Feedback Incorporated into the RFQ

| Theme | Addressed in RFQ and/or Corresponding Materials |
|--------------------------------|---|
| Good Neighbor Practices | <p>Per the Summary of Terms (available on the RFP webpage): <i>Developer shall design and develop the project at a height no greater than three stories within 30 feet of the western lot line of the property. Developer should be prepared to construct and finance a fence or wall at least six feet in height along the entirety of the western lot line, the design of which must be approved by AHFC. Developer shall be prepared to design and develop the building in such a manner to have no external balconies above two stories facing the western lot line of the property.</i></p> <p>Per the RFQ Response Form, applicants will: <i>Describe their 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.</i></p> |

| | |
|--|---|
| <p>Ingress / Egress on Nuckols Crossing / Pleasant Valley</p> | <p>Per the Summary of Terms (available on the RFP webpage): <i>To the degree that such access may be permitted, the Developer shall be prepared to design and permit the development such that no ingress, egress, and curb cut beyond that required for any fire access shall be made on the northern side of the property fronting Village Square Drive.</i></p> |
| <p>Outdoor Community Amenities</p> | <p>Per the Summary of Terms (available on the RFP webpage): <i>Developer shall be prepared to develop, reserve, and maintain the southern half of the property within the Critical Water Quality Zone as an open space amenity for public use.</i></p> |
| <p>Residents at Risk of Displacement / Generational Ties</p> | <p>Per the RFQ: <i>AHFC will implement a Housing Preference Policy meeting the criteria described in the Memo to the Mayor and Austin City Council available at the following web address: https://www.austintexas.gov/edims/document.cfm?id=330931</i></p> <p>Per the RFQ Response Form, applicants will: <i>Describe how their proposed property manager will affirmatively market the development to low-income households of color who have historically lived in this neighborhood.</i></p> |
| <p>Flooding / Transportation</p> | <p>Development will be subject to and will comply with City of Austin’s land development regulations, including environmental and transportation-related regulations.</p> |

5. Process and Timeline

August 25, 2023 Request for Qualifications Published

September 22, 2023 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.

October 4, 2023 Application Scoring

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

October 6, 2023 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 October 6, 2023.

October 11, 2023 - November 10, 2023 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 for four weeks in which City residents may choose which application they think is best, 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.

November 13, 2023 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.

November 30, 2023 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 Director's 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 a final Memorandum of Understanding that will govern the obligations of the Selected Developer and AHFC vis-à-vis each other, and the development. The Exclusive Negotiation Period will expire on February 29, 2023, at 5:00 pm (CST). The Exclusive Negotiation Period may be extended upon the mutual agreement of both parties.

February 2024 AHFC and Developer Execute Memorandum of Understanding

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 Friday, September 22, 2023 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

Travis Perlman

Project Coordinator

Travis.perlman@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, September 22, 2023. 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 be able to add the AHFC as an insured party on their business insurance, and potentially purchase additional insurance coverage meeting AHFC's minimum standards.
- The developer will be expected to design, permit, and construct the development in compliance with the City of Austin's S.M.A.R.T. Housing Program for which AHFC has already certified this proposed development. Information regarding this program can be found at the following web address: <https://www.austintexas.gov/department/development-incentives-and-agreements-0>
- The selected developer will be required to enter into a Memorandum of Understanding provided in its 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 generally with the deal terms described in the Memorandum of Understanding included as Reference Materials for this RFQ, with the exception to any modifications jointly agreed to by the selected developer and AHFC during the Exclusive Negotiation Period.

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 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 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.amos@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. 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/5901_drowsywillow_rfq

Applications will be scored as described below:

- 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
- 2) Please describe why you as developer are best suited to develop the proposed development. **10 points**
- 3) Please describe why your proposed architect and engineer for this project are best suited to design and permit the proposed development, including their experience with the Austin permitting process. **10 points**
- 4) How many units in multi-unit attached and detached housing similar to the one in this RFQ's Development Concept has the developer constructed and received a Certificate of Occupancy for within the last five years? Please list all developments included in your total number including month/year CO received, name, location, number of units, and whether it was attached or detached housing (i.e. 1. CO June 2022: Sunshine Cove, Austin, TX, 50 detached units; 2. CO April 2023: Congress Flats, Austin, TX, 47 condo units). **10 points**
- 5) Please describe your proposed construction management practices that will be used as part of this development to act as a good neighbor to the adjacent property owners. **10 points**
- 6) Please describe how your proposed development team will approach community engagement during the design and construction process with a focus on advancing racial equity within the community. **10 points**
- 7) Please describe how your development team will form and leverage relationships with neighborhood groups, and local organizations and businesses to help support a vibrant and enriching community. **10 points**
- 8) Provide a copy of the most recent certified financial audit or disclosures completed within the last two years from the developer. **10 points**
- 9) Discuss any litigation (within the last five years) for which the developer or co-developer were party to, either as plaintiff or defendant. What were the circumstances and what was the outcome? **10 points**

- 10)** Please describe any non-AHFC financing you have used in Texas to finance previous attached and detached owner-occupied housing developments within the last seven years, including award amount and date. **10 points**
- 11) Please describe any additional non-AHFC funds you propose applying for or using to finance this development. **Unscored**
- 12)** Provide a detailed summary of your most innovative and successful owner-occupied development similar to the Development Concept of this RFQ that has received a Certificate of Occupancy in the last seven years; please be sure to include the following: **10 points**
- a) Project Description
 - b) Funders and Owner
 - c) Architect, Engineer, and General Contractor
 - d) Certificate of Occupancy Year
 - e) City, State
 - f) Type of development (e.g., single family, detached condo, attached condo, multifamily condo)
 - g) Total Number of Units
 - h) 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)
 - i) Average Floor Plan Size
 - j) Average Development Cost per Unit
 - k) Final total development cost, relative to that reflected in the budget at the time of financing of construction
 - l) Describe your community engagement efforts during pre-development and construction

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

Maximum Possible Score = 120 points

Affidavits & Certifications

Respondents must also complete the following affidavits and certificates 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 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 August 25, 2023 requesting qualifications for potential developers to partner with AHFC to develop attached and detached housing that AHFC will sell to income-eligible homebuyers upon completion of the homes on a property AHFC owns at 5901 Drowsy Willow Trail 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 90 days from selection.

I have read the Memorandum of Understanding included as a Reference Material to the Drowsy Willow RFQ and understand that AHFC considers that document in the form presented mostly final. I understand the Memorandum of Understanding shall be the primary document executed within the ENP that will govern the selected developers and AHFC's obligations vis-à-vis each other, and this development.

During the ENP, I agree to negotiate in good faith any modifications necessary and jointly agreed upon by the Selected Developer and AHFC to the Memorandum of Understanding included as a Reference Material to the Drowsy Willow RFQ and finalize and execute that document 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, and request authorization from the Board 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 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 |
|---------------------------------------|------|

Authorized Representative Email

Certificate of Non-Suspension and Debarment

THIS FORM MUST BE FULLY COMPLETED AND SIGNED BY THE RESPONDENT 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 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

