



Request for Proposal

RFP # XX-XXX

Request for Proposals for FY 2018 Community Capital Process

Wake County, North Carolina
P.O. Box 550
Raleigh, North Carolina 27602

Proposals are due December 1, 2017 before
3:00 pm Eastern Standard Time.

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1 Introduction

1.1 Introduction

Wake County, North Carolina ("The County") is seeking proposals from organizations to develop partnerships and to leverage resources to address county-wide needs through support of capital investments to address critical community issues. Throughout this request for proposals ("RFP"), the "Proposer" refers to organizations that submit proposals as described within this RFP.

1.2 Overview

1.2.1 Community Capital Projects

In FY 2002, the Board of Commissioners established a Community Capital Projects account to support capital investments in projects that address critical community issues.

The Community Capital Projects account is intended to accomplish the following goals:

1. Develop an increased capacity in Wake County for partnerships between public, nonprofit and for-profit sectors;
2. Address critical countywide needs in a way that is financially sustainable and effective; and,
3. Encourage sustainable financial plans that address countywide problems.

Community capital projects are intended to be capital projects and not funding for recurring operating needs. A capital project is defined as expenditures for facilities or projects that generally cost \$100,000 or more and typically require longer than one year to complete. The County does not intend to fund recurring operational needs that may arise as a result of a funded community capital project.

To accomplish these goals, projects are reviewed and selected to receive funding through a competitive, analytical process.

The selection of particular projects for funding in a given year is based primarily on whether a proposer's business plan meets the following criteria: provides a comprehensive analysis of an unmet need in the countywide community; provides an analysis of alternative strategies for addressing the need and recommends a project plan; researches or demonstrates a clear link between the project initiatives and resolution of the countywide problem; includes a mechanism to track and measure success; and, demonstrates a need for County capital investment for project success.

Projects at a minimum must meet the following criteria:

1. Be a capital project.
2. Demonstrates a mix of funding sources (whether public, public/private, or public/private/not-for-profit).
3. Relies on County funding for no more than 35 percent of total project funding (with a goal of having the County's contribution less than 35 percent)

4. The amount requested from the County shall be no more than \$1 million.
5. Describes an annual operating plan in detail and demonstrates a self-sufficient operating budget

1.2.2 FY 2018 Process

On October 2, 2017, the Board of Commissioners approved the process for selecting projects to receive Community Capital funding. More information regarding the discussion that was held during the Board meeting is available by selecting video on the October 2, 2017 board meeting for Item #9:

<http://www.wakegov.com/commissioners/Pages/meetings.aspx>.

An evaluation team of Wake County staff and community representatives will conduct a review process that will begin with the distribution of Request for Proposals. Proposals will be due to Wake County on December 1, 2017 at 3:00 pm. The evaluation committee will review submittals and later that month, finalists will be selected to present to the evaluation committee. It is anticipated that the Board of Commissioners will receive recommendations at the February 12, 2018 work session.

1.3 Funding Available

There is currently \$340,000 available and the FY 2019 - 2022 CIP allocates \$500,000 each year in fiscal years 2019, 2020, 2021, and 2022 towards Community Capital projects. The FY 2019 Community Capital process will distribute \$2,340,000 and will obligate funds through FY 2022. The maximum amount an organization may receive for a community capital project will be \$1 million.

| Current | FY 19 | FY 20 | FY 21 | FY 22 | Total Proposed to Allocate |
|------------|------------|------------|------------|------------|----------------------------------|
| \$ 340,000 | \$ 500,000 | \$ 500,000 | \$ 500,000 | \$ 500,000 | \$ 2,340,000 |

Proposers shall be mindful of the County's cash flow for Community Capital. Actual payment will be contingent upon approval of funding by the Board of County Commissioners, entering into a binding contractual agreement, filing an annual status report with the County, and County staff approval that all terms and conditions of the agreement are in good standing. It is anticipated that any county funding for approved projects will not be distributed until the organization can demonstrate that other sources of funding for the approved Community Capital project are obtained.

1.4 General Proposal Requirements

When responding to this RFP, please follow all instructions carefully. Please submit proposal contents according to the outline specified and submit documents according to the instructions. Failure to follow these instructions will be considered a non-responsive proposal and may result in immediate elimination from further consideration.

By submitting a proposal, Proposers acknowledge that:

- 1.4.1 The County reserves the right to reject any or all proposals. The County reserves the right to reconsider any proposal submitted at any phase of the procurement. It also reserves the right to meet with select Proposers at any time to gather additional information.
- 1.4.2 Proposals will be received by Wake County Government at the time noted on the cover page of this document. At that point, Wake County will close the receipt of proposals and begin the evaluation process. The only information that will be released will be the names of the respondent(s).

Wake County, solely at its option, may disclose the name(s) of any organizations being considered or elevated during the process. Proposers are not to contact any county staff or elected official in reference to the process due to the nature of a competitive environment and to protect the integrity of the RFP process. As information becomes available and is relevant for release, that information will be shared with respondents.

2 General Submittal Requirements

2.1 Proposal Contact Prior to Submittal

An optional pre-submittal meeting to discuss evaluation criteria will be held on October 30, 2017 at 10:00 am in Room 2800 of the Wake County Justice Center.

In regards to this RFP and subsequent selection process, proposers shall make NO CONTACTS, either written or verbal, with any Wake County employee, staff member, evaluation committee member or Board of Commissioner member during the period beginning with the issuance of this document through approval of award other than to the Proposal Contact identified below. ***Any attempt by a Proposer to contact or influence a member or members of the aforementioned may result in the disqualification of the Proposer from award of project funding through this RFP.***

Questions about the FY 2018 Community Capital Process may be asked at this meeting or may be directed to:

Proposal Contact:

Michael Gammon

Wake County Budget and Management Services

919-856-5889

Michael.Gammon@wakegov.com

2.2 Proposal Submittal Requirements

Proposers are required to prepare their proposals in accordance with the instructions outlined in this part and elsewhere in this RFP.

Two bound copies shall be submitted to the address shown below. Proposers shall also submit an electronic PDF version on CD-ROM or Flash Drive.

Mailing Address:

Tom Wester

Wake County Finance - Procurement Services

Wake County Justice Center – 2nd Flr, Ste 2900

301 S.McDowell Street

Raleigh, NC 27601

The County must receive proposals no later than 3:00 PM on December 1, 2017.

The Proposer's name, RFP number, and proposal closing time and date must be marked clearly on the proposal submission.

The time of receipt shall be determined by the time clock in the Wake County Procurement Services office. The County will not be held responsible for the failure of any mail or delivery

service to deliver a proposal response prior to the stated proposal due date and time. It is solely the Proposer's responsibility to: (1) Ascertain that they have all required and necessary information, documents and addenda, prior to submitting a response; (2) Ensure that the response is received at the correct location and time. Late responses, regardless of delivery means, will not be accepted. ***Fax or email responses will not be accepted.***

2.3 Proposer Expenses

The County will not be responsible for any expenses incurred by any Proposer in the development of a response to this Request for Proposal or any other activities associated with this proposal including but not limited to any onsite (or otherwise) interviews and/or presentations, and/or supplemental information provided, submitted, or given to Wake County and/or its representatives. Further, the County shall reserve the right to cancel this process described herein prior to issuance and acceptance of any contractual agreement/purchase order by the recommended Proposer even if the Board of Commissioners has formally accepted a recommendation.

2.4 Proposed Schedule

| | |
|-------------------------|---|
| October 2, 2017: | Timeline, Criteria, Funds Available, & Work Group Membership Presented at BOC meeting |
| October 3, 2017: | RFP Posted on Wakegov.com |
| October 30, 2017: | Pre-submittal meeting to discuss evaluation criteria |
| December 1, 2017: | Submittals due to Wake County by 3:00 pm |
| December 11 - 15, 2017: | Work Group Reviews Submittals |
| December 18 - 22, 2017: | Work Group Convenes and Selects Finalists |
| January 8 - 12, 2018: | Finalist Presentations |
| February 12, 2018: | Presentation of Recommended Funding at BOC Work Session |

2.5 Finalists and Interviews

From the proposals received, County staff may identify a short-list of finalists. The finalists will be expected to make a presentation and respond to questions. Additional information regarding the content of the presentation will be provided to the selected finalists. Finalists will be required to submit a letter of support for the project from the Mayor or Town/City Manager for the governmental jurisdiction in which the community capital project will be located.

2.6 Award

Wake County reserves the right to recommend funding to the Board of Commissioners without discussion and without conducting further negotiations. Under such circumstance, the acceptance of a proposal by the County shall be deemed to be an acceptance of an offer and that such acceptance will be binding upon both parties. The County may also, at its sole discretion, have discussions with those Proposers that it deems to fall within a competitive range. The County may enter into negotiations separately with such Proposers. Negotiations with a Proposer may continue with a Proposer that the County has tentatively selected to award a contract to. The County shall not be deemed to have finally selected a Proposer until the Board of Commissioners approves awarding of funding. The County may also choose to not recommend funding for any Community Capital projects nor proceed with awarding funds through the FY 2018 Community Capital process.

2.7 Non-disclosure of County Information

The Proposer and its agents shall not disclose or communicate the aforesaid matters to a third party or use them in advertising, propaganda, and/or in another job or jobs, unless written consent is obtained from the County.

2.8 Retention of Proposer Material

Any and all information submitted in conjunction with this RFP and the evaluation process will not be returned to the respondent.

3 General Terms and Conditions

3.1 Certification

The Proposer hereby certifies that it has carefully examined this Request for Proposal. By signature on the response to the RFP, the Proposer certifies that its proposal is in all respects fair and without collusion or fraud, so that all proposals for the purchase will result from free, open and competitive proposing among all proposers.

3.2 Conflict of Interest

By submission of a response, the Proposer agrees that at the time of submittal, it: (1) has no interest (including financial benefit, commission, finder's fee, or any other remuneration) and shall not acquire any interest, either direct or indirect, that would conflict in any manner or degree with the performance of Proposer's services, or (2) will not benefit from an award resulting in a "Conflict of Interest." A "Conflict of Interest" shall include holding or retaining membership, or employment, on a board, elected office, department, division or bureau, or committee sanctioned by and/or governed by Wake County. Proposers shall identify any interests, and the individuals involved, on separate paper with the response and shall understand that the County, in consultation with legal counsel, may reject their proposal.

3.3 Assignment

No assignment of the Proposer's obligations or the Proposer's right to receive payment hereunder shall be permitted without prior consent of the County. The Proposer may not sell, assign, transfer or convey the contract resulting from this RFP, in whole or in part, without the prior written approval from the County.

3.4 Indemnification

The Proposer will indemnify and hold the County harmless from any and all liability, expense, judgment, suit, or cause of action for personal injury, death, or direct damage to tangible property which may accrue against the County to the extent it is caused by the negligence of Proposer, its sub-Proposers, or their employees or agents, while performing duties under this Agreement, provided that the County gives the Proposer prompt, written notice of any such claim or suit. The County shall cooperate with Proposer in its defense or settlement of such claim or suit. This section sets forth the full extent of the Proposer's general indemnification of the County from liabilities that are in any way related to Proposer's performance under this Agreement.

3.5 Independent Contractor

It is understood that in the performance of any services herein provided, the Proposer shall be, and is, an independent contractor, and is not an agent or employee of the County and shall furnish such services in its own manner and method, except as required by this contract. Further, the Proposer has, and shall retain the right to

exercise full control over the employment, direction, compensation, and discharge of all persons employed by the Proposer in the performance of the services hereunder. The Proposer shall be solely responsible for, and shall indemnify, defend, and save the County harmless, from all matters relating to the payment of its employees, including compliance with Social Security, withholding, and all other wages, salaries, benefits, taxes, exactions, and regulations of any nature whatsoever.

3.6 Payment

Payment for the project funded pursuant to the Agreement resulting from this RFP shall be made in amounts and at times set forth in a subsequent contract. Actual payment will be contingent upon entering into an agreement approved by the Board of Commissioners, filing an annual status report with Wake County, and County staff approval that all terms and conditions of the agreement are in good standing. The contractual agreement shall have a clause regarding agreement validity based upon acknowledgement that the County is a governmental entity and any agreement validity is based upon the availability of public funding under the authority of the County's statute mandate.

3.7 Governing Law

This RFP and any contract resulting therefrom shall be governed by and construed according to the laws of the State of North Carolina. Should any portion of any contract be in conflict with the laws of the State of North Carolina, the State laws shall invalidate only that portion. The remaining portion of the contract(s) shall remain in effect.

3.8 Confidential Information/Public Records Law

The County assumes no responsibility for confidentiality of information offered in a proposal. The RFP does not intend to elicit proprietary information. However, if proprietary information is submitted as part of the proposal, the information is to be labeled as such. Proposals are not subject to public inspection until after the contract award. Wake County reserves the right to share any information submitted in response to this RFP or process with any person(s) or firm(s) involved in the review and evaluation process. **Proprietary or confidential information must be clearly labeled as such at the time of initial submission and to the extent provided by N.C.G.S. Chapter 132, will not be made available for public inspection. In the event that a request for inspection is made under public records law, the Proposer will be notified of the request and may participate in any subsequent civil action to compel disclosure of confidential information.**

3.9 Compliance with Laws and Regulations and Policies

Proposer must comply with all applicable State and Federal Laws. In the event that any Governmental restrictions may be imposed which would necessitate alteration of the material, quality, workmanship or performance of the items offered on this proposal prior to their delivery, it shall be the responsibility of the successful Proposer to notify Wake County at once, indicating in its letter the specific regulation which required such alterations. The County reserves the right to accept any such alterations, including any price adjustments occasioned thereby, or to cancel the contract.

In consideration of signing any contract and as a condition of funding, the Proposer, its agents, officials, employees, and servants shall agree not to discriminate in any manner

on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with respect to the project for which funding is being requested.

3.10 Insurance

In order to be considered, all finalists will be required to demonstrate proof of Commercial General Liability Insurance, Commercial Automobile Liability Insurance, Worker's Compensation Insurance, and/or any other insurance appropriate to the work undertaken; or otherwise demonstrate financial responsibility appropriate to the work undertaken.

3.11 Deviation from Proposer's Stated Project Use

Proposer may not deviate from the stated project use of funds. In consideration of signing any contract and as a condition of funding awarded through the FY 2014 Community Capital process, the Proposer shall agree that if the organization fails to meet or comply with a condition of the funding agreement for the use of funds, or if the recipient Proposer transfers all or part of an asset improved or acquired with County funding such that the County's intended purpose for the funding is frustrated, Wake County in its sole discretion may reduce the amount of funding, terminate the funding agreement, require repayment of funding, or require the recipient Proposer to transfer ownership of the asset to Wake County to the extent of Wake County's funding of the Project.

3.12 Hold Harmless Agreement

Any agreement funded by the Community Capital Process will have a hold harmless agreement. The Proper will need to agree to defend, indemnify, and hold harmless the County from all loss, liability, claims, or expense (including reasonable attorney's fees) arising from bodily injury, including death or property damage to any persons or persons caused in whole or in part by the negligence or willful misconduct of the Proposers extend to the extent same are caused by the negligence or misconduct of the County.

3.13 Acceptance

Submission of any proposal indicates a Proposer's acceptance of the conditions contained in this RFP unless clearly and specifically noted otherwise in the proposal.

The County has the sole discretion and reserves the right to cancel this RFP, and to reject any and all proposals, to waive any and all informalities and/or irregularities, or to re-advertise with either the identical or revised information, if it is deemed to be in the County's best interests to do so. The County reserves the right to accept or reject any or all of the items in the proposal, and to award the contract in whole or in part and/or negotiate any or all items with individual Proposers if it is deemed in the County's best interest. Moreover, the County reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or not in the best interest of the County.

4 Detailed Submittal Requirements

4.0 Proposal Format

Proposers shall prepare their proposals in accordance with the instructions outlined in this section. Each Proposer is required to submit the proposal in a sealed package. Proposals should be prepared as simply as possible and provide a straightforward, concise description of the Proposer's capabilities to satisfy the requirements of the RFP. Utmost attention should be given to accuracy, completeness, and clarity of content. All parts, pages, figures, and tables should be numbered and clearly labeled. The proposal should be organized into the following major sections with tabs for each section:

PROPOSAL SECTION TITLE

| | |
|-----|------------------------------------|
| | Title Page |
| | Letter of Transmittal |
| | Table of Contents |
| 1.0 | Executive Summary |
| 2.0 | Scope of Project |
| 3.0 | Project Budget and Funding Sources |
| 4.0 | Project Timeline |
| 5.0 | Project Operating Plan |
| 6.0 | Estimates on Visitors |
| 7.0 | Organizational Information |

Instructions relative to each part of the response to this RFP are defined in the remainder of this section. Response information should be limited to pertinent information only. Marketing and sales type information is not to be included.

4.1 Executive Summary

(Proposal Section 1.0) This section of the response should be limited to a brief narrative summarizing the community capital project proposal. The executive summary shall, at a minimum, include an identification of the proposed project, responsibilities of the project team, and a summary of the proposed cost of the project. This section should highlight aspects of the proposal that make it superior or unique in addressing the needs of the County. Please note that the executive summary should identify the primary engagement contact. Contact information should include a valid e-mail address, fax number, and a telephone number.

4.2 Scope of Project

(Proposal Section 2.0) This section of the response should include a general discussion of the Proposer's overall community capital project proposal, and should include any graphics that depict the scope of the project if it involves design and construction of a new building, building expansion or renovation. Scaled floor plans, site plan, elevations or artistic rendering of proposed building improvement if available should also be included in the response.

Additional information in this section should include:

1. An analysis of unmet need facing the countywide community and how the project will predominately serve Wake County residents and the number of projected residents served.
2. Clear demonstration regarding the need for County capital investment in order for project success. It should also include data to demonstrate a clear link between the community capital project initiative and the resolution of the countywide problem.
3. A statement of the proposed community capital project plan's effectiveness in addressing the community need in comparison to alternative existing community strategies. Include whether delays in the project impact its viability.
4. A description of how the proposer will collaborate with other organizations (government, non-profit, and corporate) to achieve the desired outcomes resulting in lasting community change.
5. How the Proposer would track and measure success and how that mechanism and data would be included in future reports submitted to the County

4.3 Project Budget and Funding Sources

(Proposal Section 3.0) Each proposal must provide the following information about the project budget and funding sources, so that the County can evaluate the Proposer's ability to support the commitments set forth in response to the RFP. The County, at its option, may require a Proposer to provide additional support or clarify requested information.

1. The Proposal must include all sources of funding for the proposed project, and year of commitment. Please note if the funding sources are pending or confirmed. For all confirmed sources of funding, please remit evidence of commitment.

| | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
|----------|---------|---------|---------|---------|---------|
| Source 1 | | | | | |
| Source 2 | | | | | |
| Source 3 | | | | | |
| Total | \$ - | \$ - | \$ - | \$ - | \$ - |

2. The Proposal must include a clear schedule of expenditures for the project, and at a minimum, should detail expenditures by category. Please state who prepared the cost estimates and if the costs include an inflation factor.

| | FY 2019 | FY 2020 | FY 2021 | FY 2022 | FY 2023 |
|-------------------------------|---------|---------|---------|---------|---------|
| Planning/Design | | | | | |
| Land Acquisition/Right of Way | | | | | |
| Construction | | | | | |
| Equipment/Furnishings | | | | | |
| Other | | | | | |
| Contingency | | | | | |
| Total | \$ - | \$ - | \$ - | \$ - | \$ - |

4.4 Project Timeline

(Proposal Section 4.0) Each proposal must provide the following information about the project timeline, so that the County can evaluate the Proposer's ability to support the implementation and feasibility of the project. Make sure to include any actions already taken, as well as future actions. Any site plan approvals or zoning variances required for the project shall be noted and the status of those activities included in this section. The County, at its option, may require a Proposer to provide additional support or clarify requested information.

| Project Action | Start Date | Finish Date |
|-----------------------------------|------------|-------------|
| Study and Analysis of Project | | |
| Site Identification | | |
| Land/Site Acquisition | | |
| Architectural/Engineering Studies | | |
| Facility Construction | | |
| Equipment Purchase | | |
| Other (describe) | | |

4.5 Project Operating Plan

(Proposal Section 5.0) Each proposal must provide the following information about the submitting Proposer's, so that the County can evaluate the Proposer's ability to support the commitments set forth in response to the RFP. The County, at its option, may require a Proposer to provide additional support or clarify requested information.

Organization Background

1. How long the proposer been in business?
2. A brief description of the organization size and organizational structure. Include a list of the Board of Directors and minutes from the last three meetings of the organization. Local management presence is preferred.

3. A list of all staff positions, along with their titles and salaries for the entire organization. Include all administrative staff. If the organization is a statewide or national organization, submit the local chapter information.
4. Any material (including letters of support or endorsement from clients) indicative of the Proposer's capabilities to implement the community capital project.
5. Identify any litigation or governmental or regulatory action pending against your organization.
6. A description of contractual relationships, if any, with other organizations that would be a conflict of interest or appearance of conflicts of interest in partnering with Wake County to deliver the capital project.

Proposer Team Experience

1. Identify the proposed team indicating who is responsible for the key roles of the proposed project; provide an organizational chart showing lines of communication and levels of authority.

Similar Projects

1. Provide a description of a similar project or projects most similar to the one described in the proposal.
2. Provide client reference information.

Operating Budget & Financial Results

1. Describe annual operating plan in detail. All revenues and expenditures for the entity/entities must be disclosed. Please provide FY 2016 and FY 2017 financial statements, projected FY 2018 results.
2. Submit latest copy of IRS form 990 or applicable tax return. For non-public tax returns, see section 3.8 regarding personal and confidential information.
3. Please provide one copy of most recent audit and management letter if your agency received one.
 - a. If your organization DOES NOT have an audit, review, or compilation submit:
 - i. A completed Audit Form (Attachment 1) using figures from year-end financial statements. Attachment 1 is available electronically upon request
 - and
 - ii. A notarized letter from your treasurer confirming the accuracy of the statements.

5 Evaluation Team & Criteria

5.1 Selection Participants

The County has established an evaluation team of Wake County staff and community representatives who will conduct a review process. This team will be responsible for the evaluation and rating of the proposals and conducting finalist presentations. After contract execution, they will be involved in recommending funding to the Board of Commissioners at the February 12, 2018 work session.

5.2 Evaluation of Proposals

Selection of projects for Community Capital Funding will be based on Proposer's submitting a business plan that meets the following criteria.

Projects at a minimum must meet the following criteria:

6. Be a capital project.
7. Demonstrates a mix of funding sources (whether public, public/private, or public/private/not-for-profit).
8. Relies on County funding for no more than 35 percent of total project funding (with a goal of having the County's contribution less than 35 percent)
9. The amount requested from the County shall be no more than \$1 million.
10. Describes an annual operating plan in detail and demonstrates a self-sufficient operating budget

Projects will also be evaluated on:

11. Provides a comprehensive analysis of an unmet need facing the countywide community.
12. Provides an analysis of alternative strategies for addressing the problem and the recommended project plan.
13. Researches or provides evidence that demonstrates a clear link between the project initiatives and the resolution of the countywide problem.
14. Includes a mechanism to track and measure success.
15. Clearly demonstrates a need for county capital investment for project success.
16. Provides a clear schedule for project implementation including site availability, funding commitments to include cash flow needs, specific cash flow needs from County Capital Projects fund, schedule of complimentary private and community investments.
17. Demonstrates a historic track record or the Proposer's ability to execute project.
18. Demonstrates evidence of successful community partnerships and collaboration.
19. Scope of impact on County residents – for example, number of residents served, geographic service area, targeted purpose.

6 Available Information

6.0 Available Information Upon Request

Please contact Michael Gammon at 919-856-5889 or Michael.Gammon@wakegov.com for additional information. Questions regarding preparing a response to this RFP will be accepted until noon EST November 24, 2017 to allow sufficient time to respond prior the RFP deadline. Copies of previous business plans and other application materials from organizations previously receiving Community Capital funding are available upon request.