

City of Albuquerque Metropolitan Redevelopment Agency

Request for Proposals #01-2025 Housing Conversion Projects



Selection Number:
01-2025

Issuance Date:
July 26, 2024

Deadline for submitting questions:
September 6, 2024, at 5pm Mountain Standard Time

Direct Formal Inquiries (Exhibit A) to:
China Osborn, Project Manager, at cosborn@cabq.gov

Deadline to submit Proposals:
September 13, 2024 at 5pm, Mountain Standard Time Via Electronic Upload:
<https://sftp.cabq.gov/link/t7RwFw7giL0/>.

RFP Website:
<https://www.cabq.gov/mra/request-for-proposals>

GLOSSARY OF TERMS

Affordable Housing: Affordable housing means units that are affordable to households at or below 80% Area Median Income (AMI) as defined by the City of Albuquerque, based on the HOME Investment Partnerships Program's Income and Rent Limits published for Albuquerque, by the U.S. Department of Housing and Urban Development (HUD). Details on current income, homeownership, and rental value limits are available here: https://www.hud.gov/program_offices/comm_planning/home.

Albuquerque Development Commission (ADC): The Commission for the Metropolitan Redevelopment Agency (MRA); the ADC reviews and approves MRA projects.

The City: The Incorporated City of Albuquerque.

Development Agreement: The terms of the awarded contract between the successful Proposer(s) and the City.

Department of Health, Housing & Homelessness (HHH): The City of Albuquerque's department that serves low- and moderate-income and unhoused residents through a variety of housing, health, and social service programs.

Evaluation Criteria: The scored criteria that make up the bulk of the project narrative and by which Proposals will be evaluated. Proposers can score up to 205 points (200 points plus 5 possible bonus points).

Exclusive Negotiation Agreement: If this RFP results in more qualified applications than there are available funds, the City reserves the right to enter into an Exclusive Negotiation Agreement with selected Proposer(s) to further develop the details of the proposed project prior to entering into a Development Agreement. The City of Albuquerque will consider this point the preliminary notice of award and will no longer consider other project proposals at this point. During Exclusive Negotiation, the City will review the proposed development for alignment with project goals, metropolitan redevelopment area priorities, and affordable housing requirements. The City will work with the selected teams to work out project details and develop more detailed plans and financial documents that meet local, state, and federal requirements.

Metropolitan Redevelopment Agency (MRA): An agency of the City of Albuquerque, legally enabled by State Statute § 3-60A and City Ordinances 54-1979, 76-1983, and 2015-008. MRA is dedicated to incentivizing urban redevelopment and community building in designated Metropolitan Redevelopment Areas across Albuquerque.

Metropolitan Redevelopment Area(s) (MR Areas): Designated areas of Albuquerque that have been legislatively deemed blighted and are economically underperforming relative to the City as a whole.

Metropolitan Redevelopment Area Plan (MR Plan): Each MR Area has an adopted Plan, which is approved by City Council and that guides the City's redevelopment strategies. Plans are developed in close coordination with the community and lay out the goals for each given Metropolitan Redevelopment Area. As a Rank 3 Plan, an MR Plan does not supersede other planning documents, such as the City's IDO or Community Planning Area assessments.

Project: The housing development(s) that is a result of this RFP.

Proposal: Any submitted response to this RFP.

Proposer: A person or entity responding to this RFP.

Request for Proposals (RFP): This document providing information and specific requirements for Proposers to submit Proposals under the terms outlined herein.

Subject Area: Legislatively designated Metropolitan Redevelopment Areas in which development projects may be eligible for this RFP's funding incentives, as further described and identified in Exhibit B. The Subject Areas for this proposal include all 22 Metropolitan Redevelopment Areas located within the City of Albuquerque.

Threshold Criteria: The minimum criteria each project must meet to be considered responsive, which are: 1) Located in an eligible Metropolitan Redevelopment Area; 2) Creates housing units; and 3) Site control. Threshold Criteria are unscored and are used to determine eligibility under the terms of this RFP.

A. Introduction

The City of Albuquerque (“City”), through its Metropolitan Redevelopment Agency (“MRA”), invites developers to submit proposals for housing conversion projects to be developed within designated Metropolitan Redevelopment Areas (“MR Areas”). This Request for Proposals (“RFP”) is intended to identify projects for housing conversions in select Subject Areas which require gap financing to be financially feasible (“Project” or “Projects”). Responses to this RFP will be used to select Proposer(s) with which to enter into Development Agreements. The City intends to negotiate Development Agreement(s) with at least one selected Project but may select additional projects depending on the number of qualified Proposals, financial need, and available funding.

The City has up to \$4 million (\$4,000,000) in gap financing available to support an achievable project that meets the goals and objectives of the relevant Redevelopment Area Plan(s), and the Threshold and Evaluation Criteria outlined in this RFP. Proposed projects must be located within a Metropolitan Redevelopment Area (see MR Area map in Exhibit B or at the following link to determine geographic eligibility of the proposed project(s): <https://www.cabq.gov/mra/redevelopment-areas>). Funds may be structured as equity, a loan, or a grant.

The purpose of the funding is to help the City to close housing gaps and create more housing supply in high-need areas. Housing conversions for the purposes of this RFP are projects that convert part or all of an existing non-residential building (e.g., hotels, motels, and commercial buildings) into housing units. Proposed Projects must create at least 10 total units of housing, with a minimum 20% of the total units set aside for households at or below 80% AMI. The affordable units must remain so for a period of 30 years. The proposed housing units can be rentals or for sale. Mixed-use projects are welcomed. Projects may include a combination of retrofits and new development.

In submission packages, Proposers must provide sufficient detail that the project is compelling and financially feasible, and includes an experienced development team. The proposal should convey plans for programming, phasing and timelines, and deal structures. The Proposer will need to demonstrate the relevant background to deliver on that vision.

Ultimately, the City seeks teams that can demonstrate the capacity to deliver projects that best fulfill the goals expressed in the Threshold and Evaluation Criteria. Successful Proposer(s) will work closely with City staff on the details of the project through a negotiated Development Agreement.

B. Form of Financial & Other Assistance.

For this RFP, there is no minimum request limit and the maximum request is \$4 million. The request amount is not guaranteed to be awarded. The awarded funding amount will be negotiated based on the City's assessment of the financial gap necessary for the project and the number of responsive applications. As authorized by the New Mexico Redevelopment Code (3-60A-1 to 3-60A-48 NMSA 1978) and the corresponding Albuquerque Ordinance, the City can offer the following resources towards proposed Projects:

- 1. *Direct Financial Assistance:*** Through this RFP, the City is making available up to four million dollars (\$4,000,000) for gap financing ("City Funds"). The City may recommend to fund all or a portion of a Proposer's request, however, not to exceed thirty thousand dollars (\$30,000) per affordable unit. Projects should aim to make their request at or below 20% of total development costs to align with a City goal to leverage private dollars 5:1 with public dollars in support of new housing. City financing is limited to hard costs. The gap financing may be used for both public and private improvements. The City will contribute funds no sooner than the closing of the construction financing. Note that any loan or grant using City funds requires City Council approval, which cannot be guaranteed.
- 2. *Assistance with City Development Process:*** Upon selection of the development team(s), the City may assist the successful Proposer(s) by co-sponsoring any associated land use approvals necessary to accomplish the Project, if needed. Services will include advice and assistance with zoning review, site plan or subdivision approvals, and plan check and building permits, and expediting City response times when possible. The successful Proposer will, at their own expense, be responsible for the preparation of all documentation to obtain any associated approvals and/or permits required to complete the project, as well as all permit fees. The City may waive the associated impact fees, if any.
- 3. *Other Funding Resources:*** The City encourages Proposers to pursue other funding sources as necessary to ensure financial feasibility. Other public funding sources may exist for the Project that are not listed in this RFP, including MRA's [Redevelopment Tax Abatement](#) program and other available housing funding (e.g., CBDG, HOME, and Workforce Housing Trust Funds, Housing Forward ABQ funds, LIHTC, etc.). See Exhibit J for a list of financing resources. Proposers should keep in mind that public incentives are subject to applicable local, state, and federal laws and regulations, potential voter approval, funding availability and policies that govern those incentive programs—they should not represent a core financial strategy for the Project given their uncertainty.

Note that the project, if awarded City Funds, must comply with federal Fair Housing requirements; affordable units should be comparable in types and finishes, and disbursed throughout a development and not segregated to a specific floor and/or type of unit. Furthermore, all units should have equal access to building amenities.

C. Threshold Criteria.

All Projects must substantially meet all of the following Threshold Criteria. No points are assigned to the Threshold Criteria:

1. ***Located in an eligible Metropolitan Redevelopment Area.*** The proposed site(s) must be located within one or more of the Subject Areas, which include all 22 designated Metropolitan Redevelopment Areas located within the City of Albuquerque. A map is available <https://www.cabq.gov/mra/redevelopment-areas>, or in Exhibit B.
2. ***Creates new affordable housing units.*** Proposed Projects must include a housing conversion component that creates at least 10 projected new housing units. Of these, a minimum of 20% of units must be affordable to households at or below 80% of Area Median Income (AMI) for a term of 30 years. For the purposes of this RFP, housing conversions are projects that convert part or all of an existing non-residential building (e.g., hotels, motels, and commercial buildings) into residential housing units.

Household income limits for the affordable units shall be based on the HOME Investment Partnerships Program's Income and Rent Limits published for Albuquerque by the U.S. Department of Housing and Urban Development (HUD) (Details available here: https://www.hud.gov/program_offices/comm_planning/home). For affordable units, rent maximums by unit type shall follow the New Mexico Mortgage Finance Authority ("NMMFA") rent schedule for 80% AMI by Bedroom Size. Refer to the 80% Maximum Gross Rents by Bedroom Size for the Albuquerque Metropolitan Statistical Area here: https://housingnm.org/uploads/documents/2023_IncomeLimitsAndRents.pdf. Additionally, at least 5% of the affordable units in the proposed project must be ADA Type A and ADA Type B accessible.

3. ***Site control.*** The proposer must have site control in the form of a deed, long-term lease (at least 50 years), or an exclusive option to purchase/lease that expires, if not exercised, no sooner than nine months after the due date of this RFP. The minimum housing unit count can be met by developing scattered sites, so long as the density is at or above 12 units per acre. Note that 12 units per acre is a *minimum* density and that projects with a higher density are encouraged.

D. Evaluation Criteria.

Proposers can score up to 205 available points (200 points plus 5 possible bonus points). The scoring criteria listed below outline how the project will be evaluated.

1. ***Alignment to relevant Metropolitan Redevelopment Area Plan – 25 points.*** The Subject Area of this RFP spans all of the City's Metropolitan Redevelopment Areas. Proposals should describe how the proposed Project helps to alleviate the blighted conditions identified in the relevant Metropolitan Redevelopment Plan. Additionally, the proposed project should further the goals and/or strategies identified in the relevant Plan. All plans can be accessed online here: <https://www.cabq.gov/mra/redevelopment-areas>.

2. ***Increases housing affordability – up to 25 points*** All projects must meet the 20% affordable threshold criterion outlined in Section C. However, proposals can earn additional points for planning for a higher proportion of affordable units and offering deeply affordable units on the following scale.
 - a. Larger proportion of affordable units, up to 15 points. For projects where a proportion of units greater than the required 20% are affordable at or above 80% of AMI. These points will be allocated on a sliding scale based on the responses received.
 - b. More deeply affordable units, up to 10 points. Points will be awarded for projects that offer units that are deeply affordable [60% or 30% of AMI]). These points will be awarded regardless of whether the overall proportion of affordable units exceeds 20%. These points will be allocated on a sliding scale based on the responses received.

Affordable units will be subject to file review and inspection by the City on an annual basis to ensure compliance.

3. ***Meets City housing goals – 20 points.*** The project will create a minimum of 10 housing units and will meet one or more of the following housing or community characteristics:
 - a. Unmet housing need, 10 points. Projects should meet an unmet housing need and provide a diversity of housing types and units sizes in the Subject Area(s). Applications must provide relevant market data to document the unmet housing need.
 - b. Unmet community need, 10 points. A project that includes additional features that meet an identified unmet community need, such as retail, cultural amenity, or community component will receive additional consideration. The need for these additional amenities must be justified in the proposal using market data. If housing is the predominant unmet need, the Proposer should utilize data to make the case that the conversion project is best suited to be entirely housing.
4. ***Alignment with Community Benefit Matrix – up to 40 points.*** Projects must fill out the Community Benefit Matrix (Exhibit E). Proposers should only identify/select the elements in the Community Benefit Matrix that are financially feasible and which they are committed to incorporating into the final design. Community Benefit items identified in Proposals will be required to be included in the Project, per the Development Agreement.

Projects will be evaluated based on points earned each category. The Community Benefit Matrix provides a diverse array of design and development qualities, offering a total of 40 points. Categories include:

- a. Sustainability (up to 20 points available);
 - b. Economic impact (up to 10 points available); and
 - c. Placemaking (up to 10 points available).
5. ***Development team experience. – 50 points.*** Proposers must provide a description of their team’s demonstrated expertise and track record in the development of similar projects

that have revitalized communities and furthered economic development. This description should include the team's experience in financing, building, and operating similar projects on time and on budget.

- a. **Experience:** Complete the Experience Matrix in the Proposal Information Sheet (see Exhibit C), listing all development projects completed in the past 10 years.
 - b. **Past examples:** Provide at least two detailed examples of past successful developments of similar size and mix of uses in which the Proposer was involved, or redevelopment projects for which the Proposer took the lead.
 - c. **Financial fitness:** Proposer must provide letter(s) of support from financial institution(s) that have financed their projects in the past (These letters are excluded in the proposal narrative page limit). This letter is meant to attest to the financial capacity and responsibility of the applicant. The letter should be from a bank or credit union and provide some detail on the length of the relationship, level of support provided (e.g., loan amounts), and the outcome (e.g., repayment history).
6. **Project schedule – 25 points.** Provide a project schedule beginning with conceptual design through to construction completion. Projects will be evaluated based on the achievability of the Proposer's time schedule and the Proposer's ability to complete the project satisfactorily in a timely manner. Projects with earlier construction completion dates may be scored higher, so long as the proposed timelines are feasible.
7. **Financial plan – 25 points.** MRA expects that the Proposer will be able to demonstrate the financial feasibility of the proposed Project. As part of the Proposal package, the Proposer must complete *all tabs* of the Financial Summary in Exhibit D. Financial structure, costs, etc. may be based on preliminary estimates. Projects that request City Funds at or below 20% of total development costs will be ranked higher.

If the Project has already applied for LIHTC, Proposers should provide documentation that they have submitted a LIHTC application under an Average Income Election when submitting a Proposal in response to this RFP. This proof of application should be submitted as an exhibit and will not count towards the page limit.

8. **(Bonus points) Incorporates Universal Design standards – 5 points.** Universal Design principles seek to create spaces that are accessible, safe, and usable for people regardless of age, ability, or circumstance. Projects that commit to and detail plans for incorporating universal design in the affordable units will receive up to five bonus points. The City of Albuquerque's Department of Senior Affairs has published recommendations for housing that incorporates universal design: <https://www.cabq.gov/seniors/age-friendly-albuquerque>.

In sum, Evaluation Criteria are as follows:

Section	Points	Percent of Total
Alignment to Metropolitan Redevelopment Area Plan	25	13%
Affordable	25	13%
Meets City's Housing Goals	20	10%
Community Benefit Matrix	40	20%
Development team experience	50	25%
Project Schedule	15	8%
Financial Plan	25	13%
TOTAL	200	
Universal Design Standards bonus points	5	2%

E. Submission Content.

All submitted files should be named using the following standard: Project title first, the Submission Content second, and the Proposer entity last. For example: “Central Apartments – Project Narrative – GenericProposerLLC” and “Central Apartments – Proposal Information Sheet – GenericProposerLLC.” Proposals will consist of the following components:

1. ***Project Narrative.*** The Project Narrative should be no longer than 30 pages. The Project Narrative document must be clearly paginated and use common and legible font type (e.g., Times New Roman, Arial, Calibri). Font should be 11-point size or larger; figures and tables can employ smaller-sized font. Each page must be clearly and sequentially numbered. Any pages beyond the 30-page Project Narrative limit may not be read or considered. The Project Narrative should be uploaded as a PDF. Site control documentation, site plans, optional renderings and exhibits should be included as separate attachments and do not count toward the page limit.

The Project Narrative should include the following clearly-labeled sections, as follows:

- a. **Project Summary.** The development team must articulate a vision and development strategy for the Project that includes sustainable and innovative development possibilities, which must include at least 10 housing units but are also encouraged to include mixed-use components such as retail, community, or cultural uses. Proposers should describe the target number of stories, uses, unit types, and project size.
- b. **Threshold Criteria.** Describe how the Project meets all of the Threshold Criteria in Section C. Please provide a narrative response to each criterion in the order listed in this RFP.
 - i. **Located in a Metropolitan Redevelopment Area.**
 - ii. **Creates affordable housing units.**
 - iii. **Site control.** Proof of site control must be included as a separate attachment, which is not included in the page limit.
- c. **Evaluation Criteria.** Describe how the Project meets all of the Evaluation Criteria in Section D. Please provide a narrative response to each criterion in the order listed in this RFP.

- i. Alignment to relevant Metropolitan Redevelopment Area Plan
 - ii. Increases housing affordability
 - iii. Meets City housing goals
 - iv. Alignment with Community Benefit Matrix. Please briefly describe alignment to the Matrix. The completed Matrix must be included as a separate attachment and does not count toward the Project Narrative page limit.
 - v. Development team experience
 - vi. Project schedule
 - vii. Financial plan. Please describe the project's general financing plan. This section complements the required Financial Summary documents, which are a required attachment and do not count toward the Project Narrative page limit.
 - viii. (Bonus points) Incorporates Universal Design Standards
2. **Additional required attachments.** The following are required components of the submission package but do not count against the Proposal page limit.
- a. Proposal Information Sheet. Complete the Proposal Information Sheet attached as Exhibit C.
 - b. Site control. Provide documentation proving site control for the Project, such as a deed, ground lease (minimum 50 years), or option to purchase. Documents redacting sales or lease prices or other sensitive deal information are acceptable, but must provide enough information to determine high-level terms of a ground lease or option to purchase sufficient enough for proposal review.
 - c. Site plans and renderings. A site plan must be provided that contains enough detail to confirm proposed development components as described in the Proposal and the Community Benefits Matrix. For example, projects that are seeking to earn points for electric vehicle charging stations should include parking counts and EV charging locations on the site plan. Sketch elevations and renderings are highly recommended to help reviewers understand the vision for the project. See Exhibit K for suggested building color palettes.
 - d. Financial summary. Complete, in its entirety including all tabs, the Excel Financial Summary forms attached as Exhibit D. Financial structure, costs, etc. may be based on preliminary estimates. Must be uploaded as an Excel document.
 - e. Financial letter of support. A detailed letter of support on the Proposer's financial fitness from a financial institution that has financed Proposer's projects in the past is required.
 - f. Community Benefit Matrix. Fill in the Community Benefit Matrix with points earned for each category (Exhibit E). Must be uploaded as Excel document.
 - g. Letter of acknowledgement. Complete and sign Exhibit F.
 - h. Modified W-9 form. Complete and upload Exhibit I.
3. **Other attachments.** Additional attachments are allowed but *are not required*. These attachments do not count against the page limit, however please be judicious with the addition of optional attachments. These documents should contribute to the reviewers' understanding of the project and the experience of the project team. Other attachments may include the following:
- a. Letters of support from partners and stakeholders

- b. Evidence of success on past projects. (e.g., news clippings, annual reports, financial documents.)
- c. Project team short bios/résumés
- d. (If applicable) LIHTC application
- e. (If applicable) Diverse business owner certificates (see Exhibit H)

F. Evaluation Process

1. ***Review for Responsive Proposals.*** City staff will conduct an initial review of all submitted Proposals to determine if the proposal is responsive, meaning it meets the Threshold Criteria and includes all required attachments (properly labeled and within page limits, as applicable). Responses shall be rejected if they are incomplete or do not meet the Threshold Criteria in the sole discretion of the Metropolitan Redevelopment Agency Director.
2. ***Advisory Committee Review.*** In the case where there is more than one responsive Proposal and the determined funding gap exceeds available City Funds, the MRA will convene an Advisory Review Committee (“the Committee”) to rank the Proposals based on the Evaluation Criteria. The Committee will consist of at least three individuals selected by the City’s Chief Administrative Officer, to include at least one representative each from the MRA and the City’s Department of Health, Housing & Homelessness. If determined to be necessary, the City may elect to hire third-party consultants to conduct an underwriting analysis to determine the gap financing necessary for the project.

The Committee will evaluate all responsive Proposals and measure each Proposer’s response against the Evaluation Criteria set forth in Section D, resulting in a numerical score for each Response. There are a total of 205 points available in the categories listed, which includes 5 bonus points. The Committee will use the Evaluation Criteria as a guide in making their recommendation to the Albuquerque Development Commission (ADC).

- a. The Committee may send questions through the MRA to Proposers to seek clarification on portions of their Responses.
- b. The Committee may conduct interviews of Proposers following the initial review of their Proposals.
- c. The City may request supplemental information during the selection process. If supplemental information is requested, it will be required of all responsive Proposers.
- d. The Committee may request assistance from third-party technical advisors, including financial advisors, who may review the Responses and advise the Committee.
- e. The Committee will recommend a selection of one or more Proposers to advance to either Development or Exclusive Negotiation Agreement. The Committee’s recommendation will be forwarded to the Albuquerque Development Commission for consideration at their next scheduled hearing.

- f. The Albuquerque Development Commission may accept the recommendation, reject the recommendation, or direct City staff to conduct further analysis. The Albuquerque Development Commission is not authorized to select different Proposals than those selected by the Committee.

Note that Albuquerque City Council holds the final determination of award among any and all selected Proposals once a negotiated Development Agreement is presented.

G. Additional Negotiations.

Proposals do not constitute final design plans and are subject to change through mutual negotiation and agreement. Among those selected, and depending on the ADC recommendation (if applicable), MRA may request additional information on the project, team roles and responsibilities, and timeline for the selected Proposer(s). The City may request further planning, concept development, and financial analysis of the proposed Project and its use of City Funds.

Proposer(s) may also be required to provide additional documentation and plans to demonstrate need, further outline development plans, solidify a project timeline, and identify the exact gap financing required for the project. City staff will be available to provide technical assistance and guidance.

H. Development Agreement.

The Development Agreement for each Project will include performance requirements and mandatory reversionary/clawback provisions that will be triggered including contract termination if the performance requirements are not satisfied. A Development Agreement does not constitute a final notice of award.

Any loan or grant of City Funds requires City Council approval, which takes an average of 3-6 months, and a favorable outcome for the development is not guaranteed. Please make note of this timeline when determining project schedules. The City Council agreement represents the final notice of award.

I. Submittal Process.

1. ***Schedule for Response to RFP.*** The deadlines related to this RFP are on the cover page. The City reserves the right to revise this schedule in the event that it is needed. Failure to submit a timely Response pursuant to the RFP and any addendum may be grounds for deeming a submittal non-responsive. If a revision to this schedule must occur, the addenda will be posted to the City's website: <https://www.cabq.gov/mra/request-for-proposals>.

2. **RFP Amendments.** MRA may publish changes to the terms of this RFP at any time prior to the deadline via amendments, which will be posted to the MRA's RFP webpage. It is the responsibility of all Proposers to examine this entire RFP, check back regularly for amendments on the website, and seek clarification of any requirement that may not be clear. Proposers must check their responses for accuracy before submitting a Proposal. Negligence in preparing a Proposal may result in the submittal being deemed non-responsive at the City's sole discretion. The Proposer shall be responsible for fully understanding the requirements of the RFP and subsequent documents. Failure to respond to all publicized amendments shall render the Proposal incomplete and nonresponsive, and will therefore not be considered. It is the Proposer's responsibility to keep apprised of answers to questions and any amendments to this RFP by frequently checking the following website: <https://www.cabq.gov/mra/request-for-proposals>.

3. **Formal Inquiries.** During the Project awarding process, commencing with issuance of this RFP and continuing until award of a contract for the Project (or cancellation of the award), no employee, member or agent of any Proposer shall have any communications regarding this award with any member of the City, the Committee, the ADC, their advisors or any of their contractors or consultants involved with the awarding of the Project, except for communications expressly permitted by this RFP. Any Proposer engaging in such communication may be disqualified at the sole discretion of the City.

All formal inquiries or requests for significant or material clarification or technical interpretations or notification to the City of errors or omissions relating to this RFP must be directed, in writing, to the contact person listed on the cover page. Questions and requests for clarification must be submitted on the Inquiry Form (Exhibit A) provided on the City's website. The City will post these inquiries and affiliated responses to the website within eight business days of receipt of the inquiry. The source of the question will not be disclosed until the contract has been awarded.

4. **Preparation of Response.** The City will not reimburse the cost of developing, presenting, submitting, or providing any response to this solicitation. All materials and Responses submitted in response to this solicitation become the property of the City and will not be returned.

5. **Authorized Representative.** Any Proposer submitting a Response shall be deemed to have read and understood all the terms, conditions and requirements in the RFP and any addenda. Submissions must include a completed RFP Letter of Acknowledgement (Exhibit F) signed by an individual authorized to legally bind the Proposer.

6. **Submission of Responses.** Responses may be submitted at any time until the due date and time stated in this RFP. Responses must be uploaded to Metropolitan Redevelopment Agency via the City of Albuquerque's Super-Flash File Transfer Protocol ("SFFTP") file directory at <https://sfftp.cabq.gov/link/z0FcVfHDtaM/>. Thoroughly review Exhibit G for upload instructions to ensure your file is properly uploaded. No telephone, email or facsimile Responses will be considered. Late submissions will not be accepted.

7. ***Rights Reserved by the City.*** The City reserves the right to reject any or all offers. The City may elect to waive informalities and minor irregularities in offers received. Nothing in this RFP implies a contractual obligation with any firm, nor will the City reimburse costs for submittal requirements. All responses and accompanying documentation to the RFP will become the property of the City at the time the Responses are submitted. Responses should include all criteria, including any additional criteria set forth by addenda, to be considered complete. Any Response that does not meet this requirement may be considered non-responsive.
8. ***Appeal Procedures.*** Within 15 days after the Albuquerque Development Commission's selection of finalists, any Proposer not selected may appeal the decision to the City Council. For more information regarding the appeal process, please refer to Section 14-8-4-8 of the Metropolitan Redevelopment Agency Ordinance.

J. Attachments.

Attachments to this RFP include:

- Exhibit A – Formal Inquiry Form
- Exhibit B – Subject Area
- Exhibit C – Proposal Information Sheet
- Exhibit D – Financial Summary (Excel)
- Exhibit E – Community Benefit Matrix (Excel)
- Exhibit F – Letter of Acknowledgement
- Exhibit G – SFFTP Upload Guide
- Exhibit H – Accepted third party diverse-owned business certifications
- Exhibit I – Modified W-9
- Exhibit J – Cost Reduction/Gap Financing Resources
- Exhibit K – Suggested Paint Palettes