



STATE OF MICHIGAN

JENNIFER M. GRANHOLM
GOVERNOR

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

GARY HEIDEL
INTERIM EXECUTIVE DIRECTOR

REQUEST FOR QUALIFICATIONS (RFQ)

for

Environmental Review Consultants

Proposals due September 13, 2010 at 4:00 p.m.

DATE OF ISSUE: August 17, 2010

TO: Potential Providers of Services

RE: Request for Proposals for **Environmental Consulting Services**

Please include this checklist in your response to the RFQ.

Please check those services (check all that apply) that your Firm wishes to be considered for in its response to this RFQ:

- Phase I Environmental Site Assessments
- Phase II Environmental Site Assessments
- Baseline Environmental Assessments
- Due Care Compliance Analyses
- Lead Based Paint Assessments
- Lead Based Paint Abatement
- Suspect Asbestos Containing Material Assessments
- Asbestos Containing Material Abatement
- National Environmental Protection Act (NEPA) studies



**MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
(MSHDA)**

REQUEST FOR QUALIFICATIONS (RFQ)

DATE OF ISSUE: August 17, 2010

TO: Potential Providers of Services

RE: Request for Proposals for **Environmental Consulting Services**

QUALIFICATIONS DUE: September 13, 2010 @ 4:00 P.M. Local Time—**1 original and 3 copies required as well as 1 electronic version.**

Facsimile Qualifications Will Not Be Accepted

MAILING ADDRESS & INSTRUCTIONS

Mail to:

Ms. Becky Search
MSHDA
735 East Michigan Ave.
PO Box 30044
Lansing, Michigan 48909
E-mail: searchb@michigan.gov

Phone: (517) 335-4722

Questions about this RFQ should be directed to:

Ms. Sally Harrison
MSHDA
735 East Michigan Ave.
PO Box 30044
Lansing, Michigan 48909
E-mail: harrisons3@michigan.gov

Phone: (517) 373-1851

All Envelopes Must Be Sealed.

You are invited to submit your qualifications for this project. Specifications, terms, conditions and instructions for submitting qualifications are contained herein.

I. Services Sought by MSHDA:

MSHDA is seeking to prequalify approximately 15 professional environmental consulting firms (referred to herein as "Consultants" or "Firms") that are authorized to do business in Michigan to conduct Phase I and Phase II Environmental Site Assessments (ESAs), Baseline Environmental Assessments (BEAs), Due Care Compliance Analyses and peer reviews of same and Lead Based Paint assessments, Asbestos Containing Material assessments, and National Environmental Protection Act (NEPA) studies on an as needed basis to support projects from 2010-2013. The professional environmental consulting firm can choose to bid for one, some or all of the services. The projects include any program that uses state or federal resources that is administered by MSHDA. A detailed description of the work is described in the Scope of Work, which is attached as Exhibit A to this RFQ.

The list of prequalified firms will be provided to program applicants/developers to select a Consultant on or off the list, at the applicant/developer's discretion. On a project by project basis, only firms from the prequalified list may be solicited by MSHDA to perform peer review or other services, as requested.

II. Required Qualifications:

MSHDA has identified the following qualifications that it believes are necessary for the successful performance and completion of the services described in the Scope of Work. The Consultant must:

- A.** Have experience providing the services described in the Scope of Work.
- B.** Assign experienced personnel to perform the services or have personnel supervised by experienced staff.
- C.** Have the following certifications or have assigned personnel/subcontractors with the following certifications:
 - 1.** For Firms wishing to provide Phase I and Phase II ESAs, placement on Michigan's Qualified Underground Storage Tank Consultant (QC) List. A QC must employ at least one full time, approved Certified Underground Storage Tank Professional (CP). The certification requirements for the QCs and the CPs are provided in Part 215, Refined Petroleum Fund, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and its administrative rules.
 - 2.** For Firms wishing to provide Asbestos assessments, certification as an Asbestos Abatement Contractor or documentation that the Firm has the capability to subcontract for Asbestos Inspectors (inspections), Asbestos Management Planners (O&M programs); Asbestos Project Designers (preparing and reviewing abatement plans) and Asbestos Abatement Contractors.
 - 3.** For Firms wishing to provide Lead Based Paint assessments, Certification as a Lead Abatement Contractor or documentation that the Firm has the capability to subcontract for Lead Inspectors (inspectors), Lead Risk Assessors (risk assessments) and Lead Abatement Contractors.
- D.** Be a Michigan entity (limited partnership, limited liability company, for profit corporation or non-profit corporation), a Firm that is authorized to do business in the State of Michigan, or a division or office of a Michigan municipality. The Consultant will be required to submit:
 - 1.** A Certificate of Status issued by the Corporations and Securities Bureau of the Michigan Department of Labor & Economic Growth.

- E. Have an office in the State of Michigan.
- F. Have phone, internet, and e-mail access. Internet and e-mail access must be adequate enough to allow Consultant to download and upload data and files and receive files and attachments from MSHDA staff. **Please note that the State of Michigan email system does not permit email attachments larger than 5 MB size limit. Consultants submitting electronic data will need to either provide FTP access to allow the download of larger files or submit their reports in multiple parts so as not to exceed the 5 MB size limit.**
- G. Agree to satisfy the following requirements prior to the execution of a contract with MSHDA:
 - 1. ***Indemnify, defend and hold harmless the Authority, its Board, officers, employees and agents, from and against all losses, liabilities, penalties, fines, damages and claims (including taxes), and all related costs and expenses (including reasonable attorneys' fees and disbursements and costs of investigation, litigation, settlement, judgments, interest and penalties), arising from or in connection with any of the following:***
 - a. any claim, demand, action, citation or legal proceeding against MSHDA, its employees and agents arising out of or resulting from (1) the services provided ("Services") or (2) performance of the Services, duties, responsibilities, actions or omissions of the Consultant or any of its subcontractors under a particular project;
 - b. any claim, demand, action, citation or legal proceeding against MSHDA, its employees and agents arising out of or resulting from a breach by the Consultant of any representation or warranty made by the Consultant in the RFQ or a subsequent request for proposal;
 - c. any claim, demand, action, citation or legal proceeding against MSHDA, its employees and agents arising out of or related to occurrences that the Consultant is required to insure against as provided for in this RFQ;
 - d. any claim, demand, action, citation or legal proceeding against MSHDA, its employees and agents arising out of or resulting from the death or bodily injury of any person, or the damage, loss or destruction of any real or tangible personal property, in connection with the performance of services by the Consultant, by any of its subcontractors, by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable; provided, however, that this indemnification obligation shall not

apply to the extent, if any, that such death, bodily injury or property damage is caused solely by the negligence or reckless or intentional wrongful conduct of MSHDA;

- e. any claim, demand, action, citation or legal proceeding against MSHDA, its employees and agents which results from an act or omission of the Consultant or any of its subcontractors in its or their capacity as an employer of a person.
- f. any action or proceeding threatened or brought against MSHDA to the extent that such action or proceeding is based on a claim that any piece of equipment, software, commodity or service supplied by the Consultant or its subcontractors, or the operation of such equipment, software, commodity or service, or the use or reproduction of any documentation provided with such equipment, software, commodity or service infringes any United States or foreign patent, copyright, trade secret or other proprietary right of any person or entity, which right is enforceable under the laws of the United States.

H. Maintain and provide evidence, within fifteen (15) working days of Notice of Award and satisfactory to MSHDA, certificate(s) of insurance providing full insurance coverage for all work performed as follows

1. Workers' Compensation Insurance - Covering all persons engaged in work under this contract to the full statutory limits stipulated in the Michigan Workers' Compensation Act. Any citing of a policy of insurance must include a listing of the States where that policy's coverage is applicable.
2. The Consultant shall maintain insurance coverage in the forms and in at least the amounts specified below:
 - Commercial General Liability insurance, total combined limits of \$1,000,000 per occurrence/\$2,000,000 aggregate
 - Automobile Liability insurance--\$1,000,000 per occurrence/\$2,000,000 aggregate
 - Professional Errors and Omissions insurance--\$1,000,000 each claim/\$2,000,000 aggregate
 - Pollution Liability insurance--\$1,000,000 per occurrence/\$2,000,000 aggregate, with extended coverage including third party liability for death, bodily injury, diminution of value of property and property damage.

3. The above requirements should not be interpreted to limit the liability of the Firm under this contract.
 4. MSHDA must be a certificate holder on both the Professional Errors and Omissions and Pollution Liability insurance policies. Proof of insurance should be documented on an **Acord 25** certificate, and should provide that the insurer must give MSHDA at least thirty (30) days prior written notice of cancellation/termination/material change, and that no action by the insured shall invalidate or diminish the insurance against any claim by MSHDA.
 5. Each policy of insurance, including any deductible or self-insured retention, shall by its terms be primary with respect to any insurance carried by the Applicant or any parent, subsidiary, or affiliated entities. For policies written on claims-made basis, the Consultant must maintain coverage in effect for a period of at least three (3) years following the completion of the work.
 6. The Consultant must promptly notify MSHDA of any changes made to the insurance policies required by this Section.
 7. Upon written request of MSHDA, the Consultant must promptly deliver complete copies of policies evidencing the insurance coverage's required by this Section to MSHDA.
 8. All required insurance shall be underwritten by an insurance carrier with an AM Best rating of not less than "A-, VII." MSHDA prefers that insurance carriers be licensed in Michigan; however MSHDA will accept surplus lines insurance companies with an A.M. Best rating of no less than "A-, VIII."
 9. It shall be the Consultant's responsibility to provide similar insurance for each subcontractor or to provide evidence that each subcontractor carries such insurance in like amount prior to the time such subcontractor proceeds to perform under the contract.
- I. If hired directly by MSHDA, agree to execute a contract acceptable to the Director of Legal Affairs. For purposes of illustration only, a draft of the proposed contract is attached.

Please note that if a developer hires the Consultant, the contractual relationship will be established solely by the developer and Consultant, in their own discretion.

III. Submitting Proposal:

Firms wishing to submit proposals must submit one (1) original and three (3) copies as well as (1) electronic version of a proposal to provide the services described in Exhibit A (Scope of Work). Submitted proposals must respond to and address the questions listed in Exhibit B (Proposal Instructions and Selection Criteria).

The due date for the MSHDA's receipt of the proposals responding to this RFQ is September 13, 2010 at 4 p.m.

MSHDA shall not be liable for any costs that a Firm or individual may incur while preparing a proposal. MSHDA shall not be liable for any costs that a Firm or individual may incur prior to the complete execution of a contract. If MSHDA enters into a contract, MSHDA's consideration (payment) shall be limited to the term of the contract.

IV. Communications with MSHDA Staff Prior to Selection of Qualified Consultant List

Any questions, raised by Consultants concerning the RFQ may be submitted, in writing, via mail, email or fax, using the subject line to the attention of:

Ms. Sally Harrison
MSHDA
735 East Michigan Ave.
PO Box 30044
Lansing, Michigan 48909

E-mail: harrisons3@michigan.gov

To ensure a fair and impartial process, MSHDA staff will not address non-written questions concerning the RFQ. Phone calls involving the RFQ or related questions will not be accepted. Firms submitting bids shall not contact any MSHDA staff or Board members except **Ms. Sally Harrison—all communications with Ms. Sally Harrison must be received in writing by August 31, 2010 at 4:00 p.m.**

MSHDA will answer appropriate questions received in a timely manner (e.g., information not covered/answered in the RFQ, interpretation issues, etc.) by email to all Consultants on or before **September 3, 2010.** MSHDA will hold no other question sessions or Consultant conferences.

If, prior to the proposal deadline, MSHDA deems it necessary to provide additional clarifying information, or to revise any part of the RFQ, supplements or revisions will be provided to all recipients of the RFQ who have indicated they will submit a proposal. Proposals will then be evaluated based on the terms and conditions of the RFQ, any supplements or revisions thereof, and the answers to any written questions.

V. Selection of Proposal:

MSHDA's Office of Rental Development and Homeless Initiatives will select the proposal based on Selection Criteria, which is set forth in Exhibit B (Proposal Instruction and Selection Criteria).

VI. News Release:

News release(s) pertaining to this RFQ of the professional services, study, data or projects to which it relates will not be made without prior written MSHDA approval, and then, only in accordance with the explicit written instructions from MSHDA. No results pertaining to this RFQ (or a Contract, if awarded) or the services, study, data or projects to which it relates are to be released without prior approval of MSHDA and then only to persons designated by MSHDA.

VII. Michigan Freedom of Information Act

Documents submitted to MSHDA shall be subject to the Michigan Freedom of Information Act ("FOIA"). In the event a request for submitted documents is made to MSHDA, MSHDA's FOIA Coordinator will redact or withhold information and/or documents that are exempt from disclosure under FOIA. See *MCL 15.243(1) (i)*. Please note that any requests by non-MSHDA personnel to review proposals will be denied until the deadline for submission of the bids has expired. See *MCL 15.243(1) (j)*.

Exhibit A

Scope of Work

1. Objective of the Request For Qualifications:

The objective of this Request for Qualifications (RFQ) is to seek approximately 15 qualified Firms to provide environmental consulting services as required. The Consultant will be hired to conduct various environmental services as required by MSHDA. The Consultant can choose to provide one, some or all of the following services: Phase I and Phase II Environmental Site Assessments, Baseline Environmental Assessments, Due Care Compliance Analyses, and peer reviews of same, Lead Based Paint assessments, Asbestos Containing Material assessments, and NEPA studies as needed to support projects from 2010-2013. The projects include any program that uses state or federal resources that is administered by MSHDA.

MSHDA seeks the services to assist MSHDA staff in making decisions concerning the environmental conditions and associated risks and approaches to mitigate/eliminate those risks in connection with lending on impacted properties.

The list of prequalified firms will be provided to program applicants/developers to select a Consultant on or off the list, at the applicant/developer's discretion. On a project by project basis, only firms from the prequalified list may be solicited by MSHDA to perform peer review or other services, as requested.

Respondents to this RFQ will be ranked by the qualifications according to the evaluation criteria and for soliciting proposals for services as stated in Exhibit B.

2. Objectives, Tasks and Activities and Deadlines:

A. Objectives.

To successfully perform the services requested in Section I above, the Consultant must have thorough knowledge, training and extensive experience in the rules and regulations related to Michigan's Natural Resources and Environmental Protection Act (NREPA) (particularly Parts 31, 201, 211, 213, 111, and 115) the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the Resource Conservation and Recovery Act (RCRA), the National Environmental Protection Act (NEPA) including 24 CFR Part 58 and related authorities, the HUD Lead Safe Housing Rule (24 CFR Part 35), and the Michigan Occupational Safety and Health Act (OSHA). Project working experience with the Michigan Department of Natural Resources and the Environment (MDNRE) (formerly known as the Michigan Department of Environmental Quality (MDEQ)) and the U.S. Environmental Protection Agency (EPA) is also considered important.

B. Activities/Responsibilities Necessary to Complete Scope of Work.

To achieve the objectives, the Consultant must certify that they have read, understood and can perform the services as described in the following documents and attached hereto:

1. MSHDA Environmental Review Requirements for 2009 dated 3/17/09.
2. HUD's Multifamily Accelerated Processing Guidebook Chapter 9— Environmental Review.
3. MSHDA Set Back Requirements for Buried High-Pressure Gas Lines.

Further, the Consultant must be able to communicate the results of the applicable reports (e.g. Phase I, Phase II, Baseline Environmental Site Assessment, Due Care Compliance Analyses or Peer Review of same) to both developers and MSHDA and where appropriate, provide detailed approaches as to methods to employ to mitigate/eliminate environmental risks.

3. Standards for Performance:

The Consultant shall perform the tasks/activities and complete the objectives in accordance with the following standards. Failure to do so will lead to removal from MSHDA's approved environmental Consultant list:

- a. Work on reports should be completed within given timeframes.
- b. Conclusions reached in the reports should conform to applicable ASTM standards, and reflect the Consultant's objective, professional opinion as to the environmental conditions, associated risks and to what extent the environmental risks can be mitigated/eliminated.
- c. Studies must conform to MSHDA Environmental Review Requirements for 2009 dated 3/17/09.

Exhibit B

Proposal Instructions and Selection Criteria

I. PROPOSAL DELIVERY/SUBMISSION:

A. Due Date. The due date for the MSHDA's receipt of the proposals responding to this Request for Qualifications ("RFQ") is September 13, 2010 at 4 p.m.

B. Originals and Copies: Submit one (1) original and three (3) copies as well as 1 electronic version of a proposal to provide the services described in Exhibit A (Scope of Work). There should be no attachments, enclosures, or exhibits other than the information required in this RFQ. Each section of the proposal must be clearly identified with appropriate headings. The entire proposal (excluding report example) **must not exceed 21 pages**. (A page is defined as one side of an 8 ½ inch by 11 inch sheet of paper.)

C. Delivery of Proposal: Addresses for the delivery of proposals are as follows:

DELIVERY VIA HAND DELIVERY OR COMMERCIAL OVERNIGHT SERVICE:

Ms. Sally Harrison
Michigan State Housing Development Authority
735 E. Michigan Avenue
Lansing, MI 48912

DELIVERY VIA U.S. POSTAL SERVICE:

Ms. Sally Harrison
Michigan State Housing Development Authority
P.O. Box 30044
Lansing, MI 48909

DELIVERY VIA E-MAIL

Harrisons3@michigan.gov

D. Selection of Proposal. It is anticipated that the MSHDA review will take 4 weeks after the closing date for submitting proposals. The selected proposals/pre-qualified Consultants will be announced October 22, 2010 via e-mail and posting on MSHDA's website.

II. PROPOSAL FORMAT:

- A. **Overview:** Proposals must be submitted in the format described in Section B (Format of Proposal) below. There should be no attachments, enclosures or exhibits other than those considered by the Consultant to be essential to a complete understanding of the proposal. Each section must be clearly identified with appropriate headings.

The proposal should be clear, accurate, and complete, with sufficient detail to enable MSHDA to evaluate the services and methods proposed. Brevity is appreciated.

B. **Format of Proposal:**

1. **BUSINESS ORGANIZATION.** Answer/Address the following:

- a. Full name and address of Firm:
- b. Branch office(s), if applicable:
- c. Type of entity (e.g., Michigan corporation, Michigan partnership, Michigan limited liability company, etc.):
- d. If entity is foreign (i.e., non-Michigan), is it licensed to do business in Michigan?
- e. Submit Certificates of Status dated within 30 days if Firm is a Michigan entity. (Attach certificate to proposal.)
- f. Submit Certificate Authorizing Firm to Do Business in Michigan dated within 30 days if Firm is a not a Michigan entity.
- g. **Submit Tax Identification Number for Firm.**

2. **MANAGEMENT & PERSONNEL:** Answer/Address the following:

- a. **Officer and Management Summary:** Identify officers and managers by name and position. Identify managers and/or officers who will manage the contract if it is awarded. *(Resumes or Curriculum Vitae of managers or officers may be provided.)*
- b. **Bidder's Authorized Contact:** Include the name and telephone number of person(s) in your organization

authorized to expedite any proposed contract with MSHDA. An official authorized to commit the bidder to the terms and conditions of the proposal must sign the proposal. The Firm must clearly identify the full title and authorization of the designated official and provide a statement of bid commitment with the accompanying signature of the official.

3. **EXPERIENCE**

- a. **Prior Experience of Firm:** Indicate prior experience of your Firm that you consider relevant to the successful accomplishment of the potential services that may be requested in this RFQ. Include sufficient detail to demonstrate the relevance of such experience for those services you are bidding. Provide no more than 10 representative projects, limited to one page each, which best demonstrate your experience with conducting Phase I and Phase II Environmental Site Assessments and Baseline Environmental Assessments and Due Care Compliance Analyses and peer reviews of same, Lead Based Paint assessments, Asbestos assessments, and NEPA studies. Description must include project name, owner, contact person and phone number, description of project, professional services provided, Firm personnel identified in question #3b who worked on the project, and dates of the project.
- b. **Experience of Proposed Personnel Assigned to Provide Services:** Describe the education and experience of personnel who will likely be assigned to provide the proposed services, including managers who may oversee work of personnel. Specifically, provide name and title, specialty, years of experience doing similar type projects, and expected role. *(Provide resumes or curriculum vitae of assigned personnel as attachments/enclosures.)*
- c. **Health and Safety:** Describe the Firm's health and safety program in sufficient detail to certify that it meets the minimum requirements of the Michigan Occupational Safety and Health Act and 29 CFR Part 1910, as amended.
- d. **Quality Assurance Quality Control (QA/QC)** Describe the Firm's QA/QC programs including field activities, site sampling, remedial engineering studies, design and report preparation. The Firm must demonstrate knowledge of sampling at sites of environmental contamination and chain-of-custody procedures.

- e. **Prior MSHDA or other Governmental Agency work:** If applicable, provide a description of the projects that your Firm has done for MSHDA or another governmental agency that is similar to the scope of work requested herein.
- f. **Similar Projects Done for Financial Institutions:** If applicable, please identify those financial institutions that your Firm has done work that is similar to the scope of work requested herein. Further, identify if you have been selected as a qualified Consultant by any financial institution and for what time period you were on the financial institutions prequalified Consultant list.
- g. **Example of a Redacted Phase II Report:** Provide a copy of a redacted Phase II report from a site with substantial impacts present. Please note that this report is not counted as part of the 21 page proposal limit.
- h. **Example of a Lead Based Paint Assessment:** For firms wishing to provide LBP assessments, please provide a copy of a redacted Lead Based Paint Risk Assessment that satisfies HUD requirements. Please note that this report is not counted as part of the 21 page proposal limit.
- i. **Example of an Asbestos Assessment:** For firms wishing to provide Asbestos assessments, please provide a copy of a redacted Asbestos assessment that satisfies NESHAP requirements. Please note that this report is not counted as part of the 21 page proposal limit.
- j. **Example of a NEPA report:** For firms wishing to provide NEPA reports, please provide a copy of a redacted NEPA report for a residential development. Please note that this report is not counted as part of the 21 page proposal limit.
- k. **Additional Information and Comments:** Include any other information that is believed to be pertinent but not specifically asked for elsewhere.

4. PROPOSED SERVICES

- a. **How Service will be Rendered:** Identify the environmental services you wish to perform and for each one describe how

the services will be rendered. Address and describe the process used to render the services.

- b. **Use of Subcontractors:** If any work will be subcontracted, describe the following:
 - i. Work that will be subcontracted;
 - ii. The process used to select the subcontractors;
 - iii. The contractor's experience and expertise; and
 - iv. The names of the Firms/individuals (s) who will perform the subcontracted work.

- c. **Standards:** Describe or address the following:
 - i. The standards that the services will satisfy. (If standards of a professional association will be followed, identify the standards and the association.)
 - ii. How quality of service will be monitored and ensured.
 - iii. Other than the American Society for Testing and Materials (ASTM) standards, what other "best practices" will be followed. (If applicable, identify the organization and/or document that will establish such standards.)
 - iv. How the Consultant will ensure that the response to work requests will be timely and efficient to meet project demands.

- d. **Security of Data:** If the services to be rendered require the collection and/or use of confidential and/or personal data, confirm the following:
 - i. Has your Firm established and used a policy to address the security of paper and electronic data?
(Please do not submit a copy of your security policy.)
 - ii. Does your policy address the removal of confidential and/or personal data from storage media? (For example, does your Firm's policy include the removal or "wiping" of data from hard drives when a computer is no longer used?)

5. PRICE PROPOSAL

- a. **Price Proposal:** All rates quoted in proposals submitted in response to this RFQ will be firm for the duration of the contract,

unless otherwise agreed to in writing by MSHDA. Please note that the rates will only apply when MSHDA is hiring the Consultant. When developers are hiring the Consultants directly for a project, the developers and Consultants may establish their own rates/contracts when hired by the developers directly.

Please note that if a contract is awarded, reimbursement of transportation costs will be limited to the State's reimbursement rate for State employees.

b. Standard Fee Schedule: Include in the proposal a line item Standard Fee Schedule that identifies all expenses related to the work to be performed. By submitting the bid, the Consultant acknowledges that it bears the risk that its expenses may exceed the proposed amount. The Standard Fee Schedule should include applicable items, which may include the following:

- Staff costs (# of hours/per hour rate/etc.)
- Costs of supplies and materials
- Other direct costs
- General and administrative burden or overhead
- Transportation costs—(see above, costs limited to State's reimbursement rate for State employees.)

Please note that MSHDA realizes that each project will be different and a separate request for proposal will be requested for each service and project at the time the project is underway. MSHDA may, in its sole discretion, ask for one or more Consultant proposals on any given project.

6. DISCLOSURE OF PARTICIPATION AND INTERESTS IN MSHDA PROGRAMS.

a. Disclosure of Interests in MSHDA Programs. Submit a list of all interests in MSHDA programs that the Consultant, its officers, board members, and employees respectively have. If the Firm intends to use independent contractors or subcontractors to render services, please include the interests in MSHDA programs that independent contractors or subcontractors and their officers, board members, and employees respectively have. Such MSHDA programs include, but are not limited to, the Housing Voucher Program, any loans where MSHDA is the lender, and any grants made by or administered by MSHDA.

b. Potential Conflicts of Interests. Please confirm whether any potential conflict of interests will exist if MSHDA enters into a contract with the Firm. Conflicts of interests may involve the Firm's officers, employees, members, board members, or independent

contractors or subcontractors the Firm will use to render services if the Firm enters into a contract with MSHDA.

c. **Family Members Who Work for Authority.** Please list the names of officers, board members, and employees who have family members who work for MSHDA; also, please list the name of the family member who works for MSHDA.

7. **NON-DISCRIMINATION REQUIREMENTS**

In connection with the performance of work under this contract, the Consultant agrees as follows:

a. **No Discrimination in Hiring.** The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age or gender. The Consultant will take affirmative action to ensure that applicants are employed and that employees are, during employment, treated without regard to their race, religion, color, national origin, age or gender. Such action shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment advertising, layoff or termination; rates of pay or other forms of compensations; and selection for training, including apprenticeship.

b. **No Discrimination in Advertising.** The Consultant will, in all solicitations or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race religion, color, national origin, age or gender.

c. **Records Requirements and Access.** The Consultant shall furnish and file as to the practices, policies, program and employment statistics for the Consultant and each subcontractor. The Consultant and subcontractor shall permit access to all books, records and accounts regarding employment practices by agents and representatives of MSHDA duly charged investigative duties to assure compliance with this clause.

d. **Consequences of Breach.** Breach of the covenants herein may be regarded as a material breach of the contract or purchasing agreement as provided in the Michigan Fair Employment Practices Act and may be processed thereunder.

e. **Incorporation of Non-Discrimination Requirements.** The Consultant will include or incorporate by reference the provisions of the foregoing paragraphs 1 through 5 in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission and will provide in every

subcontract or purchase order that said provision will be binding upon, each subcontractor or seller.

8. POST QUALIFICATION INFORMATION

Possible Interviews/Additional Information Requests. After review of qualifications, MSHDA may request interviews and further information or clarifications in selected areas. Requested information shall be provided by the proposer either in writing or by oral presentation at no additional cost to MSHDA.

9. SIGNATURE CLAUSE TO BE SIGNED BY AUTHORIZED SIGNATORY OF FIRM

Signature Clause: Insert the following signature clause at the end of the proposal and have an authorized signatory for the Firm sign it:

I confirm that I have submitted this proposal on behalf of (INSERT NAME OF FIRM) in response to the Michigan State Housing Development Authority's Request for Qualifications for environmental consulting services sought by MSHDA.

By: _____

Its: _____

Date: _____

III. Selection of Proposal

A. Selection Criteria. Proposals will be evaluated in accordance with the Selection Criteria listed below:

1. Experience, education and certification of staff (25 Points)
2. Quality of Prior Work (30 Points)
3. Communication skills, including clarity of proposal (15 Points)
4. ***Work capacity available to perform services (10 Points)***
5. ***Responsiveness to MSHDA's timelines and other administrative requirements (20 Points)***
6. ***PENALTY FOR FAILURE TO FOLLOW INSTRUCTIONS (-10 POINTS)***

Total Possible Points: 100 Points

MSHDA anticipates selecting about 15 Firms as prequalified environmental Consultants receiving the highest scores in the evaluation. MSHDA may reject any and all proposals in whole or in part and may waive any informality or technical defects if, in the judgment of MSHDA, the best interests of MSHDA will be served.

The selection of a Firm shall be subject to a review by MSHDA's Office of Legal Affairs concerning conflicts of interests and/or participation in MSHDA programs by the Firm, its officers, employees, subcontractors or independent contractors.

B. *Expected Deadline for Selecting Proposal.* *MSHDA expects to confirm selection of the proposal by e-mail and/or First Class Mail by October 22, 2010.*

C. **Cancellation of Selected Proposal.** The selection of a proposal by MSHDA may be canceled at any time prior to the complete execution of a contract. Reasons for canceling the selected proposal may include, but are not limited to, the following:

1. If the Department of Civil Service (DCS) approval is required by applicable law, refusal of DCS to process required forms; and/or
2. Refusal of duly authorized MSHDA signatory to execute the contract.

If MSHDA cancels its selection of a proposal, MSHDA may repost this or a similar RFQ and re-see proposals.