

REQUEST FOR PROPOSALS

**FOR THE ACQUISITION AND DEVELOPMENT OF A
MIXED USE TRANSIT ORIENTED DEVELOPMENT
LOCATED ADJACENT TO THE GARNETT MARTA
STATION IN SOUTH DOWNTOWN (GARNETT TOD)**

PREPARED BY:

**THE ATLANTA DEVELOPMENT AUTHORITY
D/B/A INVEST ATLANTA**

JANUARY 31, 2023

RESPONSES DUE: MARCH 31, 2023



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133 Peachtree Street NE, Suite 2900
Atlanta, GA 30303

REQUEST FOR PROPOSALS (“RFP”)

Acquisition and Development of Parcels located at 184 Forsyth St, SW

INTRODUCTION

The Atlanta Development Authority d/b/a Invest Atlanta (“Invest Atlanta”) is soliciting responses to this Request for Proposals (“RFP”) from interested and qualified developers (each, a “Respondent”) for the acquisition and development of property at 184 Forsyth St, SW, and adjacent Garnett St right-of-way. Invest Atlanta has been created and is existing under and by virtue of the Development Authorities Law, activated by a resolution of the City Council of the City of Atlanta, Georgia (the “City”) and currently operates as a public body corporate and politic of the State of Georgia. Invest Atlanta was created to promote the revitalization and growth of the City and serves as the City’s Economic Development Agency. Invest Atlanta represents a consolidation of the City’s economic and community development efforts in real estate, finance, marketing and employment, for the purpose of providing a focal point for improving the City’s neighborhoods and the quality of life for all of its citizens. Invest Atlanta is the cornerstone of an overall effort to provide economic and development services in a more effective and efficient manner.

BACKGROUND

The Garnett TOD Project will activate underused space in the downtown corridor, construct mixed-income housing in a transit-rich area, improve connectivity and pedestrian vitality, and ensure publicly owned land is used to meet the broad needs of the city. The property, located at 184 Forsyth Street, known as the “Garnett TOD” consists of two segments:

- The first “north segment,” labeled as “184 Forsyth” in the image below, is located at 184 Forsyth Street, Atlanta GA 30303 and is currently used as a parking facility for City of Atlanta’s Department of Corrections employees.
- The second “south segment,” labeled as “Garnett St. ROW” below, is City of Atlanta-controlled right-of-way currently used as a pedestrian plaza. Prior to the selection of the Developer, Invest Atlanta will work with the City of Atlanta to consolidate the two segments.

The Garnett TOD should be able to support at least 200 units of affordable and market-rate multi-family housing. The redevelopment of the property along with the abutting right-of-way will help to revitalize a core area of downtown, provide long term affordable housing, infuse a diverse mix of incomes into the area, and improve accessibility by re-establishing pedestrian access between the Garnett MARTA station, the Broad Street Plaza, and Forsyth Street.

This RFP's objectives were constructed with the premise that a residential program with a substantial market rate component is both feasible and desired. The volume of proposed and under construction projects in South Downtown supports the RFP's desire for market rate housing to be a major part of the proposal. The market viability of the project generates the value used to support infrastructure, public space, and affordability improvements.

The Property is more specifically described on Exhibit A-1 attached hereto and the tax identification number[s] for the Property are listed on Exhibit A-2 attached hereto. Exhibit A-1 and Exhibit A-2 are incorporated herein by this reference.

PROPERTY INFORMATION

- The project site is located at 184 Forsyth St, SW, and includes adjacent Garnett St right-of-way. The site is immediately adjacent to the Garnett MARTA station, the Downtown Atlanta Greyhound Station, and the Broad Street Plaza (Exhibit A).
- The property is currently zoned **SPI-1 SA1**

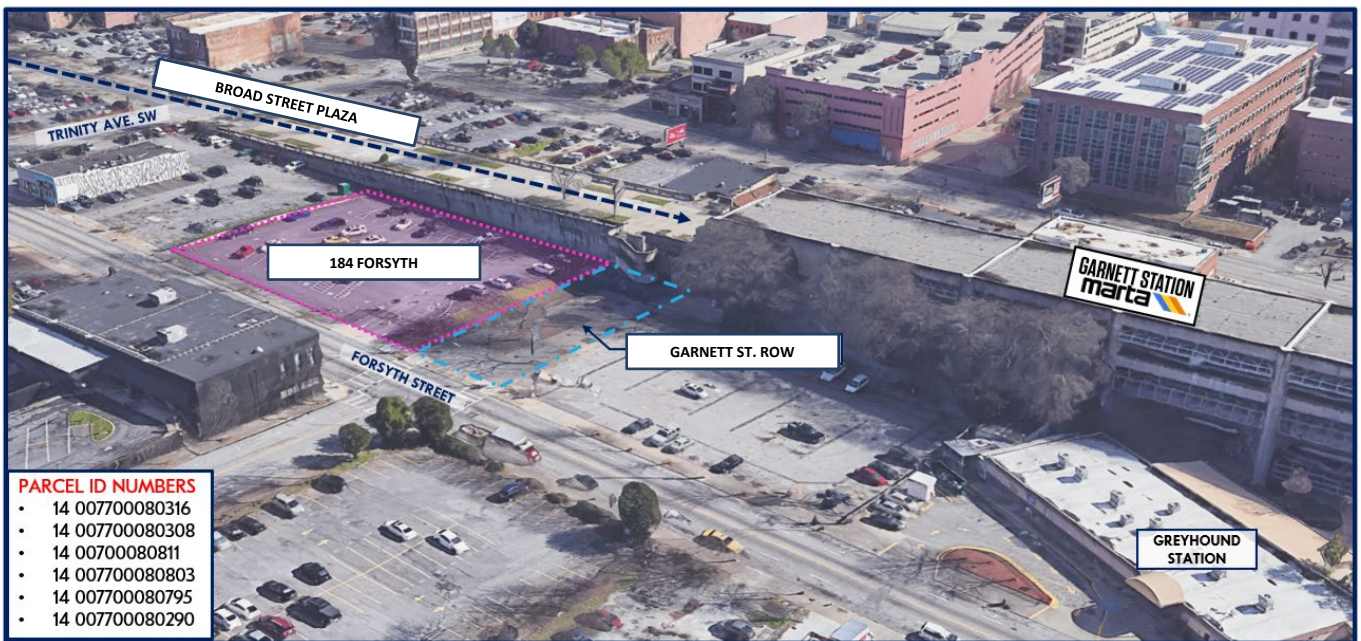


EXHIBIT A: PROPERTY MAP

The .78-acre north segment of the 184 Forsyth Street property (Exhibit B) is currently used as a gated parking facility for Atlanta's Department of Corrections. The Department of Corrections is committed to vacating the property prior to construction. The .23-acre Garnett Street ROW south property (Exhibit C) currently serves as a underused pedestrian plaza. The 1.01-acre total 184 Forsyth Street property, inclusive of both segments, is currently zoned as SPI-1 (Downtown

Special Public Interest) SA1, permitting a wide variety of uses and a combined residential and commercial FAR up to 35. The City of Atlanta's Department of City Planning has conducted an environmental review of the 184 Forsyth Street property and found no contaminants.

The Broad Street Plaza (Exhibit D) provides direct pedestrian access from Broad Street to the Garnett Station. The Garnett Street ROW was originally built to connect pedestrians from Forsyth Street to the Garnett Station through an exposed public staircase (Exhibit E). In recent years, the staircase has been closed and the Garnett Street ROW has seen limited use. The existing pedestrian plaza located on the Garnett ROW is not achieving its original purpose of providing a safe, inviting, and accessible area for residents, workers, or bus travelers.

In redeveloping the Garnett Street ROW as part of the Garnett TOD development, Invest Atlanta and the City hope to achieve the following goals:

- To restore and improve pedestrian access from Forsyth Street to the Garnett MARTA Station and Broad Street Plaza
- To enhance the quality and safety of surrounding public space
- To increase the amount of buildable area of the 184 Forsyth Street property so that more affordable housing can be built, including vertical construction on top of the Garnett Street ROW
- To maintain existing MARTA pedestrian and emergency vehicle egress easements where possible

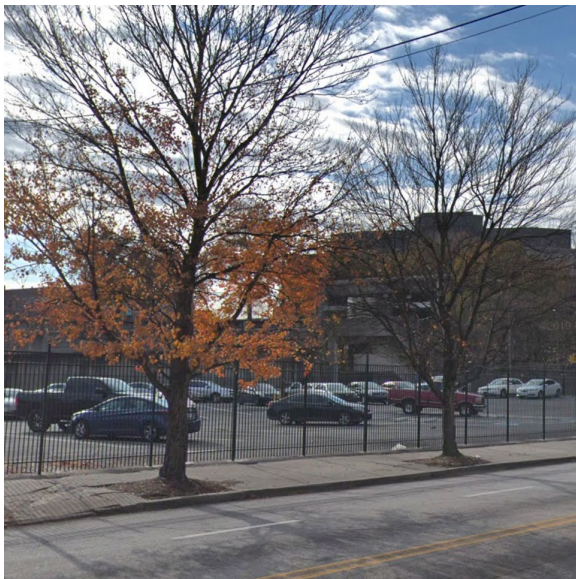


EXHIBIT B: 184 FORSYTH "NORTH SEGMENT"

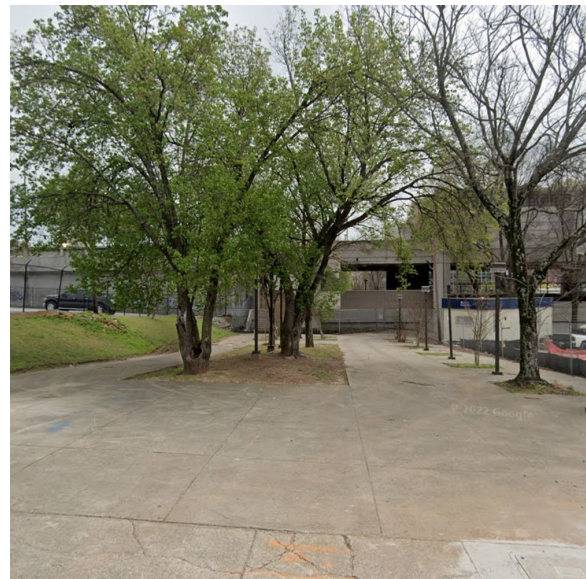


EXHIBIT C: GARNETT ST. ROW "SOUTH SEGMENT"

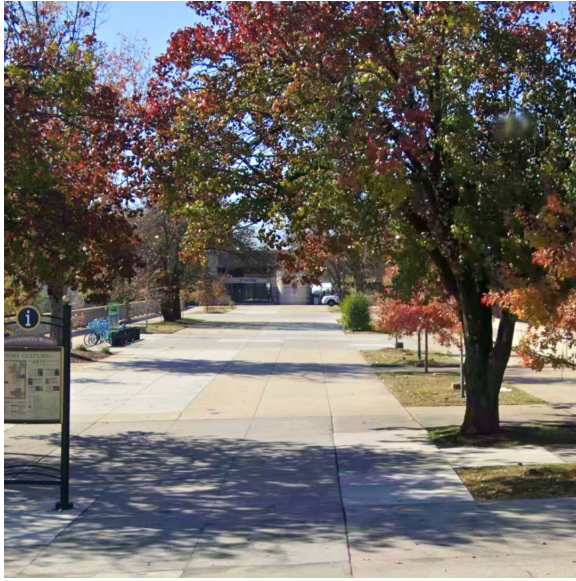


EXHIBIT D: BROAD STREET PLAZA



**EXHIBIT E: GARNETT STREET STAIRCASE
(CLOSED)**

Market Conditions



EXHIBIT F: CONTEXT MAP OF ADJACENT PROJECTS

The Garnett TOD, shown in Exhibit F as “184 Forsyth Street NW” and “Garnett ROW,” is located in the burgeoning South Downtown neighborhood bounded to the north by Newport’s South Downtown project, to the west by CIM’s Centennial Yards, and anchored to the Garnett MARTA station and Greyhound’s under construction intercity bus station (as seen in “Exhibit

G,”) projected to be open by early 2023). MARTA’s Station Rehabilitation program has an approximate \$20M budget to renovate Garnett Station starting with design and planning in 2024. This intermodal transit site offers direct access to thousands of jobs located throughout the metro area.

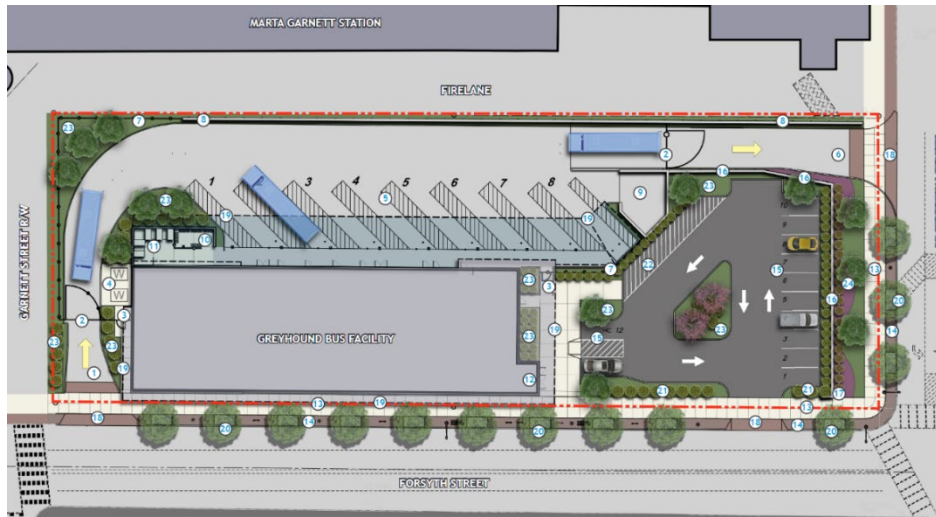


EXHIBIT G: GREYHOUND NEW INTERCITY BUS STATION

The South Downtown submarket continues to attract new development and amenities as shown in Exhibit H. Current construction projects include 222 Michell Street, Hotel Row, 104 Trinity Avenue, and Centennial Yards South Phase I. Proposed projects include Centennial Yards Phase II and Newport’s 18- and 21-story Broad Street residential towers.

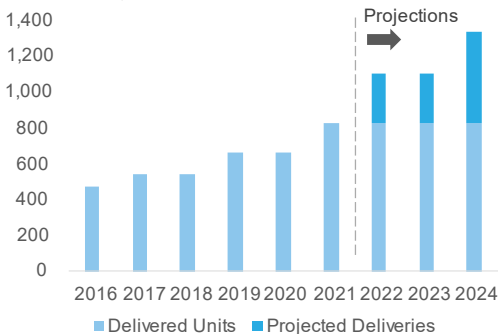
MULTIFAMILY MARKET STUDY

Summary

The market study area comprised a ½ mile radius extending from 184 Forsyth St.

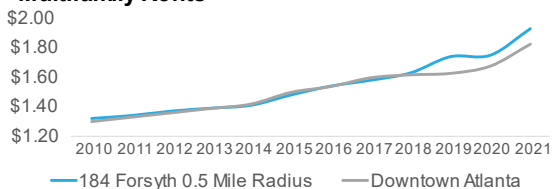
Analysis indicates a rapidly improving market, with rent growth outpacing that of Downtown Atlanta as a whole since 2018. Continued local deliveries should continue the momentum into 2024.

Multifamily Deliveries



Source: CoStar

Multifamily Rents



Multifamily Vacancy and Absorption

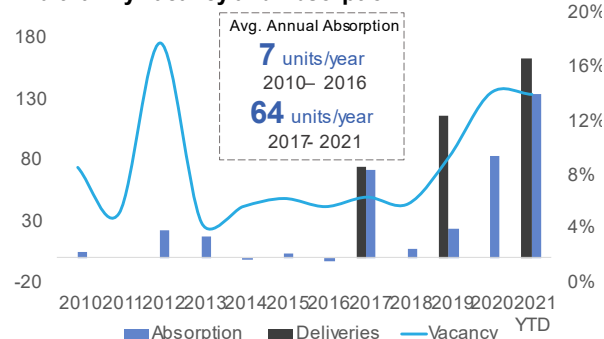


EXHIBIT H: SOUTH DOWNTOWN MARKET ANALYSIS

Each respondent to this RFP (each, a “Respondent”) is responsible for conducting its own due diligence on the Property. The Property will be sold “AS IS.”

PROJECT OBJECTIVES

Through this RFP, Invest Atlanta and The City have established the following objectives for redevelopment of the Garnett TOD site. Primary Objectives must be addressed to meet the vision of the City, and Secondary Objectives and Design Considerations will be considered “value-added” components if included in the redevelopment proposal.

Primary Objectives:

- Transit and Pedestrian Accessibility:** Redevelopment of the site should include new pedestrian walkways or other equivalent pedestrian infrastructure connecting Forsyth Street to the Broad Street Plaza and the Garnett Street MARTA Station. The goal is to conveniently connect the Garnett Street MARTA Station, the Broad Street Plaza, and Forsyth Street through the Garnett TOD property and to connect these spaces through creative design. Pedestrian connections are not required to be located on the Garnett Street ROW, but design of the connections should ensure a cohesive and direct route extending from the terminus of Garnett Street with Forsyth Street connecting up to the Broad Street Plaza and Garnett Station entrance. Connections should be safe and exposed

to multiple view sheds extending from active or passive uses, such as store frontages, residential entrances or windows, streets, parks, plazas, or MARTA entrances. Maximizing density of the site by constructing housing above pedestrian connections is encouraged, presuming such design does not interfere with the overall goals of safety, convenience, and place making. Proposals must consider the following:

- Improvements to safety, including consideration of lighting, view sheds, activation of public space, and any connections between Forsyth Street and Garnett Station.
 - Increased connectivity and access to Garnett Station, the Broad Street Plaza, and the Garnett TOD development.
 - Full activation of the property that contributes to the overall quality and vitality of the Garnett TOD property and surrounding area.
-
- **Public Space:** Redevelopment of the property should improve existing public space such as the Broad Street Plaza, while also creating new, integrated public space. All sides of the proposed development that faces pedestrian pathways or existing public space should be well-activated. While these spaces on the Garnett TOD are intended to be privately owned and managed, they must remain accessible for public use during MARTA's operating hours. Proposals are to demonstrate thoughtful and creative public space design that relates to and corresponds with the mix of residential and commercial uses proposed as part of the redevelopment. In order to maintain and improve the integrity of the Broad Street Plaza, proposals are encouraged to extend the plaza space into the interior of the Garnett TOD property. Preferred designs will allow pedestrians to seamlessly move from the Broad Street Plaza into new plaza or courtyard space created by the Garnett TOD project, which could be elevated above ground level to meet the height of the Broad Street Plaza. An illustration of this concept is included in the Design Considerations section of this RFP. Proposals are to consider the following:
 - Open the public spaces for public use and community events
 - Flexibility in the design of public space, allowing for multiple uses of the same space by different users (ex: public art sculpture that doubles as children's play facilities)
 - Enhance the overall signage, wayfinding to and from the station
 - Extension and expansion of the Broad Street Plaza into the Garnett TOD property
 - **Housing Affordability:** Proposals should provide substantial affordable rental housing stock and ensure greater access to housing at all levels of affordability. The residential program should contain at least 100 units that are affordable and income restricted to

households earning no more than 80% of the area median income (See Exhibit B). At least half of the income restricted affordable units should be affordable to households earning less than 60% of the area median income. While these are the minimum requirements for submission, proposals offering more affordability than prescribed by the minimums is encouraged. Density is encouraged, and proposals are not limited to a maximum number of units.

Proposals should aim to create as much density while maximizing affordable units across diverse income levels. Proposals must give estimated rents for each type of unit, with a breakdown of units by number of bedrooms, bathrooms, square footage, etc. These estimated rents should include charges for proposed amenities. Respondents are encouraged to consider unit arrangements that are flexible enough to accommodate changing market conditions and that maximize affordability. Additional considerations are:

- At minimum, successful proposals should include:
 - Construction costs.
 - Operating costs for the structure as well as resident utility costs and total cost of living for residents;
 - Diversity of unit types (bedrooms, bathrooms, square footage, etc.);
 - Flexibility for changing market conditions while maximizing affordability to a wide variety of income levels and household sizes.
 - Revenue sources other than rent paid by residents (ground floor retail, rooftop urban farm, etc.)
 - Proposed acquisition structure to enable long term affordability (see Financial Offer, page 20)

Secondary Objectives:

- **Lifestyle Affordability:** Proposals should consider multiple factors of affordability that demonstrate the total cost of living for residents. The goal is to have minimal on-site vehicle parking, with no elevated structured parking exceeding the height of Broad Street Plaza. Proposals should consider factors such as:
 - Transportation options for residents without vehicles
 - Space for shared vehicles
 - Space for bicycle storage, grocery drop-off, deliveries, and passenger pick-up/drop-off
 - Residential utilities
 - Other amenities, including health and wellness, co-working space, internet access, etc.;
 - On-site employment opportunities with priority given to residents.

- **Diverse Households:** The successful design will include units designed for households ranging in size from one person to four people. At least 5% of units should contain three bedrooms. Proposals should consider:
 - Needs of various types of households.
 - Varying incomes and household sizes;
 - ADA and FHA compatible
 - Assistance with the economic mobility of tenants.
- **Neighborhood Revitalization & Mix of Uses:** The design will view the development holistically with potential uses including the following:
 - Nonresidential uses located throughout the development, including ground floor retail, restaurants, commercial, office, and community spaces etc.
 - Consideration of food access for residents in Downtown Atlanta
 - Co-working and remote work opportunities
 - Community events and nonresidential uses on the plaza
 - Ex: kiosks, farmers markets, food trucks, community gardens, etc.

Any nonresidential use programed for the site should be well planned, with a strategy documenting a path to execution within the proposal. This strategy should consider demand for proposed uses, potential tenant improvement budgets, challenges within the submarket, and demonstrate an overall concept that will bring consistent nonresidential activity to the site. Respondents are encouraged to work with local Downtown community members to identify potential tenants, whether commercial- or community-oriented, and to demonstrate these partnerships within the proposal.

- **Sustainability:** The successful design will prioritize the incorporation of building and operating practices such as efficient energy and water use as well as green infrastructure and urban climate resilience. It is important that this development account for sustainability throughout the term of the lease. Proposals should consider factors such as:
 - Water conservation and re-use.
 - Energy conversation and renewable energy generation and storage.
 - Waste reduction across project lifecycle.
 - Minimized carbon footprint and overall environmental impact.
 - Greenspace, including green roofs and small-scale interventions, such as pocket parks.
 - Urban agriculture and resilient food systems.

- Urban heat island mitigation through nature-based and other design interventions (e.g. “cool roofs”);
- Best Management practices for stormwater management designed for a 100-year storm event.
- **Financing Proposal.** The design will make the most creative use of its land and other assets at this location. It will innovate in design, construction, operations, and alternative revenue sources. To maintain interest in the property long term, The City of Atlanta encourages respondents to explore lease arrangements through joint equity opportunities or a long-term ground lease.

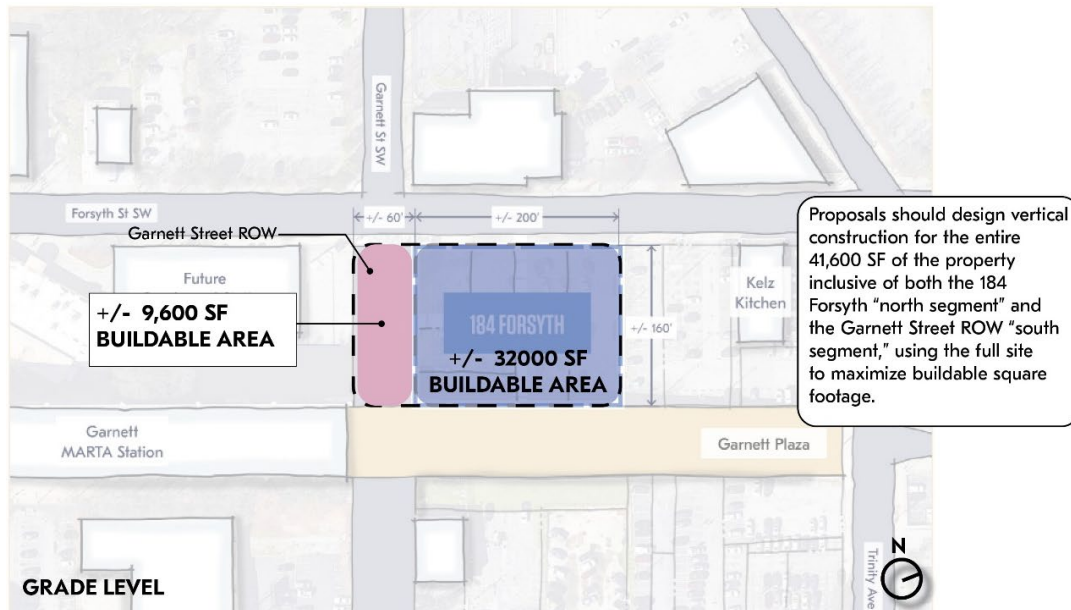
Design Considerations:

The goal of the design for this project is to create a safe, active, and lively destination for residents, pedestrians, and travelers. The design of the building must be exemplary both in terms of the lifestyle it affords through its interior design, the refinement it achieves in its exterior architecture, and the quality of its public space. Based on feedback received from stakeholder and community engagement, proposals should consider the following general design considerations :

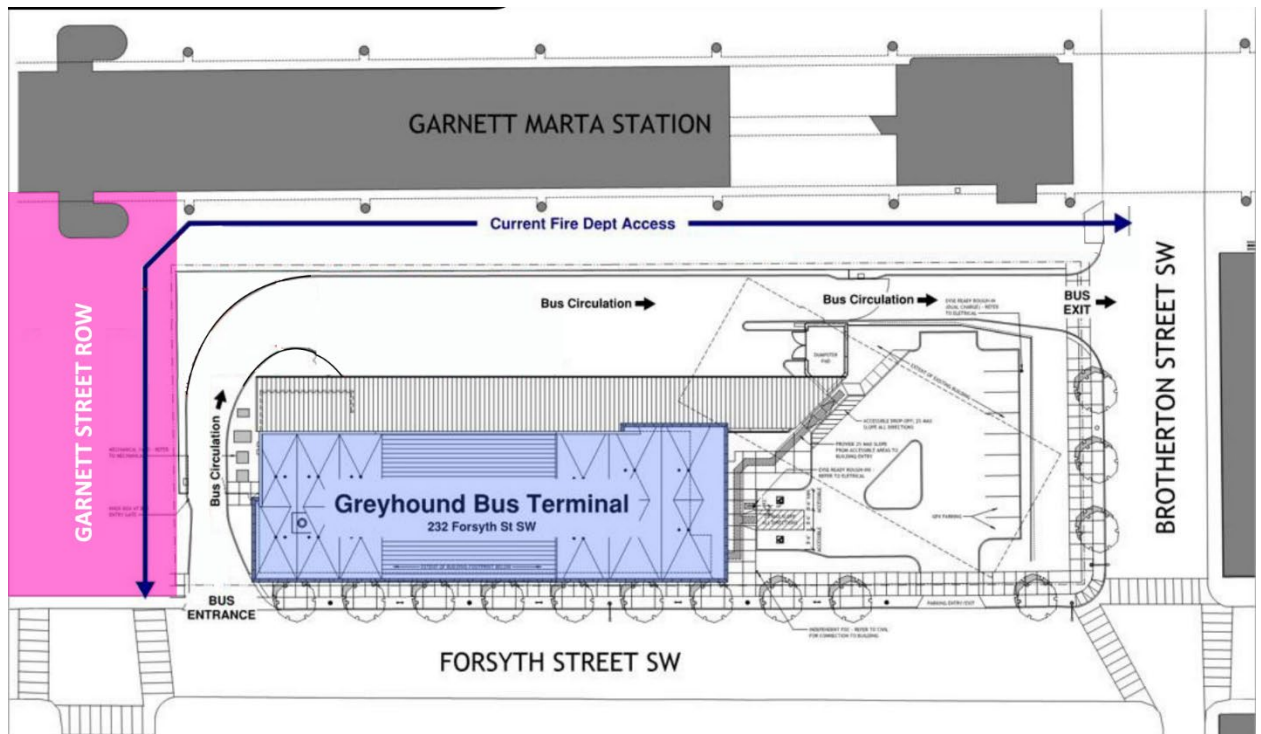
- Identify the characteristics of existing multi-family and mixed-use sites, as well as adjacent properties, including prominent architectural style, streetscape pattern, access, building materials, building articulation, landscape, window and door design and materials, and other characteristics.
- Develop design standards to support sustainability, green building practices, and community health in the downtown corridor - including best practices to design for all ages and backgrounds with energy-efficient construction, efficient site planning, amenities supporting the public , and planning for transit access.

Additional design consideration for proposals are discussed below:

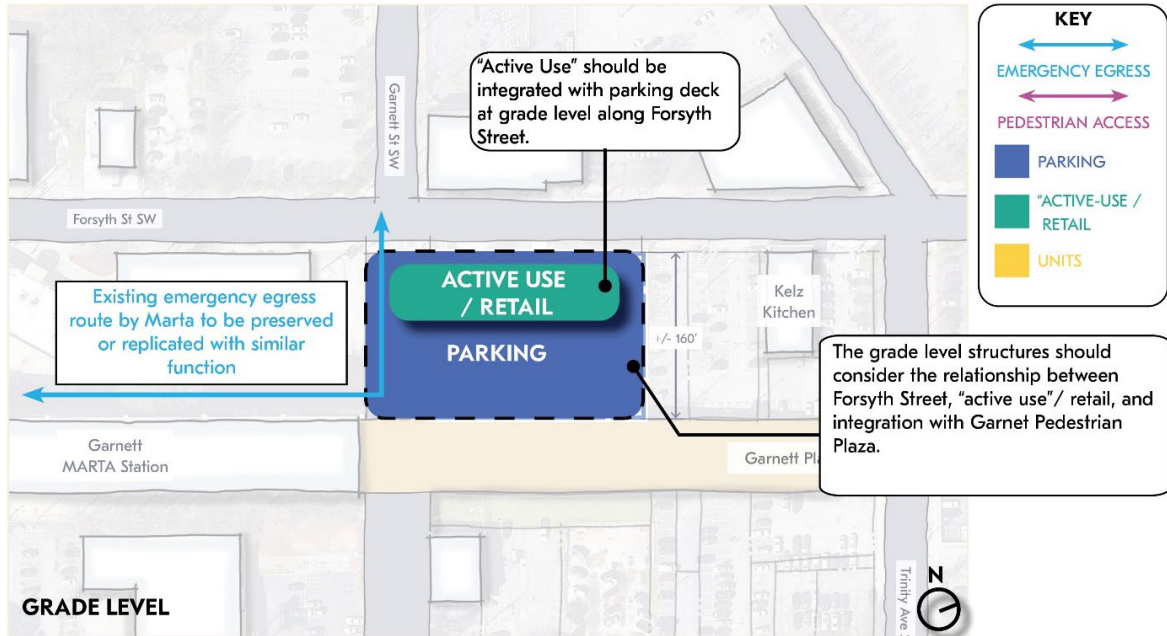
- Proposals should utilize the entire property for redevelopment and vertical construction, which includes both the proposed 184 Forsyth site and the Garnett Street ROW.



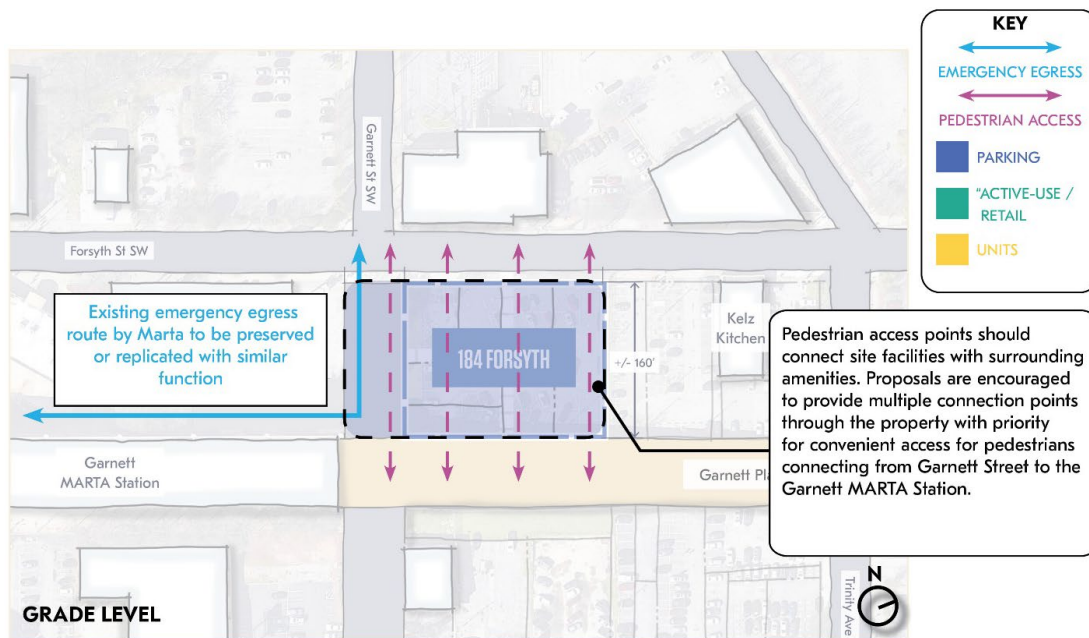
- Proposals will maintain an emergency vehicle egress used to service MARTA trains at the Garnett Station, with the potential to relocate the existing egress based on overall site design needs. The emergency vehicle egress will require at a minimum 20 feet of unobstructed width and 13.5 feet of vertical clearance to allow the fire apparatus to safely pass under.



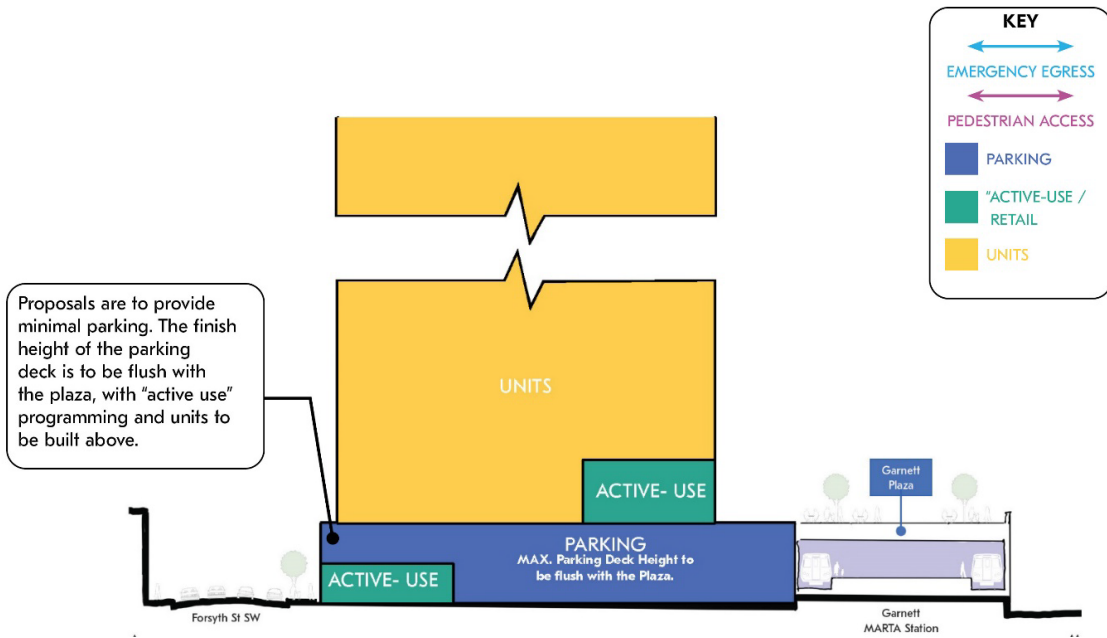
3. Proposals should activate Forsyth Street through the use of retail, commercial, or residential frontages and design should work to minimize parking structure frontages.



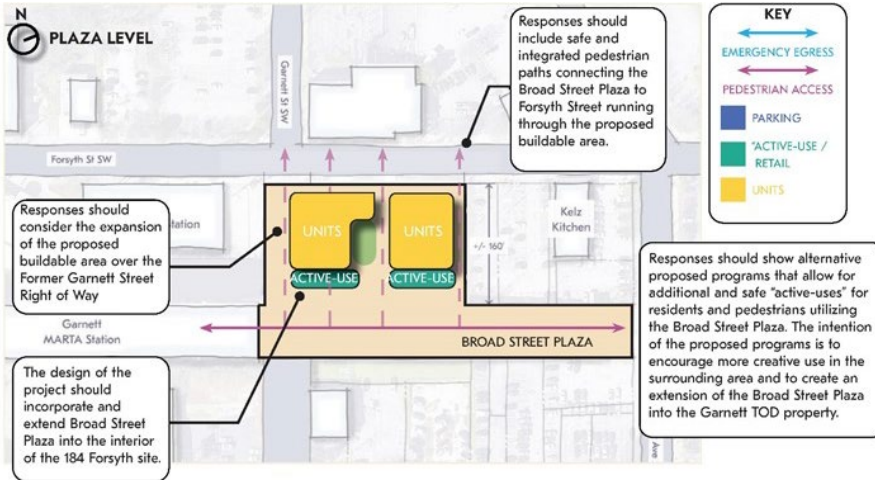
4. Proposals will provide strong pedestrian connectivity between the Broad Street Plaza and Forsyth Street. Proposals are encouraged to provide multiple connection points through the property with priority for convenient access for pedestrians connecting from Garnett Street to the Garnett MARTA Station.



5. Any structured parking built as part of the project should not extend in height beyond the height of Broad Street Plaza so that the project can support new pedestrian connections with the Broad Street Plaza (see point 6, below). If necessary to accommodate parking capacity, structured parking may extend in height above the height of the Broad Street Plaza on the Forsyth Street side of the site. Designs should consider creative ways to integrate the platform created by the structured parking into the existing Broad Street Plaza and pedestrian pathways.



6. Designs should extend the Broad Street Plaza into the Garnett TOD property, promote pedestrian connectivity to the Broad Street Plaza from the surrounding area, and enhance opportunities to access services and facilities throughout the site and beyond the site's boundaries.



SUBMITTAL DEADLINE

All responses to this RFP (each, a “Response”) must be submitted via email to GarnettTOD@investatlanta.com, no later than 5:00 PM, March 31, 2023. Responses received after this time and date will not be considered.

INQUIRIES

Prospective Respondents are strongly encouraged to submit inquiries regarding this RFP by email, in writing to:

Email: GarnettTOD@investatlanta.com

Only inquiries received in writing will receive a response. All such written inquiries must be delivered by 5:00 p.m. February 22, 2023. Inquiries received after such date and time will not be considered and will not receive a response. Invest Atlanta will publish all received written inquiries and Invest Atlanta’s responses to those inquiries as an Addendum to this RFP on Invest Atlanta’s website (www.investatlanta.com) on or before the close of business on March 1, 2023.

SELECTION PROCESS

A committee assembled by Invest Atlanta staff and/or external experts (the “Selection Committee”) will review all qualified responses to this RFP. Qualified means that all required

components of the RFP were received in a timely fashion as specified in this RFP. Selection will take place based on a three-step process as follows:

(1) The Selection Committee, in accordance with the evaluation criteria described herein, will review all qualified proposals received by the proposal deadline. Further evaluation may include an oral interview with representatives of the most responsible and responsive Respondents.

(2) Invest Atlanta reserves the right to identify a small group of shortlisted Respondents (“Finalists”) chosen from among the respondents to this RFP.

(3) The Selection Committee will recommend a proposal(s) from among those submitted to the Invest Atlanta Board of Directors.

(4) Upon approval from Invest Atlanta Board of Directors, Invest Atlanta and the successful Respondent will negotiate execute and deliver the necessary legal documents granting the agreed upon rights, title and/or interest in the Property to the successful Respondent.

(5) No activity may commence without approval by the Board of Directors of Invest Atlanta and execution by all parties of a Development Agreement or other legally binding and enforceable documents.

Note: The Selection Committee may elect to conduct interviews with one or more of the strongest Respondents. Representatives of the Selection Committee may contact developers to request clarification or additional information to enable the committee to fully understand the proposal. Representatives of the Selection Committee may also request additional material or documents. After hearing all presentations and after all discussions have concluded, the Selection Committee shall evaluate the Respondents. The Respondent(s) receiving the highest ranking shall be recommended to the Invest Atlanta Board of Directors as the Prospective Awardee. If for any reason a contractual agreement cannot be mutually agreed upon, Invest Atlanta may elect to terminate negotiations with the Prospective Awardee(s) and initiate negotiations with the next Respondent receiving the next highest ranking by the Selection Committee or choose to cancel the solicitation.

Selected firm(s) must be prepared to enter negotiations for services outlined in this RFP.

Invest Atlanta will not, for any reason, reimburse a Respondent for costs and/or expenses in connection with responding to this RFP.

OTHER

Responses should include a cover letter introducing the firm or team and the areas of expertise of the firm. The letter should also state the full name, address, email, phone and fax numbers of the organization and the branch office or other subordinate entity that will perform or assist in performing the services described therein. If responding as a team, the lead firm should be designated with a project manager identified as the single point of contact. Indicate the type of firm ownership (individual, partnership or corporation) and explain any proposed joint venture relationships. Include the state(s) in which the firm is incorporated and/or licensed to operate and provide a valid insurance certification.

Firms will be evaluated on the basis of overall experience and depth of resources. It is imperative that responses contain all information requested.

SCOPE OF SERVICES AND EVALUATION METRICS

In order to be deemed responsive for evaluation under this RFP, submission are limited to 75, inclusive of all submission requirements, narratives, and addenda.

Responses submitted to this RFP should include the following information outlined below in the following order:

Section I- Cover Letter/Executive Summary

- Include a cover letter indicating the full name and address of the Respondent and the branch office or other subordinate entity that will perform or assist in performing the redevelopment described.
- Please indicate the name of the senior contact person, appropriate telephone, and email address, and acknowledge Respondent's ability to commit to the contents of the response and any other information the Respondent deems relevant.
- The letter should summarize the Proposal in three (3) pages or less.
- Indicate whether the Respondent operates as an individual, partnership or corporation and what legal entity will be acquiring the Property.
- If applicable, include the state in which Respondent is incorporated or organized. If not Georgia, provide evidence of license to do business in Georgia.

Section II- Project Vision (40 Points)

- Respondent's overall strategy for implementing and achieving the RFP's objectives. Submissions should clearly demonstrate a commitment to a reasonable and feasible plan for meeting the Objectives, as described in Project Objectives section, beginning page 7.
- Respondent's commitment to affordable housing and community revitalization.
- Conceptual Site Plan, including diagrams that depict, at minimum, the following:
 - General site and development plan indicating the proposed use(s), location, and height of any new buildings or structures
 - Circulation plan, including the location of all vehicular, bicycle, micro mobility, emergency vehicle egress, curb management, and pedestrian access ways
 - Public space and connection plan demonstrating how public space, pedestrian connections, and active tenant programming interact to create a high-quality urban space
- Conceptual Architectural Design, including the following:
 - A minimum of two project renderings demonstrating key visual elements
 - Preliminary building elevations and/or diagrams/drawings/floor plans indicating land use for each floor level
 - Propose Green Building Standards to be applied from the following: LEED, Enterprise Green Communities, Earthcraft, Energy Star and/or Water Sense, Indoor airPLUS, Atlanta NSP Requirements or others (Please be specific)
- Retail and community space plan for the required non-residential programming of the property demonstrating a strategy which:
 - Identifies commercial and non-commercial tenants
 - Builds a support system through a dedicated tenant improvement budget
 - Attracts a customer and community base
- Economic and fiscal impact projections, including cost estimates, financial stream for continued maintenance, and total estimated taxes to the City of Atlanta at completion.

Section III- General Information about the Respondent (5 points)

- The Respondent must identify the proposed entities that will comprise the development team. The list should identify any and all entities involved in the proposed project. A

statement of qualification and experience of each entity involved in the historic rehabilitation process of the Property, the educational or community benefit to the community, and its long-term management is required.

- Provide a brief overview of the respondent's team. Identify the specific office responsible for this project and the available resources of that office. If the respondent is submitting a joint response with a development partner, describe each firm's role and contribution to the team, as well as overall management structure.
- Provide an organizational chart and information that clearly explains the ownership and management structure, relationship of each team member and their respective roles and contributions, as well as the project lead contact member(s) and decision-making hierarchy of the development team. Include resumes for all principals (ownership or financial interest > 10%) expected to be involved in the project, highlighting experience with similar projects.
- Provide a summary of any pending lawsuits, unsatisfied judgments and/or judgment liens currently filed against Respondent or any officer, owner, principal, employee, subsidiary or affiliate of the Respondent.

Section IV –Experience (10 points)

- Provide a statement of Respondent's experience with affordable housing, and community-based projects similar in scope to the proposed project as well as the Respondent's history, qualifications and financial capability for the past five years. For similar projects, include the project manager, scope of work, timetable, estimated/actual cost and percent of work for which Respondent was responsible.
- Include a minimum of three (3) projects similar to the affordable housing and retail use proposed. Include the name, address, telephone number, point of contact, and description of the work performed for each such reference.

Section V- Financing Strategy (15 points)

Provide details on the projected financing strategy, including:

- Proposed acquisition structure to enable long term affordability, i.e., joint equity opportunities or a long-term ground lease, that best fit the City of Atlanta's goal in achieving long term affordability.

- Sources and Uses - A Sources and Uses table which includes an estimate of the cost of the project along with all potential public or private financial sources.
- Development Budget - A development budget showing the project's total development costs, hard costs, and soft costs (architectural, engineering, legal, contingency costs and related fees).
- Financial Pro Forma - A narrative statement explaining the economic feasibility of the proposed project.

Section VI- Financial Capacity & Offer (30 points)

Provide evidence of respondent's ability to obtain financing resources to carry out the proposal. Each respondent shall provide the following:

- Overview of the respondent's financial strength, including specific documentation of any resources that may be relied upon for completion of this project.
- Description of any financial commitments, and/or any preliminary letters of intent to include term sheets, bank lines of credit with available balances and bank statements documenting equity sources.
- A list of any litigation matters the firm was involved in during the last five (5) years that may impact the respondent's ability to execute the potential services outlined in the RFP, including a description of any current, pending or threatened litigation involving the City and/or Invest Atlanta.
- A Preliminary Offer, consisting of the respondent's preliminary financial offer to Invest Atlanta for the proposed acquisition of the Site.

TIMELINE AND DELIVERABLES

The RFP is only available on-line at www.investatlanta.com.

Due Date	Action Required
Jan 31	Release of RFP
Feb 16	Interested Respondent Briefing (VIA Zoom - Meeting info will be available February 13 at www.investatlanta.com/about-us/invest-atlanta-rfps)
Feb 22	Inquiries regarding RFP due
March 1	Responses to Respondent's inquiries posted on Invest Atlanta's website
March 31	RFP Submittals due

April 12/13	Evaluation Committee Scoring Meeting
April 19/20	Finalist Interviews
April 25	Notification to Selected Project Team
May 15	Finance Committee Meeting
May 18	Invest Atlanta Board Meeting
TBD	Development Negotiations and Contract Drafting
TBD	Financial Closing

Please note that Invest Atlanta reserves the right to adjust the dates above.

DIVERSITY, EQUITY AND INCLUSION POLICY

Invest Atlanta encourages, but does not require, all Respondents to promote opportunities for diverse businesses, including Minority Business Enterprises (“MBE”), Female Business Enterprises (“FBE”) and Small Business Enterprises (“SBE”) to compete for business as subcontractors and/or suppliers. However, nothing herein should indicate that an MBE, FBE or SBE may not apply and be selected independently, as MBEs, FBEs, and SBEs that meet the qualifications of this RFP are encouraged to submit their qualifications for consideration. For an MBE, FBE or SBE to participate on the contract, said MBE, FBE or SBE must be certified as an MBE or FBE and be registered with the City's Office of Contract Compliance M/FBE Register. SBEs must be registered with the City and are defined as businesses not exceeding \$2.5 million in gross sales during the recent calendar or fiscal year.

Firms interested in obtaining applications for certification should contact these organizations:

- **City of Atlanta – Office of Contract Compliance (MBE/FBE):** Bruce T. Bell, Interim Director, Office of Contract Compliance, 55 Trinity Avenue, Atlanta, Georgia 30303, Tel: 404.330.6010, Fax: 404.658.7359, email: bbell@atlantaga.gov.
- **Small Disadvantaged Business (SDB)** certification by the U.S. Small Business Administration provided they reflect certification because of minority or women-owned status.

A firm selected by the Respondent to jointly respond to this RFP can only satisfy one of the three categories. The same firm may not, for example, be listed for participation as a MBE organization and a SBE organization even if the level of participation exceeds each category's goal. All firms must be registered or certified prior to the submittal of the Response. A Respondent is at risk in that there may be an issue of time to certify or register if it intends to use a firm that is not certified or registered at the time the Response is submitted.

Invest Atlanta is an Equal-Opportunity Employer.

EVALUATION & ACCEPTANCE OF STATEMENT OF QUALIFICATIONS

Invest Atlanta reserves the right to reject any and all responses, to amend this RFP and the process itself, or to discontinue the process at any time.

E-VERIFY AFFIDAVIT

Provide notarized proof of compliance with Illegal Immigration Reform and Enforcement Act, O.C.G.A. §13-10-90, et seq. (**Appendix A**) E-Verify. Respondents must comply with the Illegal Immigration Reform and Enforcement Act, O.C.G.A. §13-10-90, et seq. All services physically performed within the State of Georgia must be accompanied by proof of your registration with the E-Verify Program, as well as verification of your continuing and future participation in the E-Verify program established by the United States Department of Homeland Security. A completed E-Verify Contractor Affidavit must be submitted to Invest Atlanta (Appendix A-1). To the extent there are subcontractors working on this contract, you are responsible for obtaining a fully signed and notarized subcontractor affidavit from those firms with whom you have entered into subcontracts (Appendix A-2). In turn, should there be second tier subcontractors on this project, you must require the subcontractors to obtain E-Verify Affidavits from those second tier subcontractors.

TERMS AND CONDITIONS

Invest Atlanta reserves the right to select or reject all or part of any proposal, waive minor technicalities, and select one or more proposals in the manner and to the extent that they serve the best interests of Invest Atlanta. This RFP does not commit Invest Atlanta to award a contract, nor will Invest Atlanta pay any costs incurred in the preparation of a proposal in response to this RFP. Invest Atlanta reserves the right to request oral interviews with one or more teams, request proposal clarifications or additional information, and/or best-and-final offers from up to three Respondents prior to making a final selection.

All proposals and supporting materials as well as correspondence relating to this RFP become property of Invest Atlanta when received. Any proprietary information contained in the Response should be so indicated. However, a general indication that the entire contents, or a major portion, of the proposal is proprietary will not be honored.

- A. All applicable State of Georgia and Federal laws, City and County ordinances, licenses and regulations of all agencies having jurisdiction shall apply to the Respondent and the development of the Property throughout and are incorporated herein. The contract with the Prospective Purchaser, and all questions concerning the execution, validity or invalidity,

capability of the parties, and the performance of the contract, shall be interpreted in all respects in accordance with the laws of the State of Georgia.

- B. Professionals requiring special licenses must be licensed in the State of Georgia, and shall be responsible for those portions of the work as may be required by law.
- C. Sub-Contractors as part of the Project team must be clearly identified in the Response, including roles, resumes of key personnel and project references.
- D. No Response shall be accepted from, and no contract will be awarded to, any person, firm, or corporation that (i) is in arrears to Invest Atlanta or the City with respect to any debt, (ii) is in default with respect to any obligation to Invest Atlanta or the City, or (iii) is deemed irresponsible or unreliable by Invest Atlanta. If requested, the Respondent shall be required to submit satisfactory evidence that they have the necessary financial resources to provide the proposed services.
- E. From the date Invest Atlanta receives a Respondent's proposal through the date a contract is awarded to a Respondent, no Respondent may make substitutions, deletions, additions or other changes in the configuration of Respondent's proposal or members of Respondent's team.

PROFESSIONAL SERVICES INSURANCE REQUIREMENTS

The Contractor shall provide Invest Atlanta with a certified copy of each of the policies or binders to the address listed under Section 1.1 indicating the existence of the policies prior to the beginning of the contract term. In the event a binder is delivered, it shall be replaced within ten (10) days by a certified copy of the policy. Each policy shall contain a valid provision or endorsement that the policy may not be canceled without giving thirty (30) days written notice thereof to the Invest Atlanta representative named in the contract. A renewal policy or certificate shall be delivered to Invest Atlanta at least thirty (30) days prior to the expiration date of each expiring policy. If at any time, any of the policies shall be or become unsatisfactory to Invest Atlanta as to form or substance, or any of the carriers issuing such policies shall be or become unsatisfactory to Invest Atlanta, the Contractor shall deliver to Invest Atlanta representative upon demand a certified copy of any policy required herein for review. The Certificates of Insurance shall state that Invest Atlanta is additionally insured.

Statutory Workers' Compensation Insurance

Employers Liability:

Bodily Injury by Accident \$100,000 each accident

Bodily Injury by Disease \$500,000 policy limit
Bodily Injury by Disease \$100,000 each employee

Comprehensive General Liability Insurance:

- (a) \$1,000,000 limit of liability per occurrence for bodily injury and property damage Owner's and Contractor's Protective
- (b) Blanket Contractual Liability
- (c) Blanket "X", "C", and "U"
- (d) Products/Completed Operations Insurance
- (e) Broad Form Property Damage
- (f) Personal Injury Coverage

Comprehensive Automobile Liability Insurance:

- (a) \$1,000,000 limit of liability
- (b) Comprehensive form covering all owned, non-owned and hired vehicles

Excess Umbrella Liability Insurance:

- (a) \$3,000,000 limit of liability
- (b) Coverage at least as broad as primary coverage as outlined under Items 1, 2 and 3 above

EXHIBIT A-1

PROPERTY SURVEY

EXHIBIT A-2

PARCEL TAX IDENTIFICATION NUMBERS

The Property consists of 6 lots in the City of Atlanta. Fulton County tax records identify each of the subject lots with individual tax parcel numbers as detailed in the chart below.

<u>Address</u>	<u>Tax Parcel ID</u>
0 Forsyth St SW	14 007700080795
176 Forsyth St SW	14 007700080803
184 Forsyth St SW	14 007700080316
244 Garnett St SW	14 007700080308
239 Garnett St SW	14 007700080290
0 Garnett St SW	14 007700080811

EXHIBIT A-3
LEGAL DESCRIPTION

RFP WILL BE AMENDED TO ADD LEGAL DESCRIPTION FOR EACH SEGMENT OF
THE PROPERTY SITE AS THE BECOME AVAILABLE

EXHIBIT B

HUD INCOME LIMITS 2022

Invest Atlanta Workforce Housing Income Limits and Maximums FY 2022 Multifamily Tax Subsidy Project (MTSP) Income Limit Area Atlanta-Sandy Springs-Roswell, GA HUD Metro FMR Area Median Income \$96,400 Effective Date April 18, 2022								
Area Median Income (AMI)	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
30% AMI	\$20,250	\$23,160	\$26,040	\$28,920	\$31,260	\$33,570	\$35,880	\$38,190
50% AMI	\$33,750	\$38,600	\$43,400	\$48,200	\$52,100	\$55,950	\$59,800	\$63,650
60% AMI	\$40,500	\$46,320	\$52,080	\$57,840	\$62,520	\$67,140	\$71,760	\$76,380
80% AMI	\$54,000	\$61,760	\$69,440	\$77,120	\$83,360	\$89,520	\$95,680	\$101,840
100% AMI	\$67,500	\$77,200	\$86,800	\$96,400	\$104,200	\$111,900	\$119,600	\$127,300
115% AMI	\$77,625	\$88,780	\$99,820	\$110,860	\$119,830	\$128,685	\$137,540	\$146,395
120% AMI	\$81,000	\$92,640	\$104,160	\$115,680	\$125,040	\$134,280	\$143,520	\$152,760
140% AMI	\$94,500	\$108,080	\$121,520	\$134,960	\$145,880	\$156,660	\$167,440	\$178,220
2022 Workforce Rental Housing Maximums								
Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom				
Max Rent at 30% AMI	\$506	\$542	\$651	\$752	\$839			
Max Rent at 50% AMI	\$843	\$904	\$1,085	\$1,253	\$1,398			
Max Rent at 60% AMI	\$1,012	\$1,085	\$1,302	\$1,504	\$1,678			
Max Rent at 80% AMI	\$1,350	\$1,447	\$1,736	\$2,006	\$2,238			
2022 Workforce Owner Housing Maximums								
Efficiency	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom				
Max Sale Price at 60% AMI	\$121,500	\$130,230	\$156,240	\$180,540	\$201,420			
Max Sale Price at 80% AMI	\$162,000	\$173,640	\$208,320	\$240,720	\$268,560			
Max Sale Price at 100% AMI	\$202,500	\$217,050	\$260,400	\$300,900	\$335,700			
Max Sale Price at 120% AMI	\$243,000	\$260,460	\$312,480	\$361,080	\$402,840			
Max Sale Price at 140% AMI	\$243,180	\$260,610	\$312,900	\$361,410	\$403,200			

APPENDIX A-1

CONTRACTOR AFFIDAVIT UNDER O.C.G.A §13-10-91(b)(1)

By executing this affidavit, the undersigned Contractor verifies its compliance with O.C.G.A. §13-10-91, et seq. (the “Act”) and Chapter 300-10-1 of the Rules of Georgia Department of Labor (the “Rules”), stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services on behalf of Invest Atlanta: (1) has registered with; (2) is authorized to use; (3) is using; and (4) will continue to use throughout the contract period a federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicability provisions and deadlines established in the Act and the Rules.

The undersigned contractor further agrees that, should it employ or contract with any subcontractor(s) in connection with the physical performance of services pursuant to the contract with Invest Atlanta of which this affidavit is a part, the undersigned contractor will secure from such subcontractor(s) similar verification of compliance with the Act and the Rules through the subcontractor’s execution of the subcontractor affidavit provided below.

The undersigned contractor further agrees to provide a copy of each such affidavit to Invest Atlanta at the time the subcontractor(s) is retained to perform such services and to maintain copies of all such affidavits for no less than five (5) years from the date provided to Invest Atlanta and otherwise maintain records of compliance with the Act and the Rules as required.

Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Employment Eligibility Verification (E-Verify)
User Identification Number

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

BY: Authorized Officer or Agent

Date

Subcontractor Name

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

Sworn to and subscribed before me
This ____ day of _____, 201__

Notary Public

My commission expires: _____

APPENDIX A-2

SUBCONTRACTOR AFFIDAVIT UNDER O.C.G.A §13-10-91(b)(3)

By executing this affidavit, the undersigned subcontractor verifies its compliance with O.C.G.A. § 13-10-91 (the “Act”) and Chapter 300-10-1 of the Rules of Georgia Department of Labor (the “Rules”), stating affirmatively that the individual, firm, or corporation which is engaged in the physical performance of services under a contract with _____ (name of contractor) on behalf of Invest Atlanta: (1) has registered with; (2) is authorized to use; (3) is using; and (4) will continue to use throughout the contract period a federal work authorization program known as E-Verify, or any subsequent replacement program, in accordance with the applicability provisions and deadlines established in the Act and the Rules.

The undersigned subcontractor further agrees that it will contract for the physical performance of services in satisfaction of the Contract only with sub-subcontractors who present an E-Verify Affidavit to the undersigned subcontractor with the information required by the Act and the Rules. The undersigned subcontractor will forward notice of the receipt of an E-Verify Affidavit from a sub-subcontractor to the Contractor within five (5) business days of receipt. If the undersigned subcontractor receives notice that a sub-subcontractor has received an E-Verify Affidavit from any other contracted sub-subcontractor, the undersigned subcontractor must forward, within five (5) business days of receipt, a copy of the notice to the Contractor.

Subcontractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

Employment Eligibility Verification (E-Verify)
User Identification Number

Date of Authorization

I hereby declare under penalty of perjury that the foregoing is true and correct.

BY: Authorized Officer or Agent

Date

Subcontractor Name

Title of Authorized Officer or Agent of Subcontractor

Printed Name of Authorized Officer or Agent

Sworn to and subscribed before me
This ____ day of _____, 201__

Notary Public

My commission expires: _____

APPENDIX A-3

SAVE AFFIDAVIT IN ACCORDANCE WITH O.C.G.A §50-36-1(e)(2)

**INVEST ATLANTA AFFIDAVIT
VERIFYING STATUS FOR RECEIPT OF PUBLIC BENEFIT**

By executing this affidavit under oath, as an applicant for a contract with Invest Atlanta, or other public benefit as provided by O.C.G.A. §50-36-1, and determined by the Attorney General of Georgia in accordance therewith, I state the following with respect to my application for a public benefit from Invest Atlanta:

For: _____.

[Name of natural person applying on behalf of individual, business, corporation, partnership, or other private entity]

1) _____ I am a United States Citizen

OR

2) _____ I am a legal permanent resident 18 years of age or older or

OR

3) _____ I am an otherwise qualified alien or non-immigrant under the Federal Immigration and Nationality Act 18 years of age or older and lawfully present in the United States.

All non-citizens must provide their Alien Registration Number below.

Alien Registration number for non-citizens

The undersigned applicant also hereby verifies that he or she has provided at least one secure and verifiable document as required by O.C.G.A. §50-36-1(e)(1) with this Affidavit. **The secure and verifiable document provided with this affidavit is:**

In making the above representation under oath, I understand that any person who knowingly and willfully makes a false, fictitious, or fraudulent statement or representation in an affidavit shall be guilty of a violation of O.C.G.A. §16-10-20, and face criminal penalties as allowed by such criminal statute

Signature of Applicant

Date:

Printed Name:

Sworn to and subscribed before me

This ____ day of _____, 20__

Notary Public

My commission expires: _____