OFFICIAL NOTICE #57609
REQUEST FOR QUALIFICATIONS

RENOVATION AND MANAGEMENT OF SCATTERED SITE RESIDENTIAL PROPERTY FOR THE CITY OF MILWAUKEE

The Department of City Development (DCD) is requesting responses to this Request for Qualifications (RFQ) from parties that have the capacity and proven experience to renovate, manage and maintain a portfolio of between 20 and 30 City-owned, scattered site foreclosed properties as affordable rental properties. Responses submitted by partnerships between development firms/general contractors and property management firms are welcome.

The RFQ can be found on DCD's web site at the following link:

http://city.milwaukee.gov/Projects/RequestsforProposals.htm

Firms that wish to respond to this RFQ are strongly encouraged to attend an information meeting at **1:30 pm Monday, September 14, 2015**, in the first floor board room at the Department of City Development, 809 N. Broadway.

Questions regarding this RFQ should be addressed to Scott Stange in writing via email at: sstang@milwaukee.gov. The deadline for questions regarding the RFQ is **4:45 p.m. on September 16, 2015**. Any additional information and/or clarification(s) regarding this RFQ will be posted on the above referenced website in the form of an addendum to this RFQ **September 17, 2015**.

Proposals are due October 3, 2015 by 11:00 a.m.

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CITY OF MILWAUKEE
DEPARTMENT OF CITY DEVELOPMENT
809 N. Broadway
Milwaukee, Wisconsin 53202

August 27, 2015

Summary

The Milwaukee Department of City Development (DCD) is requesting responses to this Request for Qualifications (RFQ) from parties that have the capacity and proven experience to renovate, manage and maintain a portfolio of between 20 and 30 City-owned, scattered site foreclosed properties as affordable rental properties. Responses submitted by partnerships between development firms/general contractors and property management firms are welcome. The City will provide up to $1 million to cover the cost of property renovation.

RFQ process and requirements

To qualify to respond to this RFQ, applicants must demonstrate they have successfully managed the renovation of at least 20 scattered-site residential properties in the city of Milwaukee since 2013, and demonstrate that they currently manage the rental of at least scattered site residential properties. Recognizing that a single company may not be able to meet these qualifications, we encourage the creation of teams consisting of a developer or general contractor and a property management firm to respond to this proposal.

The responses to this RFQ will be evaluated to select a single entity or team to undertake the renovation, management and ongoing maintenance of the City's rental portfolio. The City reserves the right to seek additional information from one or more respondents prior to making its selection.

Background

The City of Milwaukee has experienced a significant increase in the number of properties it has acquired through the tax-foreclosure process. The City currently owns more than 1,000 foreclosed properties; most are one- and two-family residential properties.

In 2014, the City launched its "Strong Neighborhoods Plan," a comprehensive effort to address impacts of the growth of tax foreclosure and stabilize City neighborhoods. Revitalization is a key component of the plan.

The goals of the City's Strong Neighborhoods include the following:

- Return vacant City-owned tax foreclosed properties to productive use.
- Provide high quality affordable housing opportunities for Milwaukee residents.
- Cluster redevelopment efforts in a manner that results in a positive impact for the surrounding neighborhood.
- Encourage new investment in housing in Milwaukee neighborhoods.
- Provide construction opportunities for local small business enterprises and job opportunities for local residents.

The 2015 City budget set aside $1 million to develop a number of City-owned properties as a rental portfolio ("Portfolio"). This RFQ seeks a partner to renovate a group of City-owned properties and manage those properties as affordable rental units for a period of three years. Properties will remain in City ownership during that period. This initiative is intended to test the relative costs and benefits of maintaining City ownership of

properties, renovating them, and operating them as rental units, rather than selling them to private owners as is. At the end of the three-year rental period, the properties may be retained by the City, or marketed for sale, including the possibility of sale to tenants.

Property characteristics

The City owns more than 1,000 tax-foreclosed properties. (See Attachment A for a map that shows the distribution of these properties.) The Department of City Development (DCD) will prepare a list of properties that are candidates for this project; the selected applicant will work with DCD to choose a subset of the properties that can be renovated within the $1 million budget. We will seek to cluster these properties geographically. A scope of work, prepared by a City inspector and listing those items that must be repaired in order to achieve minimal compliance with the City's property maintenance code, will be provided for each property.

The selected applicant will be required to renovate each property to a "moderate" rehabilitation standard. It is possible that the scopes of work and cost estimates prepared by the City inspector are not sufficient to achieve this standard. The selected developer will be required to prepare and provide to DCD a revised scope of work and cost estimates for moderate rehabilitation. Property rehabilitation should be carried out in accordance with the City of Milwaukee's "Rehabilitation Technical Specifications and Performance Standards" manual.

Once final scopes of work have been approved by DCD, the selected applicant will solicit bids, award contracts, and supervise construction. The selected applicant must have the capacity to complete all renovation work within four months of scope approval.

Contract

DCD will negotiate a contract with the selected applicant. The contract shall include provisions that apply to both the property renovation activity and the ongoing management of the rental portfolio. The contract provisions will include, but not be limited to, the following items:

Property renovation

- Addresses of properties to be renovated and managed
- Final scope of renovation work and estimated costs for each property
- Property renovation schedule and anticipated date for occupancy
- Requirements for the use of resident employees and certified small business enterprises in the renovation of property
- Developer's construction management fee to refine scopes of work, solicit bids, and manage construction
- Insurance requirements
- Bonding requirements

Property management and maintenance

- Rent schedule for renovated properties

- Tenant screening practices to be employed by the property manager
- Property management standards and policies to be utilized by the property manager
- Property management fee
- Schedule for periodic unit inspections
- Method for billing City to reimburse property maintenance costs, utility costs, and any other costs associated with managing the portfolio
- Allowable vacancy reserve
- Allowable repair reserve
- Marketing expenses and practices
- Requirements for the use of resident employees and certified small business enterprises in the management and maintenance of property
- Insurance requirements

RFQ submission criteria

Developers/general contractors and property management firms interested in this opportunity must submit the following information.

1. Provide information about the entity that will carry out the work of property renovation.

    a. How long has the entity been in business?
    b. What is the annual revenue of the entity?
    c. What percentage of the entity's work involves the renovation of one- and two-family houses?
    d. Describe in detail the firm's experience in the renovation of scattered site residential property within central city Milwaukee neighborhoods.
    e. Provide the addresses of Milwaukee properties the firm has renovated during since 2013.
    f. Provide a list of the Milwaukee-area renovation contractors the firm has used during the past year.
    g. Provide references from at least two customers for which the entity has provided renovation of one- and two-family residential units.
    h. Describe the construction management fee that will be charged to prepare the final scope of work, undertake bidding, and manage construction activity. Specify any additional fees besides the construction management fee that would be charged during the renovation portion of this project.
    i. Provide any other information that will help the Department evaluate the capacity of the entity to undertake moderate renovation of City-owned foreclosed properties.

2. Provide information about the entity that will carry out the work of property management and maintenance.

    a. How long has the entity been in business?
    b. What is the annual revenue of the entity?
    c. What percentage of the entity's work involves the management of scattered site rental units within one- and two-family properties?

d. How many total units does the entity manage?
e. What is the vacancy rate on the scattered site one- and two-family properties managed by the entity? Include both physical and economic vacancy rates.
f. What is the entity's standard management fee for the management of scattered site properties? Indicate whether the fee is assessed on a percentage of rent collected, or on a per unit per month basis, or other means. Indicate the items covered by the management fee.
g. Provide a copy of the standard lease used by the entity.
h. Does the entity own properties? If so, provide a list of the city of Milwaukee properties the entity owns.
i. If the entity provides property management services to other property owners, provide at least two customer references.
j. Outline the entity's standard marketing practices to seek responsible tenants for one- and two-family scattered site rental units.
k. Provide the addresses of the city of Milwaukee properties the firm currently manages.
l. Provide a list of the Milwaukee-area maintenance contractors the firm has used during the past year, if any.
m. Discuss the general property management philosophy and practices used by the entity. Address matters such as leasing practices, marketing, vacancies, maintaining ledgers, disposition of security deposits, response to maintenance complaints, ongoing maintenance schedules for properties, response to tenant behavior issues, etc.
n. Provide any other information that will help the Department evaluate the capacity of the entity to undertake the management and maintenance of a portfolio of renovated, City-owned foreclosed properties.

Use of Certified Small Business Enterprises

The selected applicant will be required to contract with City-certified Small Business Enterprises (SBE) for at least 40% of all renovation work not undertaken by the developer's own employees.

The selected applicant will be required to contract with City-certified Small Business Enterprises (SBE) for at least 40% of all management and maintenance work not undertaken by the management firm's own employees.

Applicants responding to this RFQ should provide a list of city certified SBE contractors that the applicant has either utilized in the past and would utilize again for this work or city certified SBE contractors the applicant would be inclined to utilize for this contract to meet the aforementioned SBE requirements.

Applicants are encouraged to review the list of city certified SBE firms on the web site of the City's Office of Small Business Development (http://city.milwaukee.gov/OSBD).

After identifying the properties to be included in this project and providing scopes of work for repairs, the selected applicant will be required to submit, to DCD, Form A - Contractor Compliance Plan, included herein for reference purposes.

Selection

Responses to this RFQ will be scored on the following criteria:

- Residential renovation experience and capacity – ability of the entity/team responding to this proposal to renovate a portfolio of tax-foreclosed, scattered site one- and two family properties in a timely manner (maximum of 30 points)
- Property management experience and capacity – ability of the entity/team to successfully manage renovated, scattered site one- and two-family properties on behalf of the City of Milwaukee over a three-year period (maximum of 30 points)
- Commitment to use Small Business Enterprises and resident employees (maximum of 10 points)
- Construction management fee and property management fee (maximum of 20 points)
- Responsiveness of the proposal to the City's needs (maximum of 10 points)

DCD reserves the right to ask for additional information and meet with the top scoring respondents.

Deadline for Submissions

Questions regarding this RFQ should be addressed to Scott Stange in writing via email at: sstang@milwaukee.gov. Deadline for questions regarding the RFQ are due by **4:45 September 16, 2015**. Any additional information and/or clarification(s) regarding this RFQ will be posted in the form of an addendum on **September 17, 2015,** and posted at the following link: http://city.milwaukee.gov/Projects/RequestsforProposals.htm.

Questions initiated after **4:45 September 16, 2015,** will not be considered. It is the responsibility of the Developer, prior to submitting a response to the RFQ, to determine whether all addendums have been received.

An **original and 3 (three) copies** of the proposal should be submitted to DCD's Bid Desk no later than **11:00 a.m., October 3, 2015**. The proposals must be submitted **along with the required Affidavit of No Interest and Debarment Certification.**

Late submissions will not be accepted.

Proposals should be mailed or delivered to: **Bid Desk**
Department of City Development
809 N. Broadway, 2nd floor
Milwaukee, WI 53202-3617

Proposal to be clearly marked: **Official Notice #57609 – Renovation and Management of Scattered Site Residential Property**

***** Please note: For proposals submitted by courier delivery service (e.g. UPS®, FedEx®, etc.), the building at the address above does not open until 8:00 a.m. Instructions to delivery drivers should be explicit in regard to that time as well as the above noted address of the bid desk. Without such instructions, a package may not be delivered on-time to the correct location within the City complex.**

General RFQ Requirements

1. Interpretations of RFQ – Any requests for interpretation should be submitted in writing to Scott Stange by email to sstang@milwaukee.gov. No oral interpretations will be made to any Developer as to the meaning of the RFQ requirements. All interpretations will be posted and answered on the Internet. If you received your RFQ from the Internet you will be responsible for keeping abreast of the addenda as they come in. All such addenda shall become a part of the RFQ, and all Agencies shall be bound by such, whether or not received by the Developer.

2. Receipt of Proposals - Proposals received prior to the time of opening will be secure. The officer whose duty it is to open them will decide when the specified time has arrived, and no proposal received thereafter will be considered. No responsibility will be attached to an officer for the premature opening of a proposal not properly addressed and identified.

Agencies are cautioned to allow ample time for transmittal of proposals by mail or otherwise. Developers should secure correct information relative to the probable time of arrival and distribution of mail at the place where proposals are to be forwarded.

3. Withdrawal of Proposals - Proposals may be withdrawn on written request dispatched by the Developer in time for delivery in the normal course of business prior to the time fixed for closing. Negligence on the part of the Developer in preparing a proposal for offer to DCD confers no right of withdrawal or modification of the proposal after such proposal has been opened. In case of withdrawal of a proposal by a Developer, the Developer will be disqualified thereby from submitting a second proposal on the contract at hand. See Section 66.0901(5), Wisconsin Statutes.

4. Rejection of Proposals - DCD reserves the right to reject the proposal of any Developer who has previously failed to perform properly or to complete on time contracts of a similar nature, who is not in a position to perform the contract, or who has habitually and without just cause neglected the payment of bills or otherwise disregarded his obligations to subcontractors or employees.

5. Award of Contract - DCD Staff will evaluate proposals. All proposals will be evaluated against the evaluation factors stated in this RFQ. While the Contract Management Team intends to select a Developer based on the proposals received, the Contract Management Team may invite the highest ranked firm/individual(s) to participate in an interview. If one or more interviews are to be scheduled, a letter will be sent to the firm/individual(s) that is/are selected to participate, and this/these firm/individual(s) may be asked to provide more specific written information about their qualifications, methodology, and costs. Firms/individuals participating in the interviews must send the project manager and staff who will work on this project.

After the contract is awarded, all of the firms who submitted a proposal will receive a written acknowledgment of their proposals. DCD will not reimburse firms for any expenses associated with the submission of proposals or participation in the interviews.

6. Contract Payments - DCD and the Developer will agree on a performance and payment schedule for both the property rehabilitation and property management and

maintenance portions of the contract. The Developer will submit to DCD for payment requests based off of the agreed upon contract terms and conditions.

7. Termination of Contract for Cause If, through any cause, the Developer shall fail to fulfill in a timely and proper manner his obligations under this contract or if the Developer shall violate any of the covenants, agreements or stipulations of this contract, DCD shall thereupon have the right to terminate this contract by giving written notice to the Developer of such termination and specifying the effective date thereof, at least five work days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, reports, or other material related to the services prepared by the Developer under this contract shall, at the option of the DCD, become the property of DCD. Notwithstanding the above, the Developer shall not be relieved of liability to DCD for damages sustained by DCD by virtue of any breach of the contract by the Developer.

8. Sales Tax - Pursuant to Section 77.54(9a) of the Wisconsin State Statutes, the City of Milwaukee is exempt from Wisconsin Use and Sales Tax. Developers/general contractors and property management firms, shall not add State of Wisconsin sales tax or use tax to their proposals. Furthermore, Wisconsin Use and Sales Tax shall not be reimbursed to the Developer for any taxes paid directly as the consumer, when obtaining materials, etc. to fulfill the contract requirements should they be the selected Developer. Developers are responsible for determining the impact of the State of Wisconsin's Sale and Use Tax on their proposal.

9. Request for Proposal - This RFQ is not an offer to buy and must not be assumed as such. However, in the event a proposal results in contractual negotiations, the Developer has the option to not convey and/or sell if compliance with any mandated clause or provision is undesirable or impossible.

No information will be available to any Developer regarding the status of his response. However, DCD reserves the right to enter into discussion with Developers for purposes of clarification or further information.

10. Miscellaneous - DCD reserves the right to waive informalities in any proposals, reject any or all proposals in whole or in part, with or without cause, and to accept that proposal which in its judgment best meets its needs. DCD will require an Affidavit of No Interest, which provides that no official or employee of DCD, the Contract Management Team, and/or the City of Milwaukee has or will receive anything of value in connection with the issuance of this contract.

11. Equal Employment Opportunity - The Developer agrees that there will not be discrimination as to race, sex, sexual orientation, religion, color, age, creed, or national origin in regard to obligation, work, and services performed under the terms of any contract ensuing from this RFQ. Developer must agree to comply with Executive Order No. 11246, entitled “Equal Employment Opportunity” and as amended by Executive Order No. 11375, as supplemented by the Department of Labor Regulations (41 CFR, Part 60).

12. Indemnification - The Developer agrees that it will indemnify, save and hold harmless DCD and the City of Milwaukee, their officers, employees, or agents, from and

against all claims, demands, actions, damages, loss, costs, liabilities, expenses, judgments, and litigation costs, including reasonable attorneys fees, photocopying expenses and expert witness fees, recovered from or asserted against DCD or the City of Milwaukee on account of injury or damage to person or property or breach of contract to the extent that such damage, injury, or breach may be incident to, arising out of, or be caused, either directly or proximately, wholly or in part, by an act or omission, negligence or misconduct on the part of the Developer or any of its agents, servants, employees or subcontractors.

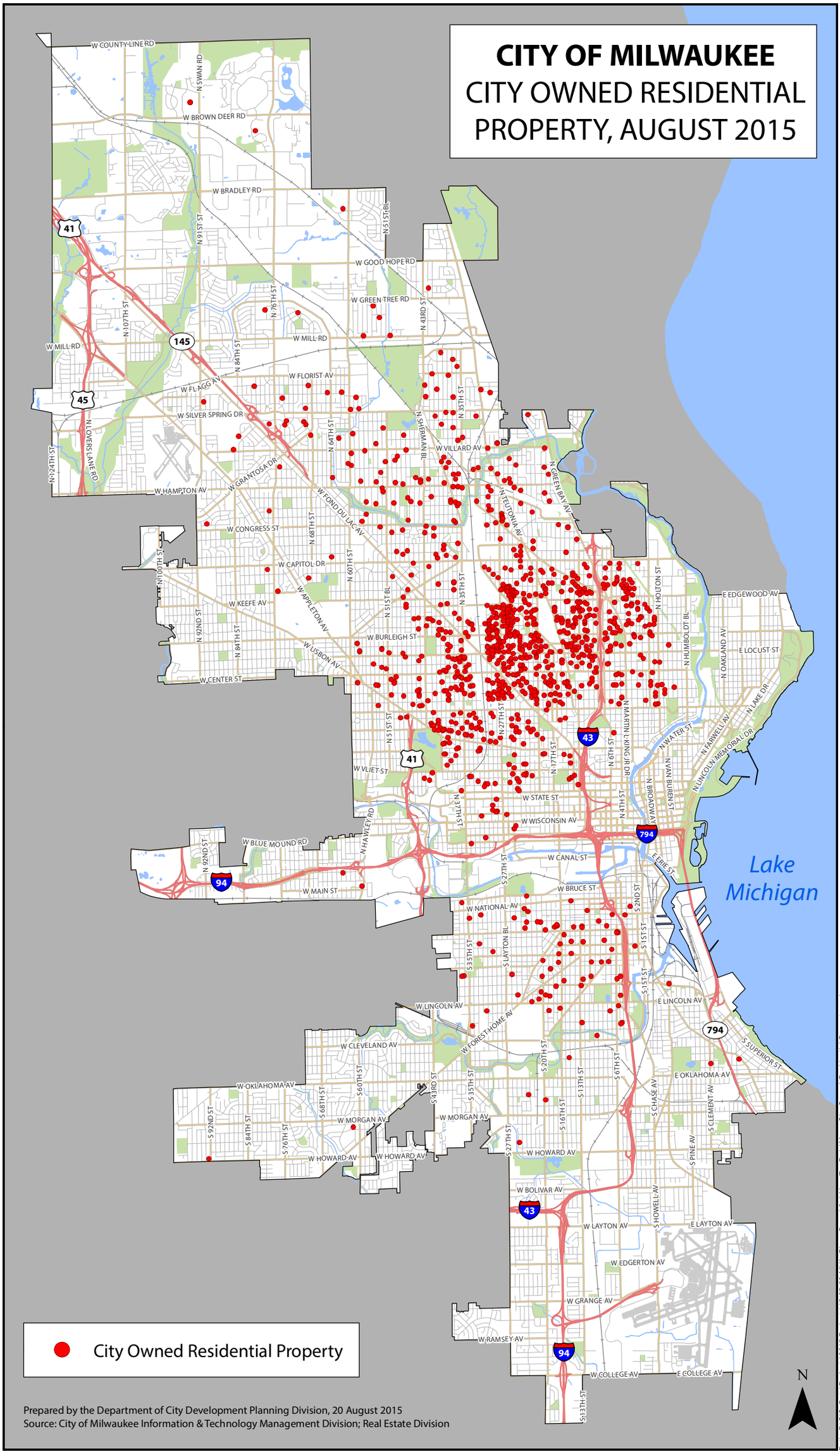
DCD shall tender the defense of any claim or action at law or in equity, arising out of or otherwise related to an act or omission, negligence, misconduct, or breach of contract on the part of the Developer or any of its agents, servants, employees or subcontractors, to the Developer or its insurer and, upon such tender, it shall be the duty of the Developer and its insurer to defend such claim or action without cost or expense to DCD.

13. Slavery Disclosure - The successful Developer will be required to submit an affidavit of compliance of slavery disclosure before a purchase order/contract can be executed (unless you have already done so and it is on file with the Business Operations Division of the City of Milwaukee).

14. Ethics - It is the policy of the Department of City Development that contracts shall not be awarded to any Developer team that includes individuals who have left City employment within the past 12 months, or individuals who are currently members of any City boards or commissions.

15. Wisconsin Public Records Law - Both parties understand that the City of Milwaukee is bound by the Wisconsin Public Records Law, and as such, all of the terms of this Agreement are subject to and conditioned on the provisions of Wis. Stat. 19.21, *et seq.* The Developer acknowledges that it is obligated to assist DCD in retaining and producing records that are subject to Wisconsin Public Records Law, and that the failure to do so shall constitute a material breach of this Agreement, and that the Developer must defend and hold DCD harmless from liability under that law. Except as otherwise authorized, those records shall be maintained for a period of seven years after receipt of final payment under this Agreement.

CITY OF MILWAUKEE
CITY OWNED RESIDENTIAL PROPERTY, AUGUST 2015



Prepared by the Department of City Development Planning Division, 20 August 2015
Source: City of Milwaukee Information & Technology Management Division; Real Estate Division

Path: F:\GIS_Data\Projects\2015 Projects\15-07-30 MVA, Place-Based & 1-Year Tax Delq\Map - City Owned Residential Property.mxd

BOND REQUIREMENTS

For all Property renovation contracts over $25,000, the contractor is to submit to the Commissioner of DCD, prior to or at the time of execution of the contract, a performance bond and a payment bond in an amount equal to 100% of the Contract price.

All bonds must be executed by a surety company authorized to do business in the State of Wisconsin and must be accompanied by a Power-of-Attorney for the Attorney-in-Fact. The performance bond and the payment bond must be submitted as separate instruments. The performance bond shall also cover all work required under the guarantee provisions of the contract.

INSURANCE AND BOND REQUIREMENTS

Rental Property Management Services

Coverage	Amounts
Workers' Compensation	Statutory Limit
Comprehensive General Liability	BI $500,000 per occurrence $1,000,000 aggregate PD $500,000 per occurrence
Automobile Liability	BI $500,000 per person $1,000,000 per occurrence PD $500,000 per occurrence
Errors and Omissions	$1,000,000 per occurrence

Property Renovation

a) WORKER'S COMPENSATION AND EMPLOYEES LIABILITY

Coverage Amounts		
Worker's Compensation		Statutory
Employer's Liability		
Bodily Injury by Accident	each accident	$100,000
Bodily Injury by Disease	each employee	$100,000
Bodily Injury by Disease	policy limit	$500,000

b) COMMERCIAL GENERAL LIABILITY

Limits of Liability		
Bodily Injury/Property Damage	each occurrence	$1,000,000
	general aggregate	$1,000,000
	products/completed Operations aggregate	$1,000,000
Personal Injury	aggregate	$1,000,000

c) AUTOMOBILE LIABILITY

Limits of Liability		
Bodily Injury/Property Damage	each accident	$1,000,000

d) UMBRELLA LIABILITY

Limits of Liability		
Personal Injury/Property Damage	each occurrence	$2,000,000
	aggregate	$2,000,000

For coverages referred above the City of Milwaukee shall be named as an additional insured.

The Agency/vendor shall provide the DCD with Certificates of Insurance evidencing the above referenced coverage. The insurance carrier must be licensed to do business in the State of Wisconsin. Failure to provide the insurance required shall permit the DCD terminate a Contract. The City, as an additional insured, shall be provided with at least 30 days written notice of cancellation, non-renewal or material limitation of coverage of any and all insurance policies required by this contract/ for any reason, including nonpayment of premium. This should be accomplished through the addition of an endorsement to the policies providing Earlier Notice of Cancellation or Non-Renewal. Such endorsement must contain the following stipulation: [Insurance Company] will mail notice of cancellation (including for non-payment of premium), non-renewal or material limitation of coverage to the organization shown in the schedule above.

[Insurance Company] will mail the notice at least 30 days before the effective date of our action. The Agency shall not permit the coverage to lapse and shall furnish evidence of coverage to the DCD.

The certificate holder shall be noted as:

Department of City Development
809 N. Broadway,
Attn: Purchasing/Contract Services, 3rd Floor
Milwaukee, WI 53202

Attachment A

City of Milwaukee

City of Milwaukee
Office of Small Business Development
Form A - Contractor Compliance Plan

This compliance plan must be completed in its entirety by the apparent low bid contractor within three (3) working days after the identificaiton of the "low bidder," regardless of SBE participation or lack thereof.

I. General Information (required)

BID # _____ SBE Participation: _____% Total Dollar Amount: $_____

BID Description: _____

_____

_____

II. Prime Contractor Information (Required)

Contractor Name: _____

Address: _____

City/State/Zip: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Print Name: _____ Title: _____

City of Milwaukee SBE Certification: _____ Yes _____No

III. Acknowledgement (Required)

I certify that the information included in this Compliance Plan is true and complete to the best of my knowledge. Failure to submit this form and/or meet the specified SBE requirements may render the Bid/RFP unresponsive.

Name of Authorized Representative: _____ Title: _____

Signature: _____ Date: _____

For Staff Use Only

Reviewed by OSBD Staff: _____ Date: _____

City of Milwaukee
Office of Small Business Development
Contractor Compliance Plan

List all subcontractor information in its entirety. Only SBE firms certified through the City Of Milwaukee Office of Small Business Development will be counted towards specified SBE requirements. Individual subcontractor SBE percentages should equal the overall participation as listed on Page 1. Please visit the OSBD website www.milwaukee.gov/osbd for a complete list of certified firms.

IV. Subcontractor Information

Subcontractor Name: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Owner/Representative Signature: _____ Date: _____

Work performed / Materials supplied: _____

City of Milwaukee SBE Certification ___ Yes ___No

Please identify the proposed award amount and percentage of the contract the subcontractor will fulfill (if applicable).

Proposed Award: $_____ Percentage of contract: _____%

Subcontractor Name: _____

Contact Person: _____ Title: _____

Phone: _____ Fax: _____ Email: _____

Owner/Representative Signature: _____ Date: _____

Work performed / Materials supplied: _____

City of Milwaukee SBE Certification ___ Yes ___No

Please identify the proposed award amount and percentage of the contract the subcontractor will fulfill (if applicable).

Proposed Award: $_____ Percentage of contract: _____%

Please duplicate as needed to provide additional subcontractor information

Department of Administration - Business Operations Division
Office of Small Business Development
City Hall, Room 606
200 East Wells Street
Milwaukee, WI 53202
Information Line: 414-286-5553 Fax: 286-8752
www.milwaukee.gov/osbd

Updated: February 25, 2013

Attachment B

AFFIDAVIT OF NO INTEREST

STATE OF WISCONSIN]
] SS
MILWAUKEE COUNTY]

_____, being first duly sworn, on oath deposes and says that he/she is the agent of the _____, for the attached submission for Official Notice #57609 – Renovation and Management of Scattered Site Residential Property for the City of Milwaukee.

Affiant further deposes and says that no officer, official or employee of the Department of City Development of the City of Milwaukee has or will receive anything of value in connection with the issuance of an agreement ensuing from this RFQ

_____
(Signature)

Subscribed and sworn to before me
this ___ day of _____, 20___.

_____
Notary Public, Milwaukee County, Wis.
My commission expires _____.

Attachment C

Non-Debarment Certification

The undersigned, being duly authorized to act on behalf of _____ (the "DEVELOPER"), hereby certifies that neither the DEVELOPER nor any of its principals are debarred, suspended, or proposed for debarment for federal financial assistance (e.g., General Services Administration's List of Parties Excluded from Federal Procurement and Non-Procurement Programs).

The DEVELOPER further certifies that all potential sub-recipients, contractors, and any and all of their principals are not debarred, suspended or proposed for debarment, and that the DEVELOPER will not enter into any transactions with any sub-recipients, contractors, or any of their principals who are debarred, suspended or proposed for debarment.

_____
Signature

_____
Title

_____
Date

Attachment D

DESIGNATION OF CONFIDENTIAL AND PROPRIETARY INFORMATION

Material submitted in response to the DCD Request for Qualifications No. 57609 includes proprietary and confidential information that qualifies as a trade secret, as provided in Wis. Stats. §§ 19.36(5) & 134.90, or is otherwise material that can be kept confidential under the Wisconsin Public Records Law. As such, the proponent asks that certain pages, as indicated below, of this proposal be treated as confidential material and not released, to the extent allowed by Wisconsin law. Therefore, I am providing the following information with the express understanding that it is being submitted to DCD under a pledge of confidentiality. 1 would not have submitted this information had the DCD not pledged to keep it confidential* and request that the following pages not be released:

Section	Page	Topic

*NOTE: Proponents are cautioned that the ENTIRE PROPOSAL WILL NOT FALL WITHIN THE CONFINES OF THE PLEDGE OF CONFIDENTIALITY. PLEASE LIMIT DESIGNATIONS OF CONFIDENTIALITY ONLY TO PROPRIETARY OR TRADE SECRET INFORMATION, OR OTHER LIMITED INFORMATION THAT YOU PROVIDE ONLY UPON RECEIPT OF A PLEDGE OF CONFIDENTIALITY

IN THE EVENT THE DESIGNATION OF CONFIDENTIALITY OF THIS INFORMATION IS CHALLENGED, THE UNDERSIGNED HEREBY AGREES TO PROVIDE LEGAL COUNSEL OR OTHER NECESSARY ASSISTANCE TO DEFEND THE DESIGNATION OF CONFIDENTIALITY.

Failure to include this designation in the proposal response may mean that all information provided, as part of the proposal response will be open to examination and copying.

Signature (Authorized Representative)	Telephone Number
Name (Please Print)	Company Name
Title	Date

NOTE: The DCD, as custodian of these public records has the obligation, pursuant to the Public Records Law, to determine whether the above information can be kept confidential.

The DCD will notify any proponent if a determination is made that the requested information cannot be kept confidential.

PROPRIETARY INFORMATION: Proprietary information submitted in response to this request for proposal will be handled in accordance with applicable DCD procurement regulations. A proponent responding to this proposal should not include any proprietary information as part of its proposal unless the proponent 1) designates the specific information that it maintains is proprietary and the reason(s) for such designation in a separate document to the DCD, Purchasing/Contract Services Division and 2) identifies the specific information when it occurs within the proposal.

The DCD preference is for the proponent to segregate all information designated as confidential into one section of the Request for Proposal and/or a separate document for easier removal to maintain its confidential status. The response to the proposal should indicate which portion of the requested information is confidential and where this information is located within the response, i.e. under separate cover, in confidential Section No. _____, etc. Data contained in the proposal and all documentation becomes the property of the DCD, Purchasing Division.

Generally, proposals are available for public review after the Purchasing/Contract Services Division has awarded and executed a contract.

Rev. 8/09