

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**REQUEST FOR OFFERS**

**for**

**Ferebee-Hope School Site**

**Issued on August 29, 2019**

by The Government of the District of Columbia through  
the Office of the Deputy Mayor for Education and the Department of  
General Services

**Offers due by November 5, 2019**

**No later than 5:00pm EST**

## **TABLE OF CONTENTS**

<b>I. OVERVIEW .....</b>	<b>1</b>
<b>II. REUSE SITE .....</b>	<b>3</b>
<b>III. DISTRICT GOALS FOR THIS SOLICITATION .....</b>	<b>5</b>
<b>IV. COMMUNITY GUIDING PRINCIPLES AND PRIORITIES .....</b>	<b>6</b>
<b>V. REGULATORY FRAMEWORK .....</b>	<b>7</b>
<b>VI. SUBMISSION REQUIREMENTS .....</b>	<b>9</b>
<b>VII. EVALUATION PROCESS .....</b>	<b>17</b>
<b>VIII. SELECTION AND NEGOTIATION .....</b>	<b>21</b>
<b>IX. RESERVATION OF RIGHTS AND MISCELLANEOUS PROVISIONS .....</b>	<b>22</b>

## **I. OVERVIEW**

The Government of the District of Columbia (“District”), through the Office of the Deputy Mayor for Education (“DME”), in conjunction with the Department of General Services (“DGS”), invites interested parties (“Respondents”) who are “Eligible Entities” (defined below) to respond to this Request for Offers (“RFO”) with offers (“Offers”) for reuse of the following District of Columbia asset (“Reuse Site”) listed below:

- Ferebee-Hope Site - 3999 8th St SE, Washington DC 20032

The District identified the Ferebee-Hope Site as appropriate for reuse as an educational facility as well as for redevelopment for community benefit. Through this solicitation the District seeks Respondents to redevelop a large vacant school building and parcel of land to provide a location for one or more charter Local Education Agencies (“LEA”) as well as community space and recreation center that maximizes benefit to the surrounding community. It is the District’s goal that this be accomplished through partnerships between Eligible Entities and other organizations (entities).

The District intends to meet this goal through a lease of the Reuse Site with an Eligible Entity (defined below).

### **Eligible Entities**

Pursuant to D.C. Official Code § 38-1802.09 *et seq.*, the right of first offer must be given to the following described entities (referred to in this RFO as “**Eligible Entities**” or an “**Eligible Entity**”). An Eligible Entity is defined in D.C. Official Code § 38-1800.02 *et seq.* as any of the following (a Respondent must be an Eligible Entity as of the date submissions are due under this RFO):

- a) A public charter school;
- b) An eligible applicant whose petition to establish a public charter school has been conditionally approved pursuant to section § 38–1802.03(d)(2);
- c) A Board of Trustees; or
- d) A charter school facility incubator.

**Note: Each Project Team (defined below) must include an Eligible Entity as the lead entity on the Project Team.**

### Proposed RFO Timeline

Milestones	Date	Time and Location
RFO release	August 29, 2019	<b>12:00pm</b> Online <a href="https://dgs.dc.gov/page/dgs-solicitations">https://dgs.dc.gov/page/dgs-solicitations</a>
Pre-Proposal Conference	September 6, 2019	<b>1:00pm – 2:00pm</b> Ferebee-Hope Recreation Center 3999 8th St SE Washington DC 20019
Site Tour of Ferebee-Hope	September 6, 2019	<b>2:00pm – 3:00pm</b> Ferebee-Hope Site 3999 8th St SE Washington DC 20019
Proposals Due	November 5, 2019	<b>No later than 5:00pm</b> Deputy Mayor for Education ATTN: Alex Cross 1350 Pennsylvania Ave NW Suite 307 Washington DC 20004
Disposition Hearing	November 14, 2019	<b>6:00pm – 8:30pm</b> Ferebee-Hope Site 3999 8th St SE Washington DC 20019
Evaluations of proposals completed.	December 2019	N/A

**THE SCHEDULED SITE VISIT WILL BE THE ONLY TIME THE REUSE SITE WILL BE ACCESSIBLE FOR VISITATION DURING THE RFO PERIOD.**

### RFO Release

The RFO document will only be accessible online at <https://dgs.dc.gov/page/dgs-solicitations> and no print versions will be made available.

## **II. REUSE SITE**

This RFO seeks Eligible Entities to redevelop and operate the Reuse Site to achieve the District goals outlined below. The District has identified the following space as excess and available for reuse in connection with this RFO:

### **Reuse Site**



Name	Ferebee-Hope
Location/Address	3999 8th St SE, Washington, DC 20032
Square/Lot	6124 / 0045
Site Square Footage	447,780 (10.27 acres)
Improvements	Improved with a 193,000 SF school facility, a 33,000 SF recreation center with indoor pool, grass athletic field, playground, covered pavilion, basketball courts, and tennis courts
Zoning	RA-1 (Residential/Apartment)

The Reuse Site is located at 3999 8th St SE in Ward 8 of the District of Columbia. The Reuse Site comprises a 10.4 acre parcel improved with a 193,000 square foot school building, a 33,000 Department of Parks and Recreation (“DPR”) Recreation Center with indoor pool, an athletic

field, basketball courts, tennis courts, covered pavilion, and a playground. It is bounded by Yuma St SE, Condon Terrace SE, and 8th St SE. The Reuse Site is zoned Residential Apartment (RA-1). The Reuse Site has a Walk Score of 57 (somewhat walkable), a Transit Score of 60 (good transit) and a Bikeable Score of 40 (somewhat bikeable) per [Walkscore.com](https://www.walkscore.com).

### Former Ferebee-Hope School and Ferebee-Hope Recreation Center

Ferebee-Hope was constructed in 1974 and first opened its doors to students as Washington Highlands Elementary. In 1990, it was renamed Ferebee-Hope Elementary to honor Dorothy Boulding Ferebee, a physician, humanitarian and community leader, and Marion Conover Hope, a community activist, youth advocate, lawyer, author, and internationally recognized social worker.

Ferebee-Hope closed in 2013, though portions of the building have recently been used as swing and temporary space by DCPS. The main educational space received a “Phase 1” modernization in 2009, in which essential building systems were upgraded and replaced.

The Ferebee-Hope Recreation Center is an active DPR recreation center. Current programming offerings include swimming lessons, boxing, and fitness classes. The baseball field is also utilized for Washington Nationals Youth Baseball Academy. There is a community garden on-site as well as a playground.

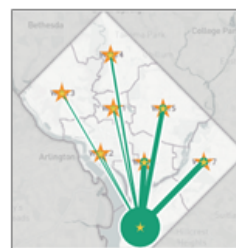
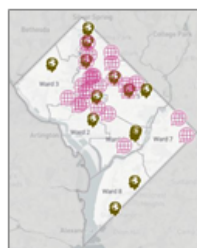
### Enrollment, Program, and Population Data

Please visit [edscape.dc.gov](https://edscape.dc.gov) for interactive, customizable, and downloadable datasets pertaining to the public education landscape near Ferebee-Hope as well as for all of Washington, DC.

## EdScape Beta

[edscape.dc.gov](https://edscape.dc.gov)

EdScape Beta is a comprehensive set of interactive visualizations and downloadable datasets to inform and support school planning in Washington, DC. EdScape Beta includes information on **population and students, public schools and public school facilities, enrollment patterns, and neighborhood factors**. EdScape Beta is compiled by the Office of the Deputy Mayor for Education.



To learn more and develop your own insights, visit [edscape.dc.gov](https://edscape.dc.gov)

### **Pre-Proposal Conference and Site Tour**

Respondents are encouraged to attend the pre-proposal conference and site tour to gather further information. The pre-proposal conference will be held on Friday, September 6, 2019 from 1:00pm – 2:00pm and the site visit will follow immediately after from 2:00pm – 3:00pm.

Nothing contained herein shall be deemed a representation, warranty or guaranty by the District as to the condition of the Reuse Site. It is the Respondent's sole responsibility to confirm all site characteristics, zoning requirements, laws, potential historic designation, and regulations prior to Offer submission.

**The scheduled site visit will be the only time the Reuse Site will be accessible for visitation during the RFO period.**

### **III. DISTRICT GOALS FOR THIS SOLICITATION**

Through this solicitation the District is seeking to leverage the lease of the Reuse Site to make a strategic match between a high quality charter operator and the needs of the community surrounding an available public school building. To this end, the District is seeking to meet the following four goals: (1) provide high-quality educational programs that meet the needs of District students and families; (2) renovate the existing recreation center or construct a new recreation center to serve the surrounding community and the District; (3) promote life-long learning and education opportunities for residents of all ages; and (4) promote job creation and sustainable development in the District.

#### ***Provide high-quality educational programs that meet the needs of District students and families***

- Activate a closed and vacant public school building to prevent blight and adverse impact to the surrounding community, while also preserving a public asset for educational use.
- Increase high-quality school programming East of the Anacostia River.

#### ***Renovate the existing recreation center or construct a new recreation center to serve the surrounding community and the District***

- Reconstruct the active recreation center and surrounding fields and courts that will support a DPR-managed recreation center and current DPR programming.
- Construct the recreation center to meet the needs of the additional DPR-managed programming offerings identified by the community.
- Ensure the recreation center is a DPR Recreation Center (either through site subdivision or a demarcation or premises), is an asset to the community, and is open to community use.

***Promote life-long learning and education opportunities for residents of all ages***

- Provide educational services that will address the needs of the local community, including adult education and workforce training
- Increase stability for charter school students by selecting a high-performing, financially sound LEA.

***Promote local job creation and sustainable development in the District***

- Create both temporary and permanent jobs and apprenticeships for District residents.
- Promote sustainable development practices that adhere to all District of Columbia Green Building Act (GBA) requirements.
- Meet and go beyond the District's First Source and Certified Business Enterprise (CBE) hiring requirements for any construction occurring on the Reuse Site.

**IV. COMMUNITY GUIDING PRINCIPLES AND PRIORITIES**

The DME sought community feedback prior to releasing this RFO. In accordance with [DC Official § Code 10-801](#), DGS and DME held a surplus hearing on July 9, 2019 to obtain community input on potential public uses of the Ferebee-Hope Site to inform the Mayor's determination whether the Ferebee-Hope Site is no longer required for public purposes. DME and DGS also held an additional community meeting on August 8, 2019 and invited residents to share their ideas and engage with fellow residents on the future uses of the Ferebee-Hope site, including a charter school and modernization of the recreation center. Residents were also provided the opportunity to submit in writing guiding principles and priorities. The DME posted the [input form](#) online for additional comments for anyone that was unable to attend the August 8, 2019 community meeting.

Through this pre-RFO community engagement, community members have provided to the DME guiding principles and specific programming priorities for Respondents to consider when developing offers to ensure the Reuse Site's reactivation serves public school students, local community residents, and DC residents at-large. These guiding principles include:

***Community's Education Use Guiding Principles***

- Ensure a high quality school is opened at the Reuse Site.
- Develop an education program that prepares students for college, careers, and life.
- Incorporate education that will help students achieve success in the careers of the future.
- Provide specialized programming that supports these priorities. Examples of such programming could include:
  - International Baccalaureate
  - Dual College Enrollment
  - Dual Language



- STEM/Robotics
- Support education, training, and well-being in the surrounding community by providing, for example:
  - Community Health Clinic
  - Adult Education courses
  - Workforce Training for In-demand Careers

### ***Community's Recreation Center Planning Guiding Principles***

- Incorporate early and often community inclusion in planning of the Reuse Site
- Develop true, meaningful partnerships and connections between the surrounding community and charter school operator
- Ensure full community use and access to the recreation center
- Allow DPR to operate the standalone recreation center independent of eligible entity
- Ensure Reuse Site supports current recreation center programming and can also support expanded programming, including (but not limited to):
  - Indoor Pool
  - Gym/Fitness Classes
  - Boxing
  - Youth Sports
  - Arts Space (theatre, music, art, dance)

## **V. REGULATORY FRAMEWORK**

In preparing an Offer to this RFO, Respondents should consider all existing land uses, physical conditions, regulatory requirements, and community interests. Offers need not conform to existing zoning; provided, however, if a zoning change is necessary, the Offer should describe, in detail, the Respondent's proposed approach to obtain such zoning change(s) and the estimated timeframe thereof.

### **Eligible Entity and Right of First Offer**

An Eligible Entity has a right of first offer. In order to exercise the right of first offer, a Respondent must be an Eligible Entity as of the date submissions are due under this RFO. An Offer submitted by an Eligible Entity is its offer to the District pursuant to said right of first offer. All Eligible Entities may submit an Offer to this RFO. Two or more Eligible Entities may submit a combined Offer to this RFO. An Eligible Entity may also partner with any for profit or nonprofit organization to complete its Offer.

**Compliance with Applicable Laws and Related Costs**

If selected, Respondent shall be required to plan, construct and operate the project described in its Offer in accordance with all applicable federal and District of Columbia laws, rules and regulations. Respondent shall further be required to obtain all necessary permits, approvals, and licenses at the appropriate time. Respondent should also submit with its Offer a description of all permits, approvals, and licenses expected to be required in connection with its Offer and proposed plans and schedules for obtaining the same. All costs associated with complying with applicable laws, rules and regulations, and obtaining all necessary permits, approvals, and licenses shall be borne by Respondent.

**Certified Business Enterprises and First Source Hiring Requirements**

Respondent shall, after selection and prior to lease execution, execute a Certified Business Enterprise (“CBE”) agreement with the DC Department of Small and Local Business Development, which requires compliance with the District’s “Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005” (D.C. Official Code § 2-218.01 et seq.) (“CBE Program”). Additionally, the Respondent shall, after selection and prior to lease execution, execute a First Source agreement with the DC Department of Employment Services, which further requires compliance with “The First Source Employment Agreement Act of 1984” (codified in D.C. Official Code §§ 2-219.01 et seq.) (“First Source Agreement”). The District’s First Source Program requires that 51% of the new jobs created by a redevelopment project be filled by District residents.

**Local Project Review and Local Zoning**

Respondent will be expected to meet District land use, environmental, planning, zoning, and other regulatory requirements. Please refer to Title 11 of the District of Columbia Municipal Regulations (“DCMR”) for a complete list of zoning provisions and requirements. Any Offer must comply with the goals and priorities outlined in the District’s Comprehensive Plan, which can be viewed online at: [www.planning.dc.gov](http://www.planning.dc.gov).

**Green Building Act**

Adherence to the District of Columbia’s Green Building Act of 2006 D.C. Official Code 6-1451.01 *et seq.* (2007) (the “Green Building Act”) is required. An Offer shall meet all requirements of the Green Building Act for District-owned properties, as well as any LEED certification requirements for the construction, rehabilitation and/or renovation of District-owned properties. Charter school projects that are new construction or meet the “substantial improvement” definition of the Green Building Act are required to be verified as having fulfilled or exceeded the U.S. Green Building Council’s LEED-Gold standard. If there is a legitimate reason why the project cannot fulfill the LEED-Gold level requirement of the Green Building Act due to lack of “sufficient funding,” the justification should be explained in the Offer.

### **Note on Building Conditions**

Respondent shall be required to accept the Reuse Site, including without limitation, any and all improvements, betterments and equipment made thereto or located thereon, in its “**As Is**” condition, without warranty, express or implied, by the District as to physical condition or suitability of the Reuse Site for the Respondent’s purpose.

The District makes no representations regarding (i) the character or extent of soil or subsurface conditions or (ii) the conditions and existence of utilities that may be encountered during the course of any use or redevelopment of the Reuse Site. Each Respondent should draw its own conclusions concerning conditions that may affect the methods or cost of its Offer. Moreover, Respondent, at Respondent’s sole cost and expense, shall comply with all applicable federal and District of Columbia environmental laws and shall perform all investigations, removal, remedial actions, cleanup and abatement, or other remediation that may be required pursuant to any environmental laws, including without limitation removing or abating any asbestos, asbestos containing materials and/or underground storage tanks, and the District shall have no responsibility or liability with respect thereto. Additionally, Respondent shall be responsible for any and all requisite pre-development (including demolition of existing improvements and due diligence studies such as traffic, geotechnical, storm water management and other site preparations, as applicable) and development costs for any redevelopment of part or all of any building or the Reuse Site.

## **VI. SUBMISSION REQUIREMENTS**

**This RFO is open to any and all Eligible Entities. A Project Team (defined below) must include at least one (1) Eligible Entity. The Eligible Entity must be the lead organization on the Project Team.**

The District will determine, in its sole discretion, whether each Offer received is responsive to the RFO and acceptable. The decision of the District in this regard is final and any determination on non-responsiveness will be explained to the applicable Project Team(s) upon request. Offers that do not meet the following requirements will be deemed “Non-Responsive” and will not be considered for selection.

### **Submission Format**

All Offers must meet the following format requirements:

- Each Offer shall be submitted in a sealed envelope conspicuously marked as:
  - *Offer in Response to RFO for the Reuse of Ferebee-Hope School – November 5, 2019.*
- Offers must be hand-delivered or mailed, electronic submissions will not be accepted;
- Mail Offers to:

The Office of the Deputy Mayor for Education  
ATTN: Alex Cross  
1350 Pennsylvania Avenue NW, Suite 307  
Washington, DC 20004

- Offers shall be prepared on 8 ½" x 11" letter-size paper, bound length-wise, with tabs to separate sections;
- Offers must be separated by tabs by sub-section in the order outlined below in the "Proposal Contents" section;
- Offers should not exceed forty (40) pages (excluding appendices); and
- Six (6) hard copies and one (1) electronic copy on flash/thumb drive.

A responsive Offer must be timely submitted by an Eligible Entity and comply with this RFO (a "**Responsive Offer**"). In order to enable the District to fully evaluate Offers, a Responsive Offer should explain, with supporting documents, the Respondent's program, organizational capacity, experience, and financial resources to implement the proposed vision. Offers should respond to each RFO item in the order outlined below with each item marked by tabs to indicate the section number.

**Tab 1: Transmittal Letter and Executive Summary**

Respondents shall provide a Transmittal Letter with their Offer. The Transmittal Letter should highlight key components of the Project Team's Offer. In particular it should articulate:

- The vision for the Reuse Site, which identifies the education program, as well as any proposed tenant(s) and their use(s);
- How the Offer will meet the needs of public school students, the community in the vicinity of the Reuse Site, and residents of the District as a whole;
- Respondent's experience operating a charter school in the District of Columbia. If such history exists, Offer should then provide a history of performance including, where applicable, measures of performance such as ranking under the Public Charter School Board's Performance Management Framework (PMF), PARCC scores (where applicable), OSSE STAR Framework rating, and enrollment history;
- Whether the Respondent's need for the Reuse Site is to serve a new program, expand an existing program, or obtain permanent space for a program currently in temporary space;
- The proposed development program, including potential square footages of the charter school, recreation center, and/or other uses;
- How the project will incorporate the community guiding principles and priorities set forth in [Section IV](#); and
- How the proposed project fits within the existing neighborhood fabric.

## **Tab 2: Project Team and Organizational Documents**

### **Respondent Team Identities & Details**

The “**Project Team**” is defined as Eligible Entities and, if applicable, their partners who are not Eligible Entities (i.e. architect, real estate developer, nonprofit partner, financial partners, etc.). Member or members of the Project Team must demonstrate prior experience and success with developing/operating a charter school facility similar to what is proposed in response to this RFO.

Eligible Entities are able to partner with for-profit and/or non-profit service providers to create a Project Team that will reposition the Reuse Site for education use, recreation use, community use, as well as to meet community priorities provided that the Eligible Entity is the lead entity on the Project Team.

### **Eligible Entity Status**

Respondents shall provide a copy of the executed charter agreement and documentation of charter extensions or documentation of conditional approval of the petition for a public charter school, or designation as a charter school incubator, or as a Board of Trustees for a charter school.

### **Organization Status**

Respondents shall provide the status and roles of the primary entities (e.g. Eligible Entities, development partners, financial partners) and whether each entity is a public charter school, a corporation, a non-profit or charitable institution, a partnership, a limited liability corporation, a business association, joint venture, or other and indicating under which laws they are organized and operating, including a brief history of each organization and its principals. For any entity required to file reports in the jurisdiction of its formation, include a certificate of good standing for such jurisdiction and a certificate of good standing showing that it is registered in the District.

### **Organizational Chart and Bios**

Respondents shall provide an organizational chart showing key personnel from the primary entities (e.g. Eligible Entities, developers, tenants) and/or joint venture partners who will be working on the project and a brief biography of those key personnel that outlines qualifications and relevant experience. The chart shall include the percentage interest of each entity in the ownership structure.

### **Evidence Regarding Creation of Project Team**

Respondents shall provide a copy of written agreements or documents evidencing the creation of the Project Team or the primary entities comprising the Project Team; however, it is not necessary to have a project-specific legal entity formed in advance of submitting an Offer. The

principals, partners, or joint-venture partners who are part of Project Team must be eligible to transact business with the District and in the District.

**Tab 3: Qualifications and Experience**

Respondents shall exhibit their ability to deliver an economically viable project by identifying three (3) projects comparable to the scale and program of Respondent's proposed project for the Reuse Site, with which the Eligible Entity or their key personnel have had primary involvement. For each relevant project, Respondents shall identify the following:

- Project Team name;
- Project name or title;
- Location or address of comparable project;
- The names and contact information for team members involved in the project, along with a description of each party's role in the project;
- Description of project, including use(s) and total square footage;
- Period of performance;
- Estimated total development costs, if project is not yet complete, or actual total development costs, if project is complete;
- Projected groundbreaking and completion date, if project is not yet complete, or actual groundbreaking and completion date, if project is complete;
- Proposed financing structure of the project; if project is not yet complete, or actual financing structure, if project is complete.
- If applicable, highlight experience in obtaining LEED certifications. Highlight in particular expertise in the areas of energy efficiency, on-site clean energy generation, green roofs, and/or environmentally friendly technologies;
- Illustrative materials that will help the District evaluate the caliber, innovation and relevant experience of the Project Team; and
- References (at least one per project), including names, mailing addresses, email addresses, telephone numbers, and a letter authorizing each reference to respond to inquiries regarding the design, financing, development, disposition, or management of prior projects.

**Tab 4: Project Concept and Schedule**

Respondents shall describe, in detail:

- The overall concept and vision for the Reuse Site and describe how the vision will provide for education programming and integrate with and enhance the surrounding community. (Respondents are strongly encouraged to include how their vision will encompass the Ferebee-Hope Recreation Center in their Offers);

- Development plans (Respondents are strongly encouraged to provide conceptual design drawings that are sufficient in detail to be easily evaluated by the District, including elevations and project renderings);
- Site plan indicating proposed location and configuration of all uses within the Reuse Site;
- Each proposed use for the Reuse Site and, if applicable, the following for each use:
  - Approximate square footage and location of the use in all buildings on the Reuse Site;
  - Proposed hours of operation; and
  - Public access to the proposed use.
- A detailed project schedule, which should list each step in the process from award through project completion and when the facility or facilities will be fully operational;
- Respondent's ability to mobilize and commence predevelopment activities immediately upon selection in order to meet the project schedule submitted by the Respondent;
- If the Offer contemplates non-charter school uses, a description of those uses and the proposed development program, including gross square footage of each proposed use
- Respondent's security and safety plans for the Reuse Site, including the grounds and parking lot(s);
- Proposed repair and maintenance program to ensure that the Reuse Site is maintained and kept in a good condition, repair and working order.
- A plan to fulfill the requirements of the CBE Program and/or First Source Program or otherwise employing and retaining District residents and utilizing local, small, and disadvantaged business enterprises
- The project's zoning strategies, including a detailed explanation and justification for any proposed variance from the zoning requirements or PUD. If applicable, Respondents should provide a schedule that fully describes each step in the approval process necessary for entitlements assumed in the Offer. If proposing a use on the Site that does not conform to the District of Columbia Comprehensive Plan, explain how Respondent will address this;
- If applicable, the phasing plan that describes Respondent's strategy and timing for delivering various components of the project;
- Approximate number of full time and part-time permanent employees upon project completion and how the construction and school operations will generate opportunities to hire District residents and contract with local, small and disadvantaged businesses;
- Any job placement or job readiness programs proposed;
- A plan to fulfill the requirements of the Green Buildings Act (GBA); and
- Respondent's ability and plan to guarantee to the District that Respondent's milestones will be met;

The District's goal is that a renovated or newly constructed recreation center is managed and controlled by DPR. If Respondent plans to subdivide the property or demarcate the premises as

part of the Offer, a plan of the proposed subdivision is required to be submitted. Please include in the subdivision or demarcation plans:

- Subdivision or property lines with dimensions and lot, block or parcel designations;
- Buildings, structures, utility lines and other development on or near the land;
- Well and sewer sites including distances to boundaries; roads, streets, lanes, driveways, trails and highway approaches; and
- Topographical details and natural features such as lakes, rivers, creeks, hills, slopes and trees.

#### **Tab 5: Incorporating Community & Stakeholder Priorities**

The District is committed to maximizing community benefits for its residents and expects Respondents to consider and incorporate stakeholder and community priorities into their project, to the extent practical. In view of this commitment, Respondents must present:

- A detailed description of the activities and strategies completed to date that demonstrate the Respondent's efforts to work with the local community and stakeholders to ensure their meaningful involvement in the submitted Offer;
- A detailed description of the post-award approach and strategies to working with the local community and stakeholders to ensure their meaningful involvement in the development process; and
- How the Respondent has involved or will involve community members in delivery or planning of the Reuse Site and plans to offer community services, access to on-site recreation facilities, and other community programming (e.g. a voting location, meeting space, arts, health clinic access, community programming);

Respondents shall describe how their proposed reuse plan(s) incorporates the community guiding principles and priorities described in [Section IV](#) above. At a minimum, each Offer should address how the proposed uses of the Reuse Site will meet the following community guiding principles and priorities:

#### ***Community's Education Use Guiding Principles***

- Ensure a high quality school is opened at the Reuse Site.
- Develop an education program that prepares students for college, careers, and life.
- Incorporate education that will help students achieve success in the careers of the future.
- Provide specialized programming that supports these priorities. Examples of such programming could include:
  - International Baccalaureate
  - Dual College Enrollment
  - Dual Language
  - STEM/Robotics



- Support education, training, and well-being in the surrounding community by providing, for example:
  - Community Health Clinic
  - Adult Education courses
  - Workforce Training for In-demand Careers

***Community's Recreation Center Planning Guiding Principles***

- Incorporate early and often community inclusion in planning of the Reuse Site.
- Develop true, meaningful partnerships and connections between the surrounding community and charter school operator.
- Ensure full community use and access to the recreation center.
- Allow DPR to operate the standalone recreation center independent of eligible entity.
- Ensure Reuse Site supports current recreation center programming and can also support expanded programming, including (but not limited to):
  - Indoor Pool
  - Gym/Fitness Classes
  - Boxing
  - Youth Sports
  - Arts Space (theatre, music, art, dance)

**Tab 6: Financial Feasibility and Pro Forma**

Respondents should provide financial information so that the District may assess the feasibility of the Respondent's Offer. Please submit the following information:

- **Certificate of Good Standing**
  - Issued by the Chief Financial Officer (CFO) or relevant tax authority for each jurisdiction of operation.
- **Certified Business Enterprise (CBE)**
  - Statement of whether Respondent is a certified local, small, or disadvantaged business enterprise.
- **Sources and Uses Budget**
  - A sources and uses statement that details the anticipated private and public sources of funds for any acquisition, construction, and ongoing maintenance and operational costs for the reuse plan as described in the Offer. Sources and uses should be presented in a clear and readable format, such as a chart or spreadsheet.
- **Draft construction budget for reuse**
  - Including estimates of hard costs, soft costs (with fees broken out), financing assumptions, and estimated operating expenses (as applicable).

- **Pro Forma**

- Respondents should provide an at least 10-year operating pro forma showing all projected revenues and expenses by category. Phasing strategies should be incorporated into the model pro forma so that Respondent's intent with regard to capital improvements and operations are clear. The pro forma should include line items for debt service and capital reserves. The pro forma should be accompanied by a summary of the assumptions used as the basis for such numbers. Respondent should also provide a risk assessment strategy should sources of grant funding (whether for capital or operations) be modified by market or other conditions. This risk assessment should delineate a phasing strategy if applicable.

- **Proposed Transaction Structure:**

- A detailed description of Respondent's proposed transaction structure including a statement of the material lease terms offered by Respondent.

- **Financial Capacity:**

- Offers should anticipate a fair market rental rate for the Reuse Site. Respondent shall demonstrate its ability to pay such rate to the District by furnishing:
  - Respondent's current balance sheet;
  - Audited annual reports for last three years;
  - Operating budget for the last three years;
  - Last three Federal tax returns, if applicable;
  - Last three DC tax returns, if applicable;
  - Ten-Year pro forma detailing among other items the Respondent's capital expenses, occupancy expenses, rent payments, and per student allotment; and
  - Explanation, with supporting documentation, of how the Respondent plans to obtain financing;
  - Proposed partnership structures, if applicable; and
  - Lease terms that the Respondent is seeking from the District.

**Note:** The District may seek additional project financial information from Respondent at any time in the evaluation of RFO Offers for the purpose of clarifying project feasibility.

**Tab 7: Litigation and Liabilities**

**Statement Regarding Debarments, Suspensions, Bankruptcy, or Loan Defaults**

Respondents shall provide a statement regarding any debarments, suspensions, bankruptcy, or loan defaults on real estate development projects and/or government contracts of any of the bidding team's entities or affiliates (listed above in "Respondent Team Identities & Details").

#### Evidence Regarding Tax Liabilities

Respondents shall provide a statement regarding any tax liabilities and other government impositions that are not current for any of the bidding team's entities (listed above in "Respondent Team Identities & Details").

#### Evidence Regarding Litigation

Respondents shall provide a statement regarding any ongoing or knowledge of threatened litigation in which the District is a party that relates to any team member, affiliate or to any other entity or individual having a controlling interest in the entity (or entities) that comprise Respondents. If such litigation exists, Respondents shall provide the name and civil or criminal action number of such litigation and a description of the subject matter of such litigation.

### **VII. EVALUATION PROCESS**

#### **Deadline for Submission of Offers**

RFO Offers are due by **5:00pm EST, November 5, 2019**. Any submissions received after 5:00pm EST will not be considered until after the unsolicited proposal period beginning December 6, without any exceptions. Respondents are required to deliver their Offers to:

The Office of the Deputy Mayor for Education  
ATTN: Alex Cross  
1350 Pennsylvania Avenue NW, Suite 307  
Washington, DC 20004

Respondents are encouraged to bring any member of the Project Team it deems necessary to the site visit and other meetings.

#### **Eligibility Requirements**

In order for the Respondent's Offer to be evaluated, Respondent (or lead member of Project Team) must be:

- An Eligible Entity; and
- Certificate of Good Standing for jurisdiction of formation and the District of Columbia

#### **Selection**

A multi-agency selection panel ("**Selection Panel**") will be established to review and evaluate the Offers. The composition of the Selection Panel will be determined by the District, in its sole discretion. In addition, the Selection Panel may consult with professional consultants for technical assistance. All Responsive Offers received will be considered by the District. The Selection Panel will evaluate Offers submitted in response to this RFO in the context of the evaluation criteria and the regulatory framework.

## Evaluation Criteria and Scoring

Evaluation Criteria	Points
School/LEA Performance	30
Financial Feasibility	30
Community Benefits and Engagement	20
Project Vision and Implementation Plan	20

Among other factors, Offers will be evaluated for completeness, feasibility, creativeness, strength of community benefits, and the strength of the financial response. The basis upon which Respondents will be measured includes, but is not limited to, the following:

### *School/LEA Performance – 30 points*

- Respondent has a high rating in the DC Public Charter School Board’s Performance Management Framework (PMF), demonstrates high performance per OSSE STAR Framework, or other evidence of strong student outcomes and growth in the District of Columbia or in another jurisdiction;
- The Respondent addresses the needs of public school students in the surrounding community and the District of Columbia as a whole.
- If an adult education provider, Respondent demonstrates a record of positive workforce training/preparation student outcomes through high levels of attainment of industry-recognized workforce certifications and/or high rates of job placements and job retention.
- The Respondent provides a clear plan to serve special populations, for example students with special needs, students who are defined as “at-risk”, and students who are English Language Learners. Applicants should include evidence of successfully serving such students.
- If the Respondent has not previously operated a charter school in the District of Columbia, or is a newly established charter school in the District of Columbia the Respondent shall describe related experience that provides evidence of the ability to ensure strong student outcomes such as the experience of school leadership, classroom success, or unique program offerings;

### *Financial Feasibility - 30 Points*

- Respondent demonstrates that they possess the financial resources to execute the project requirements;
- Respondent’s proposed capital improvements are financially feasible and reasonable given expected enrollment, other sources of funds and proposed use of the Reuse Site;
- Respondent’s proposed capital improvements will not require additional District subsidies;

- Respondent outlines a fiscally sound and sustainable plan for construction, operation and maintenance of the Reuse Site;
- Respondent provides realistic and achievable funding plans, including sources and uses tables and multi-year pro-forma development budgets;
- Respondent has demonstrated fiscal responsibility, evidenced by audited financial statements and other documentation; and
- Respondent's project team has a demonstrated track record of successfully funding and completing projects such as the one offered.

***Community Benefit and Engagement - 20 Points***

- Offer includes the renovation/new construction of the recreation center as a key component of the plan for the Reuse Site;
- Offer demonstrates alignment with community guiding principles and priorities listed in [Section IV](#);
- Offer reflects opportunity for community use of the Reuse Site through program offerings, space that supports community arts and culture, recreational use of the space, an/or other uses that benefit the community;
- Respondent participated in the community presentation of proposals and received positive feedback and/or expressed willingness to alter proposal to meet community needs;
- Respondent has demonstrated strong relationships with community organizations or members, as possibly demonstrated by Letters of Support or positive feedback for the Respondent's plans for the Reuse Site; and
- Offer includes partnership(s) with community organization(s) serving the needs of the local community.

***Project Vision and Implementation Plan - 20 Points***

- Respondent's vision clearly benefits the local community, public school students, and the District;
- Respondent's timeline and implementation/development plan are feasible;
- Respondent's vision is unique and/or creative and presents optimal use of the Reuse Site;
- Respondent has a highly qualified leadership team and demonstrates experience managing charter schools and/or projects such as the one offered;
- Respondent's Offer clearly identifies and provides evidence for how it will meet the needs of the community;
- Respondent provides evidence that the project implementation and operation will not detract from its school performance and mission;
- Respondent's development strategy will meet both CBE and Green Building Act (GBA) requirements; and

- Construction, school operations and or programs offered by the Project Team will create jobs for District residents.

### **Preference**

Per D.C. Official Code § 38-1802.09, in evaluating Offers preferences are provided to Eligible Entities in the following manner:

- First preference is given to an existing tenant that is a public charter school that has occupied all or substantially all, of the Reuse Site.
- Second preference is given to a public charter school that the Public Charter School Board has determined to be high-performing and financially sound.
- Third preference is given to all other Eligible Entities.

### **Optional Public Presentation**

Respondents are strongly encouraged, but not required, to engage in a public presentation at the disposition hearing on November 14, 2019 at the Ferebee-Hope Recreation Center. This will be an opportunity for the Respondent to give a brief presentation of the Offer before the community to receive public input. The result of the public presentation is not dispositive to the final decision of the RFO Review Panel to award a Reuse Site.

### **Award and Unsolicited Offers**

The District will aim to conclude the RFO on the Reuse Site by award or other measure within thirty (30) days of the Submission Deadline.

If no award is made thirty (30) days after the Submission Deadline, Eligible Entities will have an opportunity to submit unsolicited proposals for the Reuse Site for twelve (12) months or until an Eligible Entity is selected, whichever occurs first. Unsolicited Offers will be evaluated by the same criteria outlined in this Section of the RFO, on a rolling basis until December 6, 2020.

Unsolicited Offers will not be accepted until December 6, 2019. Additionally, Unsolicited Offers will not be reviewed until all timely and responsive Offers to this RFO have been evaluated.

### **RFO Updates and Modifications**

DME will post on its website (<http://dme.dc.gov>) any notices or information regarding cancellations, withdrawals, modifications to deadlines, and other modifications to this RFO. Respondent shall have an obligation to check the website for any such notices and information, and the District shall have no duty to provide direct notice to Respondents.

## **VIII. SELECTION AND NEGOTIATION**

While the District may enter into lease negotiations with one or more Respondent(s) based on Offers submitted in response to this RFO, this RFO does not commit DME or the District to select any Respondent or to enter into negotiations with any Respondent. The District reserves the right to reject any Offer, or part of an Offer, to amend this RFO, or to reject all Offers and re-issue a RFO at a later date, each in its sole discretion.

The District will determine, in its sole discretion, whether each Offer received in response to this RFO is a Responsive Offer. For any Offer that is considered to be non-responsive, Respondent will be notified in writing within ten business days after the submission deadline. The decision of the District in this regard is final and will be explained to Respondent upon request.

Based upon Offer, the District, in its sole and absolute discretion, may choose to:

- Require oral presentations by one more Respondent(s);
- Select a short list of Respondents and require additional information from the short-listed Respondents or that they modify their Offers or provide a “Best and Final Offer” for the District’s review;
- Enter into exclusive negotiations with one or more selected Respondent(s) without requesting more detailed information or selecting a short list of Respondents;
- Suggest new compositions of Project Teams based on the Offers presented;
- Request more detailed information leading to final Respondent(s) selection; and/or
- Take no action on the Offers received.

Following receipt of additional information, if requested, the Selection Panel may select, in its sole and absolute discretion, one or more Responsive Offer(s), as modified or otherwise, to recommend to the Mayor, who, in her absolute discretion, may accept or reject the Selection Panel’s recommendations.

Upon recommendation by the Selection Panel, and if approved by the Mayor of the District of Columbia, the Deputy Mayor for Education shall notify the selected Respondent(s), if any.

If one or more Respondent(s) is thereby chosen for commencement of negotiations, the selected Respondent(s) may be requested by the District to proceed to negotiate final terms consistent with the Respondent’s proposed terms or to revised terms. If the District and the selected Respondent are unable to agree on the final terms within ninety (90) calendar days, the District, in its absolute and sole discretion, may terminate negotiations and select a different Respondent that responded to the RFO, re-issue the RFO, or take such other measures as it deems reasonable, appropriate, and/or necessary.

## **IX. RESERVATION OF RIGHTS AND MISCELLANEOUS PROVISIONS**

### **Rights Reserved**

The District reserves the right to:

- Cancel or withdraw the RFO at any time prior to or after the submission deadline;
- Issue modifications or clarifications to the RFO prior to the submission deadline;
- Reject any submission it deems incomplete or unresponsive to the submission requirements;
- Reject all submissions that are submitted under the RFO;
- Modify the deadline for submissions or take other actions; and/or
- Reissue the RFO or a modified RFO whether or not any submissions have been received in response to the initial RFO issuance.

The District may exercise one or more of these rights, in its sole discretion, as it may deem necessary, appropriate, or beneficial to the District.

### **No Conflicts of Interest**

In its response to this RFO, the Respondent should represent and warrant the following to the District:

- No person or entity employed by the District or otherwise involved in preparing this RFO on behalf of the District (i) has provided any information to potential Respondent which was not made available to all entities potentially responding to this RFO, (ii) is affiliated with or employed by or has any financial interest in any potential Respondent, (iii) has provided any assistance to potential Respondent in responding to this RFO, or (iv) will benefit financially if any Respondent is selected in response to this RFO.
- Respondent has not offered or given to any District officer or employee any gratuity or anything of value intended to obtain favorable treatment under this RFO or any other solicitation or other contract, and Respondent has not taken any action to induce any District officer or employee to violate the rules of ethics governing the District and its employees. Respondent has not and shall not offer, give or agree to give anything of value either to the District or any of its employees, agents, job shoppers, consultants, managers or other person or firm representing the District, or to a member of the immediate family (i.e., a spouse, child, parent, brother or sister) of any of the foregoing. Any such conduct shall be deemed a violation of this RFO. As used herein, "anything of value" shall include but not be limited to any (i) favors, such as meals, entertainment, transportation (other than that contemplated by this RFO, if any, or any other contract with the District), etc., which might tend to obligate a District employee to Respondent, and (ii) gift, gratuity, money, goods, equipment, services, lodging, discounts not available to the general public, offers or promises of employment, loans or the cancellation thereof,



preferential treatment or business opportunity. Such term shall not include work or services rendered pursuant to any other valid District contract.

- Respondent shall report to the District directly and without undue delay any information concerning conduct which may involve: (i) corruption, criminal activity, conflict of interest, gross mismanagement or abuse of authority; or (ii) any solicitation of money, goods, requests for future employment or benefit of thing of value, by or on behalf of any government employee, officer or public official, any Respondent employee, officer, agent, subcontractor, or labor official, or other person for any purpose which may be related to the procurement of this RFO by Respondent, or which may affect performance in response to this RFO in any way.
- Neither Respondent or any subcontractor or affiliate thereof, nor any employee of any of them, shall retain any material or items of any kind salvaged from the Reuse Site as memorabilia or souvenirs or otherwise.

### **Change in Respondent Information**

If information provided in a submission changes (e.g., change or addition to any of the Project Team members or new financial information), Respondent shall provide updated information in the same format for the appropriate section of the RFO.

### **Ownership and Use of Submissions**

All submissions shall be the property of the District. The District may use any and all ideas in any submission, whether the submission is selected or rejected. No Respondent shall be entitled to compensation or reimbursement of costs in connection with its submission of an Offer.

### **Further Efforts**

The Selection Panel may request that Respondent clarify its Offer and/or submit additional information pertaining to its Offer; the Selection Panel may request best and final Offers from any Respondent and/or request an oral presentation from any Respondent.

### **Restricted Communications**

Upon release of this RFO, potential Respondents shall not communicate with the Selection Panel or any District staff about the RFO or issues related to the RFO except as authorized in this RFO or in public meetings called in connection with this RFO.

### **Confidentiality**

Submissions and all other information submitted in response to this RFO are subject to the District's Freedom of Information Act (D.C. Official Code § 2-531 *et seq.*) ("FOIA"), which generally mandates the disclosure of documents in the possession of the District upon the request

of any person unless the content of the document falls within a specific exemption category. An example of an exemption category is “trade secrets and commercial or financial information obtained from outside the government, to the extent that disclosure would result in substantial harm to the competitive position of the person from whom the information was obtained.”

If a Respondent provides information that it believes is exempt from mandatory disclosure under FOIA (“exempt information”), Respondent shall include the following legend on the title page of the submission:

**THIS OFFER CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE DISTRICT’S FREEDOM OF INFORMATION ACT**

In addition, on each page that contains information that Respondent believes is exempt from mandatory disclosure under FOIA, Respondent shall include the following separate legend:

**THIS PAGE CONTAINS INFORMATION THAT IS EXEMPT FROM MANDATORY DISCLOSURE UNDER THE DISTRICT’S FREEDOM OF INFORMATION ACT**

On each such page, Respondent shall also specify the exempt information and shall state the exemption category within which it believes the information falls. The District will generally endeavor not to disclose information which in the opinion of the District is exempt from disclosure. The District may, in its discretion, contact Respondent to provide notice that their submission materials have been requested and provide Respondent with the opportunity to further identify exempt information. The District will independently determine whether any information, designated by Respondent or not, is exempt from mandatory disclosure. The District has the ultimate decision as to whether information is exempt from disclosure. Moreover, exempt information may be disclosed by the District, in its discretion, unless otherwise prohibited by law, and the District shall have no liability related to such disclosure.

**Non-Liability**

By participating in the RFO process, Respondent agrees to hold the District, its officers, employees, agents, representatives, and consultants harmless from all claims, liabilities, and costs related to all aspects of this RFO.

**Questions**

Any questions regarding this RFO must be submitted via e-mail to Alex Cross at [alexander.cross@dc.gov](mailto:alexander.cross@dc.gov).

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**

**REQUEST FOR OFFERS**

**for**

**Ferebee-Hope School Site**

**Issued on August 29, 2019**

by The Government of the District of Columbia through  
the Office of the Deputy Mayor for Education and the Department of  
General Services

**Offers due by November 5, 2019**

**No later than 5:00pm EST**