



City of Madison
Community Development Division

Suite 300, 215 Martin Luther King, Jr. Blvd.
Madison, WI 53703-3348



Attachment A:
Proposal Submission Process &
General Administrative Information

RFP # 14052-2025

Affordable Rental Housing Development:
Tax Credit Developments
(AHF-TC)

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**PROCESS
DEADLINES
SUMMARY
TIMELINE**

This table contains some, though not all, important deadlines and key dates related to the RFP application process that require action on behalf of the applicant.

Any revision to the due date for submission of proposals will be made by addendum. All other dates are for planning purposes and may be adjusted without notice.

Date	RFP Activity
July 18, 2025	RFP Released
July 24	RFP Application Workshop
August 14	Deadline for Making Initial Staff Contact
August 25	Deadline for Alder/Neighborhood Assn Contact
August 27	Deadline for Focus on Energy Application
August 27	Deadline for DAT Meeting (if Limited Eligibility)
August 28	Deadline for Submitting Proposals
August 28	Deadline to Schedule Neighborhood Meeting
September 18	Deadline for DAT Meeting (all proposals)
September 18	Deadline to hold Neighborhood Meeting
September 19	CDD sends request for Supplemental Application information
September 26	Deadline to complete Focus on Energy Preliminary BRD
September 26	Deadline to submit Supplemental Application
Week of Sept. 29	Applicant Presentations to Staff
October 9	Applicant Presentations to CDBG Committee (in person at Madison Municipal Building)
November 25	Staff funding recommendations submitted to Common Council
December 2025 – January 2026	Deadline for full Land Use Application for all projects (or earlier if required by WHEDA). Final deadline will be communicated to proposers once 2026 Development Review Schedule is published
December 4	CDBG Committee reviews and acts on Staff funding recommendations
December 8	City Finance Committee considers funding recommendations
December 9, 2025	Common Council makes final funding decisions

**[Development Review Schedule](#) Submittal Deadlines after December 31, 2025 are projected and subject to change. All proposals must have received land use approval by no later than March 20, 2026.*

I. Proposal Submission Requirements

In applying to the Affordable Housing Fund-Tax Credit (AHF-TC) Program, applicants are agreeing to engage in certain pre- and post-application processes pertaining to land use entitlements and community engagement. These processes, along with key deadlines and expectations, are explained in this Attachment to assist proposals in meeting requirements. Proposal Submission Requirements, which details what must be attached at an application, are listed in Attachment G.

II. Application Workshop

The Community Development Division will host a virtual application workshop over Zoom for any applicants interested in or considering responding to responding to this RFP.

The workshop's primary focus is to:

- Address questions that interested applicants may have regarding the RFP requirements, preferences, and expectations

Specific topics that will be covered at the workshop include the CDD's expectations around:

- Integrated Supportive Housing and Supportive Service Partnerships
- Sustainability & Resilience provisions
- Planning and Land Use processes
- What characterizes a successful application

Applicants are strongly encouraged to attend this workshop. Registration is required, and a registration link is provided on the CDD Funding Opportunities RFP page. The workshop will be recorded.

III. Pre-Application Process

Applicants are strongly encouraged to make the following Pre-Application contacts as soon as feasible, and are **required to do so at least 14 days in advance of the AHF-TC Application deadline**.

1. Contact Community Development and Planning Divisions

- a. Applicants are required to contact CDD staff to notify of the intent to apply and to schedule a pre-application meeting.
- b. To schedule an initial meeting, contact Matt Frater (Community Development Specialist) at mfrater@cityofmadison.com.
 - i. cc: Colin Punt (Development Review Planner) at cpunt@cityofmadison.com and Kevin Firchow (Principal Planner) at kfirchow@cityofmadison.com
 - ii. Include AHF-TC RFP in the email subject line
- c. Joint pre-application meetings will be held with the Community Development, Planning, and Zoning Divisions whenever feasible
 - i. The City reserves the right to waive formal pre-application meetings for projects deemed to have made sufficient communication with DPCED staff in advance of submitting a financial assistance or land use application, and/or for preservation or rehabilitation projects without a new construction component.

- d. When contacting CDD to schedule the pre-application meeting, please provide the following information:
 - i. Address(es)
 - ii. Proposed number of stories
 - iii. Proposed number of housing units
 - iv. Square feet of commercial space, if applicable

2. Contact Economic Development Division

- a. Applicants interested in applying for Tax Increment Financing are required to contact EDD staff to discuss requirements and preliminary application
- b. Any applicants contemplating TIF applications should review:
 - i. [TIF Goals, Objectives and Process](#)
 - ii. [TIF Underwriting Policy](#)
 - iii. More information can be found on the [Tax Increment Financing Website](#)
- c. If interested in applying for TIF, applicants should check the applicable boxes on the AHF-TC Application
- d. After initial review and underwriting, applicants for TIF must coordinate with both EDD and CDD staff concurrently with the AHF-TC application process. EDD and CDD staff coordinate review of these applications separately, as they have different requirements. Applicants must ensure that they fully understand both processes and associated requirements.
- e. To inquire about applying for TIF, contact Joe Gromacki (TIF Coordinator) at jgromacki@cityofmadison.com
 - i. cc: Matt Frater, mfrater@cityofmadison.com, to ensure timely notification of intent and applicability to the AHF-TC process

3. Form Partnership with Supportive Service Provider(s)

- a. Agencies that provide support services to individuals and households with homeless experience are listed on Attachment D of this RFP
- b. As soon as is feasible, development teams should conduct outreach to provider(s) listed on Attachment D (or other partner) to engage provider(s) on potential partnership
 - i. Components to consider in this partnership include:
 - 1. Population(s) served by the provider
 - 2. How many households are able to be served
 - 3. Cost for provision of services
 - 4. Whether space onsite will be required for provision of services
 - 5. Staffing/FTE necessary for provision of services
 - 6. Insights from agency related to building design/other proposal aspects
- c. A Supportive Services Plan is required for submission of all proposals. This plan should be reviewed between the developer, service agency, and property management agent, as development entities are responsible for ensuring that units are adequately filled by the target population and that adequate support services will be provided
- d. In addition to the Supportive Services Plan, a letter of support from the agency will be required with proposal, detailing population to be served, funding agreements, and staffing levels that will be provided

4. Schedule a Presentation at [Development Assistance Team \(DAT\)](#)

- a. DAT is an interagency staff team that meets with developers to discuss various technical requirements regarding development approvals
- b. Applicants are strongly encouraged to present their proposed project at a DAT meeting in advance of the AHF Application deadline, and are required to do so if in a Limited Eligibility Area of the AHF Map. All proposals must have presented at DAT no later than the Supplemental Application deadline
- c. Contact Christopher Wells (Development Review Planner) at cwells@cityofmadison.com to schedule your presentation
- d. DAT meetings are Thursdays at 10:00 a.m., with appointments scheduled on a first-come first-served basis
- e. Applicants are expected to email a PDF of preliminary site plans by noon on the Friday before the meeting
- f. A second DAT presentation may be recommended before Land Use Application submittal, dependent upon changes and scope of requirements

5. Enroll in Focus on Energy Design Assistance Program

- a. An Initial Application to Focus on Energy's Express Energy Design Assistance (eEDA) program or New Construction Energy Design Assistance is required with all AHF-TC applications
- b. Focus on Energy provides a no-cost energy analysis based on building characteristics, implementation cost, payback periods and annual energy cost savings
- c. Focus on Energy also provides financial incentives to help offset the incremental costs of the installed energy efficiency measures
 - i. New Construction Proposals Application Options:
 - 1. Express Energy Design Assistance ([eEDA](#)) Program
 - a. The [eEDA Online Tool](#) is a self-directed Whole Building Energy Analysis that allows applicants to enroll in the program with basic project information and evaluate preliminary energy efficiency strategies and incentive options in a streamlined manner
 - b. Applicants should allow approximately four weeks to complete an eEDA process and obtain a Preliminary eEDA Bundle Requirements Document (BRD) by the Supplemental Application deadline
 - c. The eEDA analysis is preliminary in nature. All applicants will be required to enroll in full Energy Design Assistance program at a later date in accordance with WHEDA's requirements
 - 2. Energy Design Assistance ([EDA](#)) Program
 - a. The full [EDA New Construction Online Tool](#) offers a Whole Building Energy Analysis utilizing a more precise energy efficiency model based on actual design and mechanical systems information from the development design stage
 - b. Applicants with proposals at or near the design development stage may elect to proceed directly to full EDA application if it

can be feasibly completed by Supplemental Application deadline

- c. Applicants need to plan for 8-10 weeks to complete the full EDA analysis, including attending required meetings with their architects, in order to obtain a Final BRD that meets the requirements of this RFP.

ii. New Construction Proposals eEDA/EDA Initial Application Process

1. Applicants should enroll in the program that best aligns with the stage of project development at the time of AHF-TC application
2. Applicants should be prepared to provide as much of the following information as possible:
 - a. Number of units
 - b. Number of stories
 - c. Gross square footage
 - d. Types of mechanical systems (heating, cooling, fuel type)
 - e. Utility provider(s)
 - f. Projected design timeline and construction completion dates
3. Indicate City of Madison/WHEDA Housing Tax Credit Project in 'Special Considerations & Comments Section'
4. Submit confirmation of initial eEDA or EDA application with AHF-TC application
5. For questions or Program details, contact Jesus Rangel (New Construction Outreach Lead) at jrangel@wilddan.com or (415) 343-7662, ext. 7662

d. Rehabilitation Proposals

- i. Focus on Energy provides resources and incentives to help existing multifamily property owners reduce energy costs when installing energy efficient upgrades to units and common areas.
- ii. Submit Focus on Energy application for [Incentives for Property Owners Multifamily Program](#)
- iii. Select energy efficiency options that yield maximum feasible Energy Use Intensity (EUI) savings over baseline energy code
- iv. Submit confirmation of initial Incentive Program application with AHF-TC application

6. Consider Additional Renewable/Decarbonization Incentives

- a. It is a preference of the RFP to include additional renewable energy and/or decarbonization features above and beyond baseline requirements. Applicants are encouraged to explore:
 - i. Focus on Energy's Renewable Energy offerings to provide incentives for cost-effective renewable energy projects such as solar photovoltaics (PV), solar thermal, biogas, biomass and wind
 1. The Focus on Energy [Renewable Energy Incentive application](#) contains more information. Have your solar contractor contact renewables@focusonenergy.com or (800) 762-7077 with questions or to discuss program details

- ii. Additional funding for solar PV may be available through the [MadiSun program](#) and/or [Solar For Good](#)
- iii. Several tax provisions provide funding for renewable energy and green building features that reduce fossil fuel use through several programs, including: New Energy Efficient Home Credit (for housing units substantially completed prior to June 30, 2026), Energy Efficient Commercial Buildings Deduction (for property for which the construction has begun prior to June 30, 2026), Clean Electricity Investment Credit (for property placed into service prior to December 31, 2027).
 - 1. For information on Inflation Reduction Act credits and/or other federal sources, contact:
 - a. Gabriel Saiz (Sustainability and Resilience Office) at gsaiz@cityofmadison.com
 - b. [Focus on Energy Federal Funding Opportunities](#)
 - c. [Dane County's Office of Energy and Climate Change](#)

IV. Alder & Neighborhood Process

Applicants are required to make the following contacts prior to the AHF Application deadline. There are questions on the AHF-TC application that cannot be completed without completing this process, which should be addressed as early as is feasible.

1. **Contact Alder**

- a. Applicants are required to [contact the district's Alder](#) to discuss the proposed project in detail
- b. Applicants must identify and, where possible, address any issues or concerns the alder may have
- c. Applicants must assess the alder's response to the proposed project as well as the alder's anticipation of the neighborhood's response to the proposed project
- d. If the proposed project is within 200 feet of another aldermanic district, that alder should also be notified
- e. Applicants should use this opportunity to inquire about Alder availability for a neighborhood meeting

2. **Contact Neighborhood Association**

- a. Applicants are required to contact the [Neighborhood Association](#) to discuss the proposed project in detail
- b. Applicants must identify and, where possible, address any issues or concerns the neighborhood may have
- c. Applicants must assess the response of neighborhood association to the proposed project
- d. If the proposed project is within 200 feet of another association(s), those associations should also be contacted as described above. If the proposed development is not located within an existing neighborhood association, applicants should defer to the Alder if any neighborhood association(s) should be contacted

3. Schedule a Neighborhood Meeting

- a. Applicants are required to present the proposed development to the neighborhood at a well-publicized meeting, coordinated with the Alder
- b. Though the Neighborhood Meeting is not required until the Supplemental Application deadline, meeting must be scheduled at least three weeks in advance. Neighborhood meetings should be scheduled to occur after presentation at DAT
- c. To schedule a meeting, applicants must coordinate with the Alder on a date, and contact Debbie Fields (Common Council Office) at dfields@cityofmadison.com to send postcards to nearby residents at least three weeks before the proposed meeting
 - i. cc: Matt Frater, mfrater@cityofmadison.com, to ensure timely notification of intent and applicability to the AHF-TC process
- d. When requesting a meeting/mailling, include:
 - i. Proposed project name
 - ii. Project address
 - iii. Short description
 - iv. Preferred meeting dates
- e. Postcard mailing is at the applicant's expense. Postcards must be mailed to residents at least one week before a meeting with the neighborhood
 - i. Notify Matt Frater mfrater@cityofmadison.com and Kevin Firchow kfirchow@cityofmadison.com at least two weeks in advance of the meeting to ensure staff are available
- f. Applicants should be prepared to incorporate reasonable resident feedback into the development proposal, as well as be aware that subsequent neighborhood meeting(s) may be requested
- g. Alders and/or neighborhood associations may request a project steering team and/or a series of meetings with the developer
- h. Applicants are encouraged to meet with the alder and/or neighborhood to assess the level of resident interest in engaging with their proposal and proceed accordingly

V. Post-Application Process

1. Complete Focus on Energy EDA Processes

- a. New Construction Proposals:
 - i. After enrolling in either the eEDA or EDA program, Focus on Energy staff will contact applicants to confirm basic information in their eEDA or EDA application
 - ii. Technical assistance will be provided to ensure that the selected energy efficiency strategies in the eEDA Preliminary BRD or Final EDA BRD meet the requirements described in this RFP
 1. When completing the Final EDA BRD, either concurrently with this RFP or post-WHEDA award, applicants and their architect will also meet with Focus on Energy staff to review updated mechanical system and energy efficiency design information
 - iii. Applicants are required to submit to CDD the BRD completed concurrently with this RFP, indicating the required EUI savings and selected bundle with Supplemental Application responses

- iv. Applicants submitting an eEDA Preliminary BRD are expected to maintain the projected EUI savings from Preliminary to Final BRD
 - 1. More than 10% percent decrease in EUI savings from Preliminary to Final BRD will be considered a material change and may subject the proposal to a reduction in funding commitment as described in Section III of the RFP
 - v. The City's Term Sheet and Loan Agreement will reflect projected EUI savings and bundle selection indicated in the BRD commitments as well as the implementation requirement to submit the Focus on Energy Final Verification Report
 - b. Rehabilitation Proposals
 - i. Submit relevant Focus on Energy documentation demonstrating that the selected energy efficiency strategies meet the requirements described in this RFP
 - ii. The City's Term Sheet and Loan Agreement will reflect the relevant commitments to energy efficient rehabilitation
- 2. **Submit Supplemental Application Materials**
 - a. Applicants will be required to submit a Supplemental Application to address items that are not likely to be known at the time of initial application, as well as to respond to outstanding concerns identified at DAT, from Neighborhood Meetings, etc.
 - b. Applicants should anticipate Supplemental Application questions to be sent according to the timeline listed on the first page of this Attachment
 - c. Deadline for Supplemental Application response materials will be confirmed at time of distribution by CDD
- 3. **Presentations to Staff Team and CDBG Committee**
 - a. Applicants should be prepared to address their responses to requirements and preferences of the RFP. This should include the following, at a minimum:
 - i. Introductions to the Development Team, including:
 - 1. Non-profit and/or Emerging Developer partners
 - 2. Property Management
 - 3. Supportive Service Partner(s)
 - 4. Each team member should be prepared to discuss their role and the philosophy/collaboration brought to the development
 - ii. Overview of the project with an emphasis on:
 - 1. Unique creativity of the proposal and partnerships within the team
 - 2. Elements that clearly address the proposal's responsiveness to the guiding policy documents and baseline requirements in the RFP
 - 3. Neighborhood-serving uses of any commercial space
 - 4. Particular emphasis should be placed on:
 - a. Preferences selected that go beyond baseline requirements
 - b. Integrated Supportive Housing and the entire development team's philosophy on partnering to work to end homelessness
 - c. Sustainability and Resilience
 - d. Unit mix, incomes, and rents

- iii. Summary of Sources & Uses, briefly
 - 1. Other funds leveraged
- iv. Ownership structure, especially non-profit and/or emerging developers
- v. Property Management philosophy and staff retention
 - 1. Overview of plan to ensure continuous onsite staffing, and to meet requirements of the RFP
- vi. Coordination between Property Management and Supportive Services on design, unit mix, and supportive services plan
- vii. Supportive Service Partner experience with Integrated Supportive Housing
 - 1. Overview of supportive services plan
- viii. Land Use Application status and approval timeline, briefly
- ix. Any outstanding concerns identified via the DAT review, Alder, and/or neighborhood meetings
 - 1. How the team has adapted the development proposal in response to comments or concerns
- b. A PowerPoint, while not required, is **strongly encouraged** for both presentations

4. **Land Use Application**

- a. Projects requiring a Zoning Map Amendment or Urban Design Commission Action or is a major alteration/amendment to Planned Development Zoning requiring Common Council approval:
 - i. Entire Land Use Application must be filed no later than the date required to receive land use approval by March 20, 2026, or earlier if required by WHEDA
 - ii. This is required to obtain Plan Commission and/or Common Council approvals by the date required for the WHEDA Application deadline
 - iii. Any Land Use Application shall include all necessary pre-application notices and the required information described in the application form
 - iv. Applicants are strongly encouraged to submit their Land Use Application as soon as is feasible to account for any delays or referrals in the approvals process
 - v. A [Development Review Schedule \(subject to change\)](#) can be found on the Planning Division's website containing meeting dates for Plan and Urban Design Commissions, and Common Council
 - vi. Proactive coordination with Planning and Zoning Division staff to ensure these timelines are met is critical to the application process
- b. Projects Not Requiring a Zoning Map Amendment (Permissively Zoned):
 - i. Applicants for projects that require a demolition and/or conditional use approval(s) and/or are part of a General Development Plan (GDP) must file a complete Land Use Application, or Specific Implementation Plan (SIP) respectively, no later than the date required to receive land use approval by March 20, 2026
 - ii. This is required to obtain Plan Commission and/or Common Council approvals by the date required for the WHEDA Application deadline
 - iii. Any Land Use Application shall include all necessary pre-application notices and the required information described in the application form

- iv. Applicants are strongly encouraged to submit their Land Use Application as soon as is feasible to account for any delays or referrals in the approvals process
 - v. A [Development Review Schedule \(subject to change\)](#) can be found on the Planning Division's website containing meeting dates for Plan and Urban Design Commissions, and Common Council
 - vi. Proactive coordination with Planning and Zoning Division staff to ensure these timelines are met is critical to the application process
 - vii. While WHEDA may not require land use approvals, such as conditional uses, such land use application submission generally concurrent with financing approvals are a requirement for projects receiving funding through this RFP
- c. Unless otherwise approved by CDD staff, Land Use Applications should not be submitted until after completing the Alder & Neighborhood Process of this Attachment
- d. Proactive coordination with Planning Division staff to ensure these timelines are met is critical to the application process

VI. General Administrative Information

1. **RFP Point of Contact**

The RFP contact identified below is the sole point of contact regarding the RFP from the date of release of the RFP until selection of the successful proposer(s).

Matt Frater, AICP, Community Development Specialist
City of Madison Community Development Division
Phone: 608-266-4209
Email: mfrater@cityofmadison.com (*Email preferred*)

All communications relating to this RFP must be directed to the designated contact for this RFP. All bidders, proposers, protestors, or individuals acting on their behalf are hereby prohibited from attempting to persuade or influence any City agents, employees or any member of the relevant selection team, for or against a specific cause related to a pending solicitation, unless otherwise directed by the RFP contact.

2. **Inquiries and Clarification of Specifications**

Proposers shall carefully examine the RFP and contract documents, correlate their observations with the RFP specifications, and exercise their own judgment as to the nature and scope of the work required. If applicable, visit the Department's website, [CDD Funding Opportunities](#). Consider federal, state and local laws and regulations that may affect cost, progress, performance or furnishing of the work.

Proposers shall immediately notify the RFP contact of any questions, exceptions, clarification of any ambiguity, error, conflict, discrepancy omission or other deficiency or additions they have concerning the RFP document. Failure to do so will be at proposer's own risk.

This RFP will serve as the basis for or will become part of the resulting agreement. No plea of ignorance of conditions or difficulties that exist or may hereafter arise in the execution of the work under this contract as a result of failure to make necessary examinations and investigations, shall be accepted as an excuse for any failure or omission on the part of the bidder to fulfill the requirements of the contract.

3. **Contracting Agency**

The contract resulting from this RFP will be administered by Community Development Division, City of Madison.

4. **Addenda/Official Communication**

During the solicitation process for this RFP, all official communication between the City and proposers will be made via the [Community Development Division Funding Opportunities Website](#). The City will post such notices, which will include, but not be limited to, addenda for any modifications to administrative or performance requirements, clarifications to requirements and the announcement of the apparent winning proposer(s). It shall be the responsibility of the proposers to regularly monitor this website for any such postings.

Failure to retrieve such addenda and include their appropriate provisions in your response may result in your proposal being disqualified.

5. **Oral Presentations/Site Visits/Pre-Application or Pre-Award Meetings**

Proposers will be required to attend pre-application and/or pre-award meetings, make oral presentations, or make the site and/or properties available for a site visit as part of this request for proposal process, upon request. Such presentations, meetings, or site visits will be at the proposer's expense.

6. **Acceptance/Rejection of Proposals**

a. The City reserves the right to accept or reject any or all proposals submitted, in whole or in part, and to waive any informalities or technicalities, which at the City's discretion is determined to be in the best interests of the City. Further, the City makes no representations that a contract will be awarded to any proposer responding to this request. The City expressly reserves the right to reject any and all proposals responding to this invitation without indicating any reasons for such rejection(s).

b. The City reserves the right to postpone due dates and openings for its own convenience and to withdraw this solicitation at any time without prior notice.

7. **Incurring Costs**

This request for proposals does not commit the City to award a contract, pay any costs incurred in preparation of proposals, or to procure or contract for services or equipment.

8. **Proposer Qualifications**

The City of Madison may make such investigations as it deems necessary to determine the ability of the proposer to perform the work, and the proposer shall furnish to the City all such information and data for this purpose, as the City may request. The City reserves the right to reject any proposal if the evidence submitted by, or investigated of, such proposer fails to satisfy the City that the proposer understands the full scope of work and is properly qualified to carry out the obligations of the contract and to complete the work contemplated herein.

9. **Proposal Content**

The evaluation and selection of a Contractor and the contract will be based on the information submitted in the vendor's proposal plus any additional information required. Additional information may include references, on-site visits, or oral presentations. Failure to respond to each of the requirements in the RFP may be the basis for rejecting a response.

Elaborate proposals (e.g. expensive artwork, news stories, or letters of support) beyond information required to present a complete and effective proposal, are not necessary or desired. Information provided by the applicant in addition to the required proposal may not be considered in the evaluation of the proposal.

10. **Withdrawal or Revision of Proposals**

- a. A proposer may, without prejudice, withdraw a proposal submitted at any point in the process by requesting such withdrawal in writing (email is sufficient) to the RFP contact.
- b. Proposals may not be modified or altered after the deadline.

11. **Designation of Proprietary Information**

Proposers are hereby notified that all information submitted in response to this RFP may be accessible to the public through the Community Development Division website and/or made available for public inspection according to public records laws of the State of Wisconsin or other applicable public record laws. Therefore, proposers are encouraged to refrain from submitting information that cannot be open for public inspection. However, if proposers must include information deemed confidential and proprietary by the proposer, proposer must comply with these instructions:

- a. All restrictions on the use or inspection of data contained within a proposal shall be requested prior to submission of the proposal itself. Written requests for confidentiality shall be submitted to the RFP contact by the proposer prior to the proposal submission date.
- b. Requests shall use the following process:
 - i. SECTION 1 – Email or phone the RFP contact to discuss your concern.
 - ii. SECTION 2 – State clearly on the attached “Designation of Confidential and Proprietary Information” form (RFP Attachment E) any information to be considered confidential or proprietary.
 - iii. SECTION 3 – Separate any information to be considered confidential or proprietary from the rest of the proposal. Co-mingling of confidential/proprietary and other information is not acceptable.
 - iv. SECTION 4 – Note that applicants may be asked to submit a written request for information to be considered confidential or proprietary. Provide specific information related to the claim for confidential and proprietary information including RFP section, page number, topic and specific concern that supports claim.
- c. Allocation requests always become public information through the selection committee process. Information usually cannot be kept confidential unless it involves a trade secret as defined in §134.90(1)(c), Wis. Stats. Any information that will be included in any resulting contract cannot be considered confidential. A proposal, in its entirety, will not be considered confidential and/or proprietary.
- d. Proprietary information submitted in a proposal, or in response to the RFP, will be handled in accordance with the applicable Wisconsin State Statute(s). However, the City cannot ensure that the information will not be subject to release if a request is made under applicable public records laws. The City will not provide advance notice to a proposer prior to release of any requested record.
- e. The Selected Contractor agrees to hold the City harmless for any damages arising out of the release of any material unless they are specifically identified. In the event the designation of confidentiality of this information is challenged, the Selected Contractor also agrees to provide legal counsel or other necessary assistance to defend the designation of confidentiality and, further, agrees to hold the City harmless from any penalties, costs, damages and fees, including attorney's fees, awarded to the requestor and ordered to be paid by the City, in any such legal action.

- f. To the extent permitted by law, it is the intention of the City to withhold the contents of the proposal from public view until such times as competitive or bargaining reasons no longer require non-disclosure, in the opinion of the City. At that time, all proposals will be available for review in accordance with the Wisconsin Open Records Law.

12. Sample Loan Agreement

Proposers are responsible for reviewing this information on the [CDD Funding Process website](#) prior to submission of their bid. The Sample Loan Agreement shall serve as the basis of the contract resulting from this RFP, subject to revision at the City's discretion, following the proposer's demonstration that it has met the contingencies outlined in the authorizing resolution. By submitting a proposal, proposers affirm their willingness to enter into an Agreement containing these terms.

13. Proposal Evaluation and Award

a. PRELIMINARY EVALUATION

Submitted proposals will be reviewed for completeness and compliance with RFP guidelines. All incomplete RFP submissions may be determined nonresponsive and removed from further consideration. To be considered complete, RFPs shall include all required submittals and shall be signed and dated. In the event that no submissions meet all of the RFP requirements, the City of Madison reserves the right to continue the evaluation of the proposals that most closely meet the requirements.

b. PROPOSAL EVALUATIONS, INTERVIEWS AND/OR SITE VISITS

The City's designated RFP Selection Committee, also referred to as the staff team, will make the final selection and recommendation following the evaluation of the proposals, which may include presentations, site visits and interviews, if deemed necessary, with some or all of the proposers. However, the City may make preliminary selection(s) based on the original proposals only, without negotiation, interviews and/or site visits with any proposers. If presentations, interviews and/or site visits are conducted, the Selection Committee may choose to assign additional points for these processes or re-evaluate, re-rate and/or re-rank the finalists' proposals based upon the written documents submitted and any clarifications offered in the interviews.

c. BEST AND FINAL OFFER

The designated Selection Committee may request best and final offers from one or more proposers determined to be reasonably susceptible to being selected for award for the purpose of clarification to assure full understanding of, and responsiveness to, the solicitation requirements. Proposers shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. If best and final offers are requested, they will be evaluated against the stated criteria, scored and ranked. The City reserves the right to negotiate the terms of the contract, including the

award amount, with the selected proposer(s) prior to entering into a contract. If contract negotiations cannot be concluded successfully with the selected proposer(s), the City may negotiate a contract with the next highest scoring proposer.

d. CLARIFICATION OF PROPOSALS

During the evaluation of proposals, the City reserves the right to contact any or all proposers to request additional information for purposes of clarification of RFP responses, reject proposals that contain errors, or at its sole discretion, waive disqualifying errors or gain clarification of errors or information.

e. PRICE AND/OR COST ANALYSIS

The City reserves the right to conduct a price and/or cost analysis to determine if the price is fair and reasonable. If only one responsive proposal is received, a detailed price and/or cost analysis may be requested of the single proposer. Proposers shall cooperate as needed with the City's efforts to perform said analyses.

f. NEGOTIATION

The City reserves the right to negotiate final fees and scope of services with the selected Contractor.

g. PROCESS

At any phase, the City reserves the right to terminate, suspend, or modify this selection process; reject any or all submittals; and waive any informalities, irregularities or omissions in submittals, all as deemed in the best interests of the City.

h. COMMUNICATION WITH SELECTION COMMITTEE

Proposers may not contact members of the Selection Committee at any time during the evaluation process, except at the City of Madison CDD's request, or as instructed in Section 3.1 above.

i. RIGHT TO REJECT PROPOSALS AND NEGOTIATE CONTRACT TERMS

The City reserves the right to reject any and all proposals and to negotiate the terms of the contract, including the award amount, with the selected proposer(s) prior to entering into a contract. If contract negotiations cannot be concluded successfully with the selected proposer(s), the City may negotiate a contract with the next preferred proposal.