

# Request for Proposal for Management of the Eldorado Community Improvement Association, Inc.

## PURPOSE

The purpose of this Request for Proposal (RFP) is to solicit proposals to establish a contract through competitive negotiations for the administration of Homeowner Association Management Services for the Eldorado Community Improvement Association (ECIA). In addition to managing the day to day administrative and maintenance operations, these services should include all business and fiscal management, including business and architectural databases, financial, accounting, payroll and human resources, including compliance with all applicable laws and assumption of liability for such compliance.

## BACKGROUND INFORMATION

ECIA is a Homeowners Association in Santa Fe NM with 2776 lot owners. Eldorado was once a ranch and later developed as a Planned Unit Development by AMREP with currently 6,600 residents. The amenities include a Community Center, swimming pool, stable area, tennis courts, recreation field, basketball courts, pickleball, handball, volleyball courts, playgrounds, dog park, 4,000-acre hiking and greenbelt preserve and 13 miles of paved hike/bike trails. All these amenities are available and included in members' annual assessment of \$550.00 which is subject to change every two years.

The ECIA is governed by a seven-member volunteer Board of Directors who are elected by the Association Members for 3-year terms. The Board is supported by a dedicated group of volunteers who serve on a variety of committees and advise in the following areas:

- Architecture ensures compliance with the Architectural Guidelines for all new construction and exterior home improvement projects.
- Conservation works with community volunteers to maintain and develop our Wilderness Area and Greenbelt trails.
- Election oversees the process of Board elections and approval by the Members of the Association By-Law Revisions every two years.
- Facilities and Grounds ensures the safe and timely maintenance of existing facilities and development of new facilities, and hosts sub-committees dealing with the swimming pool and the dog park.
- Finance provides input into the budgetary and business and financial management of the Association and provides an annual review of the ECIA office financial procedures.
- Information facilitates the distribution of information from the Board of Directors, all Committees and various news sources to the Members and residents of Eldorado.
- Roads evaluates the condition of the Eldorado roads quarterly and is the liaison with Santa Fe County (who owns and maintains the roads) regarding problem areas and needed improvements.
- Stable coordinates the community of individual barn owners and the common stable areas.
- Bylaws Review is convened every two years to review the bylaws and make recommendations for changes that will be voted on by the membership at the next election.

- Welcome greets new community members, provides welcome packets and helps introduce them to our policies, processes, facilities and amenities.

## MANAGEMENT GOALS

ECIA's goals include:

- A very high level of homeowner satisfaction with association service;
- Professional, effective community association management according to Board policies and industry best practices;
- Support for the Board and committee chairs for a productive, pleasant and rewarding volunteer experience;
- Clear, comprehensive and accurate financial reports;
- Cost-effective association management.

## TERM OF PROCUREMENT

The term will be one three-year interval with two mutually agreed renewals of three years.

## PROCUREMENT PROCESS MANAGEMENT

The ECIA Board of Directors will administer this process and address questions. The following are the persons assigned to questions in specific areas.

Personnel: Nancy Sulzberg, Board President

Finance and Contract Management: Sal Monaco, Board Treasurer

Technology: David Sorkin, Board Director

## AVAILABLE MATERIALS

The following materials are provided in the attachment to provide additional information regarding our operational and legal framework: Declaration of Covenants, *Covenants and Building Restrictions*, *Guidelines for Protective Covenants and Building Restrictions*, and *Corporate Bylaws*.

## SCOPE OF SERVICES

The Association expects the Offeror to supply an on-site General Manager (GM), Facilities Manager (FM), Pool Manager (PM) and maintenance and office staff. Bookkeeping, Human Resources and other support functions may be provided off-site. The GM and FM will be expected to have CAI or equivalent certifications, and their assignment to the ECIA will be subject to the approval of the Board. The GM must possess above average people and organizational skills and have demonstrated experience managing staff, vendors and projects. The following types of services are required.

**Maintenance:** Arrange for the maintenance of community property such as community center buildings and landscaping, vehicles, amenities, and common areas as defined in the governing documents of the Association. Maintenance of these items shall be according to reasonable proactive standards established by the Board. Reasonable standards may include, but are not limited to, repair and maintenance of all plumbing and irrigation systems located in the common

areas, vehicles, landscaping and all other normal maintenance repairs as may be reasonably required by the Association.

**Service Requests and Complaints:** Record and investigate all service requests and complaints from members of the Association and respond to or reasonably correct those matters.

**Compliance:** Track violations of both Association legal documents and rules and regulations promulgated by the Board. This includes inspections, and for violations noted, documentation and written notification to owners. Also follow up on violations that persist and communicate with the Board where the situations require Board input.

**Contract Services:** All contracts with any person, company or agency for the delivery and supply of water, natural gas, electricity, telephone, vermin extermination, plumbing repairs, landscaping, or such other services requested by the Board shall be presented to the Board for its approval and comply with the ECIA procurement Policy

**Governmental Regulations:** Take such action as it deems necessary to comply with any rule, regulation, notice, order, directive, ordinance, or statute of any governmental office, body, commission or agency having jurisdiction over the community, its Board or the Association.

**Insurance:** Consistent with ECIA procurement policies, obtain competitive bids from insurance carriers providing all forms of insurance required by the Association or the governing documents including, but not limited to, directors' and officers' liability, fidelity bond, general liability, workers' compensation, property, fire and extended coverage insurance. Upon approval by, and at the direction of, the Board, obtain best value insurance and keep in force the appropriate and required coverages.

**Funds:** Receive the periodic payments resulting from assessments imposed or enacted by the Association or the Board. Deposit all collected funds in a banking institution insured by the Federal Deposit Insurance Corporation, unless otherwise instructed by the Association or the Board. Make, manage and coordinate any insurance claims.

**Collection of Assessment:** Consistent with ECIA collection policies, take such action as may be necessary to collect unpaid periodic assessments. Record lien notices and other encumbrances upon real property at a reasonable cost, plus filing fees and collection agency's charge. With prior Board approval, institute legal proceedings on behalf of the Association for the foreclosure of those liens or other encumbrances or for collection of unpaid assessments.

**Books and Records:** Maintain current business and accounting records in its office pursuant to the New Mexico Homeowner Association Act, NMSA § 47-16-1, et seq., and any amendments thereto, as well as Association's most recent record retention schedule as adopted by the Board. Files, ledgers, journals and other records will be maintained in electronic form. Provide each Board Member, by the next regularly scheduled Board meeting, income and expense statements, a property resale report, and an itemized statement of Manager's charges to the Association, all

of which will include information for the prior month. Provide copies of bank statements if requested by the Association's Treasurer. Upon the close of each fiscal year, as specified by the Board, relevant accounting books and records will be submitted to a Certified Public Accountant acceptable to the Board, who will perform an annual audit. Prepare resale disclosure certificates pursuant to NMSA §§ 47-16-11 and 47-16-12, et seq., for which Association assigns to the Management company its right to impose a reasonable fee.

**Annual Budget:** Prior to the beginning of the Association's fiscal year and in accordance with the established budget preparation calendar, prepare an annual budget for the Association. The proposed budget will be submitted to the Board sufficiently prior to the fiscal year so that the Board may determine whether or not a change in assessments is necessary.

**Other:** Maintain written, telephone, and personal communications with homeowners in cooperation with the Board. Discuss with and provide written notification of homeowners who violate rules established by the Board and other violations of any of the governing documents. Provide a suitable plan for transition of business and financial records from the existing system that uses the Caliber software system as well as a plan for transfer of all business and financial records to the Association or another third party in the event of contract termination or cancellation.

## TIMELINE

This RFP will be available for public review on May 8, 2020. Submission of any written questions are required no later than 12 noon on May 22, 2020. Questions should be submitted to: [s.monaco@eldoradosf.org](mailto:s.monaco@eldoradosf.org). Submission of references and written proposals may be submitted by email to [s.monaco@eldoradosf.org](mailto:s.monaco@eldoradosf.org), or by US or Express Mail to: ATTN: ECIA Treasurer, 1 Hacienda Loop, Santa Fe, NM 87508 and **received no later than 12 noon on June 12, 2020**.

## EVALUATION

The Board and its designees will examine, discuss and evaluate proposals by July 2, 2020. Follow up interviews held by the Board will be conducted by July 17, 2020. The Board anticipates the new contract will be awarded no later than August 15, 2020 with effective start date of January 1, 2021. The Board reserves the right to select, based upon the proposal submitted by each applicant, one or more applicants for further negotiation as well as the right to reject all proposals.

## REQUIREMENTS

Any costs associated with submission of any Proposal will be the sole responsibility of the offeror. All proposals must clearly state that all ECIA governing documents have been read, understood and will be complied with. All submissions are confidential to and at the sole discretion of the Board of Directors. Any proposal may be withdrawn up to the deadline for submissions. After said deadline any submission shall be contractually open to acceptance up to the deadline for award. Any offeror acknowledges that ECIA is not obligated to accept any proposal in whole or part. Offerors may designate appropriate material as confidential or proprietary work product.

Any such material which is clearly marked and placed in an envelope will be returned to the offeror at the end of the process if specifically requested. The Board reserves the right to terminate this process at any time for any reason.

### GOVERNING LAW & RULES

The Statutes of the Great State of New Mexico and the governing documents of ECIA shall control all aspects of this process, any services provided and any contract signed.

### OFFEROR TERMS AND CONDITIONS

Offerors must submit with the proposal a complete set of any additional terms and conditions they expect to have included in any contract.

### CONTRACT DEVIATIONS

Any additional terms and conditions, which may be proposed by offeror during the procurement process, prior to selection as successful offeror, will be discussed only between the ECIA and the offeror selected and shall not be deemed an opportunity to amend the offeror's proposal.

### OFFEROR QUALIFICATIONS

All submissions must contain a statement of qualification which at minimum shall include a statement of experience in managing Homeowners Associations of similar size and scope; experience and training of executive or management personnel who would be responsible for overseeing the services provided under this contract; and evidence of qualification to do business in the State of New Mexico. Offeror must disclose of any lawsuits against offeror, its owners or employees that relate to services provided to Homeowners Associations or similar entities. Include a copy of insurance declarations as it would apply to the work provided under this proposal. The Offeror is expected to carry worker's compensation, property & business liability, fidelity bond of \$500,000 minimum, errors and omissions professional liability insurance of \$1,000,000 and health insurance package for employees.

### FORM OF SUBMISSION

Any contract or contractual terms required must be included. Proposal must include a cover letter which: Identifies the name, title, telephone, and e-mail address of the person authorized by the offeror organization to contractually obligate the business entity providing the Offer; identifies the name, title, telephone, and e-mail address of the person authorized to negotiate the contract on behalf of the organization; identifies the names, titles, telephone, and e-mail addresses of persons to be contacted for clarification/questions regarding proposal content; identifies sub-contractors (if any) anticipated to be utilized in the performance of any resultant contract award; describes the relationship with any other entity which will be used in the performance of this awarded contract; explicitly indicates acceptance of the Conditions Governing this process; identifies any confidential envelopes with a non-confidential description of the contents; is signed by the person identified above.

The Board of Directors reserves the right to change the scope of services during the contract period with the understanding that the offeror will have the opportunity to requote the contract pricing.

Offerors are encouraged to submit a response to this RFP that conveys organizational qualifications and HOA management experience. Responses are limited to 10 pages of substantive content directly addressing the scoring criteria defined below. Resumes, references, support materials (e.g. sample financial statements), etc. should be attached as addenda. The attachments are not deemed substantive content for purposes of the page count. The responses should address each of the following areas in the same order in which they are set forth below.

### EVALUATION CRITERIA

All proposals received in response to this solicitation will be evaluated according to these criteria. A contract will be awarded to the offeror whose proposal is determined to be the most advantageous to ECIA considering price and the evaluation of the proposal using the unranked criteria described below:

1. Offeror's qualifications and resumes and experience of key personnel;
2. Offeror's experience performing Community Management Services of similar scope for large scale residential or mixed-use master planned communities;
3. Offeror's management approach and understanding of ECIA goals;
4. Quality and feasibility of the transition plan to move from the current administrative structure and financial system (Caliber) to Offeror's system and commitment to deliver services within the timeframes specified in this RFP; and
5. Price.

#### Attachments:

1. Declaration of Covenants
2. Covenants and Building Restrictions
3. Guidelines for Protective Covenants and Building Restrictions
4. Corporate Bylaws