Department of Housing and Community Development

Regional Capital Assistance Team Program Guidelines

Revision 1: February, 2017

Table of Contents

WHAT'S NEW IN THIS REVISION 4

ABOUT THE REGIONAL CAPITAL ASSISTANCE TEAM (RCAT) PROGRAM 4

I. INTRODUCTION 4
- Background and Objectives 4
- Host Housing Authorities and Participating Local Housing Authorities 5
- RCAT Scope of Services Overview 5

II. WAIVING OUT OF THE PROGRAM 6
- Waiver Threshold Criteria 6
- Waiver Conditions 7
- Waiver Application and Review Process 7

III. "OPTING IN" TO RCAT SERVICES 7

IV. HHA BOARD & RCAT ADVISORY BOARD 8
- Advisory Board Composition and Activities 8
- RCAT Advisory Board Elections and First Meeting 9
- HHA Board Role 10
- Coordination and Information Sharing 10

RCAT SERVICES 11

I. RCAT COMMUNICATION FLOW AND START OF SERVICES 11
- RCAT Services and Responsibilities – Overview 12
- Timeline for Start of RCAT Services 13
- PLHA Key Responsibilities 14

II. RCAT CORE SERVICES - PORTFOLIO NEEDS ASSESSMENT 14

III. RCAT CORE SERVICES - CAPITAL PLAN CREATION, SUBMISSION AND PLAN MAINTENANCE 17

IV. RCAT CORE SERVICES - CAPITAL PROJECT MANAGEMENT – SMALL PROJECTS (UNDER $50,000 PER PROJECT) . 20

V. RCAT CORE SERVICES - CAPITAL PROJECT MANAGEMENT – LARGE PROJECTS (OVER $50,000) 24
- Projects with construction budgets between $50,000 and $100,000 24
- Projects with construction budgets greater than $100,000 29

VI. RCAT CORE SERVICES – CAPITAL EMERGENCY PROJECTS 29

VII. NEW SERVICES - GROUP TRAININGS FOR PLHAS 30

VIII. NEW SERVICES – ASSISTANCE WITH SECURING FUNDS 30

IX. NEW SERVICES – MAINTENANCE PLAN CREATION 31

X. NEW SERVICES - BULK PURCHASE AND FORCE ACCOUNT PROGRAM 31
- Bulk Purchase 31
- Force Account 32

XI. NEW SERVICES - SURPLUS LAND SURVEY 32

XII. NEW SERVICES - OTHER RCAT LEGISLATIVELY MANDATED TASKS/SCOPE 33

PROGRAM ADMINISTRATION.....34

I. PROGRAM ADMINISTRATION – TERMS OF SERVICES 34

II. PROGRAM ADMINISTRATION – CONFLICT RESOLUTION..... 34

III. PROGRAM ADMINISTRATION - ADVISORY BOARD & STAFF TRAINING..... 35

IV. PROGRAM ADMINISTRATION - THIRD PARTY CONTRACTORS/SOFTWARE 35

V. PROGRAM ADMINISTRATION - PERFORMANCE TRACKING, REPORTING AND EVALUATION..... 36

Acronym Legend

A/E/C	Architecture/Engineering Consultant hired by Participating Local Housing Authority
AESU	DHCD Architectural & Engineering Services Unit
AHT	Affordable Housing Trust
AHJ	Authority Having Jurisdiction
AIMM	Accelerated Independent Maintenance and Modernization Program
CDBG	Community Development Block Grant
CIMS	Capital Improvements Management System
CIP	Capital Improvement Plan
CPS	Capital Planning System
DCAMM	Division of Capital Asset Management and Maintenance
DHCD	Department of Housing & Community Development
ECC	Estimated Construction Cost
ED	Executive Director
FISH	Financial Information System for Housing
FMS	Facility Management Specialist
FYE	Fiscal Year End
HHA	Host Housing Authority
LHA	Local Housing Authority
MCPPO	Massachusetts Certified Public Purchasing Official
MEP	Mechanical, Electrical and Plumbing
MGL	Massachusetts General Laws
NTP	Notice to Proceed
PAQ	Pre-Assessment Questionnaire
PLHA	Participating Local Housing Authority
RCAT	Regional Capital Assistance Team
RFI	Request for Information
SOP	Standard Operating Procedure
SOS	Scope of Services
WO	Work Order

What's New in this Revision

The current revision, dated January 17, 2017, updates these Guidelines to account for the passage of Chapter 218 of the Acts of 2016, An Act Modernizing Municipal Finance, and accompanying DHCD policy changes. Chapter 218, which became effective on November 7, 2016, changes advertising requirements, bidding procedures and thresholds, raising the threshold for sealed bids to $50,000.

To match the statutory change, DHCD will increase the 'small project' threshold for independent management from $25,000 to $50,000. RCATs will begin implementing small projects with construction costs between $10,000 and $50,000, starting in January, 2017.

About the Regional Capital Assistance Team (RCAT) Program

I. Introduction

Background and Objectives

In August 2014, Chapter 235 of the Acts of 2014, An Act Relative to Housing Authorities ("the Legislation") was signed into law. The Legislation mandated a series of new performance management and capacity building actions to improve the management of state public housing in Massachusetts. Of these actions, Section 26C of the Legislation called for creation of 3 Regional Capital Assistance Teams (RCATs) to help all Local Housing Authorities (LHAs) in executing capital and maintenance plans and projects. The Legislation stated that all LHAs **may** participate in the program, but LHAs with 500 or fewer state-aided units **are required to** participate, unless the LHA is granted a waiver by DHCD.

See *Appendix A: Enabling Language from Ch. 235 of the Acts of 2014*.

The Department of Housing and Community Development (DHCD) funds and oversees the RCAT program which taps the experience and skills of larger housing authorities to bolster the work of smaller LHAs throughout Massachusetts. The 3 RCATs are each hosted by an LHA that has been selected by DHCD via competitive procurement. Major RCAT program objectives are summarized as follows:

1. Increase the technical capacity available for smaller LHAs and, as a result, maximize the effectiveness of DHCD's capital program that currently disburses $90 million per year for the modernization, preservation, and development of state public housing; and
2. Facilitate collaboration across LHAs in order to capture economies of scale through bulk purchasing, bulk procurements, and other innovations.

DHCD issued an RFR in June 2015 to select 3 LHAs to host the RCAT program. In March 2016, DHCD executed contracts with 3 Host Housing Authorities that will administer the program regionally, as presented in the table below.

RCAT Region & Host Housing Authority	Counties
Region 1: Central-West Leominster Housing Authority	**Berkshire, Franklin, Hampden, Hampshire, and Worcester Counties** Except: Mendon, Milford, Northborough, Southborough, and Westborough Housing Authorities
Region 2 Northeast: Chelmsford Housing Authority	**Essex, Middlesex, and Suffolk Counties** Plus: Mendon, Milford, Northborough, Southborough, Westborough Dedham, Milton, Needham, and Wellesley Housing Authorities Except Ashland Housing Authority
Region 3 Southeast: Taunton Housing Authority	**Barnstable, Bristol, Dukes, Nantucket, Norfolk, and Plymouth Counties** Except: Dedham, Milton, Needham, and Wellesley Housing Authorities Also including Ashland Housing Authority

See *Appendix B: Map of Regions* for a larger map of each region.

Host Housing Authorities and Participating Local Housing Authorities

The 3 LHAs that administer the RCAT program on behalf of DHCD are called Host Housing Authorities (HHAs). The 3 HHAs employ technical assistance teams locally and oversee the launch and ongoing administration of the program. Each of the 3 HHAs employs one RCAT director, plus project management and other support staff as needed to effectively implement the program. The HHAs provide all staffing, equipment, facilities, and other resources necessary for the effective and efficient delivery of the RCAT program. The HHA Executive Director (ED) is responsible for:

1. Hiring the RCAT program director in consultation with DHCD;
2. Supervising the RCAT director, who will in turn manage other RCAT program staff;
3. Overseeing the overall implementation of the RCAT program by the RCAT director and staff;
4. Ensuring that all Participating LHAs (PLHAs) in their region have equal access to the RCAT services that are defined in this scope; and
5. Maintaining consistent quality of service across the entire region.

RCAT Scope of Services Overview

The RCATs will perform the following services for participating PLHAs:

1. Annual portfolio needs assessment.
2. Annual Capital Improvement Plan (CIP) creation and maintenance of the plan between periodic submissions to DHCD.
3. Project management duties for all capital projects, with particular focus on implementing small projects (under $50,000 apiece).
4. Assistance with securing additional capital funds from DHCD or other leverage sources.
5. Annual Maintenance Plan creation and guidance.
6. Establishment and implementation of a bulk procurement program, and/or force account crew program.

In addition, the RCATs will organize 2 group trainings per year for their regions on topics most relevant to the needs of the LHAs in their region and will also conduct a vacant land survey of land owned by LHAs to identify areas for potential housing development.

II. Waiving out of the Program

LHAs with less than 500 state-aided public housing units must apply to DHCD for a waiver if they wish to opt out of the services listed above. DHCD only grants waivers to LHAs that can successfully demonstrate that they have the operational and technical capacity to manage their own capital and maintenance programs independently. LHAs that elect to waive out of the program are expected to do all of the following tasks without any assistance from DHCD staff:

1. Assess properties annually for capital and maintenance needs, including unit inspections.
2. Create capital projects in the Capital Planning System (CPS).
3. Create CIPs in the Capital Information Management System (CIMS) and revise them as needed.
4. Execute small projects from start to finish, including the following:
    a. Scope projects under $50,000 in construction costs for procuring designers or assembling bid packages.
    b. Procure contractors and manage projects to meet budget and schedule.
5. Continuously update the CPS inventory (at the close of projects and after annual needs assessments/unit inspections).
6. Write and annually update a maintenance plan for all properties that will later be incorporated into the required submissions of the LHA annual plan.
7. Keep all capital projects on schedule and within approved budgets.

Waiver Threshold Criteria

In order to qualify for a waiver, an LHA must meet **all** of the following threshold criteria:

1. **Staff Capacity:** LHA has a full-time Executive Director and at least one full-time Maintenance person.
2. **Capital Benchmarks:** In the past 3 fiscal years, LHA has demonstrated good capital program performance, by:
    a. Spending 80% of total awarded Formula Funding for the past 3 fiscal years, according to DHCD Benchmark Reports.
    b. Submitting its most recent CIP within the same month that it was due, with no reporting errors. If DHCD requested modifications, LHA resubmitted within 45 days of notice.
3. **Vacant Units:** At time of application, less than 5% of the LHA's state-aided units are vacant beyond 60 days, not including those with a DHCD-approved waiver.
4. **Management Capacity:** LHA has routinely stayed up to date with all reporting and certification requirements the year prior to the waiver request, including:
    a. Vacancy Reports
    b. Monthly Energy Reports
    c. Board Attendance Reports
    d. Budget
    e. Budget Certification

f. Operating Statements
g. Operating Statement Certifications
h. Lead-Based Paint Compliance Certification
i. Top 5 Highest Paid Housing Authority Salaries Certification
j. 5-Year CIP
k. Quarterly Modernization Cost Reports

In addition, DHCD takes into consideration: (1) the total number of public housing units that the LHA manages, including federal units and other state units that are covered by a management agreement; (2) recent changes in staffing; (3) whether or not the LHA has a designated procurement officer who has MCPPO certification or is working towards certification; and (4) the LHA's past demonstrated ability to complete small projects independently on schedule and in compliance with procurement laws.

Only LHAs with 500 or more state-aided units or with RCAT waivers are eligible for the Accelerated Independent Maintenance and Modernization (AIMM) program, which allows LHAs to have more streamlined DHCD design reviews and greater autonomy in the process of contracting with architecture and engineering consultants.

Waiver Conditions

The first round of waivers is for a term of 3 years. The LHAs must renew their waivers prior to the expiration date that is stated in the DHCD-issued waiver approval letter. At any time, DHCD may rescind a waiver in the following situations:

1. LHA has a change in Executive Director or other significant staff change, or a management agreement expires.
2. LHA falls below the 3-year, 80% Formula Funding spending threshold.
3. LHA neglects to submit CIP on time.
4. A DHCD site visit or Agreed Upon Procedures financial review indicates that an LHA would benefit from some assistance in the areas of property maintenance, unit occupancy, and/or procurement.

Waiver Application and Review Process

Prior to the program launching and at the end of each HHA contract term, DHCD will issue a Public Housing Notice soliciting RCAT waiver applications. LHAs must fill out and submit the DHCD application form by the deadline in the Notice. Once all applications are received, DHCD reviews and, if necessary, contacts the LHAs to ask for additional information. DHCD notifies the LHA of the decision via individual email communication. If the LHA disagrees with DHCD's decision, the LHA may submit a letter of appeal to the Associate Director of the Division of Public Housing and Rental Assistance. DHCD's decision on the appeal is final.

III. "Opting In" to RCAT Services

Until the RCATs have been up and running for 3 years, LHAs with more than 500 state-aided public housing units and LHAs with waivers ("waivered LHAs") may not "opt in" to participate fully in the program. After the 3-year ramp up period has passed, the RCATs, HHAs, and DHCD will discuss how to best institute a process for allowing the larger LHAs to access RCAT services. However, if advantageous,

the RCAT may at any time invite larger LHAs (with more than 500 state-aided units) and waivered LHAs to participate in the bulk procurement or force account portions of the program with DHCD's advance approval.

In situations where a waivered LHA undergoes a significant change in staff or operations that might negatively affect its ability to meet capital or maintenance program goals (e.g., turnover of key staff or entering/leaving a management agreement), then an LHA may wish to opt back into the RCAT program. In this situation, the LHA may send a letter of request to the DHCD Director of the Bureau of Housing Development and Construction providing reasoning and justification. A copy of LHA Board approval for the change must be included with the letter. DHCD will review the request and respond to the LHA. If approved, DHCD will inform the respective RCAT, and then the RCAT and PLHA will sign the Terms of Services document.

See *Appendix C: Terms of Services.*

IV. HHA Board & RCAT Advisory Board

Advisory Board Composition and Activities

Chapter 235 of the Acts of 2014, An Act Relative to Local Housing Authorities, section 26C(e) requires that an Advisory Board for each RCAT be established. See *Appendix A* and excerpted language below:

> *(e) Each capital assistance team shall have an advisory board consisting of 11 members. The host housing authority shall appoint 1 of its own board members to the advisory board; the department shall appoint 1 member, who shall have at least 5 years of experience as the manager of not less than 200 units of privately owned housing; and the department shall promulgate regulations establishing election procedures for the selection of the remaining 9 members. The department shall limit eligibility for election to members of participating housing authorities in the region. The advisory board shall meet on a quarterly basis with the capital assistance team director, host housing authority director and the director of the department or a designee of the director of the department and shall discuss issues of program performance and coordination."*

In the statute, 'department' means DHCD.

The activities of each RCAT will be undertaken in coordination with the Advisory Board as defined in the statute. Each RCAT Advisory Board shall meet on a quarterly basis with the RCAT director, the HHA Director, and DHCD's designee to discuss issues of program performance and coordination. The HHA director shall convene these meetings. The Advisory Board makes recommendations and provides important information to the program administrators. However, the Advisory Board does not have formal authority to govern the program. Final decisions regarding matters of operation, coordination, policy, and performance will reside with the RCAT, HHA, and DHCD.

<u>Required Qualifications for Advisory Board Nominees:</u>

1. Must be hold a current seat on the Board at an LHA that is participating in the RCAT program.

2. Ability to travel to quarterly in-person meetings that may occur in the evening or on weekends, depending on availability. May require traveling up to 125 miles for Central-West Region, 60 miles for Northeast Region, and 100 miles for Southeast Region.
3. Access to telephone, email, and computer.

Preferred Qualifications for Advisory Board Nominees:

1. Ability to act as a liaison and representative for LHA tenants, staff, and boards in the region.
2. Experience or interest in being part of a new and innovative program.
3. Familiarity with the DHCD Capital Program.
4. Familiarity with best practices in Maintenance Planning and Operations.
5. Term is not predicted to expire until after June 30, 2019.

Meetings shall be held in a fully accessible location and conducted in accordance with DHCD regulations. Participating LHAs and their LTOs will be given at least 3-weeks' notice of all meeting times and locations.

RCAT Advisory Board Elections and First Meeting

Upon confirmation by DHCD of the final list of LHAs that will be RCAT PLHAs, DHCD will begin the process of implementing the election process. The election process for the 9 non-appointed seats will be administered by DHCD and will generally consist of two main steps: 1) Nominations of candidates, and 2) Election of Advisory Board members. The process will generally consist of the following tasks:

1. DHCD will transmit a detailed Public Housing Notice to all PLHAs defining, describing and outlining the Nomination and Election process.
2. DHCD will transmit a detailed Public Housing Notice to all PLHAs calling for Advisory Board Nominations. This notice will be sent to the PLHA Executive Directors in each region not less than 90 days prior to the election. The notice will include written guidelines for the nomination and election process, including preferred qualifications for RCAT Advisory Board members. It will also be posted on DHCD's website.
3. PLHAs will file their nomination of candidates during the prescribed period and according to the process defined in DHCD's notice. Each LHA Board may nominate a maximum of 2 candidates. Each candidate must be a member of the LHA Board. If the LHA Board nominates 2 candidates, one of the candidates must be a Tenant. PLHAs may abstain from nomination.
4. Upon close of the Nomination period, DHCD will tabulate the nominations and determine the candidates for election. The HHA and the PLHA Executive Directors will be notified of all of the candidates in their region.
5. DHCD will then transmit a Public Housing Notice to all PLHAs announcing the RCAT Advisory Board Elections. PLHA will have a 45-day period of time to cast votes, in accordance with the process defined in the notice.
6. Each PLHA Board will vote for a maximum of 9 candidates for the RCAT Advisory Board members representing its RCAT Region. PLHAs may abstain from voting.
7. Upon close of the voting period, DHCD will tabulate the votes and announce the results via Public Housing Notice to all PLHAs.

Each RCAT Board must have **at least** one Tenant Board member. The Tenant candidate receiving the most votes of any Tenant candidate shall be the first elected member on the RCAT Advisory Board. The

next elected member shall be the candidate receiving the most votes other than the initial Tenant elected member, and the remaining seats shall be filled in a similar manner, by the candidates receiving the next highest number of votes, until 9 members have been elected. In the event of a tie for the ninth seat, DHCD shall select between the tied candidates based upon the qualifications of the tied candidates and the overall diversity of the board. In the event that no Tenant candidate receives any votes, DHCD shall appoint a tenant board member from the PHAs.

The completion of this overall task is marked by confirmation of 2 appointed and 9 elected Advisory Board members for each RCAT. The first meeting for each RCAT Advisory Board shall take place not later than 60 days following the announcement of the results of the election.

Each RCAT Advisory Board member shall serve a term of 3 years. There is no limit on the number of terms for which a member may be re-elected. Advisory Board Nominations and Elections shall be held every 3 years or as necessary to accommodate the evolution of the RCAT program.

In the event that an elected RCAT Advisory Board member resigns or cannot fulfill the duties during his or her term, DHCD shall fill the vacancy by appointing the candidate who received the next highest number of votes after the last candidate to be elected under the procedures described above. DHCD will repeat this process, continuing with the candidate with the next highest number of votes, until are seats are filled. Provided, that if the resigning or otherwise incapacitated RCAT Advisory Board member was elected as a Tenant member, then DHCD shall appoint a Tenant member to fill the vacancy. If DHCD is unable to fill any vacancy through the process described above, DHCD may appoint any person meeting the preferred qualifications set forth in its guidelines to serve as the replacement RCAT Advisory Board member. The person appointed to fill any vacancy shall serve for the balance of the original term of the resigned or otherwise incapacitated member.

HHA Board Role

The HHA Board of directors is generally accountable for the oversight of the RCAT for the respective region via the HHA Director. The HHA Board will be responsible for approvals, certifications and signatures regarding certain RCAT matters as presented to them by the HHA Director.

All matters relating to contracts, salary, bonuses, fringe and retirement benefits for the HHA Director and any HHA staff that are providing RCAT support will need the HHA Board approval. As the RCAT program evolves, DHCD may require HHA Board approval on other RCAT related matters.

The HHA Board will appoint 1 of its own Board members to the Advisory Board.

Coordination and Information Sharing

Each RCAT is expected to coordinate and share program information with its Advisory Board, HHA staff, HHA Board, DHCD, PLHAs, and RCATs in the two other regions. At a minimum, each RCAT director, in coordination with the HHA director, is expected to:

- Give regular progress reports at each HHA's regular monthly board meeting. In this way the HHA's Board will be informed of program developments.
- Convene quarterly meetings of its region's Advisory Board to review program performance and troubleshoot issues. This meeting must be open to the public, held in an accessible location, and advertised among PLHAs and their residents.

- Participate in regular conference calls with other RCAT directors and the DHCD program administrator. These calls will likely be scheduled by DHCD on a biweekly basis during the first year and then move to a monthly or quarterly schedule.
- Work with other RCAT directors and staff to ensure the sharing of best practices, lessons learned and capturing of efficiencies across the state.

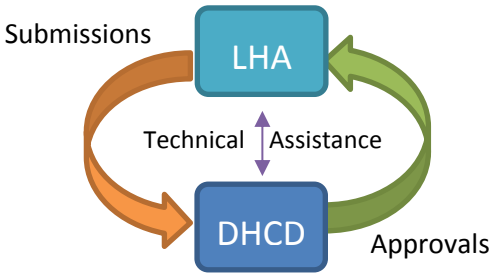
RCAT Services

I. RCAT Communication Flow and Start of Services

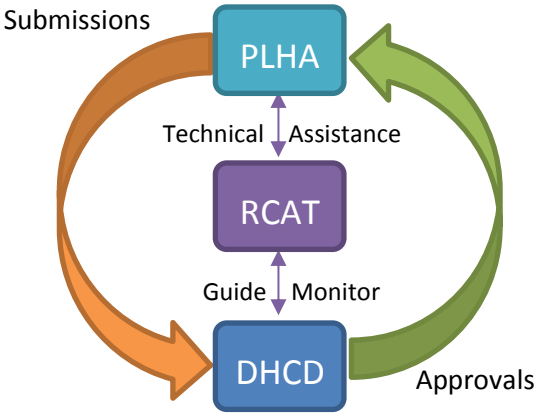
Before the RCAT begins performing services at a PLHA, the HHA and the PLHA must sign the Terms of Services document. See Appendix C. Once this Agreement is in effect, the PLHA will experience two major changes in its day-to-day handling of capital and maintenance related duties:

- PLHA will gain staff hours as it hands off capital-related duties to the RCAT, and
- PLHA will communicate through the RCAT to DHCD Capital Staff (and vice versa) on some capital related issues.

The diagrams below show how communication will change after the launch of the program.



BEFORE RCAT



AFTER RCAT

RCAT Services and Responsibilities – Overview

The chart below shows the roles of the parties for each of the services RCAT will offer.

Work Area	Work Category	Task	PLHA	RCAT	DHCD
Inspections & Assessments	Routine Inspections	Perform annual unit inspections and routine systems inspections for maintenance purposes.	**LEAD**	inform	guide/ monitor
	Capital Needs Assessments (RCAT Begins 9/16)	Annual facility needs assessment for capital planning.	coord	**LEAD**	guide/ monitor
		5-year portfolio-wide CPS needs assessment.	coord	inform	**LEAD**
Capital Improvement Plan	Project Scoping	Project creation. Cost estimating/ editing in CPS.	coord	**LEAD**	guide/ monitor
	Plan Creation	Set capital project priorities within resource constraints. Prep/clean data for plan creation in CIMS. Create CIP in CIMS.	coord	**LEAD**	guide/ monitor
	Plan Submission	Board and tenant engagement and approval of CIP Plan/Annual Plan.	**LEAD**	TA	guide/ monitor
		Submit CIP to DHCD via CIMS.	**LEAD**	TA	guide/ monitor/ approve
	Plan Maintenance	Revise & submit CIP revisions to DHCD via CIMS (Keep CIP "live"). Update CPS at end of projects (Keep inventory "live").	coord	**LEAD**	guide/ monitor/ approve
Maintenance Plan	Plan Creation	Create first draft of Preventative Maintenance Plan to submit with PLHA Annual Plan	coord	**LEAD**	guide/ monitor
	Plan Maintenance	Update plan as needed, revising at least annually.	**LEAD**	TA	guide/ monitor
	Plan Submission & Approval	Submit maintenance plan to DHCD along with Annual Plan after holding required meetings and hearings.	**LEAD**	TA	guide/ monitor/ approve
Securing Resources	Applications	Apply for DHCD special program funds outside of Formula Funding. Secure outside leverage funds.	**LEAD**	TA	guide/ monitor/ approve
Economies of Scale	Bulk Procurements	Bulk procure materials and labor to serve region.	coord	**LEAD**	guide/ monitor/ approve
	Force Account	Implement force account strategy for certain job types.	coord	**LEAD**	guide/ monitor/ approve
Surveys	Vacant Land/ Opportunities	Survey the regions for LHA-controlled vacant land and other development or program opportunities	coord	**LEAD**	guide/ monitor

Work Area	Work Category	Task	PLHA	RCAT	DHCD
Capital Project Management	General Project Management	Manage capital project schedule for regional portfolio.	coord	**LEAD**	guide/ monitor
		Tenant coordination and communication.	**LEAD**	TA	guide/ monitor
		Execute CFA, Award contracts, Pay contractors, Submit quarterly accounting reports	**LEAD**	TA	guide/ monitor/ approve
		Create, maintain, and close out capital project files for PLHA archive	coord	**LEAD**	guide/ monitor
	Small Projects	Under $10K jobs: scope, solicit quotes, award contracts, monitor from design through construction. Submit project invoices to DHCD.	**LEAD**	TA	guide/ monitor/ approve
		$10K to $25K jobs: Procure architects, engineers, and contractors; monitor from design through construction. Submit project invoices to DHCD.	coord	**LEAD**	guide/ monitor/ approve
	Large Projects	$25K to $100K jobs: Monitor project from design through construction.	coord	**LEAD**	guide/ monitor/ approve
		Over $100K jobs: Monitor project from design through construction	coord	coord	**LEAD**
		Submit project invoices to DHCD.	coord	**LEAD**	guide/ monitor/ approve

Timeline for Start of RCAT Services

The chart below shows the dates when RCATs will become responsible for performing services.

RCAT Target Date	Work Items
September 2016	Portfolio Needs Assessment & Surplus Land Review
November 2016	Capital Emergency Follow Up & Capital Plan Creation and Maintenance
January 2017	Small Projects
June 2017	Assistance Securing Funds & Annual Maintenance Plan Creation and Guidance
December 2017	Large Projects (new projects & projects approved to bid after December 2017)
September 2018	Bulk Procurement Or Force Account

PLHA Key Responsibilities

Though the RCAT will add technical capacity, most PLHA capital-related administrative duties will not change. The PLHA will still be responsible for the following.

- The PLHA Board approves the CIP and awards all contracts.
- The PLHA is responsible for orchestrating its Board's approval and all tenant engagement around its CIP (though the RCAT will be available to advise PLHAs on their management of these processes, if requested).
- The PLHA is responsible for providing routine updates to the Board and to tenants on capital project implementation and mid-year changes to the CIP and CIP projects in accordance with DHCD regulations and guidelines.
- The Contract for Financial Assistance (CFA) is still between DHCD and the PLHA, and all funds will flow to the PLHA to make payments to contractors and other providers of services.
- The PLHA will continue to provide DHCD accounting reports for funds released from the CFA.
- The PLHA will continue to be eligible to draw capital project administrative fees from its Formula Funding in an amount not to exceed 10% of the construction cost on a project by project basis.
- Part-time PLHA Executive Directors will continue to be able to request additional hours for project-specific work within the 10% cap on admin and with approval from the board, although the need for additional time will diminish with RCAT assistance.
- The PLHA will retain project records after the completion of the project.

II. RCAT Core Services - Portfolio Needs Assessment

Each RCAT will pursue a comprehensive strategy for preserving all state public housing units in its region. In order to ensure the best and most efficient use of resources, RCAT project managers must become very familiar with the developments in their portfolio. All capital and maintenance plans and projects should be informed by on-the-ground knowledge of physical conditions. Each RCAT will, therefore, need to perform annual needs assessments at 100% of PLHAs' developments in its region. RCAT will start Portfolio Needs Assessments for PLHAs with a December FYE, for the CIP that is due January 15, 2017. Work will include:

Preparation for Needs Assessments: The preparation process for RCAT will involve two main activities 1) Establishing a standard operating procedure and framework that will make delivery and implementation of the task efficient, uniform, and consistent and 2) Compiling and reviewing technical information and tools that will aid and help facilitate the assessments (data in CPS and CIMS, reports from prior assessments, site plans, the current CIP).

Coordination & Scheduling: Once the Preparation for Needs Assessments is substantially complete, RCAT shall undertake the Coordination and Scheduling subtasks to begin the assessment process. This process includes communicating with and engaging each PLHA in order to coordinate and plan the on-site physical assessment. The completion of this task is marked by the PLHA's confirmation of the scheduled on site visit(s).

Implementation of the Needs Assessment: After the RCAT has confirmed, coordinated, and scheduled the site visit, the RCAT shall execute the Implementation of the Needs Assessment for the PLHA. This process involves the following:

1. A kickoff meeting with the PLHA;
2. Site visits to each development to physically assess the entire site, major building systems, and a sample of units and common areas. Particular attention will be paid to the expired (or near expiring) components and priority one deficiencies that have been identified in past DHCD reports and CIPs;
3. Identification of expiration years and/or quantities of facility components that may not be accurate and recording of correct information and notes; and
4. A debriefing meeting or communication with the PLHA to obtain approval/acknowledgement of assessment results.

Timing: These needs assessments should occur within three to six months before the end of each PLHA's fiscal year end (FYE). This will permit capital and maintenance projects to be appropriately assigned either to the PLHA operating budget that is due 30 days before the end of the PLHA FYE or to the CIP that is due 15 days after the end of the PLHA FYE.

Division of Responsibility for Portfolio Needs Assessment: In order to work effectively together, it is important for each party to understand how responsibilities are divided among participants.

PLHA	RCAT	DHCD	A/E/C	Preparation for Needs Assessments
□	■	□	□	Develop a Building & Sanitary Code reference checklist (for RCAT PM use).
□	■	□	□	Develop standard Pre-Assessment Questionnaire (PAQ).
□	■	□	□	Determine LHA staff necessary to facilitate site visit. (Escort necessary, access to locked areas and dwelling units).
□	■	□	□	Develop standard kickoff meeting agenda including implementation strategy.
□	■	□	□	Develop standard email notification/scheduling template for inspection(s).
□	■	□	□	Choose & Develop standard Data Collection form/mechanism (DHCD has template).
□	■	□	□	Establish dwelling unit and common area sampling standard.
□	■	□	□	Develop geographical delivery strategy and roll-out schedule for every LHA development.
□	■	□	□	Request the DHCD CPS portfolio data, Facility Condition Assessment data and the Unit Inspection data from DHCD.
□	□	■	□	Compile the DHCD CPS portfolio data, Facility Condition Assessment data and the Unit Inspection data and transmit to the RCATs electronically.
□	■	□	□	Request a maintenance summary/work order history from each LHA and copies of notes from Tenant engagement meetings.
■	□	□	□	Compile a maintenance summary/work order history and copies of notes from Tenant engagement meetings and transmit them electronically to the RCAT.

PLHA	RCAT	DHCD	A/E/C	Preparation for Needs Assessments (cont.)
□	■	□	□	Request any site plans, as-built drawings, photographs, and other information that may assist the process.
■	□	□	□	Compile any site plans, as-built drawings, photographs, and other information that may assist the process and transmit them to the RCAT.
□	■	□	□	Procure diagnostic tools as necessary for use in conducting assessments.

PLHA	RCAT	DHCD	A/E/C	Coordination & Scheduling
□	■	□	□	Initiate email communication to LHA Executive Director outlining the task and process. Include sample typical kickoff meeting agenda and Pre-Assessment Questionnaire (PAQ) for LHA to complete.
□	■	□	□	Email each individual PLHA a standard scheduling request based on geographical delivery strategy and roll-out schedule.
□	■	□	□	Coordinate via phone and email with PLHAs as necessary to accommodate schedules and select unit inspection sample.
□	■	□	□	Email Schedule Confirmations, including units to be sampled/assessed, a reminder for the LHA to confirm at least 48 hours' notice has been given to tenants if access is needed into any occupied dwelling units. Also include confirmation of meeting location and persons involved.
■	□	□	□	Confirm that tenants have been given 48 hours' notice.

PLHA	RCAT	DHCD	A/E/C	Implementation
□	■	□	□	Conduct a needs assessment kickoff meeting.
□	■	□	□	Conduct site visits as coordinated with LHA and per implementation strategy developed. Generally identify expiration years and/or quantities of facility components that may not be accurately identified in existing reports and record correct information and notes. Identify, investigate, quantify and prioritize any deficiencies found with the facility components.
□	■	□	□	Report any critical/emergency life and health safety issues immediately to the PLHA.
■	□	□	□	Initiate action within 24 hours on any critical/emergency life and health safety issues.
□	■	□	□	Consult DHCD for technical support/questions if necessary. For Sanitary Code questions, consult Facility Management Specialist Unit (FMS); and for Building & MEP Code questions, consult Architectural & Engineering Services Unit (AESU).
□	■	□	□	Create and Issue an Assessment report to share with the PLHA and file.
□	■	□	□	Schedule and Conduct a debriefing meeting or send a debriefing communication to each PLHA to review the report.
■	□	□	□	Review Assessment report and provide written acceptance of content to RCAT.
□	■	□	□	Record and file the PAQ, kickoff meeting agenda, notes, and field assessment forms, and assessment report in an electronic filing system.

Approvals required by the PLHA: The PLHA will provide approval in writing to the RCAT of key documents and milestones in order for the project to move forward. All such approvals shall be requested by the RCAT. These shall include but not be limited to the following:

1. Pre-Assessment Questionnaire
2. Kickoff meeting agenda
3. Unit sampling plan
4. Inspection/Assessment findings/results

DHCD Responsibilities: DHCD does not participate directly in the Portfolio Needs Assessment except for the following tasks:

1. General technical advice/assistance
2. General software systems advice/support

III. RCAT Core Services - Capital Plan Creation, Submission and Plan Maintenance

DHCD mandates that each LHA prepare and submit a five-year CIP at the end of each FYE. The CIP tool allows LHAs to prioritize capital projects in accordance with their predicted resources (Formula Funding, Operating Reserves, and other special awards). It is also expected that the LHA's CIP be revised in between annual submissions as active projects get added or cancelled. The RCAT will help 100% of participating LHAs in its region create and maintain their plans. RCAT will start CIP Plan Creation and Submission for PLHAs with a Dec FYE, for the CIP that is due January 15, 2017. Work will include:

Preparation for annual 5 year CIP: The preparation process generally involves stakeholder communication and input, schedule coordination & planning, and data verification and updating to ensure that the new 5 year CIP reflects completed work, current active work, and proposed work within the 5 year planning period. In addition, this overall task ensures that the PLHA reporting is up to date.

Development, Approval & Submission of annual 5 year CIP: Upon substantial completion of the overall task of the preparation process for the annual 5 year CIP, the RCAT shall begin the process of the development, approval & submission of the PLHA annual 5 year CIP. This overall task generally involves the editing, modification and update of the previous PLHA FY CIP in the DHCD Capital Improvement Management System (CIMS) software to include an additional year of project planning. The substantial completion of this overall task is marked by a PLHA Board approved CIP, and the final completion of the overall task is marked by the submission of the final CIP by PLHA to DHCD.

CPS & CIP Maintenance: Following approval of the PLHA CIP, the RCAT shall work with the PLHA via regular and consistent communication to monitor and update the CIP as necessary based on the PLHAs changing needs. This process generally involves verifying and defining requested change(s), establishing reasoning and justification for the change(s), determining the cost and schedule implications of the change(s) and transacting either a CIP Modification or Revision in the CIMS

software to incorporate the requested change(s) into the CIP. RCAT will start CIP revisions for all PLHAs starting in November 2016.

Division of Responsibility for Capital Plan Creation, Submission and Plan Maintenance: In order to work effectively together, it is important for each party to understand how responsibilities are divided among participants.

PLHA	RCAT	DHCD	A/E/C	Preparation for annual 5 year CIP
□	■	□	□	Enter Needs Assessment findings in CPS.
□	■	□	□	Update CPS Inventory Components and scopes, schedules and budgets of existing Projects based on assessment findings. Close out CPS projects that have been completed.
□	■	□	□	Categorize Needs Assessment findings into Maintenance or Capital.
□	■	□	□	For assessment findings categorized as Capital, develop planning scopes, schedules and budgets, including construction, consulting fees and administrative costs, for new proposed projects to address deficiencies and prioritize them.
□	■	□	□	Enter new proposed projects in CPS.
□	■	□	□	Prepare a Draft "Paper Plan" CIP and review with PLHA. Revise until PLHA is satisfied that the Draft is ready to share with Board and Tenants.
■	□	□	□	Identify when the PLHAs next annual CIP is due, notify the LHA Board, Tenants/Local Tenant Organizations (LTOs) of the CIP schedule and schedule the Tenant participation and Board meetings to accommodate the CIP due date.
□	■	□	□	RCAT to advise PLHA to conduct a Tenant and/or LTO CIP participation meeting.
■	□	□	□	PLHA to conduct a Tenant and/or LTO CIP participation meeting and obtain a letter documenting such meeting including review notes on Tenant/ LTO priorities.
□	■	□	□	RCAT shall Coordinate, schedule and execute the District Hours Preparation checklist Conference call (including FISH Project verification form) with CyberSense. *
■	□	□	□	PLHA shall attend and participate in the District Hours Preparation checklist Conference call with RCAT and Cybersense. *
□	■	□	□	Coordinate and schedule District Hours work sessions with CyberSense and PLHAs for each PLHA upon DHCD announcement of respective March, June, September and December FYE District Hours delivery. *
□	■	□	□	Transmit FISH Project data verification forms to respective DHCD Project Managers.
□	■	□	□	Coordinate with respective DHCD Project managers to ensure that all FISH projects have up to date scopes, schedules and budgets (via FISH Project verification Form).*
□	■	□	□	RCAT to advise PLHA on status of non-current management reporting, inspections and certifications as shown in CIMS certifications.
■	□	□	□	PLHA to ensure it is current on all management reporting, inspections and certifications.

PLHA	RCAT	DHCD	A/E/C	**Preparation for annual 5 year CIP (cont.)**
□	■	□	□	Request approval to use "Paper Plan" to create CIP in CIMS.
■	□	□	□	Approve "Paper Plan" and give RCAT the go-ahead to enter into CIMS.

PLHA	RCAT	DHCD	A/E/C	**Development, Approval & Submission of annual 5 year Capital Improvement Plan (CIP)**
□	■	□	□	Create draft of annual five-year CIP at District Hours work session including CIP Budget Scenario, Narratives and Certifications. *
□	■	□	□	Meet with PLHA staff to finalize draft CIP. *
□	■	□	□	Make final changes in CIMS CIP based on review meeting with PLHA. *
□	■	□	□	Generate CIP report and send to PLHA for Board approval. *
□	■	□	□	Monitor PLHA to obtain Board approval of CIP.
■	□	□	□	Obtain Board approval of CIP.
■	□	□	□	Submit CIP to DHCD.

PLHA	RCAT	DHCD	A/E/C	**CPS & CIP Maintenance**
□	■	□	□	Develop Standard Operating Procedure for Modifications and Revisions requests.
□	■	□	□	Monitor PLHA CIP between annual submissions.
□	■	□	□	Modify or Revise PLHA CIP as necessary to accommodate changes that may be necessary and occur between annual CIP submissions. *
■	□	□	□	Submit CIP revision to DHCD.

*** Note:** During a transition period, RCAT staff will work with CyberSense Training & Consulting under a DHCD contract to accomplish this task.

Approvals and Submissions required by the PLHA: In order for the plan to move forward, the PLHA must provide the RCAT a written approval of all key documents and milestones. The PLHA shall also be responsible for the following:

1. Submitting the annual CIP to DHCD via the CIMS software.
2. Submitting Revisions to the annual CIP to DHCD via the CIMS software.
3. Ensuring that LTO letters are obtained or, in the case of no LTOs, preparing a letter certifying that Tenant meetings were conducted.
4. Ensuring that Board certification of the Lead Based Paint Compliance requirement is obtained and sent to the RCAT so that they can upload it into CIMS.

DHCD Responsibilities: DHCD does not participate directly in the Capital Plan creation, submission and plan maintenance except for the following tasks:

1. General technical advice/assistance
2. General software systems advice/support
3. Making edits to FISH projects as necessary and feasible to accommodate the new CIP.
4. For the first year of RCAT operation, manage the ongoing services of CyberSense Training as they relate to the RCAT operation. This shall include:
    a. Obtaining the quarterly District Hours delivery venue/schedule.
    b. Sending out the District Hours global email communications.
    c. Invoice processing.

5. Running all FISH data Verification Reports until an interface is created to allow RCATs to propose/make the necessary changes.
6. Reviewing and Approving the CIPs.

IV. RCAT Core Services - Capital Project Management – Small Projects (under $50,000 per project)

RCAT advises LHAs remotely upon request about projects with Estimated Construction Costs (ECC) less than $10,000: Beginning in January, 2017, upon request by the PLHA, the RCAT will provide phone and email assistance to LHAs on how to put together a solicitation package, solicit quotes using sound business practices, and maintain records for projects with construction budgets less than $10,000.

RCAT Project Management of Projects with ECC between $10,000 and $50,000: Beginning in January, 2017, RCAT will assume all phase responsibilities and monitor projects for adherence to procurement laws, schedule, specifications, and budget for projects with construction costs between $10,000 and $50,000, except for a small number of 'complex' projects that DHCD will continue to be directly involved in reviewing and managing which it will identify when the project is approved for implementation.

RCAT will act as the 'modernization department' for PLHAs. Each RCAT will actively assist PLHAs in its jurisdiction with project implementation tasks including but not limited to:

- Work Order/Scope of Services development,
- Procurement and management of architects and engineers,
- Design input and design review,
- Provide recommendations regarding changes to scope and budget and preparing the CIP revisions necessary to accommodate these changes,
- Prepare CIP revision as necessary to add a new project mid-year, outside of the annual CIP,
- Bid package development,
- Conduct bidding,
- Conduct bid review and contractor selection,
- Monitor construction progress by visiting each jobsite 2-3 times during construction and troubleshooting any problems that arise until project close-out,
- Request payments from DHCD and signing the Certificate of Compliance,
- Create and archive the project file, and
- Update CPS when the project is complete.

Schedule Creation: The preparation of the CIP provides a natural transition from planning to project implementation. As part of the CIP process, RCAT will develop schedules for each of the projects within this cost range that are scheduled for completion prior to the next CIP submission. Each schedule will include time for review and approval of key work products or milestones by the PLHA. (During the first year, this will happen outside of the CIP process for the March and June FYE PLHAs since they will submit their CIPs independent of RCAT.) Sometimes the PLHA will need to add a small project mid-year, outside of the annual CIP. The RCAT will prepare a CIP revision and develop the project schedule at that time, based upon information provided to it by the PLHA. The RCAT and the PLHA will make their best effort

to complete their responsibilities within the scheduled time and notify the other if additional time is required. RCAT will revise the schedule accordingly.

Use of a Designer: A key project decision is whether to utilize a designer. DHCD requires the use of a designer for projects with a ECC of $25,000 or above. Below the $25,000 threshold, DHCD recommends using a designer when the LHA does not have technical staff to prepare plans and specs or administer construction and for certain project scopes and complex projects. A designer may also be required by the Authority Having Jurisdiction (AHJ), typically the local building official. See DHCD's Small Project Guide (http://www.mass.gov/hed/housing/ph-mod/0-25000-dhcd-small-projects-guide.html) for a full discussion of this topic. The RCAT will recommend to the PLHA whether to utilize a designer, and for what portions of the work. Where the PLHA has staff with construction expertise and experience administering construction contracts, the RCAT and PLHA may decide to limit the designer's role to only preparing plans and specs. Note that for jobs with an ECC less than $25,000, DHCD will continue to provide the PLHA with a rebate of 50% of the cost for design services, up to a maximum of $3,000. The RCAT may be available to prepare plans and specs for certain template projects, depending on work load.

Division of Responsibility: The steps to implement a project are fully described in DHCD's Small Project Guide. In order to work effectively together, it is important for each party to understand how responsibilities are divided among participants. The list below is from the Guide and shows the role the RCAT and the PLHA will each take in administering a project. In the case below, an example of a project with a ECC of less than $25,000, it is assumed that the PLHA will hire a designer to prepare plans and specifications but will not have that designer do the bidding or construction administration. In all cases, the RCAT will be expected to visit each jobsite 2-3 times during construction to monitor progress, and troubleshoot any problems that arise until project close-out. In the situation where the RCAT or the PLHA is preparing the package, the tasks for the A/E/C would be distributed to either the RCAT or the PLHA.

PLHA	RCAT	A/E/C	Organizing a Project
□	■	□	Establish a scope, budget, and schedule for the project.
■	□	□	Collect as-built drawings, photographs, sketches and other information pertinent to the project.
■	□	□	Inquire with AHJ if a building permit is required to perform the scope of work.
■	□	□	Inquire with AHJ if an affidavit for controlled construction is required to be executed upon completion. If this is required by the AHJ, then the A/E/C will have to do the construction administration.
□	■	□	Assess if the project requires an Architect/Engineer by code, or by reasonable business practice.
□	■	□	Recommend selection of a Designer.
■	□	□	Approve selection of Designer.
□	■	□	Schedule initial phone consultation and/or meeting between Designer, RCAT and PLHA.

PLHA	RCAT	A/E/C	Planning & Scoping: Pre-Design
■	■	■	Attend initial meeting and tour the work area and observe existing conditions, restrictions, review scope of work. RCAT is responsible for scheduling.
□	□	■	Prepare a detailed cost estimate of the work.
□	■	■	Recommend changes to scope and budget to PLHA.

PLHA	RCAT	A/E/C	Planning & Scoping: Pre-Design (cont.)
■	□	□	PLHA approves changes to scope or budget.
□	■	□	If estimated design fee exceeds $10,000 – stop, call the DHCD project manager. *
□	■	□	If estimated construction cost exceeds $50,000 – stop, call the DHCD project manager.**
□	□	■	Determine applicable bidding procedures per MGL.
□	□	■	Check for DHCD Template Specifications for possible use.
□	□	■	Check for DHCD Template Bid Packages for possible use.
□	■	□	Prepare LHA/Designer agreement.
□	■	□	Recommend execution of PLHA/Designer agreement.
■	□	■	Execute LHA/Designer agreement.

PLHA	RCAT	A/E/C	Design and Documentation Phase: Bid Package
□	□	■	Conduct a detailed survey of existing conditions at the work area.
□	□	■	Coordinate, schedule, monitor, record, and evaluate the results of any destructive testing.
□	□	■	Coordinate, schedule, monitor, and evaluate the results of any hazardous testing required by the age of the building or scope of the project.

PLHA	RCAT	A/E/C	Design and Documentation Phase: Bid Package (cont.)
□	□	■	Prepare Front End of construction contract/bid documents for ECC of $10,000 - $50,000.
□	□	■	Prepare technical drawings and specifications for construction.
□	■	□	Review drawings and specifications for conformance to DHCD Design & Construction Guidelines & Standards and request any needed changes of A/E/C.
□	□	■	Finalize the project's estimated construction cost (ECC).
□	□	■	Apply for and obtain prevailing wage rates for 90 day limited period.
□	□	■	Prepare advertisement of construction project with date for site visit.
□	□	■	Prepare bid package for public bid and construction.
□	■	□	Review and recommend approval of the bid package.
■	□	□	Approval of package and approval to bid.

PLHA	RCAT	A/E/C	Construction Contract Procurement: Bid Process
□	■	□	For ECC $10,000 to $50,000 – advertise per statute.
□	■	□	Conduct pre-bid site visit, collect bidder's questions into one document.
□	■	□	Respond to questions, compile answers, and distribute answers to all identified bidders by Addendum.
□	■	□	Receive construction quotes or sealed bids from interested bidders.
□	■	□	Evaluate quotes or bids.
□	■	□	If low quote exceeds $50,000, stop and present options and recommendation to PLHA; call the DHCD project manager if you wish to proceed on a bid that exceeds $50,000.
□	■	□	If low quote or bid is below bidding threshold, continue to review phase.

PLHA	RCAT	A/E/C	Bid or Quote Review and Contract Award Phase
□	■	□	Check references of the contractor with low quote.
□	■	□	Check and verify that contractor is not debarred by state or federal government.
□	■	□	Recommend to PLHA award of low bid.
■	□	□	Seek and obtain an LHA Board vote within 30 days from receipt of quotes.
■	□	□	Prepare Low Bid Approval Letter on LHA letterhead and provide to contractor.
□	■	□	Obtain contractor's Certificate of Insurance.
□	■	□	Prepare DHCD Owner/Contractor Agreement, construction valued $10,000 - $50,000.

PLHA	RCAT	A/E/C	Bid or Quote Review and Contract Award Phase (cont.)
□	■	□	Review contract and recommend signing to PLHA.
■	□	□	LHA and contractor execute construction contract.

PLHA	RCAT	A/E/C	Construction and Close-Out Phase***
■	□	□	Schedule a pre-construction meeting.
■	□	□	Lead and conduct pre-construction meeting.
■	□	□	Prepare and issue to contractor a Notice to Proceed (NTP) on LHA letterhead.
■	□	□	Monitor contractor to ensure contractor obtains any required Building Permit(s).
■	□	□	Ensure work area is available to contractor for times specified in the scope of work.
■	□	□	Provide daily on-site oversight of construction activities.
■	□	□	Conduct construction meetings at regular intervals.
□	■	□	Visit the jobsite 2-3 times during construction to monitor contract. Attend construction meetings, when requested by PLHA or when there is an issue or challenge.
■	□	□	Prepare and issue Requests for Information (RFI).
■	□		Approve contractor's requisitions for payment.
■	□	□	Approve technical submittals and samples.
■	□	□	Approve Change Orders.
■	□	□	Prepare and issue DHCD Certificate of Substantial Completion.
■	□	□	Collect and assemble warranty documentation.
■	□	□	Prepare and issue DHCD Certificate of Final Completion.
□	■	□	Prepare and submit DHCD Certificate of Compliance w/ Bidding Laws and Capital Plan and request for progress and final payments.
■	□	□	Ensure prompt payment is made to contractor.
□	■	□	Develop list of building components that were renewed/replaced during the project.
□	■	□	Update building component data in the electronic Capital Planning System (CPS).
□	■	□	Maintain project records prior to completion. Turn over originals to PLHA at completion.
■	□	□	Maintain project records post completion (RCAT to maintain copy).
□	■	□	Schedule 9 month post-completion walkthrough to inspect work.
■	■	□	Attend 9 month walkthrough.
□	■	□	Follow up on warranty items.

****Note:*** *Projects with estimated design fees greater than $10,000 require the use of DHCD's House Doctor Program*

*****Note:*** *Projects with estimated construction cost greater than $50,000 require DHCD oversight, including preparation of the Work Order, AESU design review at key intervals in the process, and coordination with DHCD's assigned project manager.*

******Note:*** *Depending on availability, RCAT may play a larger role during construction if there is no A/E/C providing construction administration services.*

RCAT Approvals required from the PLHA: In order for the project to move forward, the PLHA must provide the RCAT a written approval of all key documents and milestones.

- The RCAT will recommend selection of a designer and the PLHA will approve and sign the contract;
- The RCAT will recommend any changes to the scope or budget and the PLHA will approve;
- The RCAT will complete CIP revisions and the PLHA will submit;
- The RCAT will review the final plans and specifications and recommend proceeding to construction bidding and the PLHA will approve;

- The RCAT will review the bids and recommend awarding the contract and the PLHA will vote to award;
- The RCAT will recommend signing construction contracts and change orders and the PLHA will sign;
- The RCAT will recommend paying invoices and the PLHA will approve; and
- The RCAT will request payment from DHCD and sign the Letter of Compliance, and the PLHA will pay invoices when funds are received (DHCD releases funds to the PLHA).

DHCD Responsibilities: DHCD does not participate directly in the implementation of small projects except for the following tasks:

- Processing payments to the PLHA upon receipt of a complete payment request from the RCAT;
- Approving CIP revisions for addition of new small projects or other required changes;
- Updating FISH project budgets and schedules upon request by RCAT; and
- Closing out projects in FISH upon receipt of a final payment request from the RCAT.

Additionally, DHCD can assist RCAT by:

- Providing standard specifications, as available, upon request to DHCD technical staff (James.McCurdy@state.ma.us).
- Answering procurement questions upon request to the DHCD Construction Contract Coordinator (Dean.Harris@state.ma.us).
- Providing information about Formula Funding balances upon request to the Project Manager.
- Design and construction trouble shooting, upon request to DHCD technical staff. Design: (James.McCurdy@state.ma.us), Construction: (William.Miller@state.ma.us).

V. RCAT Core Services - Capital Project Management – Large Projects (over $50,000)

RCAT assumes responsibilities for larger projects: Currently, management of projects with an ECC over $50,000 is split between LHAs and DHCD. RCAT will assume the below-listed responsibilities associated with all PLHA large projects that are initiated after December 2017. For existing PLHA large projects, RCAT will assume bidding and construction phase responsibilities for projects that are approved to bid after December 2017.

Projects with construction budgets between $50,000 and $100,000

RCAT Responsibilities: For projects with construction budgets between $50,000 and $100,000, each RCAT will actively assist PLHAs in its jurisdiction with project implementation tasks including but not limited to:

- Reviewing and approving the DHCD-drafted work order (WO) or scope of services (SOS) to hire a designer;
- Managing the project schedule described in the work order;
- Reviewing design documents;

- Providing recommendations regarding changes to scope and budget and preparing the CIP revisions necessary to accommodate these changes;
- Recommending selection of a contractor;
- Monitoring construction progress by visiting each jobsite 1-2 times per week during construction to monitor progress and work quality and troubleshoot any problems that arise until project close-out;
- Requesting payments from DHCD;
- Creating and archiving the project file; and
- Updating CPS when the project is complete.

Schedule Creation and Management: RCAT will develop project-specific schedules for each of the projects with construction budgets between **$50,000 and $100,000** once DHCD provides a target date for creation of the WO or SOS. Each schedule will include the Work Order designated design time, bid time, construction time, and time for review and approval of key work products or milestones by the PLHA, RCAT, and DHCD. All parties will make their best effort to complete their responsibilities within the scheduled time and notify the others if additional time is required. RCAT will revise the schedule accordingly. The RCAT will work with the designer and DHCD to maintain the project schedule.

Division of Responsibility for Projects with Construction Budgets between $50,000 and $100,000: In order to work effectively together, it is important for each party to understand how responsibilities are divided among participants. DHCD requires LHAs to hire designers for projects with construction budgets that exceed $25,000, so all projects will have a designer as a participant. Projects of this scale generally require two design submissions. See the division of responsibilities below.

PLHA	RCAT	DHCD	A/E/C	Organizing a Project
□	■	□	□	Establish a scope, budget, and schedule for the project, via CPS.
■	□	□	□	Collect as-built drawings, photographs, sketches and other information pertinent to the project.

PLHA	RCAT	DHCD	A/E/C	Planning & Scoping: Pre-Design
■	■	■	□	Tour the work area, observe existing conditions, restrictions, and review scope of work. RCAT is responsible for scheduling this meeting.
□	□	■	□	Review the budget and if necessary, prepare a detailed cost estimate of the work.
□	■	■	□	If scope or budget exceeds CIP budget, recommend changes to scope and budget to LHA.
■	□	□	□	LHA approves changes to scope or budget.
□	□	■	□	Prepare draft WO or SOS.
□	■	□	□	Approve WO or SOS.
□	□	■	□	Solicit designer proposal and fee.
□	■	■	□	If designer fee is beyond range, recommend whether to accept.
■	□	□	□	Approves fee and executes PLHA/Designer agreement.

PLHA	RCAT	DHCD	A/E/C	Design & Documentation Phase: Document Production & Review
□	□	□	■	Conduct a detailed survey of existing conditions at the work area.
■	■	■	■	Participate in initial design meeting or teleconference as scheduled in WO. RCAT schedules this meeting; PLHA participates in subsequent meetings as necessary.
□	□	□	■	Coordinate, schedule, monitor, record, and evaluate the results of any destructive testing.
□	□	□	■	Coordinate, schedule, monitor, and evaluate the results of any hazardous testing required by the age of the building or scope of the project.
□	■	□	□	Follow up with designer to maintain submission schedule.*
□	□	□	■	Prepare and submit schematic design documents.
□	■	□	□	Review schematic design documents with designated PLHA staff and submit written comments to DHCD.
□	□	■	□	Review schematic design documents and RCAT comments. Resolve any discrepancies with RCAT comments and issue review memo.
□	■	■	■	If scope or budget exceeds WO or SOS budget, recommend changes to scope and budget to LHA.
■	□	■	□	Approve changes to scope or budget.
□	□	■	□	Send phase approval to RCAT and A/E/C, including DHCD and RCAT comments.
□	■	□	□	Recommend approval of designer invoices to PLHA.
□	■	□	□	Submit request for payment of designer invoices to DHCD.
■	□	□	□	Ensure prompt payment is made to designer.
□	■	□	□	Follow up with designer to maintain submission schedule.*
□	□	□	■	Prepare and submit construction documents.
□	■	□	□	Review construction documents with designated PLHA staff and submit written comments to DHCD.
□	□	■	□	Review construction documents, RCAT comments, resolve any discrepancies with RCAT comments and issues review memo. Recommend to proceed to construction bidding.
□	■	■	■	If scope or budget is different than in WO or SOS, recommend changes to scope and budget to PLHA.
■	□	■	□	Approve changes to scope or budget.
□	■	□	□	Recommend approval of designer invoices to PLHA.
□	■	□	□	Submit request for payment of designer invoices to DHCD.
■	□	□	□	Ensure prompt payment is made to designer.
□	□	■	□	Send approval to bid to RCAT and A/E/C, including DHCD and RCAT comments.

PLHA	RCAT	DHCD	A/E/C	Construction Contract Procurement: Bid Process
□	■	□	□	Advertise per statute.
□	□	□	■	Conduct pre-bid site visit, collect bidder's questions into one document.
□	□	□	■	Respond to questions, compile answers, and distribute answers to all identified bidders by Addendum.
□	■	□	□	Receive sealed bids.

PLHA	RCAT	DHCD	A/E/C	Bid Review and Contract Award Phase
□	□	□	■	Check references of the contractor with low bid and recommends whether to award.
□	□	■	□	Review bids and determines low bidder.
□	■	□	□	If bid is greater than approved budget, recommend action, or recommend approval of the low bid if within budget.
■	□	■	□	Approve increase to budget, if needed, and low bidder or decision to rebid.
□	□	■	□	Send low bid approval to PLHA, RCAT and contract forms to contractor.
■	□	□	□	Seek and obtain a PLHA Board vote within 30 days from receipt of bids.
■	□	□	□	Prepare Low Bid Approval Letter on PLHA letterhead.
□	■	□	□	Follows up with contractor until contracts are sent to PLHA.
■	□	□	□	Sign contract and sends to DHCD.
□	□	■	□	Review and signs contracts.
□	■	□	□	Recommend approval of designer invoices to PLHA.
□	■	□	□	Submit request for payment of designer invoices to DHCD.
□	□	□	■	Archive bid set and addendums at Biddocsonline.

PLHA	RCAT	DHCD	A/E/C	Construction and Close-Out Phase
■	■	■	■	Attend a pre-construction meeting. RCAT schedules.
□	□	□	■	Lead and conduct pre-construction meeting.
■	□	□	□	Prepare and issue to contractor a Notice to Proceed (NTP) on LHA letterhead.
□	□	□	■	Approve technical submittals and samples.
□	□	□	■	Prepare and issue Requests for Information (RFI).
□	■	□	□	Monitor contractor to ensure contractor obtains the Building Permit(s).
■	□	□	□	Ensure work area is available to contractor for times specified in the scope of work.
■	■	□	■	Provide on-site oversight of construction activities.*
□	□	□	■	Conduct construction meetings at regular intervals.
■	■	□	■	Attend construction meetings at regular intervals.
■	■	■	■	Attend monthly construction meetings when requisitions are reviewed, or when there is an issue or challenge.*
□	□	■	■	Recommend approval of requisitions for payment.
■	□	■	■	Approve contractor's requisitions for payment.
□	■	□	□	Submit request for payment of construction requisitions to DHCD.
□	■	□	□	Recommend approval of designer invoices to PLHA.
□	■	□	□	Upon PLHA approval, submit request for payment of designer invoices to DHCD.
■	□	□	□	Ensure prompt payment is made to contractor and designer.
□	□	□	■	Prepare and issue DHCD Certificate of Final Completion.
□	■	□	□	Recommend approval of Change Orders.
■	□	■	■	Vote and sign Change Orders.
□	□	□	■	Prepare and issue DHCD Certificate of Substantial Completion.
■	□	■	■	Vote and sign Certificate of Substantial Completion.
□	□	□	■	Collect and assemble warranty documentation.
■	□	■	■	Vote and sign Certificate of Final Completion.

PLHA	RCAT	DHCD	A/E/C	Construction and Close-Out Phase (cont.)
□	■	□	□	Maintain project records prior to completion. Turn over hard copies to PLHA after completion.
□	□	□	■	Develop list of building components that were renewed/replaced during the project.
□	■	□	□	Update building component data in the electronic Capital Planning System (CPS).
□	■	□	□	Archive "As Builts" at biddocsonline if "As Builts" are required by project manual.
□	■	□	□	Maintain project records prior to completion.
□	■	□	□	Schedule 9 month walkthrough to inspect work.
■	■	□	■	Attend 9 month post-completion walkthrough.*
□	■	□	■	Follow up on warranty items.

Note:** *For projects with construction budgets greater than $100,000, DHCD will have greater project management and construction management responsibilities. See section below:* ***Projects with construction budgets greater than $100,000

RCAT Approvals required from the PLHA: The PLHA will provide approval in writing to the RCAT of key documents and milestones in order for the project to move forward.

- The RCAT will recommend selection of a designer and the PLHA will approve and sign the contract;
- The RCAT will recommend any changes to the scope or budget and the PLHA will approve;
- The RCAT will review the plans and specifications and recommend proceeding to construction bidding and the PLHA will approve;
- The RCAT will recommend signing change orders and the PLHA will sign;
- The RCAT will recommend paying invoices and the PLHA will approve; and
- The RCAT will request payment from DHCD and the PLHA will pay invoices when funds are received (DHCD releases funds to the PLHA).

These approvals do not supersede approvals required from DHCD.

DHCD responsibilities: Aside from reducing daily/weekly construction administration services, DHCD will retain its responsibilities for projects with construction budgets between **$50,000 and $100,000**. Specifically, DHCD will support the projects by:

- Creating Work order (WO) or Scope of Services (SOS)
- Managing designer selection process (assignment of House Doctors or administering the Designer Selection Committee process)
- Approving the designer contract
- Approving project phases
- Reviewing and approving construction bids
- Reviewing and approving the construction contract
- Providing limited construction oversight by attending job meetings monthly to sign requisitions and close out documents
- Processing payments to the PLHA

- Updating FISH project budgets and schedules, and
- Closing out projects in FISH upon receipt of a final payment request.

Projects with construction budgets greater than $100,000

PLHA and RCAT roles will be the same for projects over $100,000 as it is for projects between $50,000 and $100,000.

Regarding design services, DHCD's role is the same for all projects over $50,000. DHCD will continue to create WOs and Requests for Services (RFS), to assist PLHAs in hiring designers and to review design submissions.

However, projects of this size will be closely managed by DHCD project management and technical staff. DHCD's enhanced responsibilities include:

- Creating and maintaining the project schedule;
- Working with the designers to maintain the schedule; and
- Greater involvement in construction management including attendance at all construction meetings to monitor progress, work quality and troubleshoot any problems that arise until project close-out.

VI. RCAT Core Services – Capital Emergency Projects

The PLHA is responsible for immediately correcting any emergency capital conditions that pose an imminent threat to the health and safety of residents (e.g. a major system failure such as loss of heating, electrical, or hot water in a development). In such an event, the PLHA should initiate a limited scope project to swiftly mitigate the emergency.

On business days, if the PLHA needs technical assistance to resolve the emergency it should contact the **DHCD Construction Advisor** for direction. The Construction Advisor will assist the PLHA to resolve the emergency by:

- Providing guidance as necessary regarding effective, expeditious actions to address the emergency condition and steps the PLHA can take to resolve it.
- Assisting the PLHA with project management and construction oversight, if required by the size and scope of the project.

The RCAT will not get involved until after the critical challenge has been sufficiently addressed by the PLHA. Once the threat has been mitigated, the PLHA should then contact the RCAT for follow up and resolution on any remaining issues regarding capital projects and planning. The RCAT will:

- Alert the DHCD Project Manager of the need for any of the following:
  - a waiver for advertising for bids for any work over $10,000, providing necessary background information to support the request
  - additional funding

    - prioritizing a future project to correct remaining deficiencies
- Submit a CIP revision to add the emergency project and any future project(s) to correct any remaining deficiencies. (RCAT is not responsible for CIP revisions until October, 2017 and until then may contact Cybersense to complete.)

The DHCD Contract Specialist and Project Managers will assist by:

- Submitting a bid waiver request to DCAMM, if needed, and notifying the PLHA and RCAT of the DCAMM finding.
- Awarding Emergency Reserve funding, when required (DHCD Construction Advisor and Project Manager must verify the need).

RCAT does not have a role in construction projects covered by insurance due to property damage. In the case of fire, flood, or other property damage, the PLHA should contact the insurance company and the DHCD construction advisor for follow up.

VII. New Services - Group Trainings for PLHAs

RCATs will organize at least 2 group trainings per year per region. The 3 RCATs will choose topics and develop content in consultation with DHCD and participating LHAs. Depending on content, trainings might be delivered to a state-wide audience, repeated in each region, or offered as a single opportunity in one region.

RCATs will work with DHCD to survey participating LHAs to identify training interests and needs. Once training topics are finalized, the RCATs will perform all administrative and coordinating functions to organize and deliver the trainings.

VIII. New Services – Assistance with Securing Funds

The RCAT Director will design and implement a program to help PLHAs maximize their resources for capital and maintenance improvements. In this role, the RCAT will act as both an advisor and connector to technical assistance. Each RCAT will:

1. Assist PLHAs with securing leveraged (non-DHCD sources of) funds for capital projects. Examples of leverage sources include: Tax Credit equity, Community Preservation Act funds, utility energy efficiency program funds, local CDBG, local AHT, etc. The RCAT will provide direct assistance in applying for such funds or refer LHAs to other technical assistance resources, such as financial consultants or grant writers as appropriate.
2. Assist PLHAs with DHCD funding applications. RCAT project managers will also, as needed, assist PLHAs in applying for DHCD special funding awards (such as Health and Safety, Sustainability, etc.)

In order to initiate this segment of services, a PLHA may request assistance, or an RCAT may proactively reach out to PLHA. DHCD may also recommend that an RCAT work with specific PLHAs based on known funding opportunities.

IX. New Services – Maintenance Plan Creation

M.G.L. c. 121B, §28A(a) mandates that all LHAs submit an annual maintenance plan, as part of a publicly available annual plan. DHCD anticipates that LHAs will submit their first annual and maintenance plans starting with the June FYE LHAs in May 2017 pending the promulgation of regulations and the release of guidelines with plan templates.

Maintenance plans will have to, at a minimum, respond to findings from the most recent DHCD Facilities Management Specialist inspection and the most recent RCAT needs inspection. The actual scope of work will be informed by the experience of the 3 RCATs during the initial year of operations.

The RCAT will be responsible for assisting all participating LHAs in its region with creating first drafts of their maintenance plans starting with the June 2017 FYE PLHAs, as described below:

Draft Annual Maintenance Plan: Using the RCAT needs assessment results, annual inspection results, resident survey results, and other inputs, define a set of work orders and maintenance projects to address each PLHA's maintenance needs. Each maintenance plan shall follow a format and include content as prescribed by DHCD. The plan may consist of, but not be limited to, a list of preventive and predictive maintenance items and projects with description, timetable for implementing the work items, and estimated costs. The maintenance plan should be written in coordination with the LHA's CIP, so that LHAs are able to extend the useful life of all building and site components to the extent feasible. The plan should reflect current active work, and proposed work within the annual planning period.

Finalize, Approve & Submit Annual Maintenance Plan: The RCAT will coordinate with the PLHA staff to capture all of the maintenance needs and ensure that a best practice management approach is applied in finalizing the plan. The plan must take into account the PLHA's implementation of the plan. The completion of this overall task is marked by the PLHA Board approving Maintenance Plan, and the PLHA submitting the Plan to DHCD.

Maintenance Plan Updates: Following Board and DHCD approval of the Maintenance Plan, the PLHA shall be responsible for ongoing annual updates to the Maintenance Plan as part of the overall Annual Plan submission required by M.G.L. c. 121B, §28A. The RCAT shall offer ongoing technical advice to the PLHA for matters relating to the Maintenance Plan.

X. New Services - Bulk Purchase and Force Account Program

Bulk Purchase

DHCD will work with all 3 RCATs to develop a pilot bulk procurement program that will allow for:

1. Bulk purchasing and storage of building components that may be installed by LHA maintenance staff (e.g., smoke detectors, carbon monoxide detectors, etc.).

2. Identifying, developing the scope for and bidding capital projects that lend themselves to unit pricing (e.g., painting, asphalt paving, etc.). Work includes defining scopes and quantities and executing time-limited contracts.

3. Identifying, developing the scope for and bidding consolidated maintenance services that will result in lower prices due to economies of scale (e.g., snow removal, annual inspections, landscaping, etc.).

The scope of each pilot will depend on the needs and capacity in each region. RCATs will work in consultation with DHCD procurement specialists during program development so that this effort is coordinated across the state and complies with all laws, regulations, and guidelines.

Force Account

DHCD will work with all 3 RCATs to develop a pilot force account program to implement special projects, such as unit turnover. Each RCAT is responsible for ensuring that project files are accurately maintained including project-related invoices for labor and material. This force may employ current HHA or PLHA maintenance staff or tenants. The costs for implementing these projects will not come from the RCAT operating budget but instead be covered by the PLHAs that will "buy" the force account services.

The scope of the pilot will depend on the needs and capacity in each region. RCATs will work in consultation with DHCD procurement specialists during program development, so that this effort is coordinated across the state and complies with all laws, regulations, and guidelines. The pilot will only advance if the force account strategy is shown to be more cost-effective than contracting out.

At the conclusion of the pilots, DHCD and the RCATs will evaluate the effectiveness and feasibility of offering full-scale programs and choose which program(s) to offer the PLHAs in each region.

XI. New Services - Surplus Land Survey

Section 13 of Chapter 235 of the Acts of 2014 requires that each RCAT complete a survey of all Local Housing Authority surplus land. See excerpt below.

> *"… [Capital assistance teams] shall complete a survey of all department or housing authority owned surplus land within 1 year of the effective date of this act. The capital assistance teams shall use the results of the survey to coordinate communication and resources between local housing authorities and the department to encourage development of the land for new units of affordable housing. The capital assistance teams and the department shall also work collaboratively with local veterans' service officers and veterans' service organizations to facilitate the use of surplus land and housing units for the development of affordable housing units for disabled veterans. The department shall report the results of the survey to the joint committee on housing within 90 days of the completion of the survey."*

Surplus Land Survey: Upon the establishment of a full and complete RCAT staff, the RCAT director shall begin the process of outlining, defining, and developing the scope of information that should be collected to best inform and facilitate the goal(s) of Section 13 quoted above. DHCD and the RCAT shall coordinate on this matter.

The scope of the surplus land survey should be included with the scope of the Needs Assessments. The survey shall either be prepared as a standard survey template document or incorporated into the Needs Assessment Pre-Assessment Questionnaire (PAQ).

Use of Survey results: DHCD and the RCATs shall coordinate and collaborate to develop a DHCD Public Housing Notice to announce and communicate the results of the survey, advertise best practices and processes for housing development, and to promote and encourage the development of the surplus land where feasible.

Timing: Although the statute calls for the survey to be completed within a year of the effective date of the Act, this task cannot start until all RCAT staff are hired and respective HHA/PLHA Terms of Services documents are signed. Completion of this task shall be within the first year of full-scale RCAT operations.

XII. New Services - Other RCAT legislatively mandated tasks/scope

DHCD and the RCATs may be required to incorporate other tasks/scope of work based on the Act and any subsequent regulations required to implement the Act's requirements. Any and all tasks required shall be developed by DHCD, in consultation with the HHAs, RCATs, and PLHAs.

Program Administration

I. Program Administration – Terms of Services

The HHAs and PLHAs shall both sign a 3-year Terms of Services document that will memorialize the relationship and responsibilities and define how the two parties will interact and collaborate to facilitate the ongoing success of the RCAT program (See Appendix C). The Terms shall reference these program guidelines and provide for a set of clear expectations. The RCAT Director shall transmit a scanned copy of all signed Terms to DHCD by December 2016.

If the HHA and the PLHA determine that an addendum is necessary to the Terms, then both parties shall review and modify the Terms to accommodate the agreed upon changes. The HHA shall forward a draft of the proposed addendum to DHCD for approval. Once DHCD approves, then the HHA and PLHA shall each sign off on the addendum. Once signed, the HHA shall transmit a copy of the executed addendum to DHCD.

II. Program Administration – Conflict Resolution

If either the PLHA or HHA is dissatisfied with the other party's performance, they should attempt to resolve at the staff level by sharing specific concerns about performance and outcomes they would like to see. Most conflicts will be resolved this way.

If informal resolution between the PLHA and HHA is not effective, either party may proceed sequentially through the conflict resolution hierarchy as described in the table below. In order to initiate a formal process for resolution, either party may send a **written** request to the appropriate contact, describing the problem and any suggestions of how to resolve. Regardless of who initiates the request for resolution, the HHA Executive Director is responsible for arranging a meeting or phone conference within one week of the receiving or sending the written request. The goal is to resolve all conflicts within four weeks of the written transmission.

In all situations, it is the RCAT Director or HHA Executive Director's responsibility to record the agreed-upon resolution and transmit it in a letter to the PLHA.

Table of Formal Conflict Resolution Hierarchy

Type of request		PLHA Contact	RCAT Contact	DHCD Contact
Step 1	Formal Letter	Executive Director, copy Board Chair	HHA Executive Director, copy Board Chair	NA
Step 2	Formal Letter	Executive Director, copy Board Chair	HHA Executive Director, copy Board Chair	Director, Bureau of Housing Development and Construction

If the conflict is cannot be resolved at the local level, the party that is dissatisfied should submit to DHCD a written request, copying all parties described in Step 2 above. The request must include:

- Description of the problem,
- Actions taken to date, and
- RCAT's written record of previously proposed resolutions.

DHCD will review the request within two weeks and may contact the parties for more information. If DHCD determines there are still reasonable options to resolve the problem, it will direct the parties to take specific actions. If DHCD determines that the differences between the parties cannot be resolved, it may offer to grant the PLHA a waiver from the RCAT program. If the PLHA accepts, it will no longer be an RCAT participant and the PLHA and the HHA will sever the Terms of Services. If there is a consistent, repeated pattern of dissatisfaction with the work of the RCAT that cannot be resolved, DHCD will ask HHA to submit a corrective action plan. If the pattern persists, DHCD reserves the right to terminate the RCAT contract with the HHA.

III. Program Administration - Advisory Board & Staff Training

Initial Ramp Up Training: Prior to the RCAT engaging in delivery of services to the PLHAs, DHCD will coordinate with all 3 RCATs to provide training for RCAT Advisory Board members and all RCAT staff on applicable laws, regulations, programs, protocols, processes, responsibilities, best practices and tools relating to the scope of services that the RCAT is responsible to deliver. Advisory Board training will be a high level overview of topics, while the RCAT staff training will involve a more in depth and detailed level of content and delivery.

Ongoing Training: In addition to the initial ramp-up training program, designated DHCD and HHA staff will be available in the first year for on-the-job training. Any lessons learned from the delivery of the RCAT Advisory Board and RCAT staff training shall be incorporated into any ongoing training.

IV. Program Administration - Third Party Contractors/Software

DHCD and the RCATs shall coordinate throughout the evolution of the RCAT program to define, establish and employ efficiencies in managing the overall RCAT scope of services. This coordination process may involve the procurement and implementation of third party contractors/consultants and software services to facilitate the program. RCATs, DHCD and third party contractors/consultants will be required to work together as existing systems are enhanced and as new systems are implemented.

DHCD will work with RCATs and any of RCATs' third party contractors/consultants to develop solutions that enable systems to integrate and share data.

V. Program Administration - Performance Tracking, Reporting and Evaluation

Quarterly Forward-Looking Workplan and Milestone Forecast: For at least the first year of the contract, unless waived by DHCD, each RCAT Director will submit to DHCD a forward-looking quarterly workplan that tracks all RCAT lead scope items. Tasks for which DHCD is the lead, but which require a significant time commitment on the part of RCAT staff (e.g., DHCD-led trainings), will be included in the plan. DHCD may request workplan revisions if the scope or timeframes are not consistent with the RFR, schedule B of the Contract for Financial Assistance, or other known performance timeframes (i.e., schedule for submission of CIPs, Maintenance Plans).

All scope items in the workplan will align with DHCD-required quarterly outcomes reports. The workplan will forecast the quantity of milestones to be completed in the quarter (e.g., number of needs assessments, number of capital plans submitted, number of projects starting construction, etc.).

DHCD will provide a model reporting format, coordinating with the RCATs. RCAT will submit workplan on or before January 1, April 1, July 1, and October 1.

At least one quarter before the start of the 2nd and 3rd years, DHCD will determine whether forward-looking workplans will continue to be required and, if yes, their format and their frequency.

Quarterly Forward-Looking Spending Forecast: Once RCAT starts managing projects, each RCAT Director will submit to DHCD a spending forecast for all projects it manages. This forecast may be submitted with the quarterly workplan or incorporated. Forecasts will cover the current fiscal year and two years out. DHCD will provide a model reporting format, coordinating with the RCATs.

DHCD may request forecast revisions if the projections are not consistent with fiscal year spending included in approved CIPs.

RCAT will submit a forecast on or before January 1, April 1, July 1, and October 1, once it is managing projects.

Review of Workplan: DHCD will hold regular conference calls with RCAT Directors to review performance relative to the workplan. During the first year, calls are anticipated to be biweekly and in subsequent years to move to a monthly or quarterly schedule. During the calls, each RCAT Director will discuss actual performance compared to the original workplan and provide updates on new targets for milestones. The goal of these calls is to make sure the RCAT is on track to meet targets by catching performance issues early on, discussing program challenges and sharing effective work practices.

Review of Spending Forecast: Within 2 weeks of submission, DHCD will review the forecast against the spending included in approved CIPs and discuss any discrepancies with RCAT Director during regular phone calls. The goal of the review is to catch performance issues and make and suggest changes needed to achieve spending goals or revise spending goals.

Quarterly Progress Report: RCAT will submit quarterly reports to DHCD on all milestones achieved within the quarter compared with targets in the workplan and spending forecast. If the RCAT did not meet the targets, the report will include a discussion of challenges and recommendations to improve outcomes. DHCD will provide a model reporting format, coordinating with the RCATs. RCATs will submit

backward looking progress report with the forward looking workplan/forecast on or before January 1, April 1, July 1, and October 1.

Review of Progress Report - Adequate Progress: DHCD will review the RCAT quarterly progress report and determine whether the RCAT is making adequate progress relative to targets. For targets with numeric goals, DHCD will determine that the RCAT is making adequate progress if it achieves at least 70% of the numeric goal. For non-numeric goals, DHCD will determine that the RCAT is making adequate progress if the milestone is completed no later than 60 days beyond the agreed upon workplan target. If the RCAT is not making adequate progress, it will submit a corrective action plan with its quarterly report for DHCD approval.

If the RCAT is not making adequate progress for three or more consecutive quarters, DHCD may terminate the RCAT Contract in accordance with the Contract's Terms and Conditions.

Annual Report: At the end of each year of its three-year contract, RCAT will submit an annual report on all areas of work listed in the Scope of Services, including but not limited to: CIP submission rates, maintenance plan submission rates, capital spending, funds leveraged, participation rates in bulk procurement plan, assessment of satisfaction among participating LHAs, and the final annual RCAT cost including in-kind contributions. DHCD will provide a model reporting format, coordinating with the RCATs.

Summary of Reports Required by DHCD:

Report	Forward-Looking Workplan and Milestone Forecast
Benchmark	RFR scope and schedule, Schedule B of Contract
Frequency	Quarterly
Review	Bi-weekly in first year; frequency TBA in subsequent years
Assessment	Informal (to catch performance issues, discuss challenges, share work practices)

Report	Forward-Looking Project Spending Forecast
Benchmark	Spending as recorded in PLHAs' approved CIP plans
Frequency	Quarterly
Review	Quarterly, to determine how it compares to approved CIPs
Assessment	Informal (to catch performance issues, propose changes to spending goals)

Report	Progress Report: Compares Projected to Achieved
Benchmark	Forward looking workplans and financial forecasts
Frequency	Quarterly and Annually
Review	Quarterly, to determine how it compares to approved CIPs
Assessment	Formal Adequate progress equals 70% of numeric goal achieved or non-numeric goal achieved within two months of goal date. DHCD may terminate contract after 3 consecutive quarters without adequate progress.

Appendix A: Enabling Legislation

Chapter 235 of the Acts of 2014

https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter235

Section 26C. (a) The department shall establish a program based on best practices to allow authorities to work collaboratively and shall provide capital, maintenance and repair planning and technical assistance to housing authorities that shall facilitate the capturing of economies of scale through increased collaboration relative to, but not limited to, bulk purchasing, capital planning and capital projects. The program shall include 3 capital assistance teams, which shall aid housing authority members and executive directors in developing and managing the housing authority's capital, maintenance and repair program, including: (i) developing a capital, maintenance and repair plan as required in the housing authority's annual plan under section 26B; (ii) preparing applications for special capital project funds; (iii) implementing capital improvement, maintenance and repair projects; (iv) managing updates to the department's capital planning, maintenance and repair systems; (v) facilitating coordination among housing authorities to ensure efficient use of capital and maintenance funds; and (vi) other functions related to capital planning, renovation, maintenance, repair and redevelopment as the department considers necessary; provided, however, that the capital assistance team shall provide services to the housing authority without requiring payment for the services by the housing authority. The capital assistance teams shall be located in diverse regions to be designated by the department.

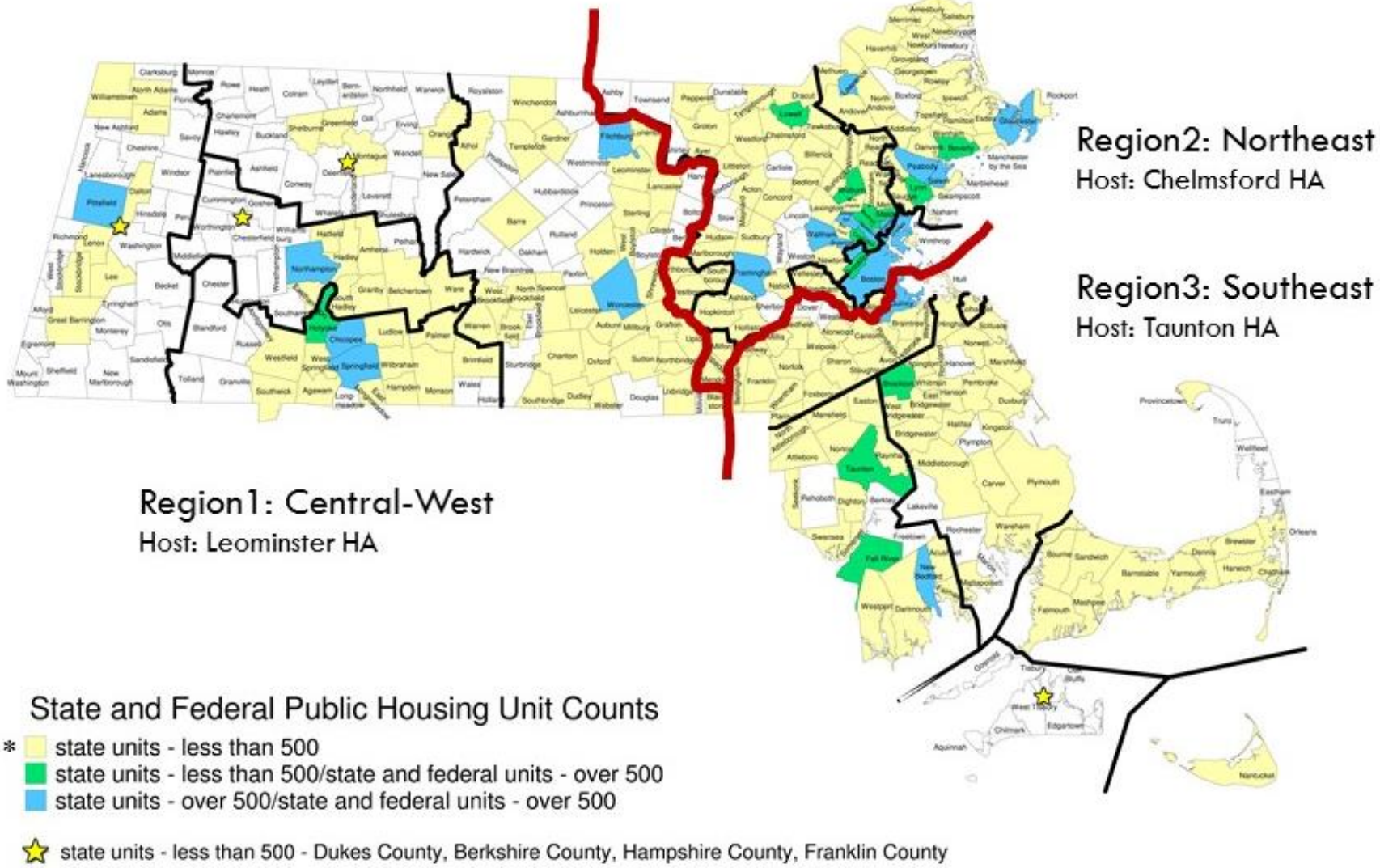
(b) All housing authorities may participate in the program; provided, however, that those housing authorities with 500 or fewer state-aided units shall participate in the program. The department may grant a waiver of this requirement to a housing authority that demonstrates that the assistance is not necessary based upon the housing authority's performance under the performance based monitoring and assessment standards of section 26B.

(c) Each capital assistance team shall be employed in offices at a host housing authority. Three host housing authorities shall be selected by the department. The department shall develop and issue a request for proposals to solicit proposals from housing authorities to serve as a host housing authority; provided, however, that the department shall select not more than 1 host housing authority in each of the designated regions. The department shall promulgate regulations to increase the salary of the host housing authority director.

(d) Each capital assistance team shall have a director to be hired by the host housing authority in consultation with the department. The director shall hire project management and capital planning staff to work directly with housing authorities to provide the technical assistance described; provided, however, that no staff member shall individually oversee more than 2,500 units on a permanent basis.

(e) Each capital assistance team shall have an advisory board consisting of 11 members. The host housing authority shall appoint 1 of its own board members to the advisory board; the department shall appoint 1 member, who shall have at least 5 years of experience as the manager of not less than 200 units of privately owned housing; and the department shall promulgate regulations establishing election procedures for the selection of the remaining 9 members. The department shall limit eligibility for election to members of participating housing authorities in the region. The advisory board shall meet on a quarterly basis with the capital assistance team director, host housing authority director and the director of the department or a designee of the director of the department and shall discuss issues of program performance and coordination.

Appendix B: Map of Regions



Appendix C: Terms of Services

REGIONAL CAPITAL ASSISTANCE TEAM PROGRAM
TERMS OF SERVICES

HHA: _____
PLHA: _____

These Terms of Service (these "**Terms"**), dated as of _____, 2016, are applicable to the _____ Housing Authority (herein, the "**HHA**"), having an address of _____, Massachusetts _____, and the _____ Housing Authority (herein, the "**PLHA**"), having an address of _____, Massachusetts _____.

R E C I T A L S:

WHEREAS, Chapter 235 of the Acts of 2014, An Act Relative to Housing Authorities (together with any regulations promulgated thereunder, the "**RCAT Act**") mandates a series of new performance, management and capacity building actions to improve the management of state public housing in Massachusetts including the creation of three (3) Regional Capital Assistance Teams to assist Local Housing Authorities in executing capital and maintenance plans and projects; and

WHEREAS, the HHA Act requires the Commonwealth of Massachusetts Department of Housing and Community Development ("**DHCD**") to establish a program based on best practices to allow Local Housing Authorities to work collaboratively and provide capital, maintenance and repair planning and technical assistance that shall facilitate the capturing of economies of scale through increased collaboration relative to bulk purchasing, capital planning, capital projects and other activities (the "**RCAT Program**"); and

WHEREAS, DHCD has established certain RCAT Guidelines, dated _____, 2016, setting forth guidelines for implementing and operating the RCAT Program, to which these Terms of Service are attached and the provision of which are incorporated herein by reference (the "**RCAT Guidelines**"); and

WHEREAS, DHCD has designated the HHA to host and administer the RCAT Program in the [*Central-West/Northeast/Southeast*] Region; and

WHEREAS, the PLHA is desirous of securing the services of the HHA in order to achieve the benefits of the RCAT Program; and

WHEREAS, the RCAT Guidelines require the parties to execute an agreement which will codify the relationship and responsibilities of the parties and define how the parties will interact and collaborate to facilitate the ongoing success of the RCAT Program;

Appendix C: Terms of Services

NOW, THERFORE, pursuant to the RCAT Guidelines, the following terms shall apply to the parties:

1. **Scope of Services.** The HHA shall provide the PLHA with all services set forth in and in accordance with the RCAT Guidelines including without limitation: (a) performing an annual portfolio needs assessment; (b) preparing and maintaining an annual capital improvement plan; (c) performing project management duties for all capital projects; (d) assisting with securing additional capital funds from DHCD and other leverage sources; (e) creating an annual maintenance plan and guidance; (f) establishing and implementing a bulk procurement program; (g) establishing and implementing a force account crew program; (h) providing group trainings; (i) conducting a surplus land survey; and (j) such other services required by the RCAT Act and RCAT Guidelines (collectively, the "**RCAT Services**"). In performing the RCAT Services, the HHA shall: (x) engage an RCAT Director, who shall be the HHA's designee for the purposes hereof, and who shall communicate to the PLHA Designee (as defined in Section 2 below) the need and timeframe for receiving any information, acknowledgements, approvals and/or consents pursuant to the RCAT Guidelines; (y) be responsible for working with the existing PLHA staff and in coordination with the RCAT's Advisory Board; and (z) will operate within the parameters of the RCAT Act and other pertinent Massachusetts General Laws, regulations and guidelines of DHCD and other laws, rules and regulations pertaining to the performance of the RCAT Services.

2. **PLHA Obligations.** The PLHA covenants and agrees that it shall perform all obligations set forth in and in accordance with the RCAT Guidelines including without limitation: (a) providing the HHA with access to the PLHA properties, including providing all applicable notices to PLHA tenants relative to such access, the PLHA acknowledging that on-the-ground knowledge of the physical condition of PLHA properties is essential in informing the HHA in the preparation of capital and maintenance plans; (b) providing any information which is beneficial to the HHA in performing the RCAT services together with access to any PLHA records and CIMS/CPS systems requested by the HHA, the PLHA acknowledging that no information relating to the PLHA shall be confidential for the purposes hereof provided that the HHA shall maintain any "personal data" provided to it by the PHLA as a "holder of personal data" pursuant to G.L. c. 66A and 760 CMR 8.00 et seq.; (c) providing the HHA with staff support and accessibility as requested including the name and contact information for a senior PLHA staff member who will be knowledgeable and available to assist the HHA in performing the HHA Services (the "**PLHA Designee**")(in the absence of such designation, the PLHA's Executive Director shall be the PLHA Designee); (d) providing timely written acknowledgements and/or approvals relating to any applicable RCAT Services including, without limitation, securing all applicable approvals from the PLHA Board to perform its obligations hereunder; (e) cooperating with the HHA to the greatest extent possible in all aspects of planning, tracking and submitting capital projects to DHCD for approval; and (f) such other services required by the RCAT Act and RCAT Guidelines or which are necessary or beneficial to the successful implementation of the RCAT Program (collectively, the "**PLHA Obligations**"). In addition, the PLHA shall: (y) be responsible for working with the HHA staff in performing the PLHA Obligations; and (z) use its best efforts to perform the PLHA Obligations hereunder within the timeframe requested by the HHA and otherwise in a timely manner so as to avoid any delay in the HHA's performance of the RCAT Services;

Appendix C: Terms of Services

3. **Term of Services.** This services hereunder shall commence on the date first set forth above and, unless terminated sooner in accordance with Section 8 below, shall terminate on June 30, 2019, as extended by the parties from time to time.

4. **Payment for RCAT Services**. The HHA will receive payments directly from DHCD to compensate the HHA for the RCAT Services and, except as expressly set forth herein, the PLHA will not be obligated to make any payments to the HHA in consideration of the RCAT Services.

5. **Representations of the HHA**. The HHA represents and warrants that:

5.1 Authority. The HHA is duly organized, validly existing and in good standing under the laws of the Commonwealth of Massachusetts and has all requisite power and authority to enter into these Terms and to perform its obligations hereunder. The acknowledgement below and delivery of these Terms by the HHA has been duly authorized by its Board and approved by DHCD.

5.2 No Conflict. The acknowledgement below and delivery of these Terms and the consummation of the transactions contemplated hereunder on the part of the HHA does not and will not violate any applicable law, ordinance, statute, rule, regulation, order, decree or judgment, conflict with or result in the breach of any material terms or provisions of, or constitute a default under, or result in the creation or imposition of any lien, charge, or encumbrance upon any of the property or assets of the HHA by reason of the terms of any contract, mortgage, lien, lease, agreement, indenture, instrument or judgment to which the HHA is a party or which is or purports to be binding upon the HHA or which otherwise affects the HHA. No action by any federal, state or municipal or other governmental department, commission, board, bureau or instrumentality is necessary to make these Terms valid and binding upon the HHA in accordance with its terms.

6. **Representations of the PLHA**. The PLHA represents and warrants that:

6.1 Authority. The PLHA is duly organized, validly existing and in good standing under the laws of the Commonwealth of Massachusetts and has all requisite power and authority to enter into these Terms and to perform its obligations hereunder. The acknowledgement and delivery of these Terms by the PLHA has been duly authorized.

6.2 No Conflict. The acknowledgement below and delivery of these Terms and the consummation of the transactions contemplated hereunder on the part of the PLHA does not and will not violate any applicable law, ordinance, statute, rule, regulation, order, decree or judgment, conflict with or result in the breach of any material terms or provisions of, or constitute a default under, or result in the creation or imposition of any lien, charge, or encumbrance upon any of the property or assets of the PLHA by reason of the terms of any contract, mortgage, lien, lease, agreement, indenture, instrument or judgment to which the PLHA is a party or which is or purports to be binding upon the PLHA or which otherwise affects the PLHA. No action by any federal, state or municipal or other governmental department,

commission, board, bureau or instrumentality is necessary to make these Terms valid and binding upon the PLHA in accordance with its terms.

6.3 RCAT Program. The RCAT Guidelines contain detailed procedures and obligations which are binding upon the PLHA, the PLHA has adequately reviewed the RCAT Act, the RCAT Guidelines and these Terms and the PLHA understands its obligations under the RCAT Act, the RCAT Guidelines and hereunder.

7. **Indemnification.** The HHA is not required to perform any duties not expressly set forth in the RCAT Act, the RCAT Guidelines or this Service Agreement. Notwithstanding any provision herein to the contrary, the HHA shall not be responsible for the failure or refusal by DHCD or any third party funder to approve and/or fund any project, repairs or improvements which are the subject of the RCAT Services.

8. **Disputes/Termination**. In the event of any dispute regarding the performance or obligations of the other party, both parties will work together in good faith to resolve such dispute in an expeditious manner and in accordance with the RCAT Guidelines. Any grievance issue shall be addressed in writing to the RCAT Director and the PLHA's Executive Director and any response shall be timely and in writing. In the event that the parties are unable to resolve such dispute, HHA and PLHA shall have the right to terminate these Terms in accordance with the RCAT Guidelines or otherwise with the approval of DHCD. These Terms shall automatically terminate on the effective date of any legislation that may be enacted during the term of these Terms that dissolves, merges, reorganizes, consolidates, and/or regionalizes the HHA or the PLHA. Upon any termination of this contract, HHA and PLHA shall cooperate reasonably to unwind the HHA's role hereunder in a timely and orderly manner.

9. **Notices.** The parties shall work together to establish an effective communication protocol through a combination of telephone/written/email communications and meetings.

10. **Miscellaneous.**

10.1 Assignability. Except as expressly provided herein, neither party may assign or transfer all or any portion of its rights or obligations under these Terms to any other individual, entity or other person without the consent thereto by the other party, which may be given or withheld in such party's sole discretion.

10.2 Governing Law; Bind and Inure. These Terms shall be governed by the law of the Commonwealth of Massachusetts and shall bind and inure to the benefit of the parties hereto and their respective successors and assigns.

10.3 Headings. The headings preceding the text of the paragraphs and subparagraphs hereof are inserted solely for convenience of reference and shall not constitute a part of these Terms, nor shall they affect its meaning, construction or effect.

Appendix C: Terms of Services

10.4 Exhibits. All addenda and exhibits which are referred to herein and which are attached hereto or bound separately and initialed by the parties are expressly made and constitute a part of these Terms.

10.5 Entire Understanding. These Terms and any addenda and/or exhibits hereto, together with the RCAT Guidelines set forth all of the promises, covenants, agreements, conditions and undertakings between the parties hereto with respect to the subject matter hereof, and supersede all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, except as contained herein. In the event of any inconsistency between the terms hereof and the terms of the RCAT Act and/or the RCAT Guidelines, the terms of the RCAT Act and/or the RCAT Guidelines, as applicable, shall control.

10.6 Amendments. These Terms may not be changed orally but only by an agreement in writing, duly executed by or on behalf of the party or parties against whom enforcement of any waiver, change, modification, consent or discharge is sought and which is approved in writing by DHCD. In the event that the RCAT Act, as amended from time to time, requires the parties to undertake additional responsibilities, the parties shall negotiate appropriate amendments to these Terms in good faith in order to fully satisfy the intended goals of the RCAT Act. In the event that DHCD amends and reissues the RCAT Guidelines, the parties shall attach such revised RCAT Guidelines as Appendix A hereto and the same shall supersede any prior RCAT Guidelines.

[Signature page to follow]

Appendix C: Terms of Services

The Parties Hereto Acknowledge that they have reviewed the Terms above and acknowledge their obligations pursuant to the RCAT Guidelines, including these Terms.

HHA

_____ HOUSING AUTHORITY

By: _____

Title: _____

PLHA

_____ HOUSING AUTHORITY

By: _____

Title: _____