**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Housing Authority**

**REQUEST FOR PROPOSALS**

To select a developer partner to assist the \_\_\_\_\_\_\_\_\_\_Housing Authority in pursuing the mixed-income redevelopment of its state-aided public housing development at \_\_\_(address)\_\_\_\_\_\_\_\_\_\_\_.

**IMPORTANT DATES**

Pre-Proposal Meeting/Site Tour: (date)

Proposal Submission Deadline: (date)

Developer Selection: by (date)

### Invitation to Bid

**The \_\_\_\_\_\_\_\_\_ Housing Authority (“\_HA”) is seeking proposals from qualified developers to:**

1. **Partner with it in carrying out a comprehensive local planning process and developing a plan (the “Plan”) for the mixed-income redevelopment of its state-aided public housing development at \_\_\_\_\_\_(address)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (the “Site”); and**
2. **Acquire, through a to-be-formed ownership entity or entities, an interest in the Site for the purpose of carrying out the Redevelopment Project more particularly described below.**

The Plan will involve the development of new market-rate units at the Site [and other Authority-owned land], as well as rehabilitation and preservation of existing public housing units at the Site (the “Redevelopment Project”). The successful respondent will join the \_HA as a Co-Applicant in submitting a response to the Massachusetts Department of Housing and Community Development’s (“DHCD”) Partnership to Expand Housing Opportunities 2 Program (the “PEHO Program”) as described in a Notice of Funding Availability (the “NOFA”) issued by DHCD on May 15, 2019 titled “Public Housing Innovations”, Public Housing Notice 2019-14. Documents related to the NOFA may be found here: <https://www.mass.gov/service-details/public-housing-admin-notices>. The successful respondent will also be designated, pursuant to M.G.L. c. 30B, §16, as the party to acquire an interest in the Site.

[*Provide description of the existing development – size of site; surrounding neighborhood; description of buildings, etc.]* A locus plan is attached as Attachment B and copies of the deed(s) or other instruments evidencing the \_HA’s ownership of the Site are attached as Attachment C.

The \_HA intends to enter into a Memorandum of Understanding (MOU) with the selected developer in the form attached to the NOFA. The MOU will provide a detailed summary of the proposed roles and responsibilities of the Authority, the Developer, and any other principal team members. This summary will also describe the proposed ownership structure of any owner entity(ies) that will own and operate one or more housing developments as part of the Redevelopment Project, and the anticipated decision-making authority of team members in each such entity. Should the application submitted by the \_HA and the selected Developer be selected by DHCD, then as a condition of funding a grant (the “Grant”) under its PEHO Program , DHCD will require that \_HA and Developer enter into one or more legal contracts detailing specific roles and responsibilities consistent with the description of roles and responsibilities stated in the MOU. Each party commits to negotiating such contract in a manner consistent with the MOU and the requirements of DHCD. The parties more particularly agree that any Land Disposition/Development Agreement(s) (referred to herein as the “Disposition/Development Agreement”) must be negotiated and executed in accordance with any applicable procurement standards. The Disposition/Development Agreement is subject to DHCD review and approval. *[Note to HAs: A recommended form of Land Disposition and Development Agreement is attached as Attachment D. If the HA does not use the recommended Disposition/Development Agreement form, then it must ensure the form it does use includes at a minimum the substantive language currently shown in BOLD TYPE in the DHCD form.]*

The purpose of this RFP is to (1) select a developer with demonstrated experience and capacity to carry out a Redevelopment Project that best addresses the needs and goals of the community as described in this RFP and in the NOFA, and (2) serve as notice of the \_HA’s intent to dispose of all or a portion of the Redevelopment Project site (the “Site”) to the selected developer, contingent on approval from DHCD and compliance with all requirements of law governing disposition of real property by a local housing authority. Disposition of any portion of the Site to be operated as multifamily rental housing will be by means of a long-term lease, although existing buildings may be conveyed in fee simple. The most advantageous proposal from a responsive and responsible proposer (“Proposer”), taking into consideration all evaluation criteria set forth in this RFP, will be selected.

***The \_HA makes no representations or warranties, express or implied as to the accuracy and/or completeness of the information provided in this RFP. This RFP (including all attachments and supplements) is made subject to errors, omissions, prior sale, lease or financing and withdrawal without prior notice, and changes to, additional, and different interpretations of laws and regulations.***

# **II. Proposal Submission and Selection Process**

The \_HA has determined that its selection of a developer and disposition of the Site are subject to the Uniform Procurement Act, M.G.L. c. 30B. Therefore, the provisions of M.G.L. c. 30B are incorporated herein by reference. The \_HA shall comply with all requirements relating to disposition of real property pursuant to M.G.L. c. 30B, Section 16. Without limiting the generality of the foregoing, in connection with the disposition of the Site, the \_HA hereby declares that:

1. The Site is available for disposition, subject to the following restrictions on subsequent use:

a) The number of state-aided public housing units currently located on the Site must be maintained as part of the Redevelopment Project. Such state-aided public housing units shall remain subject to the requirements of M.G.L. c. 121B and any applicable regulations or administrative guidance issued by DHCD and shall serve households of comparable sizes and income levels.

b) The selected developer must be willing to work within a joint venture or other structure with the \_HA satisfactory to DHCD and any other governmental agencies having jurisdiction over the Redevelopment Project and which meets the requirements of M.G.L. c. 121B and any applicable regulations or administrative guidance issued by DHCD regarding the ownership and operation of state-aided public housing units.

c) A portion of the revenues from market-rate development at the Redevelopment Project shall be used to support the cost of capital improvements to, and/or the operating costs of, the state-aided public housing units at the Redevelopment Project. Neither state public housing capital funds nor any operating revenues from the state-aided public housing units shall be used to support the development or operation of any other units at the Redevelopment Project.

d) Other:*[describe]*

1. For purposes of M.G.L. c. 30B, the \_HA has made a preliminary determination that the value of the Site exceeds $35,000, and therefore the disposition of the Site is subject to the provisions of M.G.L. c. 30B, §16(c).
2. Within 180 days prior to disposition of the Site by the \_HA to the Developer, the Developer shall furnish the \_HA with an appraisal of the Site based on procedures customarily accepted by the appraising profession as valid, taking into account any restrictions on the use of the Site imposed by the \_HA or any other governmental agency.
3. Except as described below, the consideration for which the \_HA shall dispose of the Site to the Developer shall be based on the appraised value at the time of disposition, but may consist of a combination of up-front capitalized lease payment(s), periodic rental payments, and sales proceeds with respect to homeownership units. The ground lease is subject to review and approval by DHCD.
4. The \_HA reserves the right to determine, at the time of disposition, that it is in the public interest to dispose of the Site for less than fair market value, to promote the redevelopment of state-aided public housing at the Site, taking into account the feasibility of the Redevelopment Project. In such event, pursuant to M.G.L. c. 30B, §16(g), the \_HA shall publish notice of its decision in the central register, explaining the reasons for its decision and disclosing the difference between such value and the price to be received.

# Applicants shall submit on or before \_\_\_\_p.m., \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019 a clearly marked original proposal plus \_\_\_\_\_\_\_\_\_ copies, including an electronic copy on a flash drive, to:

***Mixed Income Proposal***

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Housing Authority**

**Attn: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**(address)**

# All information contained in the proposal is public. All packages submitted by the deadline will be opened in public and logged in. Proposals submitted after this time will not be accepted. Proposals should be marked “Mixed Income Proposal” and must include all required documents, completed and signed by a duly authorized signatory, including the following, to be considered a complete proposal:

1. Cover page labeled Mixed Income Proposal to \_HA for the development of (name of development); development entity; contact person, and all contact information (this should be the person who will be the primary contact person);
2. One clearly marked original, in a three-ring binder, and \_\_\_\_\_\_ copies of the proposal with required attachments;
3. An electronic version of the complete proposal submission on a flash drive.

**The \_HA reserves the right to reject any or all proposals or to cancel this Request for Proposals if it is in the best interest of the \_HA.**

All inquiries regarding this RFP should be made via e-mail and directed to: (name and email address) no later than **\_\_:00 p.m., \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019**. Inquiries should have a subject line entitled: “Mixed Income RFP Inquiry”. Any inquiries after such date will not be accepted. All inquiries and responses will be shared with all proposers.

**Proposals will be opened publicly at \_\_\_:00 p.m. on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019.** A Proposer may correct, modify or withdraw a proposal by written notice received prior to the time set for opening of proposals. After the opening, a Proposer may not change any provision of the proposal.

Each responsive proposal will be evaluated based on the information provided in the Proposer’s submission in accordance with the submission requirements of this RFP and any interviews, references and additional information requested by \_HA. Each responsive proposal will be evaluated first for compliance with the threshold criteria, and if it meets those criteria then according to the criteria set forth in Attachment A ‘Evaluation Criteria’.

Proposers’ Responsibility for Due Diligence: Proposers should undertake their own review and analyses concerning physical conditions, environmental conditions, applicable zoning, required permits and approvals, procurement requirements, and other development and legal considerations.

**III. Site Tour and Briefing**

Interested Proposers are encouraged to attend a voluntary on-site briefing session on **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019 at \_\_\_\_\_\_\_a.m.** at the \_\_\_\_\_\_\_\_\_\_\_\_ Housing Authority office, (LHA address). Registration to attend the briefing is required no later than the close of business on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019. To register, or for additional information, contact the \_HA through (contact name), at [(contact](mailto:Leila@Brewsterhousing.comcastbiz.net) email).

**IV. Development Objectives**

The \_HA is seeking a developer to develop a Plan that will achieve the following objectives, taking into account the Site’s capacity, good site planning and landscaping considerations, the market and financial feasibility of the proposed Redevelopment Project:

**Affordability**

The completed Redevelopment Project must provide the same number of state public housing units *in perpetuity* as currently exist on the site, serve households of comparable sizes and income levels, and those units must remain subject to M.G.L. c. 121B and the state public housing regulations at 760 CMR 4.00 *et seq*.

Maximizing Cross-Subsidy; Reducing Cost to Public Resources

Any additional units created may serve households of any income, but given the goal of this program to use high market value units to cross-subsidize the capital and/or operating funding needs of the public housing units, it is expected that proposals will seek to maximize the resources generated by the market units and minimize reliance on competitive state affordable housing capital and operating subsidies for redeveloping the public housing units. The Plan should not propose to use Section 8 Housing Choice Program or MRVP rental vouchers to supplement the state public housing subsidy for public housing units.

Additionally, Proposers should consider a structure that allows for a reinvestment event for the sole benefit of the \_HA’s remaining public housing portfolio. Models may include, for example, payment of some portion of the project’s net cash flow above a certain threshold until the initial grant is recouped, or the \_HA sharing in an agreed upon portion of net proceeds generated upon a qualifying capital event.

**Unit Types**

The development’s unit types should reflect the documented community or regional housing needs as well as be consistent with the Commonwealth’s Sustainable Development Principles and DHCD’s Fair Housing Principles. Public housing and market rate units must be integrated within the development. For this reason the \_HA is interested in the inclusion of units that are *[specify the local/regional need(s) here, which may include but are not limited to intentionally designed units as ‘universally accessible’ providing single-floor living, which could appeal to people for a variety of reasons, and/or a particular mix of rental and homeownership units, etc.]*

**Economic Mobility and Supplier Diversity**

Projects that include a services component for public housing residents will be scored more competitively in this RFP. A services component should include some combination of resident hiring and apprenticeships associated with the construction project as well as ongoing service provision to residents.

Additionally, the RFP should note the strategy for outreach and recruitment of diverse business enterprises including Minority-Owned and Women-Owned Business Enterprises (M/WBE) through design and construction.

**Building Design and Aesthetics**

The final development’s architecture should reflect the local design vernacular and be an outstanding example of superior design, both interior and exterior.

Proposers are encouraged to use their creativity and experience in describing how they will choose materials and methods of construction so as to minimize regular maintenance costs, extend the useful life of the state-aided public housing, improve operational efficiency and cost-effectiveness, afford opportunities for replicability, and achieve energy efficiency while reflecting the design standards of the surrounding community. The overall conceptual project design will be judged as part of the Comparative Analysis described in Attachment A.

**Energy Efficiency and Climate Resiliency**

The \_HA is looking for proposals that include building and site designs that increase the tenants’ energy and water savings and limit the project’s environmental impact, while also assessing and addressing the Redevelopment Project’s vulnerability to the effects of climate change. Details regarding the Proposer’s approach to including sustainable and resilient design features should be incorporated into the project description.

**Site**

[Describe any site-specific requirements, such as the availability of town water/sewer, the need for demonstrated experience in development with private septic systems, any required buffer area between site buildings and neighboring homes, requirements for playgrounds or other amenities, etc.]

**Project Permitting**

Proposals should include a description of the permitting process that the developer plans to use.

**[add any additional criteria by which the \_HA will judge proposals; note that any criteria must be incorporated into Attachment A]**

**V. Property Description**

**Please see:**

Attachment B: Locus Map

Attachment C: Recorded Quitclaim Deed(s) for the Site.

Zoning: The Site is currently zoned \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. This allows as of right \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

Utilities:

* Water (Public? Private well? Etc.)
* Wastewater (Town sewer? Private septic?)
* Electric (Name of utility company)
* Gas (Name of utility company)

**VI. Proposal Submission Requirements**

1. **The Developer**

The proposal must include a description of the development team, the individuals and organizations to be involved in the development (in particular the project manager),and their experience. The development team may include, without limitation, the developer, property manager, architect, contractor, engineers, consultants, lenders and investors. Proposals must include:

* The name, address, e-mail address, and telephone number of the proposer, the name of any representative authorized to act on his/her behalf, the name and contact information of the contact to which all correspondence should be addressed, and the names and primary responsibilities of each individual on the development team.
* If the proposer is not an individual doing business under his/her name, a description of the firm and status of the organization (e.g. whether a for profit, not-for-profit or charitable institution, a general or limited partnership, a corporation, LLC, LLP, business association, or joint venture) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit, please include a list of the organization’s Board of Directors and areas of expertise they represent.
* The nature of the entity that will acquire an interest in the Site, and the expected guarantors of debt, if any.
* Identification of all principals, partners, co-venturers or sub-developers participating in the transaction, the proposed nature and share of participants’ proposed ownership and control of the project, and the proposed legal and financial relationship with the \_HA, including any proposed ownership interest of the \_HA in the owner entity.
* 3 years of audited or CPA-prepared financial statements, or equivalent demonstration of the Developer’s financial strength and ability to honor all financial guarantees, should the need arise.
* Discussion of whether the developer or an affiliate of the developer is proposing to also serve as the property manager. If the developer is not proposing to serve as the property manager, the proposer shall describe the proposed process for securing property management services.
* Identification of the development team, such as architects, engineers, landscape designers, development consultants. If the developer proposes to use a specific contractor, the developer should identify that contractor and discuss the applicability of procurement requirements, including but not limited to: M.G.L. c. 149 §§ 44A - 44J; c. 149A; c. 30 §§ 39M, and c. 30B. **The Proposer** **should not assume any exemption from prevailing wage requirements, and should assume that prevailing wage will apply to the entire site, including the construction of any market rate housing.** Background information, including firm resumes and resumes for principals and employees expected to be assigned to the project, should be provided.
* A summary of first, the developer’s and secondly, the development team’s experience collectively and individually, and with similar projects, **especially projects serving mixed income communities with a significant market rate tier**. **Particular attention should be given to demonstrate experience with projects of a similar scale and complexity of** **site conditions, design and financing**, as well as location. Proposer should demonstrate the ability to perform as proposed and to complete the project in a competent and timely manner, including the ability to pursue and carry out design, permitting, financing, construction, and marketing/unit absorption.

The following format should be used to submit the information for each project identified.

* Project name, location, project type, project scope, start date, projected completion date and actual date of completion, total development costs, key project people.
* Rents or sales prices of units serving over 80% AMI households.
* Narrative on why your experience is relevant to the proposed project.
* Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the \_HA and the development team during all phases of the project.
* Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the Proposer, its principals or any affiliates.
* Confirmation that no local, state or federal taxes are due and outstanding for the development team or any constituent thereof and that no member of the development team has been the debtor in a voluntary or involuntary bankruptcy filing within the past 10 years.
* Provision of references for 3 completed projects, with contact names, title and current telephone numbers who can provide information to the \_HA concerning the Proposer’s experience with similar projects.

1. **Development Concept**

* **The proposal must include a preliminary narrative description of a development concept for the Site and its improvements. The Proposer should submit basic information regarding its development concept, including:**
  1. Number and size of units (square footage and number of bedrooms) and affordability levels within each unit size category. Public housing and market-rate units must be integrated within the Redevelopment Project.
  2. Narrative as to why/how the mix of bedroom sizes and affordability is proposed to ensure project financial feasibility and maximum cross-subsidy, and appropriateness for the marketplace.
  3. If the Proposer intends to work with the \_HA to refine the number, size and affordability levels of units, include narrative as to proposed methodology for final determination of the proposed mix.
* Septic analysis and plan strategy: If a septic system would be required to serve the Site, the Proposer should provide a brief narrative explanation of how the design and location of the required system would impact decisions as to unit mix and site design, and describe proposed plan for developing analysis and plan.
* Narrative description of the Proposer’s concept for the layout and architectural character of the Redevelopment Project and its various programmatic and physical elements, including any potential energy savings/green/resiliency elements that the Proposer would recommend considering for inclusion in the building and site designs.
* Project financing – provide preliminary pro forma development and operating budgets, indicating the anticipated operating income and costs given the projected unit mix, projected equity investment and debt, and the assumptions underlying the numbers. The Proposer should also provide a narrative describing previous success in securing comparable funding. If any local, non-PEHO state or federal subsidy money would be sought to create new affordable units beyond the state-aided replacement public housing units, the Proposer should also describe the type and amounts of subsidies and the timeline for securing those sources. The Proposer should also provide a narrative, supported by the preliminary budgets, of how the proposal maximizes private debt and/or equity for the preservation and ongoing operations of the public housing and how the proposal allows for pay-back of any proposed state investment from a portion of the project’s net cash flow or proceeds upon a future capital event for the sole benefit of the \_HA’s remaining public housing portfolio.
* If including an economic mobility services component, the proposal must include:
  1. A preliminary narrative description of the Proposer’s plan for resident involvement during the construction process, as well as the type(s) of ongoing service provision at the Redevelopment Project.
  2. A description of the Proposer’s experience in achieving resident job and job training opportunities during construction, including the number of residents trained under apprenticeships or hired as a result of past projects, both on a part-time and permanent basis, and other relevant data.
  3. A letter of interest from a service provider(s) describing the nature of, and its experience in implementing, the proposed ongoing service program(s) including quantitative outcomes, and other relevant data.
* Lender(s) letters of interest (mentioned in the comparative selection criteria)

1. **Conceptual Drawings**

* 1. Proposers must include 11 x 17 conceptual drawings including:
* One or more site plans showing the proposed layout of buildings on the Site; and
* Elevations showing the suggested design of buildings.
  1. If a Proposer is unable to provide the above plans, the Proposer must provide for a mark-up of the Locus Plan for the Site attached as Attachment B, indicating where the Proposer would expect to locate the buildings comprising the Redevelopment Project, together with a narrative description of the Proposer’s timetable and methodology for developing the conceptual drawings.

1. **Sales, Management and Monitoring Plan**

* Description of the target market, e.g., pricing and the strategy for marketing all units other than state-aided public housing units.
* The proposal must include a plan for the ongoing management of the development, as well as a monitoring structure that ensures public housing regulations are followed for the state-aided public housing units, including affordability levels and tenant protections. In addition, if the Proposer is including a property manager as part of its initial team, all relevant information as outlined under ‘Developer’ above should be included with respect to the property manager, as well as details of any projects where the Proposer and the property manager have worked together before.

By submission of its proposal, the Proposer is certifying that the Proposer and/or its proposed management agent:

* Has a clear understanding of fair housing requirements/laws;
* Has a clear understanding of local preference opportunities and requirements;
* Shall utilize appropriate state standards to determine program and unit eligibility – i.e. qualified tenants;
* Shall establish a criteria for tenant selection and a fair and unbiased selection process;
* Shall be responsible for selecting properly qualified tenants; and
* Shall maintain all necessary reports and certifications required under state and federal law.

1. **Implementation Plan and Timetable**

The \_HA expects that the proposed Redevelopment Project will close on all necessary financing sources and commence construction by July 1, 2021 and complete construction within three years of the execution of a Disposition/Development Agreement. The proposal must include a description of how the Plan will be implemented, including but not limited to:

* Preliminary development schedule for all elements of the Plan, including key milestones, financing benchmarks, zoning, relocation, construction start, marketing, and projected completion/occupancy timeframes.
* Outline of the anticipated land use, zoning, development, environmental, operational and other governmental permits or regulatory approvals that may be required to carry out the Redevelopment Project. The Proposer should provide a preliminary schedule for securing all governmental permits and regulatory approvals as part of the proposal. The Proposer should note what zoning variances, special permits or modifications are required.

**VII. Developer Selection Criteria**

**All proposals submitted by the due date will be evaluated for conformance with the below stated minimum criteria. Those proposals that meet the minimum criteria will then be evaluated by the comparative criteria described below. Proposers will be invited for an interview and will be scored by the review committee.**

**Minimum threshold criteria**

**The following are minimum criteria for Proposal consideration. Proposals that do not clearly and fully convey these minimum criteria will not be considered.**

1. Complete conformance with all submission requirements.
2. Proposer must have a minimum of 15 years’ experience in development of housing utilizing multiple financing sources and have developed and managed at least two mixed-income housing development projects, of at least one hundred units each, which have a significant proportion of market-rate units.
3. Proposer must be willing to act as a Co-Applicant with the \_HA in responding to the DHCD State-Aided Public Housing Mixed Income Demonstration NOFA.
4. Proposal preserves 100% of the state-aided public housing units for occupancy by eligible households at rents compliant with M.G.L. c. 121B and DHCD’s public housing regulations.
5. Developer availability to commence work within \_\_ days of selection; show sufficient staff resources and availability to perform required services
6. Completed required forms at Attachments E, F and G:

* Certificate of non-collusion
* Tax compliance
* Disclosure of beneficial interests form as required by M.G.L. c. 7, section 40J

**Comparative Evaluation Criteria**

**Projects meeting the minimum criteria will then be judged on the following additional comparative evaluation criteria:**

**Developer Experience and Capacity** (This is for the development team)

* Development Experience: extent to which the Proposer’s experience exceeds the minimum criteria; the Proposer’s prior track record in the construction of housing of a similar scale and type, and the experience of the development team with regard to mixed income housing development, including a significant market rate tier, and the demonstrated ability to complete projects on time and within budget.
* Developer Financial Capacity: identification of all other real estate owned by the Proposer (including affiliates); certification as to whether any member of the development team has been named as debtor in any voluntary or involuntary bankruptcy proceeding within the past ten years; ability to secure financing as evidenced by letter(s) from prospective lender(s) indicating that the Proposer has a strong financial capacity including sufficient net worth and access to financing to carry out a project of the magnitude being proposed; 3 years of audited or CPA-prepared financial statements or equivalent demonstration of the Developer’s financial strength and ability to honor all financial guarantees, should the need arise.
* Staffing Plan: the Proposer demonstrates the staff capacity to take on the work within \_\_ days of award.
* Experience developing energy efficient, resilient housing

**Management Experience and Capacity**

* Management approach: high quality management team with direct experience and proven track record in managing mixed-income housing including deeply affordable units.
* Marketing and Management of Affordable Rental Units: experience in marketing and managing affordable rental units.
* Marketing and Management of Market Rate Units: experience in marketing and successfully selling or renting, as applicable, market rate homeownership and/or rental units at prices/rents consistent with initial projections within a time frame consistent with initially projected absorption period.

**Redevelopment Project Objectives, Concept and Feasibility**

* Development Objectives and Concept: a proposal, addressing the objectives and concepts described above, with a mix of bedroom and income ranges fully integrated within the Redevelopment Project and reflecting knowledge and understanding of project constraints, in particular legal constraints re: the ownership structure and, if applicable, water and septic systems.
* Financial Feasibility: extent to which the project is feasible financially and proposed resources are attainable, taking into account visible site conditions and any identified environmental, zoning and other permitting issues and the affordability requirements and goals as described above, based on analysis of Proposer narrative.
* Sources and Uses: proposed pro forma budgets that are based on current cost and market conditions. Extent to which reliance on competitive state affordable housing resources to fund public housing units are minimal and debt and private equity comprise a majority of the development sources.
* Pro forma operating budget: appropriate for target population, reasonableness of management, administrative, maintenance, service provision, and utility costs.
* Economic Mobility and Supplier Diversity: extent to which the Proposer has had previous success in providing construction-related job opportunities to residents. Extent to which the proposed ongoing service provision has a proven track record of success and affords the greatest potential for economic mobility for residents at the Site. Extent to which there is a realistic, robust plan for outreach and recruitment of diverse business enterprises including MBE/WBEs.

**Design Concept**

* Site and Building design: narrative and any conceptual plans submitted reflect a superior design approach taking into account identified housing needs that creates sufficient density to maximize cross-subsidy from market rate production while respecting the context of its surroundings, reflects the local design vernacular provides community while maintaining individual tenant privacy, provides adequate parking, and provides adequate recreation space.
* Sustainable and resilient design elements: stated commitment to energy saving design and identification of potential use of green/sustainable materials, methods and systems, including those that will make the property more resilient to climate change.

**Fee Proposal**

* Development / Land Fee: extent to which fee to authority adequately compensates for value of public housing land, after considering objective of minimizing public subsidy. Extent to which fee proposal is prioritized within project budget.
* Asset Management Fee: extent to which fee adequately compensates authority for cost of monitoring for compliance with state public housing regulations, state statute, and regulatory and operating agreement. This fee must be paid to the LHA on an annual basis and built into the operating budget for each phase. Fee will be paid for year one of operations, on a per unit basis. This amount will be the basis for negotiating the LHA’s Asset Management fee in future years. .

**Results of reference checks**

**VIII. Selection Process**

The \_HA or its designee(s) (i.e. an evaluation committee) will review and evaluate all proposals that are received by the submission deadline based on the criteria outlined herein. Evaluation of the proposals will be based on the information provided in the proposers’ submission in accordance with the submission requirements of this RFP and any interviews, references, and additional information requested and/or gathered by the \_HA. The \_HA will select the developer it or its designees determines has submitted the most advantageous and responsive proposal.

The \_HA will notify all proposers in writing of its decision.

**The \_HA reserves the right to reject any or all proposals or to cancel this Request for Proposals if it is in the best interest of the \_HA.**

**IX. Post Selection**

**Disposition/Development Agreement**

**It is the intent of the \_HA to enter into a Disposition/Development agreement with the selected proposer within \_\_ days of selection and ultimately to sell or lease the Site to the Developer or an affiliated ownership entity formed by the Developer, subject to such restrictions as the \_HA deems necessary to preserve 100% of the existing state-aided public housing units. Disposition of the Site will only occur after compliance with all remaining applicable requirements of M.G.L. c. 30B and achievement of benchmarks to be identified in the Disposition/Development Agreement, including without limitation DHCD approval and the developer having secured all necessary financing and permits. The Disposition/Development agreement will be finalized after the selection process.** A draft Disposition/Development agreement is attached as Attachment D.

**X. Attachments**

1. Comparative Evaluation Criteria
2. Locus map
3. Deed(s) to existing Site
4. Draft Land Disposition and Development Agreement
5. Certificate of Non-Collusion
6. Tax Compliance Certificate
7. Disclosure of Beneficial Interest

**attachment A**

**comparative evaluation Criteria**

|  |  |  |  |
| --- | --- | --- | --- |
| **Developer Experience & Capacity (team)** | **Unacceptable** | **Advantageous** | **Highly Advantageous** |
| * Demonstrated experience in and capability for designing, permitting, developing and managing projects of a similar scale and type, including mixed income residential projects. * Demonstrated financial capacity as evidenced by required documentation. * Demonstrated experience securing financing for similar projects. * The adequacy of the proposed staffing plan, taking into account the experience and qualifications of the identified team members. * Experience developing energy efficient, resilient homes. * Quality of property management team, including experience with similar projects. * Demonstrated experience and success in marketing mixed-income properties, including familiarity with requirements applicable to affordable units and achievement of target rents/prices for market rate units. * Successful long term management approach. | Development team members have had only minimal experience in the development of mixed income projects of a similar scale and type, including legal, design, development, financing, and management experience with rental housing. | Development team members have had significant experience in the development of mixed-income projects of a similar scale and type, including significant legal, design, financing, affordable housing management, and development experience. *[If applicable - Significant experience (2 or more projects) with private septic.]* Energy efficient, resilient buildings part of standard development approach. | Development team members have significant and substantial successful development of mixed income housing projects of a similar scale and type, including significant legal, design, financing, affordable housing management and development experience. *[If applicable - Extensive experience (4 or more projects) with private septic].* Energy efficient and resilient design is their standard approach to design and development. |
| **REDEVELOPMENT PROJECT OBJECTIVES, CONCEPT AND FEASIBILITY** | **Unacceptable** | **Advantageous** | **Highly Advantageous** |
| * Proposal addresses the objectives and concepts described in the RFP, with a mix of bedroom and income ranges fully integrated within the Redevelopment Project, and reflects knowledge and understanding of project constraints, in particular legal constraints re: the ownership structure, and, if applicable, water and septic systems. * Project assumptions are reasonable and support a conclusion that the project is feasible financially and proposed resources are attainable, taking into account visible site conditions and any identified environmental, zoning and other permitting issues and the affordability requirements and goals as described in the RFP. * Adequacy of proposed development budget based on current cost and market conditions, and ability to maximize debt and private equity with little to no reliance on competitive state affordable housing resources for public housing redevelopment. * Pro forma operating budget includes rents that are appropriate in relation to market as well as reasonable assumptions management, administrative costs, maintenance and utility costs. * Proposal includes economic mobility plan, inclusive of resident hiring / apprenticeships and outreach/recruitment of MBEs/WBEs during construction as well as ongoing service provision. | Proposal does not demonstrate an understanding of development process, constraints, costs and operating budgets for mixed-income projects including a combination of affordable and market-rate housing.  Proposal relies to a significant extent on other competitive state affordable housing resources. | Proposal contains realistic development and operating budgets with little reliance on competitive state affordable housing resources for the redevelopment of the public housing units or public infrastructure improvements; realistic economic mobility programing for residents; and demonstrates developer’s proven track record in securing necessary financing for similar transactions. | Proposal contains realistic, detailed and cost-effective development and operating budgets with no reliance on competitive state affordable housing resources for the redevelopment of the public housing units; realistic, detailed and cost-effective economic mobility programming for residents; and demonstrates developer’s high degree of success in securing necessary financing and other sources of funding for similar transactions. |
| **Design Concept** | **Unacceptable** | **Advantageous** | **Highly Advantageous** |
| * Creative, thoughtful and efficient site design concept that is cost-effective and high quality, creates density to maximize cross-subsidization while respecting the context of its surroundings. * Site plan creates community while maintaining tenant privacy. * Plan reflects local design vernacular. * Plan provides adequate parking and adequate recreation space. * Design concept for market units is thoughtfully tailored to maximize the value of the units. * Design incorporates materials, methods and systems that maximize energy efficiency and minimizes vulnerabilities to climate change. | Proposal fails to either present and support the feasibility of an attractive viable proposed design, or describe in detail the methodology and criteria to be applied in developing an attractive and viable design proposal. | The proposal meets all design requirements of the RFP or outlines in reasonable detail the methodology and criteria to be applied in developing a design that meets all design requirements. | The proposal exceeds the design requirements of the RFP or outlines in reasonable detail the methodology and criteria to be applied in developing a design that exceeds the design requirements. |
| **Fee Proposal** | **Unacceptable** | **Advantageous** | **Highly Advantageous** |
| * Proposal provides compensation to housing authority for value of land, net of public value provided through proposal * Proposal provides compensation to housing authority for cost of ongoing monitoring compliance with state public housing regulations, state statute, and regulatory and operating agreement requirements. | Proposal include minimal or no payment for land or development services.  Proposal includes minimal or no asset management fee  Asset Management fee is “below the line” and not part of project operating budget. | Proposal provides fair compensation for land.  Proposal includes asset management fee, “above the line”, as part of project operating budget, and adequately covers cost of monitoring. | Proposal includes “above the line” development/land fee payment.  In addition to land/development payment, fee proposal allocates housing authority share of net cash flow and/or proceeds upon sale or refinance.  Proposal includes asset management fee, “above the line”, as part of operating budget that adequately covers cost of monitoring. |
| **References, site visits & Interview** | **Unacceptable** | **Advantageous** | **Highly Advantageous** |
| * References – a minimum of three references, include references from all projects undertaken in the last 10 years. * Site visits - the selection committee may choose to visit proposers’ completed projects. * Interview of Proposer by HA or its evaluation committee. | Minimum of 3 references not supplied, or references were poor and/or inadequate.  Properties visited were in poor condition. Residents were not pleased. Proposer did not adequately address HA questions in the interview. | Strong references reflecting projects came in on time and within budget, good property management structure. Properties visited were in good condition, site layout was efficient, buildings were well designed, Residents were largely happy. Interview questions were satisfactorily addressed. | Strong references reflecting timely completion & developer’s excellent budget control, property mgmt structure and professionalism. Sites visited were in great condition, layout & landscaping excellent, great building design and use of energy efficient and durable materials. Residents very happy. Inter-view questions thoroughly addressed; greatly impressed interview-ers with ability to successfully complete project. |

Attachment B

Locus Map

Attachment C

Recorded Deed(s) to SiteAttachment D

**LAND DISPOSITION/DEVELOPMENT AGREEMENT**

Attachment E

Certificate of Non-Collusion

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Individual or Corporate Name of Proposer Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature of Authorized Agent Printed Name of Authorized Agent

Attachment F

Tax Compliance Certificate

Pursuant to M.G.L., Chapter 62C, sec. 49A, the individual executing this proposal certifies, under pains and penalties of perjury, that to the best of his/her knowledge and belief the Bidder has complied with all of the laws of the Commonwealth relating to taxes.

Name of Proposer: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attachment G

[To be completed prior to sale]

Disclosure of Beneficial Interest

This form contains a disclosure of the names and addresses of all persons with a direct or indirect beneficial interest in the transaction described below. This form must be filed with the Division of Capital Asset Management, as required by M.G.L. c. 7, sec. 40J, prior to the conveyance of or execution of a lease for real property. Attach additional sheets if necessary.

1. Public agency involved in this transaction: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Housing Authority.
2. Complete legal description of the property
3. Type of Transaction:
4. Seller:

Buyer:

1. Names and addresses of all persons who have or will have a direct or indirect beneficial interest in the property described above.

Name Address

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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None of the persons listed in this section is an official elected to public office in the Commonwealth of Massachusetts except as noted below:

Name Title or Position

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. This section must be signed by the individual(s) or organizations(s) entering into this real property transaction with the public agency named in item 1. If this form is signed on behalf of a corporation, it must be signed by a duly authorized officer of that corporation.

The undersigned swears under the pains and penalties of perjury that this form is completed and accurate in all respects.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_