



**DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**



**REQUEST FOR QUALIFICATIONS
FOR DEVELOPERS TO CARRY OUT
ACQUISITION, DEVELOPMENT, HOME SALES AND RENTAL ACTIVITIES**

**As Part of DHCD's
NEIGHBORHOOD STABILIZATION PROGRAM (NSP)**

**Issue Date: September 9, 2011
Closing Date: September 23, 2011**



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www.dhcd.dc.gov

*Vincent C. Gray
Mayor*

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Deputy Mayor for Planning and
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Housing and Community Development*

I. INTRODUCTION

The District of Columbia (“the District”) Department of Housing and Community Development (“DHCD”) invites qualified for-profit and/or nonprofit developers (“Developers”) with extensive experience in residential real estate acquisitions, dispositions, rehabilitation and/or construction, and home sales to income-restricted buyers to submit their qualifications to carry out acquisition, development, home sales and rental activities under the U.S. Department of Housing and Urban Development’s (HUD) Neighborhood Stabilization Program (NSP). The Request for Qualifications (“RFQ”) Response Form is included as **Attachment A**.

DHCD has been awarded NSP funds by HUD to address the growing inventory of foreclosed, abandoned and vacant residential properties in our community. DHCD will utilize a portion of these funds to assist Developers in the acquisition, rehabilitation and redevelopment of said properties. Upon completion, Developers are required to sell or rent the properties to income-eligible households at restricted sale prices or rents.

Each Developer selected will receive a letter of commitment from DHCD (also referred to herein as an “allocation” of NSP funds) pursuant to the NSP regulations. A NSP Single-Family Program Manual (“Program Manual”) is also included as **Attachment B** as background information. Developers are advised to review the Program Manual in its entirety to fully understand the policies, procedures, and program requirements that they will be subject to if they receive an allocation of NSP funds for single-family properties (defined as including 1 to 4 residential units). The provisions of the Program Manual also generally apply to rental projects (either single-family or multifamily) except for the sections that refer to home marketing and sales. Rental projects will be subject to current DHCD policies and procedures with regard to underwriting, rent affordability, income certification, property management and asset management, and terms of financing. Additional information can be found in DHCD’s current Community Development Block Grant Request for Proposals, which is located on DHCD’s website at <http://newsroom.dc.gov/show.aspx/agency/dhcd/section/2/release/22223>.

DHCD is soliciting potential Developers to undertake the following activities:

- Acquisition of abandoned or foreclosed residential properties which are vacant and located in targeted census tracts, subject to review and approval by DHCD. See page 12 of the Program Manual in **Attachment B** for federally-mandated definitions of “abandoned” and “foreclosed” properties.
- If approved by DHCD prior to acquisition, demolition of blighted, abandoned or foreclosed residential structures followed by new construction of qualified residential units.
- Rehabilitation of selected residential properties.
- Asset management of selected homes during the development period.
- Sales or rentals of selected residential properties to eligible households at restricted sale prices or rental rates.

- Other eligible activities, as approved by DHCD.

Respondents should transmit five (5) copies of their submissions in hard copy only by U.S. Mail, express delivery or hand delivery to the following address by **September 23, 2011 at 3 p.m.** (Eastern time). Hand deliveries must be made to the **DHCD Housing Resource Center** on the ground floor of 1800 Martin Luther King JR Ave SE, Washington, DC 20020.

Department of Housing and Community Development
1800 Martin Luther King, Jr. Avenue, SE
Washington, DC 20020
RE: NSP RFQ
Attn: Martine Combal, Manager PADD

Developers will be selected by DHCD to participate based on funding availability and the evaluation processes and criteria described in this RFQ.

II. PROGRAM DESCRIPTION

The primary purpose of this RFQ is to select Developers, who can expeditiously and effectively utilize NSP2 funding to acquire and rehabilitate vacant, abandoned and foreclosed properties located in the District. The use of the NSP2 funds requires that both DHCD and the selected Developers comply with stringent federally mandated spending guidelines. HUD requires that DHCD spend fifty-percent (50%) of its NSP2 allocated funds by February 2012 and one hundred percent (100%) by February 2013. It is critical that the selected Developers are able to expeditiously execute deals and provide quality services to benefit low and moderate-income District residents. If an allocation is made to your organization, a letter of commitment will subsequently be issued with set timelines to determine the thorough and quick use of the NSP2 funds. As sites are identified, DHCD will enter into individual Developer agreements to memorialize the conditions, requirements and obligations of both the Developer and DHCD. DHCD expects to award up to Four Million Dollars (\$4,000,000.00) to Developers selected as a result of this RFQ.

This RFQ includes the following attachments to assist respondents with the requirements and guidelines of the RFQ submission. All attachments are incorporated herein by reference.

.Attachment A – The **RFQ Response Form** that must be submitted by respondents

Attachment B – The **NSP Program Manual**, which describes detailed policies and procedures for implementing NSP projects.

Attachment C – A list of the **Eligible Target Areas** (census tracts). Properties from other census tracts will not be considered for allocations of NSP funding.

Attachment D – An **Affordable Rents and Sale Price Schedule** that applies to NSP projects.
Attachment E - An **Example of Project Budget and Delivery Schedule**.

III. SCOPE OF WORK

Overview

DHCD desires to allocate funds to Developers to identify, acquire, manage, rehabilitate, construct and sell or rent vacant, abandoned or foreclosed residential properties per program requirements to income eligible households. In addition to DHCD's financial assistance, the selected Developers are expected to provide leverage financing for rehabilitation, construction and eligible soft costs. The selected Developers will be required to provide the services as described in this Section III. The service requirements outlined herein are not an exhaustive description of services, as such, DHCD reserves the right to add additional services and/or revise the terms herein at its sole and absolute discretion. All work items will be carried out in conjunction with DHCD staff direction, input, and review.

A. Acquisition:

Two modes of acquisition will be considered by DHCD and must be described in the Developer's RFQ response. Developers may propose one or both of the two modes of acquisition listed below. **Each property must be located in the Eligible Target Areas outlined on Attachment C and will be subject to underwriting and approval by DHCD prior to acquisition.** At the time of submission, each property must have been vacant for ninety (90) days or more. Developer shall use best efforts to identify and confirm that the targeted property is vacant, abandoned or foreclosed. Developer may submit various forms of documentation, including, but not limited to the following, 1) pictures of the property, 2) statement from property owner, 3) documentation from the District's Department of Consumer and Regulatory Affairs, 4) foreclosure notice, 5) evidence of delinquent mortgage or tax payments, 6) or any other document which helps to establish the conditions outlined in Section VI (A)(6) of the Program Manual. All properties must be appraised by a licensed appraisal within sixty (60) days of acquisition closing. Vacant and abandoned properties must be purchased at or below fair market value. All foreclosed properties, must be purchased at a minimum of one percent (1%) below the fair market value.

1. Property subject to site control - Developers may propose to develop vacant, abandoned or foreclosed residential properties which they currently have under site control and which are vacant. Site control means that the Developer has a contracted option to purchase the property or to enter into negotiations to purchase the property. Developers may not submit a RFQ response for a property that they currently own. Furthermore, Developers may not close on the acquisition of a property prior to DHCD's evaluation and allocation of NSP funds. Properties already owned by Developers are not eligible for NSP funding allocations under this RFQ.

2. Property to be identified and acquired after an award - Developers who do not have site control may submit a RFQ response to request funds to identify vacant, abandoned or foreclosed properties for acquisition. The Developer must clearly outline its capability to quickly identify, acquire and develop a property after the receipt of a NSP allocation. Please see Section X(B) for further details regarding Developer requirements.

B. Rehabilitation/Construction:

The Developers will be required to rehabilitate or construct the properties purchased under the program based on the Developer's approved scope of work. DHCD shall review and approve Developer's scope of work based on DHCD's rehabilitation and new construction standards. Homes built prior to 1978 will require compliance with HUD's Lead Based Paint requirements. Additionally, all properties will be subject to the provisions of the Green Building Requirements outlined in Section XI herein. All rehabilitation will be required to be performed by licensed general contractors or specialty contractors. All District code violations discovered at the property are required to be remediated by Developer at Developer's sole cost and expense. Developers receiving allocations of NSP funds may propose acquisitions of blighted residential properties followed by demolition and redevelopment with new residential units.

C. Interim Property Management:

Developers shall maintain and secure all for-sale properties approved for an NSP allocation from the date of allocation until the date of the Developer's sale to an income-eligible household ("Holding Period"). Certain Holding Period costs may be reimbursed by NSP funds or proceeds of the sale of the home depending on the terms of DHCD's allocation of NSP funding.

D. Pricing and Sales of Homes; Resale Covenants

Completed homes must be sold at prices that conform to the NSP Affordable Rent and Sales Price Schedule (see **Attachment D**). All completed homes shall be subject to DHCD's Affordable Housing Covenant, which states, among other things, that all rental developments shall be sold to income-eligible household for a period of forty (40) years from the date of the issuance of the Certificate of Occupancy and all for-sale developments for a period of fifteen (15) years from the date of the initial sale from the Developer to the first income-eligible household.

E. Rental Rates

DHCD's NSP program places a priority on rents affordable to households with incomes at or below fifty percent (50%) of the area median income (AMI). DHCD may consider approving some units in a rental project with rents affordable up to eighty percent (80%) AMI for projects that cannot be supported by one hundred percent (100%) rental at fifty percent (50%) AMI. Developers seeking approval for submissions at eighty percent (80%) AMI should clearly outline this request and provide supporting information. See **Attachment D** for more details.

In addition to the rental option described above, DHCD may consider submissions for lease to own developments. Developers seeking approval for lease to own developments should

include a detailed project description, as well as a summary of the Developer’s rental and/or homeownership history and sales.

F. Financing Provided by DHCD to Developers

DHCD’s allocations of development financing will be based on a review of the Developer’s organizational and financial capacity. Allocations will have strict performance standards and can be reduced or cancelled if a Developer does not follow an agreed-upon timetable for acquisitions, rehabilitation/construction, and home sales/rentals. See an example of a project budget and delivery schedule in **Attachment E**.

G. Timeframes for Development of NSP-Assisted Properties

Note that Developers receiving awards must agree to a delivery schedule (See **Attachment E**) that complies with the deadlines described below. Failure to reach milestones in a timely manner may result in partial or complete cancellation of an allocation. DHCD plans to award all allocations by October 5, 2011.

For Properties Under Site Control

Milestone	Est. Date of Completion
Developer Submission of Underwriting Packet See <u>Section D of Attachment B</u>	October 6, 2011
DHCD Underwriting of Individual Properties Completed	November 1, 2011
Environmental Reviews and/or Acquisitions Completed	December 1, 2011
Rehabilitation 50% Completed	To be negotiated
Rehabilitation 100% Completed	December 1, 2012
Home sales 50% Completed	To be negotiated
Home sales 100% Completed	To be negotiated

For Properties To Be Identified And Acquired By Respondent

Milestone	Est. Date of Completion
Developer Submission of Underwriting Packet See <u>Section D of Attachment B</u>	November 15, 2011
Properties Identified/Investigated by Developers	Oct. 5-Nov. 15, 2011
DHCD Underwriting of Individual Properties Completed	January 5, 2011
Environmental Reviews and/or Acquisitions Completed	January 5, 2012
Rehabilitation 50% Completed	To be negotiated
Rehabilitation 100% Completed	Dec. 1, 2012
Home sales 50% Completed	To be negotiated
Home sales 100% Completed	To be negotiated

IV. SUBMISSION REQUIREMENTS

- A. The RFQ Response Form and instructions herein will be the basis for your response to this RFQ.
- B. Five (5) copies of the proposal must be submitted (one of the copies shall be unbound and paper clipped, suitable for copying with an automatic feed).
- C. Only complete responses to this RFQ will be considered.
- D. Each proposal submitted should include a cover letter and must be signed by an authorized representative of the company or organization.
- E. All proposals must be delivered (via mail or hand-delivery) in a sealed envelope to the address on page 2 of this RFQ.
- F. Each envelope must be clearly marked and numbered if more than one envelope: NSP RFQ (example.: Number 1 of 2, Number 2 of 2)
- G. Questions pertaining to this RFQ should be directed to: Andrea Lee, PADD Assistant, NSP.DHCD@dc.gov. **Questions may be submitted until Tuesday, September 20, 2011 at 5pm Eastern time.**
- H. DHCD requires each respondent to submit a proposal that clearly addresses all of the requirements outlined in this RFQ and listed in the "Proposal Contents". Responses should follow the sequence indicated.
- I. The respondent's proposal should emphasize a clear understanding of the Program and the necessary resources to perform the intended services. Responsiveness to the RFQ will be the principal basis for evaluation of each proposing organization.
- J. All companies participating with DHCD will be expected to adhere to the policies and procedures described in the attached Program Manual (see **Attachment B**) and all other applicable ordinances and requirements of the District of Columbia.

V. PROPOSAL CONTENTS

DHCD requires each respondent to submit a proposal that clearly addresses all of the requirements outlined in this RFQ. The proposal shall be limited to fifteen (15) pages. Company brochures, data and resumes may be added to the proposal provided that this information is located in an appendix at the back of the proposal.

The submitted proposal must include the following:

- A. A cover letter expressing interest in the program signed by a person who can legally bind the organization. Please include in your letter the legal name of the organization, the organization's address, and the contact information (including email address) of the executive official and the person responsible for preparing the proposal. Also include a commitment to perform the activities described in the proposal under the terms described herein, if you receive an award.
- B. A completed RFQ Response Form. Respondents must copy **Attachment A** into a new document, complete the form with the required information, sign it, and attach the required supporting documentation.

VI. PROPOSAL EVALUATION

The following is an outline of the procedures DHCD will use in the selection process:

- A. A selection committee (the "Committee"), composed of DHCD staff will be assembled to evaluate the proposals submitted by the respondents.
- B. The Committee may recommend one or more Developers to the Director of DHCD for issuance of a letter of commitment with a specified NSP funding allocation amount.
- C. DHCD may at its sole discretion request interviews with applicants to clarify information provided in their responses to this RFQ.
- D. DHCD reserves the right, without qualification, to reject all proposals and/or exercise discretion and apply its judgment with respect to any proposals submitted.

VII. AGENCY DISCRETION, NON LIABILITY WAIVERS, AND LOCAL COMPLIANCE REQUIREMENTS

This RFQ does not commit the District or DHCD to pay any costs incurred in the preparation of a response. DHCD reserves the right to accept or reject any proposal in part or in its entirety. The District reserves the right to reject any and all proposals, and to waive any technical errors, irregularities, or discrepancies, if to do so is deemed to serve the best interests of DHCD or the District. In no event will any allocation be made prior to the review of the Developer's RFQ submission packet. DHCD reserves the right to choose any number of qualified finalists. In addition, DHCD reserves the right to issue written notice to all participants of any changes in the proposal submission schedule or other schedules, should DHCD determine, at its sole and absolute discretion, that such changes are necessary. The proposing entity, by submitting a response to this RFQ, waives all rights to protest or seek any legal remedies whatsoever regarding any aspect of this RFQ. Any subsequent changes to the RFQ from the date of issuance to the date of submittal may result in an addendum by the issuing office.

See **Attachment E** for key local government insurance and other local compliance requirements that are especially pertinent to real estate development. Prior to the closing of any award of NSP funds for a specific property, the Developer must provide proof of insurance. In the award agreement, the Developer must agree to comply with these and other applicable local requirements.

VIII. MINIMUM PROPOSAL QUALIFICATIONS CRITERIA

The minimum qualifications for proposals to be considered are as noted below. These qualifications are applicable to the respondent and any and all sub-developers and/or property management companies described in a proposal.

- A.** Including with the RFQ Response Form a Copy of Good Standing and Clean Hands certificate from the District's Department of Consumer and Regulatory Affairs – see item VIII(c) of the RFQ Response Form.
- B.** Identification in the proposal of a complete, adequate and experienced development team.
- C.** Completeness of proposal (including all required attachments).
- D.** Location in eligible census tracts of properties proposed for development, if any.

IX. EVALUATION CRITERIA

Proposals received which meet the minimum qualifications criteria will be evaluated by the Selection Committee based on the proposals' strengths and weaknesses in relation to the following criteria:

- A.** Qualifications and capacity of the proposed personnel and contactors to carry out the proposed program.
- B.** Number of for-sale units successfully developed and sold in the past five (5) years, and number of rental units successfully developed in the past five (5) years.
- C.** Financial capacity of respondent to carry out the proposed scope of work.
- D.** Proposed approach to executing program goals.
- E.** Developer's marketing plan.
- F.** Developer's proposed plan for acquisition of property.

X. PROCESS FOR ISSUANCE OF COMMITMENT LETTERS

DHCD will designate Developers as being qualified for NSP awards based on the criteria described in Sections VIII and IX. DHCD will then issue letters of commitment following these procedures:

A. The first priority preference for allocations will be respondents (Developers) that have evidence of site control of qualified abandoned or foreclosed properties via options or purchase agreements that are in effect for at least 4 months following the submission deadline described on Page 1. For the NSP definition of “abandoned” and “foreclosed” properties, see page 12 of the Program Manual, **Attachment B**. After selection, designated Developers will be required to submit detailed information about each property and its feasibility for development as described in the Program Manual. DHCD will then underwrite and approve or reject properties. Awards and terms of NSP financing offered by DHCD will be based on the circumstances and feasibility of each property proposed. Underwriting and conditional awards will be completed on a first-come, first-served basis. Awards of NSP funds will be conditional upon DHCD’s successful completion of environmental review(s) and possibly other factors.

B. The second priority preference for allocations will be respondents (Developers) that demonstrate capability to acquire, develop, market and sell suitable properties that are not yet identified, in line with the timeframes for development described on page 4 of this RFQ. Nonetheless, respondents that do not have site control are urged to respond. In the RFQ Response Form, respondents must identify the staff member or broker designated to lead the property investigation and acquisition process; this individual’s qualifications will be material to DHCD’s selection decisions. After selection, a Developer proposing this activity must expeditiously investigate properties available for acquisition in the NSP target areas. DHCD will then underwrite and approve or reject properties. Award amounts and terms of NSP financing offered by DHCD will be based on the income targeting, other characteristics, and feasibility of each property proposed. Awards of NSP funds for specific properties will be conditional upon DHCD’s successful completion of environmental review(s) and other feasibility and affordability factors.

XI DISTRICT OF COLUMBIA COMPLIANCE REQUIREMENTS

INSURANCE COVERAGE

At all times after the effective date of any agreement made pursuant to this RFQ, until such time as all obligations of Developer have been satisfied or have expired, Developer shall carry and maintain in full force and effect the following insurance policies:

(a) Builder’s Risk Insurance – Developer shall maintain builder's risk insurance for the amount of the completed value of the project (or lesser amount acceptable to District) under a Special Form (Causes of Loss) policy with no co-insurance penalty, including flood risks if the property is

located in a flood zone, insuring the interests of Developer, District and any contractors and subcontractors.

(b) Automobile Liability and Commercial General Liability Insurance – Developer shall maintain and/or cause its contractor to maintain automobile liability insurance and commercial general liability insurance policies written so that each have a combined single limit of liability for bodily injury and property damage of not less than three million dollars (\$3,000,000.00) per occurrence, of which at least one million dollars (\$1,000,000.00) must be maintained as primary coverage, and of which the balance may be maintained as umbrella coverage; provided, however, that the foregoing statement as to the amount of insurance Developer is required to carry shall not be construed as any limitation on Developer’s liability under any agreement made pursuant to this RFQ. The foregoing limits may be increased by District from time to time, in its reasonable discretion.

(c) Workers’ Compensation Insurance - Developer shall maintain and cause its general contractor and any subcontractors to maintain workers' compensation insurance in such amounts as required by applicable laws.

(d) Professional Liability Insurance - Developer shall cause its architect and every engineer or other professional who will perform services in connection with the project to maintain professional liability insurance with limits of not less than one million dollars (\$1,000,000.00) for each occurrence, including coverage for injury or damage arising out of acts or omissions with respect to all design and engineering professional services provided by the architect of record, structural, electrical and mechanical engineers with a deductible acceptable to District.

(d) Contractor’s Pollution Legal Liability Insurance - Developer shall not remove, store, transport, or dispose of demolition debris, hazardous waste or contaminated soil, without first obtaining (or causing its contractor to obtain) a Contractor’s Pollution Legal Liability Insurance Policy covering Developer’s liability during such activities. The policy shall include such coverage for bodily injury, personal injury, loss of, damage to, or loss of use of property, directly or indirectly arising out of the discharge, dispersal, release or escape of smoke, vapors, soot, fumes, acids, alkalis, toxic chemicals, liquid or gas, waste materials, or other irritants, contaminants, or pollutants into or upon the land, the atmosphere, or any water course or body of water, whether it be gradual or sudden and accidental.

General Policy Requirements. Developer shall name District as an additional insured under all policies of liability insurance identified above. Any deductibles with respect to the foregoing insurance policies shall be commercially reasonable. All such policies shall include a waiver of subrogation endorsement. All insurance policies required shall be written as primary policies, not contributing with or in excess of any coverage that District may carry. Such insurance shall be obtained through a recognized insurance company licensed to do business in the District of Columbia and rated by A.M. BEST as an A-X or above. Prior to any entry onto the property at any time pursuant to any agreement made pursuant to this RFQ, Developer shall furnish to

District certificates of insurance (or copies of the policies if requested by District) together with satisfactory evidence of payment of premiums for such policies. The policies shall contain an agreement by the insurer notifying District in writing, by certified U.S. Mail, return receipt requested, not less than thirty (30) days before any material change, reduction in coverage, cancellation, including cancellation for nonpayment of premium, or other termination thereof or change therein.

INDEMNIFICATION

Developer shall indemnify, defend, and hold harmless District and the District Parties from and against any and all losses, costs, claims, damages, liabilities, and causes of action (including reasonable attorneys' fees and court costs) arising out of death of or injury to any person or damage to any property occurring on or adjacent to the Developer's property and directly or indirectly caused by any acts done thereon or any acts or omissions of Developer, its members, agents, employees, or contractors; provided, however, that the foregoing indemnity shall not apply to any losses, costs, claims, damages, liabilities, and causes of action (including reasonable attorneys' fees and court costs) due to the gross negligence or willful misconduct of District.

OPPORTUNITY FOR CBEs

In cooperation with District, Developer agrees that it will promote opportunities for businesses certified by DSLBD, or any successor governmental entity, as Certified Business Enterprises ("CBEs") in the equity, development, construction, and operation of the project consistent with the CBE Agreement to be entered into between the District of Columbia Department of Small and Local Business Development and Developer prior to acquisition.

EMPLOYMENT OF DISTRICT RESIDENTS; FIRST SOURCE AGREEMENT

Pursuant to Mayor's Order 83-265, DC Law 5-93, as amended, and DC Law 14-24, Developer recognizes that one of the primary goals of the District of Columbia government is the creation of job opportunities for District of Columbia residents. Accordingly, Developer agrees to enter into a First Source Agreement, prior to acquisition, with the District of Columbia Department of Employment Services that shall, among other things, require the Developer to: (i) use diligent efforts to hire and use diligent efforts to require its architects, engineers, consultants, contractors, and subcontractors to hire at least fifty one percent (51%) District of Columbia residents for all new jobs created by the Project, all in accordance with such First Source Employment Agreement and (ii) use diligent efforts to ensure that at least fifty one percent (51%) of apprentices and trainees employed are residents of the District of Columbia and are registered in apprenticeship programs approved by the D.C. Apprenticeship Council.

GREEN BUILDING REQUIREMENTS

In accordance with DHCD policy for all DHCD-subsidized projects that include rehabilitation or new construction, all projects selected pursuant to this RFQ will be subject to the provisions of

the Green Building Requirements described in Chapter 14A of Title VI of the D.C. Official Code, 2001 Ed., §6-1451.01 *et seq.* (2008 Supp.) (the “**Green Building Requirements**”). Under the Green Building Requirements, a residential project with 10,000 square feet of gross floor area or more, including a project with multiple buildings that are part of one development scheme, may be required to submit a Green Communities Self Certification Check List and verification of meeting Green Communities requirements for energy efficiency to the Department of Consumer and Regulatory Affairs as part of the application for a certificate of occupancy.

XII. FEDERAL PROVISIONS

During the performance of this contract, Developer agrees to comply with the following federal provisions:

- A.** Executive Order 11246 requires that, during the performance of this contract, the Developer agrees not to discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Developer agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Developer setting forth the provisions of this nondiscrimination clause.
- B.** Section 3 of the Housing and Community Development Act of 1968, as amended, 12 U.S.C. 1701 *et. seq.*, requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area and contracts for work in connection with the project be awarded to business concerns which are located in, or owned in substantial part by persons residing in the area of the project.
- C.** Title VI of the Civil Rights Act of 1964 provides that no person shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.
- D.** Section 109, Title I of the Housing and Community Development Act of 1974, provides that no person shall, on the ground of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part under this Title.
- E.** Any prohibition against discrimination on the basis of age under the Age Discrimination Act of 1975, or with respect to an otherwise qualified handicapped individual, as provided in Section 504 of the Rehabilitation Act of 1973, shall also apply to any such program or activity.

F. Contractor agrees to retain and provide to The District, access to any books, documents, papers and records for audit or examination for a minimum of three (3) years after final payment and all other pending matters relative to the performance of this contract are closed.

G. The Developer agrees that any construction or rehabilitation of residential structures with assistance provided pursuant to this RFQ shall be subject to HUD Lead-Based Paint Regulations at 24 CFR 570.487 or 24 CFR 570.608, and 24 CFR Part 35, Subpart B. Such regulations pertain to all NSP-assisted housing and require that all owners, prospective owners, and tenants of properties constructed prior to 1978 be properly notified that such properties may include lead-based paint. Such notification shall point out the hazards of lead-based paint and explain the symptoms, treatment and precautions that should be taken when dealing with lead-based paint poisoning and the advisability and availability of blood lead level screening for children under seven. The notice should also point out that if lead-based paint is found on the property, abatement measures may be undertaken. The regulations further require that, depending on the amount of Federal funds applied to a property, paint testing, risk assessment, treatment and/or abatement may be conducted.

Attachment A: RFQ Response Form

For Qualifying Developers for Residential Single-Family Acquisition, Development, Sales and Rental Activities – DHCD NSP Program

1. Developer Organization Name and Mailing Address:

2. Type of Organization (check one):

For Profit Corporation Nonprofit Corporation Partnership LLC
 Sole Proprietorship

3. Principal Contact Person for Respondent

Name: _____ Title: _____
 Phone number: _____ Email address: _____

4. Development Team

List key members of your proposed development team by name, title, organization and roles, including both staff members both key staff members and contracted professionals. Include the organization’s owner chief executive; proposed NSP project manager(s), principal person responsible for acquisition, proposed rehab/construction manager; home sales agent or specialist; proposed property manager (if rental housing), real estate attorney; and any other key team members. If the same person is assigned to multiple roles, indicate that in the form below. Include resumes for each of these proposed project team members in an Appendix to your response.

Name	Title	Organization	Role with Project
			Chief executive
			NSP project manager
			Acquisition leader
			Rehab/construction manager
			Home sales leader (may be N/A)
			Rental property manager (may be N/A)
			Attorney
			Other – describe
			Other - describe

Add rows as needed

4. Prior Experience with DHCD (non-housing)

Describe your prior experience with providing services or administering programs for DHCD during the past five years. DHCD-funded housing projects or homes may be described in the list defined in Section V(D) below. If you had no non-housing projects or programs funded by DHCD, put N/A in this section.

Award Amount	Year Made	Purpose of Funding

5. Prior Experience with Housing Development – Completed Projects

Describe your organization’s experience in acquiring, rehabilitating and constructing for-sale and rental housing during the past five years. “Year completed” means the year when the last home was sold or the rental units reached over 90% occupancy.

Addresses of Projects	Number of housing units and type (say whether rental or for-sale)	Year and month started	Year and month all units completed and sold or 90% occupied (if rental)	Amount of DHCD funding provided if any	Name of DHCD program or N/A

6. Current Real Estate Development Project Pipeline

Describe your organization’s current real estate development pipeline, of projects underway or anticipated to start within the next 12 months.

Address(es) of Project	Number of housing units and type (rental or for-sale)	Est. or Actual Month/Year Started	Est. Month/Year Completed or N/A	Amount of DHCD funding provided if any	Name of DHCD program or N/A

7. Approach to Acquisition and Redevelopment

In three pages or less, describe your approach to:

- a. (If proposing to developing properties not yet identified) Expeditiously identifying NSP-qualified abandoned or foreclosed residential properties that are feasible for redevelopment, in accordance with the Timeframes on page 5 of the RFQ. Describe what staff or real estate broker(s) would be engaged and their recent experience with REO purchases.
- b. Evaluating the condition of residential properties requiring repairs, evaluating and determining building code violations, including illegal room additions and conversions.
- c. Preparing a written rehabilitation scope; determining rehabilitation costs; and obtaining required building permits and inspections.

8. Experience with Marketing and Sales of Homes

Describe your experience in marketing and selling single-family homes including the number sold in the past five years and your average time on market between completions of construction/rehab and sales to homebuyers. Describe what methods you use to advertise and market homes and the average time of homes on the market between completions of homes and sales. (2 pages maximum)

9. Experience with Rental Housing Management

Describe your experience and the experience of your proposed property manager in asset and occupancy management of residential rental properties. Include a list of rental properties

currently owned by the respondent. Describe your approach to asset and property management. (2 pages maximum)

10. Desired Target Areas (check one)

Willing to develop qualified properties in all Census Tracts listed in Attachment C to this RFQ.

Willing to develop homes only in the following Census Tracts within the list in Attachment C as follows (list specific census tracts): _____

11. Properties Under Site Control

List all properties that you wish to have considered for development using NSP funds. Be advised that funding of acquisitions will be subject to DHCD underwriting and approval/rejection if you are selected as a qualified developer. Without this approval prior to closing on the purchase, acquisition costs cannot be funded.

Address of Properties	# Units	Owned (Enter X)	Under Site Control that expires on this date
Total number of units			

12. Goals for Numbers of Units to Develop; Capacity to Finance Development Costs

In addition to properties listed above (if any) we are willing and able to identify, acquire and develop the following number of co-operative units, condominiums, and/or multi-family units within the NSP timeframe: ____ (enter number of properties) and ____ (enter total number of dwelling units).

We are also willing and able to identify, acquire and develop the following number of single-family homes and/or single-family rental units within the NSP timeframe: ____ (enter number of properties) and ____ (enter total number of dwelling units).

Estimate of your total investment capacity for financing development of the number of housing units described above through cash, lines of credit and construction loans: \$_____

13. Required Attachments

For the response to be considered, the following documents must be attached:

___ Resumes of Development Team members identified in Item 4 above.

___ Your organization's most recent audited income statement and balance sheet. If you do not undergo audits, attached your most recent unaudited income statement and balance sheet.

___ Copy of Good Standing and Clean Hands certificate from the District's Department of Consumer and Regulatory Affairs – see item VIII(c) of the RFQ Response Form.

14. Signature and Certification

I, the undersigned, hereby certify that I am an authorized representative of the organization named in Item 1 of this response and that the information provided is true and complete to the best of my knowledge.

Signature: _____

Printed Name: _____

Title: _____ Date: _____

**Attachment B:
DHCD Single-Family Development and Sales Program Manual and Reference
Documents**

See separate document posted with this RFQ

**Attachment C:
Eligible Target Areas**

Areas	Census Tracts
Anacostia	75.03
Anacostia	75.04
Anacostia	76.01
Deanwood	78.03
Deanwood	78.06
Deanwood	78.07
Deanwood	78.08
Deanwood	78.09
Deanwood	99.04
Deanwood	99.05
Deanwood	99.06
Trinidad	79.01
Trinidad	79.03
Trinidad	85
Trinidad	88.02
Trinidad	88.03
Trinidad	88.04
Trinidad	89.03
Trinidad	89.04

Attachment D: NSP Affordable Rent and Sales Price Schedule

DHCD's Maximum Rent and Purchase Price Schedule is established pursuant to the Inclusionary Zoning Implementation Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01 *et seq.*) ("the Act") and the Inclusionary Zoning Regulations adopted by the Zoning Commission for the District of Columbia and codified in Chapter 26 Title 11 of the DCMR. DHCD will use this schedule as a guideline for approving sales prices and rental rates in projects approved in DHCD's NSP program.

Multi-Family Developments

					50% of AMI Units		80% of AMI Units	
Number of Bedrooms	Occupancy Pricing Standard	Occupancy Limits	Estimated Utility Allowance	Estimated Condo Fees	Maximum Allowable Rent	Maximum Purchase Price	Maximum Allowable Rent	Maximum Purchase Price
Studio	1	1	\$128	\$250	\$906	\$111,700	\$1,449	\$197,900
1	2	1 - 2	\$175	\$313	\$1,035	\$122,300	\$1,656	\$220,800
2	3	2 - 4	\$225	\$425	\$1,164	\$124,900	\$1,863	\$235,800
3	5	4 - 6	\$274	\$525	\$1,423	\$150,100	\$2,277	\$285,600

Single-Family Developments

					50% of AMI Units		80% of AMI Units	
Number of Bedrooms	Occupancy Pricing Standard	Occupancy Limits	Estimated Utility Allowance	Estimated Homeowner Association Fees	Maximum Allowable Rent	Maximum Purchase Price	Maximum Allowable Rent	Maximum Purchase Price
2	3	2 - 4	NC	\$110	\$1,164	\$161,300	\$1,863	\$272,200
3	5	4 - 6	NC	\$130	\$1,423	\$199,200	\$2,277	\$334,700
4	7	6 - 8	NC	\$150	\$1,682	\$237,100	\$2,691	\$397,200

The Maximum Purchase Price or Rent is based on the Washington Metropolitan Statistical Area 2010 Area Median Income of One Hundred and Three Thousand Five Hundred Dollars (\$103,500) for a family of four (4) as published by the United States Department of Housing and Urban Development on May

20, 2010. It takes into account an ability to pay thirty percent (30%) of the benchmark income towards the housing cost.

Maximum Allowable Rent is defined as the maximum amount of monthly housing cost a tenant should pay for rent plus any utility expense paid by the tenant for heat, air conditioning, cooking, electricity or hot water. The Maximum Allowable Rent is the maximum amount that may be collected from a tenant if the Inclusionary Development Owner is paying all utilities. If utilities are paid by the tenant, then the Inclusionary Development Owner shall charge a monthly rent equal to the Maximum Allowable Rent minus the Estimated Utility Allowance.

**Attachment E:
Example of Project Budget and Delivery Schedule**

See separate document posted with this RFQ