

**CITY OF NEWTON
PURCHASING DEPARTMENT**

CONTRACT FOR THE PLANNING DEPARTMENT

PROJECT MANUAL:

NEWTON LEADS 2040 HOUSING STRATEGY

REQUEST FOR PROPOSAL: #17-31

Bid Opening Date: November 17, 2016 at 10:00 a.m.

OCTOBER 2016

Setti D. Warren, Mayor

Table of Contents

Request For Proposals	3
Message From the Director Department of Planning and Development	4
I. Introduction	5
II. RFP Schedule	5-6
III. Evaluation of Proposals	6-7
IV. Minimum Criteria	7
V. Evaluation Criteria	7-9
VI. HOME and CDBG Program Requirements	9-12
VII. Proposal Submission Checklist and Application	13-17
VIII. Reservation of Rights	18
IX. Required Additional Forms and Appendix	
Certificate of Non-Collusion	19
Certificate of Tax Compliance	20
Certificate of Section 3 Business Concern	21-22
WestMetro HOME Consortium Property Standards Policy 1/8/2015	23-27

**CITY OF NEWTON
PURCHASING DEPARTMENT**

REQUEST FOR PROPOSALS #17-31

The City of Newton (City) invites sealed proposals from Consultants for:

NEWTON 2040 HOUSING STRATEGY

Proposals will be received until: **10:00 a.m., Thursday, November 17, 2016**
at the Purchasing Department, Room 201, Newton City Hall, 1000 Commonwealth Ave., Newton, MA 02459.
Immediately following the deadline for proposals a list will be created of all proposers names received and will be posted to the City's website: www.newtonma.gov/bids .

Contract Documents will be available on line at www.newtonma.gov/bids or for pickup at Newton City Hall, Room 201, Purchasing Department, 1000 Commonwealth Avenue, Newton Centre, MA 02459 after **10:00 a.m., October 20, 2016.**

There will be no charge for contract documents.

Award will be made to the most advantageous proposer for services.

The term of the contract **shall be determined at a later date.**

All proposals are subject to the provisions of M.G.L. c.30B.

All proposals shall be submitted as follows: **(i) one (1) original, three (3) paper copies and a CD copy of the Technical Proposal and (ii) one (1) ORIGINAL COPY of the Price Proposal.**

All City bids are available on the City's web site at www.newtonma.gov/bids. It is the sole responsibility of the contractor downloading these bids to ensure they have received any and all addenda prior to the bid opening.

Addenda will be available online with the original bid document as separate files. If you download bids from the internet site and would like to make it known that your company has done so, you may fax the Purchasing Department (617) 796-1227 or email to purchasing@newtonma.gov with your NAME, ADDRESS, PHONE, FAX AND INVITATION FOR BID NUMBER.

The City will reject any and all bids in accordance with the above referenced General Laws. In addition, the City reserves the right to waive minor informalities in any or all bids, or to reject any or all bids (in whole or in part) if it be in the public interest to do so.

In the event that any person wishes to attend a bid opening or pre-bid meeting, accessible and reasonable accommodations will be provided to persons requiring assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. For Telecommunications Relay Service, please dial 711.

CITY OF NEWTON



Nicholas Read
Chief Procurement Officer
October 20, 2016

CITY OF NEWTON
DEPARTMENT OF PLANNING AND DEVELOPMENT

Message From the Director

October 20, 2016

To All Interested Parties:

As part of the *Newton Leads 2040 Housing Strategy*, the City of Newton (“The City”), through this Request for Proposals (RFP), is accepting proposals to support the production of affordable housing in the City. It is making funding available through its Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) for new construction and rehabilitation projects that create affordable housing. Community Preservation Act (CPA) funds may also be available for projects receiving funding through this RFP. However, a separate proposal must be submitted to the Community Preservation Committee to obtain CPA funds. (For more information on CPA funding see <http://www.newtonma.gov/gov/planning/cpa/program.asp>.)

The City is seeking proposals that are consistent with the housing principles detailed in the *Newton Leads 2040 Housing Strategy* and housing needs and goals identified in the *2016 – 2020 Consolidated Plan* and the *FY17 Annual Action Plan*.

The *Newton Leads 2040 Housing Strategy* is available online at:

http://newton-prod.civica.granicusops.com/gov/planning/housing_strategy4/housing2.asp

The *2016 – 2020 Consolidated Plan* is available online at:

<http://www.newtonma.gov/civicax/filebank/documents/66466>

The *FY17 Action Plan* is available online at:

<http://www.newtonma.gov/civicax/filebank/documents/75622>

The City has established Minimum Criteria to determine the eligibility of projects for funding, and Comparative Criteria that will be used to prioritize the allocation of funds. It is critical that projects are ready to proceed at the time of the funding award—with site control and all other financing in place—in order to meet the funding deadlines of CDBG and HOME.

We encourage all interested person to submit a proposal.

Respectfully,

Barney S. Heath
Director of Planning and Development

I. Introduction

As part of the *Newton Leads 2040 Housing Strategy*, the City of Newton (“The City”), through this Request for Proposals (RFP), is accepting requests for funds to support the construction of affordable housing in Newton. The Chief Procurement Officer has determined that in order to select the most advantageous proposal(s), comparative judgments of technical factors, in addition to price, will be necessary. The City believes that the individual(s)/firm submitting proposals must have a broad range of experience in the federal CDBG and HOME and state CPA Programs, affordable housing development finance, and local, state, and federal affordable housing development programs.

The City’s evaluation committee shall review, evaluate and rate each proposer’s technical information. After this rating has been reviewed and accepted, the City will open price proposals. The City will award one or more contracts, if at all, to the proposer(s) the City determines most advantageous based on the technical and price proposals.

II. RFP Schedule

No pre-proposal meeting was scheduled with this project.

October 20, 2016 at 10:00 am	RFP Issued
November 10, 2016 at noon	Deadline for Questions regarding proposal.
November 14, 2016 at 3:00 pm	Final Addendum to Respond to Questions.
November 17, 2016 at 10:00 am	Submission deadline for all proposals.
December 14, 2016 (Estimate)	Project Review Committee makes allocation recommendations and notifies Proposers.

GOVERNING LAW and DEADLINE FOR SUBMISSION: All proposals must be submitted in accordance with Massachusetts General Laws Chapter 30B, Section 6, to the *Chief Procurement Officer* in the Purchasing Department, Newton City Hall, 1000 Commonwealth Avenue, Newton, MA 02459, **no later than 10:00 a.m., Thursday, November 17, 2016.**

Bidders shall submit **one original, three (3) copies and ONE (1) CD** of the technical proposal in one envelope and **one (1) Price Proposal** in a separate sealed envelope. Please ensure that **“Technical” & “Price” Proposals are submitted in separate sealed envelopes.**

Envelopes shall be marked:

1. **“TECHNICAL PROPOSAL - RFP #17-31 – Newton Leads 2040 Housing Strategy”**
Proposals must have information submitted in the same order of the criteria as listed in this RFP and pages shall be numbered in the bottom footer. Proposals must have a Table of Contents listing the page number providing documentation that demonstrates they have met each of the criteria listed.”
2. **“PRICE PROPOSAL – RFP #17-31 - Newton Leads 2040 Housing Strategy”**

IF PRICE IS INCLUDED IN THE TECHNICAL PROPOSAL, THE PROPOSAL WILL BE DISQUALIFIED.

Faxed proposals will not be accepted.

QUESTIONS/ADDENDUMS: Inquiries involving procedural or technical matters should be directed in writing, **no later than Thursday, November 10, 2016 at 12:00 noon** to: purchasing@newtonma.gov or facsimile (617) 796-1227 or by mail to

Purchasing Department
City of Newton
1000 Commonwealth Avenue
Newton, MA 02459

Responses to questions and any changes or amendments to the RFP will be sent by email to all proposers that have identified themselves to the Purchasing Department and will also be posted under bid 17-27 on the Purchasing Department web page www.newtonma.gov/bids. All interested proposers should immediately notify and provide contact information to the Purchasing Department to assure that they receive notice of any addendum.

PROPOSALS DUE: 10:00 a.m., Thursday, November 17, 2016

Proposals will not be opened publicly. Proposal contents will be kept confidential and not disclosed until after the evaluation and award. A listing of proposers will be available online at: www.newtonma.gov/bids.

Proposals must be addressed to:

City of Newton
Purchasing Department – Room 201
1000 Commonwealth Avenue
Newton, MA 02459

III. Evaluation of Proposals

The City is seeking potentially fundable project proposals that are consistent with the principles detailed in the *Newton Leads 2040 Housing Strategy* and the housing needs identified in the *2016-2020 Consolidated Plan* and *FY17 Annual Action Plan*. For the Technical Proposal, Minimum Criteria have been created to determine the eligibility of projects for funding, and Evaluation Criteria will be used to inform the allocation of funds. Technical Proposals will be evaluated by an appointed Evaluation Committee.¹

Technical Proposals that do not meet the Minimum Threshold Criteria will not receive further consideration for funding. Projects that meet the Minimum Threshold Criteria will be reviewed according to the Evaluation Criteria. The scoring will influence the funding recommendations of the project review committee, but will not be the sole, determining factor in allocating funding through this RFP.

The selection process for proposals will be conducted in four phases:

1. All Technical Proposals will be reviewed by the Evaluation Committee to determine if they meet the Minimum Criteria. All proposers will be notified of proposal status identifying any missing items or deficiencies in proposals. To the extent permitted by law, proposers will be given 7 days to respond and to provide the required information. An incomplete proposal will be considered non-responsive and will be eliminated from consideration.

¹ A member of the Newton Planning and Development Board and City staff from the Department of Planning and Development will comprise the Evaluation Committee and will be responsible for evaluating the Technical Proposals.

2. Proposals that meet the Minimum Criteria will be reviewed and scored according to the Evaluation Criteria by the Evaluation Committee.

3. When he receives the evaluations from all Evaluation Committee members, the Chief Procurement Officer shall open the Price Proposals, and on the basis of the price and non-price proposals recommend the most advantageous proposer(s). The Department of Planning and Development may revise any recommendation if its decision is documented in writing

4. Proposers will be notified of the project scoring the City's award decision(s). The Project Review Committee will meet with the Project Sponsor(s) of the project(s) that received that highest score through the Evaluation Criteria to discuss the next steps in the funding process. Next steps for awardees will at a minimum include completion of an environmental review, final project underwriting, recommendation by the Planning and Development Board, and authorization by the Mayor.

IV. Minimum Criteria

All proposals will be evaluated to determine if the proposal meets the Minimum Criteria. The Minimum Criteria for projects is detailed below.

- I. Completeness of Proposal Submission** – Proposal submitted on the form Application at p. 15 below, which must include all of the information detailed in Section VII, Proposal Submission Checklist and Application. Incomplete proposals will not be considered for funding.
- II. Meet Eligibility Requirements of Funding Sources** – Projects must meet the eligibility requirements of the funding sources that are requested through this RFP. *See* Section VI. *HOME and CDBG Program Requirements* for additional information.
- III. Evidence of Site Control** – Proposal must demonstrate proof of site control by the Project Sponsor, which may include: an accepted offer to purchase, legally binding option contract, purchase and sale agreement, or a deed if the property is owned by the Project Sponsor.
- IV. Readiness to Proceed** – Proposal must demonstrate that the project, if funded through this RFP, would have all necessary financing in place at the time of the funding commitment.

V. Evaluation Criteria

All proposals meeting the Minimum Criteria will be evaluated according to the Comparative Evaluation Criteria. The Comparative Evaluation Criteria have been established to:

- Be consistent with the housing principles identified in the *Newton Leads 2040 Housing Strategy*, the priority housing needs identified in the *2016 – 2020 Consolidated Plan* and the *FY2017 Annual Action Plan*;
- Support the efficient use of the City of Newton's affordable housing resources;
- Ensure that projects meet and maintain compliance with applicable federal, state, and local laws and regulations;

The following priorities and objectives for the City's federal CDBG and HOME Program funds are identified in the *2016 – 2020 Consolidated Plan*, online here, and detailed below:

www.newtonma.gov/civicax/filebank/documents/66466

- **Priority:** Affordable housing near amenities;
- **Objective:** *Create affordable housing near amenities, village centers, and public transportation options*

- **Priority:** Provide affordable housing in mixed-income developments;
- **Objective:** Provide affordable housing units within mixed-income developments throughout the City while promoting housing equality and economic and demographic diversity, and reducing the amount of public resources required
- **Priority:** Additional accessible rental units and visitable housing;
- **Objective:** Increase the number of accessible and visitable units for persons with disabilities and the elderly, in part to promote aging in place
- **Priority:** Increased production of new affordable housing units
- **Objective:** Need for the creation of more affordable units throughout the City, especially in accordance with the goal to add 800 new units to have 10% of the City's housing stock eligible for inclusion on the State's SHI by 2021
- **Priority:** Inclusionary zoning incentives
- **Objective:** Incentivize the creation of new affordable units under the inclusionary zoning ordinance beyond the 15% required units
- **Priority:** Flexible funding for affordable housing
- **Objective:** Flexible funding for creation of affordable units
- **Priority:** Promote private entities' use of other funding sources.
- **Objective:** Promote private entities' use of other funding sources to leverage resources

The housing principles identified in the *Housing Strategy* can be accessed online:

<http://newton-prod.civica.granicusops.com/civicax/filebank/documents/76450>

Proposals from proposers who meet or exceed the Minimum Criteria will be evaluated and rated on the basis of the following Comparative Evaluation Criteria. The City reserves the right to ask any respondent to provide additional supporting documentation in order to verify its response.

Ratings of Highly Advantageous (HA); Advantageous (A); Not Advantageous (NA); or Unacceptable (U) will be given to each of the following criteria for each respondent. A composite rating will then be determined. A composite rating of Highly Advantageous or Advantageous may be assigned only if a proposal has received at least one such rating among the criteria listed below.

To the extent that an Evaluation Criterion requires the certification of fact, the proposer's certification as to that fact shall be an adequate response provided, however, that on request the proposer shall provide to the City such evidence as the City may request to support that fact.

Proposals shall be evaluated based on the following Comparative Evaluation Criteria:

1. Experience of Project Sponsor and the development team in projects of similar size and type	
Highly Advantageous	Development Team consists of owner, project manager, licensed and certified architects, engineer(s), contractor(s) and other professionals that have completed five or more financially viable HOME/CDBG and/or other housing developments receiving financing from federal, state or local funds of similar type and scale.
Advantageous	Development Team consists of owner, project manager, licensed and certified architects, engineer(s), contractor(s) and other professionals that have completed between one and four financially viable HOME/CDBG and/or other housing development receiving financing from federal, state or local funds of similar type and scale.
Not Advantageous	Development Team consists of owner, project manager, licensed and certified architects, engineer(s), contractor(s) and other professionals that have not completed a financially viable HOME/CDBG and/or other housing development receiving financing from federal, state or local funds of similar type and scale.

2. Project increases the number of accessible and visitable units for persons with disabilities and the elderly, in part to promote aging in place	
Highly Advantageous	Project will create accessible (sensory or mobility) and visitable units beyond what is required by federal and state accessibility laws
Advantageous	Project will create accessible (sensory or mobility) and visitable units meeting what is required by federal and state accessibility laws
Not Advantageous	Project will fail to create accessible (sensory or mobility) and visitable units
3. Project provides housing for the homeless and/or those who are at-risk of homelessness	
Highly Advantageous	Project will create housing for the homeless or those who are at-risk of homelessness
Not Advantageous	Project does not include a preference or programming for individuals who are homeless or at-risk of homelessness
4. Proximity to services and amenities	
Highly Advantageous	Project is located less than one-quarter mile from a village center.
Advantageous	Project is located more than one-quarter mile, but less than one-half mile, from a village center
Not Advantageous	Project is located more than one-half mile from a village center
5. Proximity to public transportation	
Highly Advantageous	Project is located less than one-quarter mile from fixed-route bus service or commuter rail or subway station
Advantageous	Project is located more than one-quarter mile, but less than one-half mile, from fixed-route bus service or commuter rail or subway station
Not Advantageous	Project is located more than one-half mile from fixed-route bus service or commuter rail or subway station
6. Project moves the City toward its goal of creating 800 housing units by 2021	
Highly Advantageous	The project will create 10 or more housing units that are eligible for inclusion on the City of Newton's Subsidized Housing Inventory
Advantageous	The project will create 5-9 housing units that are eligible for inclusion on the City of Newton's Subsidized Housing Inventory
Not Advantageous	The project will create between 1-4 housing units that are eligible for inclusion on the City of Newton's Subsidized Housing Inventory
Unacceptable	The project will not create any units that are eligible for inclusion on the City of Newton's Subsidized Housing Inventory

VI. HOME and CDBG Program Requirements

Project Sponsors should be familiar and experienced with CDBG and HOME compliance requirements and project proposals must be eligible under Federal regulations governing the HOME and CDBG programs, respectively.

The full HOME Requirements are found at 24 CFR Part 92.

<https://www.hudexchange.info/programs/home/>

The full CDBG Requirements are found at 24 CFR Part 570.

<https://www.hudexchange.info/programs/cdbg-entitlement/>

6.1. Allowable Uses CDBG and HOME

CDBG Program Allowable Uses

- Property acquisition and related soft costs
- Site clearance and site improvement costs
- Rehabilitation

HOME Program Allowable Uses

- Property acquisition and related soft costs
- New Construction
- Rehabilitation
- Site improvements
- Capitalization of initial operating deficit reserve for initial rent-up period

6.2. Income Limits

The following income limits for the Boston-Cambridge-Quincy Metropolitan Statistical Area are applicable to housing programs in Newton and are based on percentages of area median income (AMI), with adjustments made for household size. The income limits are subject to change annually.

2016 Income Limits (effective April 2016)					
Household Size	30% AMI	50% AMI	60% AMI	80% AMI	100% AMI
1	\$20,650	\$34,350	\$41,220	\$51,150	\$68,670
2	\$23,600	\$39,250	\$47,100	\$58,450	\$78,480
3	\$26,550	\$44,150	\$52,980	\$65,750	\$88,290
4	\$29,450	\$49,050	\$58,860	\$73,050	\$98,100
5	\$31,850	\$53,000	\$63,600	\$78,900	\$105,948
6	\$34,200	\$56,900	\$68,280	\$84,750	\$113,796
7	\$36,550	\$60,850	\$73,020	\$90,600	\$121,644
8	\$38,900	\$64,750	\$77,700	\$96,450	\$129,492

*CPA funds can be used to support housing projects for households earning up to 100% AMI.

6.3. Rent Restrictions

HUD provides HOME rent limits, which are adjusted on an annual basis, according to housing market conditions. The **“High” Home Rent** is the lesser of the HUD Fair Market Rent or 30% of adjusted gross income, based on 65% of median income. The **“Low” HOME Rent** is equal to 30% of annual income, assuming that income is 50% AMI, minus any allowances for any tenant-paid utilities, and is subject to change in 2017.

HOME Program Maximum Rents (as of April, 2016)			
Bedroom Size	Fair Market Rent	Low HOME Rent	High HOME Rent
Efficiency	\$1,056	\$862	\$1,056
1 Bedroom	\$1,261	\$923	\$1,255
2 Bedroom	\$1,567	\$1,108	\$1,508
3 Bedroom	\$1,945	\$1,280	\$1,733
4 Bedroom	\$2,148	\$1,428	\$1,914
5 Bedroom	\$2,470	\$1,576	\$2,093
6 Bedroom	\$2,792	\$1,723	\$2,272

6.4. Subsidy Limits

The U.S. Department of Housing and Urban Development (HUD) sets limits on the amount of HOME funds that can be for projects on a per unit basis. The minimum per unit HOME subsidy is one-thousand dollars (\$1,000), and the maximum per unit HOME subsidies are as follows:

0-Bedroom	1-Bedroom	2-Bedroom	3-Bedroom	4+ Bedroom
\$140,107	\$160,615	\$195,304	\$252,662	\$277,344

Subsidy limits effective as of 12/11/2015 and subject to change

The CDBG program does not have per-unit or project subsidy limits.

6.5. Affordability Targeting

The CDBG program requires that 51% of the units in a CDBG-funded project be affordable to households earning up to 80% AMI. The HOME program requires that 90% of the HOME-assisted units in a project are made available to households earning up to 60% AMI; the remaining 10% of HOME-assisted units may be made available to households earning up to 80% AMI. In projects with 5 or more units of home-assisted housing, at least 20% of the HOME-assisted units must be occupied by households earning up to 50% AMI.

6.6. Affordability Period and Affirmative Marketing

Projects must maintain compliance with applicable program-based affordability requirements for not less than the minimum period, as specified in the following table:

Program Funded Activity	Affordability Period
HOME-Funded Rehabilitation - less than \$15,000 per unit	5 Years
HOME-Funded Rehabilitation - \$15,000 to \$40,000 per unit	10 Years
HOME-Funded Rehabilitation- more than \$40,000 per unit	15 Years
HOME-funded New Construction or Acquisition of newly constructed housing	20 Years
CDBG-Funded Rehabilitation	30 years

All projects must, at a minimum, meet the Affirmative Marketing requirements of the Massachusetts Department of Housing and Community Development for inclusion of eligible units on the City of Newton's Subsidized Housing Inventory. This includes the creation of an Affirmative Fair Housing Marketing Plan that meets the guidelines established pursuant to M.G.L. C.40B Comprehensive Permit Projects found here:

<http://www.mass.gov/hed/docs/dhcd/legal/comprehensivepermitguidelines.pdf>

For new construction projects, the affordability term must be no less than 30 years and the units must be eligible for inclusion on the City of Newton’s Subsidized Housing Inventory through Massachusetts Department of Housing and Community Development Local Initiative Program.

6.7. Property Standards

New construction projects must meet, at a minimum, Section 8 Housing Quality Standards, local building codes, ordinances, zoning requirements and the design and construction standards of Section 504 of the Rehabilitation Act of 1973, the Fair Housing Act and Titles II and III of the Americans with Disabilities Act, as applicable. New construction must meet the model energy code for “Energy Star Qualified New Homes,” published by the Environmental Protection Agency.

Rehabilitation projects must meet applicable local building codes, address deficiencies to major systems, including structural support; roofing; weatherproofing; plumbing; electrical; and heating, ventilation and air conditioning. Rehabilitation work must also immediately address life-threatening deficiencies if the housing is already occupied (e.g., lead paint abatement if child six or under has a documented elevated blood level, no hot running water, blocked plumbing, broken boiler, or presence of mold).

The Project’s major systems must have a useful life equal to the HOME Affordability Period, or a replacement reserve deposit sufficient to assure adequate maintenance of major systems throughout the Affordability Period. All HOME-funded projects must meet the requirements of the WestMetro HOME Consortium Property Standards Policy dated 1/8/2015 (included in Appendix).

6.8. Environmental Review, Accessibility, and other required regulations

Projects must comply with environmental review and release of funds requirements, the federal Lead Paint Rule and the Massachusetts Lead-Based Paint Poison Prevention Act, Davis-Bacon Wage Rates, the Fair Housing Act, Uniform Relocation Act, Section 504 of the Rehabilitation Act of 1973, and Section 3 of the Housing and Urban Act of 1968 (Section 3) requirements, as applicable. HOME and CDBG funds may not be used for any hard costs (direct construction, site work, etc.) prior to the environmental review being complete. Project owners and sponsors must not undertake any *Choice Limiting Actions* until HUD environmental clearance is achieved. These actions include acquisition, site clearance/improvements, leasing, construction or rehabilitation.

The City encourages projects to exceed state and federal requirements for architectural access for persons with disabilities to the extent feasible. For goals, see:

www.newtonma.gov/civicax/filebank/documents/38435

VII. Proposal Submission Checklist and Application

Required for:	Check if included	Please submit the proposal checklist as part of the submission. If any of the required attachments are not available or otherwise excluded with the Proposal Submission, please provide a list of excluded attachments and a brief explanation of their exclusion.
APPLICATION and REQUIRED ATTACHMENTS		
All Applicants		Newton Leads 2040 Housing Strategy RFP Application
DEVELOPER INFORMATION & QUALIFICATIONS		
All Applicants		Attachment 1: Organizational Mission – Please include a description of how this project fits organizational mission.
		Attachment 2: Organizational Experience – Please provide a list of previously completed projects and a description of the organization’s capacity to complete this project
		Attachment 3: Schedule of Real Estate Owned - Please include occupancy, compliance status, and cash flows for all rental property owned by the organization
		Attachment 4: Audited Financial Statement – Include most recent audited financial statement for the organization.
		Attachment 5: Organizational Budget – Include organizational operating budget for current fiscal year
Nonprofit Applicants		Attachment 6: Description of Board of Directors – Including skills, experience, tenure and affiliations of all board members.
		Attachment 7: Copy of Articles of Organization, By-Laws, and evidence of 501(c)(3) status
CHDO Applicants		Attachment 8: CHDO Certification - CHDO certification from WestMetro HOME Consortium
For-profit Applicants		Attachment 9: Corporate Documents – Identifying owner and/or general partner
DEVELOPMENT TEAM INFORMATION		
All Applicants		Attachment 10: Resumes for members of development team (include any affiliations with City boards or commissions)
		Attachment 11: Contact Information – Please provide contact information for general contractor, architect, engineer, attorney, management agent, and consultant(s).
PROJECT INFORMATION		
		Attachment 12: Property History – Brief history of property including 30 years of ownership and use
All Applicants		Attachment 13: Site Control - Legally binding option, purchase & sale agreement or deed
		Attachment 14: Environmental Mitigation – Including lead paint, asbestos, and underground storage tanks
		Attachment 15: Zoning and Permitting – Approval or anticipated schedule of approval
		Attachment 16: Preliminary Site Plan
		Attachment 17: Map and Narrative - Describing site, size, topography, current land use and identifying proximity to transportation network, villages, and amenities
		Attachment 18: Color Photographs – 5-10 photographs of the site and its surroundings
		Attachment 19: Unit Schedule and Target Population – Unit size (bedroom count and square footage), amenities, affordability targeting, population served, number of accessible and visitable units
		Attachment 20: Project Timeline – Overview of project timeline with key milestones
		Attachment 21: Accessibility – Architectural Access Worksheet
		Attachment 22: Market Analysis: including prevailing/trending rents and supply/demand dynamics for target population; may be conducted by Applicant
		Attachment 23: Home Inspection Report (for rehabilitation projects)
PROJECT FINANCES		
All Applicants		Attachment 24: Sources and Uses Schedule
		Attachment 25: Development Budget – Including itemized hard and soft costs
		Attachment 26: Letters of Financial Commitment – Include letters from all financing sources with terms and conditions

		Attachment 27: Stabilized Operating Budget and Ten-Year Operating Budget
		ADDITIONAL ATTACHMENTS (see appendix)
All Applicants		Attachment 28: Certificate of Non-Collusion
		Attachment 29: Certificate of Tax Compliance
		Attachment 30: Section 3 Business Concern

CITY OF NEWTON
Newton Leads 2040 Housing Strategy RFP
APPLICATION

Project Name			
Project Location	Full street address (with zip code)		
Project CONTACTS	Name & title of organization	Email	Phone
Owner			
Developer			
Proposed Project FUNDING	Estimated Total Development Costs:	Estimated Total Acquisition Costs:	Estimated Total Construction Costs per Unit:
Project SUMMARY & NEEDS	Provide a brief summary of the project, including: Location (amenities within walking distance, access to transit if site is known); short summary of details on page 2 (rehabilitation or new construction; target population; type of housing; special features); proposed measureable outcomes and brief citations (section & page) showing how the project meets a priority need(s) identified in the <i>FY16-20 Consolidated Plan</i> and is consistent with the principles of the <i>Newton Leads 2040 Housing Strategy</i> .		

SOURCES OF FUNDS *Check all that apply.*

<input type="checkbox"/> HOME funds	\$	<input type="checkbox"/> Other (identify sources)	
<input type="checkbox"/> CDBG funds	\$		\$
<input type="checkbox"/> CPA funds	\$		\$
<input type="checkbox"/> Private bank loan	\$		\$
<input type="checkbox"/> Tax Credit	\$		\$

TARGET POPULATION & SPECIAL FEATURES *Check all that apply.*

<input type="checkbox"/> Individual/Family	<input type="checkbox"/> Age Restricted	<input type="checkbox"/> Homeless/At Risk of Homelessness
<input type="checkbox"/> Special needs/disabilities (identify population & provider of support services, if any):		
<input type="checkbox"/> Special features (historic preservation, sustainability, etc.):		

TYPE OF HOUSING *Check all that apply.*

<input type="checkbox"/> Multifamily Residential with Elevator	<input type="checkbox"/> Multifamily Residential
<input type="checkbox"/> Individual Rental/Family Rental	
<input type="checkbox"/> Single Room Occupancy / Group Residence	
<input type="checkbox"/> Townhomes - Rental	<input type="checkbox"/> Permanent Supportive Housing with service plan
<input type="checkbox"/> Condos - Ownership	<input type="checkbox"/> Single-Family - Ownership

UNIT COMPOSITION *List the development's number of units in each category.*

	≤ 30% AMI	≤ 50%	≤ 60% AMI	≤ 80% AMI	80% - 100% AMI	Market-rate	Total Units
SRO							
Studio							
1 BR							
2 BR							
3 BR							
4 BR							
5 BR/+							

OUTREACH *Summarize efforts to date to communicate with abutters, neighborhood residents & local officials.*

ATTACHMENT 21: ARCHITECTURAL ACCESS WORKSHEET

Use this table to show how the proposed project will meet or exceed applicable accessibility requirements.

REQUIRED

PROPOSED

1. Site access – accessible route

--	--

2. Accessible parking (identify proposed total # of spaces)

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3. Building entrances & accessible routes within buildings

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4. Common areas & facilities (offices, laundry rooms, community rooms, etc.)

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5. Group 1 Units (MAAB) (include units covered by the FHA)

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6. Group 2 Units (MAAB)

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VIII. Reservation of Rights

The City reserves the right to extend the deadline for submission of proposals, to request supplementary information, to conduct interviews with any or all of the applicants submitting proposals, to waive minor informalities, and to reject any or all proposals, in whole or in part, if in its sole judgment the best interests of the City would be served in doing so. The City will reject any and all proposals when required to do so by applicable law.

IX. Required Additional Forms and Appendix

CERTIFICATE OF NON-COLLUSION

Pursuant to the requirements of M.G.L. c.30B, §10, the undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith 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 or individuals.

(Signature of individual)

Name of Business

CERTIFICATION OF TAX COMPLIANCE

Pursuant to M.G.L. c.62C, §49A and requirements of the City, the undersigned acting on behalf of the Contractor certifies under the penalties of perjury that the Contractor is in compliance with all laws of the Commonwealth relating to taxes including payment of all local taxes, fees, assessments, betterments and any other local or municipal charges (unless the Contractor has a pending abatement application or has entered into a payment agreement with the entity to which such charges were owed), reporting of employees and contractors, and withholding and remitting child support.*

**Signature of Individual (Mandatory)

*** Contractor's Social Security Number
(Voluntary) or Federal Identification Number

Print Name: _____

Date: _____

OR

Company Name
(Corporation, Partnership, LLC, etc.)

By: _____
**Corporate Officer (Mandatory)

Print Name: _____

Date: _____

* The provision in this Certification relating to child support applies only when the Contractor is an individual.

** Approval of a contract or other agreement will not be granted until the City receives a signed copy of this Certification.

*** Your social security number may be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended.

SECTION 3 BUSINESS CONCERN CERTIFICATION

It is the policy of the City of Newton to utilize Section 3 residents and Section 3 businesses on projects that are partially or wholly funded with monies from the Department of Housing and Urban Development (HUD). Please complete the sections below for determination as a Section 3 Business Concern.

1. Business Information:

Company Name: _____

Street Address: _____

City, State, Zip: _____

Work Phone: _____

Email: _____

Business Website: _____

Describe the business's trade or services: _____

Contact Name: _____

2. Section 3 Status (*check one category*):

- A. Business claims status as a Section 3 resident-owned enterprise whereby 51% or more of the company is owned by Section 3 Residents.**

Choose one of the following options as evidence of status for each owner:

- Copy of public housing lease
 Copy of receipt of public assistance
 Copy of evidence of participation in a public assistance program
 Section 3 Resident Certification and Federal Tax Return

- B. Business claims Section 3 status by subcontracting 25 percent of the dollar award to qualified Section 3 Business Concerns:**

Attach both of the following documents as evidence of status:

- List of subcontracted Section 3 business concerns and subcontract amount
 Section 3 Business Concern Certification for eligible subcontractors

- C. Business claims Section 3 status as at least 30 percent of its permanent, full-time employees are currently Section 3 residents or were Section 3 eligible residents within 3 years of the date of first employment with the business:**

Attach the following applicable documents as evidence of status:

- List of all employees, include length of employment
 List all employees claiming Section 3 Resident status
 Section 3 Resident Certifications for employees claiming Section 3 Resident status

- D. Business does not qualify as a Section 3 Business Concern.**

3. Business Verification

For businesses that checked 2A, 2B or 2C, please provide documentation on the business structure and current standing.

Type of Business:

- Corporation/LLC – submit copy of Articles of Incorporation and Certificate of Good Standing
- Partnership/LLP – submit Partnership Agreement and Certificate of Good Standing
- Sole Proprietorship – submit Assumed Business Name Certificate/DBA
- Other- submit supporting documentation

4. Affidavit

I certify that the above statements are true, complete, and correct to the best of my knowledge and belief. I agree to provide, upon request, additional documents verifying the information submitted to qualify as a Section 3 Business Concern.

Owner Signature

Date Print Name and Title

Print Name and Title

General Policy for Property Standard Inspections

1. **Inspection Procedures.** Each Member Community is responsible for using the appropriate HUD-issued inspection checklist as a tool to inspect the appropriate items and areas. Inspections may be carried out by certified or licensed professionals, including in-house staff or third-party consultants, independent of the developer, owner or sponsor of the housing receiving HOME funds. Member Communities wishing to train and certify inspectors may do so using its HOME Administrative or other funding. Appropriate certifications must be kept on file or the inspection will be void.
2. **On-Site Inspections.** The Member Community is responsible for inspecting each HOME Project at the time of completion to ensure that the work is completed and the property meets the applicable standards and during the HOME period of affordability. The Consortium Administrator provides notification of on-going inspections during the HOME monitoring period.
 - a. **Frequency of Inspections.** The first on-site ongoing inspections must occur within 12 months after project completion, and an inspection must be conducted at least once every three years thereafter.
 - b. **Sample Sizes.**
 - 100% of the HOME units must be inspected for projects consisting of 1 to 4 units.
 - For projects with more than four HOME-assisted units, at least 20% of the HOME-assisted units in each building, but not fewer than four units in each project and one HOME-assisted unit in each building.
 - c. **Follow up to Address Deficiencies.** A follow up inspection is required within 12 months of the violation for non-health and safety deficiencies. For non-health and safety deficiencies, the Member Community may choose conduct an on-site inspection or accept third party documentation (such as a paid invoice for work completed). Health and Safety violations must be corrected immediately. Member Communities may rely on the procedures specified in the "Opportunity to Cure" section in each project's executed HOME Funding Agreement.
 - d. **Annual Certification.** During yearly rent approval, property owners must certify to the Member Community that the building(s) and all HOME-assisted units in the project are suitable for occupancy.

Property Standards for New Construction Projects

1. **Minimum Standards.** All HOME-assisted projects must meet the Massachusetts State Building, Sanitary, and Zoning Codes and Housing Quality Standards pursuant to 24 CFR 982. (*This will be changed to UPCS once HUD guidance is provided*).
2. **Accessibility.** The projects must meet accessibility requirements as applicable in 24 part 8, which implements Section 504 of the Rehabilitation Act of 1973 and Titles II and III of the Americans with Disabilities Act. Covered multifamily dwellings, as defined at 24 CFR 100.201, must also meet the design and construction requirements at 24 CFR 100.205, which implements the Fair Housing Act. Rehabilitation may include improvements that are not required by regulation or statute that permit use by a person with disabilities.
3. **Disaster Mitigation.** The housing, where relevant, must include Disaster Mitigation Standards according to State and local requirements.
4. **Project Oversight.** The Member Community must review and approve written cost estimates, construction contracts, and construction documents and conduct construction progress and final inspections to ensure that work is done in accordance with the applicable codes, contract, and construction documents. A qualified in-house staff person or third party independent of the owner/developer can be used for this purpose.

Property Standards for Projects Involving Rehabilitation

1. **Minimum Standards.** All HOME-assisted projects must meet the Massachusetts State Building, Sanitary, and Zoning Codes and Housing Quality Standards pursuant to 24 CFR 982. *(This will be changed to UPCS once HUD guidance is provided).*
2. **Health & Safety.** If a housing unit is occupied, all life threatening deficiencies must be specified and corrected immediately. These are:
 - Lack of carbon monoxide and smoke detectors
 - Leaking smoke pipes on all gas or oil fired appliances and/or heating units
 - Leaking and/or plugged chimneys
 - Open waste lines
3. **Major Systems.** Major Systems are the following:
 - Structural support
 - Roofing/siding
 - Windows/doors
 - Plumbing/electrical
 - Heating units
 - Chimneys
 - Decks and Stair systems
4. **Useful Life of Major Systems.** In housing with 26 or more units, an estimate of all Major Systems and appliances must be completed by a capital needs assessment conducted by a third-party hired by the owner, developer or the Member Community. If the housing contains less than 26 units, an in house capital needs assessment is acceptable, so long as it is conducted by a qualified individual. If the person is unable to acquire an original install date of the system, he/she should estimate the useful life using their experience in the field.
 - a. **For rental housing,** if the useful life of any Major System is less determined to be less than the HOME Affordability Period the owner/developer must establish a replacement reserve. The owner/developer must make adequate monthly payments to said reserve that will allow repairs and replacement as needed.
 - b. **For ownership housing,** all Major Systems must have a useful life of at least five years. If a Major System does not meet this standard, they must be rehabilitated or replaced as part of the rehabilitation work.

5. **Lead Paint.** The housing is required to follow Lead-Paint based abatement requirements. If the household residing in the property includes children less than 6 years of age, then full abatement is required; otherwise follow 24 CFR part 35.
6. **Accessibility.** The projects must meet accessibility requirements as applicable in 24 part 8, which implements Section 504 of the Rehabilitation Act of 1973 and Titles II and III of the Americans with Disabilities Act. Covered multifamily dwellings, as defined at 24 CFR 100.201, must also meet the design and construction requirements at 24 CFR 100.205, which implements the Fair Housing Act. Rehabilitation may include improvements that are not required by regulation or statute that permit use by a person with disabilities.
7. **Disaster Mitigation.** The housing, where relevant, must include Disaster Mitigation Standards according to State and local requirements.
8. **Inspection Forms.** Upon initial completion and ongoing property inspections, each inspector shall use Form HUD-52580 (the standard "Inspection Checklist" Housing Quality Inspection form), or a successor form as directed by HUD. *(This will be changed to UPCS once HUD guidance is provided).*
9. **Work Write-Ups and Cost Reasonableness.** The Member Community must review and approve work write-ups (i.e. plans and specifications) to ensure that the work will be in compliance with these standards. The Member Community must review a written cost estimate and approve the estimate after determining that the costs are reasonable.
10. **Frequency of Inspections.** The Member Community must conduct an initial inspection in order to determine deficiencies that must be addressed; periodic inspections to monitor construction progress; and a final inspection to ensure all work was done in accordance with the work write-ups and/or plans. The Member Community is responsible for documenting these inspections. A qualified in-house staff person or third party independent of the owner/developer can be used.
11. **Ongoing property condition standards.** For the duration of the HOME affordability period, all rental housing must meet:
 - a. Massachusetts State Building Sanitary, and Zoning Codes
 - b. The Housing Quality Standards pursuant to 24 CFR 982.
(This will change to Uniform Physical Condition Standards (UPCS) pursuant to 24 CFR 5.705.)
 - c. Health and Safety defects, as identified in Section 2 of this policy
 - d. Lead-based Paint requirements, as identified in Section 5 of this policy
12. **Corrective Actions.** A follow up inspection is required within 12 months of the violation for non-health and safety deficiencies. For non-health and safety deficiencies, the Member Community may choose conduct an on-site inspection or accept third party documentation (such as a paid invoice for work completed). Health and Safety violations must be corrected immediately. Member Communities may rely on the procedures specified in the "Opportunity to Cure" section in each project's executed HOME Funding Agreement.

Property Standards for Housing Acquisition

1. **Recently Built or Rehabbed Housing.** The Member Community must ensure that newly constructed or rehabilitated housing done so within one year of the expected HOME Commitment meets the applicable property standards (either the new construction or rehabilitation standards). If the property does not meet the appropriate standards, it cannot be acquired with HOME funds unless it is brought up to the appropriate standards. Compliance must be documented based on a review of approved building plans and certificates of occupancy and a property inspection that is conducted no earlier than 90 days before committing HOME funds.
2. **Other Existing Housing – Rental.** Housing not recently rehabilitated or newly constructed that will be acquired for rental housing must meet the Consortium’s Rehabilitation Standards. The Member Community must inspect the housing 90 days before committing HOME funds. If the housing does not meet the Consortium’s Rehabilitation Standards, it must be rehabilitated to meet the standard.
3. **Other Existing Housing – Homeownership (Downpayment).** Housing must meet the Massachusetts State Building, Sanitary, and Zoning Codes and Housing Quality Standards pursuant to 24 CFR 982. *(This will be changed to UPCS once HUD guidance is provided).*

Property Standards for Tenant-Based Rental Assistance

1. Units occupied by households receiving HOME TBRA must meet the Housing Quality Standards at 24 CFR 982.401.