

1/7/19

TOWN OF EGREMONT
RFP for the Development of Affordable Housing

Town of Egremont
Request for Proposals
For the development and management of affordable housing
on Town owned property

I. Invitation to Bid

The Town of Egremont is seeking proposals for the development and ongoing management of an affordable housing development on a parcel of Town owned land located at 171 Egremont Plain Road, Egremont MA. The site is comprised of approximately 6.192 acres, a portion of the property as shown on the Egremont Assessor’s Map 9, Parcel.

II. General Information and Submission Requirements

1) Proposals will be accepted at Egremont Town Hall, Chief Procurement Officer, 171 Egremont Plain Road, Egremont MA 01230, or via mail to Egremont Town Hall, Chief Procurement Officer, P.O. Box 368, South Egremont MA 01258, until 1:00pm, Friday, March 1, 2019 at which time the proposals will be opened publicly and reviewed for completeness. Applicants must submit an original and eight (8) copies marked “Egremont Affordable Housing”. Proposals received after this time will be deemed non-responsive and will not be accepted. Faxed or e-mailed proposals will not be accepted. Responses to the Request for Proposal must include all required documents, completed and signed per the instructions and attached forms included in this bid packet.

2) A Pre-Bid Conference will be held on Wednesday, February 6, 2019 at 11:00 A.M. at Egremont Town Hall followed by a site visit. Attendance at the pre-bid conference is encouraged but not required.

3) Award will be made within sixty (60) days after response opening unless the time for award is extended by mutual consent of all parties. All submittals shall be valid for a minimum period of sixty (60) calendar days following the date established for acceptance.

4) If any changes are made to this RFP, an addendum will be issued. Addenda will be e-mailed or faxed to all companies and individuals on record as having requested the RFP.

5) All inquiries or questions regarding this RFP should be submitted in writing no later than Wednesday, January 30, 2019 to Mary Brazie, Chief Procurement Officer, P.O. Box 368, South Egremont MA 01258 or faxes to Mary Brazie at 413-528-5465 or emailed to Mary Brazie at tegrement@egremont-ma.gov. Written responses will be mailed, faxes or emailed to all

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companies and individuals on record as having requested the RFP and posted on the Town's web site by 3:00pm February 7, 2019. The RFP and all addenda will be available on the Town of Egremont's website www.egremont-ma.gov. Bidders should check this website for updates.

6) Responses may be modified, corrected, or withdrawn only by written notice received by the Town of Egremont prior to the time and date set for the response opening. Modifications must be submitted in a sealed envelope clearly labeled "Modification No. _____" and must reference the original RFP response.

7) Negligence on the part of the responder in preparing the proposal confers no rights for the withdrawal of the proposal after it has been opened.

8) The Town of Egremont reserves the right to reject all responses and to waive any minor informality in responses received whenever such rejection or waiver is in its best interest.

9) The Town of Egremont may cancel this RFP, in its entirety or in part, or may reject all Proposals outlined in this RFP whenever such action is determined to be fiscally advantageous to the Town of Egremont, or if it is otherwise in the best interest of the Town of Egremont.

10) The Town of Egremont may request that supplementary information be furnished to assure the Town that a proposer has the technical competence, the business and technical organization, and the financial resources adequate to successfully perform the necessary work.

11) The Town of Egremont will not be responsible for any expense incurred in preparing and submitting responses. All submittals shall become the property of the Town. All deliverables, reports, maps, and other documents resulting from this contract shall become the property of the Town of Egremont. The Town of Egremont has the right to disclose information contained in proposals.

12) The Town of Egremont has determined that this Request for Proposals is subject to the Uniform Procurement Act, M.G.L, c. 30B. Therefore, the provisions of M.G.L, c 30B are incorporated by reference. The selected responder is expected to comply with all applicable state and federal laws in performance of service.

13) Responses received prior to the date of opening will be securely kept, unopened. No responsibility will attach to an officer or person for the premature opening of a response not properly addressed and identified.

14) Any submittals received after the advertised date and time for opening will be considered non-responsive and be returned to the responder unopened.

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15) Purchases by the Town of Egremont are exempt from federal, state and municipal sales and/or excise taxes.

16) Proposals which are incomplete, conditional or obscure, will be rejected. No award will be made to any proposer who cannot satisfy the Awarding Authority that he/she has sufficient ability and sufficient capital to enable him/her to meet the requirements of these specifications. The Awarding Authority's decision or judgement on these matters shall be final, conclusive, and binding.

17) The Tax Compliance Certificate and the Certificate of Non-Collusion must be included with the response. The authorized individual(s) must sign these forms.

18) Response to this RFP acknowledges the proposer's acceptance of all sections and requirements of this document. The proposer's response to the RFP will be incorporated within the contract. If the proposer's proposal does not comply with the requirements of this RFP, or if an item is not understood in any way, a copy of that section of the RFP must then be included in the proposal and all its copies clearly stating the deviation, additions, or other comments.

19) If, at the time of the scheduled response opening, Egremont Town Hall is closed due to uncontrolled events such as fire, snow, ice, wind or building evacuation, the response opening will be postponed until 1:00PM on the next normal business day. Submittals will be accepted until that date and time.

20) The Town of Egremont is an Affirmative Action/Equal Opportunity Employer. The Town encourages submittals from qualified SBO/MBE/DBE/WBE firms.

21) The Town of Egremont makes no representations or warranties, express or implied, as to the accuracy and or completeness of the information included in this RFP. This RFP, including all attachments, supplements, and/or future addendums, is made subject to errors, omissions, and withdrawal without prior notice, and to changes to, additional, and different interpretations of laws and regulations.

III. Background

A. Project Description

The Town of Egremont is seeking proposals for the construction and ongoing management of a development to include no more than 4 units of affordable rental or home owner housing on one parcel totaling 6.192 acres, a portion of the parcel owned by the Town located at 171 Egremont Plain Road. Town of Egremont will enter into a 99-year lease agreement with the selected responder. The selected responder will be responsible for constructing and owning the affordable housing units and ancillary facilities. The selected responder will also be responsible for ongoing

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management and maintenance. It is anticipated that the successful responder will need to obtain a Comprehensive Permit under M.G.L. Chapter 40B in order to develop this project. The selected responder will be responsible for securing all permits and necessary zoning relief and will be responsible for all marketing and tenant selection lotteries, both for the initial rent-up and for subsequent vacancies.

B. Property Description

The subject property is comprised of one lot totaling 6.192 acres, being a portion of the lot identified on the Egremont Assessor's Map 9, Parcel 4. The property is owned by the Town of Egremont and designated via Town Meeting vote on August 27, 2018 to be used for Affordable Housing. Access to the property will be from the so-called Transfer Station Driveway.

The land is rolling with Pittsfield Loam soil. The selected responder will need to supply water. The respondent will need to supply electricity from the so-called Transfer Station Driveway. The Town will install septic system. The town wishes to have two donated homes moved to the property and renovated into 2 units each, with the downstairs unit being a "garden walk-out" suitable for the elderly or disabled.

IV. Goals and Guidelines

The Town of Egremont has established the following guidelines as a reflection of its goals for development of the Town Hall parcel. Priority will be given to proposers who are best able to meet these goals, as determined by the evaluation criteria in this RFP.

A. Number of Units

Four (4) units. Future additional units may be considered.

B. Unit Configuration

Two residences to be moved to the property by selected responder, to be converted to two units per building. Upstairs Unit to be 3 - 4 bedrooms. Downstairs units to be "garden walk-out" suitable for the elderly and disabled with 1 - 2 bedrooms.

C. Affordability

As defined by the U.S. Department of Housing and Urban Development (HUD), and in order to qualify for Chapter 40B Comprehensive Permit.

D. Conveyance/Regulatory Agreement/Deed Restriction

The Town of Egremont will convey a 99-year lease of the property to the successful proposer, for an initial payment detailed below and at a nominal annual consideration; with terms to ensure the development conforms to the proposal and to ensure the housing remains affordable for the term of the lease.

The successful proposer will enter into a Regulatory Agreement as required by the applicable housing subsidy program and as acceptable to the Department of Housing and Community Development, and will record a deed restriction preserving affordability for perpetuity (or the longest term allowable by law). The deed restriction will be in a form provided by and acceptable to the Town of Egremont and the Department of Housing and Community Development. The successful proposer will also be responsible for marketing the units in accordance with the Regulatory Agreement.

E. Financial

The Town of Egremont will require the successful bidder to pay for the entire costs of constructing the 4 Units, as well as the field survey.

F. Town Subsidy

The Town of Egremont will participate in the development of this site by providing the access and the septic system, as well as the lot survey.

G. Accessibility

A minimum of 50% of the dwelling units in the project (but no less than 2 units) should be adaptable and visitable.

H. Ongoing Management

The successful responder's Development Team must include a qualified and experienced property management person/firm.

I. General Design and Construction Guidelines

The site plan and building design shall be sensitive to the neighborhood and adjacent properties. The Town is seeking a development that fits within the overall aesthetics nature of the community but exhibits creative and innovative designs to maximize the use of the site.

All structures must comply with State building codes and all applicable State and local

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regulations pertaining to health and safety. Preferred construction at this point is to move donated homes to the site to renovate. There is no preference for type of construction for any future units.

For the starting 4 units, 2 of the units are required to be garden walk-out apartments.

Additionally an acceptable landscape plan is required along with a property management plan.

V. Evaluation Criteria

A. Minimum Threshold Criteria

The project must meet the minimum threshold criteria. Submittals failing to comply with one or more of the minimum criteria stated below shall be disqualified from further consideration:

- A. Complete and timely submission of the proposal
- B. Responder experience must include a developer with a minimum of 5 years experience in the development of affordable housing
- C. Responder experience must include a property manager with a minimum of 5 or experience in property management
- D. Responder experience must include an affordable housing development of 12 or more units
- E. Responder must certify compliance on all state and local taxes (attachment)

B. Comparative Evaluation Criteria

Projects meet the minimum criteria will be judged on the following additional comparative evaluation criteria. The Town of Egremont reserves the right to award the contract to the responsive and responsible proposal that best meets the Town's needs, taking into account qualifications, submittal quality, and evaluation criteria. The awarding authority's decision or judgement on these matters shall be final; the Town of Egremont will use the comparative criterion for each separate rating area, and based upon these criteria, will assign an overall rating to each proposal. Each of the criteria may contain ratings of:

Unacceptable
Not Advantageous
Advantageous
Highly Advantageous

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An “Unacceptable” rating in any one of the criteria will eliminate the proposal from further consideration.

1. **Construction Experience**

Applicants will be evaluated based on the extent of the organization’s construction experience. Greater weight will be given to experience with residential renovations of housing projects of at least 4 units.

- Unacceptable: Applicant has less than 3 years construction experience
- Not Advantageous: Applicant has 4-5 years construction experience
- Advantageous: Applicant has 5 to 8 years construction experience
- Highly Advantageous: Applicant has more than 8 years construction experience

2. **Strength of Development Team**

Applicants will be evaluated on the strength of the development team as evidenced by the experience with projects similar to the Town of Egremont project. Experience evaluated will be that of the organization’s principal (executive director, chief executive officer, or similar position) and the individual designated to lead the Town of Egremont project (project manager or other similar position).

- Unacceptable: Either the organization’s principal or the project manager has had no experience with similar projects within the last 7 years.
- Not Advantageous: Either the organization’s principal or the project manager have had experience with only 1 similar project within the last 7 years.
- Advantageous: Both the organizations principal and the project manager have had experience with 2 or more similar projects within the last 7 years.
- Highly Advantageous: Both the organization’s principal and the project manager have had experience with 3 or more similar projects within the last 7 years.

3. **Financial Experience and Capacity**

Applicants will be evaluated on the extent to which financial references verify financial capacity of applicant and the extent of their financial strength to support the most favorable terms from a construction lender.

- Unacceptable: Applicant has no demonstrated financial capacity by providing adequate documentation to allow reviewers to determine financial viability.
- Not Advantageous: Applicant has provided basic documentation regarding financial capacity however it is not clear that applicant has the financing or cash flow to adequately complete the project.

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- Advantageous: Applicant has provided sufficient documentation to demonstrate financial viability and cash flow to complete the project.
- Highly Advantageous: Applicant has provided ample documentation to demonstrate financial viability and cash flow.

4. Project Discussion and Cost Projections

Applicants will be evaluated on the extent of their project understanding, especially pertaining to the goals of creating quality affordable housing that can be rented affordably to income qualified households, as evidenced by Applicant's Narrative Description of the Proposed Development and Development Budget.

- Unacceptable: Proposal did not adequately convey Applicant's understanding of the project goals and approach to completing the project successfully.
- Not Advantageous: The response indicates Applicant may understand the project goals, but the materials provided are not clear enough to make a determination. Applicant's approach does not instill confidence in a plan to complete the project in a well thought out manner.
- Advantageous: The Narrative and Budget provided indicate Applicant will meet the project goals and show the Applicant's demonstrated understanding of the project and approach to the work required.
- Highly Advantageous: The Narrative and Budget provided clearly indicate Applicant's understanding of the project goals and ability to successfully meet these goals; shows the Applicant's demonstrated understanding of the project; Applicant's ability to bring leadership to the project and that their approach to the project demonstrates a creative and thorough process.

5. Project Discussion and Design Proposals

Applicants will be evaluated on the extent of their project understanding, especially pertaining to the goals of creating quality affordable housing that is harmonious with the existing architecture of the neighborhood and the Town of Egremont, and meets the Goals and Guidelines in the RFP, as evidenced by the Applicants Narrative Description of the Preliminary Site Plans.

- Unacceptable: Proposal did not adequately convey Applicant's understanding of the project goals, design phase, and approach to designing the project successfully.
- Not Advantageous: The response indicated Applicant may understand the project goals, but the materials provided are not clear enough to make a determination. Applicant's approach does not instill confidence in a plan to design the project in a well thought out manner.
- Advantageous: The Narrative and Preliminary Site Plans provided indicate Applicant will meet the project goals and show the Applicant's demonstrated understanding of the project and approach to the design.

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- Highly Advantageous: The Narrative and Preliminary Site Plans provided clearly indicate Applicant's understanding of the project goals and ability to successfully meet these goals; shows the Applicant's demonstrated understanding of the project; Applicants ability to bring leadership to the project and that their approach to the design demonstrates a creative and thorough process.

6. Readiness to Proceed

Applicants will be evaluated on their ability to begin the project in a timely manner as demonstrated by the Project Development Schedule.

- Unacceptable: Applicant did not provide a Projected Development Schedule.
- Not Advantageous: Applicant has provided a Projected Development Schedule that documents ability to start the project 36 months or more from contract award date.
- Advantageous: Applicant has provided a Projected Development Schedule that documents ability to start the project within 24 to 35 months from contract award date.
- Highly Advantageous: Applicant has provided a Projected Development Schedule that documents ability to start the project within 6 to 23 months from contract award date.

7. Green Construction

Proposal will receive additional consideration for green construction as follows:

- Unacceptable: Lack of adherence to Energy Star standards.
- Not Advantageous: Adherence to Energy Star standards.
- Advantageous: Additional "green" aspects to construction beyond Energy Star standards.
- Highly Advantageous: LEED certified construction.

VI. Submission Requirements

Applicants must submit all of the following information:

1. Letter of Interest signed by all principals of the applicant organizations.
2. Narrative description of the proposed development.
3. Project Information
 - A. General Project Information and Development Team.
 - B. Development budget sources and uses.
 - C. Rent and/or sales schedule and operating pro-forma if applicable"?

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- D. Preliminary site plan and elevations, and preliminary schedule.
 - E. Plan for Project Design Phase.
 - F. Proposed unit configuration, including anticipated plans for accessible and adaptable units.
 - G. Preliminary identification of permitting and regulatory relief to be sought under a Comprehensive permit.
 - H. Project development schedule.
 - I. Letters of intent from lenders.
 - J. Identification of previous comparable projects with basic information and references.
4. Developer Information:
- A. Description of development team, including key consultants, property manager, architect, contractor and attorney, detailing previous experience of members of team and references; identify process for selecting members not yet identified.
 - B. Developer Financials.
 - C. Description of other real estate owned.
 - D. Disclosure of beneficial interests (M.G.L. c. 7, 40J) (form attached)
 - E. Certification of tax compliance (M.G.L. c. 62C, 49A) (form attached)
 - F. Information regarding any legal or administrative actions, past, pending, or threatened that could relate to the conduct of the applicant's business.

VII. Selection Process

All packages submitted by the deadline will be opened and logged in. All information contained in the proposals is public. The Town of Egremont or its designee(s) will review and evaluate all proposals that have been received by the submission deadline. Evaluation of the proposals will be based upon the information provided in the applicant's submission in accordance with the selection criteria outlined in the RFP and any interviews, references and additional information requested by the Town. Any interviews conducted as part of the selection process will be carried out as part of the comparative evaluation and will be uniform for all respondents. The Town of Egremont will notify all applications in writing of its decision.

The selected applicant will be required to provide a performance, payment and materials bond.

Attachments:

- Attachment A: Assessor's Map and Survey Plan
- Attachment B: Site Topography Plan
- Attachment C: Disclosure of Beneficial Interests Form
- Attachment D: Certificate of Tax Compliance Form
- Attachment E: Certificate of Non-Collusion Form