

REQUEST FOR PROPOSALS FOR REAL ESTATE

237 Highland and 75 Marcella Street

255, 257 and 259 Highland Street and 84, 86 and 88 Marcella St.



RFP Issue Date: May 2, 2022
Proposal Due Date: June 30, 2022



Mayor's Office of Housing
Sheila A. Dillon, Chief and Director

CITY of BOSTON
Michelle Wu, Mayor

1. NOTICE OF ACCOMMODATIONS

English: Interpretation and translation services are available to you at no cost. If you need them, please contact us at kirsten.studlien@boston.gov or 617-635-0102.

Spanish: Tiene servicios de interpretación y traducción a su disposición sin costo alguno. Si los necesita, póngase en contacto con nosotros en el correo electrónico kirsten.studlien@boston.gov o llamando al 617-635-0102.

Haitian Creole: Sèvis entèpretasyon ak tradiksyon disponib pou ou san sa pa koute w anyen. Si w bezwen yo, tanpri kontakte nou nan kirsten.studlien@boston.gov oswa 617-635-0102.

Traditional Chinese: 我們可以向您提供口頭翻譯和書面翻譯服務，並不向您收取費用。如您需要，請與我們連絡，發電子郵件至 kirsten.studlien@boston.gov 或致電 617-635-0102。

Vietnamese: Các dịch vụ thông dịch và biên dịch được cung cấp cho quý vị hoàn toàn miễn phí. Nếu quý vị cần những dịch vụ này, vui lòng liên lạc với chúng tôi theo địa chỉ kirsten.studlien@boston.gov hoặc số điện thoại 617-635-0102.

Simplified Chinese: 我们可以向您提供口头翻译和书面翻译服务，并不向您收取费用。如您需要，请与我们联系，发电子邮件至 kirsten.studlien@boston.gov 或致电617-635-0102。

Cape Verdean Creole: Nu ta oferese-bu sirvisus di interpretason y traduson di grasa. Si bu meste kes sirvisu la, kontata-nu pa email kirsten.studlien@boston.gov ó pa telefóni, pa número 617-635-0102.

Arabic: بنا الاتصال يرجى، الخدمات تلك إلى بحاجة كنت إذا. تكلفة أي دون لك متوفرة التحريرية والترجمة الفورية الترجمة خدمات عبر kirsten.studlien@boston.gov 617-635-0102.

Russian: Услуги устного и письменного перевода предоставляются бесплатно. Если Вам они нужны, просьба связаться с нами по адресу электронной почты kirsten.studlien@boston.gov, либо по телефону 617-635-0102.

Portuguese: Você tem à disposição serviços gratuitos de interpretação e tradução. Se precisar deles, fale conosco: kirsten.studlien@boston.gov ou 617-635-0102.

French: Les services d'interprétation et de traduction sont à votre disposition gratuitement. Si vous en avez besoin, veuillez nous contacter à kirsten.studlien@boston.gov ou au 617-635-0102.



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OFFERING SUMMARY

Marcella and Highland Streets

This is provided for the convenience of applicants to facilitate their navigation of this Request for Proposals. For applicants that have downloaded this from the web, you can get more detailed information by selecting the More Information links provided here that will take you directly to the appropriate section of this document.

| | |
|--------------------------------|---|
| AVAILABLE PROPERTY | Site Package 3: 237 Highland and 75 Marcella Street Site Package 5: 255, 257 and 259 Highland Street and 84, 86 and 88 Marcella St. |
| LOCATION | Neighborhood of Highland Park, Roxbury |
| PRERERRED USES | Homeownership Housing |
| PRICE | For price information see Section 5 |
| PUBLIC FUNDING | No funding with RFP but MOH invites designated developer to apply to MOH annual funding round for funding support for the affordable units. For more information see Section 2. |
| SUBMISSION REQUIREMENTS | Applicants must submit their responses using MOH's online portal. For submission instructions see Section 8. |
| SUBMISSION DEADLINE | Proposals must be uploaded using MOH portal by 4:00 p.m. EST on June 30, 2022. |
| APPLICANT CONFERENCE | May 25, 2022 1:00-2:00 p.m. Register using the following link: https://boston.gov.zoom.us/meeting/register/tZUuf--spj8qG91qa7fXKSt7W0my1yDKrL-k |
| MOH CONTACT | Kirsten Studlien Housing Development Officer Kirsten.studlien@boston.gov (617) 635-0102 |

2. REQUEST FOR PROPOSALS

Summary

Since its inception in 1966, the Mayor's Office of Housing (MOH), formerly the Public Facilities Department, has acted as the primary local government agency charged with providing affordable housing opportunities for the residents of the City of Boston (City). As an agency of the City, established under Massachusetts statute and through the general policy direction of the Housing Authority and the Public Facilities Commission, MOH has been directly responsible for the planning, financing and implementation of publicly assisted housing programs. MOH has also worked in collaboration with governmental agencies and private entities to educate the community, policy leaders, and various stakeholders about the issues surrounding affordable housing, and identify potential actions to address the affordable housing shortage.

MOH applies its resources to the following areas of work:

1. Creating affordable and mixed-income housing;
2. Supporting the preservation of historic architecture;
3. Developing open spaces, including community gardens and farms;
4. Providing homeownership opportunities and trainings;
5. Implementing programs to support the economic development of small businesses, and
6. Providing homeowner assistance in the upkeep of their homes.

The City, through MOH, sells city-owned parcels to private buyers to encourage development in the City. One of the goals of MOH's land disposition is to reduce the amount of unused, neglected property existing in the City, placing it back on the tax rolls and adding to the inventory of available housing. MOH's land disposition process helps to alleviate the housing crisis by enabling MOH to offer buildable lots to home builders/developers to encourage construction of housing in Boston's neighborhoods.

Background

MOH worked closely with the Boston Planning and Development Agency (BPDA) in land use planning and establishing development and design requirements for the Marcella/Highland project area. MOH has also collaborated extensively with its valued community partner, the Highland Park Project Review Committee (HPPRC), to identify and assess best uses for public land in the Highland Park area. In 2018, MOH and HPPRC co-sponsored several community meetings to provide a forum for discussion and input on development and design guidelines for the Highland/Marcella project area. In January, 2018 MOH issued an RFP for five Development Packages comprised of 33 parcels on Marcella and Highland Streets. The guidelines established in the 2018 RFP reflected community preferences regarding preferred and acceptable uses. Those guidelines also reflect the goals of Energy Positive (E+) Green Building Program and the Highland Park community's aspiration to be the most sustainable neighborhood in the City.

MOH received proposals from several developers for three of the five Development Packages included in the 2018 RFP and worked with the HPPRC and BPDA to assess and review them. Community meetings were held in April, 2018 at which RFP respondents presented their respective development plans. Development teams were subsequently selected for Development Packages 1, 2 and 4. The purpose of

this RFP is to reoffer Development Packages 3 and 5 for housing development according to the guidelines and objectives set forth in this RFP.

MOH Disposition Process

MOH's property disposition process operates in accordance with Massachusetts General Law (M.G.L.), Chapter 30B Sec. 16 which governs municipal property dispositions.

Accordingly, MOH reviews all applications it receives under this Request For Proposals (RFP), disqualifies any that do not meet the "Minimum Eligibility Criteria" described in Section 9 – "Evaluation Process" of this RFP, ranks the remaining applications according to the General Evaluation Criteria and Compliance Evaluation Criteria set forth in Section 9, and then designates the selected applicant as the tentative developer for the property (i.e., Successful Applicant).

RFPs and other procurement vehicles are an opportunity to offer local and historically disadvantaged businesses a unique opportunity to grow and enhance their capacity. It is the intent of the Mayor that these opportunities provide a framework and model for inclusiveness throughout the various levels of contracting. Before offering City property for sale to the public, MOH consults extensively with local residents and community leaders.

In addition, the depth of the affordability and the long-term preservation of the affordability, described later in the RFP, are important considerations. To accomplish these results, the City has reviewed the potential ownership mechanisms for these parcels and determined that the use of a Community Land Trust would best accomplish its goals of long-term affordability. To achieve this public benefit, the City will give preference to applications which include as a principal either an existing Community Land Trust (CLT) or provide for the creation of a new land trust. Applicants would be required to establish a Joint Venture Agreement at the time of application submittal.

In the event that a CLT is involved the development of these units will be restricted by a 99-year ground lease.

MOH Development and Underwriting Policies

All proposals will be expected to comply with MOH's housing development and underwriting policies as listed below and on MOH's website at:

<https://www.boston.gov/departments/neighborhood-development/neighborhood-development-housing-policies>

- Bidding
- General Development Costs
- Acquisition Costs
- Developer Fee and Overhead
- Homeownership Subsidy
- Homeless Units Set-Aside
- Long-Term Affordability
- Relocation
- Design Review
- Design Requirement & Guidelines

- Income Limits for HUD (includes DP) <https://www.boston.gov/departments/neighborhood-development/housing-and-urban-development-income-limits>

The above is not a comprehensive list of all federal, State and City laws and regulations that govern affordable housing projects within the City of Boston. For further questions and guidance on the City of Boston or MOH's development and construction requirements, please contact Christine O'Keefe at (617) 635-0351 or christine.okeefe@boston.gov.

E+ Positive Green Building Program Goals

The E+ Green Building Program is a City of Boston initiative supported by local sponsors who assist in promoting the initiative and recognize participants for their innovations in development, design, and construction. The initiative challenges leading architects, builders, and developers to work together to design and construct high performance, green, urban homes and to demonstrate the feasibility of regenerative buildings in Boston. Five key objectives guide the program and selection process:

- Feasibility - Demonstrates the performance, construction, and financial potential for locally built, energy positive, deep green, urban buildings with on-site renewable energy resources.
- Future Prototype - Construct high performance, green buildings using "on-the-shelf" products and materials, and replicable strategies that can serve as models for future practice.
- Housing Opportunities - Provide new housing opportunities affordable to a range of income earners in sustainable neighborhoods that are connected to nearby transit, work, and community amenities.
- Awareness - Raise public and professional awareness of the importance and potential for high performance, residential, green buildings and design and construction practices.
- Urban Design - Reinvigorate Boston neighborhoods with new development that is both expressive of its high performance, green building features and is respectful of its context.

The E+ Green Building program requires buildings that generate more energy than they use annually as indicated by a HERS Index of less than zero. In comparison, A Net Zero Energy home scores a HERS Index of zero. An E+ Green Home scores a negative HERS Index. Each 1-point decrease in the HERS Index corresponds to a 1% reduction in energy consumption compared to the HERS Reference Home. Each applicant must provide energy modeling, HERS scoring and related on site energy generation information with the proposal to demonstrate the project's Energy Positive Strategy.

Carbon Neutral Vision

On January 28, 2019, in support of Boston's Carbon Neutral Boston 2050 commitment, the Green Ribbon Commission released the "Carbon Free Boston" report. Two key strategies identified in the report are i) electrification and deep energy retrofits of existing buildings, and ii) moving to a net-zero carbon or better standard for new construction.

Since 2008, MOH, working with BPDA, Environment Department, energy providers, architects and affordable housing developers, has successfully facilitated a number of activities in pursuit of the City's Green Building Initiatives Program. These projects, aimed at reducing the carbon footprint of our development activities, include several Solar PV, Net Zero Energy, E+ (energy positive) and Passive

House residential developments. These efforts have also recognized the impact that building health has on resident health. We look forward to continuing and expanding green building practices that encourage healthy housing and positive health outcomes for residents.

MOH's ZEB requirements are based on the recommendations contained with the 2020 guidebook for Zero Emission Buildings. The study team discovered that there is a total construction cost increase in the range of 2.5%. Incentives are available to offset engineering soft costs and utility rebates exist to lower total construction costs per unit. The long-term operational savings means lower rents for residents and more sustainable Homeowner Association fees (repair & maintenance reserves) for homeowners. We see these requirements as an investment to make housing more economically sustainable for the future.

Co2 Target Requirements

All new MOH construction must be designed based on a Co2 target budget of 0.7-1.1 tons/person/year, or 1800kWh per person annually and must use electricity and on-site photovoltaics as the sole (or primary) fuel source. This target relates to the residential portion of a mixed use and multifamily projects.

Respondents to this RFP must comply with the Zero Emissions Building (ZEB) requirements outlined in the MOH (DND) Design Standards. The ZEB requirements are mandatory. Applicants are advised to also review the 2020 MOH (DND) guidebook for Zero Emissions Buildings.

USGBC's LEED for Homes Platinum

Buildings are to be designed and constructed to achieve the USGBC's LEED for Homes Platinum requirements. The Project Team should include both a LEED Homes Accredited Professional and a LEED Homes Rater; both should be identified on the Project Team. The developer is responsible for all LEED and LEED Rater expenses. Projects are to be registered upon designation and certified by the US Green Building Council within 6 months of construction completion.

Project Funding and Support

All applicants are encouraged to pursue grants, rebates and awards to support the carbon neutral program. Development projects and teams will be offered the following assistance as applicable:

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| Mayor's Office of Housing | To support the affordable housing goals of the RFP, MOH will provide a land subsidy if it is justified by the budget. Furthermore, MOH invites designated developer(s) to apply for MOH subsidy funding in its annual funding Request for Proposals round. In addition, if applicable, all applicants will be expected to pursue matching subsidy funding from the state Department of Housing and Community Development. See "Project Requirements- Operational" for additional information on the Affordable Housing requirements. |
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3. SITE SPECIFIC GUIDELINES

Site Packages

In order to best fulfill the community's vision for development of the Highland Street and Marcella Street parcels including maximizing affordable housing construction, advancing neighborhood sustainability, and providing local development opportunities, the 33 parcels included in the 2018 RFP were clustered into five (5) separate Development Packages.

Packages 1, 2a, 2b and 4 were awarded to development teams pursuant to the 2018 RFP. This RFP seeks development teams for Packages 3 and 5.



| Address | Ward/Parcel # | Parcel Area |
|---------------------|---------------|-------------|
| 237 Highland Street | 11/00558000 | 4,225 sf |
| 75 Marcella Street | 11/00559000 | 4,342 sf |
| Total | | 8,567 sf |



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| Site Description | <p>The site is bordered by 1-3 family residential buildings.</p> <p>The site is relatively flat for a portion of the site slopes upward distinctly in the direction of Thwing St.</p> |
| Zoning | <p>The Project Site is zoned 3F-4000, as shown on Map 6A-6C of the Boston Zoning Maps in the Roxbury Crossing District. (Zoning codes and maps can be found at :</p> <p>http://www.cityofboston.gov/BPDA/zoning/zoning.asp</p> <p>Zoning relief may be required to achieve the requirements of this RFP.</p> |
| Residential Use | <p>Provide homeownership housing units in a residential building consistent with the neighborhood context.</p> |
| Affordability | <p>Development of Package 3 must result in units affordable to households earning at or below 80% of the Area Median Income.</p> |
| Building, Height and Massing | <p>The building should be at least three stories with a height and massing consistent with traditional two and three family types on either side of the property.</p> <p>The building arrangement must provide roof area and proper orientation for the installation of solar thermal and photovoltaic panels.</p> |
| Site Planning | <p>The site planning must respect zoning and building code setbacks. Existing mature Trees and natural features are to be preserved.</p> |
| Orientation and Street Wall | <p>Orient and align the building(s) massing with the residential dwellings on Marcella. The building's massing must respect the street wall established by the adjacent buildings on Marcella Street.</p> |
| Access & Parking | <p>Onsite parking should be from Marcella Street and consideration should be given to using the existing curb cut where possible.</p> <p>Parking should be located at the side or rear of the building and screened from street views with landscaping and fencing. Building integrated parking should be situated at the side or rear of the buildings.</p> |

Site Package 5

| Address | Ward/Parcel # | Parcel Area |
|---------------------|---------------|-----------------|
| 255 Highland Street | 11/00834000 | 752 sf |
| 257 Highland Street | 11/00835000 | 861 sf |
| 259 Highland Street | 11/00836000 | 970 sf |
| 84 Marcella Street | 11/00831000 | 1,370 sf |
| 86 Marcella Street | 11/00830000 | 1,536 sf |
| 88 Marcella Street | 11/00829000 | 1,844 sf |
| Total | | 7,333 sf |



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| <p>Site Description</p> | <p>The site is surrounded by one to three family residential buildings and is directly adjacent to a small scale multi-family mixed-use building. Windows from the mixed use building face onto the Marcella parcels. A key condition of the site is that it slopes down from Marcella Street to Highland Street. There is approximately a story difference in elevation between each street.</p> |
| <p>Zoning</p> | <p>The Project Site is zoned 3F-4000, as shown on Map 6A-6C of the Boston Zoning Maps in the Roxbury Crossing District. Zoning relief may be required to achieve the requirements of this RFP. Boston Zoning Codes and Maps can be found at: http://www.cityofboston.gov/BPDA/zoning/zoning.asp</p> |
| <p>Residential Use</p> | <p>Provide homeownership units in a residential building consistent with the built neighborhood context. Ancillary residential uses such as artist or maker live/work space will be considered if appropriate.</p> |
| <p>Affordability</p> | <p>Development of Package 5 must result in one third (1/3) 80% Area Median Income, one third (1/3) 100% Area Median Income and one third (1/3) unrestricted market rate units.</p> <p>Applicants should maximize the internal subsidy in the development provided by the provision of the market rate units to address the above affordability.</p> |
| <p>Building, Height and Massing</p> | <p>The building should be at least 3 stories on Marcella Street with a height and massing consistent with the brick townhomes on Marcella. The building arrangement must provide roof area and proper orientation for the installation of solar thermal and photovoltaic panels.</p> |
| <p>Site Planning</p> | <p>The site planning must respect zoning and building code setbacks with a minimum setback of at least 6' between the Package 5 parcels at 255 Highland/84 Marcella Streets and the abutting property at 253 Highland/82 Marcella Streets. Zoning and building code setbacks are also to be respected in order to allow for abutter access, trash storage and to maintain existing view corridors and access to natural light.</p> <p>The designated developer will work with MOH and the abutter to finalize an appropriate buffer space. The developer may be expected to subdivide the buffer portion at closing and deed the land to the abutter. Retaining walls are to be anticipated in order to address grade changes. A stairway responding to the grade change between the Highland and Marcella St parcels is encouraged.</p> |

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| Orientation and Street Wall | Orient and align the building(s) massing with the brick townhomes on Marcella. Similarly, building massing on Highland should respect the street wall established on Highland. |
| Access & Parking | Onsite parking should be entered from Highland Street and consideration should be given to using the existing curb cut. Parking should be located at the side or rear of the building and screened from street views with landscaping and fencing. Parking may be structured beneath the building again entering at the lower Highland Street elevation and extending beneath the Marcella Street parcels. The selected developer will be expected to actively engage with abutting property owners regarding space for trash storage and parking. |

4. GENERAL GUIDELINES

Development Guidelines

In support of the HPPRC's, MOH's and BPDA's goal to promote local equity, developer participation and opportunity, MOH's 2018 RFP was divided into (5) distinct Package Groups (1, 2, 3, 4 and 5). The Package Group organization presented three (3) small scale development opportunities and two (2) medium scale development opportunities. MOH selected development teams for three of the five Package Groups and is issuing this RFP for the remaining two Package Groups.

Proposals for one or both Package groups will be accepted, and will be evaluated in accordance with the following general development guidelines and Package Group site specific guidelines as well as additional conditions and requirements included in this RFP.

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| Individual Development Opportunities | <p>Each of the two (2) Package Groups in this RFP is offered as an individual development opportunity.</p> <p>A project team may submit a proposal for one or both of the Package Groups being offered through this RFP. Proposals must address both general and site-specific guidelines.</p> |
| Local Business and Jobs Opportunities | <p>Preference will be given to responses that promote local business and job opportunities and propose on-site construction rather than off-site, prefabricated, or modular construction methods.</p> <p>Special emphasis should be made to ensure that maximum opportunities are afforded to local, small and disadvantaged businesses, as well as people of color and women, in the areas of job creation and training, business development and the procurement of goods, services and construction services in association with construction projects.</p> |

Use Guidelines

The primary use in each Package Group is to be residential for homeownership housing. Ancillary residential uses such as artist or maker live/work space will be considered where appropriate.

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| Residential Uses | Provide for a range of residential unit sizes and types and consider a mix of unit types in each Package Group. |
| Affordable and Work Force Housing | <p>The E+ program and this RFP seek to increase the sustainability of the community by constructing new affordable work force homeowner housing that is affordable to a range of income earners and of a variety of housing types.</p> <p>The community and City are committed to new housing being at a minimum 1/3rd moderate income, 1/3rd middle income, and 1/3rd market rate. Moderate and middle income housing is to be deed restricted affordable at the following income levels:</p> <ul style="list-style-type: none">• Moderate income - households earning at or below 80% AMI, and• Middle income - households earning at or below 100% AMI. <p>Applicants should maximize the internal subsidy in the development provided by the provision of the market rate units to address the above affordability. Proposals must identify the funding resources necessary for the timely completion and feasible development of the site.</p> <p>To accomplish these results, the City has reviewed the potential ownership mechanisms for these parcels and determined that the use of a Community Land Trust (CLT) would best accomplish its goals of long-term affordability. To achieve this public benefit, the City will give preference to CLTs or developer entities composed of a CLT and a development partner.</p> <p>Applicants would be required to establish a Joint Venture Agreement at the time of application submittal.</p> <p>In the event that a CLT is involved, the development of these units will be restricted by a 99-year ground lease.</p> |
| Stable Occupancy | For all housing proposals, the selected developer(s) will be required to enter into a development or land disposition agreement, and possible non-monetary mortgage, which shall be recorded with the Suffolk County Registry of Deeds, to ensure owner occupancy, stable tenancies and active on-site management. Applicants must clearly outline the approach to be taken to meet the above occupancy requirements. |

Diversity and Inclusion

The City of Boston has committed to using RFPs and other procurement vehicles to offer local and historically disadvantaged businesses a unique opportunity to grow and enhance their capacity. The Mayor intends that these opportunities provide a framework and model for inclusiveness for the benefit of development teams throughout the development and design process and including various levels of contracting. Proposals must describe the planned approach to meeting the goals outlined in the Boston Residents Jobs Policy which can be accessed via the following link:

<https://www.boston.gov/departments/economic-development/boston-residents-jobs-policy-construction-projects>.

The Successful Applicant will prescribe procedures to establish and oversee a minority outreach program to ensure the inclusion, to the maximum extent possible, of opportunities for people of color and women, and entities owned by people of color and women, in the development of the proposed project.

Proposals should reflect the extent to which the Developer and Development Team plans to include meaningful participation of MWBEs and/or individuals in the following activity areas:

1. Construction
2. Design
3. Development
4. Financing
5. Operations
6. Ownership

5. PROJECT REQUIREMENTS

General

- i. Offer Price: The Offer Price for the Packages and sites is the following:

Package Group 3: The offer price for the parcels is \$400,000 and is based on a current appraised value of the land.

Package Group 5: The offer price for the parcels is \$430,000 and is based on a current appraised value of the land.

IMPORTANT NOTE ON ABOVE OFFER PRICE: Offered price is one of the many factors used in determining the most highly advantageous proposal, so applicants are encouraged to make competitive offers. For more information on comparative evaluation criteria, please refer to "Evaluation Process".

For all Packages, an Applicant may offer less than the asking price, but they must credibly demonstrate that their development concept is not financially feasible at the asking price. Reasons for this may include, but not be limited to, meeting the development program objectives specified in the RFP. In order to offer less than the asking price, the Applicant must include a written description of why his/her offer price is reduced, and provide development proformas that support the lower offer price. At a minimum the city will require a \$100 price per parcel in each Package.

An Applicant may offer more than the asking price for the land, but if proposing a use different than the guidelines specified in the RFP, must provide a narrative describing their proposed use for review.

If an Applicant is applying for subsidy funding from either the City or State in connection with this project, its purchase price may be adjusted downward to comply with federal subsidy layering rules. The land price is \$100 per parcel for any parcel(s) that will be utilized for affordable homes and require public subsidy.

**If an Applicant is a church or religious entity, in compliance with the Commonwealth of Massachusetts Declaration of Rights, he/she/they must offer 100% of the appraised value. Failure to make such an offer will be grounds for disqualification of the proposal.*

- ii. While MOH has conducted a title examination of the property, MOH makes no warranty or representations as to its accuracy and recommends that the Successful Applicant conduct its own title examinations.
- iii. If determined to be an Eligible Applicant (see “Evaluation Process”), Applicants will be required to present their plan of development at one or more community meetings sponsored by the HPPRC and MOH.
- iv. Performance under this Request for Proposals will be closely coordinated with the Development Officer and any other staff member designated by MOH. Questions pertaining to requests for technical guidance and direction should be directed in writing to the assigned Development Officer, or other designated MOH representative. However, such MOH representative(s) will only provide necessary background information and guidance; they will under no circumstances change the terms and conditions of this engagement.
- v. The Successful Applicant shall prepare and deliver to their assigned MOH Development Officer a monthly status report. The report should include a description of the work completed that month regarding, but not limited to, the following:
 - i. Zoning Board of Appeal (ZBA) Application(s)
 - ii. Inspectional Services Department (ISD) Permit(s)
 - iii. Final Design Specifications
 - iv. Environmental Testing or Remediation
 - v. Acquisition of Financing
- vi. The Successful Applicant shall designate qualified representatives as point of contact to assist MOH, as needed, throughout the engagement. Names, phone numbers, and e-mail addresses of proposed representatives must be listed in the proposal.

Budget Review and Cost

The following information must be included in the relevant One Stop Exhibits, where appropriate, or provided on a separate sheet(s).

Acquisition

If applicable, explain how the acquisition cost was derived. Note: “As-Is” appraisals must be provided to support acquisition costs.

Construction

Describe how the cost estimates in Section 3 of the One Stop were derived. Who, specifically, prepared the cost estimates? Cost estimating must be within 30 days of the MOH application due date and must

carry through to the point of construction closing, assumed to be 1 year from Developer Designation. Costs must be broken down by building (if applicable). Commercial and Residential Sources and Uses must be clearly broken out within the One-Stop (if applicable).

Site Work

Base the cost of site work and grading on all foreseeable (known) site dimensions, topography and visible ledge, including what is evidenced on site. Assume building site(s) will contain an old foundation(s) and fill debris when calculating site costs, unless there is accurate historical information that indicates there were no previous structures on the site. All such historical information must be included in the RFP submission.

Environmental Site Costs

In the proposal, the developer shall include sufficient funds to cover environmental remediation costs for typical urban sites (One Stop, Line 150). (The Environmental allowance and Hard Cost contingency should be combined on Line 165, but broken out in the Comments field.)

The soft cost budget (Line 170) shall include sufficient funds to cover all expected and unforeseen environmental testing. Fundamentally, the developer is responsible for typical urban site redevelopment costs and these costs must be clearly itemized and carried in the hard and soft cost budgets.

Roads, Walks, and Utilities

Include all fees and costs associated with street and sidewalk reconstruction. It is essential to consult with the Public Works Department to determine the required scope of work for all impacted sidewalks and streets, as well as for curb-cut and street opening permits. Costs of cutting and capping existing utility lines are also the responsibility of the developer.

Contingencies

Contingencies are limited to the following in accordance with MOH policy: The *hard cost contingency* amount shall be 5% of construction costs for new construction projects and 10% for rehabilitation projects.

Construction Waste Management

Diverting as much waste from landfills as possible is an important green building and environmental protection goal and, increasingly, due to the escalation in tipping fees, a financially prudent strategy as well. The development team should work with contractors to develop a construction waste management plan, and to identify end markets for construction waste and debris. While this strategy could involve higher trucking costs, tipping fees for mixed debris will be reduced.

Soft Costs

Architectural & Engineering:

MOH has implemented cost containment requirements that limit costs associated with this line item for developments seeking MOH funding assistance. The total amount of all architectural and engineering fees must not exceed the following:

| Project Size | Percent of Estimated Construction Contract |
|--------------|--|
| 1-35 units | 6.8% |
| 36-70 units | 6.3% |
| 71+ units | 5.8% |

This line item must cover all typical items architectural services, including all phases of design, plan development, and construction monitoring. This line item must include all trades subcontracted to the architectural firm and civil engineering expenses. Please provide information on how the architecture and engineering budget has been derived and what is included in the line item (i.e. does it include all necessary civil, MEP, structural, or other engineering) requirements.

Developers are advised to budget for unanticipated costs when budgeting for this line item. Except in the case of unforeseeable conditions in extremely complex renovation projects, the maximum allowable Architectural & Engineering fees will be set at the time of application.

Sustainability Consultant:

Sustainability consultants work to mitigate a building’s environmental impact by incorporating sustainable solutions into the planning, design, construction, and operation of a building. As part of the Department’s goal of moving to a net-zero carbon standard for new construction, the Department recognizes the growing need for this service. If sustainability consultants are being utilized, identify who (if known) will provide the services and how the budget was derived.

Survey and Permits:

Include an explanation of what costs are included in this budget item.

Construction Financing Interest:

Please provide information on how this line item was determined, including: the interest rate used, the draw on construction loan, terms and other details needed to verify the proposed amount.

Financing Fees and Costs:

Bank letters of interest are required from all proposed lenders. Letters must include a term sheet that provides standard DSC requirements, fees, reserve requirements, terms, and amortization. Where terms are not available, the proposal must separately explain what assumptions were used, and how the specific line item amounts were determined.

Legal:

The Borrower’s legal budget should be sufficient to cover all phases of the development and should not exceed the current legal median cost of approximately \$150,000 for the development. Proposals must include a break-out of all legal expenses. The breakout budget should include amounts for the Mass Docs lenders, if applicable, Lender Legal and Borrower’s Legal costs.

Other Financing:

Identify and breakout the costs associated with the various lenders, including construction, permanent, subsidy, and other third party fees. Explain how these costs were calculated.

Construction Management:

Identify who (if known) will provide clerk and management services on behalf of the owner, and how this budget item was derived.

Consultant:

If a consultant or consultants (e.g., environmental, traffic, development) are being utilized, identify who they are and what services will be provided by each. Consultant fees are included in the calculation of maximum fee and overhead for a development.

Carrying Costs:

Identify additional costs associated with the pre-development period, including pre-development loans/ interest, maintenance, insurance, taxes. Confirm the time period that these costs support.

Soft Cost Contingency:

This line item should not exceed 2.5% of the total soft cost budget.

Developer Fee and Overhead

Confirm that the developer fee, overhead and consultant items in the budget reflect MOH policy.

Sources

For each permanent financing source, identify the reasonableness of the request based upon program eligibility, limits, and/or per unit caps. Sources must be clearly defined for residential and commercial.

Rebates:

All projected rebates (e.g., Energy Star, utility, etc.) should be itemized and included as a source of permanent funding in the One Stop.

Developmental

- i. The Successful Applicant will produce an appropriate plan of development that satisfies the City's needs within specified time frames. See Section 9 – "Evaluation Process."
- ii. The contract period of performance shall be for twelve (12) months from the tentative designation award. If the Property has not been made development-ready within twelve (12) months, MOH may choose to grant additional time for performance or to rescind the award, at its discretion.
- iii. The determination of whether services were performed satisfactorily is at the sole discretion of MOH.
- iv. The Successful Applicant will confirm all scheduled project milestones with MOH prior to initiating work.
- v. Traffic and Transportation. The Highland Park Neighborhood is a 2017 City of Boston Department of Transportation (BTD) "Slow Streets" recipient. This is a result of many years of planning and activism by the HPPRC related to traffic calming and transportation, and

efforts to seek tangible improvements in traffic and transportation patterns in the neighborhood. Selected applicants will be required to include feasible and reasonable traffic calming measures in their plans and work with MOH, BPDA, HPPRC and BTM.

Design

- i. Successful Applicants are required to comply with MOH Design Standards and Development Objectives for the site (see “Site Specific Guidelines” and “General Guidelines”).
MOH Design Standards are in this link:
https://www.boston.gov/sites/default/files/file/2020/08/DND%20Design%20Standards_Ch ecklists_Provision_0810_2020.pdf
- ii. Applicants must propose a development design plan that addresses site and design information provided in this RFP with schematic designs for the siting, massing, unit configuration, non-residential program, open space, parking, etc. Variations of the zoning requirements will be considered for project proposals that offer an appropriate and reasonable design approach that is consistent with building context and neighborhood character and is consistent with the RFP design standards.
- iii. Building materials must be of good quality and take advantage of sustainable building principles and MEP systems.
- iv. Applicants must present a design that includes a thoughtful exterior, with attractive windows, doors, and exterior cladding and/or masonry.

Operational

- i. Affordability. The development affordability for the two development Packages is outlined in “Site Specific Guidelines” and reflects an income mix of below 80% of Area Median Income (Site 3) and a mix of one third (1/3) moderate income (80% Area Median Income), one third (1/3) middle income (100% Area Median Income) and one third (1/3) market rate units at a minimum (Site 5). Affordability Income Limits can be found at the following link:
https://www.boston.gov/sites/default/files/hud_income_rent_limits_170926.pdf.

To achieve the development objectives of both Packages, it is expected that MOH will provide a development subsidy to the developer to cover the difference between the delivered cost of the homes and the MOH-determined affordable prices for the moderate- and middle-income homes. The designated developer will be required to apply to MOH’s annual funding RFP for subsidy support.

If the application is approved MOH would issue an award letter to support the development of the affordable units. MOH will pursue a formal commitment of funds at the point the development has a final budget based on final direct construction costs. MOH’s Commitment Letter for subsidy funding will require a Developer personal guarantee. The amount of development subsidy for each of the affordable homes will be determined by MOH once the final construction budget has been set and the target sales prices have been established. These subsidy funds can be drawn by the developer during the construction period to pay for approved development costs.

As a guideline, Applicants should utilize the following prices in budgets for the affordable units:

| | 80% AMI | 100% AMI |
|--------------------|-----------|-----------|
| Single Family Home | \$300,000 | \$385,000 |
| Two Family Home | \$400,000 | \$475,000 |
| Duplex | \$290,000 | \$375,000 |
| 2 BR Condo | \$240,800 | \$314,000 |
| 3 BR Condo | \$278,700 | \$355,600 |

- ii. Wages. If the Successful Applicant is a for-profit firm with 25 or more full time employees, or a non-profit firm with 100 or more employees, you will be required to make best efforts to adhere to the Boston Jobs and Living Wage Ordinance, and the provisions of the Promulgated Regulations, including the “First Source Hiring Agreement” provisions of said Ordinance. The Successful Applicant shall maintain a safety and environmental program that complies with all applicable local, state and federal regulations. The Successful Applicant will be ultimately responsible for the condition of the property. They must take any steps necessary to keep the property free of trash, debris, and snow. NOTE: MOH reserves the right to change the number of affordable units and other aspects of the development program outlined in this RFP depending on the needs of the development, provided that the rights of the Successful Applicant and other applicants are not prejudiced.

6. SUBMISSION REQUIREMENTS

Applicant Guidance on Proposal Submission

Before submitting a proposal to the City of Boston’s Mayor’s Office of Housing (MOH), please review the following information and instructions:

First, ensure that your proposal includes the accurate legal names of the submitting party or parties and any persons who are officers, shareholders, stockholders, members, managers, trustees, beneficiaries, general or limited partners of the submitting party or parties or persons controlling the submitting party or parties together with their current contact information such as addresses of residences and places of business, mailing addresses, telephone numbers, fax numbers and email addresses.

Depending on the nature of the submitting party or parties, the following information and instructions may be applicable:

For an Individual:

If you are submitting as an individual or individuals, ensure that your proposal includes for all individuals the information set forth above. If the submitting individual(s) is unincorporated currently doing business under a business name, include information on the business and evidence of the filing of any required certificates with the City Clerk.

For a Corporation, General or Limited Partnership, Limited Liability Company or a Massachusetts business or Realty Trust:

If you are submitting as an existing corporation, general or limited partnership, limited liability company or a Massachusetts business or realty trust, ensure that your proposal includes the legal names and

current contact information for your entity and the individuals connected with it as described above with copies of documents on file with the Massachusetts Secretary of State's Office. Also, submit a Certificate of Good Standing relating to the entity from the Massachusetts Secretary of State. Moreover, for realty trusts, submit a copy of the recorded declaration of trust document and a copy of the most recent trustee certificate for the realty trust.

For a Joint Venture:

If you are submitting as a joint venture, ensure that the individuals or entities forming the joint venture submit their legal names and current contact information as described above.

If Forming a New Organization:

The foregoing and following guidance should be read by any applicant(s) that intends to create a new entity for the purpose of receiving title under one or more deeds associated with this Request for Proposal (RFP).

As the foregoing information makes clear there are multiple possible legal choices when creating a new entity, particularly if multiple applicants submit a proposal to jointly develop a parcel or set of parcels. For illustrative purposes, examples of choices you might consider include, but are not limited to: joint venture, general partnership, limited partnership, limited liability company (LLC), Massachusetts business, realty trust or corporation.

If you intend to create a new entity upon notice from MOH that your proposal is selected for a presentation request for tentative developer designation, you must state the proposed form of the new entity, its proposed legal name and the names of the individuals who will be connected with it and the current contact information for all as described above under separate cover and include a signed, dated and detailed letter with your proposal. MOH highly encourages applicants considering the formation of a new entity to consult with their legal counsel prior to submitting a proposal. Of importance, the new entity must be formed, registered and in good standing with the Massachusetts Secretary of State's Office prior to a vote requesting approval and authority to make the subject conveyance.

Upon request, the submitting party or parties shall provide the applicable federal tax identification number or social security number. MOH may also request the submitting party or parties to provide a copy (certified by the submitting party or parties as a true copy) of any operating agreements, certificates of organization, partnership agreements, articles of organization, by-laws, trust agreements, beneficiary certificates, joint venture agreements and other documents MOH deems relevant.

Local and Federal Policy and Regulatory Considerations

- Boston Residents Jobs and Living Wage Ordinance and Regulations
- Federal Davis-Bacon Wage Rates
- Section 3 of the Housing and Urban Development Act of 1968
- HUD Lead Hazard Control Program Requirements
- Fair Housing and Affirmative Marketing
- Uniform Relocation Act
- Handicapped Accessibility Requirements
- HUD contractor debarred list clearance

- HUD Income Limits <https://www.boston.gov/departments/neighborhood-development/housing-and-urban-development-income-limits>

Submission Requirements

The following is a list of all documents necessary for a complete proposal. Submitting these documents in the order listed below will facilitate the City's ability to determine if your application is complete and eligible for further review. Incomplete proposals will be rejected.

The proposal submission should be presented in the following order:

- A. Application Checklist - This list serves to assist both the Applicant and MOH in assessing the completeness of the submission.
- B. Project Summary Form – This form summarizes the housing unit mix and tenant income mix.
- C. Developer's Affidavit of Eligibility – Complete and sign the affidavit.
- D. Disclosure of Property Owned and Affidavit – Complete and sign the affidavit.
- E. Conflict of Interest Affidavit – Complete and sign the affidavit
- F. City of Boston Jobs & Living Wage Ordinance – Complete and sign forms B-1 and B-3.
- G. Project Narrative – Applicants must submit a narrative of the project and the specific funding request. The narrative is intended to give the Applicant an opportunity to present additional information that may not be captured either in the One Stop or in supporting submission documentation.
- H. Budget Review and Cost – Explain how each budget line item costs have been derived as outlined in the Evaluation section.
- I. Mixed Income Supplement – Where projects include market rate housing, applicants are expected to provide documentation in support of the financial feasibility of this component of the overall project. This includes neighborhood demand; marketing strategy. A delineated sources/uses budget must be provided. Each source for residential uses, and each source for affordable vs non-affordable units, should be identified and tied to the proposed uses. A total development sources/uses budget for the overall project must be provided. Developers are strongly encouraged to utilize MOH's format.
http://dndapps.cityofboston.gov/SF/Public/RFPForms/Mixed_income_budget.xlsx
- J. Diversity and Inclusion Plan
Applicants must design and propose a comprehensive program for achieving diversity and inclusion in the proposed project. Projects must describe the planned approach to meeting the goals outlined in the Boston Residents Jobs Policy which can be accessed via the following link:
<https://www.boston.gov/departments/economic-development/equity-and-inclusion-office/residents-jobs-policy-construction-projects> Applicants must prescribe a procedure to establish and oversee a minority outreach program to ensure the inclusion, to the maximum extent possible, of opportunities for people of color and women, and entities owned by people of color and women, in the development of the proposed project.

One Stop Application - Complete the following sections:

Sections 1-7 and generated sections

Exhibits: 1, 2, 3, 4, 5, 6, 7 (for mixed income and commercial) and 9

Exhibit 13 (including RRMR, GIN, Occupant List, Relocation Budget)

Exhibit 14 (preliminary resident services plan)

Exhibit 15C

Exhibit 16 and Exhibit 18

Exhibit 19 (provide when completed)
Exhibit 20, 21, 22, 23, 24, 25, 26, 27, 28
Exhibit 30 (independent auditor's report for last fiscal year)

7. PROPOSAL SUMMARY

Proposal Narrative

In addition to the above listed submission requirements, the following information must be included in the application. This is an opportunity for the Applicant to convey, in their own words- and with backup documentation and material- to the Evaluation Team how the proposed project will be a highly-beneficial use of the Property, cost-effective, timely, and provide options superior to those currently available to the community. Omission of any of the required information may lead to a determination that the proposal is non-responsive.

Introduction

- i. A narrative introduction to the Applicant and Proposal that includes a statement of the Applicant's interest in Project, and overview of the proposal.
- ii. Provide a description of the organizational structure, including a list of qualified representatives and personnel and the roles and responsibilities of each party.

Development Plan

- i. Applicants must indicate and fully explain the plan for development and how it coincides with the Project Requirements and the vision for the site outlined in this RFP. Also, the Applicant must provide a credible plan for accomplishing its stated goals and/or objectives.
- ii. A time line schedule proposed to meet the tasks listed in Section 9 – "Evaluation Process."
- iii. One Stop Application Development Budget as outlined in "General Guidelines".
- iv. A financing letter of interest or a commitment letter to fund from an established financial institution, including letters of interest from equity providers.
- v. Provide copies of plan drawings that best represent your proposed plan and respond to the Development Objectives. Residential components are required to comply with MOH's Residential Design Standards, with the exception of unit sizes as previously stated in the RFP. These standards, and RFP Design Submission Requirements, can be found on the MOH website:
[https://www.boston.gov/sites/default/files/file/2020/08/DND%20Design%20Standards Checklists Provision 0810 2020.pdf](https://www.boston.gov/sites/default/files/file/2020/08/DND%20Design%20Standards%20Checklists%20Provision%200810%202020.pdf)

These drawings will also be available to the public to assist in their assessment of your proposal.

In addition to Design Submission Requirements outlined in Design Standards on the MOH website, each proposal must include the following materials:

Each proposal must include the following for exhibit purposes:

- a. Provide high quality, high resolution digital images in JPG image and PDF formats.
- b. A Written Description of how the proposed design responds to the green building, energy efficiency and net energy positive goals and including the following”
 - LEED for Homes Checklist for the proposed design with the projected project score and an itemization of key building features and approaches to promoting occupant health, water, energy and material conservation and resource restoration, environmental restoration, and occupant management.
 - Home Energy Rating System index for the proposed design including an itemization of key building features and elements.
 - Energy Use and Source Summary listing projected energy uses, on-site renewable energy sources, and building net energy performance.
 - Include narrative and description of Green Building elements, LEED for Homes checklist and HERS index.
 - Developer Qualifications, Experience and References
 - Furnish a narrative supported by relevant data regarding qualifications and past experience with similar projects. Applicant must provide detailed description of previous relevant work completed and the results or outcome of that work. Each Applicant shall also furnish three current references including, names, addresses, e-mail addresses, phone numbers, and principal contacts.
 - Resumes of development team members.
- c. Permits/Licenses
 - The Applicant must include a list of relevant business permits/licenses (with expiration dates) for development projects in planning.
 - Subcontractors or Partnerships
 - If applicable, explain the relationship(s) between the Applicant and any third- party developers, subcontractors, or community partners that might influence the Applicant’s development plan.

Diversity and Inclusion Plan

The Mayor’s Office of Housing’s programs provide opportunities for local and historically disadvantaged businesses, including minority-owned and women-owned business enterprises (MWBES) to grow and enhance their capacity. It is the intent of the Mayor and MOH that our RFP and procurement vehicles provide a framework of to ensure that these businesses may access those opportunities. This equity policy has the following goals:

- Provide fair access to economic opportunities that may arise by participation in MOH program activities.
- Promote the growth of minority, women owned, and local businesses by encouraging participation in program activities.

- Promote the creation of a more inclusive workforce in businesses that participate in MOH programs.

All applicants will need to design and propose a comprehensive program for achieving diversity and inclusion in the proposed project, including the development team members and construction trades. This Equity and Inclusion Plan should describe the planned approach to meeting the goals outlined in this policy as well as how the project will meet the goals outlined in the Boston Residents Jobs Policy, which can be accessed via the following link:

<https://www.boston.gov/departments/economic-development/equity-and-inclusion-office/residents-jobs-policy-construction-projects>

1. The Equity and Inclusion Plan should ensure that maximum opportunities are afforded to local, small and historically disadvantaged businesses, as well as people of color and women, in the areas of job creation and training, business development, and the procurement of goods and services, in association with the delivery of services associated with MOH programs for which an application is being submitted.
2. The Equity and Inclusion Plan must prescribe procedures to establish and oversee a minority outreach program to ensure the inclusion, to the maximum extent possible, of opportunities for people of color and women, and entities owned by people of color and women, in the development of the proposed project.
3. The Equity and Inclusion Plan should reflect the extent to which the applicant plans to include meaningful participation of MWBEs and/or individuals of color in the following activity areas: Construction, Design, Development, Financing, Operations, Management, and Ownership.

The Equity and Inclusion Plan will be considered as part of the overall evaluation of proposals. Any Plan will be considered and rated based on the comprehensiveness of the applicant's planned approach to achieving diversity of participation, the inclusion of specific strategies to achieve maximum participation of MWBEs in non-traditional functions, and the extent to which the Equity Plan is realistic and executable.

MOH Art Policy

Please note that the disposition of any MOH managed land is subject to the MOH Public Art Policy (https://www.boston.gov/sites/default/files/file/2020/11/DeptofNeighborhoodDevelopment_Public%20Art%20Policy_Final_2020_10_29.pdf). This policy governs both the installation and/or removal of art on such properties.

Operational Plan

- i. Summarize your plan for the operation of the facility once development is complete. Include the Operating Budget as outlined in the One Stop budget.

Developer Qualifications, Experience and References

- i. Furnish a narrative supported by relevant data regarding qualifications and past experience with similar projects. Applicant must provide a detailed description of previous relevant work

completed and the results or outcome of that work. Each Applicant shall also furnish three current references including names, addresses, e-mail addresses, phone numbers, and principal contacts.

- ii. Resumes of development team members.

Permits/Licenses

- i. The Applicant must include a list of relevant business permits/licenses (with expiration dates) for development projects in planning.

Additional Data

- i. Any other relevant information the Applicant believes is essential to the evaluation of the proposal (i.e., aesthetic designs, environmental sustainability goals, property management plans, ideas for selection of subcontractors, methods of obtaining community engagement, etc.).

8. SUBMISSION INSTRUCTIONS

Applicants must submit their responses using MOH's online portal.

a. Preparing Your Response

- Please name your document using MOH's naming convention format: RFPname.company name (for example: Holborn.Erich and Associates). Please submit your response as a single PDF if you are able. If you must submit multiple documents, please add to the document name a number to account for all parts of the response (for example: Holborn.Erich and Associates.1; Holborn.Erich and Associates.2, etc).

Note: all budgetary materials should be submitted as an Excel, and not a PDF document

b. Uploading Your RFP Response – Follow instructions outlined below to upload your response, by the deadline indicated on the RFP List on the previous page. LATE PROPOSAL SUBMISSIONS WILL NOT BE ACCEPTED.

- In browser, input URL: <https://transfer.boston.gov> (a graphic and words appear - "File Server - Serv-U").
- Enter user name: "DND_PropertyDispositions" and password: "communitydevelopment#"; Click "Login"
- Select "Upload"; click on "Choose File"; select the file to be uploaded; click on "Open"; click on "Upload";
- After the file is uploaded, you will be returned to the "Choose File" screen; click on "Close".

Note: You will not receive a confirmation that your upload was successful. Once submission is uploaded, you will not be able to access your uploaded file. If you need to edit your response you will have to resubmit the response by following these instructions from the beginning. To confirm submission is

received by transfer.boston.gov, please send a request via email to lorrie.armstrong@boston.gov and christine.harris-idiokitas@boston.gov

Under law, any proposals received after the date and time specified in this RFP must be rejected as non-responsive, and not considered for evaluation. Please plan accordingly.

MOH will hold a virtual bidders conference on May 25, 2022 at 1:00 p.m. Staff from MOH will answer any questions you may have about this Request for Proposals. Participants must register in advance using the following link: <https://boston-gov.zoom.us/meeting/register/tZUuf--spj8qG91qa7fXKSt7W0my1yDKrL-k>. If you are unable to attend the Conference, formal questions may be submitted by mail or e-mail. Please see the Questions section of this RFP for contact information.

9. EVALUATION PROCESS

Proposals will be reviewed and selected using a 3-part process.

First, proposals must meet the City's Minimum Eligibility Criteria as described below. MOH will do an Eligibility Review to determine that proposals meet Minimum Eligibility Criteria. Once MOH has completed the Minimum Eligibility review, a Selection Committee, consisting of representatives of MOH, BPDA and the HPPRC shall then review each proposal based on the General Evaluation Criteria. To facilitate the Selection team's evaluation of General Evaluation Criteria, MOH will require that Applicants present their plan of development to the community. The most advantageous proposals from a responsive and responsible applicant for each Site Package, taking into consideration all Evaluation Criteria, and reflecting the scoring from the Selection Committee, will be selected.

Prior to designation by the Public Facilities Commission, the "Successful Applicant," one who has satisfied the Minimum Eligibility Criteria and is found to have the highest composite score, based on the General Evaluation Criteria, will be subject to a final Statutory Compliance Review to determine compliance with various City regulations, ordinances and policies.

Minimum Eligibility Criteria ("Responsive" Bidder):

- i. **Proposal Received by Deadline.** Only proposals that are received by the date, time, and at the location indicated in Section 5 of this RFP will be accepted.
- ii. **Complete Proposal Submission.** Proposals must contain all necessary forms and documents as required in Sections 6 and 7 of this RFP, including all required signatures and certifications.
- iii. **Compliance with Development Objectives.** Proposals must comply with Use Guidelines described in "Site Specific Guidelines" and "General Guidelines".

General Evaluation Criteria ("Responsible" Bidder):

- i. **Community Land Trust Experience and Capacity.** This is an evaluation of Applicant's status as a CLT and experience, along with the experience and capacity of identified team members, in developing projects of a nature comparable to the given project and evidence of a highly integrated design-build team and innovative approaches to sustainable design and construction.

- a. *Highly Advantageous*: A developer entity that is a CLT or is composed of a CLT with a development partner that has a track record of successful development evidenced by financed and built projects comparable in nature to the RFP application.
 - b. *Advantageous*: A developer entity that is not a CLT but has a track record of successful development evidenced by financed and built projects comparable in nature to the RFP application.
 - c. *Not Advantageous*: A developer entity that is not a CLT and does not demonstrate a sufficient track record of development as evidenced by financed and built projects comparable in nature to the RFP application.
 - ii. **Plan of Development**. This is an evaluation of Applicant's response to the RFP Development Objectives and Use Guidelines and redevelopment of the property, including all major physical changes to the property and the planned end use of the property. To facilitate its evaluation of this Criterion, MOH may seek community input in the form of a developer's presentation with opportunity for public comment.
 - a. *Highly Advantageous*: The Applicant's development plan is highly compatible with the Development Guidelines and Objectives and meets more of the identified objectives than competing proposals.
 - b. *Advantageous*: The Applicant's development plan is compatible with most, but not all Development Guidelines and Objectives, meeting fewer of the identified objectives than competing proposals.
 - c. *Not Advantageous*: The Applicant's development plan is not compatible with many of the Development Guidelines and Objectives.
 - iii. **Design Concept**. This is an evaluation of how well the proposal incorporates the Design Requirements set out in "Site Specific Guidelines" and "General Guidelines", and whether the Applicant's design proposal appears to be reasonably attainable. It includes an evaluation of the extent to which the proposed design responds to the net energy positive goal and the modeled energy performance of the proposed design, and the extent to which the proposed design responds to the Green Building Design guidelines and the resultant LEED for Home score. To facilitate its evaluation of this Criterion, MOH will seek community input in the form of a developer's presentation with opportunity for public comment.
 - a. *Highly Advantageous*: The Applicant's development plan is highly compatible with the Design Considerations and Objectives and meets more of the identified objectives than competing proposals.
 - b. *Advantageous*: The Applicant's development plan is compatible with most, but not all Design Considerations and Objectives, meeting fewer of the identified objectives than competing proposals.
 - c. *Not Advantageous*: The Applicant's development plan is not compatible with many of the Design Considerations and Objectives.
 - iv. **Development Cost Feasibility**. This evaluation is based on the strength of the Development Budget. MOH will assess projected development costs, including construction, hard and soft costs and fees, and will determine whether, in its opinion, the stated cost of development is sufficiently inclusive and reasonable. This Criterion evaluates the relative strength of the Applicant's financing plan relative to other proposals.

- a. Highly Advantageous: The development budget is complete, thorough and appears accurate for the proposed project. The budget includes appropriate contingency expenses. The development cost appears to be highly feasible.
 - b. Advantageous: The development budget is complete and thorough, but deviates from projects similar to the one proposed. Some expenses in the budget appear inaccurate or atypical and there is no further justification or explanation for this apparent deviation. The development cost appears to be reasonably feasible.
 - c. Not Advantageous: The development budget is incomplete, lacks detail and/or appears very inaccurate for the proposed project. The development cost appears to have a low likelihood of feasibility or to be infeasible.

- v. **Developer's Financial Capacity.** This is an evaluation of Applicant's ability to secure, in a timely manner, all financing stated in their Development Budget. MOH reserves the right to deny funding to any applicant whom it determines is not credit worthy or bankable. This Criterion evaluates the relative strength and completeness of the Applicant's Development Budget relative to other proposals.
 - a. Highly Advantageous: The Applicant is able to provide complete documentation of necessary cash on hand, lines of credit, other liquid equity and evidence of construction financing to fully satisfy the financing requirements of the Development Budget as presented.
 - b. Advantageous: The Applicant is able to provide most but not all documentation of necessary cash on hand, lines of credit, other liquid equity and evidence of construction financing to fully satisfy financing requirements of the Development Budget as presented.
 - c. Not Advantageous: The Applicant does not provide evidence of documentation of necessary cash on hand, lines of credit, other liquid equity and evidence of construction financing to fully satisfy the financing requirements of the Development Budget as presented.

- vi. **Development Schedule.** This is an evaluation of the Applicant's planned Development Timetable, relative to other proposals. The total construction time (from developer selection to completion) will be an important evaluation factor. This Criterion evaluates the proposed timeline for implementation of the development plan relative to other proposals.
 - a. Highly Advantageous: The Applicant proposes an aggressive but feasible timeline for project completion relative to other applicants.
 - b. Advantageous: The Applicant proposes a feasible timeline for completion relative to other applicants.
 - c. Not Advantageous: The Applicant does not propose a feasible timeline for completion relative to other applicants.

- vii. **Diversity and Inclusion.** This is an evaluation of the relative strength of the proposal for achieving diversity and inclusion in the proposed project as specified in Section 5(d). Proposals will be considered and rated based on the comprehensiveness of the Developer's planned approach to achieving participation, including specific strategies to achieve maximum participation of MWBEs in non-traditional functions. The planned approach should be realistic and deliverable.

- a. *Highly Advantageous*: The Applicant provides a highly reasonable and justifiable Diversity & Inclusion Plan for a project of the type proposed that is clearly superior to that of all other Applicants.
 - b. *Advantageous*: The Applicant provides a reasonable and justifiable Diversity & Inclusion Plan for a project of the type proposed that is equal to that of all other Applicants.
 - c. *Not Advantageous*: The Applicant does not provide a credible or detailed enough Diversity & Inclusion Plan for a project of the type proposed, and/or the Plan is inferior to those of all other Applicants.
- viii. **Housing Affordability.** This Criterion evaluates the relative strength and completeness of the Applicant's Housing Affordability Plan relative to other proposals. Proposals that prioritize the City's goal of creating new affordable housing opportunities will be considered to be more advantageous. Proposals that are not responsive to this goal, or that include no affordability, will be considered less advantageous.
- a. *Highly Advantageous*: The development includes deed-restricted affordable housing units beyond that which would otherwise be required and in excess to that proposed by others.
 - b. *Advantageous*: The development includes deed-restricted affordable housing units in an amount equal to that of other applicants and/or at the minimum that would otherwise be required.
 - c. *Not Advantageous*: The development does not include deed-restricted affordable housing units.

Multi-Package Developer Selection Process

Where MOH is offering a number of development packages concurrently, MOH will use a sequential process for reviewing the Financial Capacity and Development Schedule criteria. MOH realizes that once a developer has been selected for one package, its capacity to undertake additional packages in a timely manner is diminished. To account for this reality, MOH will implement a sequential selection process, starting with the largest package and ending with the smallest.

Once a developer has been selected for the largest package, its scoring on Financial Capacity and Development Schedule will be adjusted to reflect its reduced capacity before proceeding with the evaluation for the next-largest package. This process will be repeated until developers have been selected for all packages.

Compliance Review ("Disqualifiers"):

Tax Delinquency Review. The City of Boston Collector-Treasurer's Office will conduct a review of the selected applicant's property tax history. The selected applicant cannot be delinquent in the payment of taxes on any property owned within the City of Boston. The selected applicant must cure any such delinquency prior to the Tentative Designation of the Property. If the selected applicant has been foreclosed upon by the City of Boston for failure to pay property taxes, then said applicant will be deemed ineligible for Tentative Designation of the Property offered pursuant to this RFP, unless such applicant promptly causes the decree(s) or judgment(s) of foreclosure to be vacated by the Land Court and the City made whole. MOH, in its sole discretion, shall determine the timeliness of the selected applicant's corrective action in this regard and will disqualify the applicant

if vacating the tax-title foreclosure is not prosecuted expeditiously and in good faith, so as to avoid undue delay.

Water and Sewer Review. The City of Boston Water and Sewer Commission will conduct a review of the selected applicant's water and sewer account(s). The selected applicant cannot be delinquent in the payment of water and sewer charges on any property owned within the City of Boston and, if found to be delinquent, must cure such delinquency prior to a vote request to the Public Facilities Commission for Tentative Designation of the Property.

Property Portfolio Review. The City will review the selected applicant's portfolio of property owned to ascertain whether there has/have been abandonment, Inspectional Services Department (ISD) code violations or substantial disrepair. If unacceptable conditions exist in the selected applicant's property portfolio, MOH may deem the selected applicant ineligible for Tentative Designation of the Property.

Prior Participation Review. The City will review the Applicant's prior participation in any City of Boston programs, including MOH programs, to ascertain Applicant's previous performance. Applicants found to have not fulfilled their duties or obligations under previous agreement with the City may be deemed to be ineligible for Tentative Designation of the Property.

Employee Review. Neither the Applicant, nor any of the Applicant's immediate family, nor those with whom s/he has business ties may be currently, or have been within the last twelve (12) months, an employee, agent, consultant, officer, or an elected official of the City of Boston, including MOH. An "immediate family member" shall include parents, spouse, siblings or children, irrespective of their place of residence. Any applicant who fails to satisfy this requirement may be deemed to be ineligible for Tentative Designation of the Property.

Equal Opportunity Housing. The City administers its programs in accordance with federal, state and local equal opportunity and fair housing laws, regulations and requirements. This includes affirmatively furthering fair housing and providing equal access to information about development opportunities.

Fair Housing Review. The Boston Fair Housing Commission will screen applicants for the property offered pursuant to this RFP. Applicants must not have any unresolved housing discrimination complaints or convictions for violating fair housing laws.

Community Participation

MOH has standard community participation policies and procedures. These are designed to:

- Ensure that community residents and local leaders are fully informed about the sale of any real estate sold by MOH.
- Create a uniform and timely structure for this process so that applicants and residents alike have a clear understanding of how the process works, enabling both to more effectively plan for and participate in the project development process; and
- Promote equal opportunity and fair housing in the disposition of residential sites.

MOH works closely with neighborhood groups and local residents in new construction projects involving city-owned property. This involvement calls for substantial participation by the neighborhood at all stages of planning. As noted earlier, MOH recognizes its community partner, the Highland Park Project Review Committee; MOH and the HPPRC have collaborated on identifying and assessing best uses for public land in Highland Park, and in the case of the Marcella and Highland Streets RFP, co-sponsored community meetings to establish development and design guidelines for the RFP.

The HPPRC will work with MOH and the BPDA to assess and review applications, make developer recommendations and ensure that development plans are consistent with RFP guidelines. The planning disposition and development process, as followed in Highland Park, includes the following steps:

- **Planning Meetings:** MOH, with HPPRC as community partner, holds public meetings with neighborhood residents and abutters to discuss use options and other development criteria for the parcel.
- **Developer Presentation:** MOH, with HPPRC as community partner, holds a public meeting for the developers whose RFP submissions meet Minimum Eligibility Criteria to make detailed presentations to the neighborhood in order to receive comment and recommendations on their proposals.
- **Qualified Developer Selected:** The Selection Team, based on its review of applications against Evaluation Criteria, as set forth in Section 9 – “Evaluation Process,” will recommend developers to the Director of MOH, who in turn will recommend the designation of developers through the Public Facilities Commission.

Award of Contract and Development Schedule

The City, acting by and through its Public Facilities Commission by the Director of MOH, seeks qualified proposals to acquire and develop multiple vacant land parcels in two separate development packages currently owned by the City, located on Marcella and Highland Streets in the Highland Park neighborhood of Roxbury in Boston. The RFP seeks qualified proposals to develop the two parcel packages for housing purposes. The City will award contracts to the most advantageous proposals from responsive and responsible applicants, taking into consideration all evaluation criteria.

Proposal Review

MOH staff review of proposals will begin promptly after the submission deadline. If the proposal does not meet the Minimum Eligibility Criteria of the RFP, MOH shall terminate further consideration of the proposal. In the event of minor informalities in a proposal, MOH may attempt to seek clarification in order to determine whether it meets Minimum Eligibility Criteria, but reserves the right to declare the proposal non-responsive.

MOH staff may interview applicants to solicit clarifying information on their application and on their ability to finance and complete the project. Further evaluation may include site visits to other buildings constructed by the Applicant, a review of references, and/or examination of additional financial or design information.

MOH reserves the right to award contracts to multiple Applicants, to reject any or all proposals, to waive any informality in the proposal process, or to cancel in whole, or in part, this solicitation if it is in the best interest of the City to do so. An application may be rejected if it is incomplete, illegible, or

conditional. MOH reserves the right to obtain opinion of Counsel regarding the legality and sufficiency of proposals. The contract will be awarded, if at all, to the most advantageous proposal from a responsive and responsible applicant, taking into consideration all evaluation criteria.

Developer Designation

MOH staff, after Selection Team recommendations, will recommend developers to the Director of MOH, based on the Selection Team's review of proposals against Evaluation Criteria set forth in Section 9 – "Evaluation Process." In turn, the Director will make developer recommendations to the Public Facilities Commission which, if in agreement, will vote a designation of "Tentative Developer" for each of the development Packages.

Following Tentative Developer Designation, all applicants will be notified of their status. MOH will outline conditions of The Tentative Developer Designation in a letter to Successful Applicants. MOH staff will work with the Successful Applicants to meet and finalize development tasks and timelines outlined in the Developer Designation letter.

Upon successfully meeting Developer Designation tasks, MOH staff will recommend a property Conveyance for the parcels in the development Packages to the Director of MOH. In turn, the Director will make recommendations to the Public Facilities Commission which, if in agreement, will vote a Conveyance of each of the properties in the development Packages.

MOH's legal counsel will then prepare all necessary conveyance documents. Each property will be conveyed "AS IS" and without warranty or representation as to the status or quality of title. The purchaser shall to the fullest extent permitted by law assume any and all liability for the property, including that liability related to environmental remediation under Chapter 21E of the Massachusetts General Laws.

Marketing

The Successful Applicants are responsible for all marketing tasks associated with the marketing of the units, including income certifications to determine income eligibility for all proposed homebuyers, and meeting all MOH policies and funding requirements Successful Applicants must identify the marketing agent, if any, and outline the marketing plan for the development and demonstrate that the units will be affirmatively marketed and that a fair and open process for buyer selection will be followed.

Developers are also required to list the availability of the ownership or rental opportunities with the BFHC Metrolist.

- i. Affirmative Marketing and Tenant Selection. Developers of 5 or more units for rent or for sale are required to submit an Affirmative Marketing and Tenant Selection Plan to the Boston Fair Housing Commission (BFHC). The plan must be approved by the BFHC prior to project closing.
- ii. Metrolist. Developers of newly created units which will be available for rent are required to list the availability of such housing with Metrolist.

Development Schedule

Below is the predetermined Development Schedule. The applicant's failure to meet these established benchmarks may be grounds for de-designation of the project. Should this occur, MOH reserves the right to assume any and all contracts associated with the project.

| TASK | DATE |
|--|---|
| RFP Available on MOH Website | May 2, 2022 |
| Applicant Conference | May 25, 2022 1:00-2:00 p.m. Register using the following link: https://boston.gov.zoom.us/meeting/register/tZUuf--spj8qG91qa7fXKSt7W0my1yDKrL-k |
| Proposal Submission Due Date | June 30, 2022 |
| MOH Presents Eligible Applicants to Community | Week of July 25, 2022 |
| PFC Tentatively Designates Developer | September 2022 |
| Article 80 Approval | February 2023 |
| Zoning Board of Appeal Hearing (if applicable) | March 2023 |
| Closing | September 2023 |
| Construction Begins | November 2023 |
| Construction Completed | November 2024 |
| Full Development Lease Up | June 2025 |

Withdrawal of Proposals

Applications may be withdrawn either personally, by written request or by electronic request at any time prior to the scheduled closing time of receipt of proposals.

Questions

The MOH contact is Kirsten Studlien; her contact information is as follows:

Phone: (617) 635-0102

E-mail: kirsten.studlien@boston.gov

Disclaimer: MOH will attempt to communicate any changes/addenda to this RFP; however, it is the Applicant's responsibility to check the MOH's website regularly for any updates, corrections or information about deadline extensions.

10. TERMS AND CONDITIONS

- **Assumption of Risk.** The City accepts no financial responsibility for costs incurred by Applicants in responding to this Request for Proposals. Applicants are responsible for any and all risks and costs incurred in order to provide the City with the required submission.
- **Public Property.** Proposals submitted to MOH will become property of the City. After opening, all proposals become public documents and are subject to the requirements of the Massachusetts Public Records Law (M.G.L. c. 4, § 7(26)).
- **Terms of Sale.** After a final proposal has been selected, the Successful Applicant will be contacted by MOH to finalize the terms of the sale. The terms of the sale will and MUST be

consistent with this Request for Proposals, including the advertised purchase price and Project Requirements.

- **Design Review.** The Successful Applicant must coordinate with and obtain MOH's approval of proposed building elevations prior to submission to the BPDA, ISD, and any other authority having jurisdiction. Acceptance of a Proposal in response to this RFP does not constitute approval of proposed designs.
- **"As Is" Conveyance.** MOH will convey the property in "AS IS CONDITION" without warranty or representation as to the status or quality of title. The Successful Applicant/Buyer shall, to the fullest extent permitted by law, assume any and all liability for environmental remediation pursuant to Chapter 21E of the Massachusetts General Laws. Finally, any and all site improvements, such as utility connections and/or street repairs, are the responsibility of the Successful Applicant.
- **Monitoring.** The Successful Applicant must coordinate and comply with MOH's regular on-site monitoring of the proposed development from construction through final completion, providing reports on progress, schedule, and budget as requested by MOH.
- **Negotiations.** MOH reserves the right to negotiate for changes to the selected proposal. These negotiations may encompass values described in the Request for Proposal, as well as values and items identified during the Request for Proposal and negotiation process. On the basis of these negotiations, MOH may decline to sell the property even after the selection process is complete and negotiations have begun.
- **Restrictions on Transfer.** Unless authorized in writing by MOH, the Successful Applicant may not substantially alter the use of the property; permanently cease operations; transfer title of the property; or have any unauthorized financial liens placed on the property. Such actions will trigger a reversionary clause in the deed, automatically transferring title of the Property back to MOH.
- **Payment.** Unless otherwise agreed to by MOH in writing, the Successful Applicant is required, at the time of conveyance, to make full payment for the Property by Treasurer's or Cashier's Check. In addition, the Successful Applicant will be responsible for paying all recording and registration fees (including the cost of recording the deed and conveyance documents at the Suffolk County Registry of Deeds), and making a pro forma tax payment.
- **Reservation of Rights.** MOH reserves the right to postpone or withdraw this RFP; to accept or reject any and all proposals; to modify or amend the terms of this RFP through an addendum; to waive any informality, and to interview, question and/or hold discussions regarding the terms of any proposal received in response to this RFP. MOH reserves the right to cancel a sale for any reason. MOH reserves the right to select the next highest ranked proposal, if the initially Successful Applicant is unable to proceed in a timely manner or otherwise fails to satisfactorily perform. MOH reserves the right to waive any requirement or restriction set forth in this RFP or conveyance documents, if such waiver is deemed appropriate by MOH, in its sole discretion.
- **Changes to Program.** MOH reserves the right to change aspects of the development program outlined in this RFP, using its best judgment as to the needs of the program and the furtherance of its mission, provided that the rights of the Applicants are not prejudiced.

MOH THANKS YOU FOR YOUR INTEREST

11. POLICIES, CHECKLIST AND APPENDICES

MOH Development and Underwriting Policies

All proposals seeking MOH funding through its funding Request for Proposals will be expected to comply with MOH's housing development and underwriting policies as listed below and on MOH's website at:

<https://www.boston.gov/departments/neighborhood-development/neighborhood-development-housing-policies>

Submission Checklist

- Introduction
- Development Plan
- Diversity and Inclusion Plan
- Operational Plan
- Developer Qualifications, Experience and References
- Permits/Licenses
- Additional Data
- Required Forms

Required Forms

Each of the following forms MUST be completed and returned with your proposal. These are links to fillable forms. Remember to select "save as" on your computer before printing to ensure you retain an electronic copy.

- [Proposal Form](#)
- [Statement of Qualifications](#)
- [Project Summary](#)
- [Affidavit of Eligibility](#)
- [Applicant's Disclosure of Property Owned](#)
- [Conflict of Interest Affidavit](#)
- [One Stop Career Centers List](#)
- [Construction Employment Statement](#)
- [Chapter 803 Disclosure Form](#)
- [Beneficiary Affidavit](#)
- [Beneficiaries of Assistance](#)
- [DND Mixed Income Proforma](#)



CITY OF BOSTON □ □ MASSACHUSETTS

MAYOR'S OFFICE OF HOUSING
MICHELLE WU, MAYOR

ADDENDUM NO: One (1)

DATED: May 6, 2022

To: All Potential Applicants

For: Request for Proposals: "Highland/Marcella Site Packages"

**MAYOR'S OFFICE OF HOUSING
12 CHANNEL STREET
BOSTON MA 02210**

This addendum modifies, amends, and supplements specified parts of the Request for Proposals: Highland/Marcella Site Packages, Roxbury, and is hereby made a part thereof by reference, and shall be as binding as though inserted in its entirety in the locations designated hereunder. Whenever portions of any addendum are in conflict with a previous addendum, the addendum bearing the latest date shall govern. No claim for additional compensation, due to the lack of knowledge of this addendum will be considered. Potential Applicants are hereby notified of the following revisions:

Page 4: "Public Funding;" DELETE language in Table in its entirety and replace it with:

"Applicants may apply for MOH funding up to \$150,000 per affordable unit if qualified. All applicants are required to be in compliance with MOH policies. <https://www.boston.gov/departments/housing/policies>. To qualify for funding from MOH, proposals for homeownership must be for units affordable to households earning 80%-100% of Area Median Income (AMI). Funding eligibility also requires that at least half of affordable units included in a proposed development be affordable to households earning 80% AMI or below.

Page 8: "Mayor's Office of Housing" section: 1st sentence, DELETE "if it is justified by the budget"; 2nd and 3rd sentence, DELETE in its entirety.

Page 11: "Affordability," DELETE language in its entirety and replace with "To qualify for funding from MOH, proposals for Package 3 must be for units affordable to households earning 80%-100% of Area Median Income (AMI). Funding eligibility also requires that at least half of the affordable units included in a proposed development be affordable to households earning 80% AMI or below."

Page 13: "Affordability," DELETE language in its entirety and replace with "To qualify for funding from MOH, proposals for Package 5 must be for units affordable to households earning 80%-100% of Area Median Income (AMI). Funding eligibility also requires that at least half of the affordable units included in a proposed development be affordable to households earning 80% AMI or below."

Page 15: "Affordable and Work Force Housing," 2nd paragraph, DELETE "and 1/3 market rate".

Page 21: "Operational – Affordability": 1st paragraph DELETE 1st sentence in its entirety and replace with "To qualify for funding from MOH, proposals for homeownership must be for units affordable to households earning 80%-100% of Area Median Income (AMI). Funding eligibility also requires that at least half of the affordable units included in a proposed development be affordable to households earning 80% AMI or below," and 2nd paragraph DELETE 2nd sentence in its entirety.

Page 36: "Development Schedule," DELETE Table in its entirety and replace with: "The anticipated predevelopment period and development timeline will be accelerated based on the availability of MOH funds, and it is expected that homeownership development projects subsidized with MOH funds will proceed to permitting and commence construction within nine (9) months of designation by MOH."

Sheila A. Dillon
Chief and Director
Mayor's Office of Housing