

PASADENA COMMUNITY DEVELOPMENT COMMISSION

REQUEST FOR PROPSALS

VERY LOW-INCOME SENIOR RENTAL HOUSING

HERITAGE SQUARE

N. FAIR OAKS AVENUE AT ORANGE GROVE BOULEVARD, PASADENA, CA 91103

FEBRUARY 10, 2011

HOUSING DEPARTMENT 649 N. FAIR OAKS AVENUE, SUITE 202 PASADENA, CA 91103

PROPOSALS DUE: April 14, 2011

REQUEST FOR PROPOSALS

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The City of Pasadena Housing Department gratefully acknowledges the assistance provided by Shoshana Wirshup in the preparation of this RFP document.

EXHIBITS

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- Exhibit B Legal Descriptions
- Exhibit C Area Specific Plan and Zoning Requirements
- Exhibit D RFP Schedule
- Exhibit E California Green Building Standards Code
- Exhibit F Living Wage Compliance Certification
- Exhibit G First Source Hiring Ordinance
- Exhibit H Form of Exclusive Negotiation Agreement
- Exhibit I Equal Opportunity Contracting Forms
- Exhibit J Affidavit Of Non-Collusion By Contractor Form
- Exhibit K Taxpayer Protection Amendment and Disclosure Form
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NOTICE REGARDING DISCLOSURE OF CONTENTS OF DOCUMENT

All responses to this Request for Proposal (RFP) accepted by the Pasadena Community Development Commission (Commission) shall become the exclusive property of the Commission. At such time as the Chief Executive Officer recommends a contractor to the Commission, and such recommendation, with any recommended contract appears on the Commission agenda, all proposals accepted by the Commission shall become a matter of public record and shall be regarded as public, with the exception of those elements of each proposal which are defined by the contractor as business or trade secrets and plainly marked as "Trade Secret", "Confidential" or "Proprietary". Each element of a proposal which a contractor desires not to be considered a public record must be clearly marked as set forth above, and any blanket statement (i.e. regarding entire pages, documents or other non-specific designations) shall not be sufficient and shall not bind the Commission in any way whatsoever. If disclosure is required or permitted under the California Public Records Act or otherwise by law, the Commission shall not in any way be liable or responsible for the disclosure of any such records or part thereof.

Pasadena Community Development Commission

REQUEST FOR PROPOSALS FOR VERY LOW-INCOME SENIOR RENTAL HOUSING AT HERITAGE SQUARE

SECTION 1: INTRODUCTION AND BACKGROUND

1.1 Goal

Under this Request For Proposals ("RFP"), the Pasadena Community Development Commission (the "Commission") invites qualified developers to produce a project that will help meet Pasadena's need for high-quality very low-income senior rental housing on Commission-owned property commonly known as the "Heritage Square" development site.

1.2 Site

The Commission acquired the parcels comprising the Heritage Square site (see Site Map, **Exhibit A**) over a period of time in 2004, 2007 and 2008.

The site will be divided evenly to enable residential development on the northern portion and future commercial development on the southern portion. The residential portion of the site consists of approximately 61,475 square feet bounded by Painter Street to the north (200 feet), Wheeler Lane to the east (308 feet), North Fair Oaks Avenue to the west (309 feet), and a new proposed lot line (200 feet) to the south running through the parcel located at 750 North Fair Oaks Avenue. South of the proposed lot line is the commercial development portion totaling approximately 61,475 square feet, bounded by North Fair Oaks Avenue to the west, Orange Grove Boulevard to the south, and Wheeler Lane to the east, The legal descriptions of the parcels comprising the residential portion of the Heritage Square development site are contained in **Exhibit B**.

Current uses on the residential portion of the Heritage Square site include parcels occupied by non-profit Habitat For Humanity (at 770 N. Fair Oaks Ave.) for retail sales, offices and storage; and non-profit Side Street Projects (at 750 N. Fair Oaks Ave.) for art-related purposes including services to artists through workshops and equipment rentals. Side Street Projects occupies a portion of the 750 N. Fair Oaks Ave. parcel, to the east and south of the historic "Decker House" structure (vacant) which is also situated on that parcel. Both Habitat For Humanity and Side Street Projects have leases with the Commission. The Commission will vacate these two properties after the Commission has awarded the project contract to the affordable housing developer selected through the RFP process. There are other vacant structures located at 782-790 N. Fair Oaks Ave. The developer will be responsible for demolishing. all structures on the site except for the Decker House, which the Commission will relocate. The

Commission will retain ownership of the real property underlying the residential portion of the development site and enter into a long-term ground lease agreement with the selected developer.

1.3 Eligible Applicants

Eligible applicants must be experienced affordable housing developers that meet all of the following requirements:

- Completed at least one HUD 202-funded project;
- Completed at least one 9% tax credit-funded project in California;
- Have at least one HUD 202 or 9% tax credit senior rental project in operation for at least 12 months, located in California; and
- Have at least one development team member attend the Mandatory Proposers' Conference (see Section 2.1).

1.4 Development Requirements

The project shall consist of 70 units of rental housing for occupancy by very low income senior citizens at affordable housing cost. The project shall have a minimum of 44 atgrade parking spaces and a maximum height of three stories.

Proposed projects shall be designed to comply with all applicable development standards as summarized in **Exhibit C** ("Area Specific Plan and Zoning Requirements"). Exhibit "C" is provided to give general guidance to prospective proposers. It is not intended to be exhaustive. There may be additional development standards applicable to the project. It is the sole responsibility of the developer to contact the Current Zoning section of the City's Planning Department (626) 744-6777, to ascertain the complete zoning requirements applicable to the project.

Proposed projects shall also be required to meet the City's Amended California Green (CALGreen) Building Code - Tier 1 standard (equivalency of LEED-certified, see Section 3.4d). The complete CALGreen Code can be found at: http://www.documents.dgs.ca.gov/bsc/CALGreen/2010 CA Green Bldg.pdf
For information on the City's CALGreen requirements, please contact Neville Pereira, Planning Department (626) 744-7688.

The public improvements required at the site may include some or all of the following:

- Electrical service
- Water service
- Fire service
- Street lighting and traffic signals
- Sewer laterals
- Off-site cable/phone
- Driveway approach, curb and gutter, and curb ramps

- Street pavement and sidewalks
- Street trees
- Storm drainage
- Property dedications for sidewalk and curb ramps

There may be additional public improvements which the developer will be required to include in the project. It is the sole responsibility of the developer to contact Mr. Dan Rix, City Engineer, at (626) 744-4267, and the Water and Power Department at (626) 744-4495 (power) and (626) 744-7525 (water) in order to ascertain their respective requirements.

SECTION 2: PROPOSAL GENERAL REQUIREMENTS AND RFP SCHEDULE

2.1 Mandatory Proposers' Conference

A mandatory Proposers' Conference will be held for all prospective proposers interested in responding to the RFP and connecting with potential development team members. The conference is scheduled for 10:00 a.m. on Thursday, February 17, 2011 at the Renaissance Plaza Community Room, 649 N. Fair Oaks Ave., Suite 203, Pasadena, CA 91103 (second floor of the Renaissance Plaza shopping center at the corner of Fair Oaks and Orange Grove). A development team member from each applicant must attend this conference in order to be eligible to apply. Attendees will receive a written Proposers' Conference Confirmation.

2.2 Addendum

If any person contemplating submitting a proposal is in doubt as to the true meaning of any part of this RFP, he/she may submit questions via email to James Wong, Housing Department Senior Project Manager at jwong@cityofpasadena.net. Phone questions will not be addressed. The deadline to submit questions is 5:00 p.m., Thursday, March 24, 2011. Responses to questions will be in the form of addenda posted on the City's Housing Department web page at www.cityofpasadena.net/housing. Furthermore, any interpretation or correction of RFP, Commission or City specifications will be made only by addendum, duly issued by the City's Housing Department.

2.3 Proposals Submission

Proposers must submit one (1) original and seven (7) hard photocopies of a complete proposal. The original proposal shall have "ORIGINAL" clearly marked on the cover page and the photocopies shall be clearly marked "COPY" on the cover page. In addition, one (1) exact electronic copy of the proposal on a PC-formatted CD must be submitted. All copies (hard and electronic) must be identical to the original proposal in order to be reviewed. The proposal must use and be organized according to **Form 1:** Proposal Checklist / Table of Contents. It must also include **Form 2:** Proposer Certification and **Form 3:** Development Team Summary.

Proposals must be typed uniformly with 12 point font and single-spaced and must include each item noted on the Proposal Checklist / Table of Contents. Proposals must be clean and suitable for copying. Proposals must be hand-delivered by the due date to:

Pasadena Housing Department 649 N. Fair Oaks Ave., Suite 202 Pasadena. CA 91103

(Located on the second floor of the Renaissance Plaza shopping center at the corner of North Fair Oaks Avenue and Orange Grove Boulevard)

By submission of a proposal, each developer acknowledges receipt of all addenda, if any, emailed or posted on www.cityofpasadena.net/housing.

The schedule for the RFP process is provided in **Exhibit D**.

SECTION 3: EVALUATION CRITERIA AND SCORING

Evaluation of the proposals will be based on the competitive selection process set forth in this RFP. Each proposal will be evaluated by the following criteria and on its own merits for content, responsiveness, conciseness, clarity, relevance, and strict adherence to the instructions in the RFP. Proposals must be specific. All information requested in this RFP must be included and all questions must be answered. For example, "see attached" or "enclosed" will not suffice. If a question does not apply, indicate N/A and explain why. Proposals with missing or incomplete information may be disqualified. Proposals that do not meet threshold requirements specified in this Section 3 will be disqualified. The maximum total points a proposal can receive is 1,000, with additional bonus points for local preference and micro business. The competitive selection evaluation criteria and scoring system are as follows:

Evaluation Criteria and Scoring System:

Maximum Points

3.1 Financial Leveraging Experience: Maximum 200 Points

The long-term managing partner, who must also be the developer, must have a demonstrated track record of leveraging affordable housing funding sources.

a. <u>HUD 202 Funding</u>:

60

The long-term managing partner, who must also the developer, must have received at least one award of HUD 202 funds. Multiple awards for the same project, unless for different phases, will only be counted once. Applicants must submit **Form 4:** HUD 202 Funding Track Record. **Threshold Requirement:** The long-term managing partner, who must also the developer, must have received at least one HUD 202 allocation.

Scoring:

2 HUD 202 Awards: 15 points 4 HUD 202 Awards: 30 points 6 HUD 202 Awards: 45 points 8 or more HUD 202 Awards: 60 points

b. <u>City of Industry Funding:</u>

30

Multiple awards for the same project, unless different phases, will only be counted once. Applicants must submit **Form 5:** City of Industry Funding Track Record.

Scoring:

1 City of Industry award:	6 points
2 City of Industry awards:	12 points
3 City of Industry awards:	18 points
4 City of Industry awards:	24 points
5 or more City of Industry awards:	30 points

c. <u>Tax Exempt Bonds with 4% Tax Credits</u>:

10

Multiple awards for the same project, unless different phases, will only be counted once. Applicants must submit **Form 6:** CA Tax-Exempt Bonds with 4% Tax Credit Funding Track Record.

Scoring:

1 allocation of tax exempt bonds with

4% tax credits in CA:2 points2 allocations:4 points3 allocations:6 points4 allocations:8 points5 or more allocations:10 points

d. <u>HUD 202 with Tax Exempt Bonds and 4% Tax Credits</u>: **50**Multiple awards for the same project, unless different phases, will only be counted once. Applicants must submit **Form 7:** HUD 202 with Tax Exempt Bonds and 4% Tax Credit Funding Track Record.

Scoring:

1 project with an award of HUD 202 funding with an allocation of tax

exempt bonds and 4% tax credits: 25 points 2 or more projects: 50 points

e 9% Tax Credit Allocations:

50

Multiple allocations for the same project, unless different phases, will only be counted once. Applicants must submit **Form 8:** CA 9% Tax Credit Funding Track Record. **Threshold Requirement:** The long-term managing partner, who must

also be the developer, must have received at least one 9% tax credit allocation in California.

Scoring:

2 9% tax credit allocations: 12.5 points 4 9% tax credit allocations: 25 points 6 9% tax credit allocations: 37.5 points 8 or more 9% tax credit allocations: 50 points

3.2 Financial Feasibility and Commission Subsidy Request: Maximum 200 Points A project pro forma must be submitted utilizing HUD 202 with tax exempt bonds, 4% tax credits, City of Industry, AHP, and, if necessary, Commission funds. The maximum Commission capital subsidy is \$1,500,000 which will be in the form of a secured trust deed loan. The Commission will retain ownership of the land and enter into a ground lease agreement with the developer. For purpose of the pro forma: a) the ground lease will have a term of 99 years with a lease payment of \$1 per year; b) the Commission loan will bear interest at the rate of three percent (3%) per annum, with a term of 55 years, repaid annually from project residual receipts. The pro forma must be sensible and realistic.

a. <u>HUD 202 with Tax Exempt Bonds and 4% Tax Credit</u> <u>Pro Forma:</u> 200

The per unit City of Pasadena subsidy requests of the applications passing all threshold requirements will be ranked from lowest requested to greatest requested amount. Applicants must submit:

Form 9 - HUD 202 Development Budget

Form 10 - HUD 202 Development Budget Notes and Assumptions

Form 11 - HUD 202 Tax Credit Calculation

Form 12 - HUD 202 Threshold Basis Limit

Form 13 - HUD 202 Unit Mix and Rents

Form 14 - HUD 202 First-Year Income and Expense

Form 15 - HUD 202 30-Year Cash Flow

Threshold Requirement: Pro forma must be generally sensible and realistic, based on affordable housing industry standards, the current economic environment, and substantially comply with the underwriting requirements of the HUD 202, CDLAC, TCAC, and City of Industry funding sources. The maximum City of Pasadena capital subsidy is \$1,500,000.

Scoring:

Local subsidy request comparative

ranking in the top 1%-25%:

Ranking from 26%-50%:

Ranking from 51-75%:

Ranking from 76%-100%:

120 points
40 points
0 points

Accuracy of proforma including adherence to guidelines of proposed funding sources:

80 points

3.3 Development Team Experience: Maximum 300 Points (plus a 16.67% Local Preference Bonus and a 16.67% Micro Business Bonus)

The development team must have experience developing low-income senior rental housing. The inclusion of local team members is encouraged.

a. <u>Experience of Long-Term Managing Partner who is the</u> Developer:

110

Note: This scoring category does not pertain to development consultants, short term managing general partners or co-partners. Applicants must submit: Form 16: Nonprofit Developer Low-Income Senior Rental Housing Track Record; Financial statements prepared in accordance with generally accepted accounting practices and dated no earlier than 12 months prior to submission of proposal; active Pasadena Business License (if requesting local preference bonus points); evidence of CA Micro Business Certification (if requesting Micro Business bonus points); Developer Resume (5 pages max.); Certificate of Good Standing (not older than 6 months). Threshold Requirement: Must have acceptable financial statements and completed (obtained certificate of occupancy for) 100 units of low-income or below senior rental housing as the long term managing general partner and developer.

Scoring:

Completed 200 low-income or

below senior rental units: 27.5 points

Completed 300 low-income or

below senior rental units: 55 points

Completed 400 low-income or

below senior rental units: 82.5 points

Completed 500 low-income or

below senior rental units: 110 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

b. Architectural Firm of Record:

50

Applicants must submit **Form 17:** Architectural Firm of Record New Attached Multifamily Housing Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), Architect Resume (5 pages max.), valid CA Architectural License **Threshold Requirement:** Must have completed (obtained certificate of occupancy for) 100 new attached

multifamily housing units (not necessarily senior housing)jk as the architect of record or principal of the firm of record.

Scoring:

Completed 200 new attached

multifamily housing units: 12.5 points

Completed 300 new attached

multifamily housing units: 25 points

Completed 400 new attached

multifamily housing units: 37.5 points

Completed 500 or more new

attached multifamily housing units: 50 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

c. <u>Structural Engineering Firm of Record</u>:

5

Applicants must submit **Form 18:** Structural Engineering Firm of Record New Attached Multifamily Housing Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), valid CA Structural Engineer License. **Threshold Requirement:** Must have completed (obtained certificate of occupancy for)100 units of new attached multifamily housing as structural engineer of record or principal.

Scoring:

Completed 100 units of new

attached multifamily housing: 5 points

A 16.67% local preference bonus will be applied.

A 16.67% micro business bonus will be applied.

d. Electrical Engineering Firm of Record:

5

Applicants must submit **Form 19:** Electrical Engineering Firm of Record New Attached Multifamily Housing Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), valid CA Electrical Engineer License. **Threshold Requirement:** Must have completed (obtained certificate of occupancy for) 100 units of new attached multifamily housing as electrical engineer of record or principal.

Scoring:

Completed 100 units of new

attached multifamily housing: 5 points

A 16.67% local preference bonus will be applied.

A 16.67% micro business bonus will be applied.

e. <u>Mechanical Engineering Firm of Record</u>:

5

Applicants must submit **Form 20:** Mechanical Engineering Firm of Record New Attached Multifamily Housing Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), valid CA Mechanical Engineer License. **Threshold Requirement:** Must have completed (obtained certificate of occupancy for) 100 units of new attached multifamily housing as mechanical engineer of record or principal.

Scoring:

Completed 100 units of new

attached multifamily housing: 5 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

f. Civil Engineering Firm of Record:

5

Applicants must submit **Form 21:** Civil Engineering Firm of Record Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), valid CA Civil Engineer License. **Threshold Requirement:** Must have completed (obtained certificate of occupancy for) 10 projects of 1 acre or more as the civil engineer of record or principal.

Scoring:

Completed 10 projects of

1-acre or more: 5 points

A 16.67% local preference bonus will be applied.

A 16.67% micro business bonus will be applied.

g. <u>Landscape Architectural Firm of Record</u>:

5

Applicants must submit **Form 22:** Landscape Architectural Firm of Record Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), valid CA Landscape Architect License. **Threshold Requirement:** Must have completed (certificate of occupancy) 10 projects of 1 acre or more as the landscape architect of record or principal.

Scoring:

Completed 10 projects of

1-acre or more: 5 points

A 16.67% local preference bonus will be applied.

A 16.67% micro business bonus will be applied.

h. <u>Property Management Company</u>:

35

Applicants must submit **Form 23:** Property Management Company Low-Income Senior Rental Housing Current Projects, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), Property Management Resume (5 pages max.). **Threshold Requirement:** Currently managing 100 units of low-income or below senior rental housing in Los Angeles, Orange, San Bernardino, Riverside or Ventura Counties.

Scoring:

Currently managing 200 units of low-income or below senior rental housing in Los Angeles, Orange, San Bernardino,

Riverside or Ventura Counties: 8.75 points
Currently managing 300 units: 17.5 points
Currently managing 400 units: 26.25 points
Currently managing 500 or more units: 35 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

i. <u>General Contractor</u>:

50

Note: This scoring category does not pertain to non-prime building contractors, subcontractors, or construction managers. Applicants must submit **Form 24:** General Contractor New Attached Multifamily Housing Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), General Contractor Resume (5 pages max.), valid CA General Contractor License. **Threshold Requirement:** Must have completed (obtained certificate of occupancy for) 100 units of new attached multifamily housing as the prime general contractor.

Scoring:

Completed 200 units of new

attached multifamily housing: 12.5 points
Completed 300 units: 25 points
Completed 400 units: 37.5 points
Completed 500 or more units: 50 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

j. Service Coordinator Agency:

15

Applicants must submit **Form 25:** Service Coordinator Agency Low-Income Senior Rental Housing Current Projects, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), Service Coordinator Resume (5 pages max.). **Threshold Requirement:** Currently providing service coordination for 3 low-income or below senior rental housing projects with at least 40 units each.

Scoring:

Currently providing service coordination for 4 low-income senior rental housing projects

with at least 25 units each 3.75 points

Currently providing service

coordination for 6 projects: 7.5 points

Currently providing service

coordination for 8 projects: 11.25 points

Currently providing service

coordination for 10 projects: 15 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

k. <u>Construction Manager</u>:

15

Applicants must submit **Form 26:** Construction Manager Pasadena Construction Projects Track Record, active Pasadena Business License (if requesting local preference bonus points), evidence of CA Micro Business Certification (if requesting Micro Business bonus points), Construction Manager Resume (5 pages max.). **Threshold Requirement:** Provided construction management or general contracting services on at least \$1,000,000 worth of construction completed (obtained certificate of occupancy) in Pasadena.

Scoring:

Completed \$1,000,000 worth of construction in Pasadena

15 points

A 16.67% local preference bonus will be applied. A 16.67% micro business bonus will be applied.

3.4 Design: Maximum 150 Points

The design must meet the needs of the users, understand and respond appropriately to the context, incorporate green measures, and generally comply with the area specific plan and the anticipated funders' design requirements.

a. Conceptual Design:

80

Applicants must submit a Design Narrative (two pages max.), Conceptual Design (including at minimum a three dimensional view, site plan with landscaping and parking, floor plans, building section and elevations – all on 11x17 pages). **Threshold Requirement:** 70 units, a maximum of 3 stories, a minimum of 44 at grade parking spaces, and general compliance with the Area Specific Plan & Zoning Requirements, HUD 202, City of Industry, CTCAC, and CDLAC design guidelines.

Scoring:

Overall design, compatibility with future commercial development immediately to the south, and general compliance with Area Specific Plan & Zoning Requirements (Exhibit D), and Design Guidelines for: HUD 202, City of Industry, CTCAC & CDLAC:

up to 80 points

30

30

b. Project Meets the Users' Needs:

This criterion measures the extent to which the proposed project meets the needs of its users. Applicants must submit **Form 27:** Design Advisor Step 5 of 20 - User Activity Checklist (found at www.designadvisor.org).

Scoring:

Based on the quality and consistency of information shown in the conceptual design, design narrative (one page max.), and Design Advisor Step 5 of 20 User Activity Checklist:

up to 30 points

c. <u>Project Understands and Responds to Its Context</u>:
Applicants must submit **Form 28:** Design Advisor Step 6 of 20 – Neighborhood Context Analysis Worksheet (found at www.designadvisor.org,).

Scoring:

Based on the quality and consistency of information shown in the conceptual design, design narrative (one page max.), and Design Advisor Step 6 of 20 – Neighborhood Context Analysis

Worksheet: up to 30 points

d. <u>Green Design</u>:

10

Applicants must submit **Form 29:** Green Design Measures. **Threshold Requirement:** City of Pasadena's Amended California Green (CALGreen) Building Standards Code - Tier 1 standard (meeting the equivalency of LEED-certified). The Tier 1 standard requirements are described in Section A4.601.4.2 and Section A5.601.2.4 of the "California Green Building Standards Code" (**Exhibit E**, pages numbered 32-33 and 35-36). Heritage Square shall be subject to the City of Pasadena CALGreen Tier 1 standard, even though the maximum height of the proposed development is only three stories.

Scoring:

For exceeding threshold requirements: up to 10 points

3.5 Supportive Services Plan: Maximum 50 Points

Accommodations must be made to connect residents with appropriate supportive services.

Supportive Services Plan:

50

Applicants must submit the Supportive Services Plan & Annual Budget. **Threshold Requirement:** Plan must be realistic, appropriate, and financially sustainable.

Scoring:

For plans that include a high degree of realistic, appropriate and financially sustainable supportive service

sustainable supportive services: up to 50 points

3.6 Local Benefit: Maximum 100 Points

The proposal must provide local benefits including local hiring, subcontracting, and purchasing commitments.

a. <u>Local Hiring Commitment</u>:

33.3

Applicants must submit **Form 30:** Local Benefit Commitments. **Threshold Requirement:** The selected developer must comply with the City's First Source Hiring Ordinance, Chapter 14.80 Pasadena Municipal Code (**Exhibit G**) which requires, among other things, that a minimum of 15% of the total project construction labor budget shall be expended on hires of local workers. **Penalty for Substantial Non-Compliance:** Loss of City subsidy.

Scoring:

Ranking in the top 1%-25%:

Ranking from 26%-50%:

Ranking from 51-75%:

Ranking from 76%-100%:

33.3 points

22.2 points

11.1 points

0 points

b. <u>Local Subcontracting Commitment</u>:

33.3

Applicants must submit Form 30: Local Benefit Commitments. Threshold Requirement: None. Penalty for Substantial Non-Compliance: Loss of City subsidy.

Scoring:

Only applications committing to a minimum of 15% local subcontracting will be ranked in this category.

Ranking in the top 1%-33%:

Ranking from 34%-67%:

Ranking from 68%-100%:

33.3 points
22.2 points
11.1 points

c. <u>Local Purchasing Commitment</u>:

33.3

Applicants must submit Form 30: Local Benefit Commitments. Threshold Requirement: None. Penalty for Substantial Non-Compliance: Loss of City subsidy.

Scoring:

Only applications committing to a minimum of 15% local subcontracting will be ranked in this category.

Ranking in the top 1%-33%:

Ranking from 34%-67%:

Ranking from 68%-100%:

33.3 points
22.2 points
11.1 points

SECTION 4: ADDITIONAL PROPOSAL SUBMITTAL REQUIREMENTS

Proposals shall also include the following items:

a. <u>Mandatory Proposers' Conference Confirmation:</u>

A member of the development team must attend the mandatory Proposers' Conference. Proposals must include the Mandatory Proposers' Conference Confirmation (to be provided at the Conference).

b. Proposal Checklist:

Proposals must include **Form 1:** Proposal Checklist / Table of Contents.

c. <u>Proposer Certification</u>:

Proposals must include **Form 2:** Proposer Certification.

d. Proof of Authority:

If the proposer is a corporation, formal proof of the authority of the officer signing the bidder's proposal to bind the corporation must be submitted

with said proposal. A copy of the corporate resolution or minutes can be adequate proof. A simple letter is not sufficient.

e. <u>Development Team Summary Form</u>:

Proposals must include Form 3: Development Team Summary.

f. Project Description Narrative:

Proposals must include a Project Description Narrative not to exceed two pages.

- g. <u>Living Wage Compliance Certification form</u>, completed and signed (see **Exhibit F**).
- h. Written Offer To Enter Into Exclusive Negotiations with the Commission in the event that the proposal is selected. The formal written offer shall be a single-page letter on company stationery, signed by the developer's authorized representative. For reference, a form of the Exclusive Negotiation Agreement is provided in **Exhibit H**.
- i. Equal Opportunity Contracting forms. Each proposer must submit a completed Form AA-1. Failure to submit this form will result in automatic disqualification with no exceptions unless proposer has an approved form on file with the City. Form AA-2 is required to be submitted for projects involving labor or services in excess of \$25,000. Form AA-3 is Optional. Copies of these forms are attached in **Exhibit I**.
- j. Affidavit Of Non-Collusion By Contractor form, completed and signed (see **Exhibit J**).
- k. <u>Taxpayer Protection Amendment Disclosure form</u>, completed and signed, pursuant to the City of Pasadena Taxpayer Protection Amendment of 2000, Pasadena City Charter, Article XVII (see **Exhibit K**).

Proposals which do not include all of the above items may be deemed ineligible.

SECTION 5: SELECTION PROCESS

5.1 Proposals Scoring

Proposals shall be scored by non-conflicted, experienced third-party consultants hired by the Housing Department.

5.2 Proposals Score Appeals

Disqualifications due to unmet threshold requirements cannot be appealed. Proposal scores can be appealed by submission within the appeals period of a one-page appeal, typed uniformly with 12 point font and single-spaced. The proposals score appeals will be heard by the Independent Review Panel which will make any appropriate score adjustments.

5.3 Proposals Score Tie Breakers

In the event of tie scores between proposals, tie-breaking criteria will be applied in the following order: 1) greatest number of local preference development team points, 2) greatest local hiring commitment percentage, 3) greatest local subcontracting commitment percentage, 4) greatest local purchasing commitment percentage, 5) greatest number of very low-income senior rental units developed in Pasadena, 6) greatest number of very low-income senior rental units developed in Los Angeles County, and 7) greatest number of very low income senior units in the five-county area of Southern California (Los Angeles, Orange, Riverside, San Bernardino, Ventura).

SECTION 6: INDEPENDENT REVIEW PANEL

The Independent Review Panel members will consist of five non-conflicted Pasadena residents. One member will be appointed by the Northwest Commission, one by the Fair Oaks Project Area Committee, and three by the Housing Department. The Housing Department's appointees shall have expertise in at least one major aspect of affordable housing and be an active practicing affordable housing professional (e.g., finance, development, design, construction, property management, services, legal, etc.).

SECTION 7: SITE VISITS AND INTERVIEWS

7.1 Site Visits

The three top scoring proposers will each identify one of their existing HUD 202 or 9% tax credit funded senior projects to be visited by the Independent Review Panel. The project must have been in operation for at least 12 months prior to the site visit. The project must be located in California, preferably in Los Angeles, Orange, Ventura, San Bernardino or Riverside Counties. The site visit will include the proposer's representative, resident manager, and at least one resident, preferably a member of the resident advisory committee.

7.2 Interviews

Interviews with each of the three top scoring proposers will be conducted by the Independent Review Panel.

7.3 Site Visit and Interview Scoring

Site visit and interview scoring will utilize a mandatory scoring system with each member of the Independent Review Panel using set scores for 1st, 2nd, and 3rd place comparative rankings. The individual Independent Review Panel member scores will be averaged together to produce a single score per category. Scoring shall be as follows:

Item	1 st Place	2 nd Place	3 rd Place
Design of Projects Visited	50	37.5	25
Maintenance of Projects Visited	50	37.5	25
Resident Involvement & Relations in Projects Visited	25	18.75	12.5
Services Provided or Coordinated in Projects Visited	50	37.5	25
Local Construction Hiring Effort on Projects Visited (to be evidenced with verifiable data provided at time of site visit)	25	18.75	12.5
Local Lease Up Effort on Projects Visited (to be evidenced with verifiable data provided at time of site visit)	25	18.75	12.5
Interview Presentation and Answers to Interview Questions	125	100	75

7.4 Site Visit and Interview Score Appeals

Site visit and interview scores can be appealed by submission within the appeals period of a one-page appeal typed uniformly with 12 point font and single-spaced. The site visit and interview score appeals will be heard by the Housing Director who will be present at the site visits and interviews, and will make any appropriate score adjustments.

7.5 Total Score Tie Breakers

In the event of a tie in total scores (combined scores from site visits and interviews), tie-breaking criteria will be applied in the following order: 1) greatest number of local preference development team points, 2) greatest local hiring commitment percentage, 3) greatest local subcontracting commitment percentage, 4) greatest local purchasing commitment percentage, 5) greatest number of very low-income senior rental units developed in Pasadena, 6) greatest number of very low-income senior rental units developed in Los Angeles County, and 7) greatest number of very low income senior units in the five-county area.

SECTION 8: AWARDING OF THE PROJECT

The site visit and interview scores will be added to the proposal scores to produce final scores. The Housing Department will make a recommendation to award the project to

the highest scoring proposer to the Community Development Committee, City Council Economic Development and Technology Committee, and finally, to the full board of Commission (City Council) which will solely determine which proposer will receive the award of the project.

SECTION 9: EXCLUSIVE NEGOTIATION AGREEMENT

Upon Commission selection of a proposer, Commission and selected Proposer shall enter into an Exclusive Negotiation Agreement ("ENA"), pursuant to which the proposer will have 180 days to negotiate a Disposition and Development Agreement ("DDA") with the Commission. The DDA will set forth the definitive terms and conditions regarding the development of the project. The Commission may extend the negotiation period if it determines there is reason to do so. A form of the ENA is included as **Exhibit G**. The ENA outlines the terms, period of negotiations, and the general obligations of the Commission and the selected proposer.

SECTION 10: GOOD FAITH DEPOSIT

Prior to the Commission's execution of the ENA, the selected proposer will be required to make a good faith deposit in the amount of \$5,000.00, posted in a form acceptable to the Commission. The good faith deposit may be applied to the proposer's required equity contribution at the project construction closing. If the negotiations do not culminate in a DDA with the Commission, and if the proposer has shown good faith in the negotiation period, the deposit will be returned. The Commission shall have no further liability to the proposer for failure to reach agreement with the proposer other than the return of the deposit.

SECTION 11: INSTRUCTIONS AND QUESTIONS

City representatives from whom the developer will receive instructions or to whom the developer should direct questions regarding the RFP:

James Wong, Senior Project Manager City of Pasadena Housing Department 649 N. Fair Oaks Avenue, Room 202 Pasadena, CA 9ll03

(626) 744-8316 jwong@cityofpasadena.net

Unless otherwise specified in this RFP, do not contact any other City employee or official regarding this RFP.

SECTION 12: ADDENDUM

SECTION 13: GENERAL SPECIFICATIONS

13.1 Definitions

The words (A) "City", (B) "Department", and (C) "Proposer/Developer", as used in this Request for Proposals ("RFP"), shall be understood to refer respectively to (A) the Pasadena Community Development Commission; (B) the City of Pasadena, California; (C) the City's Housing Department; and (D) the person, firm or corporation from whom the Offer to Negotiate Exclusively ("Offer") is accepted by the City, or the agent or legal representative who may be appointed to represent such person, firm or corporation in the signing and performance of said Offer.

13.2 Pasadena Living Wage Ordinance

The contract awarded through this RFP is subject to the City of Pasadena's Living Wage Ordinance, Pasadena Municipal Code Chapter 4.11. The Ordinance requires that contractors providing labor or services to the City under contracts in excess of \$25,000:

- ◆ Pay no less than ten dollars and twenty-six cents (\$10.26) per hour plus medical benefits of no less than one dollar and seventy-six cents (\$1.76) per hour, or twelve dollars and two cents (\$12.02) per hour without medical benefits to all employees who spend any of their time providing labor or delivering services to the City of Pasadena. Additionally, in January 2012 and each January thereafter the Living Wage rate shall be adjusted by the change in the Consumer Price Index, for the Los Angeles-Riverside-Orange County area, for the most recently available 12 month period. Accordingly, current City contractors will be required to adjust wage rates no later than July 1st, to remain in compliance.
- Notify employees who spend any of their time providing labor or delivering services to the City of Pasadena who make less than twelve dollars (\$12) per hour of their possible right to the federal Earned Income Tax Credit (EITC) under § 32 of the Internal Revenue Code of 1954, 26 U.S.C. § 32, and

making available to such employees forms required to secure advance EITC payments.

The selected contractor will be required to evidence compliance with the Living Wage Ordinance by submitting payroll records as requested by the City. Each record shall include the full name of each employee performing labor or providing services under the contract; job classification; rate of pay and benefit rate.

On August 4, 2008, the Pasadena City Council amended the Living Wage Ordinance such that the provisions of the Living Wage Ordinance may be waived in a bona fide collective bargaining agreement, but only if the waiver is explicitly set forth in clear and unambiguous terms. If this provision applies, contractor must provide a copy of the collective bargaining agreement to the City.

A completed and signed Living Wage Compliance Certification form (**Exhibit F**) is required to be submitted with the proposal. Failure to comply with the provisions of the Pasadena Living Wage Ordinance may result in termination of the contract and is a basis for penalties stated in Pasadena Municipal Code Chapter 4.11. Questions concerning the Pasadena Living Wage Ordinance should be directed to the Purchasing Division 626.744.6755.

13.3 First Source Ordinance - Local Hiring

This project is subject to the City's First Source Local Hiring ordinance, Chapter 14.80 of the Pasadena Municipal Code (see **Exhibit G**). The selected developer will be required to enter with the City a First Source Local Hiring Agreement.

13.4 Certificate of Insurance

Proof of insurance is not required to be submitted with the proposal, but will be required prior to the City's award of the contract. The City's standard insurance requirements are described in **Exhibit L**. These requirements are subject to change at the City's sole discretion.

13.5 Equal Opportunity Contracting

Policy - The City of Pasadena is committed to a policy of Equal Opportunity Contracting. Qualified firms including small businesses and businesses owned by women, minorities, and disabled persons are encouraged to submit bids or proposals. Contractors expressly agree to comply with the City's ordinances and regulations regarding Equal Opportunity Employment as well as regulations that may be mandated by the source of the funds supporting this contract.

Compliance – To the extent permitted by law, Contractor expressly agrees to establish compliance with the Equal Employment Opportunity Practices Provisions of Chapter 4.08 of the Pasadena Municipal Code, and the Rules and Regulations adopted pursuant to said ordinance.

The successful bidder may be required to submit documentation during the term of the contract to evidence on-going compliance with the City's Contracting Ordinance. Such documentation may include, but not be limited to certified payroll records and Current Permanent Workforce Utilization reports (see **Exhibit I** "Equal Opportunity Contracting" forms).

Questions regarding the City of Pasadena's Contracting Ordinance and policy should be directed to the Department of Finance, Purchasing & Payables Division 626.744.6755.

13.6 Proof of Authority

If the proposer is a corporation, formal proof of the authority of the officer signing the bidder's proposal to bind the corporation must be submitted with said proposal. A copy of the corporate resolution or minutes can be adequate proof. A simple letter is not sufficient.

13.7 Withdrawal of Proposal

Any bidder may withdraw its proposal, either personally or by telegraphic or written request at any time prior to the time set for the opening of proposals.

13.8 Firm Commitment of Availability of Services

Once a proposal is opened, a proposer is expected to maintain an availability of service as set forth in its proposal for at least four months after date for opening proposals.

13.9 Reservations

The City reserves the right to reject any or all bids and any item or items therein, and to waive any non-conformity of proposals with this RFP, whether of a technical or substantive nature, as the interest of the City may require.

13.10 Affidavit of Non-Collusion

Each proposer shall submit a single copy of the Affidavit of Non-collusion included herein (**Exhibit J**, hereto, entitled "Affidavit of Non-Collusion by Contractor").

13.11 Document to be Construed Together

The Request for Proposals, the Proposal, the Non-Collusion Affidavit, and all documents referred to in the complete specifications and the Contract to be entered into between the Contractor and the City, and all modifications of said documents, shall be construed together as one document.

13.12 Errors and Omissions

Proposer and/or the Contractor shall not be allowed to take advantage of any errors in or omissions from in the Request For Proposals. Full instructions will be given if such error or omission is discovered and timely called to the attention of the City.

13.13 RFP Not Contractual

Nothing contained in this Request for Proposals shall create any contractual relationship between the proposer and the City. The City accepts no financial responsibility for costs incurred by any proposer regarding this RFP.

13.14 Patent Fees; Patent, Copyright, Trade Secret and Trademark Fees

Each proposer shall include in the price bid any patent fees, royalties and charges on any patented article or process to be furnished or used in the prosecution of the Work.

13.15 Taxes

Price bid shall include all federal, state, local and other taxes.

13.16 Taxpayer Protection Amendment

Under the provisions of the City of Pasadena Taxpayer Protection Amendment of 2000 ("Taxpayer Protection Act"), the Contractor will be considered a "recipient of a public benefit." The full provisions of the Taxpayer Protection Act are set forth in Pasadena City Charter, Article XVII. Under the Taxpayer Protection Act, City public officials who approve this Contract are prohibited from receiving gifts, campaign contributions or employment from Contractor for a specified time. This prohibition extends to individuals and entities that are specified and identified in the Taxpayer Protection Act and includes Contractor and its trustees, directors, partners, corporate officers and those with more than a 10% equity, participation, or revenue interest in Contractor. Contractor understands and agrees that: (A) Contractor is aware of the Taxpayer Protection Act; (B) Contractor will complete and return the forms provided by the City in order to identify all of the recipients of a public benefit specified in the Taxpayer Protection Act; and (C) Contractor will not make any prohibited gift, campaign contribution or offer of employment to any public official who approved this Contract. Proposals shall include submittal of completed Taxpayer Protection Act disclosure form (see **Exhibit K**).

13.17 No Commitment to Award

The Commission's issuance of this RFP and receipt of proposals does not commit the Commission to award a contract. The Commission expressly reserves the right to postpone proposal opening for its own convenience, to accept or reject any or all proposals received in response to this RFP, and/or to cancel all or part of this RFP.