



## Request for Qualifications

### CH. 40B COMPREHENSIVE PERMIT TECHNICAL ASSISTANCE PROGRAM

#### Consulting Services

April 2011

Massachusetts Housing Partnership (MHP) seeks statements of qualifications from consultants for its Ch. 40B Comprehensive Permit Technical Assistance Program. MHP is a quasi-public state agency that provides financing for affordable housing and helps cities and towns increase their supply of affordable housing. MHP provides funding through this program for municipalities to engage qualified third-party consultant individuals or teams to increase local capacity and assist zoning board of appeals (ZBA) to review comprehensive permit applications pursuant to M.G.L. c. 40B.

Cities and towns are eligible for awards of up to \$15,000<sup>[1]</sup> per project to fund third-party technical assistance through the MHP program. Municipalities select the consultant from a list of pre-qualified consultants provided by MHP and payments to the consultants are made by MHP at the city or town's direction. MHP directly engages consultants on behalf of the municipality.

#### Role and Requirements of Program Consultants

Consultants work directly with the local ZBA on the review of a specific 40B permit request. The consultant's tasks may include, but are not limited to: training the ZBA and other town boards on their roles, rights and responsibilities; assisting the ZBA in review of the permit application for completeness and appropriateness; assisting the ZBA in identifying key issues and impacts associated with the development, including areas that may warrant technical review under M.G.L. c.44 sec. 53G; facilitating discussions between the ZBA and the applicant; and reviewing the impact of permit conditions on the project's financial "pro forma". The consultant may assist the ZBA with negotiations throughout the hearing process as appropriate. Consultants are expected to attend relevant ZBA hearings during the review process, although the consultant is not expected to attend all the hearings for a given project. Consultants may review draft permit decisions for the ZBA but may not take the place of a town counsel or city solicitor, whose guidance is strongly recommended by MHP for all 40B permit decisions.

Consultants selected by the MHP Ch. 40B Technical Assistance Program must be familiar with and willing to adhere to 760 CMR 56.00 Comprehensive Permit: Low or Moderate Income Housing and DHCD's Comprehensive Permit Guidelines ([www.mass.gov/DHCD](http://www.mass.gov/DHCD)). Failure to provide a community with technical assistance consistent with these regulations and guidelines could result in the loss of qualification status under the MHP program.

MHP Ch. 40B consultants may be asked to participate in periodic meetings, held for the purpose of sharing information, reviewing new regulations or guidelines, and updates on relevant Housing Appeals Committee (HAC) decisions and court cases. Consultants new to the program may be required as a condition of being selected to participate in training as deemed necessary by MHP. Time spent in these meetings or trainings is not eligible for compensation from MHP.

Consultants selected to provide assistance to municipalities under the MHP 40B Technical Assistance Program will be evaluated periodically by MHP. MHP reserves the right to discontinue the use of a qualified consultant for unacceptable performance that does not meet the standards of the program. Consultants must agree to the MHP payment schedule and approved hourly rate.

### **Qualifications (either individual or team):**

---

MHP is seeking well qualified and experienced individuals or teams for this program. To qualify to participate in this program, consultants should have significant expertise in Ch. 40B rental and homeownership projects, as well as a thorough understanding and depth of experience in the housing development process.

#### **Qualifications shall include:**

1. Experience with Zoning Board of Appeals and local officials, including experience relevant to Ch. 40B developments.
2. A minimum of eight years experience in planning, zoning, land use, or affordable housing.
3. Availability to attend evening ZBA and other municipal meetings across the state.

### **Submission Requirements**

---

Submit the following information to MHP:

1. Resume for respondent and team members (if applicable).
2. Submit the name, phone number, mailing and e-mail address of three municipal references.
3. Provide a written response to the following:
  - a) Describe how you meet the minimum qualification requirements 1 - 3 as stated above.

- b) Describe your experience with the housing development process; your experience as a developer, lender, municipal official, attorney or land use consultant; and your experience with site planning, financial feasibility, legal issues and affordable housing.
- c) Describe your experience with Ch. 40B regulations, requirements and practice. Describe how you will incorporate the new MHP Guidelines into the consulting process.
- d) Describe your relevant experience working with developers and municipalities.
- e) Describe development projects you have worked on and your role where outcomes were successfully negotiated.

4. Hourly rate and rate charged for travel.

Responses to this RFQ are due at MHP **by 5pm on Friday, June 17, 2011**. Responses should be submitted via mail or e-mail. Respondents will receive written confirmation of receipt and will be notified of the qualifying status once the review process is complete.

Responses to this RFQ should be sent to:

Dina Vargo  
Massachusetts Housing Partnership  
160 Federal St.  
Boston, MA 02110  
dvargo@mhp.net

Any questions you have may be directed to Dina Vargo, MHP, at the above address or, 617-330-9944 ext. 260.

---

<sup>[1]</sup> MHP funds up to \$15,000 for the municipality's first 40B review under the program and \$10,000 for subsequent request for assistance after the first project.