

PUBLIC NOTICE

TOWN OF YARMOUTH

REQUEST FOR PROPOSALS
AFFORDABLE HOUSING CREATION

PUBLICATION DATE March 29, 2012

The Town of Yarmouth Municipal Affordable Housing Trust is seeking proposals from qualified developers and project proponents to create new affordable housing units in Yarmouth, Massachusetts.

Copies of the Request for Proposal (RFP) may be obtained at the Town of Yarmouth Department of Community Development, 1146 Route 28, South Yarmouth, MA beginning at 8:30 am on March 29, 2012.

Selection criteria are included in the detailed RFP. Proposals must be received at the Town of Yarmouth Department of Community Development, 1146 Route 28, South Yarmouth, MA by 4:30 p.m. on April 26, 2012.

The Town of Yarmouth reserves the right to reject any or all proposals, to waive any informalities in the proposals received, and to accept the proposal which is most advantageous to the Town.

William G. Hinchey, Town Administrator

**TOWN OF YARMOUTH
REQUEST FOR PROPOSALS
AFFORDABLE HOUSING CREATION**

INTRODUCTION AND REQUEST FOR PROPOSALS

The Town of Yarmouth Affordable Housing Trust is seeking proposals from qualified developers and project proponents of affordable housing to utilize a minimum of \$190,000 in available funds to develop and create new affordable rental housing units and a minimum of \$70,000 in available funding to create new affordable homeownership housing units in Yarmouth, Massachusetts. Only proposals with affordable dwelling units which are restricted affordable in perpetuity, comply with the Town's Affordable Housing Standards, and are eligible for inclusion in the Massachusetts Ch. 40B Subsidized Housing Inventory (SHI) shall be considered. Furthermore only proposals where the affordable dwelling units are created under a Town Zoning Bylaw, with a Special Permit, or a Local Initiative Program (LIP) "Friendly" Ch 40B Comprehensive Permit shall be considered. Proposals for affordable rental housing should be submitted separately from proposals for affordable homeownership housing.

Funding is immediately available and the Town wishes to start this program upon respondent selection. The funds will be provided in the form of a 3-year, 0% interest, deferred payment loan. The loan shall be due in three years unless an affordable regulatory agreement or deed rider has been recorded on the property, at which point the loan shall be forgiven. The successful respondent will work closely with the Town of Yarmouth's Affordable Housing Trust, the Department of Community Development and the Massachusetts Department of Housing and Community Development (DHCD).

Eligible uses of funding include:

- Acquisition of real property for the creation of new affordable housing. Acquisition cannot be made through a foreclosure auction; and/or
- Construction of new affordable housing including the reuse and rehabilitation of existing buildings.

PROPOSAL CONTENT

Proposals shall be organized as outlined below and shall contain the following (at a minimum):

Technical (Non-Price) Proposal

- Letter of Interest - Indicate interest in the project.
- Proposal – Describe the current and proposed conditions of the project including the address, Town Assessor's Map and Lot, site dimensions, building(s) dimensions, zoning, frontage, parking and curb cuts. Describe the proposed dwelling units including the number, dimensions, and bedrooms/bath count and, if mixed use, the commercial space. Clearly identify the proposed affordable units. Describe how the respondent will successfully create and permit the new units, finance the project, market the affordable units in compliance with DHCD Rules and Regulations, and how the units will be accepted on the CH 40B Subsidized

Housing Inventory (SHI) . The proposal shall be provided in a concise manner and address the selection criteria described below.

- Project schedule and time line - Indicate the project schedule and time line. Show how the work will be completed within three (3) years of the execution of a contract.
- Proposer Background – Provide a general, brief description of proposer including history, size and staff make-up. Proposals submitted should list key staff members to be assigned to this project and attach resumes with their qualifications, and describe area(s) of responsibility for the project.
- Project Owners and Investors – Provide a list of all persons and parties with in interest in the property or investing in the project.
- Related Experience - Describe similar projects (completed and in-process) including work performed for clients, project scope, budget, and year work was completed. Please describe your background in affordable housing development, funding and administration. Describe your experience with affordable housing marketing, lotteries and tenant/buyer selection. Describe your experience in construction and property management/realty sales.
- Insurance Coverage - Evidence of insurance coverage for the proposed services. Required Insurance: General Liability Insurance naming the Town as an additional insured with limits of \$1,000,000 Occurrence/\$3,000,000 General Aggregate. Recommended: Workers Compensation Coverage
- References - The name, title, address, telephone numbers and e-mail addresses of client contacts of projects outlined in related experience (minimum 3).
- Required Forms – Complete the three forms found in Appendix A: Certificate of Non-Collusion, State Certifications, Conflict of Interest Statement

Price Proposal

Proposal shall provide a detailed budget for the project described in the non-price proposal, breaking down costs to a “per unit” level as well as an overall program cost. The detailed budget shall include, but not be limited to, the following items on the provided form provided in Appendix B Price Proposal Sheet:

1. Town Funds and Subsidy
2. Leveraged Funds and Subsidies (itemize by source and timeframe for receipt, where appropriate provide letter(s) of commitment)
3. Private Funds and Loans (itemize by source)
4. Equity Contribution
5. Acquisition Costs
6. Carrying Costs
7. Construction/Rehabilitation Costs
8. Marketing and Lottery Administration
9. Renter/Buyer Eligibility Certification Costs
10. Tenant Selection/Closing Costs
11. Rental Units Monitoring
12. Legal Fees
13. Program Administration
14. Projected Rents/Sale Price
15. Projected subsidy

Submission Requirements

Two (2) sealed packets must be submitted:

1. a packet containing six (6) copies of the technical (non-price) proposal, and;
2. a packet containing six (6) copies of the price proposal.

Questions regarding this Request for Proposals should be addressed to Mary Waygan, Administrative Assistant, Yarmouth Town Hall, 1146 Route 28, South Yarmouth, MA 02664. Telephone: 508-398-2231 x1275

Based on proposals received, the Town of Yarmouth reserves the right to hold interviews with respondents. The Town of Yarmouth reserves the right to select the proposer it feels is most qualified based on the information submitted, to waive any informalities, and to choose the proposal determined to be in the best interest of the Town. The Town also reserves the right to reject any and all proposals.

DUE DATE

Both proposal packets must be received at the Office of the Department of Community Development, at Yarmouth Town Hall, 1146 Route 28, South Yarmouth, MA 02664 by 4:30 p.m. on April 26, 2012.

PROJECT SCHEDULE

- Proposals accepted until: April 26, 2012
- Selection Process Completed: May 24, 2012
- Contract awarded: June 1, 2012
- Work Completed: 36 months from contract execution

MINIMUM QUALIFICATIONS

Each respondent shall indicate his/her agreement with each of the following questions. To merit further consideration of a proposal by the Town, respondent must indicate “yes” and provide evidence, where appropriate, with each statement below:

1. Has the respondent met the submission requirements set forth in the “Proposal Content” section of this RFP?

Yes	No

2. Has the respondent shown that the new affordable units comply with the Town’s Affordable Housing Standards and with the Local Initiative Program (LIP) affordable housing guidelines and regulations promulgated by the Massachusetts Department of Housing and Community Development (DHCD).

Yes	No

3. Has the respondent completed and submitted the Conflict of Interest/Non-Collusion/Statement of Good Standing forms in Appendix A?

Yes	No

4. Does the respondent show evidence of suitable insurance coverage for the proposed services?

Yes	No

5. Has the respondent shown that the affordable dwelling units are created with a Town Zoning Bylaw, Special Permit, or a Local Initiative Program (LIP) “Friendly” Ch 40B Comprehensive Permit?

Yes	No

Selection Criteria

All documents prepared for the project shall remain the property of the Town of Yarmouth. Selection shall be based on information provided in the proposals and the following criteria:

- Project Approach:
 - Highly Advantageous – The proposal provides a systematic approach to create five (5) or more new affordable housing units in Yarmouth.
 - Advantageous - The proposal provides a systematic approach to create two (2) or more new affordable housing units in Yarmouth.
 - Not Advantageous - The proposal provides a systematic approach to create one (1) or more new affordable housing units in Yarmouth.
 - Unacceptable No Technical Proposal
- Professional Experience:
 - Highly Advantageous – The proposer has experience in affordable housing development, finance, construction, property management and/or realty sales for more than three (3) years .
 - Advantageous - The proposer has a demonstrated familiarity with affordable housing development, finance, construction, and property management or realty sales.
 - Not Advantageous - The proposer has no familiarity with affordable housing development, finance, construction, and property management or realty sales.
 - Unacceptable – No description provided.
- Related Work:
 - Highly Advantageous - Description of related experience is very relevant to work sought by this RFP and has resulted in the creation of affordable housing units.
 - Advantageous – Description of related experience is somewhat relevant to work sought by this RFP.
 - Not Advantageous – Description of related experience is not relevant to work sought by this RFP.
 - Unacceptable – No description provided.
- Time Line:
 - Highly Advantageous – Accelerated timeline
 - Advantageous – Acceptable timeline
 - Not Advantageous – Incomplete timeline
 - Unacceptable – No timeline provided
- References:
 - Highly Advantageous – The proposer receives positive references in all cases.
 - Advantageous – The proposer receives positive references in two cases.
 - Not Advantageous – The proposer receives positive references in less than two cases.
 - Unacceptable – No references provided

Appendix A: Required Forms: Certificate of Non-Collusion, State Certifications,
Conflict of Interest Statement

Appendix B: Price Proposal Sheet

References:

Town of Yarmouth Affordable Housing Standards

<http://ma-yarmouth.civicplus.com/DocumentView.aspx?DID=1726>

DHCD LIP Guidelines

<http://www.mass.gov/hed/docs/dhcd/legal/lipguidelines.doc>

Appendix A
Required Forms
Certificate of Non-Collusion
State Certifications
Conflict of Interest Statement

CERTIFICATE OF NON-COLLUSION

The undersigned being duly sworn, deposes and says that he is the sole owner, partner, president, treasurer, or other duly authorized agent or official of

(Name of Bidder as appearing in submitted proposal)

(Address of Bidder)

(Zip Code)

(Telephone Number of Bidder)

and certified under penalties of perjury, that of his own knowledge, said Bidder has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with this proposal. It is understood that the signing of this AFFIDAVIT is applicable to all bids being submitted for the fiscal year from July 1, 20__ to June 30, 20__.

(Date)

(Signature and title of person making Affidavit)

Sworn to before me this _____ day of _____, 20__.

(Notary Public)

STATE CERTIFICATIONS

Pursuant to M.G.L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Further, per Executive Order of 481, I shall not knowingly use undocumented workers in connection with the performance of all Town of Yarmouth contracts; that pursuant to federal requirements, I shall verify the immigration status of all workers assigned to such contracts without engaging in unlawful discrimination; and that the I shall not knowingly or recklessly alter, falsify, or accept altered or falsified documents from any such worker(s). I understand and agree that breach of any of these terms during the period of each contract may be regarded as a material breach, subjecting me to sanctions, including but not limited to withholding of payments, contract suspension or termination.

(Name of individual submitting bid or proposal)

(Signature of individual submitting bid or proposal)

(Name of Business)

(Social Security Number or Federal Identification Number)

(Date)

Sworn to before me this _____ day of _____, 20____.

(Notary Public)

CONFLICT OF INTEREST STATEMENT

I.

This is to certify that no municipal employee of the Town of Yarmouth, nor any spouse, parent, child, brother or sister of such municipal employee, has any financial interest in the bidder on this proposal.

Titled: _____ Dated: _____

Date: _____ Signature: _____

Name: _____

Position: _____

II.

I/We the undersigned or immediate family hereby certify that the following Town of Yarmouth employee or employees have a financial interest in the business, company, partnership or similar entity which is proposing on the contract:

Titled: _____ Dated: _____

Name of Employee(s): _____

Date: _____ Signature: _____

Name: _____

Position: _____

III.

Notarization required for either certification.

Sworn to before me this _____ day of _____, 20__.

(Notary Public)

IV.

If any principal of your entity and/or if any employee of your entity, who will work on this project, has ever been an employee of the Town of Yarmouth, list them below:

Name: _____

Town Department where worked: _____

Last Date of Employment with Town: _____

Appendix B
Price Proposal Sheet

**TOWN OF YARMOUTH
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AFFORDABLE HOUSING CREATION
PRICE PROPOSAL SHEET**

PROGRAM FUNDING AND SUBSIDIES

Funding Source	Per Unit	Program Total
Affordable Housing Trust		
Leveraged Funds (list source):		
Private Funds/Loans (list source) :		
Equity Contribution		
Total		

Cost	Per Unit	Program Total
Acquisition Cost (Estimate)		
Carrying Costs		
Construction/Rehabilitation Costs		
Marketing and Lottery Administration		
Renter/Buyer Eligibility Certification Costs		
Tenant Selection/Closing Costs		
Rental Units Monitoring		
Legal Fees		
Program Administration		
Other:		
Total		

Projected Sale Prices (Both Market Rate and Affordable):

Projected Monthly Rents (Both Market Rate and Affordable Including Utilities):

Total Subsidy per unit \$_____

Total Town Subsidy per unit \$_____