

File No. 240022

Committee Item No. 12

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date January 24, 2024

Board of Supervisors Meeting Date _____

Cmte Board

- Motion
- Resolution
- Ordinance
- Legislative Digest
- Budget and Legislative Analyst Report
- Youth Commission Report
- Introduction Form
- Department/Agency Cover Letter and/or Report
- MOU
- Grant Information Form
- Grant Budget
- Attachments 1 and 2 – Project Sources
 - Subcontract Budget
 - Contract/Agreement
 - Form 126 – Ethics Commission
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OTHER (Use back side if additional space is needed)

- Executive Order No. N-06-19 11/15/2019
- Notice of Funding Availability 2/24/2023
- Notice of Funding Availability 7/17/2023
- _____
- _____
- _____
- _____
- _____
- _____

Completed by: Brent Jalipa Date January 18, 2024,

Completed by: Brent Jalipa Date _____

1 [Support for the Application for HCD's Local Government Matching Grants Program - MidPen
2 Housing Corporation - Affordable Housing Phase I - 750 Golden Gate Avenue]

3 **Resolution supporting MidPen Housing Corporation's ("Applicant") submission of an**
4 **application under the Excess Sites Local Government Matching Grants Program**
5 **("Program") to the Department of Housing and Community Development (HCD)**
6 **("Department") to receive Program funds in order to develop and construct an**
7 **affordable, 75-unit multifamily rental housing development affordable to low-income**
8 **households, including one resident manager unit (the "Project") as Phase I on a state-**
9 **owned Excess Site located at 750 Golden Gate Avenue ("Property"); and supporting**
10 **the Applicant to submit the Project Budget ("Attachment 1") and Anticipated and**
11 **Committed Project Sources ("Attachment 2") to be included in their application.**

12
13 WHEREAS, On January 15, 2019, Governor Gavin Newsom signed Executive Order
14 No. N-06-19, which allows the production of Affordable housing on state-owned Excess Sites
15 ("Excess Sites"); the Executive Order authorizes the Department of General Services ("DGS")
16 and the Department to identify and prioritize Excess Sites for sustainable, cost-effective, and
17 innovative affordable housing projects; and

18 WHEREAS, The State of California owns that certain property located at 750 Golden
19 Gate Avenue in San Francisco (the "Property"), which has been declared an Excess Site for
20 affordable housing; and

21 WHEREAS, In June 2021, DGS and the Department selected MidPen Housing
22 Corporation to develop and construct an affordable housing project consisting of 75-unit
23 multifamily rental housing development affordable to low-income households, including one
24 resident manager unit, as Phase I on the Property ("Selected Project") pursuant to Executive
25 Order No. N-06-19; and

1 WHEREAS, Chapter 111, Statutes of 2021 (Assembly Bill (AB) 140) makes several
2 statutory changes for the purpose of implementing the housing and homelessness provisions
3 of the Budget Act of 2021, which establishes the Excess Sites Local Government Matching
4 Grants Program (“Program”) to be administered by the Department; and

5 WHEREAS, The Program was allocated up to \$60,000,000 to provide funds for
6 Predevelopment and Development Costs to selected projects that receive a financial
7 contribution from a Local Government, as defined pursuant to Health and Safety Code,
8 Section 50704.80(b), and funding for the Program is made available pursuant to Health and
9 Safety Code, Section 50704.81(a)(2); and

10 WHEREAS, The Department has issued a Notice of Funding Availability (“NOFA”),
11 dated July 17, 2023, for the Program pursuant to Health and Safety Code, Section
12 50704.83(f); and

13 WHEREAS, The Program requires contribution from the City and County of San
14 Francisco (the “City”), as the local government, to the Selected Project in order for the
15 Applicant to apply for Program funds pursuant to Health and Safety Code, Section 50704.82,
16 and towards that end, Applicant is submitting an Excess Sites Local Government Matching
17 Grants Program Application (“Application”) for Program funds to the Department for review
18 and consideration, a copy of which is on file with the Clerk of the Board of Supervisors in File
19 No. 240022; and

20 WHEREAS, The Program requires a resolution from the City pursuant to Health and
21 Safety Code, Section 50704.82(b)(1)(A), supporting the Project’s anticipated budget, including
22 all sources, and demonstrating the amount of City’s Local Government Contribution (as
23 defined under the Program) to the Application for predevelopment and development Costs for
24 the Selected Project, and the required amount from the Program; and

1 WHEREAS, The City, through the Mayor’s Office of Housing and Community
2 Development (“MOHCD”), issued a \$32,000,000 Notice of Funding Availability, dated
3 February 24, 2023, to develop affordable rental and homeowner housing for educators by
4 acquiring, developing and constructing sites in San Francisco; and

5 WHEREAS, On July 24, 2023, MOHCD awarded \$20,000,000 to MidPen Housing
6 Corporation to partially fund the development and construction of the Selected Project, subject
7 to approval of the loan agreement by the Board of Supervisors; and

8 WHEREAS, The Applicant includes the Project Budget (“Attachment 1”) and
9 Anticipated and Committed Project Sources (“Attachment 2”), which demonstrate the
10 requested amount from the Program, the \$20,000,000 in the City’s Local Government
11 Contribution to the Selected Project, and all other sources, committed and anticipated, for
12 predevelopment and development costs associated with the developed of the Selected
13 Project on the state-owned Excess Site; now, therefore, be it

14 RESOLVED, That the City supports the Applicant submitting an Application to the
15 Department to receive Program funds for the Selected Project to develop affordable housing
16 on the state-owned Excess Site located at 750 Golden Gate Avenue Phase I; and, be it

17 FURTHER RESOLVED, That the City supports the Applicant in submitting Attachment
18 1 and Attachment 2 in their Application.

19
20
21 RECOMMENDED:

22
23
24 _____ /s/

25 Eric D. Shaw, Director

**Excess Sites
Local Government Matching Grants Program
Notice of Funding Availability (NOFA)
July 17, 2023**

Application Workbook

Rev. 7/5/2023 v1



**State of California
Governor Gavin Newsom**

**Lourdes M. Castro Ramirez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
Department of Housing and Community Development**

**2020 West El Camino Avenue
Sacramento, CA 95833**

Email: ExcessSitesMatch@hcd.ca.gov

Website: <https://www.hcd.ca.gov/grants-and-funding/programs-active/excess-sit>

General Instructions and Guidance

- Application workbook must be submitted electronically via email to ExcessSitesMatch@hcd.ca.gov with the subject line "[Applicant Name] Application Submission".
- Supporting documentation must be uploaded to a shared cloud folder with a direct link entered into cell O2 in the "Document Upload Checklist" tab.
- Applications must be on the Department's forms and cannot be altered or modified. Excel forms must be in Excel format, not a .pdf document.
- Additional instructions and guidance are given throughout the application in "red" text and in cell comments.
- NOFA section references are made with "\$" and the corresponding NOFA section number.

Program Timeline

- Applicants are encouraged to submit all application materials no less than six weeks prior to the application deadline for major financing (e.g., TCAC, CDLAC, MFSN).
- Award determinations will be announced four to five weeks after application submission.

Color-coding legend

- Yellow cells are for Applicant input. Failure to provide the information may disqualify your application from consideration or may negatively impact your point score.
- Required attachments are indicated in orange throughout the application. Failure to provide the required attachments and documentation may disqualify your application from consideration or may negatively impact your point score. Electronically attached files must use the naming convention in the application.
- Self score points awarded are in blue cells in the "Scoring" tab. These are automated calculations based on the inputs provided by the Applicant.
- Red-shaded cells indicate the Applicant has failed to meet a requirement of the Program. Point cells in the "Scoring" tab shaded in red indicate that the Applicant has failed to meet the minimum points required.

Contact Information

Please don't hesitate to contact us with any questions or if you need assistance in completing this application.

- For general LGMG NOFA and Program questions email: ExcessSitesMatch@hcd.ca.gov.
- Email ExcessSitesMatch@hcd.ca.gov with the subject line "Consultation" to schedule a consultation prior to application submission.
- If you discover application errors, please complete the "Application Support" tab and email the entire workbook to ExcessSitesMatch@hcd.ca.gov with the subject line "Application Support".

Disclosure of Application: Information provided in this application and attachments will become a public record available for review by the public, pursuant to the Public Records Act (Chapter 1473, Statutes of 1968). As such, any materials provided to the Department will be disclosable to any person making a request under this Act once award decisions have been made. The Department cautions Applicants to use discretion in providing information not specifically requested, including but not limited to, bank account numbers, personal phone numbers and home addresses. By providing this information to the Department, the Applicant is waiving any claim of confidentiality and consents to the Department's disclosure of submitted material upon request.

End of Document

Project Overview

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Pre-Application Qualification Requirements	
Is the Applicant a developer selected under the Executive Order No. N-06-19 Program to enter into a ground lease with the Department of General Services to develop affordable housing on excess state-owned property?	Yes
Is the project a housing development project proposed to HCD and DGS in response to a competitive Request for Proposal or, in the case of qualifications-based selection processes, Request for Qualifications for the implementation of EO N-06-19?	Yes
Has the Selected Project secured a contribution towards Total Project Costs from the Local Government?	Yes
We certify that the construction of the Selected Project or the applicable phase has not commenced as of the application deadline set forth in the NOFA.	Yes
We certify that the Program funds will be used for eligible activities pursuant to Section II(E) of the NOFA.	Yes
We certify that the application is sufficiently complete to assess the feasibility of application and its compliance with Program requirements.	Yes
We certify that the Program funds are necessary to support and/or accelerate production of the Selected Project, and that the Selected Project is infeasible without Program funds, and other available funds, including funds previously awarded.	Yes

Project Overview	
Project Name	Golden Gate Avenue Phase I - Educator Housing
Project Address	750 Golden Gate Avenue
Project City	San Francisco
Project County	San Francisco
State	CA
Zip	94102
Assessor Parcel Numbers (APNs)	
0761-062	0761-022
0761-003	0761-002
Census Tract(s)	
Tract 016000	
Project Description: Describe the Selected Project to be developed on the Excess Site, including TCAC housing type if applicable, target populations & programming, commercial/retail uses if any, and on-site amenities.	
In May 2021, the State of California through the Department of General Services (DGS) and Department of Housing and Community Development (HCD) selected MidPen to develop two State-owned sites in San Francisco. The SF State Lands Projects – 850 Turk Street and 750 Golden Gate Avenue – are currently designed to create approximately 262 total units of affordable housing and to provide 98 replacement parking spaces to be used by the State.	
The Golden Gate Avenue site consists of four contiguous parcels for a total of 0.68 acre, under ownership of DGS. It is currently used by the California Employment Development Department (EDD) for employee and public parking, and will continue to be used for parking until construction commences.	
The Golden Gate Avenue site is designed for 171 homes in two phases. This Project (Golden Gate Avenue Phase I - Educator Housing) is currently designed as 75-units consisting of 28	

Other HCD Funding						
Have you applied, do you plan to apply, or has the Selected Project been awarded other HCD program funds?						Yes
Other HCD Program Name	NOFA Date	Project Name	Applicant Name	Contract Number (if applicable)	Application Status	Award Date/ Expected Award Date
Infill Infrastructure Grant Program (IIG)	6/16/2022	et and 750 Golden	County of San Fra	22-IIG-17683	Funding awarded	2/9/23

Tax Credits and Bonds					
Have you applied or do you plan to apply to CTCAC or CDLAC for tax credits of bonds?					Yes
Tax Credit Type	Application Date	Project Name	Applicant Name	Application Status	Award Date/ Expected Award Date
4% Bonds	2/7/2024	ate Phase I - Edu	TBD	Plan to apply	5/10/24

Site Control					
Has the Applicant been selected by the Department and the Department of General Services to enter into a ground lease to develop affordable housing on the excess-state					Yes
At the time of the application, does the Selected Developer or its wholly controlled affiliate have site control of the proposed project property pursuant to UMR §8303 and					Yes
Type of Site Control	Date	Expires	Extensions Available	Total Land Area	
Lease Option Agreement (LOA)	12/9/2022	12/9/2026		0.680	acres
File Name	[Applicant Name] Site Control		See Applicant Documents Worksheet.	Provided to HCD?	Yes

Applicant Information					
Applicant (Owner/Borrower Entity)					
Entity name:	MidPen Housing Corporation	Organization type:	Corporation		
Address:	303 Vintage Park Drive, Suite 250	City:	Foster City	State:	CA
Auth Rep:	Shwetha Subramanian	Title:	Assistant Secretary	Email:	shwetha.subramanian@midpen-housing.org
Address:	303 Vintage Park Drive, Suite 250	City:	Foster City	State:	CA
Primary Contact:	Lisa Howlett	Title:	Project Manager	Email:	lhowlett@midpen-housing.org
Address:	1970 Broadway, Suite 100	City:	Oakland	State:	CA
File Name	[Applicant Name] Cert & Legal	See Certifications & Legal worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] LGC Resolution	See Applicant Documents Worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] Authorizing Body Resolution	See Applicant Documents Worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] Organizational Chart	See Applicant Documents Worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] Signature Block	See Applicant Documents Worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] Payee Data Record	See Applicant Documents Worksheet.	Provided to HCD?	Yes	
File Name	[Applicant Name] Article XXXIV	See Applicant Documents Worksheet.	Provided to HCD?	Yes	

Please complete only one of the following document subsections in accordance with the indicated organization type selected above.

Corporation Organizational Documents			
File Name	[Applicant Name] Articles of Incorporation	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Bylaws	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Certificate of Amendment of Articles of Incorporation	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Restated Articles of Incorporation	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Statement of Information	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Shareholder Agreements	See Applicant Documents Worksheet	Provided to HCD? Yes
Limited Liability Company Organizational Documents			
File Name	[Applicant Name] Articles of Organization	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Certificate of Amendment	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Restated Articles of Organization	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Certificate of Correction	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Statement of Information	See Applicant Documents Worksheet	Provided to HCD? Yes
File Name	[Applicant Name] Operating Agreement	See Applicant Documents Worksheet	Provided to HCD? Yes
Limited Partnership Organizational Documents			

Project Overview

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File Name	[Applicant Name] Certificate of Limited Partnership	See Applicant Documents Worksheet	Provided to HCD?	
File Name	[Applicant Name] Amendment to Certificate of Limited Partnership	See Applicant Documents Worksheet	Provided to HCD?	
File Name	[Applicant Name] Certificate of Correction	See Applicant Documents Worksheet	Provided to HCD?	
File Name	[Applicant Name] Limited Partnership Agreement	See Applicant Documents Worksheet	Provided to HCD?	

Supporting Local Government

Entity Name:	City and County of San Francisco		Organization Type:	City and County	
Address:	1 South Van Ness Avenue #5		City:	San Francisco	State: CA Zip: 94103
Auth Rep:	N/A	Title:			Phone:
Address:		City:		State:	Zip:
Primary Contact:	Ryan VanZuylen	Title:	Senior Project Manager	Email:	ryan.vanzuylen@sfgov.org Phone: 415-701-5500
Address:	1 South Van Ness Avenue #5		City:	San Francisco	State: CA Zip: 94103

Documents below are only required if the supporting Local Government is a joint applicant.

File Name	Local Cert & Legal	See Certifications & Legal worksheet.	Provided to HCD?	N/A
File Name	Local Resolution	See Applicant Documents worksheet.	Provided to HCD?	N/A
File Name	Local Payee TIN Form	See Applicant Documents worksheet.	Provided to HCD?	N/A

Eligible Uses

(a). Applicant agrees that Program funds will be used for the Predevelopment and Development Costs of the Selected Project?	Yes
---	-----

Eligible Activities

Eligible uses of funds must facilitate accelerated housing production and align with the goals of EO N-06-19. Select "Yes" for the predevelopment and development activities that are anticipated to be paid for with the Program funds.

(a). Development and implementation of a community engagement plan or lease-up strategy.	Yes
(b). Construction and rehabilitation work.	Yes
(c). Offsite improvements, such as sewers, utilities and streets, directly related to, and required by the Selected Project.	Yes
(d). Onsite improvements related to the Selected Project.	Yes
(e). Architectural, appraisal, engineering, legal and other consulting costs and fees, which are directly related to the planning and execution of the Selected Project and which are incurred through third-party contracts.	Yes
(f). Development Costs of a residential unit reserved for an onsite manager, childcare facilities, and after-school care and social service facilities integrally linked to, and addressing the needs of the tenants of the Assisted Units.	Yes
(g). Development Costs of health care facilities integrally linked to, and addressing the needs of tenants of the Assisted Units, such as an adult health care center in a Selected Project with units restricted to the frail elderly.	No
(h). A reasonable developer fee subject to developer fee restrictions included in awards from other HCD programs and further conditions as stated in Section 204(b) of the Guidelines.	Yes
(i). Lease-up and related marketing costs.	Yes
(j). Carrying costs during construction, including insurance, construction financing fees and interest, taxes, and any other expenses necessary to hold the property while the Selected Project is under construction.	Yes
(k). Building permits and state and local fees.	Yes
(l). Capitalized operating and capitalized replacement reserves up to the amount of the initial deposit required by the Department pursuant to UMR Sections 8308(b) and 8309(b).	Yes
(m). Title insurance, recording and other related costs.	Yes
(n). Costs for items intended to ensure the completion of construction, such as contractor bond premiums.	Yes
(o). Environmental hazard reports, surveys, investigations and mitigation.	Yes
(p). Costs associated with preparing the site for construction of the Selected Project, including removal of existing improvements and site clearance.	Yes
(q). Any other Predevelopment of Development Cost that will support or accelerate delivery of the Selected Project (may require written approval from the Department).	Yes

Ineligible Activities

We certify that Program funds are not used for costs that are not related directly to the eligible uses of funds.	Yes
We certify that Program funds are not used for costs that are associated exclusively with non-Restricted units, except for a manager's unit.	Yes

Applicant Documents

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Site Control

An executed site control document compliant with the UMR Sections 8306 and 8316 in the form of an Exclusive Negotiating Agreement (NOA), Lease Option Agreement (LOA), or Ground Lease Agreement (GLA).

CEQA

A filing on CEQAnet showing evidence of the project's environmental clearance in the form of a Notice of Exemption, a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report, if available.

Certifications & Legal Disclosure

A completed and signed Certification is required for each Applicant. Each Applicant must sign an individual Certification form. A completed and signed Legal Disclosure is also required for each Applicant. The electronic copy of the Certifications & Legal Disclosure should be uploaded to the shared cloud folder as detailed in the NOFA.

Resolutions

1. Applicant must submit a draft or executed resolution demonstrating the value, form, and date of the Local Government Contribution(s) for the Selected Project.
(a) Applicant is encouraged to use the Local Government Contribution Resolution Template provided on the LGMG website: <https://www.hcd.ca.gov/excess-sites-local-government-matching-grants>.
(b) Subject to approval by the Department, Applicant may use their own resolution format as long as it contains ALL of the authorizations as in the Local Government Resolution Template.
2. Applicant must submit a draft or executed resolution authorizing the Owner/Borrower Entity to receive funds.

Notes

The person attesting to the executed resolution's authenticity cannot be the same person authorized to execute the documents in the name of the Applicant.
If more than one authorized signatory is identified, state whether both signatories are required or only one signatory is required to submit and execute Program docs.
If the application is being signed by a designee of the authorized signatory, the Applicant must also submit a designee letter or other proof of signing authority.

Organizational Documents

Organizational documents are required for all Applicants who are Selected Developers.

Submit organizational documents supporting the Owner/Borrower Entity Authorizing Body Resolution submitted with the application.

Corporation organizational documents

Articles of Incorporation (Corp. Code §154, 200 and 202) as certified by the CA Secretary of State.

Bylaws and any amendments thereto (Corp. Code §207(b), 211 and 212)

Certificate of Amendment of Articles of Incorporation (Corp. Code §900-910 (general stock), §5810-5820 (public benefit and religious corporations), §7810-7820 (mutual benefit corporations), or §12500-12510 (general cooperative corporations)) as applicable.

Restated Articles of Incorporation (Corp. Code §901, 906, 910 (general stock), §5811, 5815, 5819 (public benefit and religious corporations), §7811, 7815 and 7819 (mutual benefit corporations) and §12501, 12506 and 12510 (general cooperative corporations)) as applicable.

Statement of Information (CA Secretary of State form SI-100 or SI-200)

Shareholder Agreements (Corp. Code §186) if applicable.

Certificate of Good Standing certified by Secretary of State.

[Any other CA Secretary of State filings applicable to revivals, conversions or mergers.](#)

Limited Liability Company organizational documents

Articles of Organization (CA Secretary of State form LLC-1)

Certificate of Amendment (CA Secretary of State form LLC-2) if applicable.

Restated Articles of Organization (CA Secretary of State form LLC-10) if applicable.

Certificate of Correction (CA Secretary of State form LLC-11) if applicable.

Statement of Information (CA Secretary of State form LLC-12 or LLC-12NC)

Operating Agreement (Corp. Code §17707.02(s) and 17701.10.)

Certificate of Good Standing certified by Secretary of State.

[Any other CA Secretary of State filings applicable to revivals, conversions or mergers.](#)

Limited Partnership organizational documents

Certificate of Limited Partnership (CA Secretary of State form LP-1)

Amendment to Certificate of Limited Partnership (CA Secretary of State form LP-2) if applicable.

Certificate of Correction (CA Secretary of State form LP-2) if applicable.

Limited Partnership Agreement (CA Corp. Code §15901.02(x) and 15901.10)

Certificate of Good Standing certified by Secretary of State.

[Any other CA Secretary of State filings applicable to revivals, conversions or mergers.](#)

Organizational Chart

The organizational chart must depict the organizational structure of the Applicant listed in the "Project Overview" tab in relation to the Selected Developer.

Enforceable Funding Commitment

Applicant must submit evidentiary documentation of Local Government Contributions for permanent financing, construction financing, or Rental Assistance.

Signature Block

Applicant must submit a Signature Block in a Microsoft Word Document that will be used in the HCD legal documents such as the Standard Agreement.

Payee Data Record STD-204

Applicant must submit the STD-204 Payee Data Record. Form is available on the LGMG website: <https://www.hcd.ca.gov/excess-sites-local-government-matching-grants>.

Article XXXIV

Applicant must submit documentation that shows the project's compliance with or exemption from Article XXXIV.

If subject to Article XXXIV, Applicant must provide an allocation letter from the Local Government showing authority for the project.

If not subject to Article XXXIV, Applicant must provide an Article XXXIV opinion letter from the Applicant's legal counsel.

End of Document

Legislative Information and Development Team Contacts

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Legislative Information For Excess Site					
Congressperson Name(s)	District #	State Senator Name(s)	District #	State Assembly Member Name(s)	District #
Nancy Pelosi	12	Scott Wiener	11	Matt Haney	17

Development Team Contacts

Owner/Borrower Entity (Applicant)										
Legal Name	MidPen Housing Corporation									
Address	303 Vintage Park Drive, Suite 250			City	Foster City	State	CA	Zip	94404	
Auth Rep Name	Shwetha Subramanian	Title	Assistant Secretary	Email	shwetha.subramanian@midpen-housing.org			Phone	(650) 356-2900	
Contact Name	Lisa Howlett	Title	Project Manager	Email	lhowlett@midpen-housing.org			Phone	(650) 339-5721	
Address	1970 Broadway, Suite 100			City	Oakland	State	CA	Zip	94612	
Managing General Partner										
Legal Name	TBD									
Address				City		State		Zip		
Auth Rep Name		Title		Email				Phone		
Contact Name		Title		Email				Phone		
Address				City		State		Zip		
Administrative General Partner (if applicable)										
Legal Name	N/A									
Address				City		State		Zip		
Auth Rep Name		Title		Email				Phone		
Contact Name		Title		Email				Phone		
Address				City		State		Zip		
Investor Limited Partner (if identified)										
Legal Name	TBD									
Address				City		State		Zip		
Auth Rep Name (if identified)		Title		Email				Phone		
Contact Name		Title		Email				Phone		
Address				City		State		Zip		
Property Management Agent										
Company Name	MidPen Property Management Corporation			Contact Name	Kasey Archey		Email	kasey.archey@midpen-housing.org		
Phone	650-773-8454		Address	303 Vintage Park Dr, Ste 250		City	Foster City	State	CA	Zip 94404
Financial Consultant										
Company Name	California Housing Partnership			Contact Name	David Kiddoo		Email	dkiddoo@chpc.net		
Phone	510-859-8097		Address	49 Stevenson St., Ste. 500		City	San Francisco	State	CA	Zip 94104
Lead (primary) Service Provider										
Company Name	MidPen Resident Services Corporation			Contact Name	Ann Goggins Gregory		Email	ann.gregory@midpen-housing.org		
Phone	510-380-8922		Address	303 Vintage Park Dr, Ste 250		City	Foster City	State	CA	Zip 94404
Borrower Legal Counsel										
Company Name	Gubb & Barshay LLC			Contact Name	Evan Gross		Email	egross@qubbandbarshay.com		
Phone	415-781-6600 ext. 6		Address	235 Montgomery Street, Suite 220		City	San Francisco	State	CA	Zip 94104
General Contractor										
Company Name	TBD			Contact Name			Email			
Phone		Address		City		State		Zip		
Architect										
Company Name	TBD			Contact Name			Email			
Phone		Address		City		State		Zip		

End of Document

1. Describe the Scope of Work to be conducted.

Golden Gate Avenue Phase I – Educator Housing (the Project) is the first of two phases to develop a total 171 units. This project is currently designed as 75-units consisting of 28 studios, 7 one-bedrooms, 19 two-bedrooms, and 21 three-bedrooms as well as the replacement of approximately 37 EDD parking stalls currently onsite. The 75 homes are divided into a 45-unit LIHTC component (including one manager’s unit) serving incomes between 30-80% TCAC AMI and a 30-unit non-LIHTC, moderate-income component restricted at 140% SF AMI. This Project will consist of demolition of the existing surface lot and construction of a new 8-story Type I apartment building and ground floor parking garage, inclusive of offsite improvements (sewers, utilities, and streets improvements) and site work. This includes all professional and construction services associated with the design, engineering, and site remediation, as well as costs associated with implementation of the community engagement plan and lease-up strategy, as listed below:

- Architectural, appraisal, engineering, legal and other consulting costs, and fees
- Building permits and state and local fees
- Environmental hazard reports, surveys, investigations, and mitigation
- Costs associated with preparing the site for construction of the Project, including removal of existing improvements and site clearance

2. Describe each Local Government Contribution, identifying the type, source, and NOFA Section II(H)(2) category, and provide a brief description of each EFC document.

The San Francisco Mayor’s Office of Housing and Community Development (MOHCD) has committed to contributing a \$20,000,000 residual receipts loan to the development of Golden Gate Phase I – Educator Housing. As outlined in the attached commitment letter from MOHCD, the loan has a 55 year term from conversion at 3% interest. This commitment is a Local Government Contribution from a Local Funding Source.

3. Describe how the Local Government Contribution and LGMG Program funds specifically will support and accelerate housing production on the Excess Site.

The Local Government Contribution through the Educator Housing \$20 million commitment accelerates the project schedule. The MOHCD Educator Housing filled the financing gap that, with the LGMG award, will allow the project to move forward to the tax credit application stage in 2024 (we are targeting Round 1). The project schedule originally had Golden Gate Avenue – Phase I applying for tax credits in 2025, so the combination of the local government contribution and LGMG program funds allow this project to move forward a year ahead of schedule, directly accelerating the production of housing.

Additionally, MidPen has worked closely with HCD and DGS to determine possible sources of funding to build the necessary replacement parking for EDD staff, which is a condition of developing the site. This LGMG funding has been identified as a critical component to cover the cost of constructing the parking and obtaining the LGMG award will determine to what capacity the overall project can move forward.

4. Describe the community engagement plan and lease up strategy for the Affordable housing development on the Excess Site. Detail the role of an applicable Local Government and how you will obtain a commitment from them to support this strategy and plan.

Community Engagement: MidPen prides itself in taking a collaborative, authentic, and holistic approach to community engagement to deeply involve existing community members, stakeholders, and potential future residents. The goal of community engagement is to gain insights and inform the team on the development’s size, scope, aesthetic, amenities, and any special populations to be served. We engage using a variety of formats, including in-person meetings, online, print, and video. The Golden Gate Phase I engagement plan includes building and hosting a project-specific website to direct community members to our materials, surveys and live/recorded presentations. Community engagement will be frequently analyzed and adjusted to ensure goals are being met. In the summer and fall of 2021, MidPen identified key stakeholders in the neighborhood and met with them in 1:1 meetings. We used these meetings to identify known issues on the site and surrounding area as well as to understand any particular barriers to community engagement in the neighborhood so we can tailor our approach accordingly, including language, best time of day/week for open house meetings, local customs or preferences around food served at meetings, etc.

MidPen, Tishman Speyer and David Baker Architects held an initial community meeting and walking tour of the area in December 2021 to introduce the project and our team and to

5. Explain how the Selected Project contributes to the region’s housing goals, including the creation of new permanent Affordable housing.

According to State RHNA requirements, San Francisco must create 32,881 very-low-income and low-income units, as well as 13,717 middle-income units by 2031. The City produced 43% of very low-income units, 54% of low-income units, and 52% of moderate-income units during the 2015-2022 Housing Element, which underscores both the critical need and difficulty in producing new units within this timeframe. Golden Gate Avenue Phase I will bring 75 permanent affordable housing units to San Francisco educators and contribute to the region’s inventory of affordable sites, which is especially important since according to the City’s Draft Housing Needs Assessment, 63% of households are renting.

In addition, the City of San Francisco 6th Cycle Housing Element specifically identifies policies and actions the City has undertaken to expand housing available and suitable for ELI and VLI households. Appendix A of the City’s Housing Element (Housing Needs Assessment and Assessment of Fair Housing) states “Recent policy changes, such as the 2019 adoption of Proposition E by the voters, have allowed affordable and educator housing in any district.” This project actualizes this policy change, expanding educator housing.

6. Describe uncommitted funding sources and the feasibility of securing such funding.

To finance the Golden Gate Avenue Phase I – Educator Housing, our team will use a combination of 4% tax credits and tax-exempt bonds, conventional permanent loans, the local contribution of MOH Educator Housing Funds, and State funds consisting of the HCD Infill Infrastructure Grant (IIG) prorated at \$2.75 million for this phase of Golden Gate Avenue and the LGMG Program funding. If LGMG Program funds are awarded to this project, Golden Gate Avenue Phase I – Educator Housing is competitively positioned to apply for 2024 Round 1 tax credits.

End of Document

Certification & Legal Disclosure

7/5/2023 v1

On behalf of the entity identified in the signature block below, I certify that:

1. The information, statements and attachments included in this application are, to the best of my knowledge and belief, true and correct.
2. I possess the legal authority to submit this application on behalf of the entity identified in the signature block.
3. The following is a complete disclosure of all identities of interest - of all persons or entities, including affiliates, that will provide goods or services to the Selected Project or applicable phase either (a) in one or more capacity or (b) that qualify as a "Related Party" to any person or entity that will provide goods or services to the Selected Project. "Related Party" is defined in Section 10302 of the California Code of Regulations (CTCAC Regulations):

Certification & Legal Disclosure Form for MidPen Housing Corporation

4. As of the date of application, the Selected Project, or the real property on which the Selected Project is proposed (Property) is not party to or the subject of any claim or action at the State or Federal appellate level.

5. I have disclosed and described below any claim or action undertaken which affects or potentially affects the feasibility of the Selected Project or applicable phase. In addition, I acknowledge that all information in this application and attachments is public, and may be disclosed by the State.

Shwe ha Subramanian	Assistant Secretary		
Printed Name	Title of Signatory	Signature	Date

Legal Disclosure

For purposes of the following questions, and with the exceptions noted below, the term "Applicant" shall include the Applicant and joint applicant (if applicable), and any subsidiary of the Applicant or joint applicant if the subsidiary is involved in (for example, as a guarantor) or will be benefited by the application or the Selected Project.

In addition to each of these entities themselves, the term "Applicant" shall also include the direct and indirect holders of more than ten percent (10%) of the ownership interests in the entity, as well as the officers, directors, principals and senior executives of the entity if the entity is a corporation, the general and limited partners of the entity if the entity is a partnership, and the members or managers of the entity if the entity is a limited liability company. For Selected Projects using tax-exempt bonds, it shall also include the individual who will be executing the bond purchase agreement.

The following questions must be responded to for each entity and person qualifying as an "Applicant," or "joint applicant" as defined above.

Explain all positive responses on a separate sheet and include with this questionnaire in the application.

Exceptions:

Public entity applicants without an ownership interest in the proposed project, including but not limited to cities, counties, and joint powers authorities with 100 or more members, are not required to respond to this questionnaire.

Members of the boards of directors of non-profit corporations, including officers of the boards, are also not required to respond. However, chief executive officers (Executive Directors, Chief Executive Officers, Presidents or their equivalent) must respond, as must chief financial officers (Treasurers, Chief Financial Officers, or their equivalent).

Civil Matters

1. Has the Applicant filed a bankruptcy or receivership case or had a bankruptcy or receivership action commenced against it, defaulted on a loan or been foreclosed against in past ten years?	No
2. Is the Applicant currently a party to, or been notified that it may become a party to, any civil litigation that may materially and adversely affect (a) the financial condition of the applicant's business, or (b) the project that is the subject of the application?	No
3. Have there been any administrative or civil settlements, decisions, or judgments against the Applicant within the past ten years that materially and adversely affected (a) the financial condition of the Applicant's business, or (b) the Selected Project that is the subject of the application?	No
4. Is the Applicant currently subject to, or been notified that it may become subject to, any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency?	Yes
5. In the past ten years, has the Applicant been subject to any civil or administrative proceeding, examination, or investigation by a local, state or federal licensing or accreditation agency, a local, state or federal taxing authority, or a local, state or federal regulatory or enforcement agency that resulted in a settlement, decision, or judgment?	Yes

Criminal Matters

6. Is the Applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, felony charges against the Applicant?	No
7. Is the Applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, misdemeanor charges against the Applicant for matters relating to the conduct of the Applicant's business?	No
8. Is the Applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, involving, or that could result in, criminal charges (whether felony or misdemeanor) against the Applicant for any financial or fraud related crime?	No
9. Is the Applicant currently a party to, or the subject of, or been notified that it may become a party to or the subject of, any criminal litigation, proceeding, charge, complaint, examination or investigation, of any kind, that could materially affect the financial condition of the Applicant's business?	No
10. Within the past ten years, has the Applicant been convicted of any felony?	No
11. Within the past ten years, has the Applicant been convicted of any misdemeanor related to the conduct of the Applicant's business?	No
12. Within the past ten years, has the Applicant been convicted of any misdemeanor for any financial or fraud related crime?	No

Please provide a letter of explanation if you responded "Yes" to any of the questions above.

File Name: Cert & Legal Explanation	Letter of explanation for any "Yes" answers or red shaded items above.	Uploaded to HCD?	Yes
--	--	------------------	-----

Shwe ha Subramanian	Assistant Secretary		
Printed Name	Title of Signatory	Signature	Date

End of Document

Local Approvals and Environmental Review

To the Applicant: Submit this form to the agency, department, or local government responsible for each agency or department if necessary. If an item is not required, include the reason why in box provided

Applicant:	MidPen Housing Corporation
Applicant Address:	303 Vintage Park Drive, Suite 250
Applicant City:	Foster City
Project Name:	Golden Gate Avenue Phase I - Educator
Project Address/site:	750 Golden Gate Avenue
Project City:	San Francisco
Project County:	San Francisco
Assessor Parcel Numbers (APNs):	0761-062 0761-022 0761-002 0761-003

To the permitting agency: The Applicant named above has submitted an application to the State Department of Public Works for the Project named above, under the Excess Sites Local Government Matching Grants Program (LGMG) process. Project readiness is a component of that process. Verification of items listed below will be used to determine if this Project is approved "by right"?

CEQA Environmental Clearance is finally approved or unnecessary:	C
--	---

Specify in the box below, items not required and explain why (include documentation, if applicable):

Notice of Exemption (NOE), State Clearinghouse (SCH) Number 2022040213 was posted 4/8/2022 for In-Fill Development because it is consistent with applicable objective general plan standards and criteria.
--

All necessary, discretionary, and non-discretionary public land use approvals except building permits and other ministerial approvals are:

Specify in the box below, items not required and explain why (include documentation, if applicable):

Since these are State-owned sites, DGS exercised state sovereignty and issued a Class 32 CEQA approval which serves as the project approval, and there is no separate entitlement required.

Dated:

Statement Completed by (please print):	Daniel O'Brien
Signature:	
Title:	Supervising Environmental Planner
Agency or Department:	DGS/RESD/PMDB
Agency or Department Address:	707 Third Street, 4th Floor, West Sacramento
Agency or Department Phone:	(916) 376-1700

End of Document

w Verification

7/5/2023 v1

Administration of the items listed. This form may be submitted to more than one l.

Housing

nt. of Housing and Community Development (HCD) requesting funding for the . Projects submitted for program funding are subject to a competitive rating sed in evaluating LGMG applications.

			Yes
	Applicable for this Project	Final date of Public Comment Period	Approved Date
CEQA	No	N/A	4/8/22

2. The project qualifies for Categorical Exemption Class 32-CEQA Section 15332. The project is an allowable use in

	Required for this Project?	Under Review?	Verified as Completed and date completed
and	No	No	Yes; 4/8/22

Exemption on April 8 2022. The appeal period expired on May 13, 2022. The

nto CA 95605



Development Sources and Eligible Award Amount

7/5/2023 v1

Development Sources				
Committed?	Lien No. (or NA)	Source and Program Name (in lien priority order)	Type of Funding	Permanent-Period Amount
Yes	1	Bank Perm Loan, if Any	Private	\$13,442,000
Yes	2	SF MOHCD Educator Loan	Local Government Contribution from a Local Funding Source	\$20,000,000
Yes	3	HCD IIG Sponsor Loan	State	\$2,747,249
Yes		Donated Land	State	\$9,235,590
NA	NA	GP Equity	Private	\$100
NA	NA	Deferred Developer Fee	Private	\$3,804,000
NA	NA	Tax Credit Equity	Tax Credit Type	4% \$19,807,914
Total Sources before Eligible LGMG Award Amount				\$69,036,853
Eligible LGMG Award Amount				\$10,000,000
Total Sources including Eligible LGMG Award Amount				\$79,036,853
Total Uses (from Dev Budget Tab)				\$79,036,853
Remaining Surplus/(Gap)				\$0

Enforceable Funding Commitments Documentation

File Names EFC [Source1], EFC [Source2], etc.	See Applicant Documents	Provided to HCD?	Yes
--	-------------------------	------------------	-----

Eligible LGMG Award Amount

Total Sources which are Local Government Contribution, if applicable	
Local Government Contribution from a Local Funding Source	\$20,000,000
Local Government Contribution from an HCD-originated Funding Source	\$0
Local Government Contribution in the form of Local Fee Waivers	\$0
Local Government Contribution in the form of Land Donation	\$0
Sub-Total	\$20,000,000
Local Government Contribution in the form of Rental Assistance	\$0
Local Government Contribution in the form of Non-Rental Assistance Operating Subsidy	\$0
Total Local Government Contribution	\$20,000,000
Maximum LGMG Award Per Selected Developer	\$10,000,000
Total Uses less Total Sources before Eligible LGMG Award	\$10,000,000
Eligible LGMG Award Amount	\$10,000,000
Requested LGMG Award Amount (if different from above)	\$10,000,000

Applicant Comments

End of Document

Local Government Contribution in the form of Operating Subsidy

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TO THE APPLICANT: Only complete this worksheet if the application includes an Enforceable Funding Commitment (EFCs) for Local Government Contribution in the form of Rental Assistance, as defined in the Program Guidelines. EFCs for Rental Assistance should be submitted to the Department with EFCs for other funding sources identified in the "Dev Sources & Elig. Award Amt" tab.

Rental Assistance Calculator									
Unit Description	Studio	1-BR	2-BR	3-BR	4-BR				
Number of Units with Rental Assistance by Unit Size	0	0	0	0	0				
2023 HUD FMR									
CTCAC Rent Limit at 30% AMI									
Overhang by Unit Type	\$0	\$0	\$0	\$0	\$0				
Total Monthly Overhang	\$0								
Assumed Amortization	35								
Select type LIHTC structure									
Assumed Annual Interest Rate	7.55%								
Assumed DSCR	1.15								
Approximate Additional Supportable Hard Perm Debt from Rental Assistance	\$0								
Non-Rental Assistance Subsidy Calculator									
Number of Units with a Service Subsidy									
Per Unit Subsidy Amount									
Contract Term									
Assumed Inflation Adjustment	3.50%								
Total Service Subsidy	\$0.00								

End of Document

Development Budget

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	Total Project Costs
LAND COST/ACQUISITION	
Land Cost or Value	\$9,235,590
Demolition	\$225,000
Legal	\$35,000
Land Lease Rent Prepayment	
Total Land Cost or Value	\$9,495,590
Existing Improvements Cost or Value	
Off-Site Improvements	\$570,000
Total Acquisition Cost	\$570,000
Total Land Cost / Acquisition Cost	\$10,065,590
Predevelopment Interest/Holding Cost	
Assumed, Accrued Interest on Existing Debt (Rehab/Acq)	
Excess Purchase Price Over Appraisal	
REHABILITATION	
Site Work	
Structures	
General Requirements	
Contractor Overhead	
Contractor Profit	
Prevailing Wages	
General Liability Insurance	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Rehabilitation Costs	\$0
Total Relocation Expenses	
NEW CONSTRUCTION	
Site Work	\$1,726,500
Structures	\$31,780,394
General Requirements	\$3,190,275
Contractor Overhead	\$298,070
Contractor Profit	\$894,209
Prevailing Wages	\$7,000,000
General Liability Insurance	\$1,163,665
Photovoltaic System	\$221,089
Replacement EDD Parking	\$1,850,000
Other: (Specify)	
Other: (Specify)	
Total New Construction Costs	\$48,124,202

ARCHITECTURAL FEES	
Design	\$1,096,379
Supervision	\$570,000
Total Architectural Costs	\$1,666,379
Total Survey & Engineering	\$509,100
CONSTRUCTION INTEREST & FEES	
Construction Loan Interest	\$4,250,253
Origination Fee	\$294,485
Credit Enhancement/Application Fee	
Bond Premium	
Cost of Issuance	\$426,185
Title & Recording	\$60,000
Taxes	
Insurance	\$622,268
Local Lender Fees	\$200,000
Lender Expenses	\$70,000
Other: (Specify)	
Total Construction Interest & Fees	\$5,923,191
PERMANENT FINANCING	
Loan Origination Fee	\$100,815
Credit Enhancement/Application Fee	
Title & Recording	\$15,000
Taxes	
Insurance	
Lender Expenses	\$20,000
Other: (Specify)	
Total Permanent Financing Costs	\$135,815
Subtotals Forward	\$66,424,277
LEGAL FEES	
Legal Paid by Applicant	\$250,000
Lender Legal	\$105,000
Total Attorney Costs	\$355,000
RESERVES	
Operating Reserve	\$481,252
Replacement Reserve	\$37,500
Transition Reserve	
Rent Reserve	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Reserve Costs	\$518,752
CONTINGENCY COSTS	
Construction Hard Cost Contingency	\$2,445,960
Soft Cost Contingency	\$547,099
Total Contingency Costs	\$2,993,059
OTHER PROJECT COSTS	
TCAC App/Allocation/Monitoring Fees	\$51,964

Environmental Audit	\$85,500
Local Development Impact Fees	\$2,135,301
Permit Processing Fees	\$375,000
Capital Fees	
Marketing	\$100,000
Furnishings	\$150,000
Market Study	\$30,000
Accounting/Reimbursable	\$20,000
Appraisal Costs	\$10,000
Wage Monitor	\$39,000
Third-Party Construction Supervision	\$150,000
Syndication Consulting	\$95,000
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Other Costs	\$3,241,765
SUBTOTAL PROJECT COST	\$73,532,853
DEVELOPER COSTS	
Developer Overhead/Profit	\$5,504,000
Consultant/Processing Agent	
Project Administration	
Broker Fees Paid to a Related Party	
Construction Oversight by Developer	
Other: (Specify)	
Total Developer Costs	\$5,504,000
TOTAL PROJECT COST	\$79,036,853

End of Document

Unit Mix

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All Units (enter Rental Assistance units below)						
AMI Level	Studio	1-bedroom	2-bedroom	3-bedroom	4-bedroom	Total
15%						-
20%						-
25%						-
30%	3	1	2	2		8
35%						-
40%	4	-	2	2		8
45%						-
50%	4	-	2	2		8
55%						-
60%	4	-	2	2		8
65%						-
70%	4	-	2	2		8
75%						-
80%	-	-	2	2		4
85%						-
90%						-
95%						-
100%						-
105%						-
110%						-
115%						-
120%	9	6	6	9		30
Manager			1			1
Total	28	7	19	21	-	75

Units Associated with Rental Assistance						
AMI Level	Studio	1-bedroom	2-bedroom	3-bedroom	4-bedroom	Total
All Levels						-
Total	-	-	-	-	-	-

End of Document

Scoring								7/5/2023 v1	
250 Points Max (points in blue-shaded cells)						Total LGMG Program Funds Self Score		250	
Project Readiness - 25 Points Max									
Readiness points will be awarded based on completion of ONE of the following environmental clearances:									
CEQA Exemption								Yes	25
Negative Declaration or Mitigated Negative Declaration								No	
Environmental Impact Report								No	
Provide a listing and status of all discretionary local land use approvals, excluding design review, required to complete the Selected Project or applicable phase that have been granted, submitted or to be applied for to the appropriate local agencies, or consistent with local planning documents. This information must match the info provided on the "Verification of the Status of Environmental Review and Land Use Entitlements" tab.									
File Name	Project Readiness		Provide documentation of the applicable environmental clearance as stated in Rows 5 to 7 of the Scoring Tab.					Uploaded to HCD?	Yes
Agency / Issuer		Land Use Approval Date	Approval Status	Approval Type	Comments				
File Name	Land Use Approval		Provide signed copies of "Env & Land Use Verification" tab. Identify name of locality at beginning of document.					Uploaded to HCD?	Yes
Local Government Contribution as Percent of Total Project Cost - 100 Points Max									
Local Government Contribution as Percent of Total Project Cost: Applications will be awarded points based on the value of a Local Government Contribution(s) as a percentage of the project's Total Project Cost. Local Government Contribution(s) within the five below categories will be adjusted and summed to determine the full value of the Local Government Contribution(s) as a percent of the Total Project Cost.									
Total Project Cost		\$79,036,853		Local Government Contribution Amount	Percentage of Total Project Cost	Adjustment	Adjusted	100	
(A) Local Government Contribution(s) from a Local Funding Source – Local Government Contributions from local funding sources, such as a city or county grants or residual receipts loans, will be awarded points as a percentage of TPC without adjustment.				\$20,000,000	25.30%		25.30%		
(B) Local Government Contribution(s) from an HCD-originated source– Local Government Contributions from HCD-originated sources will be awarded points as a percentage of TPC without adjustment. Examples of HCD-originated sources include, but are not limited to, No Place Like Home, the Permanent Local Housing Allocation, HOME, etc.				\$0	0.00%		0.00%		
(C) Local Government Contribution in the form of Local Fee Waivers – Local Government Contributions in the form of Local Fee Waivers, excluding school impact fees, will be awarded points as a percentage of TPC with a +50% adjustment.				\$0	0.00%	50%	0.00%		
(D) Local Government Contribution in the form of a Land Donation from a Local Government directly related to the development of the Selected Project or applicable phase and with documentation of the current appraised value of the property as supported by an independent third-party appraisal prepared by a Member Appraisal Institute-qualified appraiser within the last year (MAI) or DGS valuation will be awarded points as a percentage of TPC without adjustment.				\$0	0.00%		0.00%		
(E) Local Government Contribution in the form of Rental Assistance – Applications will be awarded points based on the value of additional supportable hard permanent debt generated by Rental Assistance awarded at time of application as percent of TPC without adjustment.				\$0	0.00%		0.00%		
							Combined, Adjusted % of TPC		
							Multiplied by	1,000	
Total Points for Local Government Contribution (100 pts max)								100	
Total Points for Project Readiness and Local Government Contributions								125	
Financial Readiness									
To accelerate development on State Excess Sites, projects which have secured Enforceable Funding Commitments for all Local Government Contributions shall receive a 50 percent boost to their base score. Furthermore, projects which have secured Enforceable Funding Commitments for all remaining funding sources shall receive an additional 50 percent boost to their base score.									
Funding Source		Anticipated Amount		Committed Amount		Percentage of Funding Committed		Boost	
Local Funding		\$20,000,000		\$20,000,000		100.00%		50%	
Remaining Funding (excluding tax credits and deferred costs)		\$25,424,839		\$25,424,839		100.00%		50%	
Total Financial Readiness Boost (100% max)								100%	
Total Score with Financial Readiness								250	
Tie Breaker									

Scoring

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In the event of tied point scores, the Department shall rank tied applications based on the lowest weighted average affordability of all units in the Selected Project or applicable phase, which shall be computed as follows:

- a. Multiplying each income limit applicable to the Selected Project or applicable phase by the number of units restricted at that income level.
- b. Adding the products calculated pursuant to the previous subsection.
- c. Dividing the sum calculated pursuant to the previous subsection by the number of all units in the Selected Project or applicable phase.

Tie Breaker

80.00%

End of Document

Document Upload Checklist

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Direct Link to Shared Cloud Folder for All Required Documents (e.g., Box.com):		https://housingcorp-my.sharepoint.com/:f:/g/person/allison_vogt_midpen-housing_org/EgomBCnVOHZPuDbWEOk-secBDVEZ2c4SRMziTFnXcV-MrQ?e=185RXI		
File Name:	[Applicant Name] Site Control	Executed Site Control Document	File uploaded?	Yes
File Name:	[Applicant Name] Cert & Legal	Certification & Legal Disclosure	File uploaded?	Yes
File Name:	[Applicant Name] Cert & Legal Explanation	Certification & Legal Explanation	File uploaded?	Yes
File Name:	[Applicant Name] Disclosures	Additional Disclosure Documentation	File uploaded?	N/A
File Name:	[Applicant Name] LGC Resolution	Draft or Executed Local Government Contribution Resolution	File uploaded?	Yes
File Name:	[Applicant Name] Authorizing Body Resolution	Draft or Executed Resolution of the Governing Body authorizing the Applicant to receive LGMG funds.	File uploaded?	Yes
File Name:	[Applicant Name] OrgChart	Organizational Chart	File uploaded?	Yes
File Name:	[Applicant Name] OrgDoc1, OrgDoc2, etc.	Organizational Documents (See Applicant Documents)	File uploaded?	Yes
File Name:	[Applicant Name] Signature Block	The Signature Block to be used for the Standard Agreement (Upload in Microsoft Word Document)	File uploaded?	Yes
File Name:	[Applicant Name] Payee Data Record	Payee Data Record STD-204	File uploaded?	Yes
File Name:	[Applicant Name] Article XXXIV	Proof of Article XXXIV authority, or letter from Applicant's legal counsel explaining exemption	File uploaded?	Yes
File Name:	Auth to Use Grant Funds	For NEPA only, a copy of the HUD 7015.16 "Authority To Use Grant Funds" or clarify the current status of the issuance of the HUD form.	File uploaded?	
File Name:	Project Readiness	One of the following: CEQA filing for an NOE, a Negative Declaration/Mitigated Negative Declaration, or an Environmental Impact Report.	File uploaded?	Yes
File Name:	Land Use Approval	Provide signed copies of Env & Land Use Verification tab.	File uploaded?	Yes
File Name:	EFC [Source1], EFC [Source2], etc.	Enforceable Funding Commitments for all committed funding sources	File uploaded?	Yes
File Name:	[Local Government] Cert & Legal	Local Government Cert & Legal (only needed for joint application)	File uploaded?	
File Name:	[Local Government] Auth Body Resolution	Local Government Authorizing Body Resolution (only needed for joint application)	File uploaded?	
File Name:	[Local Government] Payee Data Record	Local Government Payee Data Record (only needed for joint application)	File uploaded?	

End of Document

Application Development Team (ADT) Support Form

7/5/2023 v1

Please complete the "yellow" cells in the form below and email a copy to: ExcessSitesMatch@hcd.ca.gov. A member of the Application Development Team will respond to your request within two business days.

Full Name:		Date Requested:		Application Version Date:	
Organization:		Email:		Contact Phone:	

Justification:

Issue #	Program Name &	Tab	Section	Cell#	Update/Comment	Urgency	ADT Status	Status Date
1	LGMG							
2	LGMG							
3	LGMG							
4	LGMG							
5	LGMG							
6	LGMG							
7	LGMG							
8	LGMG							
9	LGMG							
10	LGMG							
11	LGMG							
12	LGMG							
13	LGMG							
14	LGMG							
15	LGMG							
16	LGMG							
17	LGMG							
18	LGMG							
19	LGMG							
20	LGMG							
21	LGMG							
22	LGMG							
23	LGMG							
24	LGMG							
25	LGMG							

End of Document

Development Budget

7/5/2023 v1

	Total Project Costs
LAND COST/ACQUISITION	
Land Cost or Value	\$9,235,590
Demolition	\$225,000
Legal	\$35,000
Land Lease Rent Prepayment	
Total Land Cost or Value	\$9,495,590
Existing Improvements Cost or Value	
Off-Site Improvements	\$570,000
Total Acquisition Cost	\$570,000
Total Land Cost / Acquisition Cost	\$10,065,590
Predevelopment Interest/Holding Cost	
Assumed, Accrued Interest on Existing Debt (Rehab/Acq)	
Excess Purchase Price Over Appraisal	
REHABILITATION	
Site Work	
Structures	
General Requirements	
Contractor Overhead	
Contractor Profit	
Prevailing Wages	
General Liability Insurance	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Rehabilitation Costs	\$0
Total Relocation Expenses	
NEW CONSTRUCTION	
Site Work	\$1,726,500
Structures	\$31,780,394
General Requirements	\$3,190,275
Contractor Overhead	\$298,070
Contractor Profit	\$894,209
Prevailing Wages	\$7,000,000
General Liability Insurance	\$1,163,665
Photovoltaic System	\$221,089
Replacement EDD Parking	\$1,850,000
Other: (Specify)	
Other: (Specify)	
Total New Construction Costs	\$48,124,202

ARCHITECTURAL FEES	
Design	\$1,096,379
Supervision	\$570,000
Total Architectural Costs	\$1,666,379
Total Survey & Engineering	\$509,100
CONSTRUCTION INTEREST & FEES	
Construction Loan Interest	\$4,250,253
Origination Fee	\$294,485
Credit Enhancement/Application Fee	
Bond Premium	
Cost of Issuance	\$426,185
Title & Recording	\$60,000
Taxes	
Insurance	\$622,268
Local Lender Fees	\$200,000
Lender Expenses	\$70,000
Other: (Specify)	
Total Construction Interest & Fees	\$5,923,191
PERMANENT FINANCING	
Loan Origination Fee	\$100,815
Credit Enhancement/Application Fee	
Title & Recording	\$15,000
Taxes	
Insurance	
Lender Expenses	\$20,000
Other: (Specify)	
Total Permanent Financing Costs	\$135,815
Subtotals Forward	\$66,424,277
LEGAL FEES	
Legal Paid by Applicant	\$250,000
Lender Legal	\$105,000
Total Attorney Costs	\$355,000
RESERVES	
Operating Reserve	\$481,252
Replacement Reserve	\$37,500
Transition Reserve	
Rent Reserve	
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Reserve Costs	\$518,752
CONTINGENCY COSTS	
Construction Hard Cost Contingency	\$2,445,960
Soft Cost Contingency	\$547,099
Total Contingency Costs	\$2,993,059
OTHER PROJECT COSTS	
TCAC App/Allocation/Monitoring Fees	\$51,964

Environmental Audit	\$85,500
Local Development Impact Fees	\$2,135,301
Permit Processing Fees	\$375,000
Capital Fees	
Marketing	\$100,000
Furnishings	\$150,000
Market Study	\$30,000
Accounting/Reimbursable	\$20,000
Appraisal Costs	\$10,000
Wage Monitor	\$39,000
Third-Party Construction Supervision	\$150,000
Syndication Consulting	\$95,000
Other: (Specify)	
Other: (Specify)	
Other: (Specify)	
Total Other Costs	\$3,241,765
SUBTOTAL PROJECT COST	\$73,532,853
DEVELOPER COSTS	
Developer Overhead/Profit	\$5,504,000
Consultant/Processing Agent	
Project Administration	
Broker Fees Paid to a Related Party	
Construction Oversight by Developer	
Other: (Specify)	
Total Developer Costs	\$5,504,000
TOTAL PROJECT COST	\$79,036,853

End of Document

Development Sources and Eligible Award Amount

7/5/2023 v1

Development Sources				
Committed?	Lien No. (or NA)	Source and Program Name (in lien priority order)	Type of Funding	Permanent-Period Amount
Yes	1	Bank Perm Loan, if Any	Private	\$13,442,000
Yes	2	SF MOHCD Educator Loan	Local Government Contribution from a Local Funding Source	\$20,000,000
Yes	3	HCD IIG Sponsor Loan	State	\$2,747,249
Yes		Donated Land	State	\$9,235,590
NA	NA	GP Equity	Private	\$100
NA	NA	Deferred Developer Fee	Private	\$3,804,000
NA	NA	Tax Credit Equity	Tax Credit Type	4% \$19,807,914
Total Sources before Eligible LGMG Award Amount				\$69,036,853
Eligible LGMG Award Amount				\$10,000,000
Total Sources including Eligible LGMG Award Amount				\$79,036,853
Total Uses (from Dev Budget Tab)				\$79,036,853
Remaining Surplus/(Gap)				\$0

Enforceable Funding Commitments Documentation

File Names EFC [Source1], EFC [Source2], etc.	See Applicant Documents	Provided to HCD?	Yes
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Eligible LGMG Award Amount

Total Sources which are Local Government Contribution, if applicable	
Local Government Contribution from a Local Funding Source	\$20,000,000
Local Government Contribution from an HCD-originated Funding Source	\$0
Local Government Contribution in the form of Local Fee Waivers	\$0
Local Government Contribution in the form of Land Donation	\$0
Sub-Total	\$20,000,000
Local Government Contribution in the form of Rental Assistance	\$0
Local Government Contribution in the form of Non-Rental Assistance Operating Subsidy	\$0
Total Local Government Contribution	\$20,000,000
Maximum LGMG Award Per Selected Developer	\$10,000,000
Total Uses less Total Sources before Eligible LGMG Award	\$10,000,000
Eligible LGMG Award Amount	\$10,000,000
Requested LGMG Award Amount (if different from above)	\$10,000,000

Applicant Comments

End of Document

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-06-19

WHEREAS California is experiencing an acute affordable housing crisis that stifles economic growth, contributes to the homelessness epidemic, consumes an ever-growing share of the paychecks of working families, and holds millions of households back from realizing the California Dream; and

WHEREAS nearly 50 percent of California's households cannot afford the cost of housing in their local market; and

WHEREAS for decades, California has failed to build enough homes for its growing population at all income levels, ranking 49th in the country in housing production per capita in 2016; and

WHEREAS restrictive zoning and land-use policies at the local level are a major cause of the shortfall between California's housing needs and the available supply of housing; and

WHEREAS when communities do not build their fair share of housing, the surrounding region must absorb new residents who, as a consequence of a lack of access to affordable housing, suffer from higher rents and longer commutes; and

WHEREAS the high cost of land also significantly limits the development of affordable housing in areas with the greatest demand for new housing; and

WHEREAS state agencies own thousands of parcels of land throughout the state, some of which exceed those agencies' foreseeable needs; and

WHEREAS excess state land is often located in or near urban areas where the need for new housing is acute; and

WHEREAS the lack of affordable housing across California is a matter of vital statewide importance; and

WHEREAS expanding housing opportunities and solving the affordable housing crisis will require a new level of innovation and cooperation between the public and private sectors; and

WHEREAS fostering housing innovation will catalyze new construction industries and spur job growth in the state; and

WHEREAS local zoning ordinances do not govern the use of state property, and the State possesses legal authority to enter into low-cost, long-term leasing agreements with housing developers and accelerate housing development on state-owned land as a public use.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The Department of General Services shall create a digitized inventory of all state-owned parcels that are in excess of state agencies' foreseeable needs by, among other things, conducting a comprehensive survey of all state-owned land. This inventory shall be completed by no later than April 30, 2019. To meet this deadline, all agencies under my direct executive authority shall support this effort by responding to all inquiries made by the Department of General Services.
2. The Department of General Services, the Department of Housing and Community Development, and the Housing Finance Agency shall collaborate to develop two new screening tools for prioritizing affordable housing development on excess state land. The tools shall be designed to identify and evaluate parcels of excess state land:
 - a. Where housing development is most likely to be economically feasible, accounting for, among other factors, a parcel's size, shape, grading, adjacencies, potential for consolidation, lack of site constraints, and proximity to job centers, education, high-frequency public transportation networks, utilities, and other services and amenities; and
 - b. Where underproduction is impacting housing affordability, accounting for, among other factors, availability of affordable housing in the job and commute sheds, the gap between supply and demand, and the rate of increase in rent.

Both tools shall be developed by no later than March 29, 2019.

3. The Department of General Services, in consultation with the Department of Housing and Community Development, shall apply the new screening tools to the State's inventory of excess state real property. The Department of General Services shall generate a comprehensive map of excess state real estate parcels where development of affordable housing (a) is feasible and (b) will help address regional underproduction. The map shall overlay a graphical representation (*i.e.*, a heat map) of where affordable housing development is most feasible and impactful. By April 30, 2019, the Department shall provide an interim progress report.
4. Where appropriate, state agencies shall consider exchanging excess state land with local governments for other parcels for purposes of affordable housing development and preservation. Parcels shall be exchanged with the goal of maximizing regional capacity to build and preserve affordable housing units.
5. The Department of General Services, in consultation with the Department of Housing and Community Development, shall issue Requests for Proposals on individual parcels and accept proposals from developers of affordable housing interested in entering into low-cost, long-term ground leases of parcels on the priority map.

- a. Requests for Proposals shall address, among other considerations: the number of housing units to be built and preserved; maximization of land resources and level of affordability; feasibility of breaking ground within two years of entering the lease and completing units within three years; the individual cost per unit of construction; the use of renewable construction materials, such as cross-laminated timber; and the developer's demonstrated capacity to complete affordable housing projects.
 - b. Selection of projects shall catalyze and incubate innovative models for construction (such as modular or prefabrication), financing, and workforce development.
 - c. Bidding requirements shall include commitments to pay prevailing wages as required under the law.
6. The Department of General Services, in consultation with the Department of Housing and Community Development, shall begin to implement the above selection process no later than September 30, 2019.
 7. The Department of General Services, the Department of Housing and Community Development, and other state agencies and departments shall use all existing legal and financial authority to expedite and prioritize these developments, including by giving them preference in the award of state funding, pursuant to my further direction. Agencies not under my direct executive authority are requested to do the same.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15th day of January 2019.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



NOTICE OF FUNDING AVAILABILITY

Acquisition, Predevelopment and Construction Financing for NEW AFFORDABLE EDUCATOR HOUSING

Issue Date: February 24, 2023
Application Due Date: April 21, 2023

*Issued by the Mayor's Office of Housing and Community Development
of the City and County of San Francisco (City)*

Available Funds: up to **\$32,000,000** for predevelopment and construction for new construction projects serving extremely low, low and moderate income Education Employees

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I. INTRODUCTION

In order to promote the development of permanent affordable housing for residents of San Francisco, with priority to employees of the San Francisco Unified School District (SFUSD) and San Francisco Community College District (SFCCD) (“Education Employees”), the Mayor's Office of Housing and Community Development (MOHCD) announces the availability of acquisition, predevelopment and construction funding for sites suitable for the development of new, permanent affordable housing for Education Employees.

The approved FY22-23 City Budget includes \$12 million for the development of Educator Housing sourced by the issuance of Certificates of Participation (COPs) through the Controller's Office of Public Finance. An Educator Housing Project is defined in the Planning Code as housing for Education Employees, with income requirements between 30% and 140% of median income published by MOHCD (“AMI”), with an overall average of 100% AMI across the units, and up to 20% of the units restricted up to 160% AMI. In November 2019, San Francisco voters approved General Obligation Bonds (GO Bonds) for affordable housing, including \$20 million for permanent affordable housing opportunities or projects serving Education Employees with household incomes between 30% and 140% AMI.

COPs may include homeownership opportunities and GO Bonds are limited to rental housing opportunities.

MOHCD intends to combine these resources to facilitate the development and construction of at least two Educator Housing projects with units affordable to households earning between 30% and 140% AMI. The funds may be used for either homeownership (limited to \$12 million) or rental housing projects. Priority for occupancy will be given to households with at least one qualified Education Employee, as described above and as defined in the Planning Code for Educator Housing Projects.

With this Educator Housing NOFA, MOHCD seeks to expand geographic diversity and create additional affordable homeownership and rental opportunities available to a broad range of San Francisco's Education Employees, such as teachers, paraeducators, and early childhood education providers that are employees of SFUSD and SFCCA. Given the scarcity of funds other than the \$32 million described here, and the ambitious production goals of the General Plan's Housing Element, MOHCD will prioritize projects that are entitled and prepared to start construction the most quickly.

For proposed Educator Housing Projects funded under this NOFA, MOHCD will make predevelopment loans in 2023, with target construction start dates no later than 2025, lease up to be completed no later than 2026, and sales to be completed no later than 2029. MOHCD anticipates selection of at least two projects under this NOFA.

MOHCD will select proposals that meet the following outcomes:

1. The proposed project must **maximize** density and unit count that may be built “as of right” using all available tools.
 - Use streamlined ministerial approval processes and maximize density per as-of-right zoning. For example, SB35 may be used in conjunction with the Affordable Housing Density Program or the State Density Bonus Program.
 - Adjust unit sizes to serve the proposed target populations.
2. The proposal must implement an **interim use plan** for the site that outlines contingencies for any anticipated construction start delays of more than one year that includes:
 - Retention, where possible, of existing active uses.
 - Active site management to prevent unsafe conditions.
 - Any proposed interim uses that will activate the site. Note that costs to sustain any interim uses are not eligible uses for funding from this NOFA.
3. The proposal must maximize the benefit of the City’s subsidy dollars through demonstrated **Cost-Effectiveness**, whether via low-to-no land costs, use of efficient construction techniques and/or materials, or other identified cost-saving measures.
 - The proposed Project’s development plan must accommodate funding constraints, namely, a maximum \$350,000 of City subsidy per unit, including land.
 - The proposed Project must secure construction and permanent financing that minimizes and leverages City resources to the greatest extent possible, e.g. a State of California, Housing & Community Development (HCD) loan, and/or philanthropic contribution
4. The proposal must align with the implementation of **City policies** on anti-displacement, racially inclusive communities, and creating stable housing for vulnerable populations, as described below in Section III.
5. The proposal must create opportunities for the growth of **Emerging Developers**¹ in primary development roles, as members of the development team, or as key members of selected development teams.

¹ Emerging Developer means a nonprofit organization, including a Tribal Entity, that has developed, owned, or operated at least one (1) but not more than three (3) Qualifying Projects that are equivalent to the Proposed Project in size, scale, amenity, and target population.

Note: With regard to the minimum requirements under this NOFA, the City will determine experience by evaluating the experience of the entity itself, the experience of senior staff within the organization, and/or the applicant’s proposed entity (in a joint venture or by contract) that meets the experience requirements.

6. For rental housing, MOHCD will prioritize affordable housing projects best positioned to secure funding from the CA Debt Limit Allocation Committee (see: [CDLAC Procedures and Application Instructions](#)) by falling into one of three (3) priority funding categories.
 - Site development will produce at least 25% 2-bedroom and 25% 3-bedroom units, so that development will qualify as [High/Highest Resource](#) family development.
 - Site will be developed by a team that qualifies for the CDLAC BIPOC funding pool.

7. For rental housing:
 - Serve households ranging from 30% to 140% AMI.
 - Maximize the number of target population placements into the Project (Education Employees, COP holders, etc.).

8. For homeownership housing, MOHCD will prioritize applicants that have already received an award from HCD’s CalHome program in support of homeownership project development.

9. For homeownership housing:
 - Serve households with an income ranging from 80% to 120% of AMI with an overall average of 100% AMI as determined by MOHCD and that is adjusted for household size.
 - Maximize the number of target population placements into the Project (Education Employees, COP holders, etc.).

Funds issued under this NOFA will be available in late Summer 2023. MOHCD reserves the right to select any number of Projects it determines appropriate, given available resources for housing development and in order to fulfill the express goals of the NOFA.

**** Note: the availability of funds may be subject to the Board of Supervisors’ approval of the COPs bond issuance.***

II. IMPORTANT DATES AND SUBMISSION PROCESS

A. IMPORTANT DATES

NOFA Issued	FEBRUARY 24, 2023
Pre-submission conference via Zoom or MS Teams, 4PM	MARCH 1, 2023
Deadline for questions and requests for additional information	APRIL 7, 2023

Proposal Submissions Due	APRIL 21, 2023
Notification to Project teams who met submission requirements	APRIL 28, 2023
Project team interviews, if necessary	MAY 2023
Announcement of selection of projects	JUNE 2023
Deadline for Objections	JUNE 2023
Loan Committee	FALL 2023
Execute Loans	EARLY 2024*
Estimated Site Entitlement	No later than December 31, 2024

* Note: the availability of funds may be subject to the Board of Supervisors approval of the COPs bond issuance.

B. PRE-SUBMISSION MEETING

MOHCD will hold a pre-submission conference via ZOOM or Microsoft Teams on **March 1 at 4:00 p.m.** The purpose of the meeting is to ensure that interested developers understand the minimum qualifications requirements and the selection process.

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 288 536 111 876

Passcode: yrknuW

[Download Teams](#) | [Join on the web](#)

Questions raised at the conference may be answered verbally at that time. If any substantive new information is provided in response to questions raised at the pre-submission conference, MOHCD will issue a written addendum to the NOFA (in the form of a Questions and Answers document) with this information to all parties that have registered for the NOFA. No questions or requests for interpretation will be accepted after April 7, 2023. Attendance at the pre-submission conference is highly recommended but not mandatory. Please see **Form C – NOFA Registration Form** for information on registering for the pre-submission conference.

C. REGISTRATION FOR NOFA REQUIRED

To receive MOHCD's responses to requests for additional information and to questions about this NOFA, and to submit a proposal, all interested parties must submit a completed NOFA Registration Form to MOHCD by April 7, 2022. All addenda, responses and instructions for electronic submission will be distributed to all parties who have submitted a registration form in accordance with Section IIB above. MOHCD reserves the sole right to determine the timing and content of the response, if any, to all questions and requests for additional information. Questions and information requests should be submitted to the contact person identified in Section IIE below.

D. QUESTIONS AND REQUESTS FOR INFORMATION

All questions and requests for additional information regarding this NOFA must be submitted by e-mail to mohcdHFOpps@sfgov.org. Questions received after the deadline may not be answered. All addenda, responses, and additional information will be distributed to all parties who have submitted a registration form in accordance with Section IIB.

E. CONTACT PERSON, SUBMISSION DEADLINE AND PLACE

All communications about this NOFA should be directed to Mara Blitzer, Director of Special Projects at MOHCD, at mohcdHFOpps@sfgov.org.

Respondents to this NOFA must submit one (1) electronic copy of each of their proposals to MOHCD no later than 4:00 PM, April 21, 2023. **Proposals are to be delivered by email at mohcdHFOpps@sfgov.org by providing a DropBox link. Respondents who submit registration forms will be advised of any information necessary for the electronic submittal process.**

F. FINAL REVIEW AND COMMITMENT OF FUNDS

Selected applications will be scheduled for review and funding commitment by the Citywide Affordable Housing Loan Committee. All commitments recommended by the Loan Committee are subject to final approval by the Mayor. Commitments may be conditional; actual closings and disbursements of funds may be contingent on applicants' achievement of certain development benchmarks or performance goals. The availability of Certificates of Participation bond funds is subject to the approval of the Board of Supervisors.

The City reserves the right to commit funds to a successful applicant in an amount that differs from the originally requested amount. The City also reserves the right to award an aggregate amount that exceeds the amount identified as available under this NOFA if necessary to fully fund a selected project.

III. PROJECT EXPECTATIONS

In addition to the requirements listed above under Section I, projects are expected to meet the following goals.

A. ALIGNMENT WITH CITY RACIAL EQUITY GOALS

The City is required to affirmatively further fair housing as established by the State of California and the US Department of Housing and Urban Development.

Pursuant to San Francisco Administrative Code Chapter 47, MOHCD has adopted explicit policies in its Certificate of Preference (“COP”), Displaced Tenant, and Neighborhood Resident Preference Programs which provide historically displaced and vulnerable populations who reside within the community preference in obtaining access to quality affordable housing. In an effort to redress past and present inequities, the selection process for this NOFA will favor applicants with direct experience working with COP holders, or populations who share characteristics with the COP population.

Additional expectations for any proposed Project related to Racial Equity include:

- Maximize the number of priority placements (COP holders, etc.)
- Maximize (meet or exceed) the City’s requirements for promotion of SBE/LBE organizations with contracts and local hiring with construction labor
- Create opportunities for growth of Emerging Developers (smaller organizations) in a development role or as a member of development team
- Provide initial draft marketing plans within 18 months of anticipated Temporary Certificate of Occupancy (“TCO”), outlining the affirmative steps Respondents will take to market each Project to the City’s preference program participants including Certificate of Preference (COP) Holders, Displaced Tenants, and Neighborhood Residents, as well as how the marketing is consistent with the Mayor’s Racial Equity statement.
- Submit responses to requests for demographic data regarding the Boards of Directors of member organizations of the Development Team’s and of the staff of the Respondents that are selected. This data will not be evaluated or scored.
- In the case of a Joint Venture relationship, split any Developer Fee per MOHCD Underwriting Guidelines, linked here: [Multi-family housing forms, documents, policies and guidelines | San Francisco \(sf.gov\)](#).

B. ALIGNMENT WITH MOHCD DEPARTMENT GOALS

1. Respondents should align their development approach with the key findings in MOHCD’s Theories of Change (as described in the 2020- 2024 Consolidated Plan at [this link](#)). MOHCD is addressing the City’s priority needs via five interconnected, multidisciplinary objectives that cross program areas and leverage strategies both internally and across multiple city departments. These five objectives are:

Objective 1: Families and individuals are stably housed

Objective 2: Families and individuals are resilient and economically self-sufficient

Objective 3: Communities have healthy physical, social, and business infrastructure

Objective 4: Communities at risk of displacement are stabilized

Objective 5: The City works to eliminate the causes of racial disparities

MOHCD has also identified five target populations based on the findings from the Consolidated Plan community engagement process. These are:

- Households experiencing a legacy of exclusion
- Households destabilized by system trauma
- Households with barriers to access to opportunities
- Extremely and very low-income households
- Households at risk of displacement

2. MOHCD aims to deploy at least 25% and up to 50% of its resources to sites/programs located in Well-Resourced Neighborhoods and deploy remaining resources to support Priority Equity Geographies as defined in the Housing Element (2023 draft). See: [CTCAC Tax Credit Programs](#) and Figure 19 here: [Housing Element 2022 Update 12.16.22 Clean.pdf \(sfhousingelement.org\)](#).

C. OCCUPANCY PRIORITIES AND PREFERENCES, DAHLIA

A household is considered eligible for the Education Employee occupancy priority if the household includes at least one current SFUSD employee or at least one SFCCD employee and meets the income restrictions, occupancy requirements, and all other requirements for the unit.

The Education Employee occupancy priority will be used to queue eligible applicants in the initial building lottery (for both rental and homeownership housing projects) and in managing the waitlist after initial lease up (for rental housing projects). First consideration of tenancy or purchase, as applicable, will be given to eligible Education Employees. Applicable City and County of San Francisco housing preferences will be used to further queue applicants who are Education Employees. These local preferences may include Certificate of Preference holders (COP), Displaced Tenant Housing Preference Program (DTHP), Neighborhood Resident Housing Preference (NRHP), and Live/Work in San Francisco.

Subject to fair housing law, applications to the building lottery or waitlist may also be accepted from households not employed by SFUSD or SFCCD (i.e. general public), though consideration of any non-Education Employee applicant for tenancy will only occur after any vacant unit or unit for sale has been offered to an eligible applicant from the lottery or waitlist.

For rental housing projects, if the Education Employee qualifying for an occupancy preference discontinues his or her employment with SFUSD or SFCCD and no other household member residing in the unit is currently employed by SFUSD or SFCCD, then the household may be required to vacate the unit at the end of the current lease term.

Factors including whether there is an eligible applicant on the waitlist will be considered in determining any extension. Occupancy of any vacant units will continue to prioritize Education Employees.

For homeownership housing projects, the Education Employee occupancy priority applies to initial sales and any subsequent sales. To be eligible for the Education Employee occupancy priority, the household must include at least one current SFUSD employee or at least one SFCCD employee at the time that the applicant submits the application. An Education Employee who qualifies for an occupancy preference, but later discontinues his or her employment with SFUSD or SFCCD, may still qualify for the Education Employee occupancy priority, on a case by case basis.

MOHCD will manage the lottery process through its housing portal, Database of Affordable Housing Listings, Information, and Applications (“DAHLIA”).

D. ELIGIBLE USES OF FUNDS

Funding awarded through this NOFA may be used to support a variety of housing development activities for the production of new affordable Educator Housing Projects, including but not limited to the following.

- Property acquisition and holding costs, with the exception of interim uses (which are not eligible uses)
- Architectural and engineering expenses
- Environmental assessments
- Appraisals
- Legal costs
- Project management
- Construction costs
- Financing costs

Costs associated with the acquisition or design of commercial, office, or community spaces may also be eligible uses of City funds, depending on how the use of these spaces relates to the proposed Educator Housing Projects and the extent to which other potential resources for developing these spaces are utilized. Hard and soft costs associated with tenant improvement for potential interim uses of such spaces are not eligible for support with these funds.

Projects currently under development that have existing capital funding commitments from MOHCD, the Department of Homelessness and Supportive Housing (HSH), or the Mayor’s Office of Community Infrastructure and Investment (OCII) are not eligible for funding under this NOFA.

E. SUMMARY OF FUNDING TERMS - RENTAL

Soft Debt Loan Terms Include:

- Maximum City Subsidy: \$350,000 per unit for buildings, to include land

- 3% annual simple interest
- 55-year term
- Repayment due to the extent that residual cash flow is available and at expiration of the loan term
- Rents restricted between range of 30% to 140% AMI for the life of the project
- Restrictions must be recorded in first position on title
- To the extent possible, eventual opportunity for City to own the land as ground lessor under some other land dedication/ subdivision mechanism that will insure long-term affordable housing as the primary use of the land.

Please see:

- MOHCD's Underwriting Guidelines (link here: [Multi-family housing forms, documents, policies and guidelines | San Francisco \(sf.gov\)](#)) for complete terms and conditions.
- MOHCD's Housing Preference and Lottery Procedures (link here: [Marketing, Housing Preferences and Lottery Procedures Manual](#))

F. SUMMARY OF FUNDING TERMS - HOMEOWNERSHIP

- Sales prices set to be affordable to households with an income ranging from 80% to 120% of AMI with an overall average of 100% AMI for the life of the project.
- Restrictions on ownership units:
 - Project Restrictions: Developer must execute a Declaration of Restrictions and Affordability Housing Covenants or a similar restrictive covenant agreement ("Project Restriction"), in form and substance approved by MOHCD and in favor of the City. Developer must cause the Project Restriction to be recorded on title of the Project in the first position unless MOHCD and Developer otherwise agree in writing.
 - Unit Restriction: Each qualified Education Employee household will execute a Declaration of Restrictions for For-Sale Affordable Housing Units and Option to Purchase Agreement ("Unit Restriction"), in form and substance approved by MOHCD and in favor of the City. Each qualified Education Employee household must cause the Unit Restriction to be recorded on title of an ownership unit upon transfer of the unit before any other junior loans but after the first mortgage deed of trust.
- Developer must comply with the Inclusionary Affordable Housing Program Monitoring and Procedures Manual, amended from time to time ("Procedures Manual", see link below) for the applicable marketing, conducting the lottery, applying lottery preferences, and identifying qualified Education Employee households, and initial sale and any resale of the ownership units. The applicable Procedures Manual is the manual in effect at the time an ownership unit is made available for initial sale by Developer and resale by an owner.
- Provided that the Educator Housing Project complies with the terms and conditions of the loan agreement and any other documents executed between Developer and the City, upon each completed transfer of an ownership unit from Developer to a qualified household in accordance with the Master Restriction and the Procedures Manual, the City will forgive the applicable funding amount for each ownership unit transferred to a qualified household and partially reconvey

the acquisition and predevelopment loan deed of trust applicable to the unit, which shall, on a per-unit basis, satisfy the acquisition and development loan repayment obligations to MOHCD.

- Developer must own fee simple interest in the site and will be responsible for completing a subdivision and common interest development in compliance with state and local laws. Developer will then transfer a condominium interest in the site to each qualified household at the time of sale of each ownership unit.

Please see:

- MOHCD's guidelines for determining applicants' eligibility as a qualified Education Employee household for ownership units (link here: [Inclusionary Affordable Housing Program Monitoring and Procedures Manual](#))
- MOHCD's Housing Preference and Lottery Procedures (link here: [Marketing, Housing Preferences and Lottery Procedures Manual](#))

IV. SELECTION PROCESS, MINIMUM CAPACITY AND EXPERIENCE REQUIREMENTS, SELECTION CRITERIA AND SCORING, AND SUBMITTAL REQUIREMENTS OVERVIEW

A. SELECTION PROCESS

MOHCD staff will review all submittals for completeness and satisfaction of minimum experience and capacity requirements (see Section B below). If a submittal does not meet minimum experience and capacity requirements, the respondent may submit an appeal to MOHCD staff on technical grounds only.

A Selection Panel will be appointed by the Director of MOHCD composed of persons with expertise in the areas of development, affordable housing finance, affordable housing construction management, homeownership, community development, commercial space development, housing access/marketing, and public design/arts commission, as well as community representatives.

The Selection Panel will review all qualified responses (see Section C below) and may interview top-scoring applicants, at which time applicants will be asked to present and explain the major characteristics of their submittal, particularly as they relate to the Scoring Criteria, and respond to questions from the Selection Panel.

After interviews have been completed, the Selection Panel will determine the final ranking of all responses and present this ranking to the Director. The Selection Panel's scoring of each proposal will be done by consensus and will be final.

The Director will then select Project(s) for this funding pool and advise the Mayor of these selections. MOHCD and the selected applicants will enter into acquisition and predevelopment loan agreements with milestone requirements established in accordance with the terms of this NOFA. If MOHCD staff cannot enter into a loan agreement with a selected applicant that is in the best interest of the City, the MOHCD Director may terminate negotiations in his sole discretion. If the MOHCD Director

terminates negotiations with a selected applicant, the MOHCD Director reserves the right, in his sole discretion, to (1) negotiate with the next highest ranked Respondent, or (2) reject any and all other proposals, in whole or in part, prior to award, and (3) may re-advertise the NOFA for the full or partial funding amount under such terms the MOHCD Director deems to be in the City’s best interest. MOHCD reserves the right to appoint additional parties to the selected applicant team should it be determined that the team lacks representation necessary to the achievement of the goals of the NOFA.

B. MINIMUM CAPACITY AND EXPERIENCE REQUIREMENTS - RENTAL

Only applicants who meet all of the following criteria will be considered eligible for selection and funding for rental housing under this NOFA.

1. Minimum Development Team Characteristics

The proposed applicant team must include the following.

- A nonprofit developer (or developers) with experience developing permanent affordable housing for low-income households or a for-profit developer working in partnership with a nonprofit developer, of which one of the joint venture partners must have experience developing affordable housing (the “Developer”); the development team must have demonstrated experience conducting effective community outreach and engagement.
- A property owner entity with experience owning housing for low-income communities.
- A property management entity with experience managing housing for low-income families with Housing First principles.
- A community-based, service-providing entity with experience providing culturally competent, and trauma-informed, services appropriate for Educators and their families.

2. Minimum Development Team Experience

Minimum experience must be demonstrated by identifying specific **Qualifying Projects** in which team members have participated, as further described below. The proposed Development Team must submit **Form E - Qualifying Project Form (Rental)**, to document how the Qualifying Project characteristics meet each of the experience categories below (developer, owner, property manager, service provider.)

To demonstrate the minimum required development team experience, each team should submit one project for each experience category. When appropriate, teams may submit the same project as evidence of experience across multiple experience categories, or may use different projects to demonstrate experience across categories. In all cases, no more than four (4) total Qualifying Projects should be submitted. Qualifying Projects will not be scored; they are used to determine if the proposed Development Team meets the minimum development team experience required to develop the Site.

For Developer and Owner, a **Qualifying Project** must have all of the following characteristics.

- The project must be new construction (not a requirement for Minimum Service Provision Experience) in a construction type appropriate for the proposed site development (not a requirement for Minimum Property Manager and Service Provision Experience).
- The project must be financed in part with Low-Income Housing Tax Credits.

3. Minimum Developer And Owner Capacity Requirements

Minimum Developer Experience: The proposed Developer must have completed within the past ten years at least **one** Qualifying Project. The definition of “completed” is having received Temporary Certificate of Occupancy by the date of the issuance of the NOFA. For joint-venture Development partners, the experience of either entity may suffice for the joint-venture partnership. A Memorandum of Understanding between joint-venture Development partners must be submitted with the application.

Furthermore, a Respondent can qualify for development experience by contracting with a development consultant for comprehensive project management services. Project management services should include financial packaging, selection of other consultants, selection of construction contractor and property management agent, oversight of architectural design, construction management, and consultation on major aspects of the development process. The contract for development services must be submitted with the NOFA response and must be acceptable to MOHCD.

Minimum Ownership Experience: The proposed site owner must have owned at least **one** Qualifying Project for at least five (5) years prior to the submittal deadline of this NOFA. For purposes of this requirement, the managing general partner of the tax credit partnership intended to take ownership of the completed Project and to provide asset management for the Project is the proposed “Owner”.

In addition, each proposed Owner must provide evidence of experience with owning housing financed with Low Income Housing Tax credits. This experience does not have to be on the same project that satisfies the 5-year ownership requirement. If the Selected Developer entity is not the same entity as the proposed Owner, MOHCD reserves the right to require that certain members of the Selected Developer remain active in the ownership for whatever length of time MOHCD deems necessary to ensure operating and financial stability.

Minimum Property Manager Experience: The proposed property manager for the Project must have managed at least two Qualifying Projects, each for at least 36 months. In addition, the Property Manager must provide evidence of experience managing housing financed with Low Income Housing Tax credits and operating projects with a Housing First approach. The Property Manager must demonstrate effective strategies for working with service providers to collaborate on housing stability of residents.

Minimum Service Provision Requirements: The proposed service provider(s) must have at least 36 months’ experience providing supportive services within a Qualifying Project,

including case management and comprehensive services for low-income households in a residential setting. The proposed service provider(s) must demonstrate effective strategies for collaborating with property management on housing stability for residents. The proposed service provider(s) must have the infrastructure to supervise and train onsite staff and their supervisors.

Other Consultants: For any applicant team, the experience of key staff members or “other consultants” may be substituted for the experience of the organization as a whole as long as the staff member’s or consultant’s experience in other firms was substantive and involved responsibilities similar to what they are anticipated to perform as a member of the Respondent’s team.

Note Regarding Experience: For any applicant team member, the experience of key staff members may be substituted for the experience of the organization as a whole as long as the staff members’ experience in other firms was substantive and involved responsibilities similar to those that they are anticipated to perform during the proposed development of the Site. Any substitution should be clearly identified in Attachment E, Qualifying Project Form.

The proposed Developer and Owner must demonstrate the financial and staffing capacity to successfully complete the project and manage the asset in the long-term, as further described below.

- Financial Capacity: The proposed Developer (or Guarantor where another entity is providing required guarantees) must demonstrate its ability to obtain competitive financing, as evidenced by submitting the latest (2) years of either signed federal income tax returns (including schedules or attachments, if any); or audited financial statements (with management letters, if any). The proposed Developer must also submit **Form F – Financing Terms for Developer’s Qualifying Project** documenting the equity pricing and debt terms for the Qualifying Project submitted under Minimum Developer Experience.
- Staffing Capacity: The proposed Developer must document its capacity to successfully plan, design, and develop the Project, throughout the period of development, either through staff with appropriate experience and capacity, contracted services, or collaboration with other organizations. To document this, the proposed Developer must submit a written narrative **no more than one page** (in Times New Roman font, 12 font size, and 1-inch margins) to document the experience and capacity of key staff, their workloads, and the organizational structure for supporting staff. The proposed Developer must also submit **Form G – Projected Staffing Workload Form** to document the work assignments (existing or contemplated) associated with each staff person expected to work on the Project for Developer.

Asset Management Capacity: The proposed Owner must document its capacity to successfully manage real estate assets in compliance with City regulatory agreements and restrictions. To document this, the proposed Owner must submit a recent Real Estate Owned (REO) schedule, stating the number of projects and average number of units/project currently in Owner’s asset management portfolio,

proposed Owner's current asset management staffing (noting job titles), FTEs, and status of each position (filled/vacant), and proposed Owner's organizational chart.

C. MINIMUM DEVELOPER TEAM REQUIREMENTS – HOMEOWNERSHIP

Only applicants who meet all of the following criteria will be considered eligible for selection and funding for homeownership projects under this NOFA.

1. Minimum Development Team Characteristics

The proposed applicant team must include the following:

- A San Francisco-based non-profit development entity whose mission includes the development of affordable homeownership housing in low- to moderate-income communities, acting either as sole developer or as a partner in a joint venture, or joint-venture partner, defined as a nonprofit organization;
- A property owner entity with capacity and experience in residential condominium construction, subdivisions, and sales, and the HOA formation and operation according to federal, state, and local regulations.
- A community-based, service-providing entity with experience providing culturally competent and trauma-informed services appropriate for Education Employees and their families. This includes experience delivering the early homeownership readiness services through outreach, homeownership education and counseling, financial coaching to prepare the target population for homeownership.

2. Minimum Development Team Experience

Minimum experience must be demonstrated by identifying specific **Qualifying Projects** in which team members have participated, as further described below. The proposed Development Team must submit **Form J: Qualifying Project Form (Ownership)**, to document how the Qualifying Project characteristics meet each of the experience categories: Minimum Development Experience, Minimum Ownership Experience, and Minimum Team Experience.

To demonstrate the minimum required development team experience, each team should submit one project for each experience category. When appropriate, teams may submit the same project as evidence of experience across multiple experience categories or may use different projects to demonstrate experience across categories. In all cases, no more than two (2) total Qualifying Projects should be submitted. Qualifying Projects will not be scored; they are used to determine if the proposed Development Team meets the minimum development team experience required to develop the site.

For Developer, a **Qualifying Project** must have all of the following characteristics:

- new construction in a construction type appropriate for the proposed site development
- at least six units in size

- majority multiple-bedrooms

Minimum Developer Experience: The proposed Developer must have completed within the past ten years at least **one** Qualifying Project. The definition of “completed” is having received Temporary Certificate of Occupancy by the date of the issuance of the NOFA. For joint-venture Development partners, the experience of either entity may suffice for the joint-venture partnership. A Memorandum of Understanding between joint-venture Development partners must be submitted with the application.

Furthermore, a Respondent can qualify for development experience by contracting with a development consultant for comprehensive project management services. Project management services should include financial packaging, selection of other consultants, selection of construction contractor and property management agent, oversight of architectural design, construction management, and consultation on major aspects of the development process. The contract for development services must be submitted with the NOFA response and must be acceptable to MOHCD.

Minimum Team Experience: The proposed Developer team must have the following experience: a) early homeownership readiness services through outreach, homeownership education and counseling, financial coaching to prepare low- to moderate-income Education Employees for homeownership; b) government assisted affordable housing programs and homeownership financing sources, including experience delivering affordable housing on budget (defined as maintaining or reducing a project’s per unit cost.)

Other Consultants: For any Respondent team, the experience of key staff members or “other consultants” may be substituted for the experience of the organization as a whole as long as the staff member’s or consultant’s experience in other firms was substantive and involved responsibilities similar to what they are anticipated to perform as a member of the Respondent’s team.

Note Regarding Experience: For any Respondent team member, the experience of key staff members may be substituted for the experience of the organization as a whole as long as the staff members’ experience in other firms was substantive and involved responsibilities similar to those that they are anticipated to perform during the proposed development of the site. Any substitution should be clearly identified in **Form J: Qualified Project Form (Homeownership)**.

3. Minimum Developer Capacity Requirements

The proposed Developer must demonstrate the financial and staffing capacity to successfully complete the project, as further described below.

Financial Capacity: The proposed Developer (or Guarantor where another entity is providing required guarantees) must demonstrate its ability to obtain competitive financing, as evidenced by submitting the latest (2) years of either signed federal income tax returns (including schedules or attachments, if any); or audited financial statements (with management letters, if any). The proposed Developer must also submit **Form F – Financing Terms for Developer’s Qualifying Project** documenting the equity pricing

and debt terms for the Qualifying Project submitted under Minimum Developer Experience.

Staffing Capacity: The proposed Developer must document its capacity to successfully plan, design, and develop the Project, throughout the period of development, either through staff with appropriate experience and capacity, contracted services, or collaboration with other organizations. To document this, the proposed Developer must submit a written narrative **no more than one page** (in Times New Roman font, 12 font size, and 1-inch margins) to document the experience and capacity of key staff, their workloads, and the organizational structure for supporting staff. The proposed Developer must also submit **Form G – Projected Staffing Workload Form** to document the work assignments (existing or contemplated) associated with each staff person expected to work on the Project for Developer.

Asset Management Capacity: The proposed Developer must document its capacity and experience in residential condominium construction, subdivisions, sales, and the HOA formation and operation in compliance with federal, state, and local regulations. The proposed Developer and Owner must submit **Form K: Ownership Asset Management Capacity Form** to document:

- HOA Experience: Provide a written narrative describing the experience with HOA documentation and budget creation, including obtaining approvals from the California Department of Real Estate (DRE), and submit a recent HOA condo plan with recorded Covenants, Conditions and Restrictions (CC&Rs), Budget Report, and Final Public Report approved by the DRE.
- Residential Condominium Projects Experience: State the total number of residential condominium projects and units completed within the past ten years. State the average number of residential condominium projects and units currently in Owner’s portfolio.
- Proposed Real Estate Transaction Management Staffing Capacity: Describe the work assignments (existing or contemplated) associated with each staff person expected to handle real estate transactions to support potential homebuyers through application, approval, closing process and post-closing asset management. Complete the chart in the Attachment K: Ownership Asset Management Capacity Form to note Position titles, FTEs, status of each position (filled/vacant), and primary duties, and proposed Owner’s organizational chart.

D. MINIMUM PROPOSAL REQUIREMENTS

Eligible Proposals:

1. Must demonstrate site control by applicant as evidenced by appropriate documentation (Deed of Trust, Purchase Agreement, Option to Purchase Agreement.) The proposed purchase price must be reasonable in comparison to other sites in the neighborhood, and in comparison to, other affordable housing sites in the City, and must be supported by an appraisal as part of the application package.

2. Must include a description of proposed interim uses for the Site during the extended predevelopment period if the Project's expected construction start date is later than 2024. This should include a description of current structures and uses; what if any structures or amenities will be preserved; and the timeline, budget, and scope of planned interim uses. The budget should include a description of how security and other holding costs have been calculated.
3. Must include a description of site context: parcel history; current zoning; parcel configuration, including the need for potential parcel mergers; potential historic resources on the site or adjacent to it; and prior uses at the site that may have left environmental impacts. Applicant must include a map of neighboring amenities.
4. Must demonstrate ability for the project to make use of streamlined entitlements through SB 35 or another streamlining initiative.
5. Must demonstrate – through provision of specific examples of inputs used for estimating – that the project's total development budget, as well as its specific line items, are comparable to recent and similar projects, to industry standards and are compliant with funding source regulations, MOHCD policy and, in the case of rental projects, MOHCD's most recent underwriting guidelines. Cost per unit, per square foot (land area and building space), per bed or bedroom will be examined relative to total development cost, City subsidy, and construction cost.
6. Must propose the maximum use of available, non-local funds to achieve the highest reasonable financial leveraging of capital resources for the predevelopment, construction and permanent phase. The amount of City funds requested per unit and the actual or proposed level of funds to be leveraged from other sources will be examined.
7. Must include a community engagement plan that demonstrates the capacity to generate necessary neighborhood support for the proposed development. Include any evidence of support expressed to date for the project, as well as plans for community engagement going forward. This also needs to cover the entire development period, including interim use and construction work.
8. Proposals that include any displacement/relocation of residential and/or commercial tenants must include a full relocation plan and budget. Displacement or relocation that is required as a condition of site control is highly discouraged, though in some cases may be justified.
9. Must provide a construction cost estimate that reflects current construction costs and show escalation assumptions as a separate line item.
10. Must include a Services Plan and Budget that complies with MOHCD underwriting requirements.
11. Must provide concept-level drawings and/or diagrams that indicate the Project approximate height, bulk, site layout, unit count, and commercial/common space use, which can be printed on 8.5" x 11" paper, no more than two (2) pages. The purpose of these diagrams will be to confirm the anticipated unit yield at the site, and its conformance to existing zoning restrictions including any available density bonuses. Note: This information does not constitute a formal design

submission. There is no reimbursement for costs related to this requirement.

12. Financial feasibility for rental projects: The project must demonstrate overall financial feasibility through inclusion of a Financing Plan. The financing plan must include a detailed Sources and Uses Budget that includes the following and uses the most current version of the MOHCD Underwriting Guidelines, available on the MOHCD website (<https://sfmohcd.org/housing-development-forms-documents>.) The project must be financially feasible, including realistic development and operating budget projections that conform to industry standards, including TCAC minimum standards. Each proposed financing source must be realistic, compatible with MOHCD and all other committed or proposed funding sources, and appropriate for the proposed housing. Applicant must demonstrate that there is a reasonable likelihood that all identified development sources will be secured in a timely manner.
 - a. Primary capital funding sources can include 4% low income housing tax credit equity with tax exempt bonds, City subsidy, and Federal Home Loan Bank Affordable Housing Program funds, and that may include any other funding sources developers deem applicable, such as State of California Department of Housing and Community Development (HCD) (for example, MHP and IIG) or CalHFA funds. Do not assume use of No Place Like Home funds. Do not assume access to Section 8 (Housing Choice Vouchers, Project Based Section 8, or Continuum of Care, for example.)
 - b. Rents set at affordability levels appropriate for the target population.
13. For rental projects, where possible must include the opportunity for the City to eventually own the land as ground lessor under a long-term ground lease structure or some other land dedication/ subdivision mechanism that will insure long-term affordable housing as the primary use of the land.
14. For rental projects, must budget for a supportive services and housing stabilization component that is appropriate for the needs of the anticipated tenant population, and within MOHCD's funding guidelines for the services contract.
15. For rental projects, must demonstrate competitiveness for State bond and tax credit funds administered by the California Debt Limit Allocation Committee.
16. For rental projects, must include an operating budget that includes all expenses necessary to properly operate and maintain the building. This budget should include a service coordinator/connector staff position(s), at 1:100, to assist the Educator households.
17. Financial feasibility for homeownership projects: The project must be financially feasible, including realistic development budget projections that conform to industry standards. Each proposed financing source must be realistic, compatible with MOHCD and all other committed or proposed funding sources, and appropriate for the proposed housing. Applicant must demonstrate that there is a reasonable likelihood that all identified development sources will be secured in a timely manner. Must demonstrate through provision of specific examples of inputs used for estimating - that the project's total development budget, as well as its specific line items, are

comparable to recent and similar projects, to industry standards and are compliant with funding source regulations, MOHCD policy and most recent underwriting guidelines. Cost per unit, per square foot (land area and building space), per bed or bedroom may be examined relative to total development cost, City subsidy and construction cost. Note: The most current version of the MOHCD Underwriting Guidelines is available on the MOHCD website: <https://sfmohcd.org/housing-development-forms-documents>.

The project must propose the maximum use of available, non-local funds (such as State of California Department of Housing and Community Development (HCD) (for example, CalHome) or Federal Home Loan Bank Loan funds) to achieve the highest reasonable financial leveraging of capital resources for the predevelopment, construction, and permanent phase. The amount of City funds requested per unit and the actual or proposed level of funds to be leveraged from other sources will be examined.

18. For homeownership projects, must include opportunity for MOHCD to maintain the affordability of each unit into perpetuity through the CC&Rs that will ensure owner occupied affordable housing as the primary use of the land, as well as a unit restriction to be recorded on title of an ownership unit upon transfer of the unit.

E. SELECTION CRITERIA AND SCORING

Responsive submittals include all the required information listed above, and a background and a vision statement articulating the application of best practices for the successful development of affordable housing and the achievement of desired outcomes and goals.

All applications that meet the Minimum Experience and Capacity Requirements listed in Section IV.B and IV.C will be scored and ranked according to the extent to which their Experience and Vision meets the following selection criteria:

	Category	Points
A.	EXPERIENCE:	40
i.	<p>Developer (12 pts)</p> <ul style="list-style-type: none"> ▶ Experience with the following: <ul style="list-style-type: none"> ○ Completing projects on time and on budget ○ Obtaining competitive financing terms ○ Developing proposed type of construction ○ Developing housing for low-income households, including Educators, as applicable ▶ Building community support through outreach ▶ Current staff capacity and experience to take on this 	

	project type	
ii.	<p>Owner (4 pts) - Rental</p> <ul style="list-style-type: none"> ▶ For rental projects, track record successfully owning housing financed with Low-Income Housing Tax Credits ▶ Effectiveness of current asset management structure and staffing, given portfolio size ▶ Capacity for assuming asset management of an expanded portfolio once the development is complete <p>Developer (4 pts) – Homeownership</p> <ul style="list-style-type: none"> ▶ Track record successfully managing condominium construction, subdivisions, sales, and the HOA formation and operation in compliance with state and local regulations ▶ HOA Experience with HOA documentation and budget creation, including obtaining approvals from the DRE; ▶ Residential Condominium Projects Experience; ▶ Proposed real estate transaction management staffing capacity. 	
iii.	<p>Property Manager (8 pts)</p> <ul style="list-style-type: none"> ▶ Experience managing property for low-income households, including Educators, if applicable ▶ Experience achieving high rates of housing retention ▶ Implements low barrier tenant selection policies consistent with Housing First principles ▶ Contributes to long-term sustainability of the development ▶ Achieves cost efficiencies in operations <p>Note: This is N/A for Homeownerships, 8 points moved to Developer.</p>	
iv.	<p>Service Providers (8 pts)</p> <ul style="list-style-type: none"> ▶ Experience providing access and delivering services to low-income households, including Educators, if applicable ▶ For rental projects, experience linking residents to the City’s safety net of services ▶ Works with property management to achieve high 	

	<p>rates of housing retention</p> <ul style="list-style-type: none"> ▶ Supports positive outcomes for residents around health and economic mobility ▶ If applicable, provides explanation for service contracts terminated prematurely within the last 5 years ▶ Capacity to attract and retain adequate staffing to take on this project <p>Note: This is N/A for Homeownership, 8 points moved to Developer.</p>	
v.	<p>Racial Equity (8 pts)</p> <ul style="list-style-type: none"> ▶ Experience providing housing to COP holders and neighborhood preference holders ▶ Uses innovative approaches to engagement with COP and neighborhood preference holders ▶ Demonstrates commitment to racially diverse project development teams ▶ Demonstrates experience with serving historically excluded communities of color ▶ Describes experience providing access and implementing effective service delivery strategies to historically excluded communities of color 	
B.	VISION:	60
i.	<p>Site and Project Concept (15 pts)</p> <ul style="list-style-type: none"> ▶ Proposes site whose location, size, configuration, and zoning support the development of affordable housing, including ability to maximize unit yield in a cost-effective construction type and make use of expedited entitlement processes. ▶ Describes vision for a development program at this site, while best achieving the project goals, and includes: <ul style="list-style-type: none"> ○ A residential program and other envisioned uses; ○ Indicates how the proposed uses and amenities will enhance the lives of the proposed target population and the surrounding neighborhood. ▶ Indicates populations served by the programs and 	

	<p>spaces.</p> <ul style="list-style-type: none"> ▶ Describes the interim use strategy, including contingencies for any construction start delays of over one (1) year 	
<p>ii.</p>	<p>Community Engagement Strategy (10 pts)</p> <ul style="list-style-type: none"> ▶ Describes community engagement strategy and includes: <ul style="list-style-type: none"> ○ The team’s philosophy on community engagement; ○ Process for establishing and/or building positive relationships with surrounding neighbors and the larger community; ○ Efforts designed to engage all interested community members—particularly BIPOC members of the target populations—and including monolingual non-English speaking community members; ○ How the Development Team intends to comply with the City’s Language Access Ordinance. ▶ Describes the Team’s approach to achieving entitlements for the project expeditiously and the approach to maintaining and building community relationships after entitlements have been achieved and the development is in operations. ▶ Indicates how particular community engagement strategy will address the historical exclusion of communities of color from quality housing, including but not limited to marketing to attract target populations. 	

<p>iii.</p>	<p>Services Delivery Strategy (10 pts)</p> <ul style="list-style-type: none"> ▶ Describes the Development Team’s services delivery strategy and includes: <ul style="list-style-type: none"> ○ The overall service philosophy; ○ Model for providing services to Educators and their families (including case management ratio and provision of amenities such as front desk clerks, if applicable); ○ The services goals of the proposed vision. ▶ Provides a brief description of the desired outcome of the services to be provided and innovative approaches to services provision, including the strategy of engaging residents and encouraging access to services. ▶ Describes how services for residents will be coordinated with the existing network of services in the neighborhood and community. ▶ Describes strategies used to help BIPOC tenants overcome barriers to accessing supportive services and income that mitigate the effects of poverty and lead to improved self-sufficiency. <p>Note: This is N/A for Homeownership, 10 points moved to Site and Project Concept.</p>	
<p>iv.</p>	<p>Finance & Cost Containment Approach (15 pts)</p> <ul style="list-style-type: none"> ▶ Describes the Development Team’s financing approach to the project. ▶ Describes how project is strategically positioned to successfully compete for State funding resources, including funding from the CA Debt Limit Allocation Committee and Department of Housing and Community Development ▶ Includes the Team’s process for structuring the project and controlling development costs. ▶ Includes innovative strategies intended to minimize MOHCD’s projected capital gap financing. ▶ Describes any innovative (i.e. non-standard, routine or commonly used) direct or indirect cost-cutting strategies relevant to overall development, construction or operating expenses. ▶ Includes proforma financials. 	

	<ul style="list-style-type: none"> ▶ Includes project design concept to fact check the financials. <p>Additional - for Homeownership:</p> <ul style="list-style-type: none"> ▶ Describes how will successfully manage condominium real estate assets in compliance with federal, state and local regulations. 	
v.	<p>Racial Equity Strategy (10 pts)</p> <ul style="list-style-type: none"> ▶ Explains how vision aligns with the primary goals of this NOFA set forth in the Introduction and Project Expectations. ▶ Proposes a substantive partnership that increases opportunity/capacity for growth of Emerging Developers (smaller organizations). 	
TOTAL POSSIBLE POINTS		100

Projects must receive at least 70 points to proceed through the selection process.

F. SUBMITTAL REQUIREMENTS OVERVIEW

Using **Form B – Submittal Checklist**, check boxes of all items that will be submitted. Complete and submit **Form C - NOFA Registration Form**. All addenda, responses and additional information will be distributed to all parties who have submitted a registration form in accordance with Section IIB above.

1. Minimum Development Team Characteristics

Submit **Form D - Respondent Description** to document the name of each organization, names of the organization’s Director (or equivalent position) and primary contact persons, and phone numbers and email addresses for each of the following:

- Lead Developer and Co-Developers (if applicable)
- Development Consultant (if applicable)
- Owner(s)
- Property Manager(s)
- Service Provider(s)

For each Lead Developer and/or Co-Developer, submit a current copy of the following documents:

- a. **Certificate of Good Standing** from the California Secretary of State
- b. **Certification of 501(c)(3) status** (for nonprofit corporations) from the Internal Revenue Service.
- c. **Compliance with California Attorney General’s Charitable Trust Registry.**

2. Minimum Development Team Experience

Submit **Form E - Qualifying Project Form**, to document how the Qualifying Project characteristics meet each of the experience categories below (developer, owner, property manager, service provider.) The Development Team may submit more than one

(1) Qualifying Project for each of the experience categories:

- a. Minimum Development Experience
- b. Minimum Ownership Experience
- c. Minimum Property Management Experience
- d. Minimum Service Provision Experience
- e. Minimum experience in incorporating principles of racial equity into development, management and service experience

To demonstrate the minimum required development team experience, each team should submit one project for each experience category. When appropriate, teams may submit the same project as evidence of experience across multiple experience categories, or may use different projects to demonstrate experience across categories. In all cases, no more than five (5) total Qualifying Projects should be submitted. **Qualifying Projects will not be scored, but are used to identify if the proposed Development Team meets the minimum development team experience required to develop the Site.**

3. Minimum Developer and Owner Capacity Requirements

Financial Capacity

- Latest two (2) years of either signed federal income tax returns (including schedules or attachments, if any); or audited financial statements (with management letters, if any).
- **Form F – Financing Terms for Developer’s Qualifying Project** to document the equity pricing and debt terms for the Qualifying Project submitted under Minimum Developer Experience.

Staffing Capacity

- Description of Key Staff Experience – Provide written narrative of **no more than one page** (in Times New Roman font, 12 font size, and 1-inch margins) to document the experience and capacity of key staff, their workloads, and the organizational structure for supporting staff.
- **Form G – Projected Staffing Workload Form**, documenting the work assignments (existing or contemplated) associated with each staff person expected to work on the Project for Developer.

Asset Management Capacity

- Proposed Owner’s recent **Real Estate Owned (REO) schedule**, documenting the number of projects and average number of units/project currently in Owner’s asset management portfolio.
- Proposed Owner’s current **asset management staffing**, noting job titles, FTEs, and status of each position (filled/vacant).
- Proposed Owner’s **organizational chart**.

Racial Equity Capacity

- Demonstrate how developer has met the City’s minimum compliance standards for Equal Employment Opportunities on the **Qualifying Project**.

4. Selection Criteria and Scoring

- i. **Experience:** Provide written narrative of **no more than five pages** (in Times New Roman font, 12 font size, and 1-inch margins).
- ii. **Vision:** Provide written narrative of **no more than seven pages** (in Times New Roman font, 12 font size, and 1-inch margins).

Additional documents submitted in this section will not be allowed, except as identified on the **Form B: Submittal Checklist**.

G. SCORING FOR EXPERIENCE

In **no more than five pages** of written narrative (in Times New Roman font, 12 font size, 1-inch margins), describe how each member of the Proposed Development Team has the most relevant experience for the successful development of the project.

Describe how the Development Team has implemented lessons learned from past affordable housing experience. Please note that Respondents are not limited to discussing the Qualifying Project(s).

Developer: Describe the Developer's track record successfully developing high-quality affordable housing. In particular, discuss the Developer's experience completing housing development projects on time and on budget, obtaining competitive financing terms, developing type V/I or III/I construction, developing for low-income families and Educators and building community support for mixed use projects (affordable residential with ground floor commercial) through outreach for similar projects. Describe the experience and capacity of current staff to take on a project of this type.

Owner: For rental projects, describe the Owner's track record successfully owning housing financed with Low-Income Housing Tax Credits. In particular, discuss the Owner's experience owning affordable housing for low-income families and Educators and describe the Owner's current asset management structure, staffing and portfolio, and its capacity for assuming asset management of an expanded portfolio once the development is complete. For purposes of this requirement, the managing general partner of the tax credit partnership intended to take ownership of the completed project and to provide asset management for the project is the proposed "Owner".

Property Manager: Describe the Property Manager's track record successfully managing high-quality affordable housing communities. In particular, discuss the Property Manager's experience providing management services for low-income families and Educators, including communities of color; experience achieving high rates of housing retention, implementing low barrier tenant selection policies, contributing to the long-term sustainability of the development; and achieving cost efficiencies in operations.

Services Provider(s): Describe the Services Provider(s)' track record delivering highly impactful services to residents in affordable and/or supportive housing developments. In particular, discuss the Services Provider(s)' experience delivering services to low-income families and Educators, including communities of color; linking residents to the

City's safety net of services; working with property management to achieve high rates of housing retention; and supporting positive outcomes for residents around health, economic mobility, and housing stability. If the Service Provider(s) have had any services contracts prematurely terminated in the last five years, include an explanation for each termination. Discuss strategies for eliminating barriers that prevent communities of color from accessing quality health care services, employment and educational opportunities.

Racial Equity Strategy: MOHCD recognizes the oppressive history of racial injustice, especially in housing and community services, the structural inequities that remain today, and the trauma those inequities perpetuate. Please describe the Developer team's level of racial equity awareness using the guidelines below:

- Understands and communicates that reducing racial inequities is mission critical
- Routinely collects, disaggregates, and analyzes data by race/ethnicity in programmatic and operational work
- Views diversity as a value-added feature of organizations, and enquires about the cultural competence of staff and grantees to work with diverse groups
- Has mechanisms for management accountability for equity, diversity, and inclusion
- Has mechanisms for staff accountability for equity, diversity, and inclusion
- Describes Development Team's present and future practices to meet MOHCD's racial equity goals as articulated in the racial equity goals of this NOFA
- Describes the Developer's experience with serving historically excluded communities of color
- Has experience providing access and implementing service delivery strategies to historically excluded communities of color
- Describes the demonstrated commitment to racially diverse project development and service teams.

For rental projects, provide the following:

- Owner's Real Estate Owned schedule
- Proposed owner's asset management staffing noting job titles, FTEs and status (filled/open) of each position
- Owner's organizational chart.

For homeownership projects, provide the following:

- Provide a written narrative describing the experience with HOA documentation and budget creation, including obtaining approvals from the California Department of Real Estate (DRE), and submit a recent HOA condo plan with recorded Covenants, Conditions and Restrictions (CC&Rs), Budget Report and Final Public Report approved by the DRE.
- State the total number of residential condominium projects and units completed within the past ten years. State the average number of residential condominium

- projects and units currently in Owner's portfolio.
- Describe the work assignments (existing or contemplated) associated with each staff person expected to handle real estate transactions to support potential homebuyers through application, approval, closing process and post-closing asset management. Complete the chart in the **Form K – Ownership Asset Management Capacity Form** to note Position titles, FTEs, status of each position (filled/vacant), and primary duties, and proposed Owner's organizational chart.

H. SCORING FOR VISION

In **no more than seven pages** of written narrative (in Times New Roman font, 12 font size, 1-inch margins), describe the Proposed Development Team's vision for the successful development of the project:

Site and Program concept: Describe how the Development Team's proposed Project will maximize unit yield in a cost-effective construction type. Describe how the Project will make use of the City's expedited permitting for affordable housing. Describe the Development Team's vision for a development program while best achieving MOHCD's project expectations and goals. Indicate how the proposed uses and amenities will enhance the lives of the future residents and the surrounding neighborhood. Indicate particular groups served by the programs and spaces (tots, children, teens, young adults, adults, Educators, etc.). Describe how the program will contribute to lowering barriers to persons of color seeking and retaining housing. Applicants should provide concept-level drawings and/or diagrams that indicate the Project approximate height, bulk, site layout, unit count, and commercial/common space use to print on 8.5" x 11" paper, no more than two pages. The purpose of these diagrams will be to confirm the anticipated unit yield at the site, and its conformance to existing zoning restrictions including any available density bonuses. This information does not constitute a formal design submission.

Community engagement strategy: Describe the Development Team's community engagement strategy, including the team's philosophy on community engagement and process for establishing and/or building positive relationships with surrounding neighbors and the larger community. Describe the Team's approach to achieving entitlements for the project expeditiously and the Team's approach to maintaining and building community relationships after entitlements have been achieved and the development is in operations. The strategy should include efforts designed to engage all interested community members, particularly BIPOC members of the target population, and including monolingual non-English speaking members of the community. The strategy should also make clear how the Development Team intends to comply with the City's Language Access Ordinance. Finally, address how the community engagement strategy will address the historical exclusion of communities of color from quality housing.

Services delivery strategy: Describe the Development Team's services delivery strategy, including the overall philosophy and model for providing services to targeted low-income and Educators (including case management ratio and provision of amenities such as front desk clerks), the services goals of the proposed vision, a brief description of the desired outcomes of the services to be provided and innovative approaches to services provision, including the strategy for engaging residents and encouraging access to

services, and how services for residents will be coordinated with the existing network of services in the neighborhood and community.

Financing and cost containment approach: Describe the Development Team’s financing approach to the project, including the Team’s process for structuring the project and controlling development costs. Describe any innovative strategies intended to minimize MOHCD’s projected capital gap financing. Also, describe any innovative (i.e., non-standard, routine or commonly used) direct or indirect cost-cutting strategies relevant to overall development, construction or operating expenses. Submit a development budget/pro forma.

Racial Equity Strategy: Please submit an overall statement regarding how the Development Team will incorporate the principles of racial equity in the development of the program concept, the community engagement strategy, services delivery strategy and marketing approach. Explain how the strategy aligns with the goals of this NOFA set forth in the Introduction and Project Expectations. Describe any substantive partnership that is part of the NOFA response that increases opportunity/capacity for growth of Emerging Developers (smaller organizations) in development roles. Explain how the Development Team’s model removes barriers to intergenerational wealth, self-sufficiency and resiliency for persons of color, particularly COP holders, African American households and/or households in historically African American neighborhoods.

In this section, include the following attachments:

- Evidence of Site Control
- Appraisal
- Map of Neighborhood Amenities
- MOHCD Application Proforma
- **Form I – CDLAC Self Score Worksheet**

5. Evidence of Authority

Provide a certified corporate resolution of the applicant or, in the case of a partnership, the applicant’s general partner, expressly authorizing the applicant to provide a response to this NOFA and, if selected by the City, to enter into negotiations with the City for the acquisition of the site.

6. Disclosure Form

Submit a completed and signed copy of **Form H – Disclosures**, which requires any respondent to this NOFA to disclose defaults, lawsuits, legal proceedings, bankruptcy filings or financial interests affiliated with MOHCD staff or Citywide Affordable Housing Loan Committee members. The individual who signs the form must be authorized to enter into legal agreements on behalf of the Respondent.

Note Regarding Submittals: Applicants may amend their response prior to the submission deadline. However, after the submission deadline, corrections are only allowed if immaterial and at the sole discretion of MOHCD.

V. TERMS AND CONDITIONS OF NOFA

A. DEVELOPER RESPONSIBILITIES

The selected applicant will be responsible for all aspects of development of the site, including but not limited to the following:

- Involving local community stakeholders in the program setting and initial design of the Project.
- Marketing the development to intended target audiences consistent with the goals of this NOFA, most notably outreach to Black communities historically excluded from quality housing or displaced from their neighborhoods.
- Conducting all appropriate due diligence, investigating and determining conditions of the site and the suitability of the site for the proposed Development.
- Securing all required development approvals, including but not limited to any necessary permits or approvals from the City's Planning Department and Department of Building Inspection, and from Federal and State agencies associated with environmental and historic preservation reviews (including Certificates of Appropriateness) as applicable.
- Obtaining adequate financing for all aspects of the proposed Development, including predevelopment, construction and operation.
- Designing and building the Development in a manner that produces a high-quality, enduring living environment.
- Owning, managing, and operating the Development in a manner that ensures its long-term financial viability and the ongoing satisfaction of residents.
- Complying with the requirements of any financing for the Development, including but not limited to:
 - a. **Equal Employment Opportunities:** The Selected Developer will be required to comply with local and federal procurement requirements, including the provision of equal employment opportunities for disadvantaged business consultants, architects, contractors, and other potential development team members to participate in the Development. To ensure that equal opportunity plans are consistent with City and Federal procurement requirements, sponsors should meet with MOHCD and San Francisco Contract Monitoring Division (CMD) staff prior to hiring their development team to develop a plan for such compliance. Although the City's Contract Monitoring Division (CMD) does not require prior approval or monitoring of procedures for selecting the architect for purposes of responding to this NOFA, the architect's Small Business Enterprise (SBE) status will be counted toward the overall Development's procurement goals which will be set at a later date.
 - b. **Environmental Review:** Depending on conditions at the Development Site and on Development plans, the proposed Development will be subject to review under the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA) and specifically the Section 106 historical resources preservation review. Department of City Planning design review

- may also be required.
- c. Accessibility Requirements: Development sponsors will be responsible for meeting all applicable accessibility standards related to publicly funded multifamily housing under Section 504 of the Rehabilitation Act of 1973, the Architectural Barriers Act, the Americans with Disabilities Act, and certain statutes and regulations of the City and County of San Francisco. Units must meet TCAC accessibility requirements, which at the time of RFQ drafting require at least 50% of all units to be adaptable and a minimum of 15% of the units to be accessible, including units for the visually and hearing impaired, consistent with TCAC requirements.
 - d. Prevailing Wages: This Development will be subject to applicable local, state or federal requirements with regard to labor standards. Developers should take prevailing wage requirements and labor standards into account when seeking estimates for contracted work, especially the cost of construction, and other work to which the requirements apply, and when preparing development budgets overall.
 - e. Employment and Training: The Selected Developer will be required to work with the CityBuild initiative of the Office of Economic and Workforce Development to comply with local and federal requirements regarding the provision of employment opportunities for local and low-income residents and small businesses during both the development and operation of the Development, including complying with the City's First Source Hiring requirements.
 - f. Sustainable Design: The Mayor's Office of Housing and Community Development seeks to maximize the overall sustainability of financed projects. The selected development team will be required to pursue any funding that may become available to help pay for the cost of planning and implementing green building components.
 - g. Public Art Requirement: Projects with funding from MOHCD must comply with the Charter requirement to include public art as part of project design. Please see the Underwriting Guidelines for more information.
 - h. Minimum Insurance Requirements: see Appendix A – Minimum Insurance Requirements.
 - i. DAHLIA: Projects with funding from MOHCD must allow MOHCD to monitor and oversee the marketing, lottery and sale of any unit in accordance with the Procedures Manual, including listing each unit on MOHCD's DAHLIA San Francisco Housing Portal.

B. ERRORS AND OMISSIONS IN NOFA

Applicants are responsible for reviewing all portions of this NOFA. Applicants are to promptly notify MOHCD, in writing, if the respondent discovers any ambiguity, discrepancy, omission, or other error in the NOFA. Any such notification should be directed to MOHCD promptly after discovery, but in no event later than five (5) working days prior to the date for receipt of proposals. Modifications and clarifications will be made by addenda as provided below.

C. ADDENDA TO NOFA

MOHCD may modify the NOFA, prior to the response due date, by issuing written addenda. Addenda will be sent via email to the last known address of each person or firm listed with MOHCD as having received a copy of the NOFA for proposal purposes. MOHCD will make reasonable efforts to notify Respondents in a timely manner of modifications to the NOFA. Notwithstanding this provision, the Respondent shall be responsible for ensuring that its proposal reflects any and all addenda issued by MOHCD prior to the proposal due date regardless of when the proposal is submitted.

D. OBJECTIONS

NOFA Terms. If any interested party objects to any provision or legal requirement in this NOFA, such party must provide written notice to MOHCD at mohcdHFOpps@sfgov.org setting forth with specificity the grounds for the objection no later than seven (7) calendar days of the date for submitting qualifications (See Section III(A)). Failure to object in the manner and within the time set forth in this paragraph will constitute a complete and irrevocable waiver of any objection to this NOFA.

Notice of Non-Responsiveness. A Respondent may object to a determination that its submission of qualifications is non-responsive to this NOFA by delivering written notice to MOHCD setting forth with specificity the grounds for the objection no later than seven (7) calendar days after the date of the written notice to Respondent of MOHCD's determination of non-responsiveness. Failure to object in the manner and within the time set forth in this paragraph will constitute a complete and irrevocable waiver of any objection.

Selection of Development Teams for Exclusive Negotiations. A Respondent may object to a selected Development Team and MOHCD Director's authorization to proceed with exclusive negotiations with such Development Team by delivering written notice to MOHCD setting forth with specificity the grounds for the objection by no later than seven (7) calendar days after the selected Development Team has been announced and made public by MOHCD. If a Respondent files a timely objection, the MOHCD Director will review such objection and respond in a timely manner, and MOHCD's authorization to enter into exclusive negotiations with the selected Development Team will not be binding until the MOHCD Director denies the objection. Failure to object in the manner and within the time set forth in this paragraph will constitute a complete and irrevocable waiver of any objection.

Delivery of Objections. Respondents must submit objections in writing, addressed to the person identified in this NOFA, and delivered to the MOHCD via email at mohcdHFOpps@sfgov.org by the dates specified above in order to be considered. Written objections must be transmitted by email and that will provide written confirmation of the date MOHCD received the objections. If a written objection is delivered by US mail, the Respondent bears the risk of non-delivery by the deadlines specified above.

E. CLAIMS AGAINST MOHCD

No Respondent will obtain by its response to this NOFA, and separately by its response waives, any claim against MOHCD by reason of any or all of the following: any aspect of this NOFA, any part of the selection process, any informalities or defects in the selection process, the rejection of any or all proposals, the acceptance of any proposal, entering into exclusive negotiations, conditioning exclusive negotiations, terminating exclusive negotiations, approval or disapproval of plans or drawings, entering into any transaction documents, the failure to enter into a lease or lease disposition and development agreement, any statements, representations, acts, or omissions of MOHCD, the exercise of any discretion set forth in or concerning any of the above, and any other matters arising out of all or any of the above.

F. SUNSHINE ORDINANCE

In accordance with San Francisco Administrative Code Section 67.24(e), contractors' bids, responses to NOFAs and all other records of communications between the City and persons or firms seeking contracts shall be open to inspection immediately after a contract has been awarded. Nothing in this provision requires the disclosure of a private person's or organization's net worth or other proprietary financial data submitted for qualification for a contract or other benefits until and unless that person or organization is awarded the contract or benefit. Information provided which is covered by this paragraph will be made available to the public upon request.

G. RESERVATIONS OF RIGHTS BY THE CITY

1. The issuance of this NOFA and the selection of developers for funding pursuant to this NOFA are in no way a limitation of the discretion of any City board, commission, department, employee or official with respect to any review or approval required in connection with the proposed development. The City's selection of developers is in no way deemed to be the final approval of any development proposed by the developer.
2. The information in this NOFA is provided solely for the convenience of respondents.
3. The City expressly reserves the right at any time to do waive or correct any defect or technical error in any response or procedure, as part of the NOFA or any subsequent negotiation process; reject any or all responses, without indicating the reasons for such rejection; cancel this NOFA at any time prior to award and reissue NOFA for the full or partial funding amount; modify or suspend any and all aspects of the selection procedure, the scope of the proposed development or the required responses, or the processes indicated in this NOFA; request that respondents clarify, supplement or modify the information submitted; extend deadlines for accepting responses, or request amendments to responses after expiration of deadlines; negotiate with any, all

or none of the respondents to this NOFA; make selections based directly on the proposals, or negotiate further with one or more of the respondents; during negotiation, expand or contract the scope of the proposed development, or otherwise alter the development concept in order to respond to new information, community or environmental issues; if at any time prior to the execution of binding agreements with the selected Development Team, MOHCD, in its sole discretion, determines that the selected Development Team will be unable to proceed with a timely and feasible Development in accordance with this NOFA or will not serve in the City's best interest, MOHCD may terminate negotiations with any selected Development Team and begin negotiations with the next highest ranked Respondent; MOHCD and HSH may require substitution of members of the Respondent team; or determine that no development will be pursued.

4. The issuance of this NOFA does not obligate the City to pay any costs incurred by any respondent, including but not limited to costs incurred in connection with the preparation or presentation of responses or negotiations with the City. Developer teams responding to this NOFA do so at their own expense.
5. The issuance of this NOFA is only an invitation to submit qualifications and does not constitute an agreement by the City that a loan agreement will actually be entered into by the City. This NOFA does not in any way limit the discretion of any City board, commission, employee or official with respect to any review or approval of any aspect of a proposed development.
6. The City will not approve any ground lease for any sites until there has been compliance with the California Environmental Quality Act (CEQA), and, as applicable, the National Environmental Protection Act (NEPA). If any proposed development is found to cause significant adverse impacts, the City reserves absolute discretion to require additional environmental analysis, and to: (a) modify the development to mitigate significant adverse environmental impacts; (b) select feasible alternatives which avoid significant adverse impacts of the proposed development; or (c) reject or proceed with the development as proposed, depending upon a finding of whether or not the economic and social benefits of the development outweigh otherwise unavoidable significant adverse impacts of the development.
7. The City reserves the right to disqualify any respondent to this NOFA based on any real or apparent conflict of interest that is disclosed by the responses submitted or on the basis of other information available to the City. The City may exercise this right in its sole discretion.

VI. LIST OF ATTACHMENTS

Attachment A: Minimum Insurance Requirements

See attached document.

Form B: NOFA Submittal Checklist

See attached spreadsheet.

Form C: NOFA Registration Form

See attached. Submit one per organization.

Form D: Respondent Description

See attached document.

Form E: Qualifying Project Form (Rental)

See attached document.

Form F: Financing Terms for Developer's Qualifying Project

See attached document.

Form G: Projected Staffing Workload Form

See attached spreadsheet.

Form H: Disclosures

See attached document

Form I: CDLAC Self-Score Worksheet

See attached document

Form J: Qualifying Project Form (Homeownership)

See attached document

Form K: Ownership Asset Management Capacity Form

See attached document

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



July 17, 2023

MEMORANDUM FOR: ALL POTENTIAL APPLICANTS

FROM: Megan Kirkeby, Deputy Director
Division of Housing Policy Development

SUBJECT: **2023 NOTICE OF FUNDING AVAILABILITY**
EXCESS SITES LOCAL GOVERNMENT MATCHING
GRANTS (LGMG) PROGRAM

The California Department of Housing and Community Development (“HCD,” or “Department”) is pleased to announce the release of this Notice of Funding Availability (“NOFA”) for approximately \$60 million in funds for the *Excess Sites Local Government Matching Grants* Program (“LGMG,” or “Program”). The Program allows projects selected in accordance with Executive Order N-06-19 (“the EO”) to apply for funds for activities to enable affordable housing development on excess state-owned property (“Excess Sites”).

Application materials must be submitted electronically via email to ExcessSitesMatch@hcd.ca.gov. The Department will not accept hardcopy submittals. **Personal deliveries will not be accepted.** No facsimiles, incomplete applications, application revisions, or walk-in application packages will be accepted.

Applications will be accepted in accordance with the timeline included in Section II of this NOFA. This NOFA contains guidance on the deadlines required for LGMG funding commitments to align with TCAC and Multifamily Finance SuperNOFA (MFSN) funding rounds.

The LGMG application, Guidelines and regulations are posted on the Department’s webpage at <https://www.hcd.ca.gov/grants-and-funding/programs-active/excess-sites-local-government-matching-grants>.

If you have further questions, please contact ExcessSitesMatch@hcd.ca.gov.

Attachment

Excess Sites Local Government Matching Grants Program (LGMG)

2023 Notice of Funding Availability



**Gavin Newsom, Governor
State of California**

**Lourdes M. Castro Ramírez, Secretary
Business, Consumer Services and Housing Agency**

**Gustavo Velasquez, Director
California Department of Housing and Community
Development**

2020 West El Camino Avenue, Suite 550,
Sacramento, CA 95833
Telephone: (916) 263-2911

Website: <https://www.hcd.ca.gov/grants-and-funding/programs-active/excess-sites-local-government-matching-grants>

Email: ExcessSitesMatch@hcd.ca.gov

April 2022
Amended November 2022
Amended July 2023

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I. Overview

A. Notice of Funding Availability

This NOFA announces approximately \$60 million in funding for projects selected in accordance with the EO. These funds will be used to support and accelerate housing production on Excess Sites.

B. Timeline

1. Program funds will be available to Applicants to apply for on a competitive basis. See Table 1 below for the anticipated timeline for awards.
2. The Department's goal is to review applications within 30 business days and promptly issue award letters, with Standard Agreements processed within 60 days of award. Applicants are encouraged to submit their applications early in the application window. Applications received after the Recommended Submission Dates listed in Table 1 will still be accepted, but LGMG staff cannot guarantee the Award Letter will be issued by the corresponding Award Announcement date.

Table 1: Anticipated Timeline

NOFA Release Date: July 17, 2023			
	Funding Path*	Recommended Submission Date	Award Announcement
2023	CDLAC 4% Round 3	8/2/2023	8/30/2023
	MFSN 2023	8/14/2023**	9/11/2023
<u>Application Due Date: August 14, 2023</u>			

*This indicates the desired funding program whose application due date will align with or follow immediately after an LGMG award

**This is the final date for applications to be submitted to be considered for funding.

C. Authorizing Legislation and Regulations (Regulatory Authority)

Assembly Bill 140 and Senate Bill 197 establish and update the Excess Sites Local Government Matching Grants Program ("LGMG," or "Program") as set forth in Health and Safety Code sections 50704.80, 50704.81, 50704.82 and 50704.83. The legislation directs the Department to administer the Program for Selected Projects to apply for funds for activities to enable affordable housing development on Excess Sites (added by Stats. 2021, ch. 111, § 22, updated by Stats. 2022, ch. 70, § 18).

Applications submitted under this NOFA are subject to the Program Guidelines ("Guidelines"), all applicable statutory requirements, and this NOFA. All section references in this NOFA refer to the NOFA unless

otherwise noted. All capitalized terms in this NOFA are either defined herein or in the Guidelines. The Guidelines and NOFA are available at the Department's [LGMG webpage](#). Where there are conflicts between the NOFA and the Guidelines, please defer to the guidance in the NOFA.

II. Program Requirements

The following is provided as a summary and is not to be considered a complete representation of the entirety of the eligibility, threshold, or other requirements, terms, and conditions for the Program.

A. Program Funding Amounts and Terms

The maximum amount of Program funds available in accordance with this NOFA is approximately \$60 million. No Selected Developer shall receive more than \$10 million in a single NOFA round. Further award limits are detailed in Guidelines Section 401.

The anticipated Program term runs through June 30, 2028, or the date by which the Selected Project or applicable phase reaches 90 percent occupancy, whichever is later.

B. Program Threshold Requirements

To satisfy Program threshold requirements, Applicants must obtain and provide the following:

1. A Local Government Contribution as defined in Section II(H)(2) of this NOFA.
2. A Local Government resolution, as described in Sections II(G)(3)(a) and II(G)(3)(b) of this NOFA. It is the responsibility of the Awardee to ensure the Department receives the final approved Local Government resolution prior to termination of the Contracting Period as defined in Section V(B) of this NOFA.
3. Evidence of Site Control documents as identified in Section 202(b) of the Guidelines.
4. The Project complies with all applicable state and federal law with respect to any preference policies for occupancy, as specified and set forth in a written analysis that is submitted with the application. LGMG staff shall review these written analyses in a manner which affirmatively furthers fair housing, as required in Government Code Section 8899.50(b). No written analysis is required if priority placement will be given only to prospective tenants who qualify for the following preference categories, as defined in Appendix A of the May 2023 Multifamily Housing Program Final Guidelines:
 - a. Veterans;
 - b. Agricultural Households;
 - c. people with disabilities;

- d. At Risk of Homelessness, as defined in 24 CFR Part 578.3;
- e. individuals with substance use disorders;
- f. frequent users of public health or mental health services, as identified by a public health or mental health agency;
- g. individuals who are fleeing domestic violence, sexual assault, and human trafficking;
- h. individuals who are experiencing Homelessness and individuals experiencing Chronic Homelessness as defined in 24 CFR 578.3;
- i. homeless youth as defined in Government Code Section 12957, subdivision (e)(2);
- j. families in the child welfare system for whom the absence of housing is a barrier to family reunification, as certified by a county;
- k. individuals exiting from institutional settings or at risk of placement in an institutional setting; and
- l. Older Adults in Need of Supportive Services.

C. Eligible Project

Eligible projects are limited to Selected Projects as defined and further detailed in Guidelines Section 200 (i.e., projects selected by the Department and the Department of General Services (“DGS”) in accordance with the EO).

D. Eligible Applicants

Eligible Applicants are limited to Selected Developers as defined and further detailed in Guidelines Section 201.

E. Eligible Uses and Activities

Eligible uses of funds must accelerate housing production of a Selected Project and align with the goals of the EO. LGMG funds shall be used for predevelopment and development activities including, but not limited to, the following:

1. Development and implementation of a community engagement plan or lease-up strategy;
2. Construction and rehabilitation work;
3. Offsite improvements, such as sewers, utilities, and streets, directly related to, and required by the Selected Project;
4. Onsite improvements related to the Selected Project;

5. Architectural, appraisal, engineering, legal and other consulting costs, and fees, which are directly related to the planning and execution of the Selected Project, and which are incurred through third-party contracts;
6. Development Costs of a residential unit reserved for an onsite manager, childcare facilities, and after-school care and social service facilities integrally linked to, and addressing the needs of the tenants of the Assisted Units;
7. Development Costs of health care facilities integrally linked to, and addressing the needs of tenants of the Assisted Units;
8. A reasonable developer fee subject to developer fee restrictions included in awards from other Department programs and further conditions as stated in Section II(F)(2) of this NOFA;
9. Lease-up and related marketing costs;
10. Carrying costs during construction, including insurance, construction financing fees and interest, taxes, and any other expenses necessary to hold the property while the Selected Project is under construction;
11. Building permits and state and local fees;
12. Capitalized operating and capitalized replacement reserves up to the amount of the initial deposit required by the Department pursuant to UMR Sections 8308(b) and 8309(b);
13. Title insurance, recording and other related costs.
14. Costs for items intended to ensure the completion of construction, such as contractor bond premiums;
15. Environmental hazard reports, surveys, investigations, and mitigation;
16. Costs associated with preparing the site for construction of the Selected Project, including removal of existing improvements and site clearance; and
17. Any other Predevelopment or Development Costs with written approval from the Department.
18. Program funds shall not be subject to the limits of other Department programs on the total value of Departmental subsidy per project or number of Department programs per Assisted Unit.

F. Ineligible Activities

1. Program funds shall not be used for costs not directly related to the eligible uses of funds.

2. In no scenario may Program funds be used for developer fees already collected or expected to be collected through another funding source.
3. Program funds shall not be used for costs associated exclusively with non-Restricted Units. Any Assisted Unit restricted to Low or Lower Income households and any Manager Unit will be considered to be a Restricted Unit for the purpose of allocating Predevelopment or Development Costs.
4. Activities unrelated to accelerating production of the Selected Project.

G. Application Requirements

1. Applicants shall meet with Program Staff to discuss application prior to submission. Applications received without prior meeting will not be accepted.
2. Applications shall demonstrate that the Program funds are necessary to support and/or accelerate production of the Selected Project, and the Selected Project is infeasible without Program funds and other committed funds.
3. Applicants must submit a completed, signed original application in electronic form to the Department that includes, but is not limited to, the following:
 - a. A Local Government (including Joint Powers Authorities, an authority created pursuant to Government Code section 8169.4, and a delegated Local or Regional Housing Trust Fund) resolution demonstrating the value, form, and date of commitment of the Local Government Contribution(s) to the Applicant for Predevelopment Costs and/or Development Costs for the Selected Project, and an attached budget for the Selected Project or the applicable phase that includes all sources.

A draft resolution is sufficient for the application; however, an executed resolution will be required subject to the timing and conditions stated in the NOFA, or the application or award, whichever is applicable, may be disqualified. The value and form of the Local Government Contribution(s) must not change from the time of application to submission of the final executed resolution.

- b. An authorizing resolution of the governing board of the Applicant shall be provided at time of application.

A draft resolution is sufficient for the application; however, an executed resolution will be required subject to the timing and conditions stated in the NOFA, or the application or award, whichever is applicable, may be disqualified. If the Awardee will not be the recipient of the funds, an

authorizing resolution of the governing board of the designated payee will be required prior to the disbursement of funds.

- c. Demonstration of Enforceable Funding Commitments for each form of Local Government Contribution, as well as any committed state or federal loans or grants. Proof of the Enforceable Funding Commitment must be received by the Department prior to final rating and ranking of the Program application. Draft resolutions will not be accepted as a demonstration of Enforceable Funding Commitment.
- d. The Program funds requested by the Applicant for the Selected Project.
- e. A description of the Local Government Contribution, including the source, the category as described within Section II(H), and a description of the available proof of Enforceable Funding Commitment.
- f. An explanation of how the Local Government Contribution and the Program Funds will support and accelerate housing production on the Excess Site.
- g. A scope of work providing a clear, precise description of work to be performed, services to be provided, and all other goals, objectives, and deliverables to be fulfilled.
- h. A description of the Applicant's community engagement plan and lease up strategy for the Selected Project or applicable phase, including the participatory role of an applicable Local Government.
- i. An explanation of any uncommitted sources and the feasibility of, and timing to, obtaining these sources.
- j. Completed or proposed activities consistent with the EO.
- k. All other required information contained in the Department's application.

H. Rating and Ranking

Complete applications meeting threshold requirements will be rated and ranked according to the following scoring factors:

Scoring Criteria	Maximum Score
1. Project Readiness (PR)	25
2. Local Government Contribution as Percent of Total Project Cost (LGC)	100
3. Financial Readiness	(PR+LGC) x up to 100% boost
Total	250

1. Project Readiness – 25 points maximum.

Applications will be awarded 25 points according to the project's progress in obtaining all land use approvals necessary prior to issuance of a building permit, including completion of necessary state environmental clearances, as documented in the Environmental Clearances and Land Use section of the application

2. Local Government Contribution as a Percent of Total Project Cost (TPC) – 100 points maximum.

Applications will be awarded points based on the value of a Local Government Contribution as a percentage of the project's TPC. Local Government Contribution(s) include the five below categories, which will be adjusted as defined below and summed to determine the full value of the Local Government Contribution(s) as a percent of TPC.

a. Local Government Contribution(s) from a Local Funding Source.

Local Government Contributions from local funding sources, such as city or county grants, residual receipts loans, or fee deferrals ("Local Funding Source"), will be awarded points as a percentage of TPC without adjustment.

b. Local Government Contribution(s) from an HCD-originated funding source.

Local Government Contributions from state- and federally-originated HCD sources, excluding Rental Assistance (which would apply to Section II(H)(2)(e), below), will be awarded points as a percentage of TPC without adjustment.

Examples of HCD-originated sources include, but are not limited to, No Place Like Home, the Permanent Local Housing Allocation, HOME, etc. If you have inquiries about this category of funding, please contact ExcessSitesMatch@hcd.ca.gov.

c. Local Government Contribution(s) in the form of Local Fee Waivers.

Local Government Contributions in the form of Local Fee Waivers, excluding school impact fees, will be awarded points as a percentage of TPC with a +50 percent adjustment.

d. Local Government Contribution(s) in the form of a Land Donation.

Local Government Contributions in the form of a Land Donation from a Local Government directly related to the development of the Selected Project and with documentation of the current appraised value as supported by an independent third-party appraisal prepared by a Member of the Appraisal Institute (MAI) within the last year or DGS

valuation will be awarded points as a percentage of TPC without adjustment.

e. Local Government Contribution in the form of Rental Assistance.

Applications will be awarded points based on the value of additional supportable hard permanent debt generated by Rental Assistance awarded at time of application as a percentage of TPC without adjustment.

3. Financial Readiness – Up to 100 percent boost.

To accelerate development on State Excess Sites, projects which have secured Enforceable Funding Commitments for all Local Government Contributions shall receive a 50 percent boost to their base score.

Projects which have secured Enforceable Funding Commitments for all remaining funding sources shall receive a 100 percent boost to their base score.

4. Tie Breaker

In the event of tied point scores, the Department shall rank tied applications based on the lowest weighted average affordability of all units in the Selected Project or applicable phase.

I. Negative Points and Disencumbrance Policies

The Department's Negative Points Policy (Administrative Notice Number 2022-01) and Disencumbrance Policy (Administrative Notice Number 2022-22), dated March 30, 2022 (as may be amended from time to time) and published on the Department's website, are hereby incorporated by reference to this Local Government Matching Grants Program NOFA as if set forth in full herein, and shall apply with equal force as all other provisions set forth herein.

If the Applicant is subject to a negative points assessment based on the criteria outlined in the Department's Negative Points Policy or is determined to be ineligible for funding, HCD shall notify the Applicant in writing in the initial point score or threshold letter(s).

III. Application Submission and Review Procedures

A. Application Format

The entire application, including supporting documentation, will be submitted electronically using forms provided by the Department. Original “wet signature” documents are not required or accepted.

B. Application Submission Process

A complete original application must be received by the Department no later than 11:59 P.M. Pacific Time on the day specified in the Recommended Submission Date for the corresponding major funding application listed in Table 1. HCD will only accept applications via email to ExcessSitesMatch@hcd.ca.gov. Personal deliveries are not accepted.

Applications that do not meet the Recommended Submission Dates listed in Table 1 will still be accepted, but LGMG staff cannot guarantee the Award Letter will be issued by the corresponding Award Announcement date. Applications must be on Department forms and cannot be altered or modified by the Applicant. Excel forms must be in Excel format, not a PDF document. Applications must meet all eligibility requirements upon submission (except as expressly indicated in Guidelines Section 301(d)). Applications with material internal inconsistencies will not be rated and ranked. It is the Applicant’s responsibility to ensure that the application is clear, complete, and accurate.

The application forms are available on the Department’s website: <https://www.hcd.ca.gov/grants-and-funding/programs-active/excess-sites-local-government-matching-grants>. The application must be sufficiently complete to assess the feasibility and competitiveness of the application and its compliance with Program requirements. After the application deadline, Department staff may request clarifying information and/or inquire as to where in the application specific information is located provided that such information does not affect the competitive rating of the application. No information, whether written or oral, will be solicited or accepted if this information would result in a competitive advantage to an Applicant or a competitive disadvantage to other Applicants. No Applicant may appeal the Department’s evaluation of another Applicant’s application.

C. Application Pre-Submittal Meetings

The Department requires pre-application consultations with prospective Applicants. Please submit a pre-application consultation request to ExcessSitesMatch@hcd.ca.gov.

D. Disclosure of Application

Information provided in the application will become a public record available for review by the public, pursuant to the California Public Records Act (Chapter 1473, Statutes of 1968). As such, any materials provided to the

Department will be disclosable to any person making a request under this Act once award decisions have been made. The Department cautions Applicants to use discretion in providing information not specifically requested, including but not limited to, bank account numbers, personal phone numbers and home addresses. By providing information to the Department, the Applicant is waiving any claim of confidentiality and consents to the Department's disclosure of submitted material upon request.

IV. Appeals

A. Basis of Appeals

1. Upon receipt of the Department's written notice that an application is incomplete, has failed threshold review, or has otherwise been determined to provide an insufficient basis for an award, Applicants under this NOFA may appeal such decision(s) to the Director of the Department or their designee pursuant to this section.
2. No Applicant shall have the right to appeal a decision of the Department relating to another Applicant's application (e.g., eligibility, award).
3. Any request to appeal the Department's decision regarding an application shall be reviewed for compliance with the Guidelines and this NOFA. The appeal process provided herein applies solely to decisions of the Department pursuant to this NOFA.

B. Appeals Process and Deadlines

1. **Process:** To file an appeal, Applicants must submit to the Director of the Department or their designee, by the deadline set forth below, a written appeal which states all relevant facts, arguments, and evidence upon which the appeal is based. Furthermore, the Applicant must provide a detailed reference to the area or areas of the application that provide clarification and substantiation for the basis of the appeal. No new or additional information will be considered if this information would result in a competitive advantage to an Applicant. Once the written appeal is submitted to the Department, no further information or materials will be accepted or considered thereafter. Appeals are to be submitted by email to ExcessSitesMatch@hcd.ca.gov according to the deadline set forth in the Department's review letters.
2. **Filing Deadline:** Appeals must be received by the Department no later than five (5) business days from the date of the Department's threshold review, or initial score letters, as applicable, representing the Department's decision made in response to the application.

C. Decision

All decisions rendered shall be made by the Director or their designee. The decision shall be final, binding, and conclusive, and shall constitute the final action of the Department.

NOTE: Authority cited: HSC Section 50704.81 subdivisions (a)(1) and (b). Reference cited: HSC Sections 50704.80, 50704.81, 50704.82 and 50704.83.

V. Award Announcements and Contracts

A. Award Announcements

The Department will announce program awards on the Program website: <https://www.hcd.ca.gov/grants-and-funding/programs-active/excess-sites-local-government-matching-grants>.

B. Contracts

Successful Applicants (Awardee(s)) will enter into one or more Standard Agreement(s) with the Department. The Standard Agreement contains all the relevant state and federal requirements, as well as specific information about the award and the work to be performed.

A condition of award will be that a Standard Agreement must be executed by the Awardee(s) within 90 days (Contracting Period) of the Department's issuance of the award letter. An Awardee's failure to execute the Standard Agreement(s) within the Contracting Period may result in award cancellation. The Awardee(s) shall remain a party to the Standard Agreement for the entire term of the Standard Agreement; removal of the Awardee(s) shall be prohibited.

VI. Other State Requirements

A. Article XXXIV

All projects subject to Article XXXIV shall comply with Article XXXIV, Section 1 of the California Constitution, as clarified by the Public Housing Election Implementation Law (PHEIL) (Health and Safety Code Section, 37000 - 37002). Article XXXIV documentation for loans underwritten by the Department shall be subject to review and approval by the Department prior to the announcement of award recommendations.

Article XXXIV requires local voter approval before any state public body can develop, construct, or acquire a low-rent housing project in any manner. However, the Public Housing Election Implementation Law (HSC Section 37000 – 37002) provides clarification as to when Article XXXIV is applicable. HSC Section 37001, for example, lists a number of project types that are not considered “low-rent housing projects.”

Applicants must submit documentation that shows the project’s compliance with or exemption from Article XXXIV. If a project is subject to Article XXXIV, the Department requires an allocation letter from the locality that shows that there is Article XXXIV authority for the project. A Local Government official with relevant authority should prepare the allocation letter, and it should include the following:

- The name and date of the proposition and the number of units that were approved;
- A copy of the referendum and a certified vote tally;
- The number of units that remain in the locality’s “bank” of Article XXXIV authority (i.e., the number of units that are still available for allocation); and
- The number of units that the locality will commit to this project, including any Manager Units.

If a project is statutorily exempt from Article XXXIV, the Department requires an Article XXXIV opinion letter from the Applicant’s legal counsel. The Article XXXIV opinion letter must demonstrate that the Applicant has considered both the legal requirements of Article XXXIV and the relevant facts of the project (e.g., all funding provided by public bodies, including state, county, or city sources, the number of low-income restricted units, and the general content of any regulatory restrictions). Any conclusion that a project is exempt from Article XXXIV must be supported by facts and a specific legal theory for exemption that itself is supported by the Constitution, statute, and/or case law.

B. Relocation

Both the Applicant and the Department must comply with applicable Relocation Law, which is detailed pursuant to Government Code Section

7260 et seq., the California Code of Regulations, title 25, Section 6000 et seq., and if federal law is applicable (depending on project financing), 49 CFR Part 24 of the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs (the “URA”) (collectively referred to herein forth as “Relocation” or “Relocation Law”).

Relocation Law provides important protections and assistance for displaced persons and entities affected by the acquisition, rehabilitation, or demolition of real property for government funded projects. Relocation Law ensures that those displaced individuals and entities whose real property is acquired, or who move (even if temporarily) as a direct result of projects receiving government funds, are treated fairly and equitably and receive assistance in moving from the property they occupy. The Department seeks to ensure that displaced persons, which includes tenants, businesses, and homeowners, do not suffer disproportionately as a result of programs designed for the benefit of the public as a whole.

At the NOFA application stage, it is too premature to conduct a detailed Relocation review. At this stage the Department only needs to confirm that Relocation is properly budgeted. Due to the importance of satisfying Relocation Law, the Applicant is encouraged to employ the services of a Relocation consultant to procure a good faith estimate of the potential Relocation cost, which may (or may not) necessitate a Relocation plan. The Department has found that the services of a professional Relocation consultant may save an Awardee money and time in the loan or grant process.

The importance of satisfying Relocation cannot be understated. Failure to follow the Relocation requirements will result in the project not being funded by the Department. Applicants cannot circumvent Relocation Law to avoid Relocation payment assistance by simply not renewing leases, which is not permissible under Relocation Law. At the construction loan or grant close stage, the Department will notify all lenders that failure to satisfy Relocation, particularly the improper displacement of individuals or entities, could jeopardize Department funding.

C. State Prevailing Wages

Program funds awarded under this NOFA are subject to state prevailing wage law, as set forth in Labor Code Section 1720 et seq., and require the payment of prevailing wages unless the project meets one of the exceptions of Labor Code 1720 (c) as determined by the Department of Industrial Relations. Applicants are urged to seek professional advice as to how to comply with state prevailing wage law.

VII. Other Terms and Conditions

A. Right to Modify or Suspend

The Department reserves the right, at its sole discretion, to suspend, amend, or modify the provisions of this NOFA at any time, including, without limitation, the amount of funds available hereunder. If such an action occurs, the Department will notify all interested parties and will post the revisions to the Department's website.

B. Conflicts

In the event of any conflict between the terms of this NOFA and either applicable state or federal law or regulation, the terms of the applicable state or federal law or regulation shall control. Applicants are deemed to have fully read and understand all applicable state and federal laws, regulations, and guidelines pertaining to the LGMG program, and understand and agree that the Department shall not be responsible for any errors or omissions in the preparation of this NOFA.

APPENDICES

Appendix A: Executive Order N-06-19

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
HOUSING AND POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 200, 95833
P.O. Box 952054
Sacramento, CA 94252-2054
(916) 263-2771
www.hcd.ca.gov



Please Note: The Local Government Matching Grant award is under a media and public announcement embargo until released by the HCD or otherwise notified by HCD staff. HCD communications team will coordinate with your Public Information Officer on a media release. Upon receipt of this award, please connect your Public Information Officer with us via email and share this embargoed award information with them.

September 18, 2023

Shwetha Subramanian, Assistant
Secretary
MidPen Housing Corporation
303 Vintage Park Drive, Suite 250
Foster City, CA 94404

Dear Shwetha Subramanian:

**RE: Award Announcement – Excess Sites Local Government Matching Grants
Program
Notice of Funding Availability Fiscal Year 2023
MidPen Housing Corporation – 750 Golden Gate Avenue Phase I
Contract No. 23-LGMG-17992**

The California Department of Housing and Community Development (Department) is pleased to announce MidPen Housing Corporation (Awardee) has been awarded a 2023 Excess Sites Local Government Matching Grants (LGMG) Program award of up to \$10,000,000. This letter constitutes notice of the designation of LGMG funds for the Awardee. **Please return a signed and dated copy of this letter within 5 days of receipt to confirm acceptance of the award.**

Awardees will be able to draw down funds in accordance with the LGMG Guidelines when the Standard Agreement is fully executed, and any general and special conditions have been cleared in writing.

The Standard Agreement must be executed within 90 days of receipt of this letter. A program representative will be in communication with you within a week to discuss and confirm any documents needed.

Congratulations on your successful application. For further information, please contact Christina Sutton, Innovative Projects Manager, Department of Housing and Community Development, at (916) 776-7720 or ExcessSitesMatch@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Megan Kirkeby', with a small dot at the end of the signature.

Megan Kirkeby
Deputy Director
Housing and Policy Development

Awardee Representative: _____

Date: _____



San Francisco Ethics Commission

25 Van Ness Avenue, Suite 220, San Francisco, CA 94102

Phone: 415.252.3100 . Fax: 415.252.3112

ethics.commission@sfgov.org . www.sfethics.org

Received On:

File #: 240022

Bid/RFP #:

Notification of Contract Approval

SFEC Form 126(f)4

(S.F. Campaign and Governmental Conduct Code § 1.126(f)4)

A Public Document

Each City elective officer who approves a contract that has a total anticipated or actual value of \$100,000 or more must file this form with the Ethics Commission within five business days of approval by: (a) the City elective officer, (b) any board on which the City elective officer serves, or (c) the board of any state agency on which an appointee of the City elective officer serves. For more information, see: <https://sfethics.org/compliance/city-officers/contract-approval-city-officers>

1. FILING INFORMATION

TYPE OF FILING	DATE OF ORIGINAL FILING (for amendment only)
Original	
AMENDMENT DESCRIPTION – Explain reason for amendment	

2. CITY ELECTIVE OFFICE OR BOARD

OFFICE OR BOARD	NAME OF CITY ELECTIVE OFFICER
Board of Supervisors	Members

3. FILER'S CONTACT

NAME OF FILER'S CONTACT	TELEPHONE NUMBER
Angela Calvillo	415-554-5184
FULL DEPARTMENT NAME	EMAIL
office of the Clerk of the Board	Board.of.Supervisors@sfgov.org

4. CONTRACTING DEPARTMENT CONTACT

NAME OF DEPARTMENTAL CONTACT	DEPARTMENT CONTACT TELEPHONE NUMBER
Andrew Strong	628-652-5860
FULL DEPARTMENT NAME	DEPARTMENT CONTACT EMAIL
MYR Mayor's Office of Housing and Comm Dev	andrew.strong@sfgov.org

5. CONTRACTOR	
NAME OF CONTRACTOR MidPen Housing Corporation	TELEPHONE NUMBER 707-292-4854
STREET ADDRESS (including City, State and Zip Code) 303 Vintage Park Drive Ste 250, Foster City, 94404	EMAIL Lauren-fuhry@midpen-housing.org

6. CONTRACT		
DATE CONTRACT WAS APPROVED BY THE CITY ELECTIVE OFFICER(S)	ORIGINAL BID/RFP NUMBER	FILE NUMBER (If applicable) 240022
DESCRIPTION OF AMOUNT OF CONTRACT \$10,000,000		
NATURE OF THE CONTRACT (Please describe) Resolution to support MidPen Housing Corporation's application under the Excess Sites Local Government Matching Grants Program to the Department of Housing and Community Development to receive program funds of \$10,000,000 in order to develop and construct an affordable, 75-unit multifamily rental housing development affordable to low-income households on a state-owned Excess Site located at 750 Golden Gate Avenue.		

7. COMMENTS

8. CONTRACT APPROVAL	
This contract was approved by:	
<input type="checkbox"/>	THE CITY ELECTIVE OFFICER(S) IDENTIFIED ON THIS FORM
<input checked="" type="checkbox"/>	A BOARD ON WHICH THE CITY ELECTIVE OFFICER(S) SERVES Board of Supervisors
<input type="checkbox"/>	THE BOARD OF A STATE AGENCY ON WHICH AN APPOINTEE OF THE CITY ELECTIVE OFFICER(S) IDENTIFIED ON THIS FORM SITS

9. AFFILIATES AND SUBCONTRACTORS

List the names of (A) members of the contractor's board of directors; (B) the contractor's principal officers, including chief executive officer, chief financial officer, chief operating officer, or other persons with similar titles; (C) any individual or entity who has an ownership interest of 10 percent or more in the contractor; and (D) any subcontractor listed in the bid or contract.

#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
1	Harrison	Eric	Board of Directors
2	Garcia-Kohl	Jessica	Board of Directors
3	Torres	Enrique	Board of Directors
4	Diaz	Gina	Board of Directors
5	Bartlett	Beth	Board of Directors
6	Fearn	Jonathan	Board of Directors
7	Freeman	Terry	Board of Directors
8	Freeman	Yusef	Board of Directors
9	Goon	Fay Sien	Board of Directors
10	Hollister	Rob	Board of Directors
11	Jagerson	Elisa (deLaet)	Board of Directors
12	Lee	Chan U	Board of Directors
13	Martinez	Jennifer	Board of Directors
14	McDonnell	Renee	Board of Directors
15	Mock	Melanie	Board of Directors
16	Sonnenshine	Stephanie	Board of Directors
17	Attenhofer	Kyle	Other Principal Officer
18	AuYeung	Felix	Other Principal Officer
19	Goldware Potluri	Abby	Other Principal Officer

9. AFFILIATES AND SUBCONTRACTORS

List the names of (A) members of the contractor's board of directors; (B) the contractor's principal officers, including chief executive officer, chief financial officer, chief operating officer, or other persons with similar titles; (C) any individual or entity who has an ownership interest of 10 percent or more in the contractor; and (D) any subcontractor listed in the bid or contract.

#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
20	Hikida	Lyn	Other Principal Officer
21	Morford	Leanne	Other Principal Officer
22	Smith	Lance	Other Principal Officer
23	Talcott	Alice	Other Principal Officer
24	Wu	Jennifer	Other Principal Officer
25	Yappert	Craig	Other Principal Officer
26	Franklin	Matt	CEO
27	Lind	Janine	COO
28	Vergura	Mick	CFO
29	Archey	Kasey	Other Principal Officer
30	Goggins Gregory	Ann	Other Principal Officer
31	Hill	Terry	Other Principal Officer
32	Ingram	Jennifer	Other Principal Officer
33			
34			
35			
36			
37			
38			

9. AFFILIATES AND SUBCONTRACTORS

List the names of (A) members of the contractor’s board of directors; (B) the contractor’s principal officers, including chief executive officer, chief financial officer, chief operating officer, or other persons with similar titles; (C) any individual or entity who has an ownership interest of 10 percent or more in the contractor; and (D) any subcontractor listed in the bid or contract.

#	LAST NAME/ENTITY/SUBCONTRACTOR	FIRST NAME	TYPE
39			
40			
41			
42			
43			
44			
45			
46			
47			
48			
49			
50			
<input type="checkbox"/>	Check this box if you need to include additional names. Please submit a separate form with complete information. Select "Supplemental" for filing type.		

10. VERIFICATION

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information I have provided here is true and complete.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

SIGNATURE OF CITY ELECTIVE OFFICER OR BOARD SECRETARY OR CLERK <p style="text-align: center;">BOS Clerk of the Board</p>	DATE SIGNED
---	-------------

From: [Paulino, Tom \(MYR\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Nickolopoulos, Sheila \(MYR\)](#); [Vanzuylen, Ryan \(MYR\)](#); [Gremer, Andrea \(MYR\)](#); [Donovan, Dominica \(BOS\)](#)
Subject: Mayor -- Resolution -- 750 Golden Gate Ave Local Government Matching Grants Program
Date: Tuesday, January 9, 2024 2:10:33 PM
Attachments: [750 GG Reso for LGMG clean.docx](#)
[2023 Educator Housing NOFA.pdf](#)
[2023 LGMG Application MidPen Housing Corporation.xlsx](#)
[2023-lgmg-nofa.pdf](#)
[A EO-N-06-19.pdf](#)
[LGMG Award Letter 750 Golden Gate 9.18.23.pdf](#)
[SFEC Form 126f4BOS Resolution LGMG 750 Golden Gate Ave DRAFT 20231212.pdf](#)

Hello Clerks,

Attached is a Resolution 1) supporting MidPen Housing Corporation's ("Applicant") submission of an application under the Excess Sites Local Government Matching Grants Program ("Program") to the Department of Housing and Community Development (HCD) ("Department") to receive Program funds in order to develop and construct an affordable, 75-unit multifamily rental housing development affordable to low-income households, including one resident manager unit (the "Project") as Phase I on a state-owned Excess Site located at 750 Golden Gate Avenue ("Property"); and 2) supporting the Applicant to submit the Project Budget ("Attachment 1") and Anticipated and Committed Project Sources ("Attachment 2") to be included in their application.

Please note that Sup. Stefani is a cosponsor of this item.

Cheers,

Tom Paulino

He/Him

Liaison to the Board of Supervisors

Office of the Mayor

City and County of San Francisco