File No	190254	Committee Item No.	6
	,	Board Item No	

## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

/ (OE) (D) (T) (OI(E) OOT(TEI(T) EIO)				
Committee:	Budget & Finance Sub-Committee	Date March 13, 2019		
Board of Su	pervisors Meeting	Date		
Cmte Boa	rd  Motion Resolution Ordinance Legislative Digest Budget and Legislative Analyst Youth Commission Report Introduction Form Department/Agency Cover Lette MOU Grant Information Form Grant Budget Subcontract Budget Contract/Agreement Form 126 – Ethics Commission Award Letter	Report		
	Application Public Correspondence			
OTHER (Use back side if additional space is needed)				
	Project Description Proof of Publication			
-	by: Linda Wong by: Linda Wong	Date <u>March 8, 2019</u> Date		

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Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$35,000,000 for 385-387 Eddy Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$35,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution, as defined herein; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the

[Multifamily Housing Revenue Bonds - 385-387 Eddy Street - Not to Exceed \$35,000,000]

WHEREAS, The Board of Supervisors of the City and County of San Francisco ("Board of Supervisors"), after careful study and consideration, has determined that there is a shortage of safe and sanitary housing within the City and County of San Francisco ("City"), particularly for low and moderate income persons, and that it is in the best interest of the

Application, as defined herein.

residents of the City and in furtherance of the health, safety, and welfare of the public for the City to assist in the financing of multi-family rental housing units; and

WHEREAS, Acting under and pursuant to the powers reserved to the City under Sections 3, 5, and 7 of Article XI of the Constitution of the State of California and Sections 1.101 and 9.107 of the Charter of the City and County of San Francisco, the City has enacted the City and County of San Francisco Residential Mortgage Revenue Bond Law ("City Law"), constituting Article I of Chapter 43 of the Administrative Code, in order to establish a procedure for the authorization, issuance and sale of residential mortgage revenue bonds by the City for the purpose of providing funds to encourage the availability of adequate housing and home finance for persons and families of low or moderate income, and to develop viable communities by providing decent housing, enhanced living environments, and increased economic opportunities for persons and families of low or moderate income; and

WHEREAS, In addition, pursuant to Division 31 of the Health and Safety Code of the State of California, and particularly Chapter 7 of Part 5 thereof ("State Law"), the City is empowered to issue and sell bonds for the purpose of making mortgage loans or otherwise providing funds to finance the development of multi-family rental housing including units for lower income households and very low income households; and

WHEREAS, Chinatown Community Development Center a California non-profit public benefit corporation ("CCDC") (or any limited partnership or other entity created or controlled in whole or in part by CCDC or an affiliate thereof or successor thereto) (the "Borrower") desires to acquire and rehabilitate a 67-unit affordable residential rental housing development located at 385-387 Eddy Street, San Francisco, California 94103 ("Project"); and

WHEREAS, The Developer has requested that the City assist in the financing of the Project through the issuance of one or more series of tax-exempt mortgage revenue bonds ("Bonds"); and

WHEREAS, The City expects that proceeds of the Bonds will be used to pay certain costs incurred in connection with the Project prior to the date of issuance of the Bonds; and

WHEREAS, The City intends to issue the Bonds in an amount not to exceed \$35,000,000 and to loan the proceeds of the Bonds to the Developer ("Loan") to finance the costs of the Project; and

WHEREAS, The Bonds will be limited obligations, payable solely from pledged security, including Project revenues, and will not constitute a debt of the City; and

WHEREAS, The Board of Supervisors has determined that the moneys advanced and to be advanced to pay certain expenditures of the Project are or will be available only for a temporary period and it is necessary to reimburse such expenditures with respect to the Project from the proceeds of the Bonds; and

WHEREAS, Section 1.150-2 of the United States Treasury Regulations requires that the Board of Supervisors declare its reasonable official intent to reimburse prior expenditures for the Project with proceeds of the Bonds; and

WHEREAS, The interest on the Bonds may qualify for tax exemption under Section 103 of the Internal Revenue Code of 1986, as amended ("Code"), only if the Bonds are approved in accordance with Section 147(f) of the Code; and

WHEREAS, The City now wishes to approve the issuance of the Bonds in order to satisfy the public approval requirements of Section 147(f) of the Code; and

WHEREAS, The Project is located wholly within the City; and

WHEREAS, On January 30, 2019, the City caused a notice stating that a public hearing with respect to the issuance of the Bonds would be held by the Mayor's Office of Housing and Community Development on February 15, 2019, to appear in *The San Francisco Examiner*, which is a newspaper of general circulation in the City; and

WHEREAS, The Mayor's Office of Housing and Community Development held the

public hearing described above on February 15, 2019, and an opportunity was provided for persons to comment on the issuance of the Bonds and the Project; and

WHEREAS, This Board of Supervisors is the elected legislative body of the City and is the applicable elected representative authorized to approve the issuance of the Bonds within the meaning of Section 147(f) of the Code; and

WHEREAS, Section 146 of the Code limits the amount of tax-exempt private activity bonds, which include qualified mortgage bonds, that may be issued in any calendar year by entities within a state and authorizes the legislature of each state to provide the method of allocating authority to issue tax-exempt private activity bonds within the respective state; and

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the Government Code of the State of California governs the allocation in the State of California of the state ceiling established by Section 146 of the Code among governmental units in the State having the authority to issue tax-exempt private activity bonds; and

WHEREAS, Section 8869.85(b) of the Government Code requires that a local agency file an application for a portion of the state ceiling with or upon the direction of the California Debt Allocation Committee ("CDLAC") prior to the issuance of tax-exempt private activity bonds, including qualified mortgage bonds; and

WHEREAS, CDLAC procedures require an applicant for a portion of the state ceiling to certify to CDLAC that applicant has on deposit an amount equal to one-half of one percent (0.5%) of the amount of allocation requested not to exceed \$100,000; now, therefore, be it

RESOLVED, By the Board of Supervisors of the City and County of San Francisco, as follows:

<u>Section 1</u>. The Board of Supervisors finds and determines that the foregoing recitals are true and correct.

///

Section 2. The Board of Supervisors adopts this Resolution for purposes of establishing compliance with the requirements of Section 1.150-2 of the United States Treasury Regulations. This Resolution does not bind the Board of Supervisors to issue the Bonds, approve the Loan or to make any expenditure, incur any indebtedness or proceed with the Project.

Section 3. The Board of Supervisors hereby declares its official intent under United States Treasury Regulations, Section 1.150-2 to use proceeds of the Bonds to reimburse expenditures incurred in connection with the Project. The Board of Supervisors hereby further declares its intent to use such proceeds to reimburse the Developer for actual expenditures made by the Developer on the Project.

<u>Section 4</u>. On the date of the expenditure to be reimbursed, all reimbursable costs of the Project will be of a type properly chargeable to a capital account under general federal income tax principles.

<u>Section 5</u>. The maximum principal amount of debt expected to be issued for the Project is \$35,000,000.

<u>Section 6</u>. This Board of Supervisors, as the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, hereby approves the issuance of the Bonds for purposes of Section 147(f) of the Code.

<u>Section 7</u>. This approval of the issuance of the Bonds by the City is neither an approval of the underlying credit issues of the proposed Project nor an approval of the financial structure of the Bonds.

Section 8. The Board of Supervisors hereby authorizes the Director of the Mayor's Office of Housing and Community Development, including any acting or interim director, or such person's designee ("Director"), on behalf of the City, to submit an application ("Application"), and such other documents as may be required, to CDLAC pursuant to

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Government Code, Section 8869.85 for an allocation for the Project of a portion of the state ceiling for private activity bonds in a principal amount not to exceed \$35,000,000.

Section 9. An amount equal to one-half of one percent (0.5%) of the amount of the CDLAC allocation requested for the Project, not to exceed \$100,000 ("Deposit"), is hereby authorized to be held on deposit in connection with the Application and the applicable CDLAC procedures, and the Director is authorized to certify to CDLAC that such funds are available.

Section 10. If the City receives a CDLAC allocation for the Project and the Bonds are not issued, the Mayor's Office of Housing and Community Development is hereby authorized to cause an amount equal to the Deposit to be paid to the State of California, if and to the extent required by CDLAC.

Section 11. The officers and employees of the City, including the Director, are hereby authorized and directed, jointly and severally, to do any and all things necessary or advisable to consummate the receipt of an allocation from CDLAC and otherwise effectuate the purposes of this Resolution, consistent with the documents cited herein and this Resolution, and all actions previously taken by such officers and employees with respect to the Project, consistent with the documents cited herein and this Resolution, including but not limited to the submission of the application to CDLAC, are hereby ratified and approved.

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<u>Section 12</u>. This Resolution shall take effect from and after its adoption by the Board and approval by the Mayor.

APPROVED AS TO FORM: DENNIS J. HERRERA City Attorney

Ву

KENNETH DÁVID ROUX Deputy City Attorney

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## **Project Description**

Multifamily Securities Program City and County of San Francisco

#### **Hamlin Hotel**

#### **Overview**

The funds described in the "Financing Structure" section below will be used to finance the acquisition and rehabilitation of Hamlin Hotel, a 67-unit affordable multifamily housing project located at 385 Eddy Street, San Francisco, CA 94102 in the City and County of San Francisco (the "Project"). This single room occupancy building was constructed at the turn of the century, post-1906 earthquake and is on the National Register of Historic Places as a contributor to the Uptown Tenderloin Historic District. It is currently owned by Hamlin Hotel, L.P., whose general partner is Hamlin Hotel Corporation, an affiliate of Chinatown Community Development Center, Inc. Its limited partner, San Francisco Residential Hotels, L.P., is the previous owner of the property and has 1% interest in the partnership.

Prior to closing on construction financing, Hamlin Hotel Corporation will negotiate San Francisco Residential Hotels, L.P.'s early exit from the partnership. The transfer of ownership at construction close will then effectively be from Hamlin Hotel Corporation to a new tax credit partnership.

Following rehabilitation, the Project will include approximately 25,000 square feet of gross floor area, comprised of approximately 22,000 square feet of residential area and 3,000 square feet of non-residential area. Non-residential spaces will include property management and resident services offices on the ground floor as well as maintenance areas in the basement.

Total project costs, including the cost to acquire the land and rehabilitate the existing building, will be approximately \$52,700,000 or \$787,000 per dwelling unit.

The residential unit distribution, which will include 0 superintendent units, is:

<u>Unit type</u>	Number of units
SRO	67
Studio	0
1-Bedroom	0
2-Bedroom	0
3-Bedroom	0
4-Bedroom	0

100 percent of the residential units will serve households earning less than 60 percent of the San Francisco County Area Median Income (AMI).

All units will hold a preference for formerly homeless households referred from the City and County of San Francisco's Continuum of Care program. All units will also receive Section 8 PBV through at least 2028. In the event of subsidy loss, affordability targeting will remain limited to the more restrictive of the following: 50% AMI by the California Department of Housing and Community Development or 60% AMI by the City and County of San Francisco Mayor's Office of Housing.

#### Residents

No residents will be displaced as all residents will have the right to return after any temporary relocation that might be required. It is anticipated that this occupied rehabilitation project will be completed in phases, with tenants temporarily relocated for approximately 8-12 weeks during each phase.

Autotemp, Inc., a local relocation consulting firm with over 150 years of combined experience across 9 associates, has been contracted to provide relocation services for this project.

#### Site Description and Scope of Work

Address: 385 Eddy Street, San Francisco, CA 94102

Block/Lot: 0338/018

The scope of work for the rehabilitation will include:

• New domestic hot water boiler

- New hydronic heating system
- New accessible trash chute and trash room
- New accessible elevator
- New community room and warming kitchen
- New bike storage
- New accessible mailroom
- Reconfigured entry/lobby and property management offices
- New resident services offices
- Fire sprinkler and alarm system upgrades
- Security system upgrades
- New energy-efficient lighting throughout
- New signage throughout
- New accessible common kitchens and bathrooms
- New stair to roof from 6<sup>th</sup> floor
- New roof and elevator machine room
- New exterior windows
- New plumbing and toilet fixtures throughout
- New paint, flooring and doors in units
- Renovation of 7 units into mobility units
- Renovation of 3 units into communication units
- Historic restoration of Eddy Street façade
- Exterior brick repointing and waterproofing as needed

## **Development and Management Team**

Project Sponsor: Chinatown Community Development Center, Inc.

General Contractor: AmOne Corp.

Architect of Record: Barcelon Jang Architecture, Inc.
Property Manager: Caritas Management Corporation

## **Project Ownership Structure**

Borrower Entity:

TBD

Managing General Partner:

TBD (affiliate of Chinatown Community Development Center, Inc.)

An investor limited partner will own a 99.99% interest in the borrower entity.

## **Financing Structure**

The following sources of capital financing are expected to be utilized:

- tax-exempt bonds issued by the City;
- 4% low income housing tax credits (LIHTC);
- seller carryback financing and GP loan;
- deferred developer fee;
- income from operations; and
- assumed debt.

The sale of LIHTC will generate equity financing for the Project. The amount of private activity tax-exempt bonds used during construction will be sized specifically to meet the 50% of aggregate basis test required for the LIHTC.

## **Schedule**

Financing is anticipated to close between August 2019 and September 2019, with construction commencing within 30 days closing. All construction is scheduled to be completed by October 2020.

#### SAN FRANCISCO EXAMINER

835 MARKET ST, SAN FRANCISCO, CA 94103 Telephone (415) 314-1835 / Fax (510) 743-4178

**OMAR CORTEZ** CCSF MAYOR'S OFFICE OF HOUSING ONE SOUTH VAN NESS AVE 5TH FLR SAN FRANCISCO, CA - 94103-5416

## PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California County of SAN FRANCISCO

Notice Type: GPN - GOVT PUBLIC NOTICE

Ad Description:

#### TEFRA Hearing Ad

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN FRANCISCO EXAMINER, a newspaper published in the English language in the city of SAN FRANCISCO, county of SAN FRANCISCO, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SAN FRANCISCO, State of California, under date 10/18/1951, Case No. 410667. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

#### 01/30/2019

Executed on: 01/30/2019 At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

pin Vmg

EXM#: 3216170

NOTICE OF PUBLIC
HEARING
NOTICE IS HEREBY GIVEN
that on Friday, February 15,
2019, at 10:00 a.m., in the
Mayor's Office of Housing
and Community Development, 1 South Van Ness
Avenue, 5" Floor, San
Francisco, CA 94103, the
City and County of San
Francisco (the "City") will
conduct a public hearing (the
"Public Hearing") at which
time the City will hear and
consider consider information concerning the proposed sale and issuance by the City of multifamily housing mortgage revenue bonds (the "Bonds") in an aggregate principal amount not to exceed thirty-five million dollars (\$35,000,000). The proceeds of the Bonds will be loaned to a to-be-formed limited partnership involving interesting the province of the contract of the cont consider information be loaned to a to-be-formed limited partnership involving Chinatown Community Development Center, inc. (or an affiliate thereof or successor the Bonds will be used to finance the acquisition and rehabilitation of approximately 67 units of affordable residential rental housing for persons of low or very low income located at 385-387 Eddy Street, San Francisco, California 94102 (the "Project"). The Project will be parid

"Project"). The Project will be owned and operated by the Borrower. The Bonds will be paid entirely by the Borrower from the Project revenues or related sources. Neither the full faith and credit nor the taxing power of the City, the State of California (the "State") or any other political corporation, subdivision or agency of the State is pledged to the payment of the principal, premium, if any, or interest on the Bonds, nor shall the City, the State or any other political corporation, subdivision or agency of the State be liable or obligated to pay the principal, premium, if any, or interest on the Bonds. The Public Hearing is intended to comply with the public approval requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

Internal Revenue Code of 1986, as amended.
All those interested in matters related to the issuance of the Bonds and to the financing of the Project are invited to attend and be heard at this hearing. Interested parties may appear in person at the time and place indicated above or submit written comments, which must be received prior. which must be received prior

to the Public Hearing, to the City, c/o Jennifer M. Collins, Mayor's Office of Housing and Community Develop-ment, at the address ment, at the augustication indicated above.
Date: January 30, 2019
CITY AND COUNTY OF SAN FRANCISCO
Mayor's Office of Housing and Community Develop-

## Mayor's Office of Housing and Community Development

City and County of San Francisco



Mark E. Farrell
Mayor

Kate Hartley
Director

#### **TEFRA Hearing Minutes**

**Project Name(s):** 

666 Fell Street Apartments

The Hamlin

**Project Address:** 

666-670 Fell Street, San Francisco, CA 94102 (666 Fell Street Apartments)

385-387 Eddy Street, San Francisco, CA 94102 (The Hamlin Hotel)

Project Block/Lot:

0820/026 (666 Fell Street Apartments)

0338/018 (The Hamlin Hotel)

**Hearing Location:** 

City and County of San Francisco

Mayor's Office of Housing and Community Development

1 South Van Ness Avenue, 5th Floor, Room 5083

San Francisco, CA 94103

**Hearing Date/Time:** 

Friday, February 15, 2019 - 10:00 a.m. to 11:00 a.m.

The hearing was called to order at 10:00 a.m. by Omar Cortez of the San Francisco Mayor's Office of Housing and Community Development ("MOHCD"). Anne Romero also of MOHCD and representatives of the sponsors for both projects, Serena Callaway of Community Housing Partnership (CHP), and Genise Choy of Chinatown Community Development Center ("CCDC"), were also in attendance.

#### 1. Explanation of the Purpose for the Hearing

The Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") is a federal law requiring any issuer of tax-exempt bonds to provide a reasonable opportunity for interested individuals to express their views, either orally or in writing, on the issuance of the bonds and the nature of the improvements and projects for which the bond funds will be allocated. Thus, as the issuer of the tax-exempt bonds financing the subject project, the City and County of San Francisco held the TEFRA hearing to provide those interested in discussing the project the opportunity to comment and ask questions.

#### 2. Comments and Questions from Interested Parties

As no parties other than the MOHCD, CHP, and CCDC staff noted above attended the hearing to discuss the Project, there were no comments or questions to document.

The hearing was adjourned at 11:00 a.m.

1 South Van Ness Avenue – Fifth Floor, San Francisco, CA 94103 Phone: (415) 701-5500 Fax: (415) 701-5501 TDD: (415) 701-5503 • www.sfmohcd.org

# Office of the Mayor SAN FRANCISCO



LONDON N. BREED
MAYOR

2019 MAR - 5 PM 4: 07

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TO:

Angela Calvillo, Clerk of the Board of Supervisors

FROM:

Kanishka Karunaratne Cheng

RE:

Multifamily Housing Revenue Bonds - 385-387 Eddy Street, San

Francisco, California 94103 (The Hamlin) - Not to Exceed \$35,000,000

DATE:

March 5, 2019

Resolution declaring the intent of the City and County of San Francisco ("City") to reimburse certain expenditures from proceeds of future bonded indebtedness: authorizing the Director of the Mayor's Office of Housing and Community Development ("Director") to submit an application and related documents to the California Debt Limit Allocation Committee ("CDLAC") to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed \$35,000,000 for 385-387 Eddy Street (San Francisco, California 94103); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed \$100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed \$35,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project, as defined herein, and the Application, as defined herein.

Should you have any questions, please contact Kanishka Karunaratne Cheng at 415-554-6696.

File No. 190254

## FORM SFEC-126: NOTIFICATION OF CONTRACT APPROVAL

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

City Elective Officer Information (Please print clearly.)	
Name of City elective officer(s):	City elective office(s) held:
Members, Board of Supervisors	Members, Board of Supervisors
Contractor Information (Please print clearly.)	
Name of Contractor: Chinatown Community Development Center, Inc.	
Please list the names of (1) members of the contractor's board of dire financial officer and chief operating officer; (3) any person who has any subcontractor listed in the bid or contract; and (5) any political cadditional pages as necessary.  Please see attached.	an ownership of 20 percent or more in the contractor; (4)
Contractor address: 1525 Grant Avenue, San Francisco, CA 94133	
Date that contract was approved:  Amount of contract: \$26,967,500	
Describe the nature of the contract that was approved: Tax-exempt multifamily housing revenue bond financing for the acqu Hamlin Hotel") at 385-387 Eddy Street, San Francisco, California 94 NOT REQUIRE THE CITY TO PLEDGE ANY OF ITS FUNDS, PF THE BONDS. Comments:	102. THIS IS A CONDUIT FINANCING WHICH WILL
N/A	
	int Name of Board  It Name of Board  It You Commission, Industrial Development Authority  Relocation Appeals Board, Treasure Island
Print Name of Board	
Filer Information (Please print clearly.)	-
Name of filer: Angela Calvillo, Clerk of the Board	Contact telephone number: (415) 554-5184
Address: City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, 94102	E-mail: Board.of.Supervisors@sfgov.org
Signature of City Elective Officer (if submitted by City elective officer	r) Date Signed
Signature of Board Secretary or Clerk (if submitted by Board Secretary	y or Clerk) Date Signed

## **FORM SFEC-126 Attachment**

(1) members of the contractor's board of directors

Philip Chin, Board Chair

Janet Lee Tse, Vice Chair

Fady Zoubi, Board Secretary

Gregory Chin, Board Treasurer

Jane Chin

Catherine Craig

Mark Fong

Benjamin Golvin

Clayton Jew

Julie Leadbetter

Winston Lee

Barbara Lin

Wendell Lin

James McCray

James Nguyen

Lindsey Quock

Nils Rosenquest

Santiago Ruiz

Nigel Tse

Susan Wong

Jade Wu

Mary Zhang

(2) the contractor's chief executive officer, chief financial officer and chief operating officer

Norman Fong, Executive Director

Karen Gansen, Chief Financial Officer

Cindy Wu, Deputy Director

Malcolm Yeung, Deputy Director

(3) any person who has an ownership of 20 percent or more in the contractor

N/A

(4) any subcontractor listed in the bid or contract

N/A

(5) any political committee sponsored or controlled by the contractor

N/A