



### ***Request for Qualifications***

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For the development of new affordable housing and associated infrastructure on a City-owned property generally located near the southwest corner of the intersection of 16<sup>th</sup> Street, Mission Street, and Capp Street, known as:

**1979 Mission**  
**(Assessor's Parcel: Block 3553, Lot 052)**

Issued: August 3, 2023

San Francisco Mayor's Office of Housing and Community Development  
1 South Van Ness Avenue, 5<sup>th</sup> Floor  
San Francisco, CA 94103

Responses due by 4:00 p.m. on September 29, 2023

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### I. INTRODUCTION

The City and County of San Francisco (the “City”), acting through the Mayor's Office of Housing and Community Development (“MOHCD”) and the Department of Homelessness and Supportive Housing (“HSH”), is seeking a qualified developer (the “Selected Developer”), to work with the City to develop permanently affordable rental housing to include units serving formerly homeless households (families and adults), and ground-floor commercial use servicing the surrounding neighborhood (the “Project”) on a parcel located at 1979 Mission Street, San Francisco, California 94103 (Block 3553, Lot 052) (the “Site”).

The Site is irregular in shape and located near the southern most portion of Mission Street, extending to Capp Street, and bound by 16th Street to the South, and 16<sup>th</sup> and Mission BART Plaza, commonly known as 1979 Mission in San Francisco's Mission neighborhood. The Site is approximately 57,325 square feet, with 16<sup>th</sup> Street BART Station dividing the space on the southwestern corner. A map showing the location and configuration of the Site is attached as Exhibit 1.

The Site has significant development opportunity with capacity for more than 450 units in at least two buildings. Given the parcel location at the intersection of regional transit systems and at the heart of a culturally diverse community, development will require coordination with transit operators, adjacent landowners, and the surrounding community. The development team will need to demonstrate experience, vision, and leadership.

In consideration of the currently available and anticipated public and private funding to achieve all the impactful outcomes described below, MOHCD anticipates that the resulting Project will include at least 2, possibly three, separately operated buildings that will serve a broad range of affordable housing needs, including housing for families with dependent children and small households that are currently unhoused. These are described more fully below under the description of the Primary Project. Selected teams must have a proven track record of providing culturally responsive, trauma informed services for these distinct populations. This may result in separate entities providing those services at each building and will require a notable amount of coordination between all the entities supporting the development.

Funding for these predevelopment activities is expected to come from these sources, Affordable Housing Inclusionary Funds (AHF) and Low and Moderate Housing Asset Fund (LMIHAF), whose goals include:

- AHF Inclusionary - these are fees paid by housing developers to satisfy requirements of the Inclusionary Affordable Housing Program, which finances affordable housing for qualifying households.
- LHIHAF - These are affordable housing funds transferred from the former Redevelopment Agency to MOHCD pursuant to 2012 Dissolution Law. Legislation allows for these funds to be used for new construction, acquisition and rehabilitation. Funds can only apply to households earning 60 percent or less of AMI.

MOHCD is proposing to transfer the Site (subject to final approval by the Board of Supervisors) to the Selected Developer for this purpose through a long-term ground lease. Maximum rents will be restricted to a maximum average income of 60% (range between 30-80%) Unadjusted San Francisco Area Median Income and below, as defined by MOHCD.

MOHCD will select a qualified development team that shows a clear ability to meet these goals:

**The City's expectations of the Selected Developer are the following:**

1. Efficiently and quickly produce high-quality and community-serving affordable housing and related infrastructure, efficiently and quickly, through demonstrated **excellence and technical expertise**.
2. Maximize the benefit of the City's subsidy dollars through demonstrated **Cost-Effectiveness**, whether via use of efficient construction techniques and/or materials, or other identified cost-saving measures.
3. **Offer units to households having experienced homelessness** that are referred through the City's Coordinated Entry System, per City requirements.
4. Align with the implementation of **City policies** on anti-displacement, racially inclusive communities, and creating stable housing for vulnerable populations;
5. Ensure that the development team is working within a **culturally competent approach to engagement with its contractors and the public** throughout the development process;
6. Select development/operations/services partners that are able to work with MOHCD and HSH to deploy city resources, tools and expertise **to create developments that are responsive to populations disproportionately impacted by systemic racism**.
7. Produce a development that includes both an **Initial Scoping Project and a Primary Project** that includes at least two (possibly 3) Residential Buildings and associated infrastructure improvements and resident and neighborhood amenities.
8. Produce a development is responsive the **unique historical and cultural context** of the Site.

**The Primary Project to be developed must:**

- Establish a Site design that facilitates horizontal (infrastructure) improvements and vertical (building) improvements as follows:
  - Infrastructure Program: Work with BART to develop urban design vision for existing northeast BART plaza and station access points, to be pursued in conjunction with similar improvements to southeast plaza and station access points. Consider needs for activation, safety and maintenance.
  - Mission Street/16<sup>th</sup> Street Program: 1-3 bedroom (family) units and ground floor commercial spaces that act as neighborhood serving resources and address resource gaps, through programs determined through a comprehensive community outreach process; this could be broken into two separate buildings to maximize competitiveness for leveraged funding. MOHCD preliminarily estimates capacity for as many as 200 units;
  - Capp Street Program: studio and 1-bedroom (adult) units for households referred from Coordinated Entry; MOHCD estimates capacity for as many as 150 units
- 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 or AB2162 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 (see notes above).
- Designate a minimum number of units for Households Experiencing Homelessness, subsidized by the City’s Local Operating Subsidy Program;
- For Mission/16<sup>th</sup> Street Program: Serve low-income families (in 1-3 bedroom units) unsubsidized with an income range between 30%-80% MOHCD Unadjusted San Francisco Area Median Income, average no more than 60% MOHCD AMI; no studios; include set-aside for referrals from MOHCD for HIV+ households (Plus Housing program);
- For Capp Street Program: Serve formerly homeless adults in a minimum of 120 studio units (up to 150 units), subsidized by the City’s Local Operating Subsidy

Program<sup>1</sup> (“LOSP”) and a City services contract at a case management ratio of approximately 1:25; may include some 1-bedroom units to support provision of in-home health care; must include generous common spaces/amenities for residents;

- Conduct culturally competent community outreach to engender support for the Primary Project;
- Maximize the benefit of the City’s subsidy dollars through demonstrated Cost-Effectiveness, whether via use of efficient construction techniques and/or materials, or other identified cost-saving measures;
  - The site’s development plan must accommodate funding constraints, namely, a maximum \$300,000 of City subsidy per multi-bedroom unit and \$200,000 per studio/PSH unit, excluding land.
  - The proposal 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
- Commence construction on the Project as soon as possible, using streamlined ministerial approval processes for entitlements and permitting. For example, SB35 or AB2162, which may be used in conjunction with the Affordable Housing Density Program or the State Density Bonus Program;
- Serve at least 30% Extremely Low Income (ELI) households, eg \$29,100 for a single person household, or \$41,550 for a family of four;
  - In the Capp Street building this may be homeless households referred through the Coordinated Entry System or income restricted units that are subject to the Chapter 47 Preferences.
  - In all buildings, the Selected Developer must maximize the number of target population placements into the Project (COP holders

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<sup>1</sup> The City’s Local Operating Subsidy Program (“LOSP”) will be available to units serving formerly homeless adults. The LOSP will be administered through a 15-year contract with MOHCD, to cover the difference between tenant-paid rents for homeless-serving units (LOSP units) and operating expenses attributable to LOSP units. LOSP operating subsidy calculations should account for all typical costs of operations, reserves and fees on a pro-rata basis. LOSP subsidies may not be used to pay hard debt service, other than qualified minimal debt service payments for state financing. Applicants offering LOSP units will need to apply for funding for provision of services to these formerly homeless households through the Department of Homelessness and Supportive Housing. Section 8 project based rental assistance is not anticipated to be available at this time.

Neighborhood Preference, etc.).

- 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;
- At the time of publication, the final planning, permitting and operations timeline for the proposed Tiny Homes Village are being finalized. The Selected Developer must be prepared to undertake predevelopment activities accordingly in collaboration with HSH and MOHCD.

**The Selected Developer must be prepared to:**

1. Work with BART, City agencies, and community members to evaluate expanding the scope of the Project to include improvements to and/or potentially including development over the adjacent BART Plaza parcel in order to allow for a larger affordable housing building, in conjunction with improvements to both the southwest BART plazas.
2. Prepare a technical memo that includes budget projections, and conceptual designs for each project concept evaluated.
3. Work with BART and MOHCD staff to help develop BART's urban design vision for their potential station modernization efforts to both BART-owned plazas. This may include collaborating and coordinating with BART on complimentary community design workshops for the housing and station/plaza improvements.
4. Establish a community outreach strategy that includes culturally competent strategies for working with diverse stakeholders.

**Electronic copy of responses to this RFQ must be received by the Mayor's Office of Housing and Community Development no later than 4:00 p.m. on September 29, 2023.**

Once a Development Team is selected, MOHCD and the Selected Developer will enter into predevelopment loan agreements with specific milestone achievement requirements established in accordance with the terms of this RFQ.

## **II. IMPORTANT DATES AND SUBMISSION PROCESS**

### **A. IMPORTANT DATES**

|                                              |                                              |
|----------------------------------------------|----------------------------------------------|
| RFQ available                                | Thursday, August 3, 2023                     |
| Pre-submission conference via Zoom (virtual) | <b>Tuesday, August 15, 2023 at 3:00 p.m.</b> |

|                                                                                                     |                                                   |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------|
| Deadline for questions and requests for additional information, and submission of registration form | <b>Wednesday, September 13, 2023 by 4:00 p.m.</b> |
| <b>Deadline for submitting qualifications</b>                                                       | <b>Friday, September 29, 2023 by 4:00 p.m.</b>    |
| Notification to development teams who met submission requirements                                   | Friday, October 20, 2023                          |
| Development team interviews, if necessary                                                           | Week of November 6 or 13, 2023                    |
| Announcement of selection of development team                                                       | Week of December 18, 2023                         |
| Deadline for Objections                                                                             | 7 days from announcement                          |

## **B. PRE-SUBMISSION MEETING**

A pre-submission conference will be hosted virtually by MOHCD on **Tuesday, August 15, 2023 at 3:00 p.m.** The purpose of the meeting is to ensure that interested developers understand the minimum qualifications requirements and the selection process. 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 RFQ (in the form of a Question and Answers document) with this information to all parties that have registered for the RFQ. No questions or requests for interpretation will be accepted after **Wednesday, September 13, 2023 by 4:00 p.m.** Attendance at the pre-submission conference is highly recommended but not mandatory. Please see below regarding **Attachment 2 - RFQ Registration Form.**

Zoom Link:

<https://us02web.zoom.us/j/87489209771?pwd=Q0lqOFk5d2dmbThudUgvMHlvSmRQQT09>

## **C. REGISTRATION FOR RFQ REQUIRED**

To receive MOHCD's responses to requests for additional information and to questions about this RFQ and to submit a qualification submission, **all interested parties must submit a completed RFQ Registration Form to MOHCD by Wednesday, September 13, 2023 by 4:00 p.m.** All addenda, responses and additional information 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 in Section IIE.

#### **D. QUESTIONS AND REQUESTS FOR INFORMATION**

All questions and requests for additional information regarding this RFQ must be received by e-mail to [mohcdHFOpps@sfgov.org](mailto:mohcdHFOpps@sfgov.org) by **September 13, 2023, by 4:00 p.m.** Questions received after the deadline may not be answered. All addenda, response, and additional information will be distributed to all parties who have submitted a registration form in accordance with Section IIC.

#### **E. CONTACT PERSON, SUBMISSION DEADLINE AND PLACE**

All communications about this RFQ should be directed to Mara Blitzer, Director of Special Projects, at (628) 652-5820 or [MOHCDHFOpps@sfgov.org](mailto:MOHCDHFOpps@sfgov.org).

Respondents to this RFQ must submit one electronic copy via Dropbox link to these two email addresses ([MOHCDHFOpps@sfgov.org](mailto:MOHCDHFOpps@sfgov.org) and [mara.blitzer@sfgov.org](mailto:mara.blitzer@sfgov.org)) no later than: **4:00 p.m. on Friday, September 29, 2023 by 4:00 p.m.**

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 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 RFQ 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**

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.

- Maximize the number of priority placements (COP holders, Neighborhood Preference, etc.)
- Maximize (meet or exceed) the City's requirements for promotion of SBE/LBE organizations with contracts and local hiring with construction labor.
- 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.
- Split any Developer Fee per MOHCD Underwriting Guidelines, linked here: [Multi-family housing forms, documents, policies and guidelines | San Francisco \(sf.gov\)](#).

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 Site](#)). 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 \(sfhousingelement.org\)](#).

#### **IV. C. ALIGNMENT WITH DEPARTMENT OF HOMELESSNESS AND SUPPORTIVE HOUSING (HSH) DEPARTMENT GOALS**

Projects proposed under this RFQ for the Capp Street Program must designate a minimum of 100% of units for households experiencing homelessness, subsidized by the City's Local Operating Subsidy Program.

San Francisco's [Home by the Bay](#) plan outlines citywide strategies and goals to prevent and end homelessness. Respondents should align their proposed project's vision with the goals and strategies identified in the HSH strategic plan to expand permanent housing options, including a focus on projects that reduce homelessness among inequitably impacted communities and populations.

All homeless households will be referred by the Department of Homelessness and Supportive Housing (HSH) through Coordinated Entry, and/or other initiatives serving high priority individuals in coordination with Coordinated Entry, such as high users of multiple systems of care, individuals being discharged from hospitals, or persons with behavioral health conditions. Coordinated Entry organizes the City's Homelessness Response System with a common, population-specific assessment, centralized data system, and prioritization method, and identifies households with acute needs for Supportive Housing.

Respondents who propose units serving homeless households, a population in which Black, Brown, Indigenous, and other people of color are disproportionately represented, should be committed to the following:

- The capacity and expertise to lead with a Housing First philosophy, which includes principles of harm reduction and low barriers to entry;
- A racial equity-based, culturally responsive, and trauma-informed approach to setting up programs and process;
- An ability to collaborate with tenants, providers, and the community with the goal of stabilizing households in housing;
- An ability to conduct equity-focused data analyses and use feedback from the served population to enhance the project.

Housing First principles are found in the California Welfare and Institutions Code Section 8255. Under Housing First, tenant screening and selection practices must promote accepting applicants regardless of their sobriety or use of substances, completion of treatment, or participation in services. Tenant applicants must not be rejected based on poor credit or financial history, poor or lack of rental history, criminal convictions unrelated to tenancy, or behaviors that indicate a lack of “housing readiness.”

#### **D. ELIGIBLE USES OF FUNDS**

Funding awarded through this RFQ may be used to support a variety of pre-construction housing development activities for the production of new affordable rental housing, including but not limited to the following.

- Pre-development project concept development (including architecture, engineering, and financial modeling)
- Property acquisition and holding costs
- Architectural and engineering expenses
- Environmental assessments
- Appraisals
- Legal costs
- Project management
- Evaluation of expansion and/or development of Site into adjacent BART plaza (up to \$500,000 for this scope of work), in conjunction with improvements to southwest BART plaza, while maintaining continuity of access to transit station during construction.

Costs associated with the 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 housing 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.

## **E. SUMMARY OF FUNDING TERMS**

Soft Debt Loan Terms Include:

- Maximum City Subsidy: \$300,000 per unit for Mission/16<sup>th</sup> Street Program and \$200,000 for Capp Street Program
- 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 at an average of 60% MOHCD AMI (30-80% range) for the life of the project (60% MOHCD AMI maximum for Capp Street Program)
- Restrictions must be recorded in first position on title
- City to own the land as ground lessor

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.
- LOSP Policies and Procedures Manual (same link as above)
- LOSP Term Sheet (coming soon – same link as above)

## **V. CONTEXT**

### **A. THE SITE**

#### **1. Description**

The Site is a hexagonal-shaped lot of 57,325 square feet located at 1979 Mission Street, San Francisco, California, 94103. The Site is bounded by Mission Street to the west, 16th Street to the south, Capp Street to the east, and an adjacent property to the north. The Site is currently occupied by a vacant commercial 36,756-square-foot retail building, and the remainder of the Site is occupied by an unutilized surface parking lot. Adjacent uses around the Site include the San Francisco Bay Area Rapid Transit (BART)'s 16th Street station northeast plaza at the southwest corner of the Site, a mixed-use residential and commercial building to the north, a 100% affordable housing multi-unit apartment building to the west, and an office building with ground-floor retail space to the south.

In addition to BART regional public transit service, local public transit service operated by the San Francisco Municipal Transportation Agency (SFMTA) operates adjacent to the Site including the 49-Van Ness/Mission bus line, the 14-Mission bus line and its 14R-Mission Rapid limited stop counterpart, the 22-Fillmore bus line, and the 33-Ashbury/18th Street bus line. The Site is within six blocks of four other SFMTA bus routes and is approximately 0.7 miles from SFMTA's MUNI Metro Line's Van Ness stop, which serves the J-Church, K-Ingleside, L-Taraval, M-Ocean View, and N-Judah metro rail routes.

## **2. History and Cultural Significance**

The Site is located in the Mission District of San Francisco. The Mission District has an extensive history as an area that is home to various cultural movements, documented displacement of indigenous populations, removal of natural resources, and gentrification. This includes the initial arrival of Spanish settlers that resulted in the displacement and ultimately decimation of the indigenous Ohlone people, the development of industrial factories that led to the infill of Mission Creek that previously originated at the base of what is now known as Diamond Heights, redevelopment and urban renewal that resulted in the displacement of thousands across the City, the significance of the neighborhood in the laborers and farm workers' movements in the 1960s and 1970s and immigrant rights movements that last to this day, and efforts to resist gentrification in the late 1990s and early 2000s as the Bay Area emerged as a hub for the tech industry.

The Community Development Division of the Mayor's Office of Housing and Community Development has invested \$17 million in 35 projects located in the Mission that include immigrant legal services, tenant counseling, housing counseling, case management, transitional age youth services, and other related community services.

The displacement of Latino households from the Mission is well documented. In 2000, the Mission District's Latino population was at 60%. By 2015 it had dropped to 48%; a city-funded research study that year predicted a decline to 31% by 2025. Census data shows that 40% of residents within the zip code where the site is located speak another language in addition to English, and that nearly 15% of these residents were limited English proficient.

As a result of these trends, the current population is deeply involved in efforts to prevent further displacement, particularly for families that have lived in the Mission for multiple generations. This advocacy and activism is well documented and ultimately led to ownership of the Site being transferred to the City for the development of 100% affordable housing, as community members had organized against proposed plans from a private developer to build market-rate housing on the Site. In 2022, pursuant to Resolution 547-21, the developer of 10 South Van Ness reached an agreement with the seller, Maximus-BP 1979 Mission Street LLC, in which the 10 South Van Ness project could satisfy its

inclusionary housing requirements under Section 415 of the Planning Code by purchasing the Site and then conveying the Site to MOHCD via the land dedication process.

In 2021 a grant was provided to support community visioning activities associated with the future development of affordable housing. As part of that process community members have expressed interest in the ground floor activation of the Site. Types of uses that are preferred include gym/community recreation, grocery store, park, community center, a pharmacy (the Site was until recently partially occupied by a Walgreens), meal program, job placement, and/or library.

Additionally, due to its increased accessibility via public transit as well as the historical and cultural significance of the immediate area, the BART plaza both adjacent to the Site and its counterpart located on the southwest corner of 16th Street and Mission Street are often informally utilized as meeting locations for public gatherings and community organizing.

The site is located within an area where a number of city and community-based planning and visioning efforts have been undertaken. Recent efforts include:

- Mission Action Plan 2020 (“MAP 2020”): [Mission Action Plan 2020 | SF Planning](#)
- American Indian Cultural District Founding Legislation: [o0057-20.pdf \(sfbos.org\)](#), <https://americanindianculturaldistrict.org/>
- Calle 24 Cultural District Founding Legislation: [o0126-18.pdf \(sfbos.org\)](#), <https://www.calle24sf.org/>

### **3. BART**

BART owns the land at APN #3343/053 (BART Parcel), located at the southwest corner of Mission Street and 16th Street and improved by an elevator and pedestrian (two stairs, one escalator) entrance to the 16<sup>th</sup> Street BART Station. The BART Parcel is approximately 75’ x 85’ (6,375 square feet). The sidewalks adjacent to the BART Parcel are improved by covered bus stops for key MTA Muni lines that converge on this corner, providing regional transit access.

The BART tracks run below Mission Street and the “BART Zone of Influence” extends approximately 50 feet into the Site along its frontage on Mission Street. Please see Document 13. Upon selection, the Site developers must seek direction from BART staff regarding the specific design implications, such as (though not necessarily limited to) requirements for shoring, monitoring, de-watering, and piles, as well as continuity of access to transit station during construction.

In general, significant ongoing communication will need to be maintained with BART staff and great care taken to protect the subway, station, and the Zone of Influence. Work on the Project must be pursued in a manner that preserves access to the BART station elevator, escalators, and stairs with no or minimal disruption to BART's transit operations and maintenance. Additional coordination will be required should some/all of the BART Parcel ultimately be incorporated into the Project. Note that in that event, BART intends to retain control of some/all of the surface of the BART Parcel since it is needed for rider access to the station.

BART is prepared to support the selected Developer in seeking resources for both the Project and BART plaza improvements via programs such as Affordable Housing and Sustainable Communities (AHSC), Infill Infrastructure Grants (IIG), and Transit-Oriented Development (TOD), as BART has done for housing developments at and around many other BART stations.

BART will be participating in the developer selection process.

## **B. ZONING/LAND USE ENTITLEMENTS**

The Site is located in the NCT – Mission Street Neighborhood Commercial Transit District (See Planning Code Section 754) and the 105-X and 55-X Height and Bulk Districts. The NCT district is intended to promote a vibrant mix of uses while maintaining the characteristics of this formerly industrially-zoned area. Within the NCT, permitted uses include, but are not limited to retail, educational facilities, and housing, with family-sized dwelling units encouraged. Under NCT, the dwelling unit mix should include at least 40% of all dwelling units must contain two or more bedrooms or 30% of all dwelling units must contain three or more bedrooms.

The Site development is expected to qualify for ministerial approvals from the Planning Department through SB35 or AB2162, for example, which may be used in conjunction with the State Density Bonus Program or the Affordable Housing Density Bonus Program.

The BART plazas are classified as Open Space. If some/all of the adjacent BART plaza were merged with the Site, then this merged site would adhere to the 105-X and can utilize SB35 or AB2162 to maximize height.

## **C. SOIL AND ENVIRONMENTAL AND OTHER SITE CONDITIONS**

The selected Developer will be required to commission its own geotechnical studies as part of its design and engineering work, but, for purposes of this RFQ, it is assumed that following any required mitigation, soil and subsoil conditions on the Site are sufficient to support a development that complies with the maximum allowable height, bulk and density limitations of the Site's applicable zoning requirements.

The following documents pertaining to the Site are available for review from the MOHCD website here: <http://sfmohcd.org/nofas-rfp-rfq-bids-jobs>

1. Preliminary ALTA Survey (August 21, 2020)
2. Geotechnical Investigation 1979 Mission Street (January 13, 2013)
3. Phase I Environmental Site Assessment 1979 Mission (August 27, 2020)
4. Property Condition Report (existing structures) 1979 Mission (August 27, 2020)
5. Opinion of Probable Cost 1979 Mission and 1985 Mission (August 26, 2020 draft)
6. Subsurface Investigation Report (January 21, 2013)
7. Soil Mitigation Plan (June 20, 2013)
8. Planning Department Memo Dedication of Land at APN 3553/052 (1979 Mission) (September 1, 2020)
9. Utility Map (existing) (September 23, 2013)
10. BART Zone of Influence (January 18, 2013)

The Site is subject to the Maher Ordinance (San Francisco Health Code, Article 22A). For more information, see: [https://www.sfdph.org/dph/EH/HazWaste/Maher\\_FAQ.asp](https://www.sfdph.org/dph/EH/HazWaste/Maher_FAQ.asp).

## **VI. SELECTION PROCESS, MINIMUM EXPERIENCE AND CAPACITY 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 financing, property management and resident supportive services, and which may also include asset management, construction management, Arts Commission staff, and community representatives.

The Selection Panel will review all qualified responses (see Section C below) and interview top-scoring Respondents, at which time Respondents 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 all interviews have been completed, the Selection Panel will meet to 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 a development team and advise the Mayor of this selection. MOHCD staff will then exclusively negotiate a binding contract with the selected team for purposes of the Site's development. If MOHCD staff cannot complete a contract with the selected development team that is in the best interest of the City, the MOHCD Director may terminate negotiations in his/her sole discretion. If the MOHCD Director terminates negotiations with the selected development team, the MOHCD Director reserves the right, in his/her 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 may re-advertise a request for qualifications for this Project under such terms the MOHCD Director deems to be in the City's best interest.

## **B. MINIMUM EXPERIENCE AND CAPACITY REQUIREMENTS**

Respondents must meet the following minimum development team characteristics, experience, and capacity requirements in order to qualify to be scored and ranked under this RFQ:

### **1. Minimum Development Team Characteristics**

The proposed Development Team must include:

- At least one non-profit development entity whose mission includes the development of affordable housing in low-income communities with experience developing housing for large families and small households who have experienced homelessness, acting either as sole developer or as a partner in a joint venture, or joint-venture partner.
- At least one development entity whose experience includes site/infrastructure planning and infrastructure (horizontal) development in support of transit-oriented residential developments adjacent to or co-located with public improvements such as transit hubs and public plazas.
- A property owner entity with experience owning housing for low-income communities and formerly homeless households;
- At least one property management entity with experience managing housing for low-income communities and formerly homeless households;
- At least one services-providing entity with experience providing services appropriate for low-income communities and formerly homeless residents.

*Letters of Intent or Memoranda of Understanding from service providers and property management entities that are not affiliated with the developer must be submitted with the application. Place these documents in section 2 of your submission. Label the electronic files, for example, for the Developer, as "2.c. Property Manager LOI".*

## 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 **Attachment 4 - Qualifying Project Form**, 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, though are used to identify 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 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 include units for households experiencing homelessness.
- The project must be financed in part with Low-Income Housing Tax Credits.

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

- The project must have included construction of a new or to-be improved infrastructure component that is publicly accessible, such as a bicycle facility, plaza/paseo, busway, or public restroom.
- The project must have included partnership with (such as joint development or a land transaction) or funding from at least one transportation agency.
- The project must have been delivered within a prescribed time frame and within budget, as affirmed by the transportation agency.

**a. *Minimum Development Experience:*** The proposed Developer must have completed within the past ten years at least **one** Qualifying Project located in San Francisco. The definition of “completed” of a Qualifying Project means having received Temporary Certificate of Occupancy by the date of the issuance of the RFQ.

For joint venture Developer teams, the experience of the lead entity may suffice for the joint-venture partnership. A signed Memorandum of Understanding or Term Sheet between joint-venture Development partners that outlines roles and responsibilities, proposed ownership structure, etc. **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. Finally, the requirement to have served formerly homeless residents may be satisfied in a non-Type I building. In such a case, the proposed Developer must provide evidence of having completed a partially Type I affordable housing building, and separately, an affordable housing building that serves formerly homeless residents. Any qualification of this kind must be identified on the applicable Form 4 and an agreement between the parties describing the services to be provided must be included.

**Minimum Infrastructure/Site Planning Experience:** The Respondent must have completed within the last 10 years at least one Qualifying Infrastructure Project located in the nine county Bay Area. The definition of “completed” of a Qualifying Project means having received Temporary Certificate of Occupancy by the date of the issuance of the RFQ. The Qualifying Project must be an infrastructure project in similar size/scope to a high traffic public plaza and the entity must have been the lead sponsor for the project. Entity role must be related to financing, negotiation, legal structuring and transactional aspects of the co-location of the infrastructure project.

- b. Minimum Ownership Experience:** The proposed Owner must have owned at least **one** Qualifying Project for at least four years prior to the Submittal Deadline of this RFQ. For purposes of this requirement, the member of the general partner of the tax credit partnership that will own the completed project is the proposed “Owner.”

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.

- c. Minimum Property Management Experience:** The proposed property manager(s) 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(s) must demonstrate effective strategies for working with service providers to collaborate on housing stability of residents.

- d. Minimum Service Provision Experience:** 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 homeless 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. This must be clearly identified on the applicable Form 4.

**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 **Attachment 5 – Financing Terms for Developer's Qualifying Project** documenting the equity pricing and debt terms for the Qualifying Project submitted under Minimum Developer Experience.

On a separate sheet, labeled 3.a.3, Developer/Guarantor should list all loans with MOHCD that have not converted to a permanent loan (e.g. predevelopment and construction loans). If a loan is anticipated but not yet executed (for example, sponsor was recently recommended for funding through a NOFA or RFQ), please list that as an "award". For each loan, list the name of the project, the amount of the loan, and the date of expected permanent conversion.

- **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 **Attachment 6 – 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. **SELECTION CRITERIA AND SCORING**

All applications that meet the Minimum Experience and Capacity Requirements will be scored and ranked according to the following selection criteria:

|           | Category                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Points    |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| <b>A.</b> | <b>EXPERIENCE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>85</b> |
| i.        | <b>Developer (25 pts)</b> <ul style="list-style-type: none"> <li>➤ Experience with the following: <ul style="list-style-type: none"> <li>○ Completing residential projects on time and on budget</li> <li>○ Obtaining competitive financing terms</li> <li>○ Developing proposed type of construction</li> <li>○ Developing for low-income households, including those experiencing homelessness</li> <li>○ Working in the Mission neighborhood</li> <li>○ Building community support through outreach</li> <li>○ Achieving entitlements for the project expeditiously</li> </ul> </li> <li>➤ Current staff capacity and experience to take on this project type</li> </ul> |           |
| iii.      | <b>Infrastructure/Site Planning (25 pts)</b> <ul style="list-style-type: none"> <li>➤ Experience with the following: <ul style="list-style-type: none"> <li>○ Completed one or more Qualifying Infrastructure project on time and on budget</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                          |           |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|     | <ul style="list-style-type: none"> <li>○ Demonstrated partnerships with public agencies, especially transportation agencies and on projects involving complex land transactions</li> <li>○ Building community support through outreach</li> <li>○ Current staff capacity and experience to take on this project type</li> <li>○ Mapping</li> <li>○ Securing utility services from SFPUC and PG&amp;E</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                               |  |
| ii. | <b>Owner (5 pts)</b> <ul style="list-style-type: none"> <li>➤ Track record successfully owning housing financed with Low-Income Housing Tax Credits</li> <li>➤ Experience owning affordable housing for low income households, including those experiencing homelessness</li> <li>➤ Effectiveness of current asset management structure and staffing, given portfolio size</li> <li>➤ Capacity for assuming asset management of an expanded portfolio once the development is complete</li> <li>➤ Extent to which applicant has history of compliance with terms of previous MOHCD financing agreements (subtract .5 point for every site that is out of compliance for income, rent or rent increase compliance issues, or for which an AMR has not been submitted on time in the last 12 months)</li> </ul> |  |
| iv. | <b>Property Manager (5 pts for Mission Street program and 5 pts for Capp Street program)</b> <ul style="list-style-type: none"> <li>➤ Experience property managing for low-income households, including those experiencing homelessness</li> <li>➤ Experience achieving high rates of housing retention</li> <li>➤ Implements low barrier tenant selection policies</li> <li>➤ Contributes to long-term sustainability of the development</li> <li>➤ Achieving cost efficiencies in operations</li> <li>➤ Grounds property management services in trauma informed approach</li> <li>➤ Capacity to attract and retain adequate staffing to take on this project</li> </ul>                                                                                                                                     |  |
| v.  | <b>Service Provider/s (5 pts for Mission Street program and 5 pts for Capp Street program)</b> <ul style="list-style-type: none"> <li>➤ Experience delivering services to low-income households, including those experiencing homelessness</li> <li>➤ Experience linking residents to the City's safety net of services</li> <li>➤ Works with property management to achieve high rates of housing retention</li> <li>➤ Supports positive outcomes for residents around health and economic mobility</li> <li>➤ If applicable, provides explanation for service contracts terminated</li> </ul>                                                                                                                                                                                                               |  |

|                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |           |
|-------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
|                   | <p>prematurely within the last 5 years</p> <ul style="list-style-type: none"> <li>➤ Capacity to attract and retain adequate staffing to take on this project</li> <li>➤ Experience delivering services with equity;</li> <li>➤ Engages in collaborative service partnerships;</li> <li>➤ Utilizes Housing First and housing stability principles to deliver the services.</li> <li>➤ Indicates that property management and resident services will be provided through a trauma-informed approach.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                           |           |
| vi.               | <p><b>Racial Equity (10 pts)</b></p> <ul style="list-style-type: none"> <li>➤ Demonstrates experience providing housing to COP holders and neighborhood preference holders</li> <li>➤ Demonstrates experience providing housing to formerly homeless households and serving historically excluded communities of color.</li> <li>➤ Uses innovative approaches to engagement with COP and neighborhood preference holders</li> <li>➤ Demonstrates commitment to racially diverse project development teams</li> <li>➤ Describes experience providing access and implementing effective service delivery strategies to historically excluded communities of color</li> </ul>                                                                                                                                                                                                                                                              |           |
| <b>B. VISION:</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>30</b> |
| i.                | <p><b>Program Concept (5 pts)</b></p> <ul style="list-style-type: none"> <li>➤ Describes vision for a development program at this site, while best achieving the project goals, and includes: <ul style="list-style-type: none"> <li>○ A residential program and other envisioned uses, including infrastructure and community serving commercial;</li> <li>○ Indicates how the proposed uses and amenities will enhance the lives of the proposed target population and the surrounding Mission neighborhood.</li> </ul> </li> <li>➤ Indicates populations served by the programs and spaces (tots, children, teens, young adults, adults, elderly, disabled etc.).</li> <li>➤ Utilizes Housing First and housing stability principles to deliver services and engages in collaborative service partnerships. Indicates that property management and resident services will be provided through a trauma-informed approach.</li> </ul> |           |

|      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| iv.  | <p><b>Finance and Cost Containment Approach (5 pts)</b></p> <ul style="list-style-type: none"> <li>➤ Describes the Development Team’s overall financing approach to the project, including phasing and creation of separate air rights parcels.</li> <li>➤ 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</li> <li>➤ Includes the Team’s process for entitling the project, financially structuring the project and controlling development costs.</li> <li>➤ Includes innovative strategies intended to minimize MOHCD’s projected capital gap financing.</li> <li>➤ 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.</li> </ul>                                                                                                                                                                                                                                                                                                                                                 |  |
| ii.  | <p><b>Community Engagement Strategy (10 pts)</b></p> <ul style="list-style-type: none"> <li>➤ Describes community engagement strategy and includes: <ul style="list-style-type: none"> <li>○ The team’s philosophy on community engagement;</li> <li>○ Process for establishing and/or building positive relationships with surrounding neighbors and the larger community;</li> <li>○ Efforts designed to engage all interested community members, particularly BIPOC members of the target populations, including monolingual non-English speaking members of the community;</li> <li>○ How the Development Team intends to comply with the City’s Language Access Ordinance.</li> </ul> </li> <li>➤ Describes the and the Team’s approach to maintaining and building community relationships after entitlements have been achieved and the development is in operations.</li> <li>➤ 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.</li> <li>➤ Addresses communications throughout the life cycle of the project, from concept and entitlements through construction, lease-up/marketing, and ongoing operations.</li> </ul> |  |
| iii. | <p><b>Services Delivery Strategy (5 pts)</b></p> <ul style="list-style-type: none"> <li>➤ Describes the Development Team’s services delivery strategy for serving both families with children and formerly homeless adults, and includes: <ul style="list-style-type: none"> <li>○ The overall service philosophy;</li> <li>○ Model for providing any anticipated services to formerly homeless residents (including case management ratio and provision of amenities such as front desk clerks, if</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |  |

|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |            |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
|                              | <p>applicable);</p> <ul style="list-style-type: none"> <li>○ The services goals of the proposed vision.</li> </ul> <p>➤ Demonstrate how the following principles are implemented:</p> <ul style="list-style-type: none"> <li>○ delivering services with equity;</li> <li>○ trauma-informed approach to support services;</li> <li>○ engaging in collaborative service partnerships; and</li> <li>○ Housing First and housing stability principles to deliver the services.</li> </ul> <p>➤ Serving a diverse population of Tenants, including non-English speakers, persons with disabilities, and individuals with a history of homelessness, substance use and/or mental health challenges;</p> <p>➤ 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.</p> <p>➤ Describes how services for residents will be coordinated with the existing network of services in the neighborhood and community.</p> <p>➤ 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 well-being.</p> |            |
| v.                           | <p><b>Racial Equity Strategy (5 pts)</b></p> <p>➤ Explains how vision aligns with the primary goals of this RFQ set forth in the Introduction and Project Expectations.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |            |
| <b>TOTAL POSSIBLE POINTS</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>115</b> |

Projects must receive at least 80 points to proceed through the selection process.

#### **D. Submittal Requirements Overview**

Using **Attachment 1 – Submittal Checklist**, check boxes of all items that will be submitted. Complete and submit **Attachment 2 – RFQ 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.

#### **E. 1. Minimum Development Team Characteristics**

Submit **Attachment 3 – 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)

- Infrastructure/Site Plan Coordinator/ Development Consultant(s) (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(3) status** (for nonprofit corporations) from the Internal Revenue Service.

## 2. **Minimum Development Team Experience**

Submit **Attachments 4.a, 4.b, 4.c, 4.d, 4.1 - Qualifying Project Forms**, to document how the Qualifying Project characteristics meet each of the experience categories below (developer, owner, property manager, service provider.)

- (1) Qualifying Project for each of the experience categories:
  - a. Minimum Development Experience (Attachment 4.a)
  - b. Minimum Infrastructure/Site Planning Experience (Attachment 4.1)
  - c. Minimum Ownership Experience (Attachment 4.b)
  - d. Minimum Property Management Experience (Attachment 4.c)
  - e. Minimum Service Provision Experience (Attachment 4.d)
  - f. 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). Label these files 3.a.1 and 3.a.2.
- On separate sheet, labeled as 3.a.3, provide list of funds awarded, predevelopment and construction loans with MOHCD
- **Attachment 5 – Financing Terms for Developer’s Qualifying Project** to document the equity pricing and debt terms for the Qualifying Project

submitted under Minimum Developer Experience.

- **Attachment 5.1 – Financing Terms for Infrastructure/Site Coordinator Qualifying Project** for the infrastructure/site plan scope of work to document the financing terms for the Qualifying Project submitted under Minimum Infrastructure/Site Plan Experience.

#### **F. 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.
- **Attachment 6 – Projected Staffing Workload Form**, documenting the work assignments (existing or contemplated) associated with each staff person expected to work on the Project for Developer.

#### **G. 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**.

#### **H. 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**

- Experience:** Provide written narrative of **no more than six pages** (in Times New Roman font, 12 font size, and 1-inch margins). Please label this file as "4a Experience"
- Vision:** Provide written narrative of **no more than three pages** (in Times New Roman font, 12 font size, and 1-inch margins). Please label this file as "4b Vision."

Additional documents submitted in this section will not be allowed, except as identified on the **Attachment 1: Submittal Checklist**.

For each document submitted, please label the file in the order of the Attachment B: Submittal Checklist, which is organized into 7 sections (section 0 is the RFQ Registration Form). For example:

- Label the Form 4 for the Qualifying Project for the Developer as follows: “2b. QP for Developer”;
- Label the Financial Statements for the Developer as follows: “3a.1 Financial Statements for Developer” and “3a.2 Financial Statements for Developer”

## **E. Scoring for Experience**

In **no more than six 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).

1. **Developer:** Describe the Developer’s track record successfully developing high-quality affordable housing, including supportive 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 those experiencing homelessness 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.

2. **Infrastructure/Site Coordinator/Development Consultant:** Describe the Developer’s track record successfully developing infrastructure and site plans. In particular, discuss the Developer’s experience completing infrastructure projects on time and on budget, obtaining competitive financing terms, and outreach for similar projects. Describe the experience and capacity of current staff to take on a project of this type.

3. **Owner:** 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 those experiencing homelessness 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”.

4. 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 those experiencing homelessness, 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, experience administering subsidies such as LOSP; and achieving cost efficiencies in operations.

5. 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 those experiencing homeless, 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.

6. Racial Equity Strategy: 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 RFQ
- 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.

## **G. Scoring for Vision**

In **no more than three 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:

- a. *Program concept, including infrastructure:*** Describe the Development Team's vision for a development program at this Site, while best achieving the original project goals (i.e. serve low income families and small households, including formerly homeless households including a residential program and all other envisioned uses. Indicate how the proposed uses and amenities will enhance the lives of the low income families and small households, including formerly homeless households, and the surrounding Mission neighborhood. Indicate particular groups served by the programs and spaces (tots, children, teens, young adults, adults, elderly, disabled etc.). Do not submit architectural drawings; scored responses must be in narrative form only.
- b. *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. Include 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. Do not submit a development budget or pro forma; scored responses must be in narrative form only.
- c. *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, including monolingual non-English speaking members of the community and how the Development Team intends to comply with the City's Language Access Ordinance.
- d. *Services delivery strategy:*** Describe the Development Team's services delivery strategy, including the overall philosophy and model for providing services to low income families and small households, including formerly homeless households (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.

- e. **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 RFQ set forth in the Introduction and Project Expectations. Describe any substantive partnership that is part of the RFQ 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.

## 7. **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 RFQ and, if selected by the City, to enter into negotiations with the City for the long-term lease of the MOHCD Site. Label this file "6 Evidence of Authority."

## 8. **Disclosure Form**

Submit a completed and signed copy of **Attachment 7 – Disclosures**, which requires any respondent to this RFQ 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. Label this file "7 Disclosures."

**Note Regarding Submittals:** Respondents 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.

## VII. **TERMS AND CONDITIONS OF REQUEST FOR QUALIFICATIONS**

### A. **DEVELOPER RESPONSIBILITIES**

The Selected Developer 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 Site.

- Conducting all appropriate due diligence, investigating and determining conditions of the Site and the suitability of the Site for the proposed Development.
- Coordinate with BART and various City agencies in regard to infrastructure work on the BART Plazas, including considering an air rights parcel over the BART Plaza, or fee simple transfer to MOHCD, in order to develop affordable housings, resulting in a potential redesign of the Plaza.
- 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 RFQ, 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 Exhibit A – Minimum Insurance Requirements.

## **B. ERRORS AND OMISSIONS IN RFQ**

Respondents are responsible for reviewing all portions of this RFQ. Respondents are to promptly notify MOHCD, in writing, if the respondent discovers any ambiguity, discrepancy, omission, or other error in the RFQ. 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 RFQ**

MOHCD may modify the RFQ, 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 RFQ for proposal purposes. MOHCD will make reasonable efforts to notify Respondents in a timely manner of modifications to the RFQ. 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**

1. RFQ Terms. If any interested party objects to any provision or legal requirement in this RFQ, such party must provide written notice to MOHCD at [mohcdHFOpps@sfgov.org](mailto: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 II(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 RFQ.
2. Notice of Non-Responsiveness. A Respondent may object to a determination that its submission of qualifications is non-responsive to this RFQ 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.
3. Selection of Development Team for Exclusive Negotiations. A Respondent may object to the 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.
4. Delivery of Objections. Respondents must submit objections in writing, addressed to the person identified in this RFQ, and delivered to the MOHCD via email at [MOHCDHFOpps@sfgov.org](mailto:MOHCDHFOpps@sfgov.org) between the hours of 8:00 a.m. and 5:00 p.m. by the dates specified above in order to be considered. Written objections should be transmitted by a means 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 RFQ, and separately by its response waives, any claim against MOHCD by reason of any or all of the following: any aspect of this RFQ, 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 RFQ's 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 RFQ and the selection of a developer pursuant to this RFQ 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 a developer is in no way deemed to be the final approval of any Development proposed by the developer.
2. The information in this RFQ 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 RFQ or any subsequent negotiation process; reject any or all responses, without indicating the reasons for such rejection; cancel this RFQ at any time prior to

award and reissue a Request for Qualifications; 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 RFQ; 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 RFQ; make a selection 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 RFQ or that the agreement will not serve in the City's best interest, MOHCD may terminate negotiations with the selected Development Team and begin negotiations with the next highest ranked Respondent; or determine that no Development will be pursued.

4. The issuance of this RFQ does not obligate the City to pay any costs whatsoever 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 RFQ do so at their own expense.
5. The issuance of this RFQ is only an invitation to submit qualifications, and does not constitute an agreement by the City that any contract will actually be entered into by the City. This RFQ 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 the Site that would allow for its development until there has been compliance with the California Environmental Quality Act (CEQA), and, as applicable, the National Environmental Protection Act (NEPA). If the 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 RFQ 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.

## **VIII. APPENDICES**

## **Exhibit A: Minimum Insurance Requirements**

### **1. Developer, Contractors.**

(a) to the extent Developer or its contractors and subcontractors have "employees" as defined in the California Labor Code, workers' compensation insurance with employer's liability limits not less than One Million Dollars (\$1,000,000) each accident, injury or illness;

(b) commercial general liability insurance, with limits no less than One Million Dollars (\$1,000,000) combined single limit per occurrence and Two Million Dollars (\$2,000,000) annual aggregate limit for bodily injury and property damage, including coverage for contractual liability; personal injury; fire damage legal liability; advertisers' liability; owners' and contractors' protective liability; products and completed operations; broad form property damage; and explosion, collapse and underground (XCU) coverage during any period in which Developer is conducting any activity on, alteration or improvement to the Family Site with risk of explosions, collapse, or underground hazards;

(c) business automobile liability insurance, with limits not less than One Million Dollars (\$1,000,000) each occurrence, combined single limit for bodily injury and property damage, including owned, hired and non-owned auto coverage, as applicable;

(d) professional liability insurance of no less than One Million Dollars (\$1,000,000) per claim and Two Million Dollars (\$2,000,000) annual aggregate limit covering all negligent acts, errors and omissions of Developer's architects, engineers and surveyors. If the professional liability insurance provided by the architects, engineers, or surveyors is "Claims made" coverage, Developer shall assure that these minimum limits are maintained for no less than three (3) years beyond completion of the constructions or remodeling. Any deductible over Fifty Thousand Dollars (\$50,000) each claim must be reviewed by Risk Management; and

(e) a crime policy or fidelity bond covering Developer's officers and employees against dishonesty with respect to the Funds of no less than Seventy Five Thousand Dollars (\$75,000) each loss, with any deductible not to exceed Five Thousand Dollars (\$5,000) each loss, including the City as additional obligee or loss payee;

(f) pollution liability and/or asbestos pollution liability applicable to the work being performed with a limit no less than One Million Dollars (\$1,000,000) per claim or occurrence and Two Million Dollars (\$2,000,000) annual aggregate per policy. This coverage shall be endorsed to include Non-Owned Disposal Family Site coverage. This policy may be provided by the Developer's contractor, provided that the policy must be "claims made" coverage and Developer must require Developer's contractor to maintain these minimum limits for no less than three (3) years beyond completion of the construction or remodeling.

## 2. Property Insurance.

Developer must maintain, or cause its contractors and property managers, as appropriate for each, to maintain, insurance and bonds as follows:

(a) Prior to construction:

(i) Property insurance, excluding earthquake and flood, in the amount no less than One Hundred Percent (100%) of the replacement value of all improvements prior to commencement of construction and City property in the care, custody and control of the Developer or its contractor, including coverage in transit and storage off-Family Site; the cost of debris removal and demolition as may be made reasonably necessary by such perils, resulting damage and any applicable law, ordinance or regulation; start up, testing and machinery breakdown including electrical arcing; and with a deductible not to exceed Ten Thousand Dollars (\$10,000) each loss, including the City and all subcontractors as loss payees.

(b) During the course of construction:

(i) Builder's risk insurance, special form coverage, excluding earthquake and flood, for one hundred percent (100%) of the replacement value of all completed improvements and City property in the care, custody and control of the Developer or its contractor, including coverage in transit and storage off-Family Site; the cost of debris removal and demolition as may be made reasonably necessary by such covered perils, resulting damage and any applicable law, ordinance or regulation; start up, testing and machinery breakdown including electrical arcing, copy of the applicable endorsement to the Builder's Risk policy, if the Builder's Risk policy is issued on a declared-Development basis; and with a deductible not to exceed Ten Thousand Dollars (\$10,000) each loss, including the City and all subcontractors as loss payees.

(ii) Performance and payment bonds of contractors, each in the amount of One Hundred Percent (100%) of contract amounts, naming the City and Developer as dual obligees or other completion security approved by the City in its sole discretion.

(c) Upon completion of construction:

(i) Property insurance, excluding earthquake and flood, in the amount no less than One Hundred Percent (100%) of the replacement value of all completed improvements and City property in the care, custody and control of the Developer or its contractor. For rehabilitation/construction Developments that are unoccupied by residential or commercial tenants, Tenant must obtain Property Insurance by the date that the Development receives a Certificate of Substantial Completion.

(ii) Boiler and machinery insurance, comprehensive form, covering damage to, loss or destruction of machinery and equipment located on the Family Site that is used by Developer for heating, ventilating, air-conditioning, power generation and

similar purposes, in an amount not less than one hundred percent (100%) of the actual replacement value of such machinery and equipment with a deductible not to exceed Ten Thousand Dollars (\$10,000) each loss, including the City as loss payee.

The following notice is provided in accordance with the provisions of California Civil Code Section 2955.5: Under California law, no lender shall require a Developer, as a condition of receiving or maintaining a loan secured by real property, to provide hazard insurance coverage against risks to the improvements on that real property in an amount exceeding the replacement value of the improvements on the property.

3. Commercial Space.

Developer must require that all nonresidential tenants' liability insurance policies include Developer and the City as additional insureds, as their respective interests may appear. Throughout the term of any lease of Commercial Space in the Development, Developer must require commercial tenants to maintain insurance as follows:

(a) to the extent the tenant has "employees" as defined in the California Labor Code, workers' compensation insurance with employer's liability limits not less than One Million Dollars (\$1,000,000) each accident;

(b) commercial general liability insurance, with limits not less than One Million Dollars (\$1,000,000) each occurrence, combined single limit for bodily injury and property damage, including coverage for contractual liability; personal injury; advertisers' liability; including coverage for loss of income due to an insured peril for twelve (12) months; owners' and contractors' protective; broad form property damage; explosion, collapse and underground (XCU); products and completed operations coverage;

(c) business automobile liability insurance, with limits not less than One Million Dollars (\$1,000,000) each occurrence, combined single limit for bodily injury and property damage, including owned, hired and non-owned auto coverage, as applicable;

(d) with respect to any tenant who has (or is required by Law to have) a liquor license and who is selling or distributing alcoholic beverages and/or food products on the leased premises, to maintain liquor and/or food products liability coverage with limits not less than One Million Dollars (\$1,000,000), as appropriate;

(e) special form coverage insurance, including vandalism and malicious mischief, in the amount of 100% of the full replacement cost thereof, covering all furnishings, fixtures, equipment, leasehold improvements, alterations and property of every kind of the tenant and of persons claiming through the tenant; and

(f) full coverage plate glass insurance covering any plate glass on the commercial space.

4. General Requirements.

(a) General and automobile liability policies of Developer, contractors, commercial tenants and property managers must include the City, including its Boards, commissions, officers, agents and employees, as an additional insured by endorsement acceptable to the City.

(b) All policies required by this Agreement must be endorsed to provide no less than thirty (30) days' written notice to the City before cancellation or intended non-renewal is effective.

(c) With respect to any property insurance, Developer hereby waives all rights of subrogation against the City to the extent of any loss covered by Developer's insurance, except to the extent subrogation would affect the scope or validity of insurance.

(d) Approval of Developer's insurance by the City will not relieve or decrease the liability of Developer under this Agreement.

(e) Any and all insurance policies called for herein must contain a clause providing that the City and its officers, agents and employees will not be liable for any required premium.

(f) The City reserves the right to require an increase in insurance coverage in the event the City determines that conditions show cause for an increase, unless Developer demonstrates to the City's satisfaction that the increased coverage is commercially unreasonable and unavailable to Developer.

(g) All liability policies must provide that the insurance is primary to any other insurance available to the additional insureds with respect to claims arising out of this Agreement, and that insurance applies separately to each insured against whom claim is made or suit is brought and that an act of omission of one of the named insureds that would void or otherwise reduce coverage will not void or reduce coverage as to any other insured, but the inclusion of more than one insured will not operate to increase the insurer's limit of liability.

(h) Any policy in a form of coverage that includes a general annual aggregate limit or provides that claims investigation or legal defense costs are included in the general annual aggregate limit must be in amounts that are double the occurrence or claims limits specified above.

(i) All claims based on acts, omissions, injury or damage occurring or arising in whole or in part during the policy period must be covered. If any required insurance is provided under a claims-made policy, coverage must be maintained continuously for a period ending no less than three (3) years after recordation of a notice of completion for builder's risk or the Compliance Term for general liability and property insurance.

(j) Developer must provide the City with copies of endorsements for each required insurance policy and make each policy available for inspection and copying promptly upon request.

## Exhibit B

### Map of the Site



**Attachment 1**

**RFQ Submittal Checklist**

See attached spreadsheet

**Attachment 2**

**RFQ Registration Form**

**Submit by September 13, 2023 to: mohcdHFOpps@sfgov.org**

**1979 Market Street**

Name of Organization:

Address:

Contact Person(s):

Phone:

Email:

**Attachment 3**

**Respondent Description**

See attached document

**Attachment 4**

**Qualifying Project Form**

See attached documents

**Attachment 5**

**Financing Terms for Developer's Qualifying Project**

See attached documents

**Attachment 6**

**Projected Staffing Workload Form**

See attached spreadsheet

## **Attachment 7**

### **Disclosures**

**Instructions:** *Please respond completely to each question below. If the Respondent<sup>i</sup> is an individual, then the information relative to that individual should be disclosed. If the Respondent is a group or joint venture, then information relative to each member of the group or entities that comprise the joint venture should be disclosed. If the Respondent is a corporation, then the information relative to the corporation should be disclosed.*

1. Has Respondent ever defaulted on a loan or other financial obligation? This includes all affiliate corporations and partnerships in which Respondent is or was a general partner. If so, please describe the circumstances including dates and current status:
2. Are there any prior or pending legal proceedings, actions, convictions or judgments that have been filed against Respondent or its wholly owned subsidiaries, or any prior or pending arbitrations or mediations? If so, provide dates the complaints were filed and the present status of the litigation or the status of the arbitrations or mediations:
3. Are there any prior or pending administrative complaints/hearings against or any debarment or suspensions of or other administrative determinations by any federal, state or local government entity relating to Respondent, against any of Respondent's affiliated corporations or partnerships in which Respondent is a general partner, or other business entity? If so, please describe the circumstances including dates, agency or body conducting the investigation or inquiry and the current status:
4. Has Respondent or its wholly owned subsidiaries ever filed for bankruptcy? Please include dates and jurisdiction of filing, the reason, and current status:
5. Describe any business, property, gifts, loans, investments or other financial relationships Respondent, or its individual principals, corporation, LLC, LLP, affiliated corporations or partnerships in which Respondent is a general partner, may have with any senior staff of the Mayor's Office of Housing and Community Development (MOHCD) or any member of the Citywide Affordable Housing Loan Committee or his/her immediate family which are considered a financial interest as defined by Section 87103 of the Fair Political Practices Act.<sup>ii</sup>

Respondent hereby certifies under penalty of perjury under the laws of the State of California that all information provided in this Disclosure questionnaire is true and correct.

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

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<sup>i</sup> For the purposes of this RFQ, the term “Respondent” shall mean the respondent to this RFQ regardless of legal form. Thus Respondent applies to individuals, sole proprietorships, joint ventures, unincorporated associations, partnerships, LLCs, LLPs, corporations (whether for profit, nonprofit, California or out of state) and any other entity legally entitled to do business in the State of California.

<sup>ii</sup> In summary Government Code Section 87100 requires any public officials participating in making decisions to refrain from using their official position to influence a governmental decision in which they know or has reason to know they have a financial interest. Section 87103 defines a financial interest as one that has a material, financial effect on the official or a member of their immediate family as follows: business interest – over \$2,000; real property interest – over \$2,000; other source of income within 12 months before the decision – over \$500; gift or intermediary for donor of gift within 12 months - \$250; business entity in which the official is a director, officer, partner, trustee, employee or holds a position of management. See Government Code Section 87103 for the complete definition.