

**GATEWAY/GLISAN SITE AND GATEWAY TIF
DECEMBER 7, 2010
REQUEST FOR PROPOSALS (RFP)**

Proposals Due: Tuesday January 18, 2011 at 4:00 PM (PDT)

SUMMARY: The Portland Housing Bureau (PHB) seeks proposals from development teams interested in developing the PHB owned property at NE 99th Ave. and NE Glisan St. (aka Gateway/Glisan). PHB's intention is to partner with the selected development team to build a multi-family rental project serving households earning 0%-60% of area median family income (MFI). With this RFP, PHB is also making available Gateway Urban Renewal Area Tax Increment Financing (TIF) funds of approximately \$6M. TIF funds may be used for the Gateway/Glisan site or on another site in the URA where affordable rental units are to be developed.

INFORMATION SESSION: a NON-MANDATORY information session for this solicitation will be held on **Thursday, December 16th, 2010 in the Portland Housing Bureau (PHB) Steel Conference Room on the 5th floor at 421 SW 6th Ave, Portland, Oregon, from 10:00 to 11:00 AM.**

EVALUATION CRITERIA:

Conceptual program	25 points
Financial feasibility	25 points
Development team experience and capacity	25 points
<u>Diversity Outreach and Participation</u>	<u>25 points</u>
Maximum Score	100 points

SOLICITATION COORDINATOR:

Karl Dinkelspiel
Portland Housing Bureau
421 SW 6th Ave, Suite 500,
Portland, Oregon 97204

(503) 823-1352
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INFORMATION

Request for Proposals Title: Gateway/Glisan Site and Gateway TIF

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Proposal Due Date/Time: **Tuesday January 18th, 2011 at 4:00 PM (PDT)**

Proposal Delivery Location: Portland Housing Bureau
421 SW 6th Ave, Suite 500
Portland, OR 97204

Direct all questions regarding this RFP to Karl Dinkelspiel

SCHEDULE

Request for Proposals Issued December 7th, 2010

Non-Mandatory Information Session December 16th, 2010
10:00 to 11:00 AM
PHB Steel Conference Room
421 SW 6th Ave, Suite 500, Portland, OR

Proposals Due: January 18th, 2011 at 4:00 PM (PDT)

Anticipated Notice of Award: February 2011

Proposals must be received by the date and time due to be considered. PHB reserves the right to change any dates.

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I. SUMMARY

In 2009 the Housing Department of the Portland Development Commission (PDC) acquired an approximately one and a half acre site on NE Glisan St. between NE 99th Ave. and NE 100th Ave. PDC acquired the property known as Gateway/Glisan with the intention of developing a number of affordable residential rental units. As the site is zoned RX and is located on a high-traffic street, ground floor commercial space was also contemplated. After the creation of the Portland Housing Bureau (PHB), PDC transferred Gateway/Glisan to the new bureau. PHB is now seeking proposals from teams interested in developing the site.

This request for proposals (RFP) seeks conceptual programs that, if built, will meet the Gateway Urban Renewal Area Plan and Housing Strategy goals for provision of affordable rental units. Units must serve households earning between 0%-60% median family income (MFI). PHB acknowledges that units serving households earning from 0%-30% MFI are difficult to finance and operate. However, proposals that bring operating subsidy from another source that allows the project to feasibly rent to households with extremely low incomes will be favorably considered. Alternatively, proposals that provide a proportion of units at the 0 – 30% level through cross-subsidization within a larger project are also acceptable. PHB expects that development proposals will balance the achievement of deep affordability, with financial feasibility and long term operating success.

The RX zone allows for up to 40% of the net building area to be in retail sales or office uses. The city's Development Standards for the Gateway Plan District say developments should "foster an intense mixed-use urban character with a high quality pedestrian environment," (see Portland Planning and Zoning Code, Chapter 33.526, for more information). While not required, PHB will give preference to proposals that include some street-level commercial use, provided that use requires no PHB subsidy and can be operated successfully over the long term (construction or operating subsidy from other sources is encouraged where it is needed for successful operation).

In addition to the conceptual program, PHB will rate development teams both on their experience with similar projects in the past and their current development capability and capacity. This means development teams that have succeeded in developing similar projects and can demonstrate they have the ability to repeat their successes will be rated more favorably. Aspiring development teams without a successful track record are encouraged to seek out partners that do.

For this RFP, PHB will set as a goal minority, women and emerging small business (MWESB) participation equal to 20% of the value of construction related hard costs. Development teams will be expected to have a specific plan to meet City of Portland objectives for business and workforce equity and include a discussion about their experience with MWESB participation in previous projects. Additional preference may be given to teams that can demonstrate they had significant MWESB utilization in their most recent project or projects.

Lastly, PHB is NOT requiring the submittal of any conceptual designs as part of this RFP. However, inasmuch as conceptual design work is used by the development team to create a program for the site, teams are encouraged to submit that work with their proposals. Also the selected team will be expected to develop a building(s) that has the ability to meet at minimum US Green Building Council's LEED Silver standards (see Appendix D).

Goals for this RFP:

- Provision of residential rental units affordable to households earning 0%-60% of area median family income;
- Partnership(s) with an experienced and capable development team;
- A project that maximizes the leverage of PHB subsidy, while also providing for long-term operating success;
- Creation of a high-quality pedestrian environment on NE Glisan St.;
- Minimum 20% MWESB utilization as measured by construction hard costs.

GATEWAY/GLISAN PROPERTY

Address	Size/SF	Property ID #	Improvements
9929 NE Glisan St.	23,500	R319494	None
9999 NE Glisan St.	37,485	R319463	<ul style="list-style-type: none">• Approx. 10,000 SF commercial building (currently vacant)• Approx. 4,000 SF barn/storage building (to be demolished)
618 NE 99 th Ave.	4,140	R319647	Residential dwelling (currently leased)
Total	65,125		

SITE MAP



9919 NE Glisan St. and 604 NE 99th Ave.

PHB does not own, nor has it begun negotiations with the owners of the two properties at 9919 NE Glisan St. and 604 NE 99th Ave. While these properties are not required to create a successful project on the property PHB already owns, they could enhance the overall redevelopment potential. Once a development team is selected PHB will discuss options for those two properties with that team. For the purposes of this RFP, development teams should not expect that those two properties will eventually be part of the development, however, teams are encouraged to consider options that include them.

II. PROJECT CRITERIA

This Section II contains PHB’s “threshold” and “preferred” criteria for the project. All proposals must meet all “threshold” criteria. Proposals not meeting all “threshold” criteria may be deemed non-responsive. Proposals meeting in addition to “threshold” criteria, “preferred” criteria may be scored higher.

Threshold	Preferred
Community Plans	
<ul style="list-style-type: none"> Consistency with the Gateway Regional Center Urban Renewal Plan and the Gateway Urban Renewal Area Housing Strategy. 	
Conceptual Program	
<p>Housing Program:</p> <ul style="list-style-type: none"> The development of a minimum of 120 residential rental units; Residential units affordable at 60% or less of area median family income (MFI) for corresponding family size and bedroom count (see Appendix F). Units must be affordable for a minimum of 60 years; A pro-forma backed by an operating plan that insures the development will operate successfully, i.e. in the black, for a minimum of 30 years. 	<ul style="list-style-type: none"> A Project that maximizes the density potential of the property while maintaining financial feasibility and design quality; 100% of residential units affordable at 60% or less of area median family income for corresponding family size and bedroom; A number of residential units affordable at 30% or less of area median family income for corresponding family size and bedroom.
<p>Parking:</p> <ul style="list-style-type: none"> Parking ratio of at least .5 spaces per unit. Exceptions are available where it can be demonstrated that unit types/residents may need fewer spaces. There is no requirement for commercial parking; Bike parking of at least .2 spaces per unit. Exceptions are available where it can be demonstrated that unit types/residents may need fewer spaces. 	<ul style="list-style-type: none"> Underground parking spaces, provided the project remains financially feasible.

Threshold	Preferred
<p>Street level:</p> <ul style="list-style-type: none"> • Pedestrian-oriented frontage and streetscape on NE Glisan St. This may be accomplished with design elements such as multiples entries or pedestrian amenities (see Portland Planning and Zoning Code, Chapter 33.526). 	<ul style="list-style-type: none"> • Street level retail, office or other permitted commercial uses provided the project remains financially feasible.
Financial Feasibility	
<ul style="list-style-type: none"> • A financially feasible project as demonstrated by the project budget and proforma. A financially feasible project is one that both can be built with the available resources and can demonstrate it will operate successfully with no additional PHB subsidy; • The proposed project should leverage other sources of financing to the greatest extent possible and not exceed \$6 million in TIF financial assistance; • Proposals including non-housing components, e.g. tenant services or referral programs, should identify a financing strategy that uses non PHB funding (e.g. Section 8, Continuum of Care, Bridges to Housing, etc.). Cross subsidization of rental income is an appropriate manner of funding 0-30% MFI units real estate operating expenses. 	<ul style="list-style-type: none"> • Minimum permanent commitment of PHB financial resources.
Development Team Capability	
<ul style="list-style-type: none"> • A capable and financially sound Development Team with a history of work on affordable rental housing (and commercial in the case of mixed-use projects) development projects. This should include: <ul style="list-style-type: none"> - Demonstrated ability in developing and/or building projects of similar or related-scale; - Demonstrated ability in developing project budgets, proformas and other financial analysis for projects of similar or related scale; - Demonstrated ability in arranging and securing private financing for projects of similar or related scale; -Where mixed-use is proposed, demonstrated ability in arranging and securing commercial tenants for projects of similar or related scale; - Demonstrated ability in managing and insuring the completion of designs for projects of similar or related 	<ul style="list-style-type: none"> • Demonstrated interest in and experience working with citizen and/or community groups to collaborate on projects to achieve mutual objectives. • Development team has demonstrated “strong community ties,” which means: <ul style="list-style-type: none"> – Has a track record of quality housing development and/or construction projects designed to address the needs of people from a variety of socio-economic backgrounds.

Threshold	Preferred
<p>scale;</p> <ul style="list-style-type: none"> - Demonstrated ability in hiring and managing project managers and/or contractors and/or builders for projects of similar or related scale. <p>Capability of the Development Team must include:</p> <ul style="list-style-type: none"> - Demonstrated ability to provide staffing and management resources sufficient for the proposed project. 	
Diversity Outreach and Participation	
<ul style="list-style-type: none"> • A specific plan for having a minimum of 20% Minority, Women and Emerging Small Business in the construction of the project. The plan must also meet City of Portland objectives for Business and Workforce Equity (See Appendix D). The 20% requirement will be based on total construction hard costs. 	<ul style="list-style-type: none"> • Previous projects done by the development team that have met or exceeded City of Portland Business and Workforce Equity goals; • A specific plan to have substantially more than 20% Minority, Women and Emerging Small Businesses in the construction of the project; • A specific plan to have a minimum of 20% Minority, Women and Emerging Small Businesses in the soft cost portion of the project.

III. FINANCING

PHB plans to make the following resources available to the project:

Source	Amount
Gateway Tax Increment Financing (TIF)	\$6M maximum
Land value	\$2M estimated
System Development Charge exemptions (SDC)	approximately \$12,000/qualifying unit
Transit Oriented Development tax exemption (TOD)	10 year tax exemption on improvements for qualifying residential units/project.

While this RFP presumes the largest part of the subsidy being made available, that being Gateway TIF dollars, will be used to develop the Gateway/Glisan site, PHB will consider proposals on other sites that seek to use these resources. Proposals on other sites must meet all of the requirements of this RFP. PHB will make SDC and TOD tax exemptions available to proposers on other sites, provided those sites meet the criteria for those programs.

Gateway TIF, in the form of a loan, may be used as a source in both the construction and permanent periods. There will be no fees or interest charged on the TIF construction loan. Development teams should assume, however, that any permanent period loan will be amortizing (but with no fees charged at conversion). Development teams should include in their proposals the desired terms of that amortizing loan. Development teams should assume that the value of the land is both a use and a source in their budgets. PHB plans to loan the value of the land to the project during construction. PHB plans to forgive the value of the land loan upon successful completion of the project. There will be no fees or interest associated with the land loan during the construction period.

Development teams may also consider the use of Gateway TIF, in the form of a loan, in the pre-development period. Development teams may assume that loaned pre-development TIF funds will be repaid from the proceeds of the construction loan. Teams should keep in mind that any pre-development loan will include benchmarks that give PHB the ability to demand improved performance and/or the ability to stop pre-development funding.

IV. SUBMITTAL REQUIREMENTS

Section V (Evaluation) of this RFP, contains the process and criteria with which proposals will be evaluated. In preparing submittals development teams should use the information contained in that section as a guide. In order to be considered responsive, all proposals must contain the following information in the format described below:

Cover Letter and Cover Sheet.

Provide a signed cover letter from an authorized officer or director of the Development Team submitting the proposal. [Page limit = 1]

Submit a signed Cover Sheet contained in Appendix A. [Not counted toward page maximum]

Proposer Certification and Sponsor's Statement of Financial Capability

All development teams must submit a signed copy of the Proposer Certification contained in Appendix B and Sponsor's Statement of Financial Capability contained in Appendix C. Proposals that do not include these documents may be deemed non-responsive. [Not counted toward page maximum]

1. Conceptual Program

Describe how the proposed project will meet the objectives outlined in Section II. At least the following items should be addressed. [Page limit = 5]

- A. Housing: type/units/size/affordability;
- B. Street level pedestrian environment;
- C. Ground-floor commercial space/uses if any: type/sizes;
- D. Parking/bicycle facilities;
- E. Sustainability.

2. Financial Feasibility

- A. Financial Feasibility [No page limit for spreadsheets. Narratives should be limited to 2 pages]. Development teams may format their financial feasibility work according to their preference; however, all information must be in Excel or Excel compatible format. Teams are advised that "live" Excel spreadsheets must be submitted with proposals.
 - 1) Provide a **Development Budget** for the proposed development program including an explanation of the methodology for arriving at the estimates (e.g., feasibility study, standard construction cost estimating, etc.).
 - 2) Provide a **Sources and Uses of Funds** for the proposed development program that summarizes all sources, financing mechanisms, and uses of funds through the pre-development, construction and permanent phases including stabilized operation.

- a) Identify contemplated amounts of equity, debt and PHB or other public financial assistance or subsidy.
 - b) Identify the assumptions for all of the financing sources.
- 3) Provide a **Proforma Income and Expense Statement** that estimates the future financial operations of the project. The proforma should show a minimum of fifteen (15) years post stabilization and is expected to show a positive debt coverage ratio for PHB funds/funding.
 - 4) Where support services are proposed: an operating plan describing at least services provided at the building and to tenants relative to operating costs and operating reserves.

3. Development Team Capability and Capacity

- A. Development Team. [Page limit = 1]
 - 1) Full legal name
 - 2) Type (e.g., corporation, LLC, partnership, etc.)
 - 3) Principals, members and/or owners
 - 4) Primary contact regarding submitted proposal
- B. Proposed Development Team. Identify and provide a brief resume of the qualifications for the key members of the Development Team [Page limit = 1 per team member]
 - 1) Principals, members and/or owners of Development Team
 - 2) Project Manager
- C. Ownership Entity. (If different from Development Team; indicate whether existing or proposed) [Page limit = 1]
 - 1) Type (e.g., corporation, LLC, partnership, etc.)
 - 2) Formation Date
 - 3) Formation State
 - 4) If partnership, identify:
 - a) General Partner
 - b) Managing Partner
- D. Development Experience.
 - 1) List similar development projects in which the Development Team or principal(s) has (have) been involved in over the past five (5) years, indicating for each: [Page limit = 3]

Project summary description (incl. location, date, size, cost, etc.)

In projects with a commercial component, experience with mixed use projects and commercial lease-up and operation

Total development cost

Construction lender and amount

Role of the Development Team/principal(s) in the project

Role of public development partner, if applicable

Status of project (completed, in construction, etc.)

Marketing and absorption performance

References

- 2) List any current projects in the pre-development, design or construction phase, including: [Page limit = 2]
 - a) Project description and status (including location, size, cost, etc.)
 - b) Total development cost
 - c) Construction lender and amount (if known)
 - d) Role of the Development Team and/or principal(s) in the project

4. Diversity Plan [Page limit = 2]

- A. Describe how the development team plans to maximize diversity in the proposed project, including achievement of the 20% MWESB hard cost goal.
- B. Describe how the Development Team has maximized diversity in its past projects or business practices.

5. Active Street-level [Page limit = 2]

- A. Describe the approach to making a high-quality pedestrian street-level experience.
- B. Describe the type, uses and proposed square footages of the street-level uses if any.

6. Instructions for Preparing the Proposal

A. Proposal Format:

- 1) Proposals should be organized in the same order as this Section IV.
- 2) On the top sheet/cover page indicate:

Gateway/Glisan Site and Gateway TIF

Name and address of team submitting the proposal

- 3) Include a Table of Contents immediately after the Cover Letter
- 4) Number all pages (other than cover, cover letter and attached forms)
- 5) Tabs are optional
- 6) Any oversized drawings or graphics should be reduced to an 8.5 x 11 or 11 x 17 inch format and included in the proposal copy.
- 7) Submit one (1) unbound original proposal containing pages with original signatures where required, and all attachments. [Note: single-sided printing is OK on original]
- 8) Submit ten (10) stapled copies.
- 9) Models, graphic simulations and photographs of models are not allowed and will be returned to the Development Team.

B. Paper Size/Formatting:

- 1) Use of recycled/recyclable materials is strongly preferred
- 2) Use of plastic and non-recyclable products is discouraged
- 3) Paper size: 8.5 X 11 inches
- 4) Margins \geq $\frac{3}{4}$ inch around the perimeter of each page
- 5) 12 point type

C. Graphic materials:

- 1) Format: 8x11 or 11x17

D. Submission Deadline. In order to be considered responsive, proposals must be RECEIVED by PHB at the address stated below by 4:00 PM local time on January 18, 2011. Submit Proposals to:

ATTN: Karl Dinkelspiel, Program Coordinator

Portland Housing Bureau

421 SW Sixth Avenue, Portland, OR 97204

V. EVALUATION

EVALUATION PROCESS

PHB will convene an Evaluation Committee to assess proposals and make recommendations. The committee may include representatives from PHB, PDC, the Gateway URA, the real estate industry and/or other stakeholder groups. The Committee will evaluate proposals received by the due date in accordance with this RFP and the evaluation criteria below. The Committee may invite top ranked proposer(s) to interview in person. The Evaluation Committee will score proposals and make development team recommendations to PHB management. PHB management will consider the Committee's advisory recommendations and make recommendations to PHB's Director who will make the final development team selection.

After selection, the successful development team and PHB will begin a period of exclusive negotiations. During the exclusive negotiation period the selected development team and PHB will work toward agreement on a memorandum of understanding (MOU) or other similar document. The MOU will lay out the basic terms of the development, including a rough financial structure, and building design and program. The MOU will form the basis of the disposition and development agreement (DDA) which will bind both parties to specific deal terms.

Any proposal that does not meet the requirements of this RFP will not be considered. The PHB reserves the right to (i) waive minor imperfections or discrepancies in proposals, (ii) reject any or all of the proposals, (iii) fund a single or multiple proposals, or (iv) make any changes in this solicitation to better further the goals of the City.

The Evaluation Committee will review the proposals using at minimum the following evaluation criteria:

EVALUATION CRITERIA

A. Conceptual program (up to 25 points)

- The number of 0%-60% MFI units provided;
- The number of 0%-30% MFI units provided if any;
- The type/size of 0%-60% MFI units provided;
- The type/size of 0%-30% MFI units provided if any;
- If 0%-30% units are proposed, the support services that accompany them;
- The overall quality of the conceptual program;
- The potential for creating a high-quality street-level environment;
- The type(s) and amount(s) of proposed street-level uses;
- The proportion of street-level uses relative to the rest of the development;
- The type and amount of parking proposed;
- The plan and approach to project sustainability if any.

B. Financial feasibility (up to 25 points)

- The clarity and consistency of the project budget and proforma;
- Use(s) of PHB, TIF resources;
- The amount of other sources of funding in addition to TIF;
- Total leverage of TIF resources;
- The developer fee, both amount and as a percent of total;
- The total public benefit received, especially relative to public costs;

- The constructability of the project given the proposed sources;
- The likelihood of long term operating success;
- If commercial uses are proposed, the above criteria will be used in evaluation.

C. Qualifications/Capacity (up to 25 points)

- Demonstrated ability of the development team in the successful redevelopment, operation and economic performance of projects of comparable type, size, scale and complexity;
- Demonstrated ability of the development team in financing, constructing and completing projects of comparable type, size, scale and complexity on time and within forecast budgets;
- Experience of the development team in working with the public sector in public/private real estate development projects;
- Financial capacity of development team to complete the project as proposed;
- Development team real estate development, operating, and marketing experience;
- Experience in public sector programs and services including monitoring history;
- Ability to take on this new project for its duration given other commitments;
- Good financial, legal and organizational standing of applicant.

D. Diversity outreach and participation (up to 25 points)

- The plan for MWESB participation and plan to meet Business and Workforce Equity goals in the proposed project;
- Actual MWESB utilization in past projects;
- Other outreach and inclusion efforts to minority communities the development has engaged in or is currently involved in.

VI. PREPARATION INSTRUCTIONS

Proposal Preparation and Submission:

Proposals should be no longer than twenty five (25) pages in length; not including Cover, Certification or Appendices. Proposers should submit one (1) ORIGINAL hard copy of the proposal, ten (10) photocopies, and one electronic version by the due date. The original proposal must bear an original ink signature and be marked "ORIGINAL."

The proposals must be typed. The electronic copy of the proposal should be in Microsoft Word format with Excel spreadsheets for the project financials and emailed directly to the solicitation coordinator by the proposal due date. No facsimile proposals will be accepted. In accordance with the City of Portland's [Sustainable Paper Use Policy](#), proposals should be submitted in loose leaf, unbound sets (staples are acceptable), printed on recycled paper with at least 30% post-consumer waste content. Ring binders, section dividers or any other materials which cannot be easily recycled should not be used. Double-sided printing is preferred.

Submit proposals in a sealed package or envelope clearly marked with the name of the RFP and the date and time proposals are due. PHB will not be liable for any lost or late proposals. Deliver proposals by due date and time to:

Karl Dinkelspiel, Portland Housing Bureau
421 SW 6th Ave., Suite 500, Portland, OR 97204
Karl.Dinkelspiel@portlandoregon.gov

Questions and Requests for Clarification or Change:

All requests for clarification regarding technical information, procedures, contract requirements or any other matter regarding this solicitation should be submitted in writing to the Solicitation Coordinator, Karl Dinkelspiel.

Restrictions on Communication:

Proposers are cautioned not to undertake activities or actions to promote or advertise their proposals or to make any direct or indirect attempt to influence the Evaluation Committee members except upon invitation in a formal interview.

COVER SHEET
GATEWAY/GLISAN PROJECT

Name of Organization:

Address:

www:

Contact Person:

Telephone:

E-mail:

Proposal summary including any community partners:

The undersigned certify that the information provided herein, to the best of their knowledge, is true, complete, and accurately describes the proposal.

Signature of Authorized Representative

Date

APPENDIX B

PROPOSER CERTIFICATION

**Each Proposer must read and sign this section.
Failure to do so may mean the proposal is deemed non-responsive.**

1. By submitting a proposal, proposer expressly represents it has taken no exception to any term, condition, obligation or requirement contained in this solicitation document, or any addenda to this solicitation, which is not expressly stated in its proposal.

This RFP is not a solicitation of competitive bids. PHB by this request for proposals specifically reserves the right in its sole discretion to determine which proposals best serve the public good, and to:

- A. Revise the solicitation, evaluation, or selection process including extending the deadline or canceling without selecting any Projects.
 - B. Waive informalities and irregularities in the proposals received in response to this RFP.
 - C. Disqualify without recourse or appeal any or all proposals.
 - D. Reject any or all proposals with or without cause.
 - E. Determine the timing, arrangement and method of any presentation throughout the process.
 - F. Verify and investigate the qualifications and financial capacity of the Project Sponsor, and any of the information provided in the proposal.
2. Every effort has been made to provide current and correct information; however, unless citing a specific PHB approved resolution or plan, PHB makes no representation or warranty with respect thereto.
 3. All proposals received shall become the property of PHB and considered an official public record subject to inspection by the public in accordance with ORS 192.502 and PHB's Public Records Access Policy after the completion of the RFP process; and may be used for any purposes relevant to the decisions and actions undertaken by PHB towards development of the property being offered.
 4. Restrictions on communication. Every effort has been made to include herein all the information necessary to prepare and submit a responsive proposal to this RFP. However, in the event additional information is desired, please adhere to the following:
 5. During the course of this RFP, development teams are cautioned not to undertake any activities or actions to promote or advertise their proposals except in the course of PHB-authorized presentations; or to make any direct or indirect (through others) contact with members of the Board, staff review committee members (if named) or PHB staff members not identified in this NOFA as a contact for specific information, except upon prior approval of the above stated Project Manager.
 6. PHB will not hold "one-on-one" meetings with any development teams during the evaluation

process except as part of a scheduled interview or presentation process involving all or a “short list” of development teams. PHB may, however, ask individual development teams clarifying questions or obtain additional information about some specific point of a proposal.

7. Failure to abide by these restrictions is grounds for disqualification. This RFP does not commit PHB to enter into an agreement.
8. PHB accepts no responsibility or obligation to pay any costs incurred by any potential or eventual development teams in the preparation or submission of a proposal; or in complying with any subsequent request by PHB for information or participation throughout the evaluation process.
9. Respondents to this RFP are prohibited from employing or retaining a former PHB employee to assist in the preparation of a proposal to this RFP if the former PHB employee has been separated from PHB for less than one year and was associated with the Property or related project while employed by PHB.
10. The selected development team is further prohibited from employing or retaining a former PHB employee who has been separated from PHB for less than one year and was associated with this Property or related Project while employed by PHB:
 - A. To work on or receive any financial gain related to the Project; or
 - B. To work in a capacity responsible for influencing, or trying to influence the actions of PHB other than through public testimony.
11. Protests: A development team may not protest the selection of the selected development team. However, a development team who has received notice that its proposal was non-responsive may protest the determination of non-responsiveness according to the process described in Appendix H.
12. Immediately following official selection, if not before, the proposer agrees to: 1) [register to conduct business in the State of Oregon](#); 2) [obtain a City of Portland Business License](#); 3) [obtain certification as an Equal Employment Opportunity \(EEO\) employer](#) through the City of Portland, Bureau of Purchases; 4) provide adequate proof of insurance; and 5) provide verification of non-profit status if applicable. Proposer agrees to maintain such certification, insurance, accreditation and/or license(s) that may be required to perform work for the duration of the contract term.
13. Proposer agrees to make the proposal a binding offer to the PHB for a period of ninety (90) calendar days from the date proposals are due.
14. Proposer agrees to bring all required reporting to PHB current as of the date of official selection.

Proposer further certifies:

- A. It is an independent contractor as defined in ORS 670.600 et al. and is, to the best of its knowledge, not in violation of any federal, state or local tax law.
- B. This proposal is genuine and not made in the interest of, or on behalf of, any undisclosed person, firm or corporation; proposer has not induced any person, firm or corporation to refrain from proposing; and proposer has not sought by collusion or fraud to obtain for itself any advantage over any other proposer or over the Portland Housing Bureau (PHB)..

- C. It has no business or personal relationships with any other companies or persons that could be considered as a conflict of interest or potential conflict of interest, and that the key personnel and principals identified to perform work under an awarded contract do not have any undisclosed personal or business relationships with any of the PHB or PDC's officers or employees.

- D. The undersigned warrants that s/he is an authorized representative of the proposer; has read, understands and agrees to be bound by all RFP instructions, specifications, contract terms and conditions contained herein (including all addenda issued for this solicitation); that the information provided in this proposal is true and accurate; and understands that providing incorrect or incomplete information may be cause for proposal rejection or contract termination.

SIGNATURE BLOCK

Signature of Proposer's duly authorized representative:

_____ Date: _____

Printed Name and Title: _____

Legal Name of Proposer/Firm: _____

(Mandatory) Federal Tax Identification Number (FEIN or SSN):

APPENDIX C

SPONSOR'S STATEMENT OF FINANCIAL CAPABILITY

The following information is supplied for the official and confidential use of the Portland Housing Bureau and its Agents for the sole purpose of evaluating financial assistance applications.

1. Sponsor Information

- a. Name of Sponsor: _____
- b. Address of Sponsor: _____

- c. Sponsor's Federal Taxpayer Identification Number: _____

2. Contact Information:

Please provide the name of Sponsor's representative to contact regarding information contained in this statement:

- a. Name of Sponsor's Representative: _____
- b. Phone Number of Sponsor's Representative: _____

3. a. The financial condition of the Sponsors, as of _____, 200__, is reflected in the attached *Certified Financial Statement* showing assets and liabilities, including contingent liabilities, fully itemized in accordance with generally accepted accounting principles and based on a proper audit.

[Note: If the attached financial statement is not current (within 90 days) or has not been audited, additional information may be required at a later time.]

- b. Name of auditor or public accountant who performed the audit on which said financial statement is based:

Auditor Name: _____

4. Name and address of bank and financial institution references:

Bank Name: _____
 Address: _____

 References: _____

5. Has the Sponsor or parent corporation, or any subsidiary or affiliated corporation, if any, or the Sponsor or said parent corporation, or any of the Sponsor’s officers or principal members, shareholders or investors, or other interested parties been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

Yes No

6. Has the Sponsor or anyone referred to in item 5 above as “Principals of the Sponsor”, been indicted for or convicted of any felony within the past 10 years?

Yes No

If yes, give for each case (a)date; (b) charge; (c) place; (d) court; and (e) action taken. Attach any explanation deemed necessary.

Certification

I (We)* _____, certify that this *Statement of Financial Capability* and the attached evidence of the Sponsor’s financial responsibility including financial statements are true and correct to the best of my (our) knowledge and belief; and authorize the Portland Housing Bureau to verify this and related credit information.

_____	_____
Date	Date
_____	_____
Signature	Signature
_____	_____
Title	Title
_____	_____
Address	Address
_____	_____
_____	_____

*If the Sponsor is a corporation, this statement should be signed by the President and the Secretary of the corporation; if an individual, by such an individual; is a partnership, by one of the partners; if an entity not having a president or secretary, by one of its chief officers having knowledge of the financial status and qualifications of the Sponsor

APPENDIX D

ADDITIONAL POLICIES AND PROJECT REQUIREMENTS

Housing Access: Sponsors must agree that they will coordinate with or participate in the following programs with respect to any housing development financed with PHB resources:

- **Housing Connections** – Housing Connections is a web-based community service that is intended to better connect providers of housing and housing services to renters who are looking for these types of housing opportunities.
- **Fresh Start** – Fresh Start is a partnership among housing providers, service providers, persons with barriers to accessing housing, and PHB. Support from the service provider and a landlord guarantee fund help mitigate risks related to renting to tenants who do not meet screening criteria.
- **Ready-to-Rent/Rent-well** is a housing readiness education class offered by certified trainers that helps potential tenants overcome barriers to renting. A landlord guarantee fund helps mitigate risks related to renting to tenants who do not meet screening criteria.

Location Policy: Proposals from sites located in neighborhoods considered City of Portland “impact areas” must comply with PHB “Location Policy”.

<http://www.portlandonline.com/phb/index.cfm?c=35694>

Sixty Year Affordability Period: Units in affordable housing projects must be affordable for 60 years. The income and occupancy restrictions will be documented in loan and regulatory agreements.

Business and Workforce Equity: PHB adheres to all policy goals and objectives adopted by the City of Portland and the Portland Development Commission that aim to increase the participation of historically disadvantaged businesses and populations in the expenditure of public funds. Elements of PHB’s Business and Workforce Equity policy goals include the following:

- **M/W/ESB Good Faith Effort Program:** Applies to construction loan projects with PHB financing of \$300,000.00 or more and with construction costs greater than or equal to \$300,000.00. PHB has set a 20% goal for utilization of state-certified M/W/ESB firms and applies it to the “direct construction costs” also known as ‘hard costs’ for residential low-rise construction. The goal is the same for commercial high-rise construction except the commercial high-rise construction will be reviewed with an analysis of availability and capacity of certified firms for the specific project(s). In addition, PHB has a specific focus on firms operated by people of color and expects contractors to, at a minimum, aim for a balance in utilization between minority-owned, women-owned and emerging small business. If the 20% goal is not met, PHB will conduct a review of the efforts and related and documentation undertaken by the development and construction team to determine if such efforts were made in good faith towards achievement of the goals.
- **Workforce Training and Hiring Program:** Applies to construction loan projects with PHB financing of \$300,000.00 or more and prime construction contracts of \$1,000,000.00 or more. In addition to the prime contractor, all subcontracts of \$100,000.00 or more, regardless of tier level, need to comply. The purpose of this program is to maximize apprenticeship and employment opportunities for minorities and women in the construction trades on projects. Program guidelines and general conditions that are effective at the time the loan agreement is executed shall be applied to the Project.

Section 3 Requirements of the HUD Act of 1968 (24 CFR part 135)

Section 3 requires that when employment or contracting opportunities are generated by HUD funded projects, preference is given to low income persons and business residing in the community where the project is located (Section 3 “residents and business concerns”) Owners and their contracting partners are responsible for ensuring compliance with Section 3 in the hiring and contracting decisions made on the project. PHB is responsible for overseeing and reporting to HUD on Section 3 outcomes and providing tools and resources to achieve these outcomes. The owner must include Section 3 considerations in their procurement of a General Contractor.

- *Equal Employment Opportunity Certification:* Applies to the GC’s, which are required to become EEO certified by the City of Portland within 30 days of the signing of PHB loan closing documents.

Prevailing Wages: BOLI wages and Davis Bacon where applicable

To more effectively promote the Workforce Training and Hiring Program specifically and all Business and Workforce Equity Programs, , PHB will require pre-bid meetings for all new projects to be attended by City of Portland Procurement Services staff, PHB Senior Construction Coordinator and a PHB Housing Manager or designee(s)

Green Building Initiative (GBI) Criteria: Mandatory threshold criteria based on the Green Building Initiative (GBI) have been integrated into this PHB Rental Housing NOFA process. All NOFA project proposals must commit to the comprehensive inclusion of these threshold criteria to receive funding awards through the NOFA process. See *Green Building Initiative Program* for specific threshold criteria and updated program information. http://www.pdc.us/pubs/inv_detail.asp?id=201&ty=57

Asset Management: Asset Management is the process of achieving the long-term goals of the owner/sponsor including the acquisition, administration, and disposition of real estate. It focuses on the owner’s responsibilities that are separate from property management. Eligible activities include fiscal planning including reviewing and accepting the annual audit and approving the operating and capital budgets, compliance and reporting to and interacting with lenders and regulatory bodies, oversight of property manager including selection and replacement, approving operating policies, risk management, handling legal issues, and planning for long term maintenance.

Sponsor must be willing to comply with all asset management, property management and reporting requirements. Enhanced Property Management will be required for all Permanent Supportive Housing projects to ensure project success. Project sponsors will be required to comply with the following:

- *Enhanced Property Management:* Enhanced Property Management is additional property management support to projects serving very low and extremely low income households, special needs, and large families. The amount of additional support needed is determined by the specific target population. The additional support is designed to keep tenants stable in their housing. Eligible expenses include on-site staffing to keep tenants safe, additional maintenance requirements, and resident services coordination. The resident service coordinator can help tenants access health care, case management, counseling and support groups, job training, and educational and financial support services. Direct program and resident service delivery are ineligible expenses.
- *Resident Services Plan:* Required at time of a reservation of funds: Projects serving chronically homeless and high resource using families must describe how the project will meet resident service needs including units targeted as Permanent Supportive Housing. Please include in the

description; 1) the process used to determine needed services, 2) the resident services to be offered, available funding for the services and duration of services, and anticipated results of such services, and 3) how resident services will be coordinated with on-going project management. If partnerships are identified, please attach letters from service providers showing their intent to deliver services. These letters should indicate the level of commitment at this time.

- *Borrower Asset and Property Management Plan* – Required before Loan Commitment: Sponsor needs to complete Asset and Property Management Plan for project and compliance thereof. Format is included in the appendices guidelines available at <http://www.portlandonline.com/phb/index.cfm?c=52818>. PHB is looking for strategies and policies that support and maintain quality housing in accordance with City long-term goals.
- *Asset Management Reporting and Monitoring Requirements*: Successful sponsor should be prepared to comply with reporting and monitoring requirements as established in PDC's Asset Management System. Information regarding Asset Management Reporting and Monitoring Requirements are detailed in the Borrower's Asset Management Guidelines which are available at www.pdc.us/assetmangement.

Technology and Internet Access: Sponsors are encouraged to follow guidelines of the proposed Technology and Internet Access Guidelines; including high speed Internet connections in the living area of every new construction or substantial rehabilitation unit affordable to residents at or below 80% of the median family income. Having this Internet connection furthers the ability of the residents to build assets, further their education and raise their standard of living. Project sponsors may elect to include access in on-site project offices, community rooms, and/or residential units.

City Council Resolution No. 36648 for CPTED

All multi-family housing developments funded through the city of Portland shall follow the CPTED design policy. CPTED is a policy addressing **C**rime **P**revention **T**hrough **E**nvironmental **D**esign. The policy resolution may be found at:

<http://www.portlandonline.com/auditor/index.cfm?c=51503>

CPTED is the proper design, maintenance, and use of the built environment in order to enhance the quality of life and to reduce both the incidence, and the fear, of crime. CPTED involves the balanced application of the following five principles.

- A. Natural Surveillance.**
- B. Territoriality.**
- C. Access Control.**
- D. Activity Support.**
- E. Management and Maintenance.**

CPTED addresses Opacity limits on outdoor fencing, walls, and other visual barriers. This includes landscape. There is a need for consistent lighting indoors and outdoors. Exterior doors, address numbers, building numbers and recessed areas require illumination. Clear transitions in the public rights of way are essential. Areas of surveillance require clear delineation and obvious locations for offices and public amenities. Eye-viewers are necessary at entry doors. Building and design specifications must clearly address quality door hardware and security systems. The PHB staff will assist all clients in the review and process necessary for CPTED

APPENDIX E

Portland Area HOME Limits, Effective **June 26, 2010**

Adjusted HOME & [LIHTC (PIS 1/1/09)] Income Limits (Annual)

	1-Person	2-Person	3-Person	4-Person	5-Person	6 Person	7-Person	8-Person
30% Limit	\$14,950	\$17,100	\$19,250	\$21,350	\$23,100	\$24,800	\$26,500	\$28,200
Very Low Income	\$24,950	\$28,500	\$32,050	\$35,600	\$38,450	\$41,300	\$44,150	\$47,000
60% Limit	\$29,940	\$34,200	\$38,460	\$42,720	\$46,140	\$49,560	\$52,980	\$56,400
Low-Income	\$39,900	\$45,600	\$51,300	\$56,950	\$61,550	\$66,100	\$70,650	\$75,200

Adjusted HOME Program Rents

	Efficiency (Studio)	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom	5-Bedroom	6 Bedroom
Low HOME Rent	\$623	\$668	\$801	\$925	\$1,032	\$1,139	\$1,246
High HOME Rent	\$626	\$726	\$839	\$1,170	\$1,286	\$1,401	\$1,515
SRO or Group Homes	\$469 *	\$726 *	\$839 *	\$1,222 *	\$1,467 *	\$1,687 *	\$1,907 *

<p>* Fair Market Rent for 2010</p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td style="text-align: right;">Bedroom Size</td> <td style="text-align: left;">FMR</td> </tr> <tr> <td style="text-align: right;">0</td> <td style="text-align: left;">\$626</td> </tr> </table>	Bedroom Size	FMR	0	\$626	<p>Single Room Occupancy (SRO) and Group Housing Rents - CPD 94-01</p> <p>SRO Housing</p> <ul style="list-style-type: none"> • If the unit has neither food preparation nor sanitary facilities, or only one, rents <u>may not exceed 75% of the FMR for a 0 bedroom (BR) unit</u> (the "lesser of" standard does not apply). • If the unit has both food preparation and sanitary facilities, "High HOME Rents" and "Low HOME Rents" for a 0 BR unit apply. <p>Group Housing</p> <ul style="list-style-type: none"> • Rents are based on the Fair Market Rent (FMR) for the unit size (number of bedrooms).
Bedroom Size	FMR				
0	\$626				

January, 2010 HOME Maximum Per-Unit Subsidy for Portland (rev. 10/25/10)
(Based upon FHA Multifamily Mortgage Limits for Elevator Construction under Section 221(d)(3))
2010 Limits signed 10/5/10 effective January 1, 2010

Unit Size	Maximum Per-Unit HOME Subsidy
0 Bedroom	\$133,799
1 Bedroom	\$153,377
2 Bedroom	\$186,507
3 Bedroom	\$241,278
4 Bedroom	\$264,851

APPENDIX F

2010 Median Income for a Family of Four:

\$71,200

Published by PORTLAND HOUSING BUREAU: 5/28/10

Effective: 5/14/10

HUD Median Income Percentages - issued by HUD for Section 8 [or LIHTC, PIS eff 1/1/09]

Household Size	30%	40%	45%	50%	55%	60%	65%	80%	2010 100% see NOTE	WORK FORCE 120%
1	14,950	19,960	22,455	24,950	27,445	29,940	32,435	39,900	49,840	59,808
2	17,100	22,800	25,650	28,500	31,350	34,200	37,050	45,600	56,960	68,352
3	19,250	25,640	28,845	32,050	35,255	38,460	41,665	51,300	64,080	76,896
4	21,350	28,480	32,040	35,600	39,160	42,720	46,280	56,950	71,200	85,440
5	23,100	30,760	34,605	38,450	42,295	46,140	49,985	61,550	76,896	92,275
6	24,800	33,040	37,170	41,300	45,430	49,560	53,690	66,100	82,592	99,110
7	26,500	35,320	39,735	44,150	48,565	52,980	57,395	70,650	88,288	105,946
8	28,200	37,600	42,300	47,000	51,700	56,400	61,100	75,200	93,984	112,781

NOTES: (1) 2010 Income levels have increased based on HUD's calculations for the Portland-Vancouver-Beaverton, OR-WA MSA¹. **The income schedule above is to be used for projects that DO NOT have LIHTC funding, except for those placed in service on or after 1/1/2009. SEE HERA Income/Rent Schedule for LIHTC projects placed in service on or before 12/31/2008.**

(2) Other 2010 MFI levels are based on the 4-Person Income Limit of \$71,200. The 1-Person family Income Limit is 70% of the 4-Person Income Limit, the 2-Person family Income Limit is 80% of the 4-Person Income Limit, the 3-Person family Income Limit is 90% of the 4-Person Income Limit. Each family size larger than four (4) is calculated by an 8% increase per HH member to the 4-Person Income Limit. (i.e., 5-Person = 108%; 6-Person = 116%; 7-Person = 124%; 8-Person = 132%, and so on. **The income levels shown here are also consistent with the HOME calculations and tax credit calculations for projects put in service on or after 1/1/09.**

ALSO SEE HOME PROGRAM INCOME/RENT LEVELS ISSUED BY HUD - SEPARATE SCHEDULE
The income and rent levels differ for some family and bedroom sizes.

**2010 Housing Affordability: Maximum Monthly Rent Including Utilities
by Median Family Income With a Housing Burden of 30%² (effective 5/14/10)**

# of Bedrooms	Household Size	30%	40%	45%	50% Compare Low HOME	55%	60%	65% Compare High HOME	80%	100%	WORK FORCE 120%
0	1	373	499	561	623	686	748	810	997	1,246	1,495
1	1.5	400	534	601	668	734	801	868	1,068	1,335	1,602
2	3	481	641	721	801	881	961	1,041	1,282	1,602	1,922
3	4.5	555	740	833	925	1,018	1,110	1,203	1,481	1,851	2,221
4	6	620	826	929	1,032	1,135	1,239	1,342	1,652	2,064	2,477
5	7.5	683	911	1,025	1,139	1,253	1,367	1,481	1,823	2,278	2,734

(Based on the HUD Portland¹ Area Median Income as of December 31, 2009: \$71,200 for a family of four. Income & Rents above are based on 4-Person Income Limit of \$71,200. Rent calculations are rounded down to the nearest \$1.00).



Portland Housing Bureau

421 SW 6th Avenue, Suite 500 | Portland, OR 97204
503-823-2375 | Fax: 503-823-2387 | MFI Tables: 503-823-3259

Fair Market Rent for 2010	
Bedroom Size	FMR
SRO	\$469
0	\$626
1	\$726
2	\$839
3	\$1,222
4	\$1,467
5	\$1,687
6	\$1,907

¹ Portland-Vancouver-Beaverton, OR-WA MSA = Clackamas, Clark, Columbia, Multnomah, Skamania, Washington & Yamhill Counties

² Rents can be set below the median family income % threshold. For instance a residential unit may be restricted to households at or below 50% MFI, but have one-bedroom rents (and utilities expenses) that are below \$668/month.

APPENDIX G

LOCATION POLICY

Context

In June 1993, in response to the Fair Housing Amendments Act of 1988, Commissioner Gretchen Kafoury appointed a citizen Task Force on Strategies for Fair Housing. The Task Force was asked to review the city's zoning code and to recommend changes which would ensure compliance with Act. The Task Force emphasized an approach which would allow housing for low-income people to be sited throughout the community while balancing the needs of all involved. City Council adopted Task Force recommendations in December, 1993, which included changes to the zoning code, certification standards for mass shelters for the homeless, and a **location policy addressing geographic concentrations of poverty in Portland**. These three recommendations act together to ensure that while changes to the zoning code have created a more streamlined process, in some cases making it easier to site special needs housing, areas of community concern are also considered.

Location Policy Goals

The goals of the location policy are to:

1. Maximize housing choice, especially for low-income people who have traditionally been limited in the location of housing that they could afford;
2. Discourage the concentration of low- or no- income households in any one area of the city;
3. Encourage the creation of additional housing resources for low-income households integrated throughout the community.

Location Policy

The city will meet the goals of this policy by restricting city-controlled funding for low-income housing in "impact areas" (areas determined to have high concentrations of poverty). For the purpose of this policy, "city-controlled funding" includes HOME, CDBG and HOPWA funds and low interest loan programs. "Impact areas" (see <http://www.portlandonline.com/phb/index.cfm?c=40109&a=95710>) are census tract block groups which meet the following criteria:

1. More than 50% of the households in the block group earn less than 50% of median income; or
2. Twenty percent or more of the housing units are public and assisted.

When does the location policy apply?

The location policy applies if:

1. the proposed housing or shelter is in an "impact area;" and
2. the project requires city-controlled funding; and
3. more than 50% of the units of the proposed housing or housing program (i.e. the Homestead program), or more than 50% of the proposed shelter residents, are expected to be below 50% of median income.

The location policy does not apply if the proposed housing or shelter will not increase the concentration of poverty. Examples:

1. Rehab projects in which the current occupants remain or have the right to remain;
2. Home repair loans or assistance for existing homeowners.

The location policy does not apply to proposed housing which exclusively serves victims of sexual or domestic violence because confidentiality can be essential for this type of housing.

However, the Portland Housing Bureau does encourage voluntary compliance with the location policy.

Finally, the location policy does not apply to projects for which application for funding was made before July 1, 1994.

Exception Criteria

If the location policy applies, city-controlled funding will only be recommended if PHB determines that the housing meets two out of five exception criteria. These criteria recognize that while it is generally in a community's best interest to discourage further concentrations of poverty in fragile areas, there are also times when the benefits of low-income housing may outweigh the costs.

These five criteria are:

1. The project or proposed project will rehabilitate existing substandard housing to standard condition. Substandard housing means that there are violations of the city building codes.
2. The project or proposed project will provide housing to meet local community need. Neighborhood need can be documented through the use of demographic data as well as with information on the targeted market for the housing. For example, if referrals are coming from a local social service agency already serving area residents then the housing may be seen as meeting community need. Individual letters of support are not adequate documentation of local community need.
3. The project or proposed project will provide housing that meets the objectives of an adopted neighborhood plan or neighborhood revitalization strategy. For example, the Albina Plan is recognized by local neighborhood associations as well as City Council.
4. The project or proposed project has the support of all neighborhood and business associations (recognized by the City of Portland Office of Neighborhood Associations) within 400 feet of the site.
5. The project or proposed project furthers the goals of the shelter reconfiguration plan as the goals relate to the reconfiguration of shelters in the downtown area for homeless singles.

Who will administer the location policy?

The Portland Housing Bureau will administer the location policy. The Bureau will also monitor the policy to determine if it is meeting the stated goals. This includes tracking the location of new publicly funded housing or shelters to modify designated impact areas if necessary. A more extensive evaluation of the project will occur three years after its adoption. This evaluation will include an analysis of whether there are "disparate impact" concerns for consumers of special needs housing and whether or not the policy meets the stated goals.

Displacement

The Portland Planning Commission raised concerns about the potential for displacement of low-income residents as the result of the location policy and zoning code amendments. The city discourages the displacement of one low-income population by another and PHB will monitor displacement and include this issue in the extensive evaluation.

How will the location policy be implemented?

If the proposed housing will be located in an "impact area", a majority of the units are targeted for residents below 50% of median income, and the area's concentration of poverty may be increased, the developer should contact the siting coordinator at the Portland Housing Bureau Andrea Matthiessen,

(503) 823-2379). The siting coordinator will confirm whether or not the location policy applies and will issue a memo to that effect within 5 (five) working days.

If the location policy applies and the developer wishes to qualify for city funding, the siting coordinator and the developer will meet to determine whether the project might meet two of the five exception criteria. It will be up to the developer to compile the necessary documentation, although the siting coordinator will be available as a resource. Once all the necessary documentation regarding the exception criteria has been submitted to the siting coordinator, the siting coordinator will determine whether or not the exception criteria have or have not been met. The siting coordinator will issue a memo to the developer within 10 working days after receiving all the needed information.

Appeal Process

Any person who is dissatisfied with a decision relating to qualification under the location policy may file a written request for an administrative review with the Portland Housing Bureau. The appeal must be received within 10 (ten) working days after the decision. The Director of the Portland Housing Bureau will conduct the administrative review, make a decision within 10 (ten) working days, and will notify the parties involved in writing. This decision will be based on information pertaining to the location policy which has already been submitted by the applicant to the Portland Housing Bureau. If the applicant has new information to submit they can reapply for qualification.

Site Control

On occasion, small amounts of city funding are needed for site control and pre-development. Costs linked to obtaining site control are exempt from the location policy. Developers who believe that the location policy might apply to a potential project are strongly encouraged to contact the siting coordinator before obtaining site control. If the location policy applies to the housing or shelter and the exception criteria are not met, then no additional city funding would be available for that project.

If the location policy applies, the siting coordinator will begin a file on the project once the developer obtains site control and applies for city funding. All information in the file will be public information.

Questions

If you have any questions, please contact Andy Miller at (503)823-2375

APPENDIX H

PROTEST INFORMATION

- A. Timing of Protest. A development team advised that its proposal was non-responsive is entitled to protest, and shall have five (5) business days after receiving notice of a determination from PHB to submit to PHB a written protest.
- B. Format of Protest
- 1) The protest must be delivered in writing to PHB attention: General Counsel and signed by an authorized official of the protesting party. E-mails, faxes and late protests will not be considered.
 - 2) The written protest shall describe how its proposal met the evaluation criteria and was therefore responsive to this rfp.
- C. Review: The PHB Assistant Director will review the protest and any additional relevant information and render a determination generally within five (5) business days as to whether the protest has merit or not; and if so, the proposed remedy. This determination will be transmitted to the protestor and all other development teams.
- D. Appeal: If the development team submitting the protest, or any other development team, is not satisfied with the determination and/or remedy, they may appeal the determination to the Director within three (3) business days.
- 1) An appeal must be delivered in writing to PHB, attention: Director and signed by an authorized official of the protesting party. E-mails, faxes and late appeals will not be considered.
 - 2) The written appeal shall specify the grounds upon which the appeal is based, and describe how the Project Sponsor will be adversely affected or aggrieved by the determination.
- E. Final Determination of Protest: The Director shall review the determination and appeal and render a final determination in a timely manner. The determination may be to:
- 1) Reject the protest; or
 - 2) Implement a remedy to the protest.
- F. Suspension of RFP: If a qualified protest is received, PHB shall suspend all further activity related to the evaluation of responses to this RFP until such time that a determination has been made and an appeal period, if any, has lapsed. A notice of suspension will be transmitted to all development teams by the project manager.