

2017-19 Rehabilitation and Preservation NOFA

Application Form and Instructions for Housing Development Financing

City of Oakland

Department of Housing and Community Development

July 31, 2017

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APPLICATION INSTRUCTIONS

Developers requesting City of Oakland funds must complete the following application including all supporting documentation, and send **one original** to:

**Department of Housing and Community Development
250 Frank H. Ogawa Plaza, Suite 5313
Oakland, CA 94612
Attn: Housing Development Unit**

Applications must be received at Oakland's Department of Housing and Community Development office no later than 4:00 p.m. on Friday, September 15th. Applications submitted after this deadline will not be accepted.

Use a separate application for each proposed development project. If the project has already received a commitment of City affordable housing funds and is requesting additional money, contact City staff to determine which application exhibits will be required. **Applicants are strongly encouraged to attend a NOFA pre-application meeting to be held on Thursday, August 11th at 1:00 p.m.** at City Hall, Hearing Room 3. Planning staff will explain CEQA and NEPA requirements, the City's required employment and contracting programs will be presented, the Oakland Housing Authority will be present to answer questions about Section 8 Project-Based Voucher Assistance, and applicants will have an opportunity to ask questions about the NOFA.

Each sponsor will be permitted to submit two project application for this NOFA.

Applications will be reviewed by staff first for completeness and then for compliance with all City requirements. Projects will be reviewed for consistency with City housing and community development objectives, developer capacity and experience, financial feasibility, cost control, and degree of leveraging of non-City funds. Projects that meet threshold requirements will be scored and ranked per the Evaluation Criteria in the NOFA (see *Scoring Criteria* section of the NOFA). If necessary, applicants will be contacted for additional information or for modification of project proposals. **However, applications that are deemed substantially incomplete may be rejected.**

Applicants must submit:

- **One original** of a complete Application for Housing Development Financing with all required supporting materials.
- Applications should be in three-ring binders of good quality and appropriate size, with numbered dividers that correspond with the Housing Development Financing Application Checklist.
- To reduce the size of applications, large application exhibits (Appraisal, Phase I, etc.) should be double-sided. Please do not include full copies of Environmental Impact Reports (EIRs) or all of the backup documentation on Phase I reports (these may be requested at a later date).
- Cover pages for application exhibits (other than the numbered divider tabs) are not needed.
- The Checklist should be used as the Table of Contents for the application.

Some materials must be submitted electronically. The Housing Development Financing Application Checklist indicates which exhibits must be submitted electronically by email or on a thumb drive. The Scope of Work, Rehabilitation Budget, the Operating Budget, 30 year Proforma, the Financial Summary Worksheet, Unit Size and Affordability Worksheet, Rental Survey and Financial Analysis Workbook must be prepared using the City's electronic forms, which are available for download with the rest of the application at <http://www2.oaklandnet.com/Government/o/hcd/index.htm> , or via email upon request to cmorales@oaklandnet.com. Applicants are required to submit both paper and electronic copies of these exhibits with their application. The Displacement and Replacement Unit Analysis (if required), must be prepared using the City's spreadsheet but does not have to be submitted electronically.

Applicants should understand that, under the California Public Records Act and the City's Sunshine Ordinance, **all documents submitted as part of this application are considered public records and will be made available to the public upon request.**

OTHER ITEMS REQUIRED AFTER INITIAL APPROVAL

Additional materials will be required to be completed and/or submitted at different stages of the development process. The City reserves the right to require additional materials. All materials must be submitted in a form acceptable to the City.

Prior to Staff Recommendation of Financing to City Council

- ♦ Application and all applicable supporting exhibits and worksheets
- ♦ If recommended by the Phase I, a Phase II must be submitted
- ♦ **CEQA compliance review completed by City**

Prior to Loan Closing

- ♦ Full Schematic Drawings (if applicable)
- ♦ Final development budget, operating budget, rent schedule or sales analysis
- ♦ Firm commitments for other financing (if applicable)
- ♦ Evidence of equity commitment (if applicable)
- ♦ NEPA environmental review approved by City and HUD (if applicable)
- ♦ Lead-based paint testing and report (if needed)
- ♦ Final Relocation Plan (if needed)
- ♦ Evidence of insurance
- ♦ Architect and developer certification regarding accessibility (Fair Housing Act, ADA, HUD Section 504)
- ♦ Contract Compliance forms such as Equal Benefits Ordinance, Living Wage, etc.
- ♦ Updated Financial Statements and staff capacity info (if requested)
- ♦ Updated development schedule

Prior to Start of Rehabilitation

- ♦ Hazardous materials risk assessment and abatement plan (If applicable)
- ♦ Planning/zoning approvals
- ♦ Design review approval
- ♦ Demolition and building permits

- ♦ Plans and specifications approved by Housing Development, Planning and Building Department
- ♦ Construction contract approved by Housing Development
- ♦ Payment and performance bonds
- ♦ Evidence of contractor's insurance
- ♦ Construction budget and schedule approved by Housing Development
- ♦ Final loan documents for all other construction financing
- ♦ Approval to proceed issued by Contract Compliance Division
- ♦ Notice to Proceed issued by Housing Development

Prior to Completion (at least 180 days before construction is completed)

- ♦ Final Marketing Plan approved by Housing Development (if unoccupied)
- ♦ Final Management Plan approved by Housing Development
- ♦ Final Resident Services Plan approved by Housing Development (if applicable)
- ♦ Final Operating Budget approved by Housing Development

Prior to Completion (at least 90 days before construction is completed)

- ♦ Management agent and contract approved by Housing Development
- ♦ Resident services provider approved by Housing Development

After Project Completion

- ♦ Cost Certification approved by Housing Development
- ♦ Demographic and income information of initial occupants
- ♦ Lead-based paint certification

Housing Development Financing Application Checklist

Please include this checklist as the Table of Contents for your Application Binder.

Applicant: _____

Project: _____

Project Address: _____

ITEMS TO BE SUBMITTED (in separately tabbed sections)	Check if Enclosed	FOR CITY USE ONLY		
		Date Rec'd	Complete	Not Complete
SUMMARY INFORMATION				
1. Cover Letter/Narrative Description				
2. Self-Scoring Worksheet				
3. City Application Form				
THRESHOLD INFORMATION				
4. Community Outreach Plan and Activities				
5. Tenant Outreach Plan and Tenant Marketing Plan				
6. Evidence of Site Control				
7. Financial Plan				
8. Preliminary Title Report				
9. Appraisal				
10. Replacement Unit Analysis (if applicable)				
11. Relocation Plan (if applicable)				
12. Evidence of Meeting with Building/Code Enforcement				
13. Phase I Environmental Site Assessment				
13a. Phase II (if required)				
14. Lead Abatement and Asbestos Report				
15. Physical Needs Assessment and Cost Estimate				
16. Replacement Reserve Analysis				
17. CEQA Preliminary Checklist				
18. Rehabilitation Schedule				
19. Marketing Plan				
20. Management Plan (rental projects only)				
21. CHDO Recertification (if applicable)				
22. Certifications and Campaign Contribution Limit Acknowledgement				

		FOR CITY USE ONLY		
ITEMS TO BE SUBMITTED (in separately tabbed sections)	Check if Enclosed	Date Rec'd	Complete	Not Complete
PROJECT FEASIBILITY & SCORING CRITERIA				
23. Scope of Work (paper copy) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
24. Rehabilitation Budget (paper copy) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
25. Operating Budget (paper copy -- Rental projects only) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
26. 30 Year Proforma (paper copy -- Rental projects only) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> thumb drive, included				
27. Financial Summary (paper copy) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> thumb drive, included				
28. Unit Size and Affordability (paper copy) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
29. Displacement Prevention Worksheet Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
30. Maximum Affordable Sales Price Calculation (paper copy - Ownership projects only) Electronic copy: <input type="checkbox"/> via email <input type="checkbox"/> on thumb drive, included				
31. Construction Financing				
32. Permanent Financing				
33. Acquisition and Predevelopment Financing				
34. Rental or Operating Subsidies (if applicable)				
35. Neighborhood Narrative and Revitalization Description				
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42. Audited Financial Statements and Financial Analysis Workbook				
43. Preservation Statement				
44. Preliminary Resident Services and Technology Plan				

**City of Oakland
Department of Housing and Community Development**

***APPLICATION FOR CITY OF OAKLAND HOUSING DEVELOPMENT
FINANCING***

Attach each of the following exhibits in a tabbed, appropriately numbered section of your application binder.

1. Narrative Cover Letter

Applications must include a narrative cover letter that provides a basic description of the project. The cover letter should include but is not limited to the following.

Site Information

- Current use of site
- Location of project
- Number and size of units (number of bedrooms per unit).
- Target population served
- Current condition of site/project
- Age of building
- Distinguishing features
- Any environmental issues
- On- and off-site improvements required

Physical Characteristics

- Type of construction
- Number of stories
- Architectural style
- Distinguishing features

Amenities and Services

- Common facilities and amenities, including computer technology
- Resident services programs (if included)

Financing Information

- Amount of loan requested (include amount of loan award received under the Bond Measure KK Site Acquisition Program, if applicable)
- Total rehabilitation budget costs
- Description of other (non City) funds that are being considered for the rehabilitation, and if not available, why not a feasible source
- If requesting 100% City financing, describe why other financing options are not viable.
- Any desired variance in standard loan terms

Rehabilitation Plan

- Total Development Costs
- Summary of rehabilitation scope
- Changes to the number of units
- Changes to the building envelope
- Changes to Location, type and number of parking spaces
- Green design components
- Rehabilitation work completed within the last 10 years (describe scope of work and include dates)

2. Self-Scoring Worksheet

Applicants are required to submit a self-score worksheet. The Scoring Criteria summary sheet should be used for self-scoring, and is available for download from the web at <http://www2.oaklandnet.com/Government/o/hcd/index.htm>. Applicants should not assume that their self-score estimate will be the actual score that will be achieved.

3. Rehabilitation and Preservation Application Form

Project Summary

Project Name: _____

Project Address: _____

Zip Code: _____ City Council District: _____

Census Tract: _____ Parcel No.: _____

OUSD Elementary School Boundary That Property is Located Within:

School Performance Framework Index Level for Academic Status: _____

Total Number of Housing Units: _____

Number of Affordable Units: _____

Number of Bedrooms: _____

Age of Structure: _____

Target Population: _____

Number of Accessible Units:

Mobility Impaired: _____ Hearing/Visually Impaired: _____

Number of **New** Special Needs Units: _____

Total Number of Special Needs Units: _____

Special Needs Population Targeted: _____

Number of **New** Units for Homeless Households: _____

Total Number Units for Homeless Households: _____

Other City Funds Previously Received, if any: _____

Requesting to Convert previous award to permanent financing Extend loan term

Funds Currently Requested: _____

Current Reserve Balances:

Replacement Reserve _____

Operating Reserve _____

Does project have existing rental/operating subsidy contract? _____

If So, Contract Expiration date: _____

Total Project Costs (Affordable Residential Only): _____

Other Expected Sources of Funding (not including private bank loans):

- | | | |
|--|--|---|
| <input type="checkbox"/> 9% Tax Credits | <input type="checkbox"/> 4% Tax Credits/CDLAC | <input type="checkbox"/> HUD 202 or 811 |
| <input type="checkbox"/> AHP | <input type="checkbox"/> Project-based Section 8 | <input type="checkbox"/> CalHFA |
| <input type="checkbox"/> MHP | <input type="checkbox"/> MHSA | <input type="checkbox"/> HOPWA |
| <input type="checkbox"/> Infill Infrastructure Grant (IIG) | <input type="checkbox"/> Transit Oriented Devt (TOD) | |

Other: _____

Other: _____

Other: _____

What type of short term and long term jobs are projected to be created from the development of this affordable housing project? List both the positions types and the estimated number of jobs: _____

Applicant Information

A. Identify Applicant

- _____ Applicant is current owner and will retain ownership.
- _____ Applicant is the project developer and will be part of the final ownership entity.
- _____ Applicant is the project developer and will not be part of the final ownership entity for the project.

Applicant Name: _____

Address: _____

Contact Person: _____ Phone: _____

E-mail: _____ Fax: _____

Property Management Company: _____

Property Management Contact: _____ Phone: _____

B. Legal Status of Applicant

- | | | |
|-------------------------|----------------------------|-------------------------|
| ___ General Partnership | ___ Individual | ___ Limited Partnership |
| ___ Corporation | ___ Nonprofit Organization | ___ Local Government |
| ___ Joint Venture | ___ Other (specify) _____ | |

C. Status of Organization

- ___ Currently Exists
- ___ To be formed, estimated date: _____
- ___ Federal Tax I.D. Number: _____

D. Name(s) of individuals who will be General Partner(s) or Principal Owner(s)

E. Developer Type

___ Nonprofit ___ For Profit ___ Joint Venture

Site Control

Site control at the time of application is required. Indicate the level of site control currently held by the developer. Evidence of site control must be included as Exhibit 7 to the Application.

- a. Copy of Deed, for Fee Ownership
- b. Purchase agreement: Date of Expiration: _____
Provision for Extension: Yes No Cost of Extension: _____
- c. Option: Date of Expiration: _____
Provision for Extension: Yes No Cost of Extension: _____

Project and Site Information

- A. Current Site Use (complete as many as apply):
 - Residential: ___ Number of Units
 - Commercial: Vacant Occupied ___ # of Buildings ___ Sq. Ft.
If occupied, briefly describe uses: _____
 - Industrial: Vacant Occupied ___ # of Buildings ___ Sq. Ft.
If occupied, briefly describe uses: _____
 - Parking Lot: In Use Not In Use ___ # of Parking Spaces
 - Vacant Lot
- B. _____ Number of Residential Structures in planned project
- C. _____ Proposed Buildings are on a contiguous site (yes/no)
- D. _____ Number of Community Structures, if separate
- E. _____ In a floodplain (yes/no). Map used: _____
If yes, type of floodplain (# of years): _____
- F. _____ Total units per acre
- G. _____ Total square footage of lot
- H. _____ Total square footage of all project structures
- I. _____ Total gross residential square footage
- J. _____ Total square footage of all residential units
- K. _____ Total gross commercial square footage

- L. _____ Total net leasable commercial square footage
- M. _____ Total parking structure square footage
- N. _____ Total parking spaces
 - _____ Open parking spaces
 - _____ Covered parking spaces
 - _____ Structured parking spaces
 - _____ Other parking spaces, type _____

9% Tax Credit Competitiveness Summary

If applying for 9% tax credits, please provide the following with your application form:

- A calculation of the expected tiebreaker score under the current Tax Credit Allocation Committee (TCAC) Regulations.
- What TCAC set-aside the project is applying under.
- Written narrative describing the feasibility of the financing plan and why the project has a high chance of successfully receiving other primary sources of competitive financing.

EXHIBITS 4-22: THRESHOLD INFORMATION

4. Community Outreach Plan and Activities

For projects that will convert market rate housing to affordable housing, include a Community Outreach Plan and evidence that a minimum level of community outreach has been completed prior to applying for funding. Applicants must contact neighborhood organizations in the vicinity of the proposed development prior to applying for financing. A list of relevant organizations can normally be obtained from the office of the City Councilmember for the district or from the area's Neighborhood Services Coordinator. Applicants must have held at least one meeting with an established neighborhood organization, preferably by attending a regular meeting of the group or groups. Applicants are encouraged to meet with more than one neighborhood organization and to hold or attend more than one meeting.

The *Community Outreach Plan* should describe how you will build support for your project and address community concerns, including a list of all individuals and organizations with whom you have met or will meet to discuss the project, and the approximate dates of each phase of the plan. The Nonprofit Housing Association of Northern California has useful resources on building support for affordable housing. Refer to their website at www.nonprophousing.org.

Evidence of Community Outreach must include the following information regarding the required meeting with a community organization referenced above:

- Copy of announcements of the meetings (flyers, advertisements, etc.)
- Copy of the agenda for the meetings
- Copy of handouts or other information used, including reductions of material presented on easel boards

- ♦ Sign-in sheets from the meeting
- ♦ Minutes of the meeting

Housing proposals often encounter concerns and opposition. Applicants need to encourage clear expression of these issues as soon as possible, and must document plans for addressing them. *Evidence of Community Outreach* should also include:

- ♦ From the above meetings and any other source, provide summaries of concerns expressed, and major points made in support or opposition.
- ♦ Describe any involvement by the City Councilmember’s office or others to facilitate discussion and clarification of concerns.
- ♦ Describe plans to address the concerns you have heard or expect.

Additionally, please provide:

- ♦ Letters of support from neighborhood residents or organizations. (Letters from individuals or organizations involved in the development are of limited importance. Similarly, while appreciated, letters of support from public officials from outside the immediate area, or from citywide organizations, including social service or housing advocacy groups, do not constitute community support.)

5. Tenant Outreach Plan and Tenant Meeting

Provide a tenant outreach/notification plan and schedule that includes drafts of tenant notification mailings. If any notifications have been sent, include the notice(s).

Prior to submitting an application, sponsors must have held at least one meeting with tenants describing the proposed rehabilitation and/or conversion to affordable housing and any possible disruptions in regards to tenant units and/or common spaces and to receive tenant input on rehabilitation plans.

The application must include the following information regarding the required meeting with the tenants referenced above:

- ♦ Copy of announcements of the meeting
- ♦ Copy of the agenda for the meeting
- ♦ Copy of handouts or other information used, including reductions of material presented on easel boards
- ♦ Sign-in sheets from the meeting
- ♦ Minutes of the meeting

Applicants are required to work closely with tenants and give them sufficient written notice about the rehabilitation plans for the project and/or plans for converting the property to affordable housing. For projects that include rehabilitation, the notification(s) should include scope, timing, whether or not temporary relocation is likely to be required and if so, the estimated length of time. It is also important that the notice(s) reassures tenants that the upcoming rehabilitation work will not result in any permanent relocation and that if temporary relocation is required, tenants will be moved to vacant units in the building to the greatest extent possible. The notice(s) must also detail that, if off-site temporary relocation is required, tenants will be assisted financially per local/state/federal laws.

For projects that will convert the property from a market rate property to an affordable property, the notifications should:

- Identify the new owner, management company, and tenant contacts
- Describe the organization and its mission
- Provide An explanation of affordable housing
- Describe anticipated changes and potential implications

6. Evidence of Site Control

At the time a development proposal is submitted, the developer must demonstrate that it has, and will maintain until the land is acquired, site control of the property for which funding is being requested. Attach evidence of site control including one of the following:

- Grant Deed evidencing fee title ownership
- Purchase agreement, including evidence that the agreement be of a term sufficient to hold the property until the anticipated date of purchase
- Option to purchase or lease, including evidence that options are renewable until the start of construction
- Long term lease agreement
- Executed land sales contract or other enforceable agreement for acquisition

7. Financial Plan

Provide a financing plan that includes:

- A list of all existing loan and regulatory agreements associated with the project. Include lender, date of origination, loan amount, loan type (amortized, deferred, residual receipts), end of loan term, and outstanding balance.
- Provide a detailed explanation as to how each loan source will be impacted by the addition of a City loan commitment (for example, will lenders require subordination of the new City Deed of Trust or Regulatory Agreement, will other loans need to be amended, etc).
- Include any desired variance in standard City loan terms.
- Describe the proposed financing plan.
- Describe existing reserve balances and justify requests for capitalized reserves. If special reserves exist, explain why those reserves are required (e.g. Section 8 transition reserve required by a lender/investor).
- Include an explanation as to why replacement reserves are insufficient to address the rehabilitation scope of work. If use of reserves is restricted by another agency or lender (such as HUD), please describe those restrictions.

8. Preliminary Title Report

The Preliminary Title Report must be dated within 90 days of the application deadline. Additionally, provide an electronic copy of the Preliminary Title Report with hyperlinks to all items recorded to title.

9. Appraisal

An appraisal completed within six months of the application deadline must be submitted for staff review (unless no acquisition costs are included in the development budget). If the property is already owned by the sponsor, submit an appraisal completed within 6 months of

its purchase. No appraisal is required for existing affordable housing development if the ownership of the property has not changed within the last 5 years.

Appraisals must conform to the Uniform Standards of Professional Appraisal Practice, in particular Standards 1 and 2. In addition, appraisals must comply with the appraisal requirements of the Appraisal Institute’s Regulation 3. All appraisers must be California State Licensed/Certified. So-called “Letter Appraisals” are not acceptable. A “Self Contained Appraisal Report,” per current USPAP guidelines is the minimum acceptable form of appraisal, provided the evaluation includes both improvements and environmental issues, if either is present. The appraisal must include a separate as-is value for any improvements to be retained, or a demolition cost for any to be removed. Similarly, the estimate of environmental costs must be discussed in the appraisal. Site value must be as-is, with no presumed condition like a rezoning or cleanup.

10. Replacement Unit Analysis

If your project involves demolition of existing residential structures, even if units are currently vacant, complete the following worksheet (available for download at <http://www2.oaklandnet.com/Government/o/hcd/index.htm> or via email to cmorales@oaklandnet.com). This worksheet does not need to be submitted electronically.

Proposal Includes Substantial Renovation: No/Yes
 Proposal Includes Demolition and New Construction: No/Yes

Current Configuration of Site

Number of Residential Buildings:
 Total Number of Units:

Unit Number	Number of Bedrooms	Monthly Gross Rent	Household Size	Household Income	Check one				Is Unit Currently Occupied?	Is Unit Accessible?
					Under 30% AMI	Under 50% AMI	Under 80% AMI	Market Rate		

Summary

# units with annual rents = 30% of 30% AMI	
# units with annual rents = 30% of 50% AMI	
# units with annual rents = 30% of 80% AMI	
# units with annual rents = 30% of 120% AMI	
# market rate units	

11. Relocation Plan and Budget (if required)

If the project involves temporary relocation of residential or commercial tenants, please provide a narrative Relocation Plan, Timeline and a detailed Relocation Budget. If the proposed project is financed with federal funds, the provisions of the Uniform Relocation Act will apply. Additional federal and/or state relocation requirements may also apply. If the project is financed with non-federal public funds, State relocation requirements contained in California Government Code 7260, et seq., and implementing regulations, may apply.

Developers considering a project which may result in temporary or permanent displacement should contact City staff at the earliest date possible for assistance in relocation matters. Proper notice to current and future occupants can reduce the cost of relocation.

12. Evidence of Meeting with Building/Code Department.

Applicants are required to meet with the Building Services Department to research all building code requirements and to determine if additional code regulations may be triggered by the proposed scope of rehabilitation work. The meeting must be held prior to submitting

the NOFA application. Applicants are required to go to the Building Department counter (250 Frank Ogawa Plaza, Second Floor) and ask to speak with the Engineer of the Day about the proposed project.

13. Phase I & II Environmental Site Assessment

Provide the Executive Summary and other narrative pages which summarize the findings and recommendations of the assessment. *Do not provide all the back-up data in the application.* This back-up may be requested at a later date. For projects involving rehabilitation or demolition, an assessment of lead-based paint and asbestos hazards should be provided.

Phase II Environmental Site Assessment

If recommended in the Phase I, a Phase II Environmental Site Assessment must be provided before a project will be recommended to the City Council. With the Phase II, please include a discussion of the impact of any recommendations on the project design, budget, etc.

14. Lead Abatement and Asbestos Report

A detailed assessment of lead-based paint and asbestos hazards should be provided with an Executive Summary, which summarizes the findings and recommendations of the assessment.

15. Physical Needs Assessment and Cost Estimate

Please include:

- a third-party physical needs assessment (PNA) that was completed not more than 12 months prior to date of application. The PNA should describe the emergency repairs or the capital improvements that are either required or recommended for immediate attention and the rationale for doing so. It must include an assessment of health and safety issues. City staff recommends that all hard costs be confirmed by contractor's and/or architect's estimate.
- a preliminary independent cost estimate; and
- the basic unit configurations/plans.
- It is strongly recommended that the inspection report weatherization/energy efficiency measures per the Green and Healthy Homes Initiative guidelines (www.greenandhealthyhomes.org).

16. Replacement Reserve Analysis

Submit a 20-year replacement reserve analysis on all major systems. The analysis must have been performed by a licensed contractor, architect or third party consultant and should clearly state the recommended amount of capitalized and/or annual replacement reserve deposits. There is no City form. Contractor, architect or consultant may use their own form. Form must be submitted electronically.

17. Preliminary CEQA Checklist

For projects with CEQA clearance already established, (adopted (mitigated) negative declaration, certified EIR, exemption, etc.) please include documentation confirming that determination in lieu of the checklist below.

The Checklist: Prior to staff recommendation to the City Council on the NOFA applications, projects must be shown to meet the requirements of the California Environmental Quality Act (CEQA). This checklist provides guidance to NOFA applicants as to what documents and studies may be required for a CEQA determination for a proposed project.

This checklist can be downloaded from <http://www2.oaklandnet.com/Government/o/hcd/index.htm> or requested via email to cmorales@oaklandnet.com.

Most medium to moderately large projects are likely to qualify for an In-Fill Exemption under CEQA Guidelines Section 15183.3 (See Attachment A for Section 15183.3 Criteria). Where the checklist indicates that studies are needed, the work should be done by a qualified consultant.

Due dates for studies: Studies required by this checklist are due with the NOFA application. If additional CEQA-related work is required by Oakland Planning staff, it must be submitted to Planning no later than 45 days from the due date of this NOFA; otherwise, the application will be considered withdrawn and will have to be delayed for a future NOFA.

Planning Pre-applications: If it appears that additional CEQA work will be required, it is advisable that you contact Planning and Zoning (238-3911) to submit a pre-application as early as possible prior to the NOFA submittal date as the development and review of CEQA related documents may exceed 45 days.

Preliminary CEQA Checklist

Project Address: _____
Project APN: _____
Is the project new construction or rehabilitation? _____
If rehabilitation, is the number of units being changed? (explain if yes)

How many dwelling units are in the proposed project? _____
What is the non-residential square footage? _____
What is the total square footage of the entire project site? _____
Is the project site located within a Specific Plan Area? _____
If so, which one? _____

Transportation Impact Study (Check all applicable boxes)

- a) If fewer than 50 dwelling units and less than 3,000 square feet of non-residential floor area – no study is required.

- b) If 50 or more dwelling units and/or more than 3,000 square feet of non-residential floor area, a trip generation analysis is required to determine whether or not a the project will result in more than 50 am or pm peak hour trips. If the project results in more than 50 am or pm peak hour trips a transportation impact study may be required.

If checked, submit trip generation analysis with application.

(A trip generation analysis consists of your consultant providing an estimated number of am and pm peak hour trips that would be generated from the proposed project.)

- c) Additional analysis may be required if a project site is within close proximity to an at-grade railroad crossing. Check if the project site is located within ¼ mile of an at-grade railroad crossing.

2) Air Quality

- a) **Toxic Air Contaminants – Particulate Matter and Gaseous Emissions** . Is the project located within 1000 feet of one or more of the following sources? Check box for "Yes," in which case the project is likely to require a health risk analysis and/or project features (e.g., air filters) to reduce health impacts.

(Information available at the website for the Bay Area Air Quality Management District at www.baaqmd.gov)

- i) Freeway
- ii) Roadway with 10,000 or more vehicles per day
- iii) Rail line (except BART) with over 30 trains per day
- iv) Distribution center that accommodates more than 100 trucks per day, more than 40 trucks with operating refrigeration units per day, or where the refrigeration unit operations exceed 300 hours per week
- v) Major service and maintenance rail or truck yard
- vi) The Port of Oakland (seaport and airport)
- vii) Ferry Terminal; and
- viii) Stationary pollutant source requiring a permit from BAAQMD, including:
- A. Electroplating or chrome plating facility
- B. Dry cleaner using Perchloroethylene
- C. Auto body shop
- D. Diesel generators

- b) **Greenhouse Gases - operations.** The following project types will require an analysis of annual operational Greenhouse Gas emissions, to be submitted with the application.

- i) Residential development with 172 units or more
- ii) Project does not exceed the above threshold

3) **Historic Resources**

Check if the project site is located within a historic district, or contains a historic building.
(Historic information can be obtained from the Planning & Zoning Division at (510)238-6879)

- a) If so, what is the OCHS (Oakland Cultural Heritage Survey) rating of the building?

- b) If so, is the building proposed for demolition or alteration? _____
- c) Is there a California Office of Historic Preservation DPR Form 523 with rating of 1 to 5?

Note: Any modification to a historic building will require additional CEQA analysis and may not be eligible for a CEQA exemption.

4) Hazardous Materials

Is the subject property located on a State List of sites containing hazardous materials compiled pursuant to Section 65962.5 of the Government Code? _____

(Cortese list, among others; more information can be obtained from California EPA at www.calepa.ca.gov)

- a) If so, has the site been remediated? _____
- b) Is there a “Closure Letter” from the appropriate regulatory Agency? _____
- c) If not remediated, is there an approved Remedial Action Plan (RAP)? _____
- d) If not, has a RAP been submitted? _____

If a property is on any of these State lists without the site being remediated, or an approved or submitted RAP, it may not be eligible for an exemption under CEQA.

5) Other – Is applicant aware of any other environmental conditions/impacts likely to require further CEQA or NEPA review, such as:

- i) Sensitive environments, e.g., creeks-wetlands, seismically active areas _____
- ii) Peculiar or unique characteristics of the site, the project, or adjacent uses _____

If yes, please explain, and provide any consultant analysis available.

18. Rehabilitation Schedule

Submit a detailed rehabilitation schedule for the project. Include estimated dates for securing additional financing, loan closing, tenant notifications, start/end of rehabilitation work and tenant relocation. Also include detailed information about possible phasing of the project. If the project is phased, provide a phasing narrative that includes information pertaining to the scope of work, timeline, and phasing of all possible funding sources.

19. Marketing Plan

Marketing plans must incorporate *Affirmative Fair Marketing Procedures, Oakland Displacee, Neighborhood Resident, Oakland Resident and Oakland Worker Preference Regulation for Multifamily Affordable Housing* and applicable guidelines from the *EveryOne HOME Property Management Guidelines*, see addenda.

For ownership projects, also see Addendum, *Affordable Homeownership Development Program*. Marketing plans for ownership projects must at a minimum provide information on the marketing process, method for educating buyers on resale restrictions, and a description of the proposed homebuyer counseling program (pre- and post-purchase). A Final Marketing Plan will be required 180 days prior to construction completion (for rental

projects) or prior to beginning of marketing units (for ownership projects) and must be approved before marketing can begin.

20. Management Plan (Rental Projects Only)

The Management Plan must incorporate the *EveryOne HOME Property Management Guidelines*, see addendum, and should address, at a minimum, the following information:

- The name and contact information for the Management Company
- The role and responsibility of the Sponsor and its delegation of authority, if any, to the management agent;
- Staffing arrangements and personnel policy;
- Plans and procedures for publicizing vacancies and achieving occupancy
- Procedures for determining tenant eligibility and selecting tenants and for initially certifying and annually recertifying household income and size;
- Plans for carrying out maintenance and repair;
- A program for maintaining adequate accounting records;
- An approach to enhancing tenant relations;
- Procedures for grievances and appeals;
- Reasonable accommodation policy and procedures;
- Plans for damages collections and processing of evictions and terminations;
- Table of rent/income restrictions from all funding sources identifying most restrictive requirements and final rent schedule (required for the final plan).

21. CHDO Recertification

Developers who are certified as Community Housing Development Organizations are required to fill out the recertification form. This form does not need to be submitted electronically. However, it is available for download at <http://www2.oaklandnet.com/Government/o/hcd/index.htm>. For further information, contact Antoinette Pietras at apietras@oaklandnet.com or 510-238-6177.

22. Required Certifications and Campaign Contribution Limit Acknowledgement.

Complete and execute the Certifications and Acknowledgement included at the end of the Application Instructions. More information on the City's Contracting requirements can be found on the City of Oakland's website, <http://www2.oaklandnet.com/Government/o/CityAdministration/d/CP/index.htm>

For the purposes of these forms, the applicant is considered to be the "Contractor."

EXHIBITS 23-44: PROJECT FEASIBILITY AND SCORING CRITERIA

Use the City spreadsheets for your development budget and other budget forms. Electronic versions of the spreadsheets can be downloaded from <http://www2.oaklandnet.com/Government/o/hcd/index.htm> or requested via email from cmorales@oaklandnet.com.

Applicants must submit a hard copy of each completed spreadsheet under the appropriate exhibit in the application. Electronic copies of applicable spreadsheets must also be submitted with your NOFA application, either on a thumb drive or via email to cmorales@oaklandnet.com.

Please round requested City loan amounts to \$1,000 increments. Further instructions for completing the spreadsheets are included with the electronic files.

Rental projects must submit:

- Scope of Work
- Rehabilitation Budget (Rental)
- Operating Budget (Rental)
- Unit Size and Affordability Analysis (Rental)
- Financial Summary
- 30-Year Operating Proforma (use the City's worksheet)

If the proposal includes market-rate units, the operating budget should include the costs for all units in the project. If you expect management costs for affordable and non-affordable units to differ, provide a detailed description of how and why. Note that additional information about financing sources for both the affordable and market-rate portions of the project is required.

Ownership projects must submit:

- Development Budget (Ownership)
- Unit Size and Affordability Analysis (Ownership)
- Financial Summary
- Maximum Affordable Sales Price Calculation (sample provided)

The calculation of "Post Construction Sources" for both affordable and market rate units is done in the Financial Summary exhibit. Note that proposed market-rate sales prices must be supported by your market study, and additional information about financing sources for both the affordable and market-rate portions of the project is required.

23. Scope of Work

Use the electronic City spreadsheet to prepare a detailed list of all items that are included in the project's scope of work. Be sure to include estimated costs and the Physical Needs Assessment page number associated with the item. Scope of work items should be ranked based on level of urgency.

24. Rehabilitation Budget

Use the electronic City spreadsheet to fill out the rehabilitation budget section. Please round requested City loan amounts to \$1,000 increments.

25. Operating Budget (Rental Projects)

Use the electronic City spreadsheet to fill out the operating budget section. Attach a copy of existing rental/operating subsidy contracts.

26. 30 Year Proforma (Rental Projects)

For rental proposals, provide a 30 Year Pro-Forma worksheet which should be submitted electronically using the City provided format. Gross Potential Residential Income used here for the initial year must match that figure calculated in the Unit Size and Affordability Analysis. Additionally, the following assumptions apply:

- 5% annual vacancy/collection loss for family and senior projects
- 10% annual vacancy/collection loss for SRO or special needs projects
- 3.5% annual increase for expenses (other than property taxes and replacement reserves deposit). A higher annual increase of 5% is recommended for utilities.
- 2% annual increase for property tax
- 2.5% annual increase for income
- First year operating expenses should equal annual total shown in the Operating Budget
- Annual replacement reserves deposit of at least 0.6% of the replacement cost of the structure up to a maximum of \$600 for family projects and \$500 for senior projects; and operating reserves as described in the discussion of reserves in the *Program Description and Requirements* section.
- Annual asset monitoring fee of at least \$140 per unit as described in the discussion of loan fees in the *Program Description and Requirements* section.
- If Section 8 or other rental or operating assistance is committed, an additional operating proforma should be included that assumes the contract will expire after its initial term. Applicants are encouraged to budget transition reserves due to the risk that rental assistance contracts are not renewed.
- Market rate projects that will convert to affordable rental projects must provide two proformas, one that reflects current gross revenue and one that reflects the gross potential revenue based on restricted rents.
- Partnership and/or Asset Management fees are allowable. See Addendum, *Guidelines for Developer Fees* for more details.

27. Financial Summary Worksheet

Use the City spreadsheet to fill out the financial summary worksheet. Applicants need fill in only the shaded cells; others will calculate automatically. Applicants must submit a hard copy of the worksheet in the application. Electronic copies of the worksheet must also be submitted with the NOFA application, either on a thumb drive or via email to cmorales@oaklandnet.com.

28. Unit Size and Affordability Worksheet

Applicants must submit a hard copy of the worksheet in the application. Electronic copies of the worksheet must also be submitted with the NOFA application, either on a thumb drive or via email to cmorales@oaklandnet.com. Market rate projects that will convert to affordable rental projects must provide Unit Size and Affordability Worksheets based on the proposed restricted rents.

29. Displacement Prevention Worksheet

Applicants must submit a hard copy of the worksheet in the application. Electronic copies of the worksheet must also be submitted with the NOFA application, either on a thumb drive or via email to cmorales@oaklandnet.com. If the property was built after 1983, you must attach a copy of the certificate of occupancy.

30. Maximum Affordable Sales Price Calculation (Ownership Projects)

Provide a worksheet demonstrating how the Maximum Affordable Sales Prices included in the Unit Size and Affordability Worksheet were calculated. A sample calculation is provided in the City spreadsheets, but a worksheet in your own format should be submitted that clearly shows the assumptions made in calculating the sales prices. Electronic copies of your worksheet must be submitted with the NOFA application, either on a thumb drive or via email to cmorales@oaklandnet.com.

Review Addendum #2: Affordable Homeownership Development Program, including the following recommended assumptions for calculating the Maximum Affordable Sales Price.

Justification must be provided for alternative assumptions.

- The downpayment percentage will be assumed at 5% of the sales price.
- For purposes of estimating the sales price at the time of application, the interest rate on the first mortgage loan will be assumed to be a 15-year average of the Federal National Mortgage Association's (FNMA) Required Net Yield Rate for 30-year fixed rate mortgages (60-day Actual/Actual), rounded to the nearest one-eighth of one percentage point (0.125%).
- The term of the first mortgage loan will be assumed, and required, to be 30 years, fixed.
- The effective property tax rate will be assumed to be 1.4% of the sales price, plus a minimum of \$800 annually for special assessments.
- Private mortgage insurance (PMI) will be assumed to equal to 0.77% of the first mortgage amount.
- Utility costs shall be based on the current Utility Allowances prepared by the Oakland Housing Authority (OHA).
- Maintenance reserve assumption shall be a minimum of \$25 per month.
- Hazard and casualty insurance payments will be assumed at .35% of the sales price.
- The homeowner's association/maintenance association fees will be the amount charged by the homeowners association for the Project.

If market prices are below the Maximum Affordable Sales Price, those prices should be included in your Unit Size and Affordability worksheet, and that must be explained in the worksheet. Prices should be sufficiently below market prices as determined by the market survey included in the application.

31. Construction Financing

List **all** sources of funds for the project in the construction phase in the following format. Use as many rows as necessary.

To score points for committed funding, attach evidence of enforceable financing commitments. A Letter of Interest is not considered an enforceable commitment.

For a commitment to be considered enforceable, it must:

- 1) be in writing, stating the essential terms of the financing;
- 2) be subject only to conditions within the control of the applicant, but for obtaining other sources such as City financing; and
- 3) be executed by an authorized officer of the grantor, lender (other than a mortgage broker), or other agency providing the commitment or award.
- 4) For all private lenders, all commitment letters must explicitly state the lender will subordinate to the City's Regulatory agreement.

If private funding commitments contain language requiring that the City Regulatory Agreement, Affordability Agreement, or Declaration of Resale Restrictions be subordinated, or that rents must increase to 60% of AMI in the event of foreclosure or loss of subsidy, they will not receive points.

If land or buildings will be donated, the value of the donation should be included as an acquisition cost, and as a source of funds in the Financial Summary and in the tables below.

Name of Lender/Source Address Contact Name, Phone	Amount of Funds	Type of Financing (e.g. loan, grant, or equity)	Interest Rate	Term, Months	Committed? (attach commitment)
1.					
2.					
Total Funds					

32. Permanent Financing

List all permanent sources of funds for the project in the format shown above. Use as many rows as necessary. Attach evidence of enforceable commitments for all sources listed.

33. Acquisition and Predevelopment Financing

List all acquisition and predevelopment sources of funds for the project using the format above. Use as many rows as necessary. Attach evidence of enforceable commitments for all sources listed.

34. Rental or Operating Subsidies (if applicable)

If the project expects to receive a source of rental or operating subsidies, please provide a description of the source and amount of subsidy, whether or not the subsidy is committed to

the project (if committed, please provide evidence of commitment), and specify the term of the subsidy.

The Oakland Housing Authority (OHA) may utilize the City of Oakland's 2017-19 NOFA as the competitive selection process required to award Section 8 Project-Based Vouchers. Due to the uncertainty of federal funding however, please note that Project-Based Vouchers may be limited or unavailable at the time of the NOFA Awards. OHA reserves the right to suspend, amend or modify the provisions of this Project-Based Voucher (PBV) offering and may negotiate modifications, award more or less than the full amount of PBV funding originally requested by a project, or reject all proposals entirely.

Projects selected for 2017-19 NOFA funding must be located within the Oakland Housing Authority's jurisdiction and the units must be subject to City of Oakland oversight and regulation to be eligible to request PBV's from OHA. If selected, the project will be issued a Letter of Invitation to request Section 8 Project Based Vouchers from OHA. The project must then submit a request in response to and in accordance with instructions provided in the Invitation. OHA will then review responses and based on guidelines and priorities outlined in the OHA Development Policy, make provisional awards subject to available funding. The Oakland Housing Authority Development Policy can be found on OHA's website at: <http://www.oakha.org/AboutUs/ReportsPolicies/Pages/default.aspx>.

OHA's Board of Commissioners must approve an award of Section 8 Project-Based Vouchers to a project. Please note, if a project is also receives an invitation to request PBV's from OHA as a result of its selection for funding in the County of Alameda's 2017 – A1 RFQ/NOFA, only one request should be submitted, and only one request will be considered for each project.

Projects must be an eligible housing type for PBV assistance (24 CFR 983.52 and 983.53) and meet accessibility requirements in accordance with the regulations implementing Section 504 of the Rehabilitation Act of 1973. Projects must also complete an Environmental Review under the National Environmental Policy Act (NEPA), a Subsidy Layering Review (SLR), and are subject to HUD Section 3 hiring goals and Davis-Bacon labor standards. Projects completing all applicable OHA and HUD reviews may then execute a Section 8 Project-Based Voucher Housing Assistance Payments (HAP) contract with OHA for an initial 15-year contract term. OHA will also agree to a 15-year extension for and aggregate 30-year term. A project may utilize a site-based waiting list to select applicants for PBV assisted units and OHA reserves the right to require local preferences in determining the order of selection from an owner administered site-based waiting list.

Projects that request PBVs should also understand that the Fair Market Rents shown in the Income, Rent, Utility Allowance, and Owner-Occupied Housing Payment Limits addendum are published by HUD annually and are the basis for which public housing agencies set their voucher payment standards. It is the OHA Voucher Payment Standard that establishes the maximum approvable contract rent for a PBV program unit. The OHA will rely upon a rent comparability survey and the rent schedule authorized in the HUD approved Subsidy Layering Review to determine initial PBV contract rents for the project.

For additional information about the Oakland Housing Authority's PBV program, sample contracts, and applicable Federal requirements, please visit OHA's website at

www.oakha.org or contact Michelle Hasan, Oakland Housing Authority Director of Leased Housing at (510) 587-2110, or by email at: mhasan@oakha.org.

Sponsors are requested to submit their applications and project budgets assuming no Section 8 PBV assistance will be available. If a project receives a PBV award and is able to leverage additional permanent financing that reduces the need for City funding, the City's funding commitment will be reduced based on the amount of additional funds leveraged.

35. Neighborhood Narrative and Revitalization Description

1. Neighborhood Narrative: Describe the site and neighborhood which the development will be located in, including:
 - The current uses of the project site and surrounding area.
 - a general description of the neighborhood character including typical land uses
 - local building construction type and condition
 - availability of transportation, retail, and other public services (health and social services, recreation/open space, elementary and secondary schools)

2. Neighborhood Revitalization Description: Describe how the proposed project will contribute to the overall enhancement and revitalization of the neighborhood. Specifically, discuss:
 - How the proposed project will impact its immediate surroundings.
 - If the proposed development is located in a Specific Plan Area or a Priority Development Area, identify the Area
 - If there is a current neighborhood-specific revitalization plan where the project is proposed such as the Oakland Sustainable Neighborhood Initiative (OSNI) and San Pablo Avenue Revitalization Coalition (SPARC), and who participated in its creation.
 - Describe how the proposed project contributes to the Neighborhood revitalization plans.
 - Types and locations of proposed housing in the current neighborhood revitalization plan, if there is one.
 - How the proposed project relates to the current neighborhood revitalization plan, if there is one.
 - How the proposed project will prevent the displacement of low-income residents.
 - The average income of the census tract in which the project is located.

3. Neighborhood Revitalization Activities: List other revitalization and development projects within a ¼ mile of the project site that are planned, underway, or recently completed. Identify the approximate distance of other development projects from the project site.

4. Photos: Attach recent, clearly labeled, photos of the project site and surrounding area and buildings. At a minimum, include separate photos of:
 - Site
 - Street, both sides and from both directions

Digital photos, submitted both in hard copy and on a thumb drive with the application, are preferred.

5. Attach a copy of any current and relevant neighborhood revitalization plans.

36. Location Map

Include transit lines/stations/transfer points and major neighborhood services (e.g. full-service grocery stores, drug stores, and/or schools and community/recreation centers that serve your target population). Map should clearly indicate which amenities and transit stops are within a quarter mile and a half mile from the project site and should provide a key with street addresses on a separate sheet.

37. Developer Experience Worksheets

Provide the following information, in roughly the same format, for **all projects** developed within the last ten years. Developers must have completed at least three projects (not necessarily within the last five years) to qualify for the NOFA. Developers who have successfully completed more than the minimum number of required projects within the last ten years will be given preference.

This worksheet does not need to be submitted electronically. However, it is available for download at <http://www2.oaklandnet.com/Government/o/hcd/index.htm>.

Project Name:	Completion Date:
City:	Total Project Cost:
Number of Units:	Rental or Ownership:
New Construction or Rehabilitation:	

Major Funding Sources

Project References - Individual in Local Governing Body most familiar with project.

(Include Name, Organization, Title or Relationship to Project, Address, and Phone)

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Completion (Relative to schedule and budget at start of construction)

Budget

On time, delayed (by ___ months), etc.	Project over budget by ___%
--	-----------------------------

If applicable, explain why project was delayed or over budget:

Project Key Staff	Name	Current Title	Role in Current Project
Project Manager			

Director of Real Estate Development			
Executive Director			
Other			
Other			

38. Joint Venture Agreement

If the applicant is a Joint Venture, a Joint Venture Agreement is required, clearly describing the roles and responsibilities of each partner, who is the lead partner, or if the responsibilities are approximately equally split between the partners.

39. Developer Capacity Worksheet

Provide the following information for project staff of the proposed project. This worksheet does not need to be submitted electronically. However, it is available for download at <http://www2.oaklandnet.com/Government/o/hcd/index.htm>.

Project Staff	Name	Role in <i>other</i> current or planned developments (For housing development staff, list role, project name, number of units, start and completion dates)	Years of Relevant Experience	Years with this Developer
Project Manager				
Director of Real Estate Development				
Executive Director				
Asset Manager		Provide the number of properties overseen by the Asset Manager:		
Controller / CFO / Accounting Manager		Provide the number of accounting staff employed by the developer:		
Other				

40. Resumes of the Developer's Key Staff

Include resumes for the developer's key staff that will be assigned to the proposed project. See Addendum, *Minimum Developer Qualifications* for specific requirements.

41. Resumes and Experience of Other Members of the Development Team

As a cover page to this Exhibit, indicate which of the following Development Team Members have been selected and identify them.

- _____ Developer, if different from applicant
- _____ Architect(s)/Engineer(s)
- _____ Attorney(s) and/or Tax Professionals
- _____ Property Management Agent
- _____ Financial and Other Consultant(s)
- _____ General Contractor
- _____ Investor
- _____ Service Provider

For each Team Member other than the developer, provide the following supplemental information. See Addendum: *Minimum Developer Qualifications* for specific requirements for each type of participant.

- Descriptions of at least 3 previous projects, including the address, number of units, total cost, completion date and funding sources.
- Resumes of the assigned project staff.

42. Audited Financial Statements and Financial Analysis Worksheets

Financial statement review will evaluate the organization's net assets, debt equity ratio, and current assets and liabilities ratio, and other factors using the Organizational Underwriting tool developed by Alameda County.

Provide, for all project sponsors, the following documents regarding financial strength and capacity.

- Audited financial statements for the organization from the past two years (if these are consolidated financial statements, they must also include the standalone financial statements for sponsor/parent organization),
- Organizational Underwriting Tool completed with data from most recent audited standalone financial statements. Please review results and provide comments or explanation, if necessary. Electronic versions of the spreadsheets can be downloaded from <http://www2.oaklandnet.com/Government/o/hcd/index.htm> or requested via email from cmorales@oaklandnet.com.
- If particular circumstances about an organization's financial position or capacity require explanation, provide a narrative summary in addition to the financial statements.
- For existing affordable housing projects, audited financial statements for the project from the past two years

43. Preservation Statement

Projects at risk of conversion to market-rate rents, either through prepayment of a federally-insured mortgage, through non-renewal of a project-based Section 8 contract, or by the expiration of tax credits must include a short description of:

- Evidence of likelihood of conversion to market-rate rents. If project owner has filed a federal or State notice of intent to prepay mortgage or terminate Section 8 contract, include a copy.
- Date of expiration of current subsidy contract, affordability restrictions, or expected date of mortgage prepayment.
- For projects which have project-based Section 8 contracts; include strategies for ensuring that the project will remain financially solvent and in compliance with City affordability guidelines if Section 8 funding is discontinued.

44. Preliminary Resident Services and Technology Plan and Service Provider MOUs

Resident Services Plans should be well defined, identify committed or proposed funding sources (projects with committed funding receive preference), have an identified provider, and show evidence of consultation with established service providers. A preliminary budget, or sources and uses of funds, should be included if possible. Services may include free or sliding-scale services such as computer classes and the provision of a common computer room, credit counseling, child care, employment and training programs, ESL classes, after school programs, individual case management, counselors, health services, or other services relevant for the community served.

Resident service coordination reasonable for the programs provided and size and type of population being served may be funded as an operating cost. Direct resident service provision may not be supported by cash flow or other funds from project operations unless these provisions are required by another project funding source. For questions about potential sources of services funding, contact Lara Tannenbaum in the City of Oakland's Department of Human Services at ltannenbaum@oaklandnet.com.

Technology Plan: Projects must provide the capacity for high-speed internet access in each unit by a means that does not impede use of the primary telephone line. Please address how the project will meet or exceed this requirement. Descriptions of tutoring, training, and computer facilities provided for residents should also be included as an element of the Resident Services Plan.

Special Needs Projects: If a project reserves units for Special Needs and/or Homeless populations, the Plan must state clearly how many special needs and/or Homeless set-aside units there will be in the development, the exact population that will be targeted, must demonstrate that the essential supportive and social service needs of the target population will be met (e.g., health services for people with chronic health conditions; mental health services for people with mental illness) and must include individual case management services. If the project is targeting households who are homeless or at risk of homelessness, the Management Plan must incorporate the EveryOne Home Property Management Standards (see Addendum #10).

Memorandum of Understanding: Provide any current MOU's or other agreements with supportive service providers for the project, or information regarding contacts made with services providers. Provide information on potential and committed services funding to be used for the project.

The Corporation for Supportive Housing's website, www.csh.org, can provide useful resources on development of Supportive Services Plans, as well as the on the development, financing, and management of permanent supportive housing projects.

Ownership Projects: The Resident Services Plan is optional for ownership projects. Note that ownership projects must include a description of the homebuyer counseling program in the Preliminary Marketing Plan.

CERTIFICATIONS

Applicant hereby certifies:

1. Truth of Application

That the information submitted in the Loan Application and any supporting materials is true, accurate, and complete to the best of its knowledge. Applicant acknowledges and understands that if facts and/or information herein are found to be misrepresented, it shall constitute grounds for the default of the loan for which application is being made.

2. No Conflicts of Interest

That, to the best of its knowledge, no "covered person" (as defined below) associated with the City has or will obtain a financial interest or benefit from this loan or the Project, or has or will obtain an interest in any contract, subcontract or agreement with respect to the loan, the Project or the proceeds thereunder, either for themselves or those with whom they have immediate family or business ties, during that covered person's tenure with the City or for one year thereafter. A "covered person" for purposes of this paragraph includes any employee, agent, consultant, officer, or elected or appointed official of the City who, with respect to activities assisted with HUD funds, (a) exercises or have exercised any functions or responsibilities, or (b) is in a position to participate in a decision making process, or (c) is in a position to gain inside information. No officer, employee, agent, or consultant of Applicant or Applicant's affiliates may occupy a Project Unit. Applicant's attention is directed to the conflict of interest rules for the HOME program codified in 24 CFR §92.356.

Applicant warrants and represents, to the best of its present knowledge, that no public official of City who has been involved in the making of this loan, or who is a member of a City board or commission which has been involved in the making of this loan, has or will receive a direct or indirect financial interest in this loan or the Project in violation of the rules contained in California Government Code Section 1090, et seq., pertaining to conflicts of interest in public contracting. Applicant shall exercise due diligence to ensure that no such official will receive such an interest. If Applicant, a general partner of Applicant, or an affiliate of Applicant or Applicant's general partner is a nonprofit corporation, Applicant warrants and represents, to the best of its present knowledge, that any such public official of City who is an employee or a noncompensated director or officer of said nonprofit corporation has disqualified himself or herself from participating in City's decision to make this loan.

Applicant further warrants and represents, to the best of its present knowledge and excepting any written disclosures as to these matter already made by Applicant to City, that (1) no public official of City who has participated in decision making concerning this loan or the Project or has used his or her official position to influence decisions regarding this loan or the Project, has an economic interest in Applicant or the Project, and (2) neither the Project nor the loan will have a direct or indirect financial effect on said official, the official's spouse or dependent children, or any of the official's economic interests. Applicant agrees to promptly disclose to City in writing any information it may receive concerning any such potential conflict of interest. Applicant's attention is directed to the conflict of interest rules applicable to governmental decision making contained in the Political Reform Act (California Government Code Section 87100, et seq.) and its implementing regulations (California Code of Regulations, Title 2, Section 18700, et seq.).

3. No Use of Suspended/Disbarred Contractors

That Applicant its principal and its contractors:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

- (b) Have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; or violation of Federal or State antitrust statutes or commissions of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in the subsection (b) above; and
- (d) Have not within a three-year period preceding this Application had one or more public transactions (Federal, State, or local) terminated for cause or default.

If Applicant is unable to certify as to any of the above statements, Applicant has attached a written explanation to this Agreement.

4. Choice-Limiting Actions During NEPA Review Are Prohibited

That the applicant acknowledges that any choice limiting actions or actions that have environmental consequences as defined in the *Program Description and Requirements* section will not be undertaken during the period between application submittal and the completion of the City's environmental review process.

5. Applicant Will Abide by Program Rules

That if Applicant is successful in receiving funds as a result of this Application, it will abide by all applicable rules and regulations governing the program.

6. Applications are Public Records

That Applicant acknowledges that the information submitted as part of this application may be made available to the public pursuant to a request under the California Public Records Act and the City of Oakland's Sunshine Ordinance.

7. Material Changes to Project.

That Applicant acknowledges that any material changes to the Project not disclosed to and approved by City may result in termination of funding for the Project. Material changes include but are not limited to: changes to the Project's design, amenities, and number and size of units; changes to the development budget; changes to the proposed sales prices, rents or operating expenses; changes to the sources, amounts or terms of financing; changes to the ownership entity or key staff and consultants identified in the Application, or changes to other Application items.

8. Acknowledgement of Financing Commitment Timeline

That Applicant acknowledges their understanding that, 24 months after receiving City Council approval for the Project's City financing commitment, the Project must have received enforceable commitments for all other financing sources, or the Project will risk losing it's City financing commitment and risk receiving negative points on future applications for City funding.

Applicant Name(s):

Signature/Date:

ATTENTION: CONTRACTORS DOING BUSINESS
WITH THE CITY OF OAKLAND

**IMPORTANT NOTICE OF CAMPAIGN CONTRIBUTION
REPORTING REQUIREMENTS**

The Oakland Campaign Reform Act prohibits contractors doing business or seeking to do business with the City of Oakland, or the Oakland Unified School District from making campaign contributions to Oakland candidates **between commencement of negotiations and either 180 days after completion of, or termination of, contract negotiations.**

Effective July 27, 1999, if you are a contractor doing business with, or submitting a proposal to do business with, the City of Oakland, you are required pursuant to the City's Campaign Reform Act to sign and date the attached ACKNOWLEDGEMENT OF CAMPAIGN CONTRIBUTION LIMITS FORM at the time you formally submit a bid, proposal, qualification or contract amendment.¹

The attached ACKNOWLEDGEMENT must be received at the same time the bid, proposal, qualification or contract amendment is submitted. **Contracts may not be awarded to any contractors who have not signed this certification.** In addition, failure to file this form with any proposal or submittal subject to section 3.12.140 of the Oakland Campaign Reform Act, or filing a false acknowledgement, shall subject you to the criminal and civil enforcement provisions contained in the Act. The Oakland Public Ethics Commission is charged with enforcement of the provisions of the Act.

The City Clerk shall keep an updated list of current contractors available for inspection. The Campaign Reform Act, Oakland Municipal Code section 3.12, is available for your review at the City Clerk's Office, One Frank Ogawa Plaza, 2nd Floor, Oakland, CA. You may also access the Campaign Reform Act on the City's website at: www.oaklandnet.com.

¹ The attached ACKNOWLEDGEMENT is required for contractors seeking to do business with the City of Oakland. For contracts with the Oakland Unified School District, please contact the Oakland Unified School District.

Contractor Acknowledgement of City of Oakland Campaign Contribution Limits

To be completed by City Representative prior to distribution to Contractor

City Representative _____ Phone _____ Project Spec No. _____

Department _____ Contract/Proposal Name _____

This is an Original Revised form (check one). If Original, complete all that applies. If Revised, complete Contractor name and any changed data.

Contractor Name _____ Phone _____ - _____ - _____

Street Address _____ City _____, State _____ Zip _____

Type of Submission (check one) Bid Proposal Qualification Amendment

Majority Owner (if any). A majority owner is a person or entity who owns more than 50% of the contracting firm or entity.

Individual or Business Name _____ Phone _____ - _____ - _____

Street Address _____ City _____, State _____ Zip _____

The undersigned Contractor's Representative acknowledges by his or her signature the following:

The Oakland Campaign Reform Act limits campaign contributions and prohibits contributions from contractors doing business with the City of Oakland and the Oakland Redevelopment Agency during specified time periods. Violators are subject to civil and criminal penalties.

I have read Oakland Municipal Code Chapter 3.12, including section 3.12.140, the contractor provisions of the Oakland Campaign Reform Act and certify that I/we have not knowingly, nor will I /we make contributions during the period specified in the Act.

I understand that the contribution restrictions also apply to entities/persons affiliated with the contractor as indicated in the Oakland Municipal Code Chapter 3.12.080.

If there are any changes to the information on this form during the contribution-restricted time period, I will file an amended form with the City of Oakland.

_____/_____/_____
Signature Date

Print Name of Signer Position

To be Completed by City of Oakland after completion of the form

Date Received by City: ____/____/____ By _____

Date Entered on Contractor Database: ____/____/____ By _____