



# **NYCHA Permanent Affordability Commitment Together (PACT)**

## **Request for Qualifications for Pre-Qualified Partners**

### **RFQ #94803 – Social Service Providers**

<b>Event</b>	<b>Date</b>	<b>Time</b>
<b>Pre-Qualified Partners RFQ Published</b>	January 3, 2020	
<b>Pre-Submission Conference (1<sup>st</sup>): Social Service Providers</b>	January 13, 2020	10:00 AM
<b>Pre-Submission Conference (2<sup>nd</sup>): Social Service Providers</b>	January 24, 2020	10:00 AM
<b>Questions Due</b>	January 15, 2020	2:00 PM
<b>Responses to Questions Posted</b>	January 22, 2020	
<b>Proposal Submission Deadline: Social Service Providers</b>	February 14, 2020	2:00 PM

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## 1. INTRODUCTION

In December 2018, the Mayor’s Office and the New York City Housing Authority (“NYCHA” or the “Authority”) released *NYCHA 2.0*, a comprehensive plan to preserve the city’s public housing. This 10-year plan will address \$24 billion in vital repairs in New York City’s aging public housing and ensure residents have the safe, decent, and affordable homes they deserve.

An important strategy outlined in the *NYCHA 2.0* plan is to leverage programs of the U.S. Department of Housing and Urban Development (“HUD”) to preserve existing public housing stock via Section 8 conversion under NYCHA’s preservation initiative called “PACT” – Permanent Affordability Commitment Together. Using PACT, NYCHA identifies resources and opportunities to make major improvements to its public housing developments while preserving long-term affordability and maintaining strong resident rights in line with public housing protections. *NYCHA 2.0* established the PACT goal to convert at least 62,000 public housing units to Section 8 by the end of 2028, thus addressing roughly \$12.8 billion of the Authority’s capital needs.

PACT includes Section 8 conversion mechanisms such as the federal Rental Assistance Demonstration (“RAD”) and the Section 18 disposition process (“Section 18”). To date, NYCHA has leveraged these HUD tools to convert approximately 5,200 units.

At its core, PACT is a partnership between the Authority, NYCHA residents, development teams, and community and housing advocates intended to preserve NYCHA’s affordable housing stock and achieve the following goals:

1. Financially stabilize the developments and establish new financing options for critically-needed repairs and on-going operations by adding units to a Section 8 voucher platform;
2. Address the 20-year capital needs of developments in dire need of repairs;
3. Increase property management capacity; and
4. Improve access to social services and community amenities for NYCHA residents.

Below is more detailed information about each conversion mechanism under PACT.

### **Rental Assistance Demonstration (RAD)**

RAD shifts public housing funding to stable Section 8 funding and enables NYCHA and its development partners to leverage private debt and equity to complete repairs. Ongoing federal funding levels remain the same. More information about RAD is available at <https://www.hud.gov/rad/>.

### **Section 18 and Tenant Protection Vouchers (TPVs)**

NYCHA uses the Section 18 disposition process to apply for Tenant Protection Vouchers (“TPVs”), which are a higher-value Section 8 funding stream relative to RAD. The TPV funding is then project-based at the converting developments. This additional federal subsidy enables NYCHA and its development partners to leverage more private debt and equity, which are needed to fund repairs in many of NYCHA’s highest-need developments (i.e., those that meet the federal cost obsolescence criteria).

More information about Section 18 is available at:

[https://www.hud.gov/program\\_offices/public\\_indian\\_housing/centers/sac/demo\\_dispo](https://www.hud.gov/program_offices/public_indian_housing/centers/sac/demo_dispo).

## 2. REQUEST FOR QUALIFICATIONS

Converting and rehabbing 62,000 public housing units in ten years is an ambitious goal. As such, NYCHA is committed to inclusivity and partnering with as many qualified non-profit and for-profit entities as possible to achieve the goal and make these PACT conversions responsive to residents’ needs.

NYCHA is seeking applications (“Applications”) in response to this Request for Qualifications (inclusive of all appendices attached hereto, this “RFQ”) from applicants (“Applicants”) to be included in a list of “Pre-Qualified Partners” as defined below for the PACT preservation portfolio. This RFQ is open to developers, property management companies, general contractors, and social service providers. Applicants selected under this RFQ shall become either “Pre-Qualified Small-Scale Partners” or “Pre-Qualified Large-Scale Partners” that will be eligible to form “Project Teams” and submit proposals (“Proposals”) to compete for forthcoming PACT conversion projects (“Projects”). However, social service providers will not be subject to scale distinction, and will not be included in any Project Teams that submit Proposals for upcoming Projects, as NYCHA will work with Project Teams post-designation to select a social service provider for each Project. Notably, NYCHA may select a social service provider to join a project team even if that social service providers is not pre-qualified through this RFQ.

Project Teams will be selected for Projects based on their ability to undertake the required capital, construction, and operations at each specific NYCHA public housing development or set of public housing developments (each development a “Property,” and collectively, the “Properties”). In 2019, NYCHA published two Requests for Qualifications to establish a list of Pre-Qualified Small-Scale and Pre-Qualified Large-Scale Partners to help NYCHA achieve this goal. NYCHA is pleased to re-issue this pre-qualification RFQ to expand the group of Pre-Qualified Partners and to update the credentials of Pre-Qualified Partners who submitted to the pre-qualification RFQ in 2019 (“Existing Pre-Qualified Partners”).

Prospective non-profit and for-profit partners who successfully meet the threshold and submission requirements outlined in this RFQ will be classified as either a Pre-Qualified Small-Scale or Large-Scale Partner based on the following threshold requirements:

<b>Type of Partner</b>	<b>“Small-Scale” Threshold</b>	<b>“Large-Scale” Threshold</b>
Developer	Completed at least one (1) residential rehabilitation project with a total development cost (TDC) of at least \$10 million within the past 5 years	Completed at least one (1) residential rehabilitation project with a total development cost (TDC) of at least \$75 million within the past 5 years, OR completed a combination of rehabilitation and new construction development with aggregate TDC of at least \$200 million within the last 5 years and at least one (1) residential rehabilitation project of at least 100 units within the last 5 years
Property Management Company	Managed at least 100 units of affordable Section 8 or otherwise regulated housing in the past 5 years	Managed at least 1,000 units of affordable Section 8 or otherwise regulated housing in the past 5 years
General Contractor	Completed at least one (1) tenant-in-place rehab construction project of at least \$5 million in hard costs within the past 5 years	Completed at least one (1) tenant-in-place rehab construction project of at least \$50 million in hard costs within the past 5 years OR completed at least one (1) New Construction project with a TDC of at least \$100 million within the last 5 years

General Contractor (continued)	Experience with prevailing wage and labor monitoring	Experience with prevailing wage and labor monitoring
Social Service Provider	No Scale Distinction	

**Previous PACT Pre-Qualification RFQs**

In April 2019, NYCHA released RFQ #68292 for Large-Scale Partners and RFQ #68293 for Small-Scale Partners (the “2019 Pre-Qualification RFQs”) to identify Developer, Property Manager, General Contractor, and Social Service Provider entities (as such terms are used in the 2019 Pre-Qualification RFQs) to partner with NYCHA in converting and rehabbing NYCHA public housing units through the PACT program. The 2019 Pre-Qualification RFQs included specific thresholds for each type of entity to delineate the Pre-Qualified Partners into Small-Scale Partners and Large-Scale Partners based on their relevant experience. In August 2019, NYCHA published a list of Pre-Qualified Partners (“Pre-Qualified Partner List”) based on entities’ responses to the 2019 Pre-Qualification RFQs. Pre-Qualified Partners from the Pre-Qualified Partner List, excluding the pre-qualified Social Service Provider entities, were then eligible to form project teams comprised of other Pre-Qualified Partners (“Project Team”) and submit Proposals to five (5) PACT conversion projects scheduled for 2020. A link to the published Pre-Qualified Partner List can be found on NYCHA’s PACT website: <https://www1.nyc.gov/site/nycha/about/nycha-rad.page>.

As stated in the 2019 Pre-Qualification RFQs, NYCHA is re-issuing this pre-qualification RFQ to allow Existing Pre-Qualified Partners to update their information and for new Applicants to submit their Applications to be considered for future PACT projects. To maintain their standing on the Pre-Qualified Partner List in 2021, all Existing Pre-Qualified Partners will be required to send updates related to their existing capacity or any relevant new experience. Additionally, all Existing Pre-Qualified Partners must submit the forms described herein to affirmatively state that there have been no material changes to their eligibility aside from changes in their relevant experience. Pending the submission of the supplemental materials, Existing Pre-Qualified Partners may change from a Pre-Qualified Small-Scale Partner to a Pre-Qualified Large-Scale Partner or vice versa. Existing Pre-Qualified Partners will respond to this RFQ as outlined in Section 5, *Submission Requirements*.

NYCHA strongly encourages Small Business Enterprises (“SBEs”), Minority-Owned Business Enterprises (“MBEs”), Women-Owned Business Enterprises (“WBEs”), and not-for-profit organizations to respond to this RFQ. Site-based community groups will be selected by NYCHA to participate in PACT Projects, but such entities are welcomed and encouraged to respond to this RFQ.

To address NYCHA’s high and unique capital needs at its public housing campuses, NYCHA reserves the right to change any part of a Project as deemed appropriate. Therefore, NYCHA can cancel solicitations, remove members of a Project Team, and add new members to a Project Team from a Pre-Qualified List or add new members that are not Pre-Qualified Partners. In lieu of a solicitation process, NYCHA may draw from a Pre-Qualified List to commence negotiations for a Project.

Applicants should note that the New York City Housing Development Corporation (“HDC”) will be the primary underwriter and lender for the Projects. HDC will assemble, coordinate, or provide senior, and in some cases, subordinate financing funded by, but not limited to, taxable or (non-volume cap) tax-exempt bonds issued through HDC’s Open Resolution and/or through its newly created Housing Impact Bond Resolution, which was created solely to benefit NYCHA and NYCHA properties. HDC subordinate loans shall be funded by City capital, if available.

### **3. OVERVIEW OF THE PRE-QUALIFICATION AND SOLICITATION PROCESS**

#### **Re-Release the PACT Pre-Qualified Partner RFQ**

In 2019, NYCHA pre-qualified Small-Scale and Large-Scale Partners and established a Pre-Qualified Partner List. Pre-Qualified Partners, excluding pre-qualified Social Service Providers, were eligible to form Project Teams and submit Proposals to PACT Projects for 2020. NYCHA is releasing this RFQ to expand the pool of Pre-Qualified Partners and to allow Existing Pre-Qualified Partners to update their credentials. **Existing Pre-Qualified Partners are required to submit supplemental materials electronically to retain their status as a Pre-Qualified Partner** as described in Section 5, *Submission Requirements*. New Applicants or Applicants who are not included on the published Pre-Qualified Partner List will submit both electronic materials and physical copies of their Applications as described in Section 5, *Submission Requirements*.

#### **Update the Pre-Qualified Partners List**

NYCHA will update the “Pre-Qualified List” based on responses from new Applicants and from the supplemental material submitted by Existing Pre-Qualified Partners. All Applicants must adhere to the requirements of this RFQ. New Applicants are responsible for providing all required materials for submission as detailed in Section 5, *Submission Requirements*. NYCHA will review each Application based on the “Qualification Criteria” detailed in Section 4, *Qualification Criteria*. Those Applicants whose Applications meet the Qualification Criteria will be designated as either a Small-Scale or Large-Scale Pre-Qualified Partner and will be eligible to form Project Teams and respond to solicitations for future Projects. The list of Pre-Qualified Partners will be published to facilitate the creation of Project Teams.

The process for becoming a Pre-Qualified Partner will be re-opened in the first quarter of each calendar year to allow existing Pre-Qualified Partners to update their information and for new Applicants to submit their Applications. Upon each annual re-release of this RFQ, existing Pre-Qualified Partners will be required to send updates related to their existing capacity or any relevant new experience.

#### **Release Request for Expression of Interest for PACT Projects**

Upon re-issuing the Pre-Qualified Partner List, NYCHA will be issuing a new Request for Expressions of Interest (“RFEI”) for upcoming PACT Projects. Pre-Qualified Partners, excluding pre-qualified Social Service Providers, will be invited to form Project Teams with other entities on the Pre-Qualified List established by this RFQ and compete for Projects. NYCHA will continue to release project solicitations as new PACT Properties are identified and announced. NYCHA may release Properties to the full list of Pre-Qualified Partners or may elect to release to a targeted subset of Pre-Qualified Partners.

Solicitations for forthcoming Projects will contain physical information about the Properties comprising each Project. NYCHA will invite Project Teams comprised of Pre-Qualified Partners to submit Proposals for the rehabilitation, property management, and financing of the conversion of the Properties to Section 8 along with hiring and training of NYCHA and other low-income residents. Following the release of each RFEI, NYCHA will host a pre-submission conference to help Pre-Qualified Partners meet other entities with which they may want to partner for specific Projects. After designation, the Project Team selected to undertake a PACT Project (the “Selected Partner”) will work with NYCHA to identify an appropriate Social Service Provider for the Project. The Social Service provider may or may not be on the Pre-Qualified Partner List.

NYCHA may disapprove the inclusion of any member of a Project Team and/or require a “Selected Partner” as defined in Section 10 to substitute other individuals or firms on the Project Team.

## 4. QUALIFICATION CRITERIA

### Review Process

NYCHA will evaluate each Application submitted to this RFQ in according to the “Completeness of Application and Conformance with the RFQ” and the “Threshold Requirements” below, considering the information provided in the Application, references, and any other information about the Applicant’s performance available to NYCHA. Based on a review of the materials provided, NYCHA will determine whether an Applicant is qualified to be considered a Pre-Qualified Small-Scale or Large-Scale Partner. Existing Pre-Qualified Partners are required to submit updates as described in Section 5, *Submission Requirements*, and may change classification from a Small-Scale to Large-Scale Pre-Qualified Partner or vice versa pending their updated qualifications.

### Completeness of Application and Conformance with the RFQ

The Application must contain all documentation required under Section 5, *Submission Requirements*. All required forms must be fully completed, and all other application requirements met at the time of Application submission. Upon review, however, NYCHA, at its discretion, may notify an Applicant that additional information or clarification is necessary and ask the Applicant to submit such information in a timely manner as determined by NYCHA. If an Applicant currently does not meet the applicable threshold requirement for their entity type, the Applicant is encouraged to re-apply to the RFQ during the next annual re-release.

### Threshold Requirements

#### A. For Developer Applicants:

**Small-Scale Developer:** At least one Principal of the Applicant must have prior comparable development experience, defined as the successful completion – as Principal – of at least one (1) residential rehabilitation project with a total development cost between \$10 million and \$75 million within the past five (5) years.

**Large-Scale Developer:** At least one Principal of the Applicant must have prior comparable development experience, defined as the successful completion – as Principal – of at least one (1) residential rehabilitation project with a total development cost of at least \$75 million within the past five (5) years OR completed a combination of rehabilitation and new construction development with aggregate TDC of at least \$200 million within the last five (5) years and at least one (1) residential rehabilitation project of at least 100 units within the last five (5) years

#### B. For Property Manager Applicants:

**Small-Scale Property Manager:** The Applicant must have prior comparable rental management experience, defined as the successful management of at least 100 units and no more than 1,000 units of affordable Section 8 or otherwise regulated housing within the past five (5) years.

**Large-Scale Property Manager:** The Applicant must have prior comparable rental management experience, defined as the successful management of at least 1,000 units of affordable Section 8 or

otherwise regulated housing within the past five (5) years.

**C. For General Contractor Applicants:**

**Small-Scale General Contractor:** The Applicant must have prior comparable tenant-in-place rehabilitation construction experience, defined as the successful completion of at least one (1) residential rehabilitation project with a total hard cost between \$5 million and \$50 million within the past five (5) years. General Contractor Applicants must also demonstrate experience with prevailing wage jobs and labor monitoring.

**Large-Scale General Contractor:** The Applicant must have prior comparable tenant-in-place rehabilitation construction experience, defined as the successful completion of at least one (1) residential rehabilitation project with a total hard cost of at least \$50 million within the past five (5) years OR completed at least one (1) New Construction project with a TDC of at least \$100 million within the last five (5) years. General Contractor Applicants must also demonstrate experience with prevailing wage jobs and labor monitoring.

**D. For Social Service Provider Applicants:**

**No scale distinction**

## 5. SUBMISSION REQUIREMENTS

Each new Applicant shall submit (i) one (1) signed original hardcopy of its Proposal package labeled as “Original” and signed by a principal or officer of the Proposer(s) who is duly authorized to commit the Proposer(s) to fulfilling the Proposal and (ii) two (2) electronic copies of the full proposal on a CD-ROM or Flash Drive in Microsoft Office (2010 version or later) or Adobe PDF format. The original signed hard copy must be clearly labeled as such. If there are any differences between the original and electronic files on the CD-ROM or Flash Drive the original will prevail.

Existing Pre-Qualified Partners are subject to different submission requirements, which are outlined below.

The Application must be submitted either by hand delivery or by certified mail to:

NYCHA Procurement Department  
90 Church Street, 6<sup>th</sup> Floor  
New York, NY 10007  
Attn: Yesenia Rosario

For all Applications from Developers, General Contractors, and Property Managers, submissions must be submitted by 2:00 PM on Friday, January 24, 2020 (the “First Deadline Date”).

For Applications from Social Service Providers, submissions must be submitted by **2:00 PM on Friday, February 14, 2020** (the “Second Deadline Date”). No Applications will be accepted after 2:00 PM on the relevant Deadline Date unless such date is extended by NYCHA for all Applicants.

NYCHA reserves the right to reject any and all of the Applications received under this RFQ.

Applicants must submit all forms and supporting documentation as described below in order for their Applications to be considered by NYCHA. Only Applications from “Principals,” as defined in Section 10, *Definitions*, will be considered. All submissions become the property of NYCHA.

Each Application must be tabbed as indicated below. The tabs must run down the right-hand side of the physical submissions. Electronic copies should be submitted as a single combined PDF file of all materials and forms. For the electronic submission, Applicants must also submit standalone Excel files for Forms 4 and 5.

Applicants must complete and submit any of the following relevant forms to be considered:

- ***Form 1: Applicant’s Letter***
- ***Form 2: Not-For-Profit Organization Information and Questionnaire***
- ***Form 3: Assets Statement***
- ***Form 4A: Residential Development Experience (Preservation/Affordable Housing)***
- ***Form 4B: Residential Development Experience (New Construction/Affordable Housing)***
- ***Form 4C: Residential Development Experience (Preservation/Market Rate Housing)***
- ***Form 4D: Residential Development Experience (New Construction/Market Rate Housing)***
- ***Form 5A: Residential Management Experience (Preservation/Affordable Housing)***
- ***Form 5B: Residential Management Experience (New Construction/Affordable Housing)***
- ***Form 5C: Residential Management Experience (Preservation/Market Rate Housing)***
- ***Form 5D: Residential Management Experience (New Construction/Market Rate Housing)***
- ***Form 5E: Residential Management Experience Questionnaire***
- ***Form 6: Applicant Description and Supplemental Questionnaire***

## **Existing Pre-Qualified Partner Submission Requirements:**

Existing Pre-Qualified Partners must re-submit Form 6 *through emailing the completed document to [pact.partners@nycha.nyc.gov](mailto:pact.partners@nycha.nyc.gov). Existing Pre-Qualified Partners DO NOT have to re-submit physical copies of their qualifications. If there are any material changes to other sections of the Application for an Existing Pre-Qualified Applicant's company, assets or financial condition, Existing Pre-Qualified Applicants are allow, but not required, to email updates to NYCHA by filling out the corresponding form and emailing [pact.partners@nycha.nyc.gov](mailto:pact.partners@nycha.nyc.gov).*

## **Contents of Application and Tabbing**

### **TAB A: Applicant Description**

The Applicant must indicate if they are applying to the RFQ as a Developer, Property Management Company, General Contractor, or Social Service Provider, and demonstrate that they meet the applicable Threshold Requirement in Section 4, *Qualification Criteria*. Applicants may use one submission to apply for multiple categories so long as each category they are applying for is clearly stated and each Threshold Requirement is met. Applicants are required to specifically state which categories they would like to be considered for and whether or not they meet the Small-Scale or Large-Scale Threshold Criteria.

The Applicant must complete and submit ***Form 1: Applicant's Letter***. If the Applicant is a joint venture, the Principals of each entity that comprises the joint venture must be identified, and a Principal of each entity must sign Form 1. If the Applicant is a not-for-profit entity or is partnering with a not-for-profit entity, the Applicant must identify as such in, and submit, ***Form 2: Not-For-Profit Organization Information and Questionnaire***.

The Applicant must provide resumes of key members of the team and/or brochures describing the Applicant and any similar projects in which the Applicant has been involved. This information may include descriptions of projects that the Applicant has developed, or clarification of information provided in the forms included in the Application.

The Applicant may also submit any additional information related to the Application that the Applicant wishes to include but that has not been specifically requested in this RFQ. This section of the Application may include articles and other material not specifically prepared for the Application in response to this RFQ, but that the Applicant believes will help NYCHA evaluate the Applicant's qualifications. All materials must be in a format that can be included under Tab A. Applicants must also disclose all previous participation in NYCHA and City-assisted projects.

The Applicant must list all projects in which they are currently involved and include estimated completion dates for each project.

### **TAB B: Assets and Financial Statements**

The Applicant must complete and submit ***Form 3: Assets Statement*** and provide audited financial statements from the three (3) most recent fiscal or calendar years for the Applicant or the Applicant's parent company.

### **TAB C: (For Developer and Property Management Applicants Only)**

#### **Development Experience, Management Experience, and Current Workload**

The Applicant must complete the below relevant forms. In addition to submitting the following Forms as part of a single PDF file, Applicants must include Excel files in their electronic submission.

**1. Residential Development Experience (Forms 4A-4D)**

A separate form shall be submitted for each Principal. Applicants must delineate which development experience(s) pass threshold.

**2. Residential Management Experience (Forms 5A-5D)**

A separate form shall be submitted for each Principal. Applicants must delineate which management experience(s) pass threshold.

Additionally, please answer the questions detailed in *Form 5E: Residential Management Experience Questionnaire* on a separate page.

**Question Submissions**

To submit questions about the RFQ, please email your questions to [pact.partners@nycha.nyc.gov](mailto:pact.partners@nycha.nyc.gov). Please submit your questions in the following format:

Contact Name	Company Name	Phone Number	Email Address	Question Topic	Question

If you have multiple questions, please add additional rows for the additional questions to clearly outline the question topic. Answers to questions will be posted on an FAQ page.

**Pre-Submission Conference**

To RVSP for the Pre-Submission Conference, please email [pact.partners@nycha.nyc.gov](mailto:pact.partners@nycha.nyc.gov) with the subject header, Pre-Submission Conference RSVP. In the email, please state your name, company, phone number, email address and number of attendees. Each entity is entitled to no more than 2 attendees.

**6. CONDITIONS, TERMS, AND LIMITATIONS**

This RFQ is subject to the specific conditions, terms, and limitations stated below:

1. Applications submitted shall be deemed to incorporate all the terms and conditions contained in this RFQ. Applicants will be deemed to have consented to such terms by submitting an Application in response to this RFQ.
2. The Properties will be leased in “as-is” condition. NYCHA requires the Selected Partner to assume the obligation to remediate any environmental contamination (including pre-existing environmental conditions, known or unknown), comply with all environmental requirements, including any requirements of any governmental entity as a result of CEQRA, SEQRA and/or NEPA, indemnify NYCHA for any claims that may be made against them in the future as a result of the foregoing, and release NYCHA from any claims that the Selected Partner or its affiliates may have in the future arising out of the conditions at the Properties. NYCHA, or any of its respective officers, agents, and employees, make no representation whatsoever as to the physical condition of the Properties or their suitability for any specific use. All due diligence is the responsibility of the Applicant and Applicants are urged to satisfy themselves with respect

to the condition of the Properties, the information contained herein, and all limitations or other arrangements affecting the Properties. NYCHA will not be responsible for any injury or damage arising out of or occurring during any visit to the Properties.

3. The proposed Project shall conform to, and be subject to, the provisions of the New York City Zoning Resolution, the New York City Building Code, and all other applicable laws, regulations, and ordinances of all Federal, State, and City authorities having jurisdiction, as the same may be amended from time to time.
4. Valid permits and approvals, as required by City, State, and Federal agencies, shall be obtained by the Selected Partner prior to commencing work.
5. The commencement of negotiations with an Applicant will depend on satisfaction of the documentation and review requirements described in this RFQ and will be subject to review by NYCHA and HDC. The continuation of negotiations with an Applicant may depend on the Applicant's provision of additional documentation as required by NYCHA.
6. NYCHA will lease the Properties pursuant to approval from HUD, and all documentation, including, but not limited to, the Lease, shall be in form and substance satisfactory to NYCHA, HDC, and HUD.
7. An Applicant submitting an Application in response to this RFQ may be rejected if it or, if the Applicant is a business entity, any of its shareholders, officers, directors, partners, or members ("Principals") is determined, in NYCHA's sole discretion, to be within a category of persons or entities with whom or which the City, HDC, or NYCHA will not generally do business. The Applicant and all officers and Principals thereof will be required to complete a background questionnaire and shall be subject to investigation by NYCHA, HDC, and the New York City Department of Investigation. Any designation may be revoked in NYCHA's sole discretion in the event any derogatory information is revealed by such investigation.
8. No commission for brokerage or any other fee or compensation shall be due or payable by NYCHA, and the submission of an Application will constitute the Applicant's undertaking to indemnify and hold NYCHA harmless from and against any such claim for any such fee or compensation based upon, arising out of, or in connection with any action taken by the Applicant, the selection of the Applicant's submission and invitation to the Applicant to respond to this RFQ, or the conditional selection of an Applicant pursuant to this RFQ.
9. The Applicant will not engage in any scheme or practice that seeks to solicit, pay, or receive as payment, or to deliver to anyone, any sum or thing of value (including, without limitation, the performance of any service) that may constitute or be construed as a bribe, kick-back, or other inducement that in any manner may prejudice NYCHA's interests or compromise the duty owed by anyone to NYCHA.
10. NYCHA is not obligated to pay, nor shall NYCHA in fact pay, any costs or losses incurred by any Applicant at any time, including any costs incurred by the Applicant in connection with the Applicant's response to this RFQ.
11. The Selected Partner, and in the event that the Selected Partner is a joint venture, each member of that joint venture, jointly and severally, shall forever defend, indemnify, and hold harmless NYCHA and its directors, members, principals, servants, officers, agents, representatives, affiliates, and employees from and against any and all obligations, liabilities, claims, demands,

penalties, fines, settlements, damages, costs, expenses, and judgments of whatever kind or nature, known or unknown, contingent or otherwise arising from the Project, including, without limitation, personal or bodily injury (including death) of or to any person or persons, including, without limitation, from or related to the presence, release, storage, transportation, or disposal of hazardous materials, or any damage to property of any nature.

12. No member or employee of the Congress of the United States or the New York State or City government, shall be permitted by the Applicant to share in any part of the Project or in any benefit that may arise from the Project.
13. NYCHA, HUD or any other federal, state or local agency providing funds to NYCHA, the New York City Comptroller, the New York City Department of Investigation, and the Comptroller General of the United States shall have the right to perform an audit of the Selected Partner's finances and an audit of the books and records related to its performance under the Project, including, without limitation, the financial arrangement with anyone that the Selected Partner may delegate to discharge any part of its obligations with respect to the Project.
14. NYCHA is under no legal obligation to lease the Properties. NYCHA may use the Applications submitted pursuant to this RFQ as a basis for negotiations with Applicants as NYCHA deems appropriate. NYCHA may reject at any time any or all Applications; may amend, modify or withdraw this RFQ in whole or in part; may negotiate with one or more Applicants; and/or may negotiate and lease the Properties on terms other than those set forth herein (including to parties other than those responding to this RFQ). NYCHA may also, at any time, waive compliance with, or change any other terms and conditions of, this RFQ; entertain modifications or additions to selected Applications; or withdraw or add individual sites or parcels from or to this RFQ if in NYCHA's judgment it is in the best interests of NYCHA to do so.
15. Selection of an Applicant's Application will not create any rights on the Applicant's part, including, without limitation, rights of enforcement, equity, or reimbursement, such rights only being created after the approvals of HUD and NYCHA, and the Lease and all documents required by NYCHA and/or HUD in relation to a Project (the "NYCHA Documents") are fully approved and executed. Until such approvals and execution of the NYCHA Documents and the closing of the real estate transaction, NYCHA may terminate negotiations with the Selected Partner at any time without incurring any obligations to the Selected Partner.
16. In the event of any variance between the terms of this RFQ and the NYCHA Documents, the terms of the NYCHA Documents will govern.

All determinations as to the completeness or compliance of any Applications, or as to the eligibility or qualifications of any Applicant, will be within the sole discretion of NYCHA and HDC.

## **7. CONFLICTS OF INTEREST**

Current or former employees of the City of New York may respond to this RFQ only in accordance with the section(s) of Chapter 68 of the New York City Charter governing conflicts of interest affecting City personnel. Section 2604(b) (7) of the City Charter contains specific prohibitions that exclude enumerated groups of employees from participating in the sales process. In addition, current NYCHA employees may not respond to this RFQ.

Persons in the employ of the City considering submission of an Application are advised that opinions regarding the propriety of their participating in the Project may be requested from the New York City Conflict of Interests Board. This body is empowered, under Section 2602 of the City Charter, to issue advisory opinions on conflict of interest questions and other matters of ethical consideration. It is not necessary, however, that such an opinion be obtained prior to responding to this RFQ.

Former employees of the City of New York or NYCHA are also advised that the City Charter imposes certain restrictions on post-employment business relationships with the City. Such individuals should consult the specific provisions on this issue contained in the City Charter.

Applicants must not have any organizational conflict of interest, which is defined as a situation in which the nature of the obligations under the NYCHA Documents or with respect to the Project, and the Applicant's organizational, financial, contractual or other interests are such that execution of the NYCHA Documents may result in an unfair competitive advantage; or, the Applicant's objectivity in performing its obligations under the NYCHA Documents or with respect to the Project may be impaired. If after an award with respect to a Project, the Applicant discovers an organizational conflict of interest with respect to the NYCHA Documents or the Project, the Applicant shall make an immediate and full disclosure in writing to NYCHA, which shall include a description of the action which the Applicant has taken or intends to take to eliminate or neutralize the conflict. NYCHA may terminate the Projects and the NYCHA Documents if it would be in the best interest of NYCHA to do so.

## **8. CONFIDENTIALITY**

Certain information that NYCHA may furnish in connection with this RFQ may be labeled as confidential and must be treated as proprietary information of NYCHA by each recipient of this RFQ. By the Applicant's receipt of this RFQ, the Applicant agrees not to (a) disclose any part or all of such confidential information furnished to the Applicant pursuant to this RFQ to any party, including, without limitation, any law firm or any corporate or government office, except to the extent essential to the preparation of the Qualifications or the proposals, and to secure from any party to whom a disclosure is made under this provision a confidentiality agreement, executed prior to any such disclosure, in which the recipient agrees to keep confidential and to not disclose any such confidential information to any other party (a "Confidentiality Agreement"), and (b) use such information for any purpose other than to prepare a response to this RFQ. Such Confidentiality Agreement must name NYCHA as an intended third-party beneficiary with the right to enforce all remedies in an event of any such breach or unauthorized disclosures.

An Applicant must clearly designate in its Application those portions of the Application, if any, that the Applicant believes are trade secrets or are maintained for the regulation of commercial enterprise that, if disclosed, would cause substantial injury to the competitive position of the Applicant. To the extent the law permits (i.e., Section 89 of the New York State Public Officers Law), NYCHA will use reasonable efforts to hold the designated portions of the Applications and future responses to project solicitations in confidence subject to FOIL and the provisions of Section 6. All Applications and other materials submitted to NYCHA in response to this RFQ may be disclosed in accordance with the standards specified in the Freedom of Information Law, Article 6 of the Public Officers Law ("FOIL"). The Applicant submitting an Application must designate those portions of the Application that it believes are exempt from FOIL. This characterization shall not be determinative but will be considered by NYCHA and HDC when evaluating the applicability of any exemptions in response to a FOIL request.

## **9. NYCHA DISCLAIMER**

NYCHA does not make and specifically negates and disclaims any representations, warranties, promises, covenants, contracts or guarantees of any kind or character whatsoever, whether express or implied, oral or written, past, present or future, of, as to, concerning or with respect to the Properties including, without limitation, the following: (a) the value of the Properties; (b) the income to be derived from the Properties; (c) the nature, quality or condition of the Properties, including, without limitation, the manner, quality, state of repair or lack of repair of the Properties and the water, soil and geology thereof and any drainage from or onto the Properties; (d) the conformity of the Properties to any plans or specifications therefore; (e) the compliance of or by the Properties or their operation with any legal requirements including, without limitation, the Americans with Disabilities Act; any zoning rules, regulations, plans or resolutions; any applicable federal, state or local landmark designations; any loft board control, rent control, rent stabilization and/or any other rent regulation or requirements; any rules and regulations promulgated under or in connection with any of the foregoing; and the state of the land title whether or not same is reflected in recorded or unrecorded documents (f) the habitability, merchantability or fitness for a particular purpose of the Properties; (g) the current or future real estate tax liability, assessment or valuation of the Properties; (h) the availability or unavailability or withdrawal or revocation of any benefits or incentives conferred by any federal, state or municipal authorities; (i) the fact that all or a portion of the Properties may be located on or near a flood plain or an earthquake fault line; (j) any other matter with respect to the Properties; or (k) the accuracy of any exhibit or information provided relating to the Properties.

## **10. DEFINITIONS**

All terms, unless defined otherwise in this RFQ, are as defined in Notice PIH 2012-32, REV-3 dated as of January 12, 2017, as may be amended or superseded from time to time by HUD (the “RAD Notice”). Terms not defined elsewhere are as follows:

### **Act**

The United States Housing Act of 1937, as amended.

### **Development Team**

The professional, technical, and construction entities (e.g. general contractor, architect, engineer, legal counsel, marketing, and managing agents) that will participate in the design, development, construction, marketing, and management of a Project, along with the social service provider.

### **Pre-Qualified Partner List**

The published list of Pre-Qualified Partners selected under this RFQ and eligible to submit Proposals for Projects. A link to the published Pre-Qualified Partner List can be found on NYCHA’s PACT website <https://www1.nyc.gov/site/nycha/about/nycha-rad.page>.

### **Pre-Qualified Partners**

General contractors, property managers, real estate developers, and social service providers selected under this RFQ to be considered for forthcoming PACT projects.

### **Principal**

An individual, partnership, limited liability company, limited liability partnership, corporation, or other not-for-profit or for-profit entity that will act as the general partner, officer, manager, and/or managing

member of the Applicant, or any entity, known limited partner, shareholder, or other member that has at least a 10% ownership interest in the Applicant.

### **Project**

The financing, rehabilitation, property management, and social service delivery in relation to the conversion of units at the Properties from administration pursuant to Section 9 of the Act to Section 8 of the Act (as may be administered through a combination of RAD or otherwise).

### **Properties**

NYCHA public housing comprising a Project for the purposes of this RFQ.

### **Rental Assistance Demonstration (RAD)**

The HUD Rental Assistance Demonstration program authorized by and administered pursuant to P.L. 112-55 as amended, the RAD Notice, and such other notices and guidance issued by HUD in relation thereto, all as may be amended or superseded from time to time.

### **Section 18**

Section 18 of the Act allows for the demolition and disposition of public housing property. HUD has promulgated regulations in 24 C.F.R. Part 970 detailing the administrative steps required for its approval of any demolition or disposition activity affecting covered public housing properties. The Section 18 regulations may be found at: [http://www.hud.gov/offices/pih/centers/sac/demo\\_dispo/24cfr970.pdf](http://www.hud.gov/offices/pih/centers/sac/demo_dispo/24cfr970.pdf). Section 18 is also administered pursuant to additional HUD guidance including, but not limited to, PIH Notice 2018-04, found at <https://www.hud.gov/sites/dfiles/PIH/documents/PIH-2018-04-Demo-Dispo-Notice-12-14-18.pdf> (“Section 18 Notice”).

### **Selected Partner**

A Project Team comprised of Pre-Qualified Partners that is selected to undertake a PACT Project.

## **11. RESPONSIBILITIES OF SOCIAL SERVICE PROVIDERS**

NYCHA seeks to improve residents’ quality of life not only through extensive physical rehabilitation of the Properties and streamlined property management services, but also through access to social services and/or community amenities, such as credit unions and training academies, both at the Properties and through resident referrals to off-site organizations.

NYCHA will either assign a Pre-Qualified Social Service Provider to the Project Team or require that the Project Team utilize an Existing Provider (defined below) actively serving that community upon issuing a Conditional Designation Letter. At that time, NYCHA will require the Project Team to develop a detailed “Social Services Plan”. The Social Services Plan should not be submitted until NYCHA has assigned a Pre-Qualified Social Service Provider to the Project Team.

In some cases, there are currently on-site social services providers (“Existing Providers”) at the Properties. Some Existing Providers receive funding through one or more awarded contracts following a competitive procurement process (“Existing Service Contracts”) with the New York City Department of Youth and Community Development or the New York City Department for the Aging (each a “City Agency”), each with contract terms that include specific performance and insurance requirements. Existing Providers are not obligated to comply with any additional terms or conditions beyond the scope of, or in conflict with, their Existing Service Contracts, unless such additional or varying terms are mutually agreed to by NYCHA and the respective City Agency. Listed in Exhibit R are the Properties with Existing Providers, including

the name of the provider and City Agency funder, if applicable. Listed in Exhibit S is a sample Existing Service Contract for reference.

To the extent that there are Existing Providers at the Properties, the Selected Applicants must work with the Existing Providers and their City Agency funders, if applicable, to ensure that services are not negatively impacted or otherwise interrupted for the duration of the Existing Service Contracts, including any renewal or extension of the contract term. Each Existing Provider will remain in place for the duration of the Existing Service Contract unless the City Agency funder determines that the Existing Provider is not meeting service requirements under the Existing Service Contract or any future renewal contract. In such event, the City Agency funder has the right to assign a new social services provider to the affected Property to assume the Existing Provider's obligations and rights under the Existing Contract, or any future renewal contract. Determination of new services or community amenities will be informed by resident feedback via a survey, needs assessment, community assemblies or other information-gathering tools.

In addition to any on-site Existing Providers, residents of the Properties also currently have access to workforce training, job opportunities, and social service referrals for vulnerable populations as public housing residents ("Existing Services"). These are services that NYCHA provides through a service coordination model for public housing residents. The social service provider should work collaboratively with NYCHA to perform outreach and connect residents to services that are available to Section 8 households. This includes incorporating referrals for the Family Self-Sufficiency program within the service plan and using NYCHA's OpportunityConnect portal, and successor systems, to refer tenants to vetted providers that have formal partnership with NYCHA. Please note this excludes social service referrals directly to NYCHA for intervention in tenancy, lease enforcement, or related matters. This function should be incorporated within the scope of the property management and social service provider team.

In addition to preserving the services offered by NYCHA partners at the development and the Existing Provider(s) for the duration of the Existing Contract(s), the Selected Applicants will facilitate access to other social services or community amenities based on resident feedback. NYCHA may have license agreements with third party providers or city agency partners to provide programmatic and/or maintenance support to gardens, farms public art, parks, and other amenities located at the Property. The Project Team should assume these agreements for the remainder of the term and ensure services are not negatively impacted. Continuations can be renegotiated with the partner thereafter. The Selected Applicants will survey residents prior to construction closing to identify priority service preferences and delivery gaps. The Project Team and Social Service Provider may participate in hand-off meetings between NYCHA and partner agencies and providers with services at the site to ensure continuity. The Selected Applicants will then develop and, upon construction closing, execute programs via its Social Services Plan to provide a selection of the preferred priority services. The social service plan shall include detail metrics pertaining to utilization or participation goals and service outcomes. These metrics should be reported to NYCHA on a quarterly basis. The Selected Applicants may consider new programs to replace expired Existing Services based on resident feedback. Although NYCHA and HDC will assign a Social Service Provider to the Selected Applicant after selection, Applicants must submit a general budget and funding proposal to support the ensuing Social Services Plan.

## **12. APPLICANT FORMS**

## **Form 1: Applicant's Letter**

New York City Housing Authority  
Procurement Department  
90 Church Street, 6<sup>th</sup> Floor  
New York, New York 10007  
Attn: Yesenia Rosario

Re: Response to the Permanent Affordability Commitment Together (PACT) Unfunded Units: LLC II/City & State Developments/Rental Assistance Demonstration (RAD) Sites in Brooklyn Request for Proposals

To Whom It May Concern:

This letter is being submitted in connection with my proposal ("Proposal") submitted in response to the Request for Proposals ("RFP") issued by the New York City Housing Authority ("NYCHA") for the PACT Unfunded Units: LLC II/City & State Developments/RAD Sites in Brooklyn RFP. All terms not otherwise defined herein will have the same meaning as set forth in the RFP.

I have received, read, and understand the provisions of the RFP. I understand that selection of an Applicant under the RFP for disposition of the Properties and the development of the Project described in the RFP will mean only that NYCHA will commence negotiations with such Applicant regarding the Project.

I recognize that any negotiations with NYCHA will be subject to the following terms and conditions:

1. The commencement of negotiations will not represent any obligation or agreement on the part of NYCHA, which may only be incurred or entered into by a contract of sale and deed(s) pursuant to which the Properties will be conveyed to the Selected Applicant that have been (i) approved as to form by NYCHA's Law Department; (ii) approved by the NYCHA Board and HUD; and (iii) duly executed by the Selected Applicant and NYCHA. The Negotiation Letter sent to the Selected Applicant will only indicate NYCHA's intention to commence negotiations, which may ultimately lead to the execution of such an agreement.
2. The Applicant will not have permission to enter upon the Properties, which permission will only be granted, if at all, in the form of a license agreement duly executed by the Applicant and NYCHA. The execution of any such license agreement, if it occurs, will only indicate that NYCHA has granted permission for the Applicant to enter onto the Properties for the limited purposes stated in the scope of work set forth therein, and will not indicate that NYCHA reached any other agreement with the Applicant regarding the Properties or the Project.
3. The following requirements must be satisfied prior to the disposition of the Properties:

- a. The Selected Applicant, any other potential grantee of the Properties, and their respective Principals must successfully undergo a background check concerning their suitability to do business with NYCHA.
  - b. The Properties will not be conveyed to any person or entity which, or to any entity with a Principal who: (i) has not fulfilled development responsibilities undertaken in connection with the City of New York (“City”), NYCHA, or other governmental entities, (ii) is in default on any obligations to NYCHA or the City, (iii) is a former owner of the Properties, or (iv) has lost real property to the City in tax or lien enforcement proceedings.
  - c. The price and other terms for the disposition of the Properties and the tax exemption(s) to be provided, if any, will be consistent with applicable NYCHA and City policies.
  - d. The Selected Applicant must execute legal documents in form and substance acceptable to NYCHA, and in form approved by NYCHA’s Law Department.
4. During negotiations, the Applicant must diligently, competently, and expeditiously comply with all requirements communicated to the Applicant by NYCHA.
  5. The design of the Project must comply with any applicable NYCHA development requirements and guidelines.
  6. The Applicant will be solely responsible for ensuring that the proposed Project and associated design and financing of the same shall be physically viable and economically feasible.
  7. NYCHA may terminate negotiations with the Applicant at any time with or without cause. If negotiations are terminated by NYCHA, whether with or without cause, such termination will not give rise to any claim by the Applicant or its affiliates or contractors against NYCHA for damages, including, without limitation, for lost profits.
  8. NYCHA is not obligated to pay, nor will it in fact pay, any costs or losses incurred by the Applicant at any time, including, but not limited to, the cost of: (i) any prior actions by the Applicant in order to respond to any selection process, or (ii) any future actions by the Applicant in connection with the negotiations, including, but not limited to, actions to comply with requirements of NYCHA or any applicable laws.

Very truly yours,

---

Signature

---

Title

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Applicant

**Form 2: Not-for-Profit Organization Information and Questionnaire**

Name of Applicant: \_\_\_\_\_

Only Applicants that include a not-for-profit entity as principal of the Developer or part of the Development Team shall complete this Form. Delete if not applicable.

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code \_\_\_\_\_

Executive Director: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No. \_\_\_\_\_

FAX No. \_\_\_\_\_

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

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

**ROLE OF ORGANIZATION IN THE PROJECT**

Describe the role that the not-for-profit organization will play, such as developer, marketing agent, etc.

**CERTIFICATION**

I CERTIFY THAT THE INFORMATION SET FORTH IN THIS DISCLOSURE STATEMENT AND ITS ATTACHMENTS IS TRUE AND CORRECT.

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Signature of Officer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print or Type Name and Title

**NOT-FOR-PROFIT ORGANIZATION: DIRECTORS, OFFICERS, AND KEY STAFF**

Name of Organization: \_\_\_\_\_

Provide the following information regarding your current Directors, Officers and Key Staff.

Name and Home Address	Position and/or Office in Organization	Date of Initial Appointment	Current Occupation and Name of Employer

Use additional sheets as necessary

**NOT-FOR-PROFIT ORGANIZATION: MAJOR SOURCES OF FUNDING**

Name of Organization: \_\_\_\_\_

Provide the following information regarding your major sources of funding during the two years preceding the deadline for submission of proposals under this RFP.

Funding Source (Agency, Department, etc.)	Name of Program	Contact Person Name and Phone Number	Purposes of Funding	Dates of Funding	Funding Amount

Use additional sheets as necessary

### Form 3: Assets Statement

[Assets Statement must describe financial status within the last twelve months and must be dated and signed.]

**Principal or Individual whose assets are described below:**

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#### 1. Personal Information

Name:

Business Name:

Business Phone:

Residence Address:

City:

State:

Zip Code:

Business Address:

City:

State:

Zip Code:

Position (Title):

Years of Service:

Salary:

Bonus/Commission:

Other Income:

Source of Other Income:

Are you a defendant in any lawsuits or legal action that may impact your financial standing?

If so, please describe:

Do you have any contingent liabilities?

If so, please describe:

## 2. Statement of Financial Condition

<b>Assets</b>	<b>Dollars (omit cents)</b>	<b>Liabilities</b>	<b>Dollars (omit cents)</b>
Cash On Hand and in Banks		Notes Payable to Banks <i>Secured</i>	
Notes Receivable		Notes Payable to Banks <i>Unsecured</i>	
Mortgages Owned		Notes Payable to Others <i>Secured</i>	
		Notes Payable to Others <i>Unsecured</i>	
Marketable Securities Owned See <b>Schedule A</b>		Debt Balances in Margin  Accounts with Brokers	
Real Estate Owned		Mortgages on Real Estate	
Cash Value of Life Insurance		Loans Against Life Insurance	
Other Assets* (Itemize)		Other Liabilities (Itemize)	
<b>Total Assets</b>		<b>Total Liabilities</b>	
		<b>Net Worth</b>	

\* Any interest in a closely held business must be documented by providing a current balance sheet for that business and stating the percent of interest held by the applicant.

**Schedule A: Marketable Securities Owned**

List separately and check (X) next to those pledged as collateral.

Marketable Securities Owned	Dollars (Omit Cents)	Collateral?

### 3. Signature Page

You, the undersigned hereby represent the above to be a true and accurate Statement signed as of the date herein.

Name of Principal: \_\_\_\_\_

Signature of Individual: \_\_\_\_\_

Print Name and Title of Individual: \_\_\_\_\_

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



(a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).

D=Developer; B=Builder; GC= General Contractor; CM=Construction Manager; F=Provided Financing; O=Other (specify)

(b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; CF=Community Facility; M=Mixed Use

(c) **CATEGORY:** NC=New Construction; SR=Substantial Rehab; MR=Moderate Rehab

(d) **STATUS:** Indicate if project is Pre=Pre-development; UC=Under Construction; Com=Completed

(e) **GOVERNMENT PROGRAM:** Provide the name of the program.

(f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.

(g) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.



(a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).

D=Developer; B=Builder; GC= General Contractor; CM=Construction Manager; F=Provided Financing; O=Other (specify)

(b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; CF=Community Facility; M=Mixed Use

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(f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.

(g) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.



(a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).

D=Developer; B=Builder; GC= General Contractor; CM=Construction Manager; F=Provided Financing; O=Other (specify)

(b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; CF=Community Facility; M=Mixed Use

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(f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.

(g) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.



(a) **ROLE:** Indicate the role or roles you played in the development of each property listed. If developed as part of a joint venture, indicate such by adding JV to the respective role (e.g., D/JV).

D=Developer; B=Builder; GC= General Contractor; CM=Construction Manager; F=Provided Financing; O=Other (specify)

(b) **TYPE:** Project Type: RH=Rental Housing; CH=Coop/Condo Housing; SF=Single Family Housing; O=Office; R=Retail; CF=Community Facility; M=Mixed Use

(c) **CATEGORY:** NC=New Construction; SR=Substantial Rehab; MR=Moderate Rehab

(d) **STATUS:** Indicate if project is Pre=Pre-development; UC=Under Construction; Com=Completed

(e) **GOVERNMENT PROGRAM:** Provide the name of the program.

(f) **CONSTRUCTION/PERMANENT LENDER:** Provide the name of the institution.

(g) **MANAGEMENT:** Indicate if you manage the project directly or use a property manager. Provide the name of the property manager used, if any. Indicate N/A if you no longer own the project.









## Form 5E: Management Experience Questionnaire

Name of Applicant: \_\_\_\_\_

Management Entity: \_\_\_\_\_

1. Across your portfolio, what is the typical ratio of property managers to number of units? Describe if staffing plans differ based on the funding source (e.g. LIHTC or HOME).
2. Describe the management and maintenance staffing plan envisioned for this project. If you have one, please submit a sample or project-specific Management Plan.
3. What property management certifications and licenses are held by your staff? (For example: RAM or IREM certification, tax credit certification, commercial real estate broker's license, etc.)
4. Please describe any LIHTC and/or HOME compliance coursework management staff has completed.
5. Has any property managed by the manager or owned by the owner ever had a recapture of LIHTC? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open compliance issues.
6. Have IRS Forms 8823s been issued for your properties, reporting noncompliance that was uncorrected at the time of issuance? If so, how many have been issued? Please include instances where you may have purchased or taken over management of a property with open compliance issues.
7. Do any properties managed by the manager or owned by an affiliate of the owner have open HOME compliance issues? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open compliance issues.
8. Do any properties managed by the manager or owned by an affiliate of the owner have open Class C NYC Housing Maintenance Code violations or open NYC DOB violations? If so, please explain in detail. Please include instances where you may have purchased or taken over management of a property with open violations.
9. Has the management company or any of its principals been disbarred by HUD or any other government agencies?
10. What is the vacancy rate across your portfolio as of the date of this submission? Please explain.

11. What are delinquent rents as a percentage of total rent roll across your portfolio of owned/managed properties? Please submit data showing arrears at 30, 60, and 90+ days arrearages.
12. Please submit a sample Monthly Management Report from the last year for an affordable housing property of your choosing.



**Form 6**

**NEW YORK CITY HOUSING AUTHORITY**  
 250 BROADWAY • NEW YORK, NY 10007

TEL: (212) 306-3000 • <http://nyc.gov/nycha>

**GREGORY RUSS**  
 CHAIR & CHIEF EXECUTIVE OFFICER

**APPLICANT DESCRIPTION**

All respondents to the PACT Request for Qualifications must complete this form and provide additional documentation as required in the form.

Name of Applicant: \_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Email Address: \_\_\_\_\_

Is the Applicant a certified Minority-owned or Woman-owned Business Enterprise (M/WBE)? (for informational purposes only) Yes [ ] No [ ] (Provide Proof of Certification).

**COMPOSITION OF APPLICANT ORGANIZATIONS:**

1. Type of organization (*i.e.* partnership, corporation, limited liability company): \_\_\_\_\_

2. For corporations, provide the names of the officers and any shareholders owning 10% or more.

**NAME OF ENTITY:** \_\_\_\_\_ **Percent Interest in Proposed Project:** \_\_\_\_\_

PRINCIPALS: Name/Position/Title	Home Address	Role*	% Interest in Entity

\* Role: D = Developer; PM = Property Management Company; GC = General Contractor; SSP = Social Service Provider

3. Has any principal identified above, or any organization in which the principal is or was a general partner, corporate officer, or owned more than 10% of the shares of the corporation, been the subject of any of the following:

- (1) Arson conviction or pending case? Yes [ ] No [ ]
- (2) Harassment complaint filed by the New York State Division of Rent Control or the New York State Division of Housing and Community Renewal? Yes [ ] No [ ]
- (3) Had an ownership or management interest in a property that was taken *in rem* by the City or assigned by a judge of Landlord and Tenant Court to a 7A Administrator or receiver? Yes [ ] No [ ]



**NEW YORK CITY HOUSING AUTHORITY**

250 BROADWAY • NEW YORK, NY 10007

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TEL: (212) 306-3000 • <http://nyc.gov/nycha>

**GREGORY RUSS**

CHAIR & CHIEF EXECUTIVE OFFICER

- (4) NYCHA or City mortgage foreclosure or currently more than 90 days in arrears on any NYCHA or City loan? Yes [  ] No [  ]
- (5) Default on any contract obligation or agreement of any kind or nature entered into with NYCHA or the City of New York or one of its agencies? Yes [  ] No [  ]
- (6) In the past 5 years, failed to qualify as a responsible bidder, or refused to enter into a contract after an award has been made, privately or with any government agency? Yes [  ] No [  ]
- (7) In the last 7 years, filed a bankruptcy petition or been the subject of involuntary bankruptcy proceedings. Yes [  ] No [  ]
- (8) In the last 5 years, failed to file any required tax returns, or failed to pay any applicable Federal, State of New York, or City taxes or other charges? Yes [  ] No [  ]
- (9) Been convicted of fraud, bribery, or grand larceny? Yes [  ] No [  ]

If the answer to any question is yes, provide the following information about each instance: name of principal(s); principal's status in the organization or corporation (e.g. officer), the date of the action, and current status.



## **SUPPLEMENTAL QUESTIONS FOR ALL APPLICANTS**

Answer the following questions. Use additional sheets as necessary. The definitions of terms contained in the Entity and Individual Disclosure Statement applies to these questions.

1. Has the Applicant, any of its employees, or any Related Entity, or any of their respective Principals or Officers, ever been the subject of, or questioned relating to, an investigation by any Government Agency, including, but not limited to, Federal, State, and Municipal Authorities? If yes, provide details.
  
2. Has the Applicant, any of its employees, or any Related Entity, or any of their respective Principals or Officers, ever been subpoenaed by any Governmental Agency? If yes, provide details.
  
3. Has the Applicant, any of its employees, or any related Entity, or any of their respective Principals or Officers, ever paid any money, gratuity, or conferred any other benefit, for any purpose, on any public official or any City employee? If yes, provide details.
  
4. Have there ever been any notifications or findings against the Applicant or any of its contractors/subcontractors of underpayments relating to prevailing wage violations? If yes, provide details.
  
5. Has the Applicant, any of its employees, or any Related Entity, or any of their respective Principals or Officers, ever been the subject of a monitorship or certification on any public contract or imposed by any government agency, authority or instrumentality? If yes, provide details.
  
6. Has the Applicant or its principals received any information, or have any reason to believe, that the Applicant, its Principals, or any of its employees, have been associated, or suspected of being associated, with organized crime? If yes, provide details.

**CERTIFICATION**

I certify that the information set forth in or attached to this RFQ Supplemental Questionnaire form is true and correct to the best of my knowledge and belief.

I am aware that the NYCHA is relying upon all of the information set forth in or attached to this Supplemental Questionnaire and that this Supplemental Questionnaire is submitted to induce NYCHA to approve this application.

I am aware that this Supplemental Questionnaire is part of a continuing application, and until such time as the application is finally and unconditionally approved by NYCHA, I will report any changes in or additions to the information set forth herein, and furnish such further documentation or information as may be requested by NYCHA, the City of New York, or any agency thereof. The making of any false statement in this Supplemental Questionnaire may result in the revocation of any designation under the PACT Request for Qualifications.

\_\_\_\_\_  
SIGNATURE:

\_\_\_\_\_  
PRINT NAME OF PERSON SIGNING ABOVE:

\_\_\_\_\_  
TITLE:

\_\_\_\_\_  
ENTITY (if any):

\_\_\_\_\_  
DATE: