

**M/WBE RFQ Addendum 1**

**RFQ issue date: December 2, 2014**

**Addendum 2 issue date: February 3, 2015**

**Contents of the Addendum**

**A. Revisions to the M/WBE RFQ** – Enclosed is a summary of changes to the RFQ.

**B. Questions and Answers** – Enclosed is a summary of questions and answers discussed at the pre-submission conference that took place January 21, 2015. Also included are questions and answers that were sent to the M/WBE email address.

**C. Contact Information** – Contact Information is provided for those individuals who attended the pre-submission conference and indicated that they are willing to share their contact information.

## **A. Revisions to the M/WBE RFQ**

### Residential Development Experience and Capacity

See *Section III.B. Qualification Requirements* on page 8.

Original: An Applicant's experience as listed on Form C-1 and Form C-2 should represent the completion of construction and conversion on at least two projects within the past five years that together total 50 units or more.

Revised: An Applicant's experience as listed on Form C-1 and Form C-2 should represent the completion of construction and conversion of **ONE OR** two projects within the past **TEN** years that together total 50 units or more.

## **B. M/WBE RFQ Pre-submission Conference Question and Answers**

### **M/WBE Certification**

**Q1: How do I register a Minority Company?**

A1: For information on how to certify as an M/WBE, please visit:

<http://www.nyc.gov/html/sbs/html/procurement/certify.shtml>

**Q2: Would HPD be willing to allow a 100% minority owned firm which cannot be certified as a MWBE (personal net worth of shareholders exceeds allowable amount) to submit and be qualified under this program?**

A2: For the purposes of this RFQ, HPD will only be considering applications from certified M/WBEs or entities in the process of obtaining certification. For applicants who are in the process of obtaining M/WBE certification and meet all other RFQ requirements, assignment to the pre-qualified list is conditional until certification has been obtained.

**Q3: I am a development firm that is not certified. Who should we certify with?**

A3: For the purposes of this RFQ, an M/WBE will be any partnership, corporation, or sole proprietorship that has been certified as an M/WBE by the New York City Department of Small Business Services, Empire State Development, State of New Jersey Department of Treasury, or the Port Authority of New York & New Jersey. Please start the certification process as soon as possible. If you certify with SBS, email [MWBERFQ@hpd.nyc.gov](mailto:MWBERFQ@hpd.nyc.gov). HPD will reach out to SBS about expediting the certification.

**Q4: Does the rest of the team need to be M/WBE?**

A4: No.

**Q5: If certification takes 6-9 months, can you apply to this RFQ?**

A5: You may apply to the RFQ. Assignment to the Pre-Qualified List will be conditional until certification. An Applicant must be M/WBE certified by the time RFP submissions will be due.

**Q6: How will we be able to qualify if the RFP comes out in May?**

A6: See Question/Answer 3 and 5 above.

**Q7: Does the Developer entity of a certified entity need to be certified?**

A7: Yes, if the developer entity is the applicant.

**Q8: How are you reviewing applications for new enterprises?**

A8: New enterprises must be M/WBE certified, or in the process of being certified.

**Q9: What is the proof to show a certification application is in process with SBS?**

A9: A letter on the SBS' letterhead stating the application is in progress with a docket number.

**Q10: If a non-MWBE joined to form ownership with MWBE who has 51% ownership, is this considered MWBE certified?**

A10: All entities must go through the certification process. Newly formed entities are not considered certified as of right. In this scenario, the new entity would be eligible for M/WBE certification through the NYC Small Business Services if they meet at least the following criteria: a) minorities or women own 51% of the business; b) the minority or women owners have a controlling stake in the business; and c) are in operation under the new business for a minimum

of 1 year. This list of requirements is not meant to be exhaustive or completely represent the M/WBE certification process. Please refer to the certifying entity for more details about all requirements to become M/WBE certified.

### **Development Experience**

**Q1: Is development experience limited to NYC, or can it be in NY State?**

A1: Development experience is limited to New York City.

**Q2: Does NYC means the 5 boroughs?**

A2: Yes

**Q3: Can development experience be more than 5 years ago?**

A3: This has been revised. An Applicant's experience as listed on Form C-1 and Form C-2 should represent the completion of construction and conversion on at least one or two projects within the past TEN years that together total 50 units or more.

**Q4: In Section III Part B of the RFQ it states Form C should represent the "completion of construction and conversion on at least two projects within the past five years". Does this just mean new construction projects? Or is substantial rehabilitation included as well?**

A4: Substantial rehabilitation projects are acceptable.

**Q5. Will projects still under construction be considered?**

A5: No.

**Q6: I have construction experience but not Development. Is that acceptable?**

A6: Experience as a developer is one of the requirements in the RFQ.

**Q7: If I bring in a joint venture partner in the RFQ will this help my Development experience?**

A7: For the purposes of this RFQ, HPD will not be accepting applications from joint ventures. However, HPD may accept proposals in response to the forthcoming RFP from joint ventures composed of Qualified Sponsors and non-M/WBE sponsors subject to the terms of the RFP.

**Q8: How fixed is the 50 units requirement?**

A8: It is a minimum requirement.

**Q9: Would M/WBE Developers without 50 units of experience have to JV on the RFQ?**

A9: See Question 7 above.

**Q10: Can a General Contractor who is participating in the Capacity Building course with no development experience qualify?**

A10: Development experience is a minimum requirement of the RFQ.

**Q11: Can a development consultant be used for the purpose of RFQ?**

A11: No.

**Q12: Do minority non-profit developers qualify?**

A12: Only certified M/WBE developers qualify.

**Q13: What is considered completion for condos?**

A13: Construction completion is necessary. If all the condos have not been sold, please make note of that in your application.

**Q14: Does the experience of 5 years need to be from the issuance date of the RFQ?**

A14: Yes. This has been revised to ten years from the issuance date of the RFQ.

**Q15: If a company has financial capacity and principals have 20 years of experience and company is 1 ½ years old, would this qualify?**

A15: Please include experience for BOTH the company and the principals. All the experience will be evaluated.

**Q16: If you are developer on one application and a management company on another application, is that ok?**

A16: Yes.

**Q17: In Development Experience form, I cannot type in or select a value in one of the columns on the Excel.**

A17: We have replaced the form on our website. Please re-download the form.

**Q18: Is the expectation of the M/WBE to be fully self sufficient or can they higher subcontractors?**

A18: Subcontractors can be hired.

**Q19: Is one project with 50 units ok?**

A19: Yes. This has been revised. An Applicant's experience as listed on Form C-1 and Form C-2 should represent the completion of construction and conversion on at least ONE OR two projects within the past ten years that together total 50 units or more.

**Q20: Is it ok that we created a new entity for the RFP? We pass the minimum threshold for the RFQ.**

A20: The new entity must be M/WBE certified, or in the process of being certified.

**Q21: Can I identify a capital partner to use for the RFQ?**

A21: You can identify a capital partner at the RFP stage.

**Q22: I purchased a company that's meets the requirement and M/WBE owns 60%. Is that ok?**

A22: Yes, the company must be M/WBE certified, or in the process of being certified.

**Q24: I want to confirm that for the RFQ you need to meet the minimum development team requirements and for the RFP you can have a partnership.**

A24: That's correct.

**Property Management Experience**

**Q1: Does Property Manager need to be M/WBE?**

A1: No, the Property Manager does not need to be a M/WBE.

**Q2: Does a Property Management partner need to be submitted for the RFQ?**

A2: Yes

**Q3: Does the property manager need to be part of the developer corporation, but not the joint venture?**

A3: No, the property manager does not need to be part of the developer corporation.

**Q4: Can you joint venture with the property manager?**

A4: The property manager does not need to be a joint-venture at the RFQ stage.

**Q5: Does Property manager need to show experience on RFQ application?**

A5: Yes, property management experience needs to be included in Form D-1.

**Q6: Does the management company experience have to be in affordable housing?**

A6: Yes

### **Future RFP/Sites**

**Q1: Is the RFP specifically for the RFQ?**

A1: Yes, only those on the pre-qualified list from the RFQ may apply for the RFP.

**Q2: What is the size of the sites? How many sites are there?**

A2: There are a variety of sizes in the sites. At this time, the sites range from approximately 30-80 units. HPD is still in the process of identifying additional sites for the RFP. At this time, we do not anticipate more than 10 sites.

**Q3: Will there be clusters and do you apply by cluster or site?**

A3: There may be clusters, or you may apply to one site.

**Q4: What will be the affordability of the selected sites?**

A4: The affordability program will be based on the neighborhood and submissions will need to comply with HPD/HDC term sheets.

**Q5: Will small sites of 30 be combined?**

A5: There may be some sites that will be combined; however, some of the developments may only be 30 units.

**Q6: How many RFPs will be over the next year?**

A6: At this time, the goal is to release one RFP that includes several sites in May. This is a pilot program and we will evaluate the RFQ and RFP process before making decisions for releasing additional RFPs.

**Q7: For the RFP, can we apply for more than 1 site?**

A7: Yes.

**Q8: Will the RFQ accepted applications be used only for the RFP, or also for other things?**

A8: At this time, we anticipate using the applications for this RFQ only.

**Q9: Will the sites be for new construction or vacant buildings?**

A9: The sites are for new construction. There may be vacant buildings on the site.

**Q10: Are the anticipated buildings high rise (taller than 75 feet), mid-rise, townhouses, twins, or single family detached dwellings?**

A10: The anticipated buildings will range in size, from approximately 30-80 units.

**Q11: What section of the city do you anticipate the sites to be located?**

A11: HPD is in the process of identifying sites for the RFP. The sites will be on city-owned land throughout New York City.

**Q12: Once approved can a developer go after all, some, or one of the properties within the RFP?**

A12: Once approved, a developer may apply to more than one site in the RFP.

**RFQ Submissions and Qualifications**

**Q1: What is the submission deadline?**

A1: The submission deadline is 4:00 PM on Friday, March 20<sup>th</sup>.

**Q2: What happens if someone wants to apply after the submission deadline? Can they be added to the list?**

A2: Submissions are due on Friday, March 20<sup>th</sup> at 4:00 PM. Organizations cannot be added to the list after the due date.

**Q3: Will there be future RFQ rounds?**

A3: This is a pilot program and we will evaluate the RFQ and RFP process before making decisions for releasing future RFQ/RFPs.

**Q4: How many M/WBEs will be assigned to the pre-qualified list?**

A4: We do not have a set number the pre-qualified list. It will depend on the number of applications that are submitted.

**Q5: If there is an addendum, will the submission due date be changed?**

A5: No

**Q6: Is the pre-qualified list a rolling admission?**

A6: No, the due date is March 20<sup>th</sup>.

**Q7: Do you want the assets for both the company and the principals?**

A7: Yes, please submit both.

**Q8: Does just the Assets Statement need to be provided, or other financials?**

A8: Please submit Form E or Financial Statements.

**Q9: Can we provide financials for the General Contractor?**

A9: You may provide financials of the General Contractor.

**Q10: Will the letter of intent from a bank or lender count as available funds under this RFQ?**

A10: A letter of intent from a bank or lender does not count as available fund for the applicant under this RFQ.

**OTHER**

**Q1: Are there plans to include solar panels on these projects?**

A1: Not specifically, no. At the RFP stage, proposals will be required to comply with the Enterprise Green Communities HPD Overlay.

**Q2: What is the relationship between the pillars for the M/WBE program and the RFQ?**

A2: The three pillars of the larger M/WBE initiative are: (1) Improving Access to Capital; (2) Building the Capacity of M/WBE Developers; and (3) Increasing Development Opportunities. There are different initiatives with each pillar. This RFQ is within the third pillar, increasing development opportunities.

**Q3: Will the presentation be available to us?**

A3: The presentation will not be made available. The questions and answers from the pre-submission conference are included in this Addendum.

**Q4: The cost of construction can easily exceed the price point of selling or renting the affordable housing. Therefore, how is the affordable housing construction cost subsidized?**

A4: Information about HPD's financing programs and term sheets can be found at: <http://www.nyc.gov/html/hpd/html/developers/term-sheets.shtml>

**Q5: Is the intent of the RFQ to sell the completed housing to affordable income eligible families or hold and rent the units to affordable income eligible families?**

A5: The intent of the program is to rent the units to income eligible households. Please go to this link for more information on our programs: <http://www.nyc.gov/html/hpd/html/developers/term-sheets.shtml>

**Q6: If the intent is to hold the units for rent, is there a time period in which the units must be held before they can be sold?**

A6: If the Sponsor intends to sell, the Sponsor must notify the funding agencies. This is subject to the agencies' approval. In addition, an enforcement mortgage will be due upon resale if the site was a former city-owned site.

**Q7: Is this related to NIHOP/Small Homes RFQ?**

A7: No.

**Q8: Can we submit questions in the future?**

A8: Yes, please submit all future questions to [MWBERFQ@hpd.nyc.gov](mailto:MWBERFQ@hpd.nyc.gov). There will be future addendums with questions and answers submitted to the email address. All written questions should be submitted by March 6, 2015.

MWBE RFQ Pre-Submission Conference Attendees  
 10 AM and 12 PM January 21, 2015, Room 1R

Last Name	First Name	Organization	Email	Phone	Check to share your contact information
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Westman	Casse	Nandinee Phookan Arch	<a href="mailto:cassie@nandineephookan.com">cassie@nandineephookan.com</a>	718-643-9500	Yes
Westmoreland	Colin	Roraima Consulting Inc.	<a href="mailto:colin.westmoreland@roraimaconsulting.com">colin.westmoreland@roraimaconsulting.com</a>	718-723-0571	Yes
Widerkehr	Deborah		<a href="mailto:dawiderkehr@gmail.com">dawiderkehr@gmail.com</a>	917-302-0939	Yes
Williams	Dajuan	Solomon Builders Corporation	<a href="mailto:solomonbuilders@aol.com">solomonbuilders@aol.com</a>		Yes