



City of Takoma Park, Maryland

**Request for Qualifications**

**RFQ #HCD-2023-08-21**

**City of Takoma Park Right of First Refusal Program**

**Deadline:** Submissions will be accepted on a rolling basis through **December 31, 2023.**

**Purpose:** The City of Takoma Park is seeking responses from qualified non-profit and mission-oriented for-profit developers with strong affordable housing track records and demonstrated experience in acquiring, owning, operating, rehabilitating, and developing quality rental and/or homeownership housing with affordability covenants who are interested in serving in a pool of qualified parties to serve as assignees or designees as part of the City's right of first refusal through the City's Tenant Opportunity to Purchase Law.

**Contacts:** Devin McNally  
Housing Manager, Housing & Community Development  
City of Takoma Park  
Email: [devinm@takomaparkmd.gov](mailto:devinm@takomaparkmd.gov)

**Web Portal:** <https://seam.ly/i8JVjdsZ>

## Table of Contents

1	Statement of Purpose .....	3
2	Scope of Services .....	3
3	Submission Process.....	4
3.1	Schedule of Events.....	4
3.1.1	Request for Information .....	4
3.2	Submission Requirements.....	4
3.3	Submission Contents.....	4
4	Selection Process .....	5
4.1	Evaluation Criteria .....	5
4.2	Selection to the Roster of Qualified Responders .....	6
5	Exhibits .....	6

## **1 Statement of Purpose**

The City of Takoma Park is seeking responses from qualified non-profit and mission-oriented for-profit developers (“Developers”) with strong affordable housing track records and demonstrated experience in acquiring, owning, operating, rehabilitating, and developing quality rental and/or homeownership housing with affordability covenants who are interested in serving in a pool of qualified parties to serve as assignees or designees (the “Roster of Responders”) as part of the City’s right of refusal as part of the City’s Tenant Opportunity to Purchase Law (“TOPL”).

The intent of this RFQ is to create a Roster of Responders of qualified Developers experienced in the ownership, operation, sale, and financing of affordable rental housing, and also possess the capability to acquire, rehabilitate or redevelop housing units to create affordable housing opportunities within the City. Developers selected under this RFQ will be on the Roster of Responders for a period not to exceed three (3) years, which may be extended at the Department of Housing and Community Development’s discretion.

## **2 Scope of Services**

The successful Developer(s) will be responsible for the following:

1. Maintaining familiarity with the terms and conditions of Chapter 6.32 of the City of Takoma Park Code (the “Tenant Opportunity to Purchase”) and corresponding Administrative Regulations.
2. Review of TOPL packages submitted to the City of Takoma Park HCD by sellers of rental facilities to determine if they are willing to exercise the ROFR on behalf of the City.
3. Evaluation and due diligence of the subject property within the timeframes specified by the City.
4. Possess the ability to obtain reasonable financing and close on the purchase within the timeframes specified by the City.
5. Successfully purchase, rehabilitate, and sell or operate quality housing with affordability restrictions.
6. Work with the City to evaluate the property and set the rent levels or sales price to meet City priorities and initiatives.
7. Implement development activities and secure financing necessary to acquire and rehabilitate, or if necessary, redevelop the property with the foundational goal of providing quality affordable housing enabling long-term occupation by households with lower incomes. The scope of services includes but is not limited to the following tasks:
  - Property evaluation and financial analysis;
  - Application preparation and submission to secure funding sources;
  - Participation at public hearings and interaction with community partners, as needed; and
  - Ownership and operation of affordable and mixed-income rental housing.

### 3 **Submission Process**

#### 3.1 **Schedule of Events**

<b>Event</b>	<b>Date</b>
RFQ Release	Monday, August 21, 2023
RFQ Closing Date	Sunday, December 31, 2024
Approval of Submissions	Rolling

##### 3.1.1 *Request for Information*

Requests for information should be submitted via email to [housing@takomaparkmd.gov](mailto:housing@takomaparkmd.gov) with the subject line “RFQ #HCD-2023-08-21: Request for Information”. No calls shall be placed to the City staff or City Council members regarding the RFP. Oral statements may not be relied upon and will not be binding or legally effective.

Any additional questions can be submitted to the RFQ Lead:

Mr. Devin McNally  
 Housing Manager, Housing & Community Development  
 Email: [devinm@takomaparkmd.gov](mailto:devinm@takomaparkmd.gov)

#### 3.2 **Submission Requirements**

The deadline for submission of Proposals is **11:59 PM on Sunday, December 31, 2023**. Respondents shall submit online through the following webportal: <https://seam.ly/i8JVjdsZ>. Within the webportal, submissions will be broken up based on the tabs outlined in Section 3.3. All electronic information shall be submitted to the webportal as .pdf documents.

#### 3.3 **Submission Contents**

All submissions must include the following clearly identified sections and content. Additionally, submissions should include a cover page that contains the Name of the Firm and, in addition to a submission date.

##### **Tab 1: Profile of the Firm**

Complete and submit a Profile of Firm Form (Exhibit D).

**Tab 2: Project Interest & Financial Capacity**

Complete the Project Interest Form (Exhibit E) along with the most recent audited year-end financial statement.

**Tab 3: Affordable and Mixed Income Multifamily Rental Housing Experience**

Provide a list of all affordable and mixed-income multifamily rental housing developments with which the Developer has been involved either as owner or manager during the past five (5) years. Identify the cities and states in which they are located and the major sources of funding (with a special emphasis of State and Federal funding sources). Specify the number of units, the income groups served, and the total development cost of each project. If you are applying for multiple project types, ensure that there are example projects for each project type.

**Tab 4: Experience Engaging Minority Business Enterprises (MBE), Women-Business Enterprises (WBE), Locally-Owned Businesses, & Locally-Owned Business**

Describe the Developer's ability and record of engaging MBE/WBE business interests and business interests owned by local residents, or efforts to engage minority- and women- and locally-owned businesses in the jurisdictions in which they have operated.

**Tab 5: References**

The Developer must submit a list of at least three (3) professional reference that includes:

- The organization's name, point of contact, and the point of contact's professional title;
- Point of contacts' phone numbers and e-mail addresses; and
- A description of the services provided or business relationship

**Tab 6: Required Certifications & Disclosures**

Submissions should include the following required certifications and disclosures, which may be found in the Exhibits of this RFP:

- Certification of Non-Involvement in the Nuclear Weapons Industry
- Living Wage Requirements Certification
- Applicant Affidavit

**4 Selection Process****4.1 Evaluation Criteria**

The City of Takoma Park will evaluate responsive submissions on multiple criteria. These criteria include, but are not limited to:

- **Organizational Experience:** Demonstration of specialized knowledge, experience and technical capacity that the Developer displays for the required work.
- **Financial Capacity:** Demonstrates the ability to acquire financing enabling the acquisition of the subject properties and/or possesses the capital necessary to facilitate the acquisition within the timeframes specified by the City Code.
- **Affordable Housing Regulation Experience:** Experience overseeing and maintaining compliance with the requirements of Federal, State, or local housing programs, or the requirements of any other affordable housing program.
- **MBE/WBE & Local Business Experience:** Experience engaging MBE/WBE business interests and business interests owned by local residents.

The City will evaluate submissions through a panel of City staff. The evaluation will be in accordance with the evaluation criteria set forth in the RFQ. The evaluation panel may request an oral interview of each qualified entity, at the discretion of the City.

#### 4.2 Selection to the Roster of Qualified Responders

Submitters deemed qualified by the review panel will be added to the list of qualified responders. Qualified developers will be considered eligible for the City's Right of First Refusal Program for a period of three (3) years, which may be extended at the City's discretion.

Prior to the assignment of the City's right for a specific rental facility, the developer may be required to sign a development agreement prepared by the City which contains requirements and provisions specific to the development of the property.

## 5 Exhibits

Exhibit A - Certification of Non-Involvement in the Nuclear Weapons Industry

Exhibit B - Living Wage Requirements Certification

Exhibit C – Applicant Affidavit

Exhibit D - Profile of Firm Form

Exhibit E - Project Interest Form

**Exhibit A - Certification of Non-Involvement in the Nuclear Weapons Industry**

KNOW ALL PERSONS BY THESE PRESENTS:

Pursuant to the requirements of Chapter 14.04 of the Takoma Park Code, the Takoma Park Nuclear Free Zone Act, the undersigned person, firm, corporation, limited liability company or entity hereby certifies that he/she/it is not knowingly or intentionally a nuclear weapons producer.

Note: The following definitions apply to this certification per Section 14.04.090:

“Nuclear weapons producer” is any person, firm, corporation, facility, parent or subsidiary thereof or agency of the federal government engaged in the production of nuclear weapons or its components.

“Production of nuclear weapons” includes the knowing or intentional research, design, development, testing, manufacture, evaluation, maintenance, storage, transportation or disposal of nuclear weapons or their components.

“Nuclear weapon” is any device the sole purpose of which is the destruction of human life and property by an explosion resulting from the energy released by a fission or fusion reaction involving atomic nuclei.

“Component of a nuclear weapon” is any device, radioactive substance or nonradioactive substance designed knowingly and intentionally to contribute to the operation, launch, guidance, delivery or detonation of a nuclear weapon.

IN WITNESS WHEREOF, the undersigned has signed this Certification this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Contractor Signature: \_\_\_\_\_

Contractor Name: \_\_\_\_\_

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

State of \_\_\_\_\_, County of \_\_\_\_\_:

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My commission expires: \_\_\_\_\_

**Exhibit B - Living Wage Requirements Certification  
(Takoma Park Code, section 7.08.200.B)**

Business Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

Please specify the contact name and information of the individual designated by your business to monitor your compliance with the City’s living wage requirements, unless exempt under Section 7.08.190 (see item B below):

Contact Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
E-Mail: \_\_\_\_\_

**CHECK ALL APPROPRIATE LINES BELOW THAT APPLY IN THE EVENT THAT YOU ARE AWARDED THE CONTRACT AND BECOME A CONTRACTOR.**

**A. Living Wage Requirements Compliance**

\_\_\_\_\_ This Contractor as a “covered employer” will comply with the requirements of the City of Takoma Park Living Wage Law (*Takoma Park Code, Section 7.08.180 et. seq.*, amended by Ordinance No. 2013-26). Contractor and its subcontractors will pay all employees who are not exempt from the wage requirements and who perform measurable work for the City related to any contract for services with the City, the living wage requirements in effect at the time of the City contract. The bid price submitted under this procurement solicitation includes sufficient funds to meet the living wage requirements.

**B. Exemption Status (if applicable)**

This Contractor is exempt from the living wage requirements because it is:

\_\_\_\_\_ The total value of the contract for services (based on the bid or proposal being submitted under this procurement solicitation) is less than \$20,000.00.

\_\_\_\_\_ A public entity.

\_\_\_\_\_ A nonprofit organization that has qualified for an exemption from federal income taxes under Section 501c (3) of the Internal Revenue Code.

\_\_\_\_\_ A contract procured through an emergency procurement, sole source procurement, or cooperative procurement.



\_\_\_\_\_ A contract for electricity, telephone, cable television, water, sewer or similar service delivered by a regulated public utility.

\_\_\_\_\_ A contract for the purchase or lease of goods, equipment or vehicles.

\_\_\_\_\_ A contractor who is prohibited from complying with the City’s living wage requirements by the terms of an applicable federal or state program, contract, or grant requirement. **(Must specify the law and/or furnish a copy of the contract or grant.)**

C. Living Wage Requirements Reduction.

\_\_\_\_\_ This Contractor provides health insurance to the employees who will provide services to the City under the City contract and it desires to reduce its hourly rate paid under the living wage requirements by an amount equal to, or less than, the per employee hourly cost of the employer’s share of the health insurance premium. This Contractor certifies that the per employee hourly cost of the employer’s share of the premium for that health insurance is \$\_\_\_\_\_.

**(Must submit supporting documentation showing the employee labor category of all employee(s) who will perform measurable work under the City contract, the hourly wage the Contractor pays for that employee labor category, the name of the health insurance provider and plan name, and the employer’s share of the monthly health insurance premium.)**

**Contractor Certification and Signature**

Contractor submits this certification in accordance with *Takoma Park Code* section 7.08.200.B. Contractor certifies, under penalties of perjury, that all of the statements and representations made in this Living Wage Requirements Certification are true and correct. Contractor and any of its subcontractors that perform services under the resultant contract with the City of Takoma Park will comply with all applicable requirements of the City’s living wage law.

Authorized corporate, partner,  
member or proprietor signature: \_\_\_\_\_

Print name: \_\_\_\_\_

Title of authorized person: \_\_\_\_\_

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

**Exhibit C – Applicant Affidavit**

The undersigned hereby attests under penalty of perjury and by personal knowledge to the following:

1. The contents of the Submission (including all submitted attachments and other documentation) are true and correct.
2. To the best of my knowledge neither the Applicant, nor its agents, affiliates, partners, employees, officers, directors or other associates of any kind, have colluded with any individual or entity on behalf of the Applicant, or themselves, to produce an unfair advantage over others or to gain favoritism in the award of any contract resulting from this RFQ.
3. By responding to this RFQ, the Applicant agrees to indemnify and hold harmless all parties to this RFQ for any conceivable damages arising therefrom; and affirms that no compensation is expected as a result of the preparation of said response.
4. Applicant agrees to report substantial changes to debarment, financial conditions, corporate structure or personnel.

Applicant Name:

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Officer’s Signature:

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Printed Name and Title:

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Telephone No:

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Affix Corporate Seal

Witnessed by:

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Witness Printed Name and Title:

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

**Exhibit D – Profile of the Firm Form**

**1. Name of Firm:**

**2. Street Address:**

**3. City, State, Zip:**

**4. Telephone:**

**Fax:**

**Email:**

**5. Federal Tax ID Number:**

**6. Date Firm Established:**

**a. Name of Parent Company and Date Acquired (if applicable )**

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*Attach chart if necessary*

**b. Type of Ownership:**

**7. Identify Ownership (if applicable) and/or Executive Management**

NAME	TITLE	% OF OWNERSHIP

*Include Resumes and/or executive summaries of experience and credentials with this form*

**8. Identify the individual(s) that will act as Project Manager or serve as the primary point of contact, or any other supervisory or key personnel. Please submit their resume(s) or summaries of experience and credentials under Tab 3, if different from previously listed individuals.**

NAME	TITLE	PHONE/EMAIL

*Include Resumes and/or summaries of experience and credentials with this form*

**9. Developer Diversity Statement: If a for-profit entity, please circle all of the following that apply to the ownership of this firm. Note: Resident (RBE), Minority (MBE), or Women-Owned (WBE) Business Enterprise qualifies by virtue of 51% or more of ownership and active management by one or more of the following:**

- Caucasian American
- African American
- Native American
- Hispanic American
- Asian/Pacific American
- Hasidic Jew
- Asian/Indian American
- Woman-Owned
- Other (Specify):

MBE/WBE/RBE Certification Number (if applicable):

**10. Debarred Statement: Has this firm, or any of its principal(s) or executive leadership ever been debarred from providing any services by the Federal Government, the State of Maryland, or any Local Government Agency within the State of Maryland?**

- Yes
- No

*If yes, please attach a detailed explanation on following pages, including dates, circumstances, and current status.*

**11. Disclosure Statement: Does this firm or any principals of this firm have any current or past, personal or professional relationship with any employee, or elected official of the City of Takoma Park?**

Yes

No

If yes, name of such employee or elected official:

*If yes, please attach a detailed explanation on following pages, including dates, circumstances, and current status.*

**12. Verification Statement: The undersigned Developer hereby states that by completing and submitting this form, they are verifying that all information provided herein is, to the best of their knowledge, true and accurate, and that if DHCD discovers that any information entered herein is false, that shall entitle the DHCD to not make award or to cancel any award with the undersigned party, and invalidate their eligibility for inclusion on the Roster of Responders.**

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*Signature*

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*Date*

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*Printed Name*

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*Company Name*

**Exhibit E – Project Interest Form**

Please select the boxes for project sizes you would be interested in partnering with the City for assign if selected for the list of qualified firms. Please indicate (without a City subsidy) what the estimated maximum contract price would be. The City will only consider assign if the project meets BOTH the contract price (adjusted for the City’s estimated subsidy) and number of units criteria for the property being offered.

- 1. **Name of Firm:**
- 2. **Contact Name:**
- 3. **Contact Email:**
- 4. **Contact Phone Number:**
- 5. **Interest Matrix**

Interest	Number of Units	Maximum Contract Price
<input type="checkbox"/>	1-4	
<input type="checkbox"/>	5-20	
<input type="checkbox"/>	21-50	
<input type="checkbox"/>	51-100	
<input type="checkbox"/>	100+	

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name*

\_\_\_\_\_  
*Company Name*