



— BALTIMORE CITY —
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Fall 2022

REQUEST FOR PROPOSALS

INSTRUCTIONS AND DETAILS

INSTRUCTIONS TO BIDDERS PREPARING A PROPOSAL

Applicants, please read these instructions and details in conjunction with completing the DHCD Fall 2022 Request for Proposals (RFP). Proposals must be submitted in accordance with the instructions specified in the RFP. Proposers must provide all requisite information and clearly and concisely respond to all points set out in the RFP.

Bidding is open to interested and qualified bidders who meet the DHCD requirements as defined in the RFP.

Community Vision and Participation

The Developer is required to regularly communicate with residents, neighborhood organizations, elected officials, and other government agencies during the planning and construction process. Respondents are encouraged to meet with local community members to discuss community concerns or questions. Selected applicants will be invited by a review panel to present their proposed plans at a community meeting following the application deadline.

Intent of Offering

DHCD is seeking development teams who are willing to purchase and develop the site in accordance with the goals stated herein and in a way that complements and adds value to the community. The goals of the City in seeking redevelopment proposals for the site include, but are not limited to the following:

- A. Achieving a high-quality development that complements neighboring homes, existing assets, and enhances the surrounding community.
- B. Incorporating a marketing plan and capitalizing on existing homeownership incentives and financial products applicable to the neighborhood.
- C. Ensuring that sound market understanding and financial development principles are applied.
- D. Providing financial returns to the City including, but not limited to, proceeds of sales, incremental tax revenues, and secondary financial impacts.
- E. Offering opportunities for community input and participation.
- F. Creating opportunities for Minority- and Women-Owned Business Enterprises.
- G. Implementing the development concept with no or minimal City subsidy.
- H. Providing community and public space improvements and activities that enhance the project site and the community.

Standards and Controls

I. Site Conditions and Terms

- A. The properties are offered in as-is condition. The site may or may not contain environmental hazards that may need remediation by the respondent prior to redevelopment. DHCD has not conducted environmental testing of the site and does not make any representation, guaranty, or warranty concerning any site conditions, including possible presence of hazardous materials.
- B. The City will bear no responsibility or expense in removal or treatments of asbestos, lead, or other hazardous materials. Respondents shall indemnify and hold the City and DHCD harmless from claims or damages arising out of, or in connection with, the presence of or removal of such materials.

II. Zoning and Land Use Regulations

The current zoning and other governing regulations shall control the future use of this property. The Zoning Code of Baltimore City is available at <https://zoning.baltimorecity.gov/>. Proposals that contemplate a variance or change in Zoning may be acceptable provided that the issue is addressed appropriately in Submission Requirements. DHCD cannot guarantee approval of any requested regulatory changes.

III. MBE Participation

- A. It is the policy of the City that minority- and women-owned businesses should have maximum opportunity to participate in any and all components of the project. In consideration for receiving the Developer Agreement, the developer agrees to comply with Article 5, Subtitle 28 of the Baltimore City Code (2007 Edition) regarding participation by Minority Business Enterprises (MBE) and Women's Business Enterprises (WBE) in the development of the project during design and construction. The developer covenants and agrees to use all reasonable, good-faith efforts to meet the MBE and WBE participation goals for the project and to execute a "Commitment to Comply" Agreement. MBEs and WBEs must be certified by the City for their participation to count toward achieving the goals.
- B. The City's Minority and Women's Business Opportunity Office (MWB00) is designated to monitor MBE and WBE participation on this project. The developer shall comply with the rules and regulations of the MWB00 in meeting the MBE and WBE requirements. For more details on meeting MBE and WBE requirements, or for information regarding enterprises certified by the City, please contact:

City Law Department
Baltimore City Hall
100 North Holliday Street
Baltimore, Maryland 21202
410-396-4355

IV. Employ Baltimore

Employ Baltimore is designed to create opportunities that receive municipal contracts to access qualified City residents to meet their workforce needs. The initiative will also ensure that City dollars contribute to the local economy and improve the lives of employable Baltimoreans. All vendors responding to this solicitation shall complete the Certification Statement that is included as an attachment of this RFP. The selected contractor must contact the Mayor's Office of Employment Development (OED) within two (2) weeks of receiving the award and shall be expected to comply with the reporting requirements. For additional information, please call OED (443) 984-3014.

Submission Requirements

The Respondent must be in good standing with the State of Maryland, City of Baltimore, and the U.S. Department of Housing and Urban Development (HUD). The following provides guidance on what the response must contain and how it must be organized. The purpose of this information is to establish the requirements, order and format for responses, and to ensure the proposals are complete, include essential information and can be fairly evaluated. Respondents are requested to avoid duplicative materials and redundancies in the response.

I. Letter of Interest

The cover letter must list the development team members and identify the primary contact person. Please include a phone number and e-mail address. The letter must be signed by an authorized principal of the Respondent's firm and include a statement that the proposal will remain valid for not less than 180 days from the date of the approval of the selection of the Respondent.

II. Project Description

Respondents must provide a preliminary conceptual vision for how they would approach the redevelopment of the property. The response can be in narrative form and can include preliminary illustrations or plans.

III. Budget and Financing

A. Fund Pre-Development Costs: The Development Team will be expected to identify and secure all necessary pre-development financing. There should be no expectations that the City will provide pre-development financing or subsidy.

B. Financing Plan: The Developer will be required to provide a financial analysis and plan of the costs required to undertake development, as well as potential sources and uses and recommendations to leverage funds. The plan is expected to be developed in conjunction with the Development Plan and market analysis. The financing plan must demonstrate a sensitivity and approach in using public funds and resources in the most efficient manner.

1. Provide a development budget indicating the estimated costs of redevelopment of the Site. This budget should include the purchase offer to the City as well as the estimated "hard" and "soft" costs for the actual project. Disclosures of terms and sources for all debt must be included. A commitment letter may be required from a lending institution. If the project anticipates such sources of funding as foundation grants, corporate gifts, or governmental program funds, provide a summary of the source funds that includes a timetable of when applications are available and when awards are made. In addition, describe the applicability of the project to the goals of the funding source. Please note that Baltimore City is not likely to provide cash subsidies.

2. Provide a summary of the assumptions on which these estimates are based, such as previous comparable projects or estimates provided by contractors.
 3. Provide a Sources and Uses Statement identifying the estimated amount of debt and equity financing by source, acquisition price, and “hard” and “soft” costs.
 4. Provide a project timeline. Be sure to indicate any revisions to existing governing regulations for the Site, such as zoning that would be required to carry out the proposed development. Please include the time required to seek such amendments in the design portion of the timeline.
- C. **Budgets and Pro-Formas:** Provide estimated development budgets including hard costs, soft costs and contingencies for the overall development. Delineate any escalation factors that may be required.
- D. **Financing Application(s):** Prepare all applications necessary and use best efforts to obtain all financing necessary to implement the Development Plan in a timely fashion, which may include, but not be limited to, various tax credits, tax-exempt bonds, state and local funds, and private debt.
- E. **Leverage Public and Private Resources:** The selected Developer will be responsible for securing federal, state, local and private financing necessary to implement the project and for maximizing these resources through a variety of partners and partnerships.
- F. **Guarantees:** The Respondent will be required to provide all necessary operating and financing guarantees.
- G. **Accounting/Financing:** Maintain accounting records and ensure project financing is available at the appropriate times and utilized in the appropriate manner.

IV. Farmer Capacity

- A. Each proposal must list one reliable and easy-to-reach contact for the development team.
- B. List names of your development team and describe the role, experience, and capacity of each (including architects, contractors, construction managers, real estate brokers, marketing, etc.). Briefly describe the staff positions and qualifications of those individuals who would carry out the redevelopment. Describe any existing commitments that would impact your ability to implement the project immediately.
- C. Description of the firm size, number of employees, and a description of type, location, scheduled completion, and dollar value of the projects in the pipeline.
- D. Provide an organization chart of the Development Team. All entities that comprise the team must be identified including consultants, contractors, and attorneys, indicating their specialization(s), specific contribution to the team, and whether they are an M/WBE business. Please provide information on the development team’s prior experience working together.
- E. Provide resumes of the project team including, if applicable, architect, engineers of all appropriate disciplines, contractor and/or construction manager, marketing agent and property management firm. Resumes should include a description of experience and completed projects that the reviewers may visit.
- F. Indicate whether the Respondent or any team member has ever been terminated from a contract and, if so, describe the circumstances and outcome.

- G. Indicate whether the Respondent or any team member has ever sued or been sued by a city and, if so, describe the circumstances and outcome.
- H. Indicate whether the Respondent has ever been debarred by any local, state, or federal agency, and if so, describe the circumstances and outcome.
- I. Provide a narrative statement describing the previous experience of the Respondent and development team. Provide specific information on projects that are similar in scale and character to the proposed development including the nature and dollar value of each project, the project manager's name and contact information from at least one participating lending institution. Emphasize any exceptional or unique qualifications of the Respondent.
- J. Attach the three most recent years' audited or certified public accountant ("CPA") prepared financial statements from each member of the Development Team who will be providing guarantees in connection with the development and operation of the project. The financial statements must include the most current year for which audited or CPA prepared financial statements are available. The statements must include an income statement as well as a balance sheet showing assets, liabilities and net worth of the entity. Financial statements and bank references may be placed in a separate sealed envelope marked "confidential." Additionally, submit one bank reference for the Respondent.
- K. Provide a statement indicating how the Respondent will honor all financial guarantees, should the need arise.
- L. Provide evidence of insurability. The developer shall maintain for the duration of the contract(s), at its cost and expense, insurance against claims for injuries to persons or damages to property, including contractual liability which may arise from or in connection with the performance of the work by the vendor, its agents, employees, representatives, assigns, or subcontractors. This insurance shall cover such claims as may be caused by any negligent act or omission.
- M. Please provide a bank or similar type of reference showing all insurance to be written up for the following limits of liability:
1. Bodily Injury Liability Insurance: \$1,000,000 each person, \$1,000,000 each occurrence;
 2. Property Damage Liability Insurance: \$1,000,000 each person, \$1,000,000 each occurrence;
 3. Professional Liability: \$1,000,000;
 4. Worker's Compensation: \$250,000.

N. In addition to the bank reference, five (5) references must be submitted for the Respondent. References that are relevant to the scope of work as anticipated in this RFP including one from a public sector entity and four from among the following entities are required:

1. Construction and Permanent Lenders,
2. LIHTC, New Markets or Comparable Investor,
3. General Contractor on a comparable development,
4. State Housing Finance Agency, if available, or
5. Community Group that worked with the Respondent on a specific project.

O. Complete the Owned Property Disclosure questions. Include all properties owned or managed by the development entity and any principal with at least a 10 percent interest in the development entity.

V. Community and Economic Inclusion

Please summarize any local hiring activities that may lead to workforce opportunities for at-risk city residents.

VI. Minority and Business Enterprise Participation

A. Indicate the minority- and women-owned business participation in the development team. Include the percentage of ownership of the final development by such firms. Indicate whether such firms are currently registered with the City as Minority- and Women-Owned Business Enterprises (MWOBE) or will be seeking registration.

B. Provide a list of minority- and women-owned businesses and contractors who will be asked to participate in this work. Indicate whether such firms are currently registered with the City as Minority- and Women-Owned Business Enterprises or will be seeking registration.

C. Indicate any additional steps that will be taken by the development team to maximize minority participation in the various stages of development, operations and employment when the project is completed.

D. Provide the name and contact information of the individual responsible for adherence to MWOBE participation goals.

VII. Community Participation

Describe how the team will involve the community in the planning and implementation of redevelopment activities. The response must include a discussion of the approach and methods your team will utilize to assure meaningful participation by the residents of the neighborhood, community stakeholders, and local government entities in the planning and implementation of the project.

Evaluation Criteria

The DHCD Review Panel will review and rank proposals based on a scale of 100 points. DHCD may select one of the proposals at its sole discretion. Criteria used in evaluation of proposals include, but are not limited to, the following:

A. Quality of Development Concept (30 Points)

1. Overall scope, neighborhood compatibility and quality of the proposed development.
2. Quality of the construction proposed.
3. Quality of the design of the proposed development, as well as its compatibility with the surrounding neighborhood.
4. Quality of the interior design and aesthetics.

B. Project Feasibility (20 Points)

1. Project is economically sound and based on established financial principles and supported market assumptions.
2. Project may be accomplished in a timely manner.
3. Project does not face insurmountable regulatory hurdles or constraints.
4. Project includes sound financing approach, including incorporating flexible, innovative and new approaches that lower risks to successful outcomes, increase benefits to the City or Community, accelerate completion or are otherwise advantageous to the project.

C. Farmer Capacity and Experience (20 Points)

1. The development team has a satisfactory record of past performance as demonstrated by the respondent's experience in planning, financing, constructing, marketing, and managing projects similar in size and scope to the proposed project.
2. The respondent has a track record of successful negotiations with governmental entities and/or community members on completed development projects.
3. The respondent has the ability to provide or obtain sufficient financial resources to successfully negotiate a Land Disposition Agreement with DHCD and to start and complete the project in a timely manner.

D. Benefits to the City (10 Points)

1. Direct financial benefits to the City of Baltimore that include, but are not limited to payments for acquisition of the Site, incremental tax revenues; and, secondary financial impacts. Proposals that limit the costs and subsidies from the City will be viewed more favorably.

2. Contributions to the economic growth of the City that include, but are not limited, to increased jobs for City residents, meeting the demand for quality housing and other positive contributions to long-term economic growth of the City.
3. Meeting of a citywide service need such as affordable housing, recreation, educational opportunities, or job training.

E. Benefits to the Community (10 Points)

1. This includes, but is not limited to, the ability to support and enhance ongoing revitalization efforts and sustain residential values.
2. Support by the immediate and surrounding communities.
3. Compatibility of proposed use with the surrounding neighborhood and any existing neighborhood plans.

F. Economic and Community Inclusion (10 Points)

1. Indicate the minority- and women-owned businesses participation in the proposed site development, if applicable.
2. Provide a list of minority- and women-owned businesses, consultants, financial institutions, and employees who will be asked to participate in this work, if applicable.
3. Indicate any additional steps that will be taken to maximize the participation of women and minorities in the development and operations of the development site.
4. Opportunities for community input and participation.

I. Award Procedures

DHCD will review each RFP. The evaluation will be based on information submitted and any related information that staff may discover in analyzing or verifying information submitted in the response or subsequently requested. Based on this evaluation, DHCD will determine whether the applicant is qualified and suitable for next steps toward an award. However, DHCD, in its sole discretion, reserves the right to request additional information from respondents; to issue the RFP at a later date or to enter directly into an Exclusive Negotiating Privilege with a qualified respondent.

A. Eligibility for Award

In the event that DHCD determines that it has received one or more proposals which, at the sole determination of DHCD, are deemed feasible, DHCD may make an award for the property under the terms of this RFP. In this event, the selected Respondent may be awarded the opportunity to enter into an Exclusive Negotiating Privilege with the City. In order to be eligible for such an award, the proposal must be responsive to the RFP. Responsive proposals follow all guidelines established herein for preparation and submission and achieve goals stated within this RFP.

B. Community Presentations

Respondents selected by the review panel may be asked to make a community wide presentation. DHCD will work collaboratively with the Department of Planning and all of the affected community groups to organize the logistics and format of this presentation. DHCD will conduct a survey of community stakeholders to provide input for the RFP panel review. Impacted community association(s) may, at its/their sole discretion, governed by its/their own rules and by-laws if any and in any format of its/their choosing, provide DHCD with a recommendation regarding the award of the Site.

C. Review Panel

DHCD may designate a Review Panel for evaluating the proposals. The size and composition of the Review Panel is the sole responsibility of DHCD. The Review Panel shall have the opportunity to review all written materials and may request additional written materials or oral presentations from any or all Respondents. Local community associations and other parties may be asked to provide their recommendations to the Review Panel. The Review Panel will recommend a selected respondent to the Commissioner of the Department of Housing & Community Development. The Housing Commissioner makes the final decision regarding the award of the project based on submissions and final recommendation of the Review Panel.

D. Finalist Round

The City may, at its sole discretion and as part of the evaluation process, enter into negotiations with highest ranked proposers and invite “best and final offers” as deemed in the best interest of the City. The City may ask the proposers to respond to additional questions and provide additional information. However, the City is not obligated to negotiate, and may make the award based on the initial evaluation or negotiated “best and final offers” as determined by and at the City’s sole discretion as in the City’s best interest. Proposers are advised not to prepare their proposal on any assumption that negotiations will take place. Proposers are advised to respond full at the time of proposal submission.

E. Notification

Official notice of award will be sent by email and followed by U.S. Mail to the address and contact person listed in the online application. Respondents who are not selected will be similarly notified by email and followed U.S. Mail after a selected Respondent has been offered and accepted the Exclusive Negotiating Privilege for the Site.

II. Negotiations and Sale Process

A. Exclusive Negotiating Privilege

Upon selection, DHCD may issue an Exclusive Negotiating Privilege (ENP) for a period of ninety (90) days to the selected Respondent setting out specific requirements and deadlines for fulfilling the requirements of this RFP. During this period, all capital for this project should be determined. The selected Respondent will have seven (7) days in which to return the signed ENP and provide a non-refundable fee of One Thousand Dollars \$1,000 in the form of a certified check made payable to ‘Director of Finance’. If negotiations have not been completed within ninety (90) days of executing the ENP, the ENP may expire. DHCD may choose to extend that time period if, in the view of DHCD, negotiations are proceeding satisfactorily. Should the parties fail to agree upon a contract within the time frames established by the ENP, DHCD, at its sole discretion, may cancel negotiations with the selected Respondent. DHCD may choose to enter into negotiations with another Respondent, accept new proposals, or cancel the RFP.

B. Right-of-Entry

Upon selection, DHCD may issue a Right-of-Entry to the selected Respondent. Under the Right-of-Entry the selected Respondent, its employees, agents, and representatives may enter the Property for the purposes of carrying out environmental baseline analysis for hazardous materials, site surveys, plats and re-subdivisions as applicable, soil boring data and analysis, analysis of the structure, architectural and engineering studies for proposed rehabilitation, and other relevant activities. Prior to the execution of the Right-of-Entry the Respondent will be required to provide evidence of insurance coverage.

C. Land Disposition Agreement and Board of Estimates Approval

Within ninety (90) days following the successful conclusion of negotiations under the ENP, the City may enter into a Land Disposition Agreement (LDA) setting forth the terms and conditions of sale or lease and development of the Site, including construction timeline. The final acceptance of any proposal and disposition of the property through a Land Disposition Agreement is subject to the approval of the Board of Estimates of Baltimore City. DHCD and the developer can proceed to settlement only after approval of the LDA by the Board of Estimates. The LDA will contain provisions whereby the City has the right to intervene in the event the developer does not satisfy terms of the agreement including reversions of the title of property to the City.

D. Development Oversight

The selected Respondent must agree to the review and guidance of DHCD and the Department of Planning in the preparation of plans for rehabilitation in conformance with this RFP, the Zoning Ordinance standards as applicable, and other applicable codes and ordinances of the City of Baltimore.

III. Rights Reserved

- A. DHCD reserves the right in its sole discretion to recommend the award related to this RFP based upon the written proposals received by DHCD without prior discussion or negotiation with respect to those proposals. All portions of this RFP will be considered to be part of the LDA and will be incorporated by reference. Any LDA awarded in connection with the RFP will be subject to approvals as required by the City Law Department, including final approval by the Board of Estimates of Baltimore City.
- B. As part of the evaluation process, DHCD specifically reserves the right to review and approve the drawings, plans, and specifications for redevelopment with respect to their conformance with the goals and requirements of this RFP.
- C. DHCD also reserves the right to refuse to approve any such drawings, plans, or specifications that are not suitable or desirable, in its opinion, for aesthetic or functional reasons in so passing upon such drawings, plans, and specifications, it shall have the right to take into consideration, but shall not be limited to, the suitability of the Site plan, architectural treatment, building plans and elevations, materials and color, construction details, access, parking, loading, landscaping, identification signs, exterior lighting, refuse collection details, street, sidewalks, and the harmony of the plan with the surroundings.
- D. DHCD reserves the right, (at its sole discretion,) to accept or reject any and all proposals received as a result of this RFP, to waive minor irregularities, and to conduct discussions with all responsible Respondents in any manner necessary to serve the best interest of DHCD and the City of Baltimore.

E. DHCD reserves the right to request additional information from any or all Respondents if necessary to clarify statements or data contained in the proposals.

F. DHCD reserves the right to reject any proposal as a result of misrepresentation of any information contained in the proposal including but not limited to representations made in Exhibit B.

ADMINISTRATIVE INFORMATION

The issue date of this RFP is Wednesday, September 21, 2022.

-This RFP is issued by: The Department of Housing & Community Development Department of Development

*This RFP is issued on behalf of the Mayor and City Council of Baltimore.

I. Pre-Proposal Conference

An RFP Pre-Proposal Conference will be held on Wednesday, October 5, at 4:30 p.m. The conference will be aired live via [DHCD's Facebook page](#). Virtual conference call details will be posted at a later time.

If special accommodations are required to participate in the conference, please email developmentinfo@baltimorecity.gov at least two (2) business days in advance.

II. Revisions and Addenda

Should it become necessary to revise any part of this RFP or provide additional information necessary to adequately interpret the provisions and requirements of this RFP, an Addendum to the RFP shall be provided to all Respondents who attend the Pre-Proposal conference and provided their contact information. DHCD will also appropriately update the web version of the RFP should any such revision or addenda be necessary. Because DHCD may not have contact information for Respondents who choose to acquire the RFP from the DHCD website, it is recommended that such entities review subsequent postings periodically to maintain current information about the offering.

III. Deadline

The deadline for receipt of proposals is 11:59 p.m. (EST), Wednesday, November 16. Proposals will be dated and timed upon submission and an email confirmation will be provided. DHCD will not accept proposals after the deadline. All applications must be received via DHCD online Fall 2022 RFP. It is the Respondent's sole responsibility to ensure that the proposal is in the possession of the issuing office by the deadline.

IV. Submitting Responses to RFP

All respondents must mail a \$250 fee, postmarked by Wednesday, November 16, 2022 made payable to the Director of Finance to: Department of Housing & Community Development
Development Division
Attn: Fall 2022 RFP
417 East Fayette Street, Room 1001
Baltimore, Maryland 21202

V. RFP Additional Details

A. Incurring Expenses - The City of Baltimore shall not be responsible or pay for any cost(s) incurred by any Respondent in preparing and submitting a proposal or requested supplemental information in response to the RFP.

B. Public Information Act Notice - DHCD commits to handling all information regarding financial assets and holdings of Respondents in strictest confidence. Respondents should give specific attention to identifying any additional portions of their proposals that they deem to be confidential, proprietary or trade secrets and provide any justification why such material should not be disclosed by DHCD under the Maryland Public Information Act SS 1-601 et seq. of the State Government Article, Annotated Code of Maryland upon request by the public.

C. Compliance with the Law - By submitting an offer in response to this RFP, the Respondent selected for award agrees that it will comply with all Federal, State, and City laws, rules, regulations and ordinances applicable to its activities and obligations under this RFP.