

Excess Sites Framework - Objectives, Scoring, Submission Requirements, and Reviewer Guidance Table

This document is intended to inform potential Respondents of the requirements for proposals, the alignment of those requirements to the Excess Sites program's overall objectives, and the State's approach to scoring. Respondents are advised to carefully review each item prior to submission. Respondents are further advised to periodically check the Excess Sites webpage where this Table is located for updates as the State may revise this Table from time to time. Respondents are hereby made aware that the level of detail, specificity, clarity, and use of successful, analogous examples in submitted narratives will be a factor in scoring. Please also note that all references to "pages" refer to a standard copier page size (8 1/2 x 11).

Program Objectives and Standard Submission Requirements					
Program Objective	Submission Items		Reviewer Guidance		Maximum Points Possible
1) Affordability: Maximize depth and breadth of affordability while maintaining financial feasibility. Maximizing the number of lower income (80% AMI and below) units should be considered as the primary goal, while remaining in conformance with California Government Code Section 14671.2. 2) Speed of Delivery: Demonstration of a feasible path to meeting the timing goals of the EO including a clear CEQA and entitlement strategy under the framework of state sovereignty that supports the timely advancement of funding applications. Commitment to exceed all deadlines within developer control, prioritize this project within broader portfolio of developer projects, and proactively seek technical assistance pre- and post-application for any Federal, State or Local funding program.	Excel Submission Tool - Unit Mix and Affordability Score Calculation	Complete the Unit Mix tab and the Affordability Score Calculation tab in the Excel Submission Tool. Include all units for the first phase included in the submission.	<u>Quantitative</u> Automatically generated score, up to maximum possible points	Check the Unit Mix tab in the Excel Submission Tool against the other components of the submission to ensure they match. The score will be automatically generated. Check table to confirm conformance with Government Code 14671.2	300
	Excel Submission Tool -Project Overview and Development Schedule	Complete the Project Overview tab, including the Development Schedule Table, in the Excel Submission Tool. In doing so, provide the applicable dates for the following milestones: a) Execution of Lease Option Agreement (LOA), b) CEQA clearance, c) site and/or building permit submittals, d) financing application deadlines and anticipated award dates for each permanent source included in the Excel Submission Tool as applicable, e) construction loan close, f) construction start, g) certificate of occupancy, and h) permanent loan conversion, if applicable.	PASS / FAIL	PASS: The Respondent includes a development schedule in the requested format and with the required milestones and timeframes. FAIL: The Respondent does not include a development schedule in the requested format and with the required milestones and timeframes.	PASS / FAIL
	Development Schedule Narrative	In no more than three (3) pages, provide further context to the schedule. This document should provide a roadmap to project conversion which aligns with, and is supported by, the predevelopment budget and predevelopment financing narrative (separate submission items). The narrative should discuss the following risk categories which could delay the commencement of construction and how they will be mitigated: a) specific entitlement risks, b) the plan to obtain CEQA clearance, including the date by which that approval is necessary for a financing application, any potential project and/or site-specific delays to the CEQA process (and how those delays will be mitigated), c) design and construction risks, including any aspects of the site which may present a delay in the predevelopment or construction timeline (and how those risks will be mitigated), and d) additional context or notes on the schedule which the Respondent wishes to provide.	<u>Qualitative</u> Up to maximum possible points	Schedule Sufficiency: up to 50 points may be awarded to the degree that the Respondent provides an efficient and reasonable project timeline with expedient pathways to critical project milestones, including construction finance close, construction start, certificate of occupancy, stabilization, and conversion to permanent financing, as applicable. Risks and Mitigations: up to 80 points may be awarded to the degree that the Respondent demonstrates an awareness of the risk categories (a through d), how they might impact their specific project, and has proposed sufficient and feasible mitigation measures to address those risks to minimize impacts to the delivery of the project according to the development schedule.	130
	Excel Submission Tool - Respondent Team	Complete the Respondent Team tab in the Excel Submission Tool.	PASS/FAIL	PASS: The Respondent provides the requested information for the Lead Respondent and all other Respondent Team members, as applicable. FAIL: The Respondent does not provide the requested information for the Lead Respondent or other, applicable Respondent Team members.	PASS / FAIL
	Excel Submission Tool - Predevelopment Budget	Respondents shall complete the predevelopment budget tab in the Excel Submission Tool.	<u>Qualitative</u> Up to maximum possible points	Points shall be awarded to the extent that the Respondent provides a feasible budget that demonstrates: a) understanding of the financing necessary to advance the project according to the proposed development schedule until construction start/closing b) understanding of the cost environment for development within the site-specific location, and c) reasonable funding sources, and funding amounts, relative to the project characteristics and applicable funding eligibility requirements.	45
	Predevelopment Financing Narrative & Demonstration of Predevelopment Financing Capacity	Respondents shall provide a narrative description, not to exceed three (3) pages, of the Respondent's strategy for, and capacity to obtain, sufficient predevelopment funding to adequately cover the projected expenses as provided on the Predevelopment Budget tab of the Excel Submission Tool. Respondents should include the following in the narrative: a) a description of the Respondent's previous experience with obtaining similar predevelopment funding for previous, comparable projects, including documentation of predevelopment financing/loan commitment(s) for comparable project(s) (if applicable), and b) an explanation as to why the Respondent feels that the identified predevelopment source(s) will be available in the projected amount, and how the respondent would adjust if the funding were not available. If the predevelopment source is internal working capital, then Respondents must provide financial statements which demonstrate the availability of such capital for this project.	<u>Qualitative</u> Up to maximum possible points	Maximum points shall be awarded to responses that clearly demonstrate an ability and capacity to secure anticipated predevelopment funds, and provide reassurance to the State that obtaining these funding source(s) aligns with the submitted development schedule.	45
	Speed of Delivery Commitment Statement	Review and sign the Speed of Delivery Commitment Statement. If two development entities are submitting for a given site, both the Lead Respondent and their partner entity shall sign and submit this statement.	PASS / FAIL	PASS: The commitment statement has been provided, unchanged and is signed by an authorized signer. FAIL: The commitment statement is not properly completed or submitted.	PASS / FAIL
	Respondent Development Capacity	Provide a complete organizational chart of the Respondent's current real estate development staff that will be involved with the proposed project. For each staff person identified, Respondents shall also provide a current resume. In fulfilling this requirement, Respondents shall not include external consultants. Executive staff that may only incidentally be involved in the project shall be included. By way of guidance, staff with the following roles and/or titles (or similar) should be included: a) Housing Development Assistant Project Managers, b) Project Managers, c) Senior Project Managers, d) Associate Directors, e) Directors, f) Vice Presidents, g) Senior Vice Presidents. Denote those with authority to execute agreements on behalf of the Respondent. If two development entities are submitting for a given site, both the Lead Respondent and their partner entity shall provide organizational charts and applicable resumes.	PASS / FAIL	PASS: Lead Respondent(s), and any partner entity, provides a complete organizational chart and resumes for each staff member on the chart. FAIL: Lead Respondent(s), and any partner entity, does not provide a complete organizational chart.	PASS / FAIL
	Pipeline and Capacity Narrative	In no more than three (3) pages, Respondents shall describe their approach to staffing development projects. This narrative should include descriptions as to how the Respondent's staffing strategy has contributed to the development of successful projects within necessary timeframes, as well as how the Respondent shall ensure that adequate capacity is dedicated to their proposed project. If two development entities are submitting for a given site, this narrative should include information from both entities within the page limits allotted.	<u>Qualitative</u> Up to maximum possible points	Points shall be allotted in accordance with the degree to which the narrative indicates that the Respondent has a robust set of practices for staffing projects that has lead to successful outcomes. Narratives that adequately address issues such as a) staff turnover, including timeframes to hire, b) allocation of workload to avoid project delays, and c) ability within the Respondent's firm to redirect resources to help lagging project shall score higher than those that do not.	20
3) Financial Feasibility: Demonstration that the proposed project is not only financially feasible but is also financially probable. Developer indicates that the project has ability to be competitive in proposed and applicable funding programs, including no negative points or mitigation plan to resolve negative points. Developer willingness to apply for additional funding if needed.	Judgments and Violations Disclosure	Respondents shall disclose in a declaration all of the following, as applicable, if any of them occurred within five years of the submission date: defaults, any judgments, court orders, pending litigation, contractual disputes, violation notices, or other matters reflecting a violation of applicable regulations related to the operations or projects undertaken by the developer entity or any of its individual members or affiliates exercising direct or indirect control over the development entity, including all key persons on the Respondent team. If none of the above is applicable, the Respondent shall include a declaration to that effect as part of their submission. If two development entities are submitting for a given site, both the Lead Respondent and their partner entity shall provide this Judgments and Violations Disclosure.	PASS / FAIL	PASS: Lead Respondent(s) provides either a declaration disclosing the existence of any judgments or violations in the specified time period, or a declaration that no such judgments or violations have been occurred. FAIL: Lead Respondent(s) does not provide a declaration. Note: a failure to disclose the existence of any known judgment or violation of the type described shall be grounds for rejection of the submission.	PASS / FAIL

	Negative Points Disclosure	<p>The Lead Respondents and their partner entities (if applicable) shall disclose in a declaration the existence of any negative points assigned (as defined in HCD's Memorandum on Negative Points, 2022, and which may be amended from time to time) from the California Debt Limit Allocation Committee (CDLAC), the California Tax Credit Allocation Committee (CTCAC), and/or the State of California Department of Housing and Community Development (HCD) within the previous six (6) months of the submission date. In the event that the Respondent has received negative points from HCD within the specified time period, Respondents shall note if the assessment of negative points was classified as Curable or Non-Curable per HCD's Negative Points Policy.</p> <p>If there are no negative points that have been assigned to the Respondents during the specified time period, the Respondent shall include a declaration to that effect as part of their submission.</p> <p>Link: HCD's Memorandum on Negative Points (2022)</p>	PASS / FAIL	<p>PASS: Lead Respondent(s), and their partner entities (if applicable), provides either a declaration disclosing the existence of negative points in the specified time period, or a declaration that no such negative points have been assigned.</p> <p>FAIL: Lead Respondent(s), and their partner entities (if applicable), do not provide a declaration.</p> <p>Note: a failure to disclose the existence of negative points from CDLAC, TCAC, or HCD shall be grounds for rejection of the submission.</p>	PASS / FAIL
	Excel Submission Tool - Financing Uses and Sources, Operating Budget, and Cash Flow	Complete the following tabs in the Excel Submission Tool: Financing Uses, Financing Sources, Operating Budget, and Cash Flow.	<u>Qualitative</u> Up to maximum possible points	For maximum points, the Respondent must demonstrate a robust understanding of the proposed and applicable funding programs for predevelopment, development, and operating costs that demonstrate a clear path to ensuring that the project will be financially feasible in the near and long term.	80
	Excel Submission Tool -Developer Experience	<p>Utilizing the Developer Experience tab within the Excel Submission Tool, Respondents shall list up to five (5) real estate projects which are generally similar to the proposed project and have been completed by the Respondent within the past ten years (from the date of submission).</p> <p>If two development entities are submitting for a given site, the experiences of either the Lead Respondent or their development partner entity may be included except that both entities shall have at least one project listed.</p>	<u>Qualitative</u> Up to maximum possible points	<p>Up to eight (8) points shall be awarded for each project that was completed within the specified time period and are substantially similar to the proposed project.</p> <p>In the event that a Respondent qualifies as an Emerging Developer, each qualifying project submitted by the Emerging Developer shall be awarded twenty (20) points, up to a maximum of 40.</p> <p>Note: Experience is limited to the Respondent(s) (developer) only. Architects, general contractors, engineers, etc. are not necessary to be identified at this time, and will not be evaluated in this or other categories.</p>	40
	Excel Submission Tool - Public Funding Track Record	<p>Utilizing the Public Funding Track Record tab within the Excel Submission Tool, Respondents shall list up to five (5) funding awards for "gap" financing for multifamily, rental affordable real estate projects for which the Respondent was the applicant and funding award recipient. Only awards within the previous five (5) years from the date of submission may be counted. Respondents may include awards for project financing (loans and/or grants) from local jurisdictions (such as a city or county), local agencies (such as a housing authority), or State agencies (such as the California Department of Housing and Community Development), from other from other states, or from the Federal government. Respondents may include awards for pre-development, construction, and/or permanent funding, as well as for rental assistance (such as Section 8) and operating subsidies.</p> <p>Loans from commercial banks, community development financial institutions (CDFIs), or other private lenders do not count as awards for purposes of this requirement. If there is missing information for any of the funding awards listed, Respondents should provide an explanation.</p>	<u>Qualitative</u> Up to maximum possible points	<p>Points shall be awarded in accordance with how similar (ideally, the same) the funding sources of the listed awards are compared to the funding sources proposed for the Respondent's project. In determining the degree of similarity, the State may take into account the contemporaneity of the award, the project specifics (ex: affordable housing units and/or populations), the location of the award, etc. in relation to the proposed project.</p> <p>In the event that a Respondent qualifies as an Emerging Developer, the State reserves the right to allocate points to the Respondent as it determines is appropriate. Awards listed that are missing information and do not have a reasonable explanation for the lack of information shall not be scored.</p>	40
	Funding Strategy and Contingency Planning Narrative	<p>Respondents shall submit a narrative, not to exceed three (3) pages, that contains the following three components, as applicable:</p> <p>1. Local Funding. If the proposed development sources listed by the respondent in the Excel Submission Tool includes funding from a local government or agency (such as a city, county, or housing authority) which has jurisdiction in the area in which the project is located, the Respondent shall include a narrative detailing the specifics of those funds sources. Those details should include: a) the general timeline relative to the funds sources, including if they have been already been made available or when those funds will be made available via a Notice of Funding Availability process (or similar), b) the Respondent's strategy as to how their proposed project will successfully compete and obtain funding awards from these sources, and c) any further special considerations in obtaining funding from this source(s). Respondents are NOT required to contact local governments or agencies to obtain this information, yet they may do so at their choosing. This component shall not exceed one (1) page.</p> <p>2. Alternative Funding. The second component shall describe an alternative funding scenario for the proposed project that the Respondent would pursue in the event that the scenario included in Development Schedule Narrative proves infeasible. In completing this component, the Respondent should a) clearly detail permanent sources for this alternative scenario, b) provide a timeline for application and decision-making, c) address potential impacts or delays to construction start, and d) provide an analysis of the benefits and potential drawbacks of the alternative scenario. For the alternative scenario, the unit mix and AMI levels for the proposed project shall not change (the alternative scenario is intended to be a different financial path to achieve the same outcome, not an opportunity to submit a revised or alternative project).</p> <p>3. Non-Traditional Funding. If the submitted proforma includes a non-traditional funding source, describe the proposed non-traditional source(s). This section should address the following, as they may be applicable: a) how the non-traditional financing source(s) may speed up delivery of the project, b) how the source(s) may reduce project costs, c) past examples of the use of the source(s) by the Respondent, d) past examples of the use of the source(s) in other, similar projects, and e) present risks associated with the source(s), including any proposed mitigations for those risks.</p> <p><i>Examples of traditional public resources include low-income housing tax credits (LIHTC's), LIHTC-related equity investments, tax-exempt bonds, section 8 vouchers, and loans or grants from any of the following sources: the California Department of Housing and Community Development, cities, counties, housing authorities, other public entities, and the Federal Home Loan Bank, and commercial banks. Examples of non-traditional sources include mezzanine loans, loans and grants from non-bank private institutions, and bonds other than those that are allocated by CDLAC.</i></p>	<u>Qualitative</u> Up to maximum possible points	<p>Points shall be awarded in accordance with the degree to which the Respondents provide: a) a clearly articulated and robust understanding of the requirements and opportunities regarding local government or agency funding (if applicable in the sources in the Excel Submission Tool), and b) a clearly articulated alternative financing plan which provides a well reasoned contingency plan in the event the financing shown in the Excel Submission Tool (EST) is no longer feasible or ideal.</p> <p>In the event that multiple submissions are received for a given site and one or more of those proposals do not include local funding, the State reserves the right to adjust the scoring of this requirement to equitably compare submissions. The State would prefer to not penalize submissions for not seeking locals funds, nor to incentivize seeking local funds merely for the purposes of being awarded additional points.</p> <p>In the event that non-traditional funding sources are proposed, the information contained in the supplemental narrative shall be considered in the context of the points allocations above.</p> <p>Note: The State also reserves the right to factor into the scoring the existence of any negative points that are related to the respondents. Further, in the State's sole discretion, if the State determines that the existence of negative points assessed in the six (6) months prior to the submission date would significantly impair the Respondent's ability to deliver the proposed development, the State reserves the right to reject the proposal entirely.</p>	60
	Conceptual Site Plan	<p>Respondents shall provide a conceptual site plan, that describes the proposed building program, including: residential and non-residential uses, the ground floor, and at least one residential floor plans, building heights, the proposed unit mix with area of the unit(s) (e.g., number of one-bedroom units, two-bedroom units, etc.), the number of parking spaces, if any, and any relevant aesthetic information that the respondent wishes to provide. Respondents are encouraged, but not required, to also include any major design assumptions (such as: assumptions about fire and life safety access, utility connection points, etc.) that their site plan is predicated upon.</p> <p>This site plan can include both narrative and pictorial elements, and shall not exceed ten (10) pages in length.</p>	<u>Qualitative</u> Up to maximum possible points	<p>Points shall be awarded to the extent that the site plans demonstrate a) the maximum utilization of the site for a financially feasible housing development, b) that the project details match the other submission requirements indicated in this Table, c) that the project, while leveraging state sovereignty, acknowledges the site's context and constraints, and d) the site plan is well thought through to the extent that information is available.</p> <p>Responses are encouraged to include reasonable amounts of renderings, drawings, or other pictorial elements to help the state understand the proposed project's relationship to the site and surrounding context. However, those elements are not required and points shall not be awarded on the basis of their inclusion.</p>	40
4) Racial Equity and Inclusive Practices A clear commitment, vision, and strategy to advance racial equity and inclusive practices aligned with the California Statewide Housing Plan. This should lead to measurable, achievable, and quantifiable outcomes and progress in all aspects of housing development and operations to bring about significant positive change and reduce disparities in access to opportunities.	Racial Equity and Inclusive Practices Commitment Statement	<p>Review and sign the Racial Equity and Inclusive Practices Statement. If two development entities are submitting for a given site, both the Lead Respondent and their partner entity shall sign and submit this statement.</p> <p>Link: Racial Equity and Inclusive Practices Statement.docx</p>	PASS / FAIL	<p>PASS: The statement has been provided, unchanged and is signed by an authorized signer.</p> <p>FAIL: The statement is not properly completed or submitted.</p>	PASS / FAIL
	Racial Equity and Inclusive Practices Narrative	Respondents shall submit a narrative that addresses their experience and success meeting the commitments outlines in the Racial Equity and Inclusive Practices Statement for this project. Narratives shall not exceed two (2) pages in length, and shall address the following: a) examples of the Respondent's prior success in creating inclusive and stable communities that provide equitable opportunities for affordable, safe, and secure housing, b) the Respondent's prior success in identifying and addressing (in the context of housing development) systemic/structural racism issues and racial disparities both past and current, and c) up to two examples of affordable housing projects completed by the Respondent with racial equity and inclusive practices similar to those being proposed for this project. If applicable, include: (i) How the practices in each project benefited the local community and the development's residents in the near- and long-term, and (ii) How you have used reputable data to inform these racial equity and inclusive practices and track outcomes. Include all relevant data sources.	<u>Qualitative</u> Up to maximum possible points	Points shall be awarded in proportion to the documented best practices and prior successes of the Respondent in both a) creating inclusive and stable communities that provide equitable opportunities for affordable, safe, and secure housing, and b) the Respondent's prior success in identifying and addressing (in the context of housing development) systemic/structural racism issues and racial disparities both past and current, including listing specific outcomes.	15

	Racial Equity and Inclusive Practices Action Plan	<p>Respondents shall submit a narrative, not to exceed three (3) pages in length, the describes the Respondent's proposed approach to eliminate obstacles that prevent communities of color from accessing quality, affordable, and stable housing. This narrative should include the following elements: a) the Respondent's planned use of reputable data to inform its practices and to track outcomes, b) the specific sources of data, and how they will be used, to understand neighborhood, city, and county demographics, current housing needs, housing insecurities, and potential displacement risks, c) how the Respondent will use this data to benefit the local community and the development's residents in the near and long-term, and d) how the Respondent will measure and track outcomes.</p> <p>Disclaimer: any information submitted on the demographics of Respondent Team members, additional members from Respondent Team organizations, or on others who supported in the proposal development or submission process will neither be scored nor evaluated.</p>	<u>Qualitative</u> Up to maximum possible points	Points shall be awarded in proportion to how well the Respondent understands, lists, and plans to utilize reputable data sources, their specific plan to leverage the data to advance equity in housing, and the planned tracking/measuring of outcomes.	85
5) Sustainability and Accessibility: Commitment, where practical and feasible, to pursue sustainability and accessibility practices beyond the requirement of the California Building Code as part of the development, particularly those that will advantage the project in major funding programs through advancement of the State's climate and special needs population goals.	Sustainability Narrative	<p>Respondents shall include a sustainability narrative, not to exceed four (4) pages in length. This narrative should describe a) any sustainability features (beyond that which was required by the California Building Code or locally adopted amendments to the Code) that the Respondent is committing to incorporate into the proposed project, b) a description of how incorporating such features will advantage the project in competing for major funding programs, including which programs and how, c) a description of how those features will positively impact the experiences of residents, d) how incorporating these features will benefit the environment, and e) how incorporating these features are responsive to expected, regional climate changes impacts (see https://cal-adapt.org/). The narrative should also describe up to five (5) examples of prior, completed projects, and in which the Respondent successfully incorporated the proposed sustainability features.</p> <p>Note: the State recognizes the number and type of these features and the requirements may be subject to change, if necessary, for project feasibility. However, Respondents are made aware that by listing features, as a scored item, the Respondent is committing to pursuing those features.</p>	<u>Qualitative</u> Up to maximum possible points	Points shall be awarded in proportion to the extent that the proposed sustainability features advantage the project in securing (or otherwise enable the project to qualify for) funding awards, materially improve the experiences, or otherwise benefit, the future residents, and address climate change impacts. Points shall also be awarded to the extent that the Respondent's examples demonstrate prior success in delivering the sustainability features described.	50
	Accessibility Narrative	<p>Respondents shall provide an accessibility narrative, not to exceed four (4) pages in length. This narrative should describe a) the respondent's proposed approach and specific design measures is committing to ensuring equity of access for building residents (beyond that which was required by the Americans with Disabilities Act, California Building Code, or locally adopted amendments to the Code), b) a description of how incorporating such an approach will advantage the project in competing for major funding programs, including which programs and how, and c) a description of how that approach will positively impact the experiences of residents. The narrative should also describe up to five (5) examples of prior, completed projects, and in which the Respondent successfully incorporated the proposed approach.</p> <p>Note: the State recognizes the number and type of these features and the requirements may be subject to change, if necessary, for project feasibility. However, Respondents are made aware that the described approach, as a scored item, will be considered a commitment made by the Respondent.</p>	<u>Qualitative</u> Up to maximum possible points	Points shall be awarded in proportion to the extent that the proposed approach and specific design measures advantages the project in securing (or otherwise enable the project to qualify for) funding awards and materially improve the experiences of, or otherwise benefits, the future residents. Points shall also be awarded to the extent that the Respondent's examples demonstrate prior success in delivering the described approach.	50

Total Points	1,000
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BONUS POINTS - EMERGING DEVELOPERS

Bonus Points	Basis for Points	Submission Requirements	Reviewer Guidance		Maximum Points Possible
In order to incentivize equity in the development of affordable housing and to spur innovation and competition for the same, the State has elected to provide additional points to Emerging Developers, as defined, and to joint venture arrangements that advance the advancement of Emerging Developers.	Qualification as an Emerging Developer or existence of a qualifying joint venture arrangement.	<p>If the Respondent is an Emerging Developer, the Respondent shall provide a declaration of such, describing how the Respondent meets the criteria for an Emerging Developer as defined in this program. This declaration must be signed under penalty of perjury by an authorized representative of the Respondent entity.</p> <p>If attempting to qualify for these points through a joint venture arrangement, the Emerging Developer shall provide a declaration of such, describing how the entity meets the criteria for an Emerging Developer as defined in this program. This declaration must be signed under penalty of perjury by an authorized representative of the entity.</p> <p>Additionally, Lead Respondent shall submit a preliminary Memorandum of Understanding (MOU) that a) establishes such an arrangement between the Lead Respondent and the Emerging Developer, b) is signed by the authorized representatives of both the Lead Respondent and the Emerging Developer, and c) contains the following components at a minimum:</p> <p>1. Developer Fee Structure: Include the percentage of developer fee structure allocation for each party, fee payment schedule, and responsibilities and fee justification. At no point shall the MOU indicate that the Emerging Developer receive no less than forty (40) percent of the developer fee.</p> <p>2. Ownership: MOUs should identify the timeline and percentage of ownership the Emerging Developer will maintain in the project to further develop establish their financial capacity.</p> <p>3. Commitment: MOUs must either contain the following enforceable provisions or a commitment to address the following items prior to being awarded the site: a) the roles, responsibilities, and expectations of each party, b) detail on how risks and profits will be shared between the partners, c) procedures for resolving disputes and conflicts that may arise during the partnership, d) identification of any key project milestones and timelines for the joint venture, e) details on how, in the event of significant changes to the scope of work or project costs, both parties will address developer fee adjustments, and f) specifics on the conditions under which the MOU can be terminated and the steps for unwinding the partnership, if necessary.</p> <p>Note: the State is aware that joint venture arrangements can take time to solidify. As such, while items #1 and #2 must in any submitted MOU, item #3 can either be addressed through actual, contractual provisions or through a commitment to negotiate each of the provisions listed in good faith. If the latter path is selected, any award for the property will be conditional upon the later execution of the joint venture MOU that includes contractual provisions for everything noted in items #3.</p> <p>For the purposes of a joint venture arrangement, the language in this submission requirement presumes that a non-Emerging Developer is the Lead Respondent. In the event that the Lead Respondent is an Emerging Developer, the MOU submitted must still meet these requirements. The same is true in the event that the joint venture is between two Emerging Developers.</p>	<u>Qualitative</u> Up to maximum possible points	<p>If the Respondent submits the signed declaration and qualifies as an Emerging Developer, that Respondent shall be awarded the full points.</p> <p>If a joint venture arrangement is submitted, points shall only be awarded if a) the Emerging Developer submits the signed declaration and qualifies as an Emerging Developer, and b) an MOU meeting the requirements is submitted. A failure to submit a qualifying MOU shall not disqualify the Lead Respondent from an award, but will result in no bonus points being awarded.</p> <p>In evaluating the MOUs, points shall be awarded by the state to the extent that the MOU clearly shows a robust, meaningful partnership between the Lead Respondent and Emerging Developer.</p>	20

Tiebreaker Calculation

Tiebreaker	Basis for Tiebreaker Scoring	Explanation of Tiebreaker Application	Reviewer Guidance		Maximum Points Possible
In the event one or more project proposals for a given site have identical (i.e.. tied) point scores following the proposal evaluation process as described in this PO Scoring Submission Framework, a Tiebreaker will be applied to determine the winning proposal.	<p>Two weighted Factors will be applied in the Tiebreaker calculation:</p> <p>Factor 1 (60% weight): Highest number of affordable units <50% of Area Median Income.</p> <p>Factor 2 (40% weight): Highest number of total project units.</p>	<p>Proposal evaluators shall rank tied proposals based on the three Factors described in this section. The Tiebreaker rankings -- and resultant Tiebreaker scoring - for each Factor will be driven by the total number of tied proposals under consideration, with each proposal receiving a ranking under each Factor.</p> <p>Example of Factor 1 ranking: If there are 5 tied proposals under consideration, the project with the highest number of affordable units restricted to <50% AMI will receive 5 points; the proposal with the second highest number will receive 4 points; the proposal with the third highest number 3 points, and so on.</p> <p>Each of the proposals will be scored across the two Factors as described in the example above, with a weighted multiplier applied to each Factor score. The total weighted scores for each Factor will then be added to arrive at a final Tiebreaker score. The highest scoring proposal under this Tiebreaker calculation will be the winning proposal.</p>	<u>Quantitative</u> Automatically generated	The Tiebreaker will be calculated automatically on the "Tiebreaker" tab in the Excel Submission Tool.	N/A (see "Tiebreaker" tab in the Excel Submission Tool)

Non-Standard Proposal Submission Requirements					
Requirements for Multi-Phased Proposals	Submission Items		Reviewer Guidance		Maximum Points Possible
In the event that the Respondent is proposing a project with multiple phases.	Multi-phased Conceptual Narrative	<p>Respondents shall provide a high-level narrative, consisting of no more than three pages, describing the following:</p> <p>1. The total number of phases and proposed site programming for each phase, including: the number of residential units and corresponding affordability set-asides broken down by Area Median Income, including unrestricted market-rate units; parking ratios; resident services and/or programming,</p> <p>2. A description of non-residential (i.e. commercial) uses, if any,</p> <p>3. A brief description of the financing strategy for each phase and use type (i.e., LIHTC, bond, or non-LIHTC structure for the residential uses, financing structures for the non-residential uses), and</p> <p>4.A projected development schedule with development milestones for all phases, exclusive of the first phase; development milestones should include time horizons for the predevelopment, construction, lease-up, and permanent financing stages of each phase.</p>	PASS / FAIL	<p>PASS: The narrative has been provided that is substantially compliant with the requirements noted.</p> <p>FAIL: The narrative is not submitted or is not substantially compliant with the requirements noted.</p>	PASS / FAIL
Requirements for Proposals with Assemblages	Submission Items		Reviewer Guidance		Maximum Points Possible
In the event that the Respondent is proposing a project that includes assembling parcels in addition to the state-owned site.	Assemblage Conceptual Narrative	<p>Respondents shall provide a high-level narrative, consisting of no more than three pages, describing the following:</p> <p>1. A brief description of the condition of the non-state property as it relates to its development potential. This includes any information (or lack thereof) related to onsite contamination, encumbrances, clouds on title, etc.</p> <p>2. A brief description of the path to obtain leasehold, ownership, or access to the non-State property by the Respondent, including any anticipated issues, if any.</p> <p>3. A brief description of any benefits to development of the State-owned property from the proposed Assemblage.</p> <p>4. A description of how the non-State property would be developed, including: a) the total additional number of housing units and corresponding affordability set-asides broken down by Area Median Income, including unrestricted market-rate units, b) any material changes to the project development schedule as a result of the assemblage, c) any material changes to the design concept as a result of the assemblage, and d) any identified significant risks or threats to the financial feasibility of the project as a result of the assemblage.</p>	PASS / FAIL	<p>PASS: The narrative has been provided that is substantially compliant with the requirements noted.</p> <p>FAIL: The narrative is not submitted or is not substantially compliant with the requirements noted.</p>	PASS / FAIL