



REQUEST FOR PROPOSALS

**GRAYS FERRY EARP STREET ET AL 062119
PHILADELPHIA, PA 19146**

JUNE 21, 2019

**PHILADELPHIA LAND BANK
1234 MARKET STREET, 16TH FLOOR
PHILADELPHIA, PENNSYLVANIA 19107**

NOTICE: The Philadelphia Land Bank is subject to the Pennsylvania Right to Know Law. Any information provided in your response to this Request for Proposals may be subject to disclosure to the public. Documents provided in response to this RFP may also be required to be disclosed by applicable law, subpoena, and/or court order.

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EXHIBITS

- A – LEGAL DESCRIPTIONS
- B – SITE PLANS
- C – ECONOMIC OPPORTUNITY PLAN
- D – INSTRUCTIONS FOR GENERAL APPLICATION TO PURCHASE PUBLICLY OWNED PROPERTY
- E – GENERAL APPLICATION TO PURCHASE PUBLICLY OWNED PROPERTY
- F – SOURCES AND USES OF FUNDS WORKSHEET
- G – CERTIFICATE OF NON-INDEBTEDNESS
- H – TAX STATUS, CONFLICT OF INTEREST, AND PUBLIC DISCLOSURE FORMS
- I – CAMPAIGN DISCLOSURE FORM
- J – FORM PURCHASE AND DEVELOPMENT AGREEMENT
- K – HOUSEHOLD INCOME GUIDELINES

I. INTRODUCTION

The Philadelphia Land Bank ("Land Bank") is soliciting proposals from developers to acquire and develop nineteen (19) parcels located in the Grays Ferry neighborhood for affordable homeownership in accordance with this Request for Proposals ("RFP").

The site consists of the following addresses (collectively, the "Development Site"):

- | | | |
|---|-----------------------------|------------------------------|
| 1. 1327 S. 27 th Street | 8. 2724 Earp Street | 14. 2614 Sears Street |
| 2. 2613 Earp Street | 9. 2727 Earp Street | 15. 2626 Sears Street |
| 3. 2616 Earp Street | 10. 2735 Earp Street | 16. 2630 Sears Street |
| 4. 2701 Earp Street | 11. 2639 Reed Street | 17. 2642 Sears Street |
| 5. 2703 Earp Street | 12. 2641 Reed Street | 18. 2648 Sears Street |
| 6. 2714 Earp Street | 13. 2643 Reed Street | 19. 2700 Sears Street |
| 7. 2719 Earp Street | | |

2648 Sears Street is currently in the ownership of the City of Philadelphia ("City"). 2626 Sears Street is currently in the ownership of Philadelphia Housing Development Corporation ("PHDC"). Both properties will be conveyed to the Land Bank prior to settlement. All other properties in the Development Site are owned by the Land Bank.

The Land Bank will be the managing entity for all aspects of this solicitation process and will coordinate disposition of the Development Site to the selected applicant.

The Development Site has an aggregated appraised fair market value of \$1.09 Million.

II. SUMMARY DATA

- Development Site: The legal description and site plan are attached as Exhibits "A" and "B", respectively
- Deposit: The greater of \$1,500 or 10% of Offer Price
- Zoning Classification: RSA-5

III. SCOPE OF DEVELOPMENT

The Land Bank expects competitive offer prices and Proposals (as herein defined) for the entire Development Site. Proposals for the purchase of less than the entire Development Site will not be considered.

IN ADDITION TO ALL OTHER REQUIREMENTS, ALL PROPOSALS MUST MEET EACH OF THE FOLLOWING REQUIREMENTS (A, B, AND C BELOW) TO BE CONSIDERED:

- A. Not less than 70% of residential units produced shall be:
- i. reserved for purchasers with household incomes not to exceed 80% of the area median income (“AMI”) as determined by the United States Department of Housing and Urban Development - refer to Exhibit “K” for the annual household income limits; and
 - ii. sold for a sales price not to exceed \$185,000.
- B. Features and finishes for all units must be consistent throughout the development.
- C. A detailed plan and strategy to market the residential units within the community must be provided – See Section VII.D for additional information regarding the contents of the marketing plan.

Any Proposal not meeting each of these requirements will be disqualified and ineligible for consideration.

IV. OBTAINING SUBMISSION MATERIALS

All submission materials must be downloaded from The Philadelphia Land Bank website at www.philadelphialandbank.org.

V. PRE-SUBMISSION CONFERENCE

A pre-submission conference (non-mandatory) will be held on July 9, 2019 at 10:00 AM in The Philadelphia Housing Development Corporation Boardroom, 1234 Market Street, 17th Floor, Philadelphia, PA 19107 to answer any questions regarding this RFP. Interested parties are urged to attend this conference.

VI. SUBMISSION SCHEDULE & DEADLINES

All Proposals, **along with a good faith deposit in the amount of \$1,500 or 10% of the offer price, whichever is greater**, must be received on or before 4:00 PM on July 30, 2019. All submissions must be addressed to the attention of Christi Jackson, Director of Real Estate, Philadelphia Land Bank, 1234 Market Street, 16th Floor, Philadelphia, PA 19107.

The only acceptable evidence of timely delivery will be (i) a U.S. mail return receipt or a receipt from a nationally recognized delivery service (*e.g.*, FedEx) showing the date of delivery, or (ii) a time-stamped receipt from the Land Bank receptionist if hand delivering a Proposal.

The dates indicated below are estimates only and the Land Bank reserves the right, in its sole and absolute discretion, to alter this schedule as it deems necessary or appropriate.

Schedule	Date
RFP Posted	June 21, 2019
Pre-submission Conference	July 8, 2019 at 10:00 AM
Questions Due *	July 10, 2019 at 4:00 PM
Questions and Answers posted to Land Bank's Website	July 17, 2019
Submissions Deadline	July 30, 2019 at 4:00 PM
Applicant Interviews <i>Request Applicants Tentatively Hold Dates Open</i>	Week of August 12, 2019
Selection Target Date	August 30, 2019

* All questions regarding this RFP must be submitted in writing by email to: angel.b.rodriguez@phila.gov. Questions will not be accepted by telephone. Questions will only be accepted until July 10, 2019 at 4:00 PM. Questions and the Land Bank's response to them will be posted on the Land Bank website no later than July 17, 2019.

VII. PROPOSAL SUBMISSION REQUIREMENTS

A. Proposal

A completed General Application to Purchase Publicly Owned Property attached as Exhibit "E" ("Application") along with all other required attachments, forms, and supporting documentation (collectively and together with the Application, "Proposal") must be submitted.

YOU ARE STRONGLY ENCOURAGED TO UTILIZE THE INSTRUCTIONS FOR GENERAL APPLICATION TO PURCHASE PUBLICLY OWNED PROPERTY ATTACHED AS EXHIBIT "D" ("INSTRUCTIONS") AND THE PROPOSAL CHECKLIST ATTACHED TO THE INSTRUCTIONS.

Each Proposal must include the following items:

1. Application to Purchase Publicly Owned Property attached as Exhibit "E"
2. Tax Status Certification Request, Conflict of Interest, and Additional Disclosures Form attached as Exhibit "H"
3. Certificate of Non-Indebtedness attached as Exhibit "G"
4. Sources and Uses of Funds Worksheet attached as Exhibit "F"
5. Proof of Funds (see Instructions)
6. Preliminary Plans (see Instructions)

7. List of Completed Projects, if applicable (see Instructions)
8. List of Publicly Owned Property Acquired, if applicable (see Instructions)
9. Development Team Qualifications (see Instructions)
10. Organizational Documents, if applicable (see Instructions)
11. Campaign Disclosure Forms attached as Exhibit "I" (applicable for nominal and discounted pricing only)
12. Proposal Narrative and Cover Letter (see Section B below)
13. Economic Opportunity Plan (see Section C below)
14. Marketing Plan (see Section D below)
15. Deposit (see Section E below)

B. Proposal Narrative

A cover letter and written narrative describing the proposed development must be provided. The cover letter and narrative should be no longer than eight (8) pages in length with 1-inch margins and 12-point font size.

Cover Letter

The cover letter, no longer than two (2) pages, should be addressed to Angel Rodriguez, Executive Director, and summarize and describe the proposed development. The following elements must also be included and highlighted within the letter:

- Offer Price – A lump sum offer price is required. Proposals that seek a cash development subsidy will not be considered. Any deviations between your offer price and the appraised value of \$1.09 Million must be explained.
- General overview of the development, including number and types of structures and units, square footage, and total development costs
- Any required zoning variances or exceptions.

Written Narrative

The narrative should describe how the proposed project best achieves all requirements of this RFP along with the following elements listed below. Please boldface each element within the body of the narrative:

1. **Offer Price:** Describe how the offer price was determined and how it is appropriate given the proposed project. Any deviations between your offer price and the appraised value of \$1.09 Million must be explained.
2. **Proposed Use:** Describe the proposed project and how it meets the goal of affordability. Describe how the proposed design will complement and enhance the existing community.

3. **Development Timeline:** Describe how the development timeline was determined and how it is appropriate given the proposed project.
4. **Development Team:** Describe how the identified development team is positioned to successfully complete the proposed project and meet the requirements and preferences of this RFP.
5. **Project Budget:** Describe how the project budget was determined and how it is an appropriate representation of the proposed project.
6. **Financial Capacity:** Describe the source of, and ability to secure, the necessary funds to successfully accomplish the proposed project. Identify any anticipated financial challenges and describe how those challenges will be mitigated.
7. **Economic Opportunity and Inclusion:** Describe the identified development team's experience and working with Certified M/W/DSBE firms - defined as Minority Business Enterprises (MBE), Woman Business Enterprises (WBE), Disabled Business Enterprises (DSBE), or Disadvantaged Business Enterprises (DBE) - and track record for engagement and inclusion of minority workforce. Describe the project's plan for engaging M/W/DSBE firms and workforce. Note whether the applicant itself and/or other key partners, consultants, or contractors who are part of the identified development team are minority or woman-owned. If the applicant is a Certified M/W/DSBE, please submit information to confirm certification as part of the Proposal.

C. Economic Opportunity Plan

The Land Bank strongly encourages and promotes the employment of qualified M/W/DSBE firms. If the applicant is a Certified M/W/DSBE, please submit information to confirm certification as part of the Proposal. Applicants must complete and submit the "City of Philadelphia Economic Opportunity Plan" form attached as Exhibit "C".

The City has established a citywide goal of 35% M/W/DSBE utilization; however, the Land Bank encourages applicants to seek the highest levels of M/W/DSBE attainment that is reasonably feasible.

D. Marketing Plan and Income Eligibility

Proposals must include a detailed plan and strategy to market the residential units. Describe the communications methods to be used, the intended target audience, and the timeframes associated with each method.

The marketing plan must also provide that the Philadelphia Housing Authority may exclusively market the units for the first thirty (30) days.

Income eligibility certification for each prospective purchaser of a unit will be conducted by the Land Bank, or other entity identified by the Land Bank.

The selected applicant's marketing plan will be subject to the Land Bank's approval pursuant to the Purchase and Development Agreement and, as such, will be subject to change. The selected applicant will not market, offer for sale, or enter into any sales or reservation agreement for any unit until the marketing plan is approved.

E. Deposit

Proposals must include a deposit in the amount of one thousand five hundred dollars (\$1,500) or ten percent (10%) of the offer price, whichever is greater, in either a cashier's check, certified check, or money order made payable to the "Philadelphia Land Bank".

The selected applicant's deposit will become "hard" money upon signing the Purchase and Development Agreement, the form of which is attached as Exhibit "J".

At settlement, the deposit is converted into a "security completion" deposit (a/k/a performance deposit) and is held until the project is completed in accordance with the Purchase and Development Agreement. If the selected applicant fails to timely provide the required deposit, the applicant may be disqualified, at the Land Bank's sole and absolute discretion.

For those applicants not selected, the deposit will be refunded within thirty (30) days after mailing of a rejection notice. Interest earned on any deposits will not be paid to any applicant.

VIII. SUBMISSION OF PROPOSALS

Proposals are due at the offices of the Philadelphia Land Bank no later than **4:00 PM on July 30, 2019**.

Absolutely no Proposals will be accepted after this time.

Please send one (1) original unbound copy of the submission, as well as a flash drive containing all the materials in PDF format, to:

Angel Rodriguez
Director of Real Estate
Philadelphia Land Bank
1234 Market Street, 16th Floor
Philadelphia, PA 19107

An applicant, whether an individual, partnership, LLC, non-profit, for-profit, or other entity, may submit only one response to this RFP. Individuals that are related to each other or business entities that are related to each other or to a common entity may not submit separate Proposals. The Land Bank, in its sole and absolute discretion, may reject any Proposal where: 1) the applicant or principals of the applicant are substantially similar or substantially related parties; or 2) the Land Bank has determined that the applicant has violated these restrictions or the spirit of these restrictions.

The Land Bank will not pay any fees, commissions, or other amounts to any parties acting as agents, brokers, consultants, or contractors as part of this transaction. Payment to any agents, brokers, consultants, or contractors are the sole responsibility of each applicant.

IX. PRELIMINARY REVIEW

The Land Bank will initially review each Proposal to determine compliance with the Instructions, the requirements of this RFP, and the Land Bank's Disposition Policy. The Disposition Policy can be found on the Land Bank's website.

Proposals that do not adhere to the Instructions, the requirements of this RFP, or are not in compliance with the Land Bank's Disposition Policy may be disqualified pursuant to Section XIII below.

X. EVALUATION OF PROPOSALS

Proposals deemed satisfactory following the Preliminary Review will be further evaluated using the scoring and selection criteria below. No one factor, but rather a combination of factors, will determine the successful applicant.

The Development Site will be awarded to the applicant with the highest score, according to the scoring and selection criteria below, subject to all required approvals as set forth in Section XII below and continued compliance with all applicable requirements

1. Offer Price - (10 points max)

Offer price is one criteria. The project will not necessarily be awarded to the highest bidder. Total offer price will be taken into consideration along with the other required elements of the Proposal. It is up to the applicant to engage in their own research to determine an appropriate and competitive offer price.

2. Financial Capacity and Project Budget - (20 and 10 points max, respectively)

Demonstrate and describe access to funding in an amount no less than the proposed project's total acquisition and development costs. Provide acceptable evidence of all

financing committed to the project (whether equity, debt, or both). The budget describes, in detail, the sources and uses of funds and is appropriate for the proposed project. No Land Bank, City, or other funds or subsidies have been dedicated to this project.

3. Proposed Use - (20 points max)

Proposals that do not meet the affordable housing requirements set forth in Section III will not be considered.

Features and finishes for all units must be consistent throughout the development.

The Land Bank encourages Proposals that include residential units of two (2) or three (3) bedrooms and contain quality urban design, sustainable design, and conformity to existing zoning. The Land Bank encourages Proposals that seek to develop the Development Site in a thoughtful, consistent, and planned manner.

- Affordable Housing: All Proposals must meet the affordable housing requirements set forth in Section III. Proposals may include units to be rented to a mix of household income ranges. However, pursuant to Section III A (i) no less than 70% of the residential units produced shall be reserved for purchasers with household incomes not to exceed 80% of AMI and (ii) sold for a sales prices not to exceed \$185,000. The Land Bank encourages Proposals that exceed this minimum requirement.
- Quality Urban Design: The Land Bank encourages Proposals that
 1. complement the existing neighborhood character;
 2. eliminate front-loading garages,
 3. limit curb cuts,
 4. maximize green and open-space opportunities,
 5. are built with quality materials and finishes,
 6. demonstrate appropriate scale with the surrounding residential uses,
 7. make use of structures that are sensitive to the pedestrian environment through building facades that are engaging and put “eyes on the street”;
 8. incorporate crime-reducing design elements, such as adequate lighting;
 9. enhance walkability and provide quality buildings by respecting the rhythms found in the size, placement, and proportion of entries and windows in other buildings;
 10. avoid garages that dominate the streetscape; and
 11. have dumpsters, electrical and mechanical equipment permanently screened.
- Sustainable Design: The Land Bank encourages Proposals that incorporate sustainable “green” design features, materials, and processes, including, but not limited to, LEED Certification, Energy Star, and other features that consider

building performance objectives and building design guidelines that integrate energy efficiency.

- Existing Zoning: The Land Bank encourages efforts to comply with the existing underlying zoning (refer to Section I for each property's existing zoning). If this is not feasible, the Proposal must provide a clear, rational explanation as to why.

4. Development Timeline - (10 points max)

Demonstrate a thorough understanding of the development process including any and all potential delays (i.e. zoning approval, issuance of permits, construction milestones, etc.) and provide a timeline that is appropriate for the proposed project. The speed at which financing, zoning, settlement, and completion of construction occurs will be considered. Construction should be able to be completed within eighteen (18) months of settlement.

5. Development Team and Operational Capacity - (15 points max)

Identify all key members of the Development Team and their qualifications and experience to successfully complete the proposed project, including the development team's shared history of completing similar projects. Also considered are any past defaults or notices of default regarding the acquisition or development of publicly owned property in the City and any pending legal proceedings; unsatisfied judgments; any pending fair housing or discrimination investigations or proceedings; and pending bankruptcy actions.

6. Economic Opportunity Plan - (5 points max)

Proposals will be evaluated on whether or not they satisfy the City's M/W/DBE inclusion requirements. Applicants must demonstrate a commitment to a diverse workforce and, if applicable, a track record of economic inclusion and minority workforce inclusion.

7. Social Impact - (10 points max)

Proposals will be evaluated based on the strength of their social impact (i.e. positive effect of the project on people and communities). Applicants must demonstrate an ability to define, quantify, evaluate and track measurable outcomes relating to social impact.

XI. RESERVATION OF RIGHTS AND DISCLOSURES

BY SUBMITTING A PROPOSAL IN RESPONSE TO THIS RFP, EACH APPLICANT AFFIRMATIVELY ACKNOWLEDGES ITS ACCEPTANCE OF THE TERMS AND CONDITIONS OF THIS RFP AND OF THE TERMS AND CONDITIONS SET FORTH IN THE APPLICATION (REVISED 1-17-2019) WHICH ARE INCORPORATED HEREIN BY REFERENCE AS IF SET FORTH AT LENGTH.

ALL INFORMATION IN THIS RFP IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY. WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THE ACCURACY OF THE INFORMATION CONTAINED IN THIS RFP, IT IS NOT, AND SHALL NOT BE CONSTRUED TO BE OR CONSTITUTE, A REPRESENTATION, WARRANTY OR GUARANTEE BY THE LAND BANK OR THE CITY REGARDING THE CONTENT, COMPLETENESS, OR ACCURACY OF SUCH INFORMATION, OR THE QUALIFICATIONS OR EXPERTISE OF THE INDIVIDUAL(S) OR FIRM(S) PROVIDING OR PREPARING SUCH INFORMATION. EACH APPLICANT SHALL RELY SOLELY ON ITS OWN INSPECTION, INVESTIGATION, CONFIRMATION, AND ANALYSIS OF (I) THE DEVELOPMENT SITE; (II) THE INFORMATION CONTAINED IN OR DELIVERED PURSUANT TO THIS RFP AND (III) ANY OTHER INFORMATION THAT SUCH APPLICANT DEEMS NECESSARY OR PRUDENT IN EVALUATING AND ANALYZING THE PROPOSED PURCHASE AND DEVELOPMENT OF THE DEVELOPMENT SITE.

NO FUNDS FROM THE LAND BANK, THE CITY OR ANY OTHER GOVERNMENTAL OR QUASI-GOVERNMENTAL AGENCY WILL BE PROVIDED FOR ANY REMEDIATION OR OTHER WORK ON THE DEVELOPMENT SITE, OR PORTION THEREOF. ALL ENVIRONMENTAL REMEDIATION INCLUDING, WITHOUT LIMITATION, ALL COSTS AND EXPENSES, WILL BE THE SOLE RESPONSIBILITY OF THE SELECTED APPLICANT AND MUST BE INCLUDED IN THE SOURCES AND USES OF FUNDS WORKSHEET ATTACHED AS EXHIBIT "F".

GROUNDWATER TESTING WILL NOT BE PERMITTED AT ANY TIME PRIOR TO SETTLEMENT.

Any entry upon any portion of the Development Site will require that the applicant's contractors and subcontractors enter into a license agreement with the Land Bank, which will require, among other things, a security deposit and compliance with certain insurance requirements.

NOTICE: The Philadelphia Land Bank is subject to the Pennsylvania Right to Know Law. Any information provided in your response to this Request for Proposals may be subject to disclosure to the public. Documents provided in response to this RFP may also be required to be disclosed by applicable law, subpoena, and/or court order.

XII. SUMMARY OF PHILADELPHIA LAND BANK DISPOSITION PROCESS

Below is a summary of the process and approvals needed following selection of an applicant.

1. Execution of the Purchase and Development Agreement by the selected applicant

2. Approval by the Vacant Property Review Committee
3. Approval by Philadelphia City Council
4. Approval by the Land Bank Board of Directors
5. Execution of the Purchase and Development Agreement by the Land Bank
6. Settlement

Prior to settlement, the selected applicant shall be responsible for securing all necessary permits, licenses, approvals, lot line relocations, variances, and any other required governmental or quasi-governmental approvals, at the applicant's sole cost and expense.

XIII. DISQUALIFICATION

Proposals must be completed in accordance with the Instructions and this RFP and submitted in their entirety by the submission deadline.

- A. An applicant will be disqualified if:
1. the Proposal is not received by the submission deadline;
 2. the applicant has not submitted a "Qualified Bid", as defined in the Disposition Policy, which is one that adequately describes its plans for the property;
 3. any required submission materials are missing, illegible, or, as applicable, unsigned or undated;
 4. any terms, conditions, disclosures, acknowledgements, or certifications contained in any required form have been revised or changed;
 5. the applicant violates any of the terms, conditions, disclosures, or acknowledgements contained in the Application;
 6. the applicant or any individual or entity identified in either question 2c or 2d of the Application (collectively, "Related Individuals/Entities") is not current, or not in a current payment agreement, with respect to any City-related obligations such as taxes, PGW, and water;
- B. Except as indicated above, an applicant will be disqualified if any required submission item does not comply with the Instructions or this RFP, unless the Land Bank waives the disqualification.
- C. If the applicant or any of the Related Individuals/Entities has an ownership, controlling, or managing interest in any property subject to any unremediated L&I violations, then the following shall apply:

1. An unremediated violation that classifies a structure as “unfit”, “unsafe”, or “imminently dangerous” will result in the applicant being disqualified, unless the Land Bank waives the disqualification.
 2. If any other unremediated L&I violations exist, the Land Bank, in its sole and absolute discretion, may deem such unremediated L&I violation as significant and the applicant will be disqualified, unless the Land Bank waives the disqualification.
- D. The Land Bank may disqualify an applicant due to a conflict of interest or other factor as determined by the Land Bank, in its sole and absolute discretion.
- E. An applicant will not be eligible for nominal or discounted pricing if the campaign disclosure form indicates that the applicant or any other individual or entity required to disclose campaign contributions has exceeded the allowable campaign contribution limits.

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