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## Housing Development

# Request for Proposals

To develop and sell affordable homeownership housing  
at:

## Mission Bay South Block 9a

(located between Mission Rock Street, Bridgeview Way, China Basin  
Street, and Terry Francois Blvd)

Block 8719, Lot 5

## Mission Bay South Redevelopment Project Area

**Deadline for Submission**  
**4:00 p.m. – July 22, 2019**

Issued by:

Office of Community Investment and Infrastructure  
One South Van Ness Avenue, Fifth Floor  
San Francisco, CA 94103

Contact: Annie Wong

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## SECTION I. SUMMARY

The Office of Community Investment and Infrastructure (“OCII”), acting as the successor agency to the San Francisco Redevelopment Agency (“SFRA”), is seeking submittals from qualified applicants to develop, market, and sell affordable homeownership units for below-market-rate individuals/households on Mission Bay South Block 9a (the “Project”) in the Mission Bay South Redevelopment Project Area (“Project Area”).

An applicant (“Applicant”) is defined as a team comprised of only the following: a non-profit organization or, as described below, a for-profit entity in partnership with a non-profit organization (“Developer”), an architect (“Architect”), and a Workforce and Contracting Action Plan (“WCAP”) consultant (if an outside consultant is being proposed). As required by the 1998 Mission Bay Affordable Housing Policy, adopted by the San Francisco Redevelopment Agency on September 17, 1998 (Resolution No. 194-98), preference will be given to non-profit housing development corporations headquartered in San Francisco. A Developer consisting of a non-profit organization and a for-profit entity must establish that the activities and purpose of the partnership are primarily to construct and develop affordable housing units in furtherance of the non-profit organization’s purposes and only incidentally to further the for-profit purposes of the for-profit entity. **The selected Applicant will be required to select its other consultants and contractors in accordance with the OCII’s Small Business Enterprise Program.**

The subject property of this Request for Proposals (“RFP”) is Assessor’s Parcel Number 8719/005 (Mission Bay South Block 9a), which is an approximately 29,939 square-foot rectangular site bounded by Mission Rock Street to the north, the future Bridgeview Way (a publicly accessible private right-of-way) to be constructed to the west, China Basin Street to the south, and a future public green space fronting (“P19”) on to Terry A. Francois Boulevard to the east (“Block 9a” or the “Site”). The Site dimensions are approximately 275 feet along Bridgeview Way and P19, approximately 108.87 feet along China Basin and Mission Rock Streets.

Details on the population to be served and design specifics can be found in Section IV Development Program in this RFP. A summary of some of the programming required for the Site is provided in the table below.

Block 9a Program Requirement Summary	
Number of Units	Approximately 135 units of high quality livable design, subject to a future amendment to the Design for Development to allow a height of 90’ across the entire site.
Unit types	Family Units with a target mix of: <ul style="list-style-type: none"> <li>• 25% 1 Bedrooms</li> <li>• 50% 2 Bedrooms</li> <li>• 25% 3 Bedrooms</li> </ul>
Area median income (AMI) and sale price restrictions	<ul style="list-style-type: none"> <li>• OCII will restrict sale prices to rates affordable to households ranging from 80-110% of AMI as defined annually by MOHCD.</li> <li>• Project must average 95% of AMI overall</li> </ul>
Target population	Low and moderate income individuals and families meeting the AMI eligibility criteria listed above.
Parking	<ul style="list-style-type: none"> <li>• Resident parking at a ratio of up to 0.25 cars per unit</li> <li>• Parking will be unbundled</li> </ul>

Block 9a is part of the 303-acre Mission Bay redevelopment district that was administered by the former SFRA. Pursuant to state law, redevelopment agencies throughout the State of California were eliminated on February 1, 2012, California Health and Safety Code §§34170 et seq (the “Redevelopment Dissolution Law”). OCII is the Successor Agency to SFRA and is responsible for implementing SFRA’s enforceable

obligations. On January 24, 2014, the California Department of Finance determined “finally and conclusively” that the Mission Bay South Owner Participation Agreement by and between the former SFRA and Catellus Development Corporation, as amended (“OPA”), its Housing Program (Attachment C to the OPA), and tax allocation pledge agreement are enforceable obligations under Redevelopment Dissolution Law. Furthermore, state law recognizes that the Mission Bay affordable housing program is an enforceable obligation for which OCII may use tax increment financing (California Health and Safety Code §34177.7).

The Redevelopment Plan for the Mission Bay South Redevelopment Project Area (“Redevelopment Plan”) and related documents, such as the Design for Development, continue to govern the development of the Project Area. OCII will select the development team and issue all project approvals for Block 9a. Upon completion of the project, OCII’s assets related to the site will be transferred to the Mayor’s Office of Housing and Community Development (“MOHCD”), which is the designated Housing Successor under Redevelopment Dissolution Law. MOHCD will therefore participate in the selection of the development team and will also review and comment on the project’s financial underwriting and funding and disposition documents in order to ensure a smooth transition to MOHCD at project completion.

The OCII Executive Director will recommend an Applicant for the OCII Commission’s consideration after receiving the evaluation results of an interdisciplinary panel comprised of representatives from OCII, MOHCD, and the Mission Bay Citizen’s Advisory Committee (“CAC”). The panel will evaluate the Applicant’s proposed development concept as well as demonstrated successful experience on relevant and comparable projects. The CAC will review the panel’s evaluation and will also make a recommendation.

The Executive Director is not required to recommend the Applicant receiving the panel’s highest ranking or evaluation, but may make a recommendation to the Commission based on other factors, including, but not limited to, the fulfillment of OCII policy and the Applicant’s history of uncured defaults, if any, related to prior OCII, SFRA, or MOHCD agreements. For example, OCII may, in its sole discretion, disqualify any Developer and/or Architect or other personnel if they have failed to comply with any OCII, SFRA, or MOHCD agreement or if they are not in good standing with OCII/MOHCD in relation to the current OCII/MOHCD Marketing Standards applicable to existing projects. The OCII Commission has the sole discretion, at a public hearing, to make the final selection.

Applicants are advised that OCII is committed to promoting opportunities for small business enterprises and the local workforce in the contracting process and to ensuring the payment of prevailing wages. Upon selection of an Applicant, OCII will seek to enter into an exclusive negotiation agreement with the selected Developer.

### **A. Important Dates and Submission Process<sup>1</sup>**

<b>1. Issue Date: RFP available at OCII<sup>2</sup> (\$50.00 registration required by check)</b>	<b>Thursday, May 23, 2019</b>
<b>2. Pre-Submission Meeting at OCII (Location: 1 South Van Ness, 5<sup>th</sup> Floor, Room 5080)</b>	<b>11:30 a.m. Monday June 10, 2019</b>
<b>3. Deadline for written questions / requests for additional information</b>	<b>Wednesday June 12, 2019</b>
<b>4. PROPOSAL SUBMISSION DEADLINE</b>	<b>4:00 p.m. Monday July 22, 2019</b>

<sup>1</sup> All dates and times subject to change.

<sup>2</sup> Packets are available for pickup as of this date. RFP materials are also posted online at <https://sfocii.org/rfp>.

5. Notification to Developer Teams who failed to meet minimum submission requirements	Monday, August 5, 2019
6. Developer Team interviews	Week of September 2, 2019
6a. Submittals evaluated and ranked by Evaluation Panel	
7. Presentation of Panel's Selection to Mission Bay Citizens Advisory Committee	Thursday October 10, 2019
8. OCII Commission consideration of Executive Director's recommendation of a developer team selection	Tuesday, November 19, 2019
9. OCII Commission approves Exclusive Negotiations Agreement and Predevelopment Loan	Tuesday, February 4, 2020

## B. Pre-Submission Meeting

A pre-submission meeting will be held at OCII's offices, located at One South Van Ness Avenue, 5<sup>th</sup> Floor, on the date and time shown above, in Section II.A. The purpose of the meeting is to ensure that all teams understand the programmatic design and financing information that is required. Although attendance is not mandatory, it is highly recommended.

## C. Questions and Requests for Additional Information

Please submit all questions and information requests to the attention of the contact person listed on the cover page of this RFP. All questions and requests for additional information regarding this RFP must be received **in writing** by OCII (via messenger, mail, or e-mail) – *on or before* – the time and date as shown above, in Section II.A. Questions received after the deadline may not be answered. All responses and additional information will be distributed to all registered RFP holders. OCII reserves the right, in its sole discretion, to determine the timing and content of the response, if any, to all questions and requests for additional information. In addition, OCII may respond via messenger, mail, or e-mail.

## D. Registration and Fee for RFP Packet Required

Responses to this RFP will be accepted only from those Applicants who have registered with OCII by paying a non-refundable registration fee of **Fifty Dollars (\$50.00)** by check at the time the RFP is obtained or at the pre-submittal meeting. Only registered Applicants will receive answers to submitted questions and additional information as described above. RFP packets will be available on and following the Issue Date listed in Section II.A., above, at the offices of the Office of Community Investment and Infrastructure, One South Van Ness Avenue, Fifth Floor, San Francisco, CA 94103, and online at <http://sfocii.org/rfps-rfqs-bids>.

## E. Submission Time, Place, Date, Contact

The MOHCD receptionist will collect and timestamp all submittals on behalf of OCII. **One original plus six (6) copies and one CD or flash drive with a complete electronic copy** of the submittal must be received by the MOHCD receptionist no later than:

**July 22, 2019 at 4:00 p.m.**  
**Office of Community Investment and Infrastructure**  
**One South Van Ness Avenue, Fifth Floor**  
**San Francisco, California 94103**  
**Attn: Annie Wong**

# SECTION II. BACKGROUND

## A. Project Area Overview

The Site for the Project is located in the Mission Bay South Redevelopment Project Area. This Section provides background information on the Project Area. OCII's Mission Bay website (<http://sfocii.org/mission-bay>) provides links to the following documents that should be reviewed and considered as Applicants prepare submissions.

Mission Bay Land Use and Development Maps:

- Mission Bay Land Use Map
- Mission Bay Affordable Housing Sites Map
- Mission Bay Development Overview

Mission Bay Planning Documents:

- Mission Bay Redevelopment Plan: South, as amended
- Design for Development: South, as amended
- Design Review and Document Approval Procedure: South
- Mission Bay EIR

Mission Bay Owner Participation Agreements (“OPAs”):

- Mission Bay South Owner Participation Agreement and Amendments

### 1. Overview of the Mission Bay Project Areas

#### a. Residential Development

The Mission Bay North and South Redevelopment Project Areas were established in 1998. The enforcement of the amended North and South OPAs for the Project Areas will result in up to 6,514 residential units, with approximately 29% (up to 1,916 units) set aside and allowed as affordable. The affordable units are comprised of inclusionary affordable units and units developed by non-profit housing developers on OCII Affordable Housing Parcels.

With the completion of 129 units at Eviva (360 Berry Street – Block N4, Parcel 3), residential development is complete in Mission Bay North (MBN). A total of 2,964 housing units have been constructed, of which 698 are affordable to low and moderate-income households.

In Mission Bay South (“MBS”), the recent completion of 350 for-sale condominiums at 1000 Channel Street (MBS Block 1) completes all market-rate residential development, totaling 2,332 units. To date, 493 units have been constructed in stand-alone affordable housing projects in MBS; 725 affordable units remain to be completed in MBS, including the OCII-sponsored affordable developments currently in development at MBS Block 6W and MBS 9.

# of Affordable Units	Mission Bay North	Mission Bay South	Mission Bay North and South
<b>Built</b>	698	493	1,191
<b>Under Construction or Planned</b>	<u>0</u>	<u>725*</u>	<u>725*</u>
<b>TOTAL</b>	<b>698</b>	<b>1,218</b>	<b>1,916</b>

\* The MBS OPA requires OCII to construct a base number of 1,108 affordable housing units. In addition, Section 3.6 of the MBS Housing Program (Attachment 3 to the MBS OPA) allows for OCII to construct an additional 110 affordable housing units, pending assessment of the development impacts and any necessary approvals. The total obligation and allowed number of units is 1,218 affordable housing units.

In total and as shown in the table above, 1,191 affordable units have been completed and 725 units (including the additional 110 allowable affordable units) remain to be completed in the Mission Bay Project Areas. While assessment of the impacts of the additional 110 units is pending, the proposed number of units at this Site is within the base number of affordable housing units OCII is required to construct under the MBS OPA.

## **b. Non-Residential Development**

The Mission Bay North and South Redevelopment Project Areas includes 4.4 million square feet of office and biotechnology space, 419,000 square feet of retail uses, a new University of California San Francisco research campus and medical center, the Chase Center (the Golden State Warriors (“GSW”) event center), a 250-room hotel, 49 acres of open space, a library, a public school, the new police headquarters, and local police and fire department stations. Completion of the Mission Bay project is anticipated to occur over the next 5 to 10 years and result in the construction of more than \$700 million of new infrastructure, over \$8 billion in private vertical development, and the creation of more than 30,000 permanent jobs.

Most of the prescribed development of Mission Bay has been initiated, with many projects having been completed over the past several years. All of the MBN development parcels, parks and infrastructure have been completed. In MBS, the 4<sup>th</sup> Street corridor is complete and include new, local serving retail uses. The design for Bayfront Park (P22) was presented to the Commission in March 2017, and is expected to start construction in the beginning of summer of 2019.

Two of the five parks that comprise the planned Mission Commons park system that will run from Terry Francois Boulevard on the bay shoreline to an extension of Long Bridge Street have been completed. Mission Bay Kid’s Park (P6), a children’s park featuring play areas for toddlers and older children located approximately two and a half blocks from the Site, opened in July 2016 and Mariposa Park on Mariposa Street opened in August 2016.

2015 saw the completion of multiple medical and office developments in Mission Bay including the first phase of the new UCSF medical center which provides 289-new hospital beds and the Public Safety Building which provides additional security to the neighborhood with a local fire and police station and police headquarters. In 2016, Kaiser Permanente opened an approximately 219,000 square foot medical office building at 1600 Owens.

The remaining office and commercial developments are under construction and include: (1) Uber Technologies, Inc.’s two new commercial buildings along Third Street, (2) Chase Center (the GSW event center), with a scheduled completion fall of 2019, (3) UCSF Center for Vision Neuroscience consisting of 340,000 square foot of clinical and research/office on MBS Block 33, and (4) 179,000 square foot UCSF Precision Cancer Building as part of the UCSF Medical Center primarily on MBS Block 36, with a scheduled completion of summer 2019.

Recently, GSW proposed adding hotel and residential use to the Chase Center site. In addition, Alexandria Real Estate Equities (“ARE”) has proposed adding biotechnology and office space to Mission Bay South Block 41/43-7.

## **2. OCII Affordable Housing Parcels**

Under the OPAs, Affordable Housing Parcels have been pre-selected and are distributed throughout the Major Phases in both Mission Bay North and South. Affordable Housing Parcels comprise approximately 15 acres of land that have been or will be contributed by the Master Developer to OCII. Block 9a will represent the Master Developer’s seventh land contribution in Mission Bay South and the eleventh contribution in total.

All OCII Affordable Housing Parcels are provided with appropriate infrastructure and will be remediated to the levels required by the San Francisco Bay Regional Water Quality Board and the Maher Ordinance, and according to the policies and procedures listed in the Environmental Investigation and Response Program for South Plan Area Affordable Housing Parcels, Open Space Parcels, Street Parcels and Community Facility Parcels (Attachment K of the OPA).

The chart below summarizes the affordable housing units built, under construction or planned on OCII Affordable Housing Parcels in Mission Bay.

**OCII Affordable Housing Parcels Completed or in Development**

Location	Site	Project Name	# of Units	Housing Type	Date Completed
Mission Bay North	Block N2-2	Rich Sorro Commons	100	Family rental	2002
	Block N3A-1	Mission Creek Senior Community	140	Senior rental (including 49 units for homeless seniors)	2006
	Block N5	Crescent Cove	36 <sup>1</sup>	Family rental	2007
	Blocks N4-2, N4A-2	Mission Walk	131	Family for-sale	2009
Mission Bay South	Block 13 East	1180 4th Street	150	Family rental (including 50 units for homeless families)	2014
	Block 7 West	588 Mission Bay Boulevard North	200	Family rental	2017
	Block 6 East	626 Mission Bay Boulevard North	143	Family rental (including 29 units for homeless families)	2018
	Block 3 East	1150 Third Street	119 <sup>2</sup>	Homeless veteran individuals and families (62 units) and family rental (57 units)	2019 (under construction)
	Block 6 West	691 China Basin Street	152	Family rental (including 38 units for HOPE SF)	2021 (under construction)
	Block 9	410 China Basin Street	141 <sup>3</sup>	Homeless adult rental units	2022 (Predevelopment)
<b>TOTAL</b>			<b>1,312</b>		

<sup>1</sup> 36 units out of total 234 restricted units built at the Crescent Cove development were OCII-sponsored. The remaining 198 restricted units are inclusionary units.

<sup>2</sup> Project under construction.

<sup>3</sup> Projected.

**3. Mission Bay Affordable Housing Policy**

The Mission Bay South Housing Program (Attachment C to the OPA) established the standards and procedures that OCII will follow in developing affordable housing at the Site. In addition, SFRA adopted a Mission Bay Affordable Housing Policy (“Housing Policy”) on September 17, 1998 (Resolution No. 194-98) to guide the development of the Affordable Housing Parcels. The Housing Policy states that SFRA (now OCII) will select Qualified Housing Developers under the Housing Program to the OPA through a Request for Qualifications process - in this document referred to as a Request for Proposals. As required by the 1998 Mission Bay Affordable Housing Policy, preference will be given to non-profit housing development corporations headquartered in San Francisco. OCII will then enter into an exclusive negotiations agreement and later, various development agreements with the selected developer. The

Housing Policy establishes that the average sales prices shall be affordable to households earning 100% of median income based upon mortgage payments and related housing expenses which do not exceed 33% of income assuming a 5% down payment and 30 year fixed rate financing. It has been determined for this Project units will be affordable to households at four income tiers: 80%, 90%, 100%, and 110% of AMI. Units for this Project will have average sales prices affordable to households earning 95% AMI. Under Redevelopment Dissolution Law, OCII will transfer the Project's affordability restrictions to MOHCD, as housing successor. Additionally, the Project will be a part of the Limited Equity Homeownership Program ("LEP"), further described in Attachment 22, which includes, among other things, affordability restrictions that apply for the life of the Project.

#### **4. Development Controls**

The Mission Bay South Redevelopment Plan establishes general land use controls, including types and intensities of development and public open space in each sector of the Project Area. The companion Design for Development for the Mission Bay South Project Area ("Design for Development") establishes detailed height, bulk, parking, street frontage and other design standards to ensure quality development.

The Mission Bay South Owner Participation Agreement ("OPA") between OCII (as successor to the SFRA) and FOCIL-MB LLC (successor in interest to Catellus Development Corporation and "Master Developer") and the Interagency Cooperation Agreement ("ICA") between OCII and other City departments, establish the protocols for development approvals in Mission Bay South. The Master Developer is required to submit its overall plans for development in "Major Phases" of one or more land use blocks, with each Major Phase consisting of the private development projects and related public improvements on these blocks. In the South, the Major Phase for Blocks 8, 9, 9a, 10, 10a, and Parks P18, P19, and P20 has been approved and the primary use of these blocks is residential (low, mid-rise, and tower) and public facilities.

#### **5. Development Context: Blocks 8 – 10a Major Phase**

The Major Phase for Blocks 8, 9, 9a, 10, 10a and Parks P18, P19, and P20 Concept Design Application ("Major Phase") was approved by the former Redevelopment Commission on February 10, 2004 (Resolution 25-2004).

This Phase encompasses an area bounded by Mission Rock Street to the north, Terry Francois Boulevard to the east, 3<sup>rd</sup> Street to the west, and Mission Bay Boulevard North to the south. Note that the initial mapping for this phase also included P20, a linear park located along the north side of Mission Rock Boulevard but recent amendments to the Redevelopment Plan and OPA have removed P20 from the Mission Bay South Project Area (Ordinance No. 032-18). The site for this park has been incorporated into the development plans for Seawall 337 known as the Mission Rock project (see Section IV.G.1 for a brief description of Mission Rock). The developable site area on the blocks of the Blocks 8 – 10a Major Phase is approximately 5.27 acres and is divided into six development parcels.

OCII will propose amendments to the Major Phase and to the Mission Bay South development controls in the Design for Development as part of a Schematic Design approval for this block to align with the massing and approximate number of units for the Site, pursuant to this RFP.

#### **6. Major Phase Infrastructure Improvements and Transit Amenities**

The OPA requires that the Master Developer improve the public streets surrounding Block 9a as described in the Major Phase. The public streets, with the exception of the private street Bridgeview Way, have been improved with new sidewalks, lighting, and tree wells in accordance with the approved Mission Bay South Streetscape Master Plan ("Streetscape Plan"). Street trees will be added in tree wells adjacent to Block 9a by the master developer on a schedule to be coordinated with the selected developer and OCII. Underground utilities are complete for most of the Major Phase.

OCII is responsible for providing, in a timely manner, the Master Developer with development information sufficient for the Master Developer to develop and locate utilities appropriately.

Block 9a is well served by transit. As shown on the map below, the Site is located a block from the Muni Third Street Mission Rock Light Rail station and approximately half of a mile from the Caltrain station

located on 4<sup>th</sup> Street between King and Townsend streets. In addition, the Muni 55 - 16<sup>th</sup> street bus line, which connects Mission Bay to the Mission District and the 16<sup>th</sup> Street BART Station, stops just over a block away at 3<sup>rd</sup> Street and Mission Bay Boulevard North.

*(continued on next page)*

# Mission Bay Transit Map



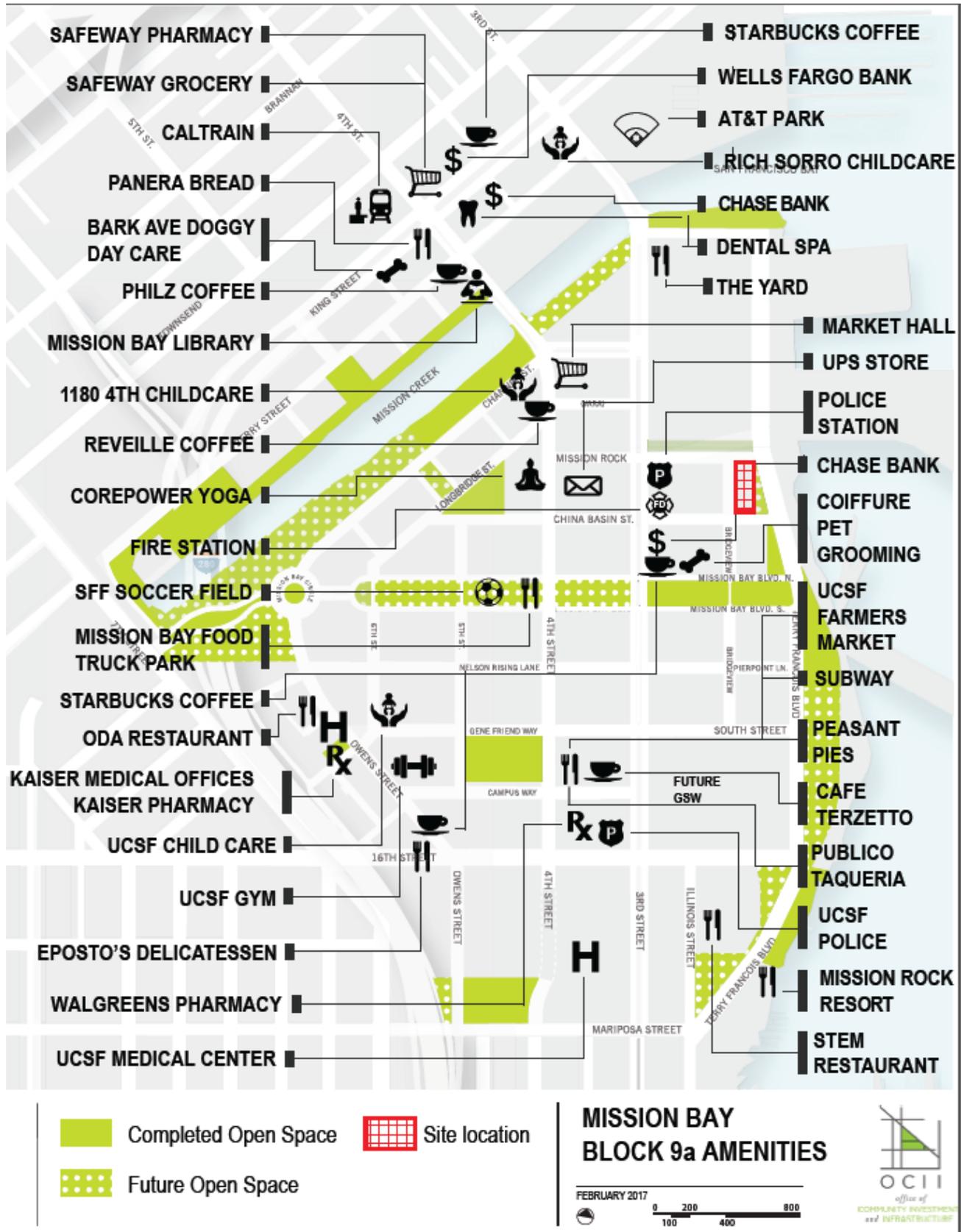
## **7. Neighborhood Amenities**

The Mission Bay neighborhood is rich in park and waterfront space, and retail and entertainment amenities. As shown in the amenities map below, there are numerous neighborhood serving retail outlets within walking distance of Block 9a or reachable by a short bike ride or a few stops on the T Line. The green colored parcels denote the programmed and planned open space in the neighborhood.

Overall, the Mission Bay Redevelopment Project will provide approximately 49 acres of open space. Block 9a is located a block from the Mission Bay Commons Park, two and a half blocks from the new Mission Bay Kid's Park, and adjacent to the future Mission Bay Park P19 which will front on Terry Francois Boulevard.

*(continued on next page)*

**Mission Bay Amenities Map**



## **8. Citizens Advisory Committee**

The Mission Bay CAC is an advisory body comprised of residents, business owners, and community organizations in the Project Area, which advises OCII on all matters which affect the Project Area. The CAC reviews all Major Phase submissions and Schematic Design submittals in Mission Bay. A member of the CAC will review proposals in response to this RFP and will participate in the Evaluation Panel. The recommended Applicant will present their proposal to the CAC prior to Commission action. The CAC will again review the selected design concept when the Project proceeds to Schematic Design approval.

## **9. California Environmental Quality Act/ National Environmental Protection Act**

Block 9a and its development plan for housing was included in the Final Subsequent Environmental Impact Report (FSEIR) completed in 1998. As part of its actions on September 17, 1998 establishing the Mission Bay Redevelopment Project Areas, the Redevelopment and Planning Commissions certified the Final Subsequent Environmental Impact Report (FSEIR), adopted findings under the California Environmental Quality Act (CEQA), adopted a series of mitigation measures, and established a comprehensive system for mitigation monitoring, including special measures by land use. The Board of Supervisors and other City departments adopted similar findings and mitigation monitoring plans. The selected team will work with the Department of Public Health, the San Francisco Bay Regional Water Quality Control Board, the Bay Area Air Quality Management District and OCII staff to ensure the mitigation measures for Block 9a are appropriately documented and implemented.

The selected Applicant will be responsible for securing environmental review approval under the National Environmental Protection Act (NEPA), if necessary.

## **B. The Site & Transfer of Ownership**

The Site is a flat, rectangular 29,939 square foot lot. The parcel's frontage is as follows: 108 feet along China Basin Street and Mission Rock Street, and 275 feet along Bridgeview Way and the east side of the parcel adjacent to future Park 19. The Site is currently being used for construction staging and as a temporary office space for Mission Bay Development Group.

Bridgeview Way is a private street that will bisect the super block into blocks 9 and 9a. Block 9 is programmed for an OCII affordable rental development that will serve formerly homeless persons. The private street will be accessible by the public, and may be used for local vehicular and/or pedestrian access, utility corridors and preservation of the view corridors in the Project Area.

In accordance with the Major Phase, the private street represents a "Vara" easement, and consequently the construction of Bridgeview Way is linked to the construction of the earlier of either Block 9 or 9a. Since Block 9 is currently in the predevelopment stage and is anticipated to begin construction ahead of Block 9a, it is anticipated that the development team for Block 9 will be responsible for the design and buildout of Bridgeview Way. Furthermore, the developments fronting the private streets in Mission Bay South are responsible for the maintenance of those streets. Responsibility and maintenance for the private street will therefore be shared between the development team of Block 9 and Block 9a. Applicants should consider this when formulating the Project's operating budget. **(See Attachment #18 for the Final Map.)**

Under the OPA, Agency Affordable Housing Parcels will transfer from the Master Developer to OCII when the Project is ready to start construction. The Master Developer owns fee simple interest in the Site. At the start of construction, pursuant to the OPA and a recorded Memorandum of Option, the Master Developer will transfer fee simple ownership to OCII at no cost. OCII will then transfer the land to the selected affordable housing development entity at the time of construction closing, along with a Declaration of Restrictions and other loan or grant documents ensuring the long term affordability of the site.

Upon completion of the project, OCII's assets related to the site will be transferred to the MOHCD, which is the designated Housing Successor under Redevelopment Dissolution Law. MOHCD will therefore participate in the selection of the development team and will also review and comment on the project's financial underwriting and funding and disposition documents in order to ensure a smooth transition to MOHCD at project completion.

Development of the Site is subject to the Design for Development guidelines further described in Section IV.F and G below.

## C. Soil Conditions

According to Figure V.J.1 of Volume Two of the Mission Bay Subsequent EIR (SEIR), Block 9a was submerged in shallow water in Mission Bay before it was filled. The area south of the China Basin Channel that includes Block 9a was filled between approximately 1884 and 1892.

Existing data in the vicinity (various points on Mission Rock Street and China Basin Street between 3<sup>rd</sup> Street and Terry A. Francois Boulevard) indicate there is about 15 to 36 feet of fill. The fill is underlain by weak compressible clay known as Bay Mud with thicknesses of approximately 80 to 120 feet. Developers should incorporate the cost of appropriate structural systems in their proposed Sources and Uses of Financing. Based on other projects in Mission Bay, Applicants should plan on including hinged slabs as part of structural foundation for Block 9a. In addition, Developers may need to budget for soil off-hauling. The selected Developer will need to conduct its own geotechnical investigations specific to the Site.

### 1. **Hazardous Materials: Cleanup Responsibilities and Immunity**

#### a. **Soil Contaminants**

Soil contaminants currently exist in the Project Area and are assumed to exist at the Site. The principal chemicals that have been detected in the Project Area are petroleum hydrocarbons and inorganic compounds (e.g. heavy metals). Additionally, asbestos was detected in the soil primarily from serpentine rock, which was imported to fill Mission Bay. No significant concentrations of Volatile Organic Compounds were detected in soil or groundwater. Limited concentrations of select volatiles such as benzene were found around the former petroleum storage facilities in the Mission Bay South Redevelopment Project Area, but are not expected to affect the Site. None of the chemicals were detected at concentrations that would pose a threat to human health following the completion of the planned development in the Project Area.

#### b. **Risk Management Plan**

A Risk Management Plan (“RMP”) has been approved for the Project Area that summarizes the types of contaminants present and the measures that must be taken. Current and future owners, occupants, and property managers must comply with these measures. A copy of this report can be found on OCII’s Mission Bay website at <http://sfocii.org/mission-bay>.

#### c. **Cleanup Roles and Responsibilities**

The OPA establishes the general principles by which responsibility for investigating and responding to environmental hazards is assigned. Further, a Memorandum of Agreement for Incremental Environmental Costs on Mission Bay Affordable Housing Sites (“MOA”) between OCII and the Master Developer and executed November 19, 2001, describes in more detail the methods by which incremental costs will be calculated and reimbursed by the Master Developer. For purposes of this RFP, the Applicant shall account for methane mitigation costs, if any, in the development budget and assume a passive mitigation system.

#### d. **Limitations to Incremental Costs: No Underground Parking**

The Master Developer’s MOA to pay for all incremental costs is limited by (1) the exclusion for costs related to the construction of subterranean garages, and (2) the developer’s reasonable efforts to provide for grading to be balanced on site. For this reason, OCII will not accept development concepts that include underground parking.

## SECTION III. DEVELOPMENT PROGRAM

### A. **Housing Development Concept**

OCII’s development goal for the Site is the creation of a high quality and thoughtfully designed affordable housing development of 1-, 2-, and 3-bedroom units presented in a high-quality, livable design based on Design for Development standards serving low to moderate income individuals/households.

The one-bedrooms should average approximately 500-550 net square feet, the two-bedrooms 800-850 net square feet, and the three-bedrooms 1,000-1,100 net square feet. The units shall include Developer-provided in-unit refrigerator, dishwasher, and washer and dryer.

Parking will be unbundled from the residential units and will be rented to residents at-cost of operating the parking garage by the homeowner association (“HOA”) through license agreements.

Development shall proceed in accordance with this RFP, the requirements of the Redevelopment Plan and related documents including the Design for Development (as amended or proposed to be amended), where applicable, and all other applicable federal, state and local regulations. Working within these parameters, the Applicant may use some discretion regarding unit count, unit sizes, and building layout provided that the Project is suitable for homeownership.

The below table summarizes the OCII programming guidelines for the Site:

Design Criteria	OCII Requirements
Units	<p>Approximately 135 units comprised of:</p> <ul style="list-style-type: none"> <li>• 25% 1 bds: ranging from 500-550 net useable sf</li> <li>• 50% 2 bds: ranging from 800-850 net useable sf</li> <li>• 25% 3 bds: ranging from 1,000-1,100 net useable sf</li> </ul> <p>Long corridors serving the units shall have adequate access to daylighting, which can be primarily achieved by exterior windows.</p>
Ground Floor	<ul style="list-style-type: none"> <li>• An active ground floor is encouraged through appropriate uses at Bridgeview Way and the park frontage. Active uses include residential lobbies, lobbies for bicycle storage facilities that have storefront glazing, community support facilities, etc. Other utility uses such as bike storage rooms, mechanical and service rooms, trash facilities, and parking can be located along the other frontages.</li> <li>• Residential uses are optional, and if provided must be elevated to account for Sea Level Rise considerations (see Section III.F.4 below).</li> </ul>
Exterior common space	<ul style="list-style-type: none"> <li>• Open space/interior courtyard, preferably facing Terry Francois Boulevard and open water beyond.</li> <li>• Optimize the open space potential provided by the Vara easement.</li> </ul>
Open Space	<ul style="list-style-type: none"> <li>• Podium level open space (if podium construction is proposed) or another location convenient to residents.</li> <li>• Private balconies may be used to meet the Design for Development standards for private open space.</li> </ul>
Bridgeview Way	<ul style="list-style-type: none"> <li>• The building facade along this street should emphasize and be oriented towards the pedestrian experience with interesting building fenestration, articulation, color and materials.</li> <li>• Review the design of this street from Block 9, to account for adjacency of rooms and amenities at the street level.</li> <li>• Maximize landscaping and minimize, to the extent possible, hardscape areas for vehicular/pedestrian access.</li> <li>• Retain the view corridor.</li> <li>• Provide adequate pedestrian amenities such as landscaping, lighting, seating, visual interest, etc.</li> </ul>
Refuse	<ul style="list-style-type: none"> <li>• Designated area in the building or garage to accommodate separation of refuse and to meet Recology’s pick-up requirements (consider access from China Basin Street).</li> <li>• Compliant with the San Francisco Mandatory Recycling and Composting</li> </ul>

	Ordinance (No. 100-09).
Building Orientation	<ul style="list-style-type: none"> <li>• Taking into account the neighboring development of Blocks 8, 10 and 10A, which have a stronger urban character along China Basin Street, consider reaching the maximum building height and locating the main building vehicular and pedestrian entrances along the China Basin Street frontage.</li> <li>• The building profile and orientation of the units and courtyard on the podium level should maximize, as much as possible, views to the open water.</li> <li>• Screen any parking and utility areas along all streets and the adjacent park with ground floor uses, interesting architectural elements, including type of openings, materials, exterior cladding etc.</li> <li>• The lobby shall be visually appealing to the pedestrian in scale and character with an architecture distinct from the rest of the building facade.</li> <li>• Due to the slenderness of the parcel and its obvious impact on the podium configuration, consider providing appropriately sized courts facing open water, separated by units.</li> </ul>
Building Massing	<ul style="list-style-type: none"> <li>• Provide appropriate step-backs (minimum of 10 feet from the floor below) at the upper floor level, along Bridgeview Way.</li> <li>• For massing and programing purposes, consider the potential adverse effects of neighboring development along Mission Rock Street (fire station and the proposed parking structure in SWL 337).</li> </ul>
Proposed Amendments to the D4D	<ul style="list-style-type: none"> <li>• Max Building Footprint above 65 feet: Consider the entire building footprint shall be allowed to rise up to the 90-foot height limit.</li> </ul>

Please refer to Section IV.E and F below for land use restrictions and design and construction guidance. OCII reserves the right to select an Applicant and require significant redesign. OCII further reserves the right to change the scope of the development program and/or require changes to the building design and unit configuration as it deems appropriate.

## B. Affordability Restrictions & Term

All units at the Site will be part of the Limited Equity Homeownership Program further described in Attachment 22. The marketing, lottery, sale and resale of units are managed by MOHCD. The intent of this project is to create a housing opportunity that offers long term stability through permanently affordable homeownership. Prospective buyers who meet OCII’s eligibility criteria (including income requirements and first-time homebuyer status) purchase the homes at affordable prices. In return, when they are ready to sell, participants must sell the homes at affordable prices to eligible households. The initial purchase and subsequent resale prices are linked to affordability at specific percentages of area median income. Therefore, owner equity is determined by the buying power of the new, eligible buyer at the time of resale, and not by the market value of the home. This system allows many generations of homebuyers to access OCII’s portfolio of affordable homes.

In instances where the LEP is either silent or has not fully spelled out the qualification requirements, MOHCD applies the Inclusionary Program requirements detailed in the Inclusionary Affordable Housing Program Monitoring and Procedures Manual (“Inclusionary BMR Manual”). Some example of these include the homebuyer’s debt-to-income ratios, first time homebuyer definition, and income calculation. The Inclusionary BMR Manual is available online at: <https://sfmohcd.org/sites/default/files/Documents/MOH/Inclusionary%20Manuals/Inclusionary%20Affordable%20Housing%20Program%20Manual%202010.15.2018.pdf>.

### 1. Initial Affordable Pricing and Income Eligibility:

Developers must calculate sales prices based on the Unadjusted Area Median Income (AMI) numbers published by MOHCD. Affordable Prices will be set to provide an average affordability at 95% of AMI; working within such parameters, Developer may use discretion to determine the number of units priced at 75%, 85%, 95% and 105% of AMI. Income eligibility is as follows:

<b>Affordable Pricing</b>	<b>Income Eligibility</b>
75% of AMI	Up to 80% AMI
85% of AMI	Up to 90% AMI
95% of AMI	Up to 100% AMI
105% of AMI	Up to 110% AMI

The maximum eligible income will be 110% of AMI, based on household size, in accordance with the underwriting criteria below:

**First Time Homebuyer:** Purchaser cannot have owned a home in the past three years. Using the IRS definition, a Purchaser cannot have taken the mortgage interest tax deduction in the past three years.

**Income Eligibility:** Total household income (including OCII's asset calculation) cannot exceed 110% of AMI, adjusted for household size.

**Down payment:** Buyers must contribute a minimum down payment of 3% of the purchase price (2% can be in the form of a gift).

**Program Restrictions:** Homebuyers must read and sign all OCII documents, which outline the occupancy and resale restrictions of the Program.

**Mortgage:** Homebuyers must be able to qualify for and obtain a first mortgage supporting the affordable purchase price with their available down payment from an OCII approved lender. At some point it is expected that the Developer will identify a lender who will participate by making Program loan to homebuyers.

**Maximum of 33% of Housing Costs to Income Ratio,** including homeowners' association ("HOA") dues, commercially reasonable property insurance (if not included in HOA dues), personal property insurance and an allowance of 1.20% of the purchase price for property taxes, special school assessments and Mello-Roos taxes (subject to change).

**Purchase money financing terms:** the mortgage interest rate used in the calculation shall be the higher of 1) the ten-year rolling average interest rate, as calculated by OCII (or its successor) based on data provided by Fannie Mae, Freddie Mac, or an equivalent, nationally recognized mortgage financing institution, or 2) the current, commercially reasonable rate available through an OCII-approved lender.

**Household Size:** Set prices assuming one person for a one-bedroom unit, and one person per bedroom plus one for all other units.

2. Ongoing Affordability Mechanisms:

The following conditions will be enforced by OCII or MOHCD to ensure continued unit affordability throughout the life of the project.

- a) **Resale Restrictions:** OCII's Program loan documents with the qualified buyers shall carry resale restrictions for the life of the project. These restrictions shall limit resales of the units to other low- to moderate-income buyers.
- b) **Option to Purchase:** MOHCD shall have an option to purchase a unit if a buyer is in default of OCII's documents or the first mortgage.

3. Transfer to MOHCD

Upon completion of the project, OCII's assets related to the site will be transferred to the MOHCD, which is the designated Housing Successor under Redevelopment Dissolution Law.

### C. Occupancy Preferences, Resident Selection & Marketing

OCII gives first preference to Certificate of Preference (“COP”) Holders, who are members of a household displaced by redevelopment activities. OCII has also adopted the housing preferences in Chapter 47 of the San Francisco Administrative Code, which include (in addition to the first preference for COP Holders) certain preferences for Displaced Tenants, Neighborhood Residents, and San Francisco workers or residents. OCII reserves the right to apply these preferences in a manner consistent with its enforceable obligations, redevelopment plans, and other applicable law, including law, including fair housing law and federal and state funding requirements, but relies on MOHCD to administer the preferences.

These preference referrals must meet the Developer’s established screening requirements for the project, and final selection will lie with the Developer. Any authorized preference shall be permitted only to the extent that such preference: (a) does not have the purpose or effect of delaying or otherwise denying access to a housing development or unit based on race, color, ethnic origin, gender, religion, disability, age, sexual orientation, or other protected characteristic of any member of an applicant household; and (b) is not based on how long an applicant has resided or worked in the area. OCII will work with the selected developer teams to resolve potential occupancy conflicts and determine additional occupancy preferences and marketing requirements and to ensure adherence to OCII occupancy preferences and marketing requirements. If more applicants apply than the number of units available, the Developer shall conduct a public lottery.

Available parking will be offered for rent to homebuyers based on lottery order. After all parking spaces have been rented, a parking waitlist will be established.

#### Advertising and Marketing

OCII requires Developers to broadly advertise availability of new affordable units, as well as provide notice through public meetings and mailings, including outreaching to the Mission Bay Citizens Advisory Committee. OCII, in conjunction with MOHCD, assists Developers in notifying holders of a Certificate of Preference (Certificate Holders) and others on OCII’s mailing list of those interested and qualified in homeownership opportunities. The table on the following page represents the initial marketing materials the Developer will be required to provide to OCII and MOHCD staff. This requirement helps to ensure the maximum number of potentially qualified applicants who may face barriers to the units.

Advertising and Marketing	
OCII provides developer with: <ul style="list-style-type: none"> <li>• Early Outreach Plan and Marketing Plan (“Plans”) template</li> <li>• Fair Chance Ordinance link on HRC website</li> <li>• Operational Rules for Lotteries</li> <li>• List of Homeownership SF homeownership readiness service providers who can assist potential applicants.</li> </ul>	Developer will have template prior to or by construction commencement. Developer must submit <i>draft</i> Early Outreach and Marketing Plans 30 days after construction commencement.
Upon receipt of draft Outreach Plan, OCII notifies MOHCD Team that outreach plan is forthcoming.	At least 1 month after construction commencement
OCII reviews Outreach Plan for accurate project information, partnering with a community outreach organization, and consistency with template.	OCII will provide approval no later than 10 business days after final draft is received.
MOHCD reviews and approves Outreach Plan.	Approval is provided within 5 business days.
Early Outreach begins: <ul style="list-style-type: none"> <li>• MOHCD monitors developer’s progress on Early Outreach timeline and activities.</li> </ul>	
Developer provides MOHCD with Early Outreach marketing materials and MOHCD does 1 <sup>st</sup> of 3 COP mailings.	3 months after construction commencement

The selected Developer will be expected to implement a robust marketing plan that successfully outreaches to low income households. In addition, the Developer shall make available support service staff to Certificate of

Preference holders, as they may require, for the purpose of assisting them throughout the application process and maximizing COP holder participation. Therefore, to ensure that the marketing of the Project is successful, the Applicant must include in their proposal a marketing plan that indicates the overall marketing strategy and how the Applicant intends to resource the marketing phase of the Project, such as either through direct staffing or through the use of a dedicated marketing or outreach consultant. The Applicant should also include in their Marketing narrative (see Section V.C.1.b below) any relevant experience conducting marketing and lotteries through MOHCD's electronic Database of Affordable Housing Listings, Information, and Applications ("DAHLIA") portal.

In addition, the Applicant must provide early outreach services addressing homeownership readiness starting one month after construction commencement. The Applicant must select a third party provider of such services, subject to review and approval by OCII and MOHCD staff. A preferred provider list that was created through a MOHCD procurement process is available within the Early Outreach Plan document.

## **D. Financing Plan**

OCII anticipates that the financing for development of the Site will consist of proceeds from unit sales, OCII subsidy, and potential state funding from the CalHome program. Pursuant to OCII policy, OCII requires that the Affordable Prices be set to provide an average affordability at 95% of AMI. Developers must calculate sales prices based on the Unadjusted Area Median Income (AMI) numbers published by San Francisco Mayor's Office of Housing and Community Development ([http://sfmohcd.org/sites/default/files/Documents/MOH/Asset%20Management/2018%20AMI-IncomeLimits-HMFA\\_04-06-18.pdf](http://sfmohcd.org/sites/default/files/Documents/MOH/Asset%20Management/2018%20AMI-IncomeLimits-HMFA_04-06-18.pdf)). Units will be available to households earning up to a maximum of 110% AMI based on household size.

OCII intends to enter into various development agreements with the selected Developer for the development, marketing, and sale of improvements for the entire Site. At the completion of the improvements' construction, OCII and individual buyers of the units shall enter into loan agreements, which shall, on a per-unit basis, satisfy the Developer's loan repayment obligations to MOHCD. The Developer shall retain responsibility for all construction-related issues.

Submittals will be evaluated, in part, based on the level of OCII subsidy required and the extent to which these funds are leveraged to obtain non-OCII sources.

## **E. Land Use Restrictions**

Since the Project is located within a Redevelopment Area, the City's zoning regulations are replaced by the Redevelopment documents. The land use controls of the Mission Bay South Redevelopment Plan ("Plan") apply to Block 9a, and its development is subject to the review and approval of OCII. The Redevelopment Plan and Design for Development for Mission Bay South are available on OCII's Mission Bay website at <http://sfocii.org/mission-bay>. The Mission Bay South Signage Master Plan is available at the same location.

The requirements include, but are not limited to, the following categories: density, open space, height/bulk, parking, off-street loading, bicycle parking, setbacks, signage, and utilities. Applicants are responsible for ensuring that their proposal complies with all applicable design development requirements.

## **F. Design & Construction**

OCII requires excellence in architectural design and physical acknowledgement, through the highest design and construction standards, of the Site's location in a high-density, newly developing, master-planned, residential neighborhood. In furtherance of this objective, OCII expects the successful Applicant to utilize an Associate Architect for portions of its design. The role of the Associate Architect should be meaningful and collaborative, such as providing the Associate Architect a discreet massing component of the overall project and involving the Associate Architect through completion of the project. The Associate Architect shall be brought on to the project on a competitive basis pursuant to OCII's SBE Policy after award of this RFP. As noted throughout this RFP, applicants should refer to the Design for Development document and the amended Major Phase for Mission Bay South.

Design of the community spaces should be inviting and offer a variety of well-placed public and private spaces to also allow opportunities for community building activities.

The Design for Development allows a maximum of one vehicular parking space per dwelling unit with no required minimum, however, for the purposes of this RFP, applicants should target a ratio of 0.25 vehicular parking space for every one unit. Bicycle parking is required and applicants should consider a ratio of one bicycle parking space for every two units in a Class 1 facility.

The Design for Development allows for the maximum amount of creativity from the Applicant by identifying basic standards and guidelines, but otherwise depending primarily on design guidelines to direct the rest of the building design. See table below for a summary of the design standards and note that the site's height/bulk controls are proposed to be amended. Please refer to the Design for Development document for a comprehensive set of design standards and guidelines.

Design Standards	OCII Requirements
Height Limitations	<ul style="list-style-type: none"> <li>• Neighborhood Streets: the maximum building height for buildings facing China Basin and Bridgeview Way shall be 90'</li> <li>• Mid-rise Height: maximum 90'</li> <li>• Applicants should evaluate construction cost effectiveness when determining proposed height and massing.</li> </ul>
Lot Coverage	<ul style="list-style-type: none"> <li>• 100% lot coverage to a maximum height of 40'. For portions of buildings above 40', a maximum of 75% lot coverage is allowed</li> </ul>
Street Wall	<ul style="list-style-type: none"> <li>• Regulations include corner treatments and projections (refer to Section III Design Standards in the Design for Development)</li> </ul>
Vehicular Access	<ul style="list-style-type: none"> <li>• Consider accessibility to the Site from China Basin Street</li> </ul>
Pedestrian Access	<ul style="list-style-type: none"> <li>• Consider a main entrance along China Basin Street</li> <li>• Street level articulation on all frontages should highlight the residential character of the building</li> <li>• Ground floor residential units are optional and if provided must be elevated to account for Sea Level Rise considerations (see Section III.F.4 below) and include pedestrian street-level access.</li> </ul>
Open Space	<ul style="list-style-type: none"> <li>• Minimum 70 square feet per residential unit</li> <li>• May be satisfied in the form of private (patios, terraces) or common open spaces (mid-block breaks provided that they do not permit through traffic except emergency vehicles, gardens, courtyards at grade level, rooftop or parking podium, recreational facilities for resident use, etc.)</li> <li>• Minimum horizontal dimension for any private open space is 6'</li> </ul>
Vehicular and Bicycle Parking	<ul style="list-style-type: none"> <li>• Target a vehicular parking ratio of 0.25 space per unit</li> <li>• Consider a bike ratio of 0.50 space per unit, provided in secured Class 1 facility.</li> </ul>
Loading	<ul style="list-style-type: none"> <li>• No loading facilities are required for residential development below 100,000 square feet. One space is required between 100,001 and 200,000 square feet, two spaces between 200,001 and 500,000 square feet</li> <li>• Consider siting loading space(s) on Mission Rock Street</li> </ul>
Code Compliance and Green Building	<ul style="list-style-type: none"> <li>• Compliance with San Francisco Building Code and Administrative Bulletin AB-093</li> <li>• Compliance with San Francisco Planning Department Standards for Bird-Safe Buildings adopted July 14, 2011 <a href="http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf">http://default.sfplanning.org/publications_reports/bird_safe_bldgs/Standards%20for%20Bird%20Safe%20Buildings%20-%202011-30-11.pdf</a></li> <li>• LEED "Gold" rating or Green Point Rating of 125 or higher</li> </ul>
Building Features	<ul style="list-style-type: none"> <li>• Distinguished and emphasized building corners, especially at the corner of China Basin and Bridgeview Way</li> <li>• Variations in materials and massing to break up the façade of the building</li> </ul>

## 1. Surrounding Uses

Design should pay particular attention to the existing built environment and adapted to its context. The Site is/will be surrounded by a mix of uses, including:

- Public Safety Building – Located to the west of the Site adjacent to Block 9. The Public Safety Building was completed in 2015 and is home to San Francisco Police Headquarters, the Southern District Police Station, and Fire Station No. 4. The Fire Station fronts on Mission Rock Street.
- Seawall 337 (Mission Rock Project) – Located to the north of the Site, across Mission Rock Street. The planned Mission Rock mixed-use development encompasses approximately 28 acres, which is currently primarily used for AT&T Park event parking. The project will include approximately 1,500 new residential rental units, approximately 1.4 million square feet of retail and office commercial space, 3,100 parking spaces (includes parking to serve AT&T Park and new uses), and approximately eight acres of public space and parks. Concept plans show that the development will continue the alignment of Bridgeview Way to the north. A multi-story parking garage is anticipated on the south end of the site to the north of Mission Rock Street from 3<sup>rd</sup> Street to Bridgeview Way (across the street from Block 9).
- Radiance – Located to the south of the Site (on Block 10a). Radiance is a 99-unit mid-rise condominium development that was completed in 2008. Main building entries are located on China Basin Street and Mission Bay Boulevard North. Some units feature ground level stoop entries.
- Madrone – Located to the south and to the west of the Site across China Basin Street (on Block 10). Madrone is a 329-unit mid-rise condominium development that was completed in 2012. The main residential entry is located on China Basin Street, however, many ground floor homes have stoops and entries directly on China Basin Street and Mission Bay Boulevard North. The building includes ground floor retail along the 3<sup>rd</sup> Street frontage.
- Block 9 – Located to the west of the Site, across the future Bridgeview Way. Block 9 is an Affordable Housing Parcel in active predevelopment. The proposed project will provide 141 units of affordable rental housing and supportive services for formerly homeless adults. The estimated construction start is February 2020. Bridgeview Way will be designed and constructed in conjunction with this project, and thus neither Block 9 nor the Bridgeview Way parcel will be available for construction staging for Block 9a.
- Mission Bay Commons – Located a block south of the Site between Mission Bay Boulevard North and Mission Bay Boulevard South. The portions of the park that are located at 3<sup>rd</sup> Street and Terry A. Francois Boulevard were completed in 2009/2010.
- Park P19 – Located adjacent to the east of the Site, at the corner of Terry A. Francois Boulevard and China Basin Street. The park is on a triangular site and will feature a small plaza, seating to contemplate the bay, bio-retention gardens, and ample sidewalks. Construction is projected to start in spring 2019 and complete by the end of 2020.

## 2. Green Design Guidelines

Improvements must meet San Francisco Building Code and Administrative Bulletin AB-093 and constructed to a Green Point Rated standard of 125 or LEED Gold rating. In addition, OCII seeks to maximize the overall sustainability of the Project to the extent possible through the integrated use of “green” building elements. Building features considered green or sustainable may include natural ventilation, daylighting, water conservation, and use of resource efficient and healthy building materials.

## 3. Construction Type

Applicants should determine and propose the optimal construction type for the project to meet the programming, design, and cost containment refinements of the RFP. OCII is familiar with the Pueblo Structural construction type, which was used in the construction of Block 7 of the Transbay Redevelopment Project Area. Include in the proposal Applicant’s familiarity with this construction type, or any other feasible construction type proposed.

## 4. Sea Level Rise/Flood Considerations

According to the *San Francisco Sea Level Rise Action Plan*, Mission Bay is located within the San Francisco Sea Level Rise Vulnerability Zone, and thus storm event flooding and sea level rise are important considerations for all development in the Project Area. Incorporate into the design and describe potentially appropriate design features to minimize building damage and ensure resident health and safety in a high-water event. Such features may include but are not limited to backup generators, elevated utility and mechanical equipment, pumping systems, foundation treatments, landscaping features, and building materials and finishes.

Recent sea level rise considerations have guided OCII to determine that the provision of units on the ground floor is optional. Any ground floor residential unit, if provided, shall be elevated to minimum 114'-6" level (generally 4'-0" to 4'-6" above sidewalk level). Consider the impact of elevating the units with the overall building section in achieving efficient stacking within the 90 foot height limit.

In addition to units, any emergency utility systems may also require to be elevated to this level.

Note that further elevation may be required, subject to survey data for the Site and any available updated high water event projections. Costs for flood and water proofing should be factored in to the construction cost estimate for Block 9a. In addition, please describe the Architect's experience, if any, in designing structures with features intended for flood/sea level rise resilience.

Reference materials:

- San Francisco Sea Level Rise Action Plan, dated March 2016: <http://default.sfplanning.org/plans-and-programs/planning-for-the-city/sea-level-rise/sea-level-rise-action-plan-final-draft-full.pdf>
- FEMA Preliminary Flood Insurance Rate Map, dated November 12, 2015: [http://sfgsa.org/sites/default/files/Document/SF\\_NE.pdf](http://sfgsa.org/sites/default/files/Document/SF_NE.pdf)
- SPUR Mission Bay Sea Level Rise Adaptation Study, dated September 2016: [http://www.spur.org/sites/default/files/publications\\_pdfs/Mission\\_Creek\\_Sea\\_Level\\_Rise\\_Adaptation\\_Study.pdf](http://www.spur.org/sites/default/files/publications_pdfs/Mission_Creek_Sea_Level_Rise_Adaptation_Study.pdf)
- Enterprise Community Partners Strategies for Multifamily Building Resilience, dated 2015: <https://www.enterprisecommunity.org/resources/ready-respond-strategies-multifamily-building-resilience-13356>

## 5. Priority Permit Processing

As part of the Mission Bay Project Area, the Project is subject to the Mayoral Executive Directive 17-02, which focuses on expediting the production of housing in the City. All permit submittals to the City related to the Project must clearly identify the Project as subject to Mayoral Executive Directive 17-02 (ED 17-02).

## G. Equal Opportunity Programs

OCII has an Equal Opportunity Program ("EOP") that consists of various policies requiring OCII-sponsored projects to provide benefits to economically disadvantaged communities and local residents. The EOP consists of the various policies and programs that are described in Attachments 11 through 17 of this RFP.

As part of the RFP response, the Applicant shall submit a Workforce and Contracting Action Plan ("WCAP") that addresses how the team will implement the following policies and programs: Nondiscrimination in Contracts and Benefits, Small Business Enterprise Policy, Minimum Compensation Policy, Health Care Accountability Policy ("HCAP"), Prevailing Wage, Permanent Workforce, and Construction Workforce. Additionally, the development team should anticipate coordinating with OCII to provide training opportunities for aspiring design professionals in accordance with trainee hiring obligations per OCII's Small Business Enterprise Agreement (**See Attachment 12**).

Applicants are encouraged to provide a detailed analysis of the strategies the team intends to utilize to reach workforce and contracting goals, including successful methods employed on previous projects. The WCAP should identify the individual responsible for its implementation. This individual may be an in-house staff member or outside consultant.

As previously noted, an Applicant is defined as a team comprised of only the following: (1) a Qualified Housing Developer (“Developer”), (2) an architect, and (3) a WCAP consultant (if an outside consultant is being proposed). Any and all other consultant(s) to the development team shall be brought on to the project at a subsequent stage pursuant to OCII’s SBE Policy. As required by the 1998 Mission Bay Affordable Housing Policy, adopted by the San Francisco Redevelopment Agency on September 17, 1998 (Resolution No. 194-98), preference will be given to non-profit housing development corporations headquartered in San Francisco.

OCII strongly encourages the Applicant (and those consultants and contractors, including the general contractor, that the Applicant will bring on to the project after this RFP) to create joint ventures or similar partnership relationships with San Francisco-based SBEs looking to build capacity and gain experience. OCII requires that the successful Applicant cooperate with OCII to identify substantive design elements of the project, to the extent practicable and economically feasible, to be offered to an SBE Associate Architect and competitively solicit an SBE Associate Architect pursuant to OCII’s SBE Policy even if the Applicant’s prime architect is an SBE.

In addition, OCII requires that the successful Applicant cooperate with OCII and competitively solicit a general contractor with the intent of creating a joint venture or similar partnership opportunity, to the extent practicable and economically feasible, between a general contractor and an OCII-recognized SBE contractor. Furthermore, the successful Applicant shall cooperate and require the general contractor to exercise good faith efforts to select subcontractors who either are SBEs or, if they are not SBEs, are willing to create joint ventures or similar partnership opportunities with SBEs.

## **H. Community Outreach**

A CAC member will review proposal submittals and participate in the Evaluation Panel. The CAC will review the recommended proposal prior to review by the OCII commission. In addition, the CAC will be asked to make a recommendation regarding schematic design concerning the Site and any OCII financing approvals for the Project. The selected Developer is expected to maintain an ongoing relationship with the CAC during development and once the Project is operational.

# **SECTION IV. SELECTION PROCESS & CRITERIA**

## **A. Selection Process**

1. Submittals will be accepted at OCII’s offices only until the date and time shown in Section II.A and E.
2. Submittals must be complete with an original plus six (6) hard copies and one CD or flash drive with an electronic version of the submittal to be considered. No submissions received by facsimile or electronic mail will be considered. The Applicant is solely responsible for ensuring that all information requested in Section VI Submission Requirements, is submitted.
3. OCII staff will contact references.
4. Applicants who have provided Submittals that meet the requirements of this RFP will be interviewed. Interviews are scheduled to be held on the date(s) shown in Section II.A. These dates are subject to change. All Applicants should advise OCII staff of availability on these days. Interviews will be held at OCII, located at One South Van Ness Avenue in San Francisco on the Fifth Floor.
5. Further information or written material regarding qualifications or submittals may be requested prior to or following interviews.
6. OCII staff will make a recommendation to the OCII Commission based on the input of the evaluation of the Submittals, interviews, and reference checks.
7. The OCII Commission will approve selection of the successful Applicant.

## B. Selection Criteria

The selection of the Applicant will be based on the strength of the proposed development concept as well as the Applicant team members' experience as described below.

Maximum Points	Criteria
<b>60</b>	<b>Proposed Development Concept</b>
25	Proposed Massing Concept: strength and cost efficiency of proposed massing concept, number of units, conformance with the Redevelopment Plan and the Design for Development, design precedents and inspirations provided for the massing concept, and philosophy of design specific to Project.
25	Proposed Funding and Program Concept; including financial feasibility, level of OCII subsidy, and unique program elements
10	Proposed Homeownership Outreach and Marketing Plan
<b>40</b>	<b>Team Experience and Capacity</b>
10	Developer experience in developing and marketing for-sale affordable housing <i>comparable</i> to the housing proposed in this RFP and in accordance and in good standing with current OCII/MOHCD standards related to marketing and homebuyer selection; experience with HOA documentation and budget creation, including obtaining approvals from the California Bureau of Real Estate; experience with OCII/MOHCD marketing policies and conducting lotteries through MOHCD's electronic DAHLIA portal. Developer Workload Capacity
10	Developer experience with government assisted affordable housing programs and homeownership financing sources. Developer experience delivering affordable housing on budget (defined as maintaining or reducing a project's per unit cost between RFP response, approval of a predevelopment loan/schematic design approval and construction loan closing).
10	Workforce and Contracting Action Plan
10	Architect experience & capacity; Architect experience delivering affordable housing on budget (defined as maintaining or reducing a project's per unit cost between RFP response, approval of a predevelopment loan/schematic design approval and construction loan closing).
<b>100</b>	<b>Maximum Total Points</b>

Ranking will also be based on staff experience and capacity in light of current and projected future workloads; success of its Submittal in the Evaluation Panel interview; and ability to comply with OCII policies and requirements. The selection panel will provide a recommendation to the Executive Director, who will, in turn, provide a recommendation to the OCII Commission. The Executive Director is not required to recommend the Applicant receiving the panel's highest ranking or evaluation, but may recommend a developer to the Commission based on other factors, including, but not limited to, the fulfillment of OCII policy and the Applicant's history of uncured defaults, if any, related to prior OCII, SFRA, or MOHCD agreements. The OCII Commission has the sole and absolute discretion to make, at a public hearing, the final selection.

## SECTION V. SUBMISSION REQUIREMENTS

The Applicant must submit **one original, plus six (6) copies and a CD or flash drive with a complete electronic copy** of the submittal containing the information requested in this RFP.

Applicants are to provide the requested information in the order indicated below and include a table of contents, with sections separated by labeled tabs corresponding to sections A-G below and their sub-sections.

The submittal should be submitted to OCII, on or before the time, date and at the place shown above in Section II. E. **Hand delivery is advised.** Late, incomplete, emailed, or faxed submittals will **not** be considered.

## A. Development Concept & Financing Proposal

Using standard estimating techniques, and clearly describing all important assumptions, provide the following documents:

1. **Project Description (Narrative):** Submit a narrative of no more than three (3) pages describing the proposed project.
2. **Sources & Uses Pro-Forma (Attachment #20):** Fill out the General Project Information and permanent sources and uses tabs of the OCII/MOHCD pro forma. In addition, please provide separate sheet(s) in Excel format with detailed information on the proposed unit mix and sales proceeds, including Developer's assumptions for selling costs, mortgage interest rates, property tax, down payment, absorption rates, etc. ***The selected Developer will be expected to deliver the Project at or below the per-unit costs established in the Applicant's response to this RFP.***
3. **Financing Plan:** Submit a financing plan that is consistent with the Development Program as described in Section III.
4. **Marketing Plan:** Submit a marketing plan of no more than three (3) pages that includes the following information:
  - Applicant's overall philosophy and strategy for marketing to low and moderate-income families, particularly those receiving preferences as described in III.C above. Describe both outreach elements (advertisements, community meetings, etc.) as well as the proposed staffing model to support potential homebuyers through the application and closing process, i.e. through internal staffing or through the use of a dedicated consultant.
  - Specific outreach methods which have been most useful in engaging potential applicants, as well as methods, to assist applicants successfully complete the closing process. Please also describe ways to tailor those methods, or develop new approaches, to best serve future homebuyers.
  - Description of early homeownership readiness services delivery to prospective homebuyers, especially Certificate Holders.
  - A marketing budget that is consistent with the Applicant's marketing plan.
5. **Massing Concept:**
  - a. **Narrative:** Provide a narrative description of the design concept and philosophies, including the Applicant's approach and the description of construction type, building materials, precedent images (if applicable), and green building strategies and elements.
  - b. **Drawings:** Provide the following drawings in black and white (color may be used only to differentiate program areas from one another and shall not be used to depict material finishes):
    - i. **3-D Massing Diagrams:** Two (2) diagrams depicting the conceptual building massing and scale as it relates to existing or planned buildings on surrounding lots. Diagrams should not show windows, doorways, texture, color, or detailed articulation.
    - ii. **Site Plan:** at 1/32" = 1'-0" showing building massing and the relationship of buildings, open space, private pedestrian walkway, streets and parking areas. Indicate locations of community space, lobby entrance, main residential entrance, retail entrances, housing layout, elevator, auto ingress/egress, etc.
    - iii. **Sections:** Two (2) site sections at 1/32" = 1'-0", one longitudinal and one transverse that best describe the massing concept.

- iv. Floor Plans: Plans of all floors at 1/32" = 1'-0", showing proposed uses. Floor plans should indicate the number of bedrooms per unit, but not show unit layouts or detail layouts of any of the uses except for parking.
- c. Inspirational Images: Provide up to three (3) inspirational images that illustrate aspects of the design concept and intent. Include a short caption with each image that describes the elements that are relevant to the concept and philosophy of design proposed for Block 9a.
- d. Green Point Rating Checklist

**NOTE:** The intent of the drawings is not to develop an architectural design for the Site, but to illustrate unit mix and the massing implications of the proposed development program. Applicants are required to submit only their proposed architecture massing concept in their proposal according to the criteria below.

**No other drawings, renderings, elevations, or models of any kind are required or will be accepted at the time of submittal. Submittals in excess of the required materials shall be returned and will not be eligible for any payments pursuant to Section IX.G.2. Furthermore, Applicants are prohibited from presenting any additional drawings, renderings, elevations or models in excess of the accepted submission at community meetings, interviews, or Commission meetings.**

## B. Applicant Description

1. **Applicant Description Form (Attachment #1):** Complete the Applicant Description Form to establish compliance with definition of "Qualified Housing Developer" under Section 1.32 of the Mission Bay South Housing Program (Attachment C to the OPA).
2. **Résumés:** Submit résumés for all persons identified on the Applicant Description Form.
3. **Organizational Documents:** Submit a current copy of the following documents. NOTE: If Applicant is a joint venture or partnership of multiple Developer entities, EACH Developer entity must submit the following:
  - a. Certificate of good standing from California Secretary of State. (Please note that the Certificate must bear the official State of California seal and that web screen prints from the Secretary of State of California website are not acceptable).
  - b. Certification of 501(c)(3) status from the Internal Revenue Service (if applicable, for any non-profit corporations).
  - c. Certification of 501(c)(3) status from the California Franchise Tax Board (if applicable, for any non-profit corporations).
  - d. The latest two (2) years of either:
    - i. signed federal income tax returns (including schedules or attachments, if any); or
    - ii. audited financial statements (with management letters, if any).

## C. Developer Experience & Capacity

1. **Developer's Experience in Comparable Projects:**
  - a. Project Details (Attachment #3): Complete the Comparable Projects Experience Form. Developers should use this chart to convey their experience in at least one (1) up to a maximum of three (3)

projects completed within the past ten (10) years by the Developer(s), that are *comparable* to the proposed project. For purposes of this RFP, a comparable project would be an affordable homeownership housing project. Photos of projects may be included, but are not required.

- b. Marketing Experience (Narrative): Provide a written narrative (no more than one (1) page) describing the Developer's relevant marketing experience, including Developer's experience, if any, with MOHCD's electronic marketing and housing portal, DAHLIA.
- c. HOA Experience (Narrative): Provide a written narrative (no more than one (1) page) describing the Developer's relevant experience with HOA documentation and budget creation, including obtaining approvals from the California Bureau of Real Estate.

2. **Developer's Experience in Other San Francisco Projects (Attachment #4)**: Complete the San Francisco Projects Experience Form. Developers should use this chart to describe their experience in any other projects developed within San Francisco only. Photos of projects may be included, but are not required.
3. **Developer's Workload Capacity (Attachment #2)**: Complete the Staffing Workload Form. All "Key Personnel" of the Developer must complete this form.
4. **Developer's Workforce and Contracting Action Plan (Narrative)**: Submit a Workforce and Contracting Action Plan ("WCAP") of no more than 3 pages describing the specific steps that the development team will take to meet or exceed the contracting and workforce obligations in **Attachments 11 through 17** of this RFP and includes information regarding the following:
  - Demonstration of the development team's knowledge and familiarity with OCII/City workforce and contracting policies and programs.
  - The person(s) that will assume primary responsibility for working with OCII in implementing the WCAP (whether in-house or an outside consultant), the steps that the development team will take to meet the goals for participation by economically-disadvantaged and local businesses and workers (both construction jobs and the permanent jobs covered by the First Source Hiring Program).
  - Any specific implementation actions that the development team proposes to achieve the best results for meeting or exceeding the goals.

## **D. Architect's Experience & Capacity**

1. **Architect's Experience in Comparable Projects**:
  - a. Project Descriptions: Describe at least one, but no more than three (3), completed comparable developments in San Francisco. In addition, describe at least one but no more than three (3) completed comparable projects outside San Francisco. For all projects, include dates completed and client contact information. (If the Architect was not the sole architect, please describe the Architect's role in the project).
  - b. Photos: Submit three (3) photos of the interiors and exteriors of the comparable projects listed above, to display architectural design features, relationships of buildings and relationships with adjacent uses (other developments, streets, etc.).
2. **Architect's "Green" Experience**: Describe green building design experience and evidence of current Green Point Rated professionals, if any.
3. **Architect's Experience with Local Regulatory Agencies**: Describe experience working with the San Francisco Mayor's Office on Disability ("MOD") and the Department of Building Inspection, if any.
4. **Architect's Workload Capacity (Attachment #2)**: Complete the Staffing Workload Form.

5. **Architect’s Management of an Associate Architect:** Describe experience working with an associate architect(s) and how an associate architect will be utilized on this project.

**E. Other Required Information**

1. **Disclosure Questions (Attachment #7):** Each Developer Entity, as defined in Section A of **Attachment #1**, Applicant Description Form, must complete and submit the Disclosure Questions. These questions are designed to identify any potential conflicts of interest and/or liability issues. A summary of Government Code Section 87103 containing the relevant portion of the Fair Political Practices Act is included as a footnote on the Disclosure Form for reference. **\*Failure to include a complete, signed certification will disqualify the submittal.**
2. **Statement of Compliance with OCII Policies (Attachment #8):** The Developer must agree to comply with all of OCII’s policies, including but not limited to, SBE Policy, Construction Workforce requirements, and insurance and indemnification requirements found in this RFQ and shall execute the statement of compliance certifying the same. **\*Failure to include a complete, signed certification will disqualify the submittal.**
3. **Offer to Negotiate Exclusively**
- a. **Form (Attachment #9):** The Applicant shall complete and submit the Offer to Negotiate Exclusively. The person signing this form must have the authority to bind the entire Applicant Team. **\*Failure to include a complete, signed Offer to Negotiate will disqualify the submittal.**
- b. **Deposit:** The Applicant shall submit an “Offer to Negotiate Exclusively Deposit” in the amount of **One Thousand Dollars (\$1,000) (“Deposit”)** made payable by check to OCII as part of the Proposal. This payment shall be refunded to all Applicants not selected by the OCII Commission. (It shall also be refunded in the event an Applicant selected by the OCII Commission does not obtain OCII Commission approval for development of the project.) **\*Failure to include a valid “Offer to Negotiate Exclusively Deposit” will disqualify the proposal.**
4. **Submission Checklist (Attachment #10):** Complete and submit the Submission Checklist, certifying that all required items are contained in the Proposal.

**THIS IS THE END OF THE SUBMISSION REQUIREMENTS SECTION.**

**ALL INFORMATION REQUESTED ABOVE IN SECTION VI MUST BE SUBMITTED IN ORDER FOR A PROPOSAL TO BE DEEMED COMPLETE.  
APPLICANTS SCORES MAY BE NEGATIVELY IMPACTED BY ANY INCOMPLETE INFORMATION.**

## SECTION VI. ADDITIONAL REQUIREMENTS

(for Recommended Applicant Only)

After the evaluation panel's interviews and presentation to the CAC, the Applicant recommended to the OCII Commission by the Executive Director shall then be required to submit the following additional information *prior to OCII Commission consideration*.

### **DO NOT SUBMIT THESE FORMS WITH THE INITIAL PROPOSAL.**

#### **A. Nondiscrimination in Contracts & Benefits**

The Applicant shall complete and submit **Attachment #11**, the Declaration of Nondiscrimination in Contracts and Benefits. OCII has established a policy prohibiting discrimination in contracting, which includes a prohibition on discrimination in providing benefits between employees with spouses and employees with domestic partners. For further information, see instructions contained in **Attachment #11**.

#### **B. Small Business Enterprise Program**

The Applicant shall complete and submit **Attachment #12**, the Small Business Enterprise ("SBE") Agreement. OCII has established a goal of 50 percent for SBE participation on all construction, professional services, and supply contracts. OCII requires the Developer to perform extensive good faith efforts to include SBEs in the performance of any agreement resulting from this solicitation, and any subsequent agreements between Developer and its contractors or consultants. If SBE participation goals are not met, compelling good faith efforts must be documented and provided to OCII.

OCII strongly encourages the successful Applicant to create joint ventures or similar partnership relationships among non-SBE consultants and contractors with San Francisco-based SBEs looking to build capacity and gain experience. In particular, the successful Applicant shall cooperate with OCII and competitively solicit a general contractor with the intent of creating a joint venture or similar partnership opportunity, to the extent practicable and economically feasible, between a general contractor and an OCII-recognized SBE contractor. Furthermore, the successful Applicant shall cooperate and require the general contractor to exercise good faith efforts to select subcontractors who either are SBEs or, if they are not, are willing to create joint ventures or similar partnership opportunities with SBEs. In addition, the selected architect will be expected to competitively solicit an associate architect and will work to define a scope that comprises approximately 35% of the overall design contract.

OCII has established a policy where the Developer shall give priority in awarding any contracts resulting from this solicitation in the following order: (1) Project Area SBEs, (2) Local SBEs (outside an OCII Project, but within San Francisco), and (3) all other SBEs (outside of San Francisco). Non-local SBEs should be used to satisfy participation goals only if Project and Survey Area SBEs or Local SBEs are not available or qualified, or if their bids or fees are significantly higher than those of non-local SBEs. OCII will accept the certifications of SBEs by the Contract Monitoring Division of the City and County of San Francisco and may accept SBE certifications from other agencies if the other agencies' small business size standard is consistent with OCII's. For further information see **Attachment #12**.

#### **C. Construction Workforce Requirements**

The Applicant shall comply with OCII's Construction Workforce Requirements to ensure that all contractors/subcontractors demonstrate good faith efforts to meet workforce hiring goals. OCII has established a workforce hiring goal of 50 percent for San Francisco residents.

#### **D. Minimum Compensation Policy**

The Applicant (defined throughout this RFP as the Developer, and the Architect) shall complete and submit **Attachment #13**, OCII's Minimum Compensation Policy ("MCP") Declaration. The MCP requires the payment of a minimum level of compensation to employees for all consultants working on OCII funded projects.

## E. Health Care Accountability Policy

The Applicant shall complete and submit **Attachment #14**, the Health Care Accountability Policy (“HCAP”) Declaration. The HCAP requires that contractors offer certain health plan benefits to their employees or participate in a health benefits program developed by the City’s Department of Public Health, or make a payment in lieu of such benefits to the City’s Department of Public Health.

## F. Prevailing Wages

The successful Developer’s General Contractor, including all members of any joint venture with SBEs, and their subcontractors shall comply with OCII’s Prevailing Wage Policy, which includes payment of the State of California’s prevailing wages.

For further information on OCII’s EOP programs, contact Maria Pecot with OCII’s Contract Compliance Department at [maria.pecot@sfgov.org](mailto:maria.pecot@sfgov.org).

## G. Certification Regarding Insurance & Indemnification

OCII must be listed as an additional insured on such policies and the Developer Team must provide current certificates of insurance as evidence of coverage. At the time of selection, the successful Developer team must procure and maintain insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work under OCII contract by the Developer team members, the general and subcontractors, their agents, representatives, and employees. Unless the insurance requirements are modified by OCII, the selected Developer team must procure and maintain insurance with an insurance company that has an A.M. Best rating of A:VII with at least the following coverages and limits:

1. General Liability:	<p>a. Before the start of demolition/construction if the Site is unoccupied, Applicant and Applicant’s contractors will maintain coverage of not less than One Million Dollars (\$1,000,000) combined single limit per occurrence and Two Million Dollars (\$2,000,000) annual aggregate limit. These limit requirements apply to Applicant’s design and professional contractors throughout the required coverage period;</p> <p>b. During demolition/construction and occupancy of the Site and ongoing operations of the Project, Applicant and its construction contractors will maintain coverage of not less than Ten Million Dollars (\$10,000,000) combined single limit per occurrence and Ten Million Dollars (\$10,000,000) annual aggregate limit;</p> <p>Policy must list Successor Agency and the City and County of San Francisco as an additional insured.</p> <p>As an alternative, the development team may provide a Consolidated Insurance Program (CIP or “Wrap Up”) covering its interest, the Successor Agency’s and City’s interest and the General and Subcontractors of every tier with minimum limits of \$10,000,000 per occurrence. In any event the insurance must provide ten years of products and completed operations coverage beyond completion of construction.</p>
2. Automobile Liability:	\$1,000,000 combined single limit per accident for bodily injury and property damage including owned, hired and non-owned auto coverage.
3. Workers’ Compensation and Employer’s Liability:	Workers’ Compensation as required by the State of California and Employer’s Liability with limits of \$1,000,000 for bodily injury by accident and \$1,000,000 per person and in the annual aggregate for bodily injury by disease.
4. Professional Liability (Errors and Omissions):	Two Million Dollars (\$2,000,000) for each claim and in the annual aggregate limit covering negligent acts, errors or omissions in connection with professional services to be provided in connection with the Project. If the Professional Liability insurance is “claims made” coverage, these minimum limits shall be maintained for no less than five (5) years beyond

	<p>completion of the scope of services performed. Any deductible over One Hundred Thousand Dollars (\$100,000) each claim must be reviewed by OCII Risk Management.</p> <p>Design professionals who utilize the services of subcontractors or consultants to complete work in connection with this project are required to assess the risks associated with such contractors and, with the authorization of the Applicant, determine and verify the appropriate level of coverage provided by the subcontractor or consultant. The design professional and the Applicant shall assume costs and expenses that may be incurred in fulfilling any indemnity obligations as to itself or any subcontractors or consultants for whom the design professional and/or the Applicant are legally liable in the absence of adequate subcontractor or consultant coverage.</p>
5. Crime Policy or Fidelity Bond	Crime policy/or fidelity bond covering One Million Dollars (\$1,000,000) each loss, with any deductible not to exceed Ten Thousand Dollars (\$10,000). Applicant must provide an endorsement naming OCII as an additional obligee or loss payee.
6. Pollution Liability / Asbestos Liability	Pollution Liability and/or Asbestos Pollution Liability applicable to the work being performed, with a limit no less than One Million Dollars (\$1,000,000) per claim or occurrence and Two Million Dollars (\$2,000,000) aggregate per policy period of one year, this coverage shall be endorsed to include Non-Owned Disposal Site coverage. This policy may be provided by the Applicant's construction contractor to maintain these minimum limits for no less than three (3) years beyond completion of the Project.
7. Course of Construction (Builder's Risk):	During the course of any construction, special form coverage, excluding earthquake and flood, for one hundred percent (100%) of the replacement value of all completed improvements and OCII property in the care, custody and control of Applicant or its contractor, including coverage in transit and storage off-site, with a deductible not to exceed Fifty Thousand Dollars (\$50,000) each loss, including OCII as loss payee. Builder's Risk must be maintained by the Applicant or the Applicant must cause its general contractor to maintain this insurance.
8. Property Insurance:	After completion of construction, special form coverage, excluding earthquake and flood, but including vandalism and malicious mischief, and including boiler and machinery insurance, for one hundred percent (100%) of the replacement value of all furnishings, fixtures, equipment, improvements, alterations and property of every kind located on or appurtenant to the Site, including coverage for loss of income due to an insured peril for twelve (12) months, with a deductible not to exceed Twenty Five Thousand Dollars (\$25,000) each loss, including OCII as a loss payee. A waiver of subrogation naming OCII is required (also known as "transfer of rights of recovery against others to us").

From the time of selection, the selected Developer team shall defend, hold harmless and indemnify OCII, the City and County of San Francisco and their respective commissioners, members, officers, agents and employees of and from all claims, loss, damage, injury, actions, causes of action and liability of every kind, nature and description directly or indirectly arising out of or connected with the performance of OCII contract and any of the contractor's operations or activities related thereto, excluding the willful misconduct or the gross negligence of the person or entity seeking to be defended, indemnified or held harmless.

## SECTION VII. OCII PAYMENTS & FEES

The selected Developer is responsible for any applicable payments, deposits and fees in connection with, but not limited to, the following:

## **A. RFP Fee & Offer Deposit**

An RFP registration fee of Fifty Dollars (\$50.00) by check is collected when the RFP is picked up. In addition, an Offer to Negotiate Exclusively Deposit in the amount of One Thousand Dollars (\$1,000.00) made payable by check to the Office of Community Investment and Infrastructure is due at the time of Proposal submission.

## **B. Performance Deposit (Selected Applicant Only)**

If the OCII Commission approves entering into a development contract with the Developer, then the Developer shall deposit with OCII an additional Nine Thousand Dollars \$9,000.00 ("Additional Deposit"). The Additional Deposit shall be combined with the Deposit to form the performance deposit ("Performance Deposit"). The Performance Deposit shall be held by OCII until completion of the development.

## **C. City Fees (Selected Applicant Only)**

The selected Applicant will be responsible for payment of all applicable City fees and relevant transactional costs, including but not limited to: building permit fees, utility relocation and connection fees, subdivision fees, transfer taxes, and transit fees.

# **SECTION VIII. ADDITIONAL TERMS & CONDITIONS**

## **A. Selected Applicant's Team's Responsibility**

The selected Applicant will be solely responsible for construction of all improvements according to OCII-approved construction documents, and in accordance with applicable City building codes. This includes, but is not limited to, all on-site improvements and any changes from existing conditions, including underground utilities, street lighting, curbs, gutters, street trees and sidewalks. The Developer Team will be solely responsible for all transactional costs and closing requirements, including, but not limited to, title insurance, escrow fees, parcel maps, etc.

## **B. Applicant's Duty of Loyalty**

Applicant for itself and its Contractors agree to abide by OCII's duty of loyalty, which appears in OCII's Personnel Policy (Prohibited Activities of Present and Former Employees, Commissioners and Consultants) and which states in part the following: "Unless approved in advance in writing by OCII, no present or former employee, Commissioner or consultant of OCII shall knowingly act for anyone other than OCII in connection with any particular matter in which OCII is a party, or has a direct and substantial interest, and in which he or she participated personally and substantially as an OCII employee, Commissioner or consultant whether through decisions, recommendations, advice, investigation or otherwise. Violation of this section by a present employee, consultant or Commissioner may, in the case of an employee or consultant, be grounds for discharge or termination of the consultant contract, and in the case of a Commissioner, be considered misconduct in office pursuant to [applicable law]."

## **C. OCII Non-Responsibility**

OCII has no obligation to demolish any improvements on the Site, remove, relocate or install utilities, complete on-site or off-site preparation work or improvements, or make any changes whatsoever to existing conditions.

## **D. Geotechnical Investigations**

All geotechnical investigation must be conducted by a licensed geotechnical engineer, retained by the Applicant, to investigate and supervise excavation and recompaction efforts as necessary, which investigations may only occur upon the issuance of a permit to enter the Site by OCII.

## **E. Environmental Review Approvals**

The selected Developer will be responsible for securing all environmental review approvals necessary to move forward with the development of the Site. These reviews may include the requirements of the California

Environmental Quality Act (“CEQA”), the National Environmental Protection Act (“NEPA”) and/or Section 106 of the National Historic Preservation Act (“NHPA”), as applicable.

## **F. Accessibility Requirements**

The selected Developer will be responsible for meeting all applicable accessibility standards related to publicly-funded multifamily housing development under Section 504 of the Rehabilitation Act of 1973, the Architectural Barriers Act, the Americans with Disabilities Act, the Fair Housing Amendments Act of 1988, and Title 24 of the California Code of Regulations. If selected, Applicants must submit the permit set of architectural plans for the Site to the Mayor’s Office on Disability for review and approval. Additionally, OCII requires an architect’s certification at the completion of project design and construction that the improvements built are in accordance with all local, state and federal laws and regulations with respect to access for persons with disabilities.

## **G. Applicant Expenses**

1. The Applicant responding to this RFP does so at its own expense. OCII will not consider any costs related to preparing the Proposal or negotiating the development contract as reimbursable. The foregoing notwithstanding, OCII will reimburse the cost for architectural massing drawings required by this RFP as set forth in Section IX.G.2 below.
2. OCII is requiring the submittal of an architectural massing concept as part of this RFP. In order to mitigate some of these costs to the Developers submitting submittals, OCII will reimburse those Developers whose principal office is located in San Francisco and whose proposal, in the sole discretion of OCII, has met each of the minimum qualifications described in Section VI Submission Requirements of this RFP. The total aggregate payment for architectural reimbursables by OCII shall not exceed \$50,000 and payments to Applicants who submit complete Submittals shall be prorated accordingly, in an amount not to exceed \$5,000 per Applicant for Applicants providing both a conventional construction base scenario and a non-conventional alternative construction scenario. Qualifying Developers seeking architectural reimbursement payments must submit invoices from their architects.

## **H. OCII Right to Modify or Suspend RFP**

OCII, through its Executive Director, reserves the right at any time, in its sole and absolute discretion, to modify or suspend any and all aspects of the selection process, including, but not limited to, this RFP and all or any portion of the contractor selection process in or subsequent to the RFP; to obtain further information from any Applicant member, to waive any defects as to form or content of the RFP or any other step in the selection process; to reject any and all responses submitted; to reissue the RFP; procure the desired services by any other means or not proceed in procuring the services; to negotiate with any, all, or none of the respondents to this RFP as to fees, scope of services, or any other aspect of the RFP or services; to negotiate and modify any and all terms of an agreement; and to accept or reject any Applicant.

## **I. Claims Against OCII**

Each Applicant member, by responding to this RFP, waives any claim, liability or expense whatsoever against OCII and its respective officers, commissioners, employees and agents by reason of any or all of the following: any aspect of this RFP, the selection process or any part thereof, any informalities or defects in the selection process, the failure to enter into any agreement, any statements, representations, acts or omissions of OCII, the exercise of any discretion set forth or concerning any of the foregoing, and any other matters arising out of all or any of the foregoing.

## List of Attachments

### **To be submitted with Submission Package:**

Attachment #1:	Applicant Description Form
Attachment #2	Staffing Workload Form
Attachment #3	Comparable Projects Experience Form
Attachment #4	San Francisco Projects Experience Form
Attachment #5	Intentionally Omitted (Property Manager Experience Form)
Attachment #6	Intentionally Omitted (Services Provider Experience Form)
Attachment #7:	Disclosure Questions
Attachment #8:	Statement of Compliance with OCII Policies & Certification of Applicant
Attachment #9:	Offer to Negotiate Exclusively
Attachment #10:	Submission Checklist

### **To be completed by recommended Developer only after evaluation and interviews:**

Attachment #11:	Declaration of Nondiscrimination in Contracts and Benefits
Attachment #12:	Small Business Enterprise Agreement
Attachment #13:	Minimum Compensation Policy Declaration
Attachment #14:	Health Care Accountability Policy (HCAP) Declaration
Attachment #15:	Prevailing Wage
Attachment #16:	Intentionally Omitted (Permanent Workforce)
Attachment #17:	Construction Workforce

### **For information purposes only:**

Attachment #18:	Final Map Block 8719, Lot 5 (aka Block 9a)
Attachment #19:	Area Median Income 2018
Attachment #20:	Sources and Uses
Attachment #21:	OCII Homeownership Developer Fee Policy
Attachment #22:	OCII Limited Equity Homeownership Program – Loan Disclosure Information