

**Request for Proposals and Qualifications  
Non-Profit Affordable Housing Organizations**



**Town of Westfield, Union County, New Jersey**

Issue Date:  
October 19, 2021

## **Introduction and Scope**

The Town of Westfield seeks qualifications from **non-profit affordable housing organizations** with a successful history in the financing, acquisition, construction, and operation of affordable housing in the State of New Jersey.

The Town Maintains an Affordable Housing Trust Fund, funded primarily by development fees collected pursuant to the Town's Affordable Housing Development and Trust Fund ordinance. Pursuant to the Town's settlement agreement with Fair Share Housing Center and its approved Spending Plan, the Town has dedicated monies from its Affordable Housing Trust Fund toward working with **non-profit affordable housing organizations** in the development of affordable housing in Westfield to help reach the Town's goal to provide 20 additional affordable housing units, half for families, by December 31, 2025.

Projects may consist of all special needs affordable units, all family affordable units, or a combination of both.

This request for proposals and qualifications is released so that **non-profit affordable housing organizations** may make a request to utilize dedicated funds to assist the Town in meeting its goal described in the preceding paragraph. The Town has approximately \$964,549 currently available through its Spending Plan for this purpose.

The Town is seeking to provide assistance at approximately \$48,227 per affordable unit (amount per affordable unit selected as \$964,549 total funds available/20 unit goal = \$48,227). Funds may be used for the purpose of property acquisition and/or to fund construction costs for the creation of affordable housing. The **non-profit affordable housing organization** shall have a period of 24 months from the date of contract award to complete the affordable unit which shall be evidenced by the issuance of a certificate of occupancy.

Funds shall be disbursed after execution of an agreement between the Town and non-profit affordable housing organization and the recording of the proper 30-year deed imposing restrictive covenants, conditions, and restrictions on affordable housing on the premises. The deed shall be in a form acceptable to the Town and shall be executed by the non-profit affordable housing organization and Town and recorded with the Union County Clerk's Office. The deed will set forth the 30-year affordability restrictions that will encumber the premises, binding the parties and their respective heirs, successors and assigns.

All affordable units created must comply with all applicable regulations of the affordable housing regulations of Article 23 of the Land Use Ordinance and the New Jersey Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et seq. and COAH regulations N.J.A.C. 5:93-1 et seq., with the exception that in lieu of ten (10) percent of affordable units required to be at least thirty-five (35) percent of median income, thirteen (13) percent

of affordable units in such projects shall be required to be at thirty (30) percent of median income.

The **non-profit affordable housing organization** shall be responsible for all aspects of the proposed development, including utilities, water, sewerage and other necessary infrastructure.

The **non-profit affordable housing organization** shall be responsible for structuring the financing plan for the development, providing the equity and securing the financing needed to complete the project including construction loans, subsidies and permanent mortgages.

### **Content of Proposals**

In order to assess each qualified **non-profit affordable housing organization** to provide all of the necessary services for this project each respondent shall submit a Statement of Qualifications, which shall include the following and shall be formatted as follows to assure consistency:

**Section 1.** Contact information, including the legal name, address, phone number and email address of respondent, as well as a statement indicating how long the company has been in business, company size and organizational structure shall be included in the statement of qualifications. Resumes and qualifications, including training and licenses of key personnel shall be provided.

**Section 2.** Type of ownership (corporation, partnership, etc.) Respondent shall identify the type of legal entity (i.e. corporation, joint-venture, LLC, etc.) that shall serve as the designated developer. If the entity is a subsidiary of, or otherwise affiliated with, another organization, the respondent shall indicate such a relationship.

**Section 3.** Respondent shall provide a client/reference List

**Section 4.** Narrative -

Management Experience - Overall affordable housing experience, including a thorough description and demonstration of successful financing, acquisition, construction and management of affordable housing in the State of New Jersey. Provide a listing and description of completed projects over the past (5) years. Identify relevant projects and your direct role as developer, manager, and/or contractor.

Financial Capacity - Demonstrate your financial capacity to provide financial backing and guarantees in past projects. Also provide at least three (3) financial references and two (2) business references with respect to prior affordable housing projects.

Any local, state, or federal financial assistance that will be required and/or is being considered shall be identified by Respondent. To the extent Respondent intends to

utilize grant awards, tax credits or other public funds, Respondent shall describe the source of such funds and Respondent's experience in obtaining such funds.

Your Requirements – What assistance from the Township or other public entities does your firm typically require when selected to acquire/develop affordable housing in a municipality?

#### Section 5. Identification of Property

The respondent shall identify property for which it intends to utilize funding under this program to create affordable units. The identified property shall include:

Property within Westfield which it has already acquired and for which the creation of affordable units are planned; and

Property within Westfield which has been identified for acquisition by the respondent for the creation of affordable housing.

The number of affordable housing units that are planned for those properties which it has already acquired or which have been identified for acquisition.

#### Section 6. Portfolio –

Provide examples of recent projects including a narrative summary and photographs. Describe any litigation, mediations, or arbitrations that may have arisen out of any development or construction project.

Section 7. Provide a copy of your business registration number with the State of New Jersey, as well as, your organization's tax status.

#### **Evaluation Criteria for Proposals**

Statements of Qualifications shall be independently evaluated on the basis of the criteria listed below:

1. The completeness and clarity with which the proposal covers the scope of providing affordable housing development services;
2. Respondent's qualifications and experience in developing and managing affordable housing projects;
3. Respondent's capacity to successfully secure adequate public financing for and private capital to finance the project;
4. The respondent's intent to utilize funds under this program to create affordable units on property which it already owns within Westfield; and/or the respondent's

identification of property within Westfield for which it intends to acquire for the creation of affordable housing, as well as, the number of affordable housing units to be created on those properties.

5. Proof of experience and specific knowledge of, including any work within the Town of Westfield.
6. Knowledge of the affordable housing market in New Jersey and relevant laws, regulations and funding sources.
7. Proven ability to provide all services, including obtaining the necessary funding and approvals in a timely manner.
8. Other factors if determined to be in the best interest of the Town of Westfield.

### **Other Requirements Regarding Proposals**

1. All costs associated with the preparation and submission of a proposal in response to this solicitation shall be borne exclusively by the consultant.
2. The Town reserves the right to obtain clarification of any point in any proposal or to obtain additional information necessary to properly evaluate a particular proposal. Failure of any **non-profit affordable housing organization** to respond to a request for additional information or clarification shall result in rejection of the **non-profit affordable housing organization's** proposal.
3. **Confidentiality**. The Town shall examine the proposals to determine the validity of any written requests for nondisclosure of trade secrets and other proprietary data identified. After award of the contract, all responses, documents and materials submitted by the **non-profit affordable housing organization** pertaining to this RFP/RFQ will be public information and will be made available for inspection, unless otherwise determined by the Town. All data, documentation, and innovations developed as a result of these contractual services shall become the property of the Town. Based upon the public nature of this RFP/RFQ, a **non-profit affordable housing organization** must inform the Town in writing of the exact materials in the offer which cannot be made a part of the public record.
4. Proposal Review.
  - a. Following the opening of all proposals, the submissions will be evaluated by a team of Town officials which may consist of the Westfield Housing Commission, Town Mayor, the Town Attorney, Town Business Administrator, Town Planner, and other individuals as designated by the Town.

- b. The evaluations will be conducted individually and collectively in private.
  - c. The team of evaluators reserves the right to contact other municipalities, references and others familiar with the consultant and their work.
  - d. The Town reserves the right to negotiate specifications, terms, and conditions which may be necessary or appropriate to the accomplishment of the purpose of the RFP/RFQ.
  - e. The evaluation team's final recommendation shall be forwarded to the Mayor and Council for consideration and potential award of a contract.
5. The Town may require the entire proposal be made an integral part of the resulting contract. This implies that all responses contained within the proposal, along with any supplemental information and/or other submissions provided by the consultant during discussions or negotiations will be held by the Town as contractually binding on the successful **non-profit affordable housing organization**.
6. The successful **non-profit affordable housing organization** shall be required to execute a written contractual agreement with the Town, which agreement shall be in a form satisfactory to the Town Attorney.
7. As part of the contract, the **non-profit affordable housing organization** shall agree to defend, indemnify, and hold harmless the Town, its officials, agents, and employees against all injuries, deaths, loss, damages, claims, patent claims, suits, liabilities, judgments, cost and expenses, which may in any way accrue against the Town, its officials, agents, employees, and volunteers arising in whole or in part or in consequence of the performance of this work by the **non-profit affordable housing organization**, its employees, or subcontractors, or which may in any way result therefrom, except that arising out of the sole legal cause of the Town, its officials, agents, or employees. The **non-profit affordable housing organization** shall, at its own expense, appear, defend, and pay all charges of attorneys and all costs and other expenses arising therefrom or incurred in connection therewith and, if any judgment shall be rendered against the Town, its officials, agents, and employees, in any such action, the **non-profit affordable housing organization** shall, at its own expense, satisfy, and discharge the same.
8. The Town reserves the right to abandon the RFP/RFQ process, including the right to decline to award any contracts or pursue any project(s) related to this RFP/RFQ, for any reason or no reason at all; to reject any and all statements of qualifications

received by reason of this RFP/RFQ; and/or to negotiate separately in any manner necessary to serve the best interests of the Town and comply with Court-imposed timeline(s) and/or conditions.

9. The Town reserves the right to change or materially alter the terms of this RFP/RFQ; to reject incomplete or non-responsive statements of qualifications; to waive any conditions, requirements and/or formality that would otherwise have constituted non-conformance; and to undertake actions necessary to clarify or verify information provided by any proposer.
10. The Town of Westfield reserves the right to reject all proposals, in the sole discretion of the Town, and to waive any minor nonmaterial defects when it may be in the best interests of the Town to do so.
11. Any questions regarding this RFP/RFQ or any necessary clarifications shall be directed by email to Donald Sammet, PP/AICP, Town Planner, at [dsammet@westfieldnj.gov](mailto:dsammet@westfieldnj.gov)

### **Delivery Requirements for Proposals**

There is no deadline for the submission of proposals.

All proposals shall be delivered to the attention of:

Mr. Donald Sammet, PP/AICP  
Westfield Town Planner  
959 North Avenue West  
Westfield, NJ 07090

All proposals shall be submitted in a sealed envelope, and shall bear the words "Non-Profit Affordable Housing Organizations Request for Proposals and Qualifications" written conspicuously on the front exterior of the envelope. All applicants assume the risks associated with regular mail or other delivery modes. The Town of Westfield is not responsible for any proposals lost, wrongly addressed, misdirected or otherwise undeliverable.