



# INFORMATIONAL REPORT

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**TO:** Hon. City Councilmembers

**FROM:** Shola Olatoye  
Director, Housing &  
Community Development

**SUBJECT:** Informational Report on 2021 HCD  
Homekey Request for Qualifications  
(RFQ)

**DATE:** June 22, 2021

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This memorandum provides an informational summary of the City's plans to issue a Request for Qualifications to support the upcoming state Homekey program.

## **EXECUTIVE SUMMARY**

Under the Homekey Request for Qualifications (RFQ), the City of Oakland Department of Housing and Community Development (HCD) is seeking qualified housing sponsors to own, operate, and provide services for permanent affordable housing for homeless and formerly homeless individuals and households. Through the City's website, the RFQ will create a single point of intake for sponsor qualifications, project proposals, and expressions of interest in participating in Homekey with the City.

## **BACKGROUND / LEGISLATIVE HISTORY**

The May Revision to the Governor's 2021-22 proposed budget includes \$3.5 billion total for the State Homekey Program. Of this amount, \$1 billion will be specifically targeted to households experiencing homelessness or at risk for being homeless<sup>1</sup>. Once the State budget is passed in June, the State's 2021 Homekey Notice of Funding Availability (NOFA) is expected, sometime between July and September of 2021.

In the 2020 Homekey NOFA round, the City successfully applied for four projects and closed three Homekey awards resulting in over 165 permanent homes for people experiencing homelessness.<sup>2</sup> The 2020 Homekey round had a compressed application process and an incredibly accelerated implementation schedule. Based on the 2020 Homekey experience, the City will issue an RFQ to streamline sponsor and project proposal intake in advance of the State's 2021 Homekey NOFA. As well, the City must understand project proposal demand to appropriately size the amount of necessary local match revenues to propose and present to Council at a later date.

## **ANALYSIS AND POLICY ALTERNATIVES**

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<sup>1</sup> HCD will define "at risk of homelessness" as defined by HUD:

<https://www.hudexchange.info/resource/1975/criteria-for-definition-of-at-risk-of-homelessness/>

<sup>2</sup> One project was pulled by the project's sponsors.

In 2020, the novel Homekey program featured completely new regulations, guidelines, and incredibly fast deadlines for application submittal and closing. As such, the 2020 NOFA round required sponsors and HCD staff intake and assess sponsor qualifications and potential project applications at an unprecedented pace. The tight timeframe of the 2020 Homekey NOFA required that the City only issue a brief solicitation to identify potential project proposals, which were then assessed for compliance with Homekey NOFA rules.

Based on this experience, HCD has developed the 2021 Homekey RFQ to create a more streamlined and transparent intake process of all interested housing partners for eventual Homekey qualifications and proposals.

This RFQ seeks to:

- **Simplify and Encourage Early Sponsor Engagement:** Create a single point of intake for sponsor qualifications, project proposals, and expressions of interest in participating in Homekey with the City.
- **Streamline City Review:** Confirm qualifications, consistent with existing sponsor criteria, in advance of the 2021 Homekey NOFA, so that City staff can focus on evaluating Homekey project proposals.
- **Facilitate Team Building:** Sponsors that submit Expression of Interest forms can let other sponsors know that they are interested in being part of a prospective Homekey team. The City will share the list of firms who expressed interest on a rolling basis, so interested sponsors may communicate with other sponsors to create project teams.
- **Establish Qualified Sponsor Pool:** Establish a pool of qualified teams of developers, property managers, and service providers that meet experience requirements of the City and the Homekey Program (based on the 2020 Homekey NOFA). Once the State issues the 2021 Homekey NOFA, City will issue a Homekey Request for Proposals (RFP) to those sponsors qualified through this RFQ. Sponsors may submit new and/or additional proposals or update existing proposals at this time.
- **Share Information on Potential Sites:** Property owners interested in selling their property to sponsors under this RFQ are encouraged to submit their contact and property information through this RFQ's Seller Expression of Interest form. The City will also post a list of city-owned parcels that may be suitable for rapid construction or installation of permanent or interim housing under this RFQ (see Attachment A of the RFQ for this list).<sup>3</sup>
- **Identify Potential Proposals:** If available, sponsors are encouraged to submit information on proposed projects.

The City will prioritize review of responses received by July 30, 2021, which will be designated "Round 1" responses. Because the City will review responses on a rolling basis, the City encourages submittals in advance of July 30, 2021. Although this solicitation will remain open

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<sup>3</sup> This RFQ seeks proposals that meet the affordability and other requirements contained in the exemptions to the Surplus Land Act (SLA) described in Government Code sections 54421(f)(1)(A) and/or 54421(f)(1)(F), and therefore any disposal of City sites for Homekey projects may be declared exempt from further requirements under the SLA.

through September 1, 2021, any responses received after July 30, 2021 will be reviewed only as resources allow ("Round 2"). The City may extend the solicitation timeframe if the State Homekey NOFA is issued later than September 1, 2021. The qualified sponsor pool will be valid for up to five years.

**RFQ Timeline:**

June 23, 2021	RFQ Released
July 30, 2021	Sponsors submitting qualifications by 11:59 PM on July 30, 2021 are designated Round 1
September 1, 2021	Sponsors submitting qualifications between July 30, 2021 and September 1, 2021 are designated Round 2. Qualification responses will not be accepted after September 1, 2021
September 2021 (TBD)	State issues Homekey NOFA, anticipated by September 2021
September 2021 (TBD)	City issues Homekey Request for Proposals (RFP) to sponsors qualified under this RFQ. Sponsors may submit new proposals or update existing proposals at this time.
October 2021 (TBD)	Homekey RFP responses due to City
Late Fall 2021 (TBD)	<b>Return to Council with Recommended Homekey Applications, funding requests, etc.</b>
September 1, 2026	Qualified sponsor pool expires

**FISCAL IMPACT**

This item is for informational purposes only and does not have a direct fiscal impact or cost. Once the State issues the 2021 Homekey NOFA, City staff will return to Council with recommendations on applications, and if applicable, awards of matching funds. Homekey projects should leverage significant State funding towards the acquisition, rehabilitation, and/or operations of permanent homeless housing projects.

**PUBLIC OUTREACH / INTEREST**

On June 17, 2021, HCD staff participated in an informational session hosted by Alameda County for those interested in learning more about pursuing a Homekey project in Alameda County, including in Oakland. Once HCD issues its Homekey NOFA, City staff will issue its RFP soon thereafter and host a public Q&A session, both of which will be publicized on our website.

**COORDINATION**

This report was prepared in coordination with the Department of Human Services and the Department of Economic and Workforce Development. This report was reviewed by the Office of the City Attorney and the Budget Bureau.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** Any projects that result from this RFQ will generate some professional services and ongoing property management jobs in Oakland. Homekey projects should leverage significant State funding towards the acquisition of the Property.

**Environmental:** The lack of housing options in Oakland worsens air pollution, as community members who are displaced are forced to drive long distances to their jobs. Considerable evidence shows that households living near employment-dense areas and transit corridors have lower carbon footprints than those living in less dense areas further from transit. Retaining affordable housing opportunities located near transit is particularly impactful, as low-income households are more likely not to own cars if they have access to quality transportation options.

**Race & Equity:** Any projects that may result from this RFQ will provide deeply affordable housing for Oaklanders experiencing homelessness. Demographic data has shown that Oakland's affordable housing and homelessness crisis disproportionately impacts Oakland's lower-income residents, and the African American community. City data shows that 70 percent of people experiencing homelessness in the City are African American – far higher than their 24 percent share of the Oakland population. African Americans are also disproportionately impacted by COVID-19. Providing permanent affordable housing to these at-risk individuals promotes racial, social, and health equity for the City of Oakland. Reducing homelessness and providing deeply affordable and supportive housing to Oakland residents achieves greater social equity and is important to the long-term health of the City.

For questions regarding this report, please contact Christina Mun, Acting Deputy Director, at 510-332-5122.

Respectfully submitted,



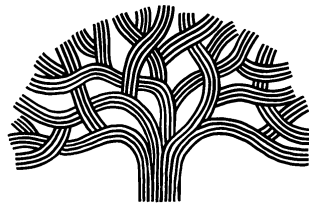
SHOLA OLATOYE

Director, Housing and Community Development  
Department

Prepared by:  
Christina Mun, Acting Deputy Director  
Housing and Community Development  
Department

Attachment: Draft Homekey RFQ

# **2021 Request for Homekey Sponsor Qualifications**



**City of Oakland**

**Department of Housing and Community Development**

Release Date:

[June 23, 2021]

# City of Oakland Homekey Request for Qualifications

With this Request for Qualifications (RFQ), the City of Oakland Department of Housing and Community Development (City) is seeking qualified housing sponsors to own, operate, and provide services for permanent affordable housing for homeless and formerly homeless individuals and households.

The City will prioritize review of responses received by [July 30, 2021], which will be designated “Round 1” responses. Because the City will review responses on a rolling basis, the City encourages submittals in advance of [July 30, 2021]. Although this solicitation will remain open through [September 1, 2021], any responses received after [July 30, 2021] will be reviewed only as resources allow (“Round 2”). The City may extend the solicitation timeframe if the State Homekey NOFA is issued later than [September 1, 2021]. The qualified sponsor pool will be valid for up to five years.

## RFQ Timeline:

June 23, 2021	RFQ released
July 30, 2021	Sponsors submitting qualifications by 11:59 PM on July 30, 2021 are designated Round 1
September 1, 2021	Sponsors submitting qualifications between July 30, 2021 and September 1, 2021 are designated Round 2. Qualification responses will not be accepted after September 1, 2021
September 2021 (TBD)	State issues Homekey NOFA, anticipated by September 2021
September 2021 (TBD)	City issues Homekey Request for Proposals (RFP) to sponsors qualified under this RFQ. Sponsors may submit new proposals or update existing proposals at this time.
October 2021 (TBD):	Homekey RFP responses due to City
July 20, 2026	Qualified sponsor pool expires

## Background

[The May Revision to the Governor's 2021-22 proposed budget](#) includes \$3.5 billion total for the State Homekey Program. Of this amount, \$1 billion will be specifically targeted to households experiencing homelessness or at risk for being homeless<sup>1</sup>. Once the State budget is passed in June, the State’s 2021 Homekey NOFA is expected, sometime between July and September of 2021.

In the 2020 Homekey NOFA round, the City successfully closed three Homekey awards resulting in over 165 permanent homes for people experiencing homelessness. The 2020 Homekey round had a compressed application process and an incredibly accelerated implementation schedule. Based on the 2020 Homekey experience, the City has issued this RFQ to streamline sponsor and proposal intake in advance of the State’s 2021 Homekey NOFA.

This RFQ seeks to:

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<https://www.hudexchange.info/resource/1975/criteria-for-definition-of-at-risk-of-homelessness/>

- **Simplify and Encourage Early Sponsor Engagement:** Create a single point of intake for sponsor qualifications, project proposals, and expressions of interest in participating in Homekey with the City.
- **Streamline City Review:** Confirm qualifications in advance of the 2021 Homekey NOFA, so that City staff can focus on evaluating Homekey project proposals.
- **Facilitate Team Building:** Sponsors that submit Expression of Interest forms can let other sponsors know that they are interested in being part of a prospective Homekey team. The City will share the list of firms who expressed interest on a rolling basis, so interested sponsors can connect to form prospective teams.
- **Establish Qualified Sponsor Pool:** Establish a pool of qualified teams of developers, property managers, and service providers that meet experience requirements of the City and the Homekey Program (based on the 2020 Homekey NOFA).
- **Share Information on Potential Sites:** Property owners interested in selling their property to sponsors under this RFQ are encouraged to submit their contact and property information through this RFQ's Seller Expression of Interest form. The City is also posting a list of City-owned parcels that may be suitable for rapid construction or installation of permanent or interim housing under this RFQ (see Attachment A).<sup>2</sup>
- **Identify Potential Proposals:** If available, sponsors are encouraged to submit information on proposed projects.

### Description of City's Homekey Program

Based on the 2020 Homekey NOFA, the City expects the following conditions to apply to the 2021 Homekey NOFA. Please note that these conditions may adjust to reflect the 2021 Homekey NOFA regulations and priorities.

1. **The City will not directly acquire or own any Homekey property.** The City only seeks qualified sponsors that intend to own, develop, and manage the proposed properties. The City's role will be limited to co-applying for Homekey funding, granting funds to project teams, and enforcing the regulatory agreement. Any proposals on a City-owned site should assume a long-term ground lease or license agreement for use of the site.
2. The City and project sponsor will be co-applicants to the State for Homekey funding. The project sponsor will prepare all application materials for City review, and when approved, the City will upload and submit the application through the Homekey portal. If awarded, the State will execute a Standard Agreement with both co-applicants.
3. The City will likely have to provide some level of local subsidy match, depending on the per unit total development cost of the proposed project. This match requirement will be a limiting factor for the number of City Homekey applications. Please be advised that the City as yet has not appropriated any matching funds for this round of Homekey funding.
4. In the 2020 Homekey round, the State required that Homekey funds be provided to project sponsors as grants. Under this structure, the City will accept the Homekey grant capital and

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<sup>2</sup> This RFQ seeks proposals that meet the affordability and other requirements contained in the exemptions to the Surplus Land Act (SLA) described in Government Code sections 54421(f)(1)(A) and/or 54421(f)(1)(F), and therefore any disposal of City sites for Homekey projects may be declared exempt from further requirements under the SLA.

operating funds, combine those funds with local matching subsidy, and enter into a single recoverable grant agreement with project sponsors.

- a. Due to this required grant structure, for-profit sponsors will likely require a nonprofit partner in the ownership structure to feasibly accept the grant. (Please note that project sponsors, particularly for-profit sponsors, are responsible for determining the tax implications of receiving grant funds.)
  - b. The City will secure the grant and the performance of grant covenants with a deed of trust recorded against the property.
5. The City will record a 55-year regulatory agreement against the project property that will restrict rents and occupancy and enforce other Homekey and City operational requirements. Please note that the City will not subordinate the priority of its regulatory agreement to private financing.
6. Because Homekey units or rooms must serve homeless or formerly homeless households, income and rent levels cannot exceed 30% of Area Median Income (AMI).
  - a. Because the incomes of Oakland residents currently in the Coordinated Entry System are typically well below 30% of AMI, the City will prioritize projects that restrict rents to 30% of tenants' income with very low or no minimum income requirements.
  - b. Through this program, the City is seeking to expand the supply of deeply affordable units, which includes both permanent supportive housing with services as well as extremely low-income housing with light touch services or service coordination only.
7. The City and State recognize that any homeless project will require operating subsidy. The State has indicated that this round of Homekey will offer a higher amount of operating subsidy than the 2020 round. In addition, the City may have some limited operating subsidy in future years through the City's allocation of funds under the Permanent Local Housing Allocation (PLHA) program. The City does not have access to Project Based Section 8 vouchers, which are administered by the Oakland Housing Authority. However, emergency Tenant Based Section 8 vouchers may be offered for tenants referred through the Alameda County Coordinated Entry System, to be administered by Alameda County. For most proposed projects, identifying operating subsidy will be the main challenge – the City is committed to working with qualified sponsors on potential solutions.
8. The City encourages the development of partnerships between sponsors that result in stronger, well-rounded teams experienced in development, ownership, property management, and service provision that meet and exceed the minimum qualifications above.
9. Because of Homekey's emphasis on immediately available units for literally homeless individuals and households, as well as the high cost of complying with state relocation law for existing tenants, the City expects that highest scoring project proposals will be fully vacant or have clear evidence that existing households are at-risk of homelessness or formerly homeless. Due to the high volume of Oakland residents in Coordinated Entry System, the City may prioritize properties that are vacant or nearly vacant to supply more housing opportunities for literally homeless households.



10. Proposals will be evaluated to prioritize the strongest applications to Homekey based on sponsor qualifications, proposed property characteristics (including status of acquisition and location), and project feasibility (including project schedule, rehabilitation need, and local subsidy request). The City anticipates that Homekey will once again be highly competitive and expedited, and suggests that sponsors review the [2020 Homekey NOFA](#) and materials to preview expected requirements.
11. The sponsor qualifications and project eligibility rules may change under the 2021 Homekey NOFA or other applicable funding sources, and the City may update this solicitation to reflect any such changes.
12. The City's Department of Housing and Community Development (HCD) will serve as the main point of contact for selected applicants, including preparing for City Council approvals, funding the project, and ensuring expected Homekey program outcomes are met.

### Homekey RFQ Procedure

1. City issues RFQ, with response period rolling through [September 1, 2021].
  - a. Responses received by 11:59 PM on July 30, 2021 will be designated Round 1 sponsors prioritized for review.
  - b. Responses received from July 31, 2021 through September 1, 2021 will be designated Round 2 sponsors, to be reviewed as resources allow.
2. During the response period, sponsors certify qualifications and submit evidence of qualifications. Sponsors may also submit expressions of interest and submit project proposals if desired.
3. City staff review submittals on a rolling basis, and City staff post the Sponsors Expressions of Interest list on the City website a rolling basis.
4. Sponsors submit evidence of qualifications. City staff close RFQ and establish a qualified sponsor pool.
5. State issues 2021 Homekey NOFA (date TBD).
6. City issues RFP to qualified sponsor pool for proposed Homekey projects (or requests updated information for projects already submitted in response to this RFQ). RFP scoring will reflect Homekey scoring and Homekey and City priorities.
7. City staff evaluate and score project proposals, and recommend projects proposed to co-apply for Homekey funding.
8. City Council approves resolutions authorizing selected applications, per State and City requirements, and allocating matching funds if needed and available. Please note that the City Council reserves the right in its discretion to approve or not approve any projects or funding requests.
9. City and approved sponsors jointly submit applications to State in response to State Homekey NOFA.
10. State selects project for Homekey funding. State, City, and selected project sponsor enter into Standard Agreement for Homekey funding.
11. City and project sponsor enter into grant agreement passing through Homekey funding from the State through the City to the project sponsor. Deed of trust and regulatory agreement are recorded against the project property once acquired.

## RFQ RESPONSE SECTIONS (TO BE SUBMITTED VIA HCD WEBSITE FORMS)

All responses should be submitted through the City HCD website [link]. Only submittals through the HCD website will be accepted – no emails or hard copies will be accepted. The following sections list the questions that are included in the website forms, for reference.

### Expression of Interest: Property Owners Interested in Selling/Leasing

Property owners interested in selling or leasing their property under this RFQ are encouraged to submit their property and contact information here. On a rolling basis, the City may share the list of properties submitted by property owners with RFQ sponsor respondents. Property owners may request to remove their property from the list.

*[LINK TO SELLER EXPRESSION OF INTEREST FORM]*

*By checking the consent box below, your organization gives explicit permission to the City to share your property and contact information with organizations interested in identifying properties for potential Homekey proposals under this RFQ.*

CHECK BOX I consent to the City providing my property and contact information for respondents to contact me about my property under this RFQ.

Questions:

1. Owner contact info
2. Are you interested in selling, leasing, or both?
3. Property address
4. # total units
5. # ADA units
6. # units currently occupied
7. Asking price or lease rate
8. Any other information you want to share about the property

### Expression of Interest: Sponsors Interested in Partnering

On a rolling basis, the City will post an "Interested in Partnering" list on the HCD website that includes the contact information (organization name, lead contact, phone number, and email) and role categories of respondents that indicate interest in seeking partners for potential Homekey projects. The intent of the "Interested in Partnering" list is to enable organizations to explore partnership opportunities with other interested organizations, without further City involvement or oversight.

The City will not post details of project proposals, in consideration of active acquisition negotiations.

*[LINK TO SPONSOR EXPRESSION OF INTEREST FORM]*

CHECK BOX I am a sponsor interested in receiving information from property owners interested in selling or leasing their property.

CHECK BOX I am a sponsor interested in partnering with other sponsor organizations.

Input Sponsor Contact Information

*By checking the consent box below, your organization gives explicit permission to the City to post your organization's contact information and role category on a list of organizations interested in partnering with others for potential Homekey proposals.*

CHECK BOX I consent to providing my contact information and organization's role category for other respondents to contact me about partnering on a potential Homekey project.

**My organization meets the required qualifications under the "Sponsor Qualifications" section for (please select all that apply):**

- CHECK BOX Developer/Owner
- CHECK BOX Property Manager
- CHECK BOX Service Provider
- CHECK BOX 501(c)(3) Non-Profit
- CHECK BOX City of Oakland Local Business Enterprise (LBE) or Small Local Business Enterprise (SLBE) or Very Small Local Business Enterprise (VSLBE)
- CHECK BOX Other (please describe)

**My organization is interested in partnering with organizations that meet the required qualifications under the "Sponsor Qualifications" section for (please select all that apply):**

- CHECK BOX Developer/Owner
- CHECK BOX Property Manager
- CHECK BOX Service Provider
- CHECK BOX 501(c)(3) Non-Profit
- CHECK BOX City of Oakland Local Business Enterprise (LBE) or Small Local Business Enterprise (SLBE) or Very Small Local Business Enterprise (VSLBE)
- CHECK BOX Other (please describe)

### Sponsor Qualification Requirements

Please certify your organizations' capacity to collectively meet the following minimum qualifications of serving the target population of people experiencing homelessness. If forming a joint venture or other partnership, please respond for the team's qualifications collectively as one team rather than individually for each organization.

In order to qualify as a sponsor under this RFQ, your organization or team must meet all qualifications listed below. Please respond through the website and upload attachments with specific examples supporting your certified qualifications as set forth below:

1. Contact information for sponsor(s)
2. **Developer/Owner:** Acquisition, development/rehabilitation, ownership, and operation of a project similar in scope and size to the proposed project, completed on time and within budget;

OR

Acquisition, development/rehabilitation, ownership, and operation of at least two affordable rental housing projects in the last ten years, with at least one of those projects containing at least one unit housing the target population. Projects must have been completed on time and within budget.

3. **Property Manager:** Three or more years of property management experience serving the target population.
4. **Service Provider:** Demonstrated experience providing services to target population.
5. **All:** Has/have no non-compliance actions from the City, Alameda County, TCAC, CDLAC, or other State agencies, lenders or tax credit investors in the last five years.
6. **All:** Is not presently debarred, suspended, proposed for disbarment, declared ineligible, or voluntarily excluded from covered transactions by HUD or any other Federal department or agency.
7. **All:** Agrees to maintain the proposed development as affordable rental housing in compliance with all applicable regulatory agreements.
8. **All:** Has not had any unfavorable judgments or bankruptcies in the last seven years and is not currently involved in any pending or threatened lawsuits or judgment or bankruptcy involving itself or any entity in which it has been or is now involved, OR provides a complete description of any and all known bankruptcies, unfavorable judgments and/or pending lawsuits involving itself or any entity in which they have been or is now involved. Please note that all entities are required to disclose pending disputes with the City when bids, proposals or applications are submitted for a City contract or transaction.
9. **All:** Commitment to using the Coordinated Entry System (CES) for all resident referrals.
10. **All:** Uploads:
  - a. For teams of more than one sponsor, please upload an organizational chart
  - b. Please upload attachments with specific examples supporting your certified qualifications. As much as possible, please consolidate qualifications into one PDF file for each organization.
  - c. Please upload the City of Oakland Campaign Contributions Disclosure Form with your sponsor qualifications (Attachment B of this RFQ, also available for download on website)

### Project Proposal Responses

Sponsors are not required to submit a project proposal under this RFQ, but preliminary project proposals are welcome. If you have a project proposal, please enter project proposal information after entering your sponsor qualifications on the website form. Up to three proposals can be entered per submittal.

1. Identify project type
  - Existing hotels, motels, multifamily properties, single family scattered site properties, or other existing buildings to convert to permanent affordable housing
  - Rapid new construction of permanent affordable housing (projected completion within eight to 12 months of closing), e.g., modular construction or projects currently under construction or projects recently completed.
  - Interim or transitional housing

- Other (please describe)
- 2. Property address
- 3. Current use (e.g., hotel/motel, rental building, vacant land)
- 4. Status of acquisition
  - Corresponded with owner/broker
  - Entered into letter of intent or other nonbinding expression of interest
  - Entered into purchase and sale agreement or option to purchase agreement
  - Currently own or lease
  - Other (please describe)
- 5. Total units
  - # of ADA accessible units (currently)
  - # of currently occupied units
  - If any occupied units, how many existing households are at-risk of homelessness or formerly homeless?
- 6. Proposed target population (note that all units must be dedicated for homeless)
  - Homeless families
  - Homeless seniors
  - Homeless special needs
  - Homeless transitional aged youth
  - Other (please describe)
- 7. Budget
  - Expected purchase price
  - Estimated total development cost
  - Proposed operating subsidy source(s)
  - Upload a proposed sources and uses budget, development budget and cash flow (these can be back of envelope)
- 8. Please provide a brief narrative summary of your proposal.
- 9. Describe proposed services (including but not limited to case management, behavioral health services, physical health services, assistance obtaining benefits and essential documentation, and education and employment services).
- 10. If available, please upload any relevant attachments with file names that clearly indicate the file's content. Relevant attachments may include: physical needs assessment, preliminary title report, seller marketing or due diligence materials, rent roll, current operating costs, appraisal, purchase and sale agreement, letter of intent, financing commitment letters, etc.
- 11. Expectations for all Homekey applications: please confirm commitment to compliance and budgeting for the following items by the time of application to State Homekey NOFA:
  - The sponsor must obtain a physical needs assessment, and inspection of structures and building systems should be a contingency item in any purchase and sale agreement or option agreement.
  - The sponsor must obtain a Preliminary Title Report for the project site with clear path to clean title, and a legal search for judgment liens.

- The sponsor must obtain a Phase I environmental assessment of the project site, and, potentially, a Phase II if needed.
- The project must address all life and safety and immediate building system needs, and the project property must conform to building and housing codes prior to occupancy.
- The property must comply with the following disabled accessibility requirements prior to occupancy:
  - ADA
  - CBC Chapter 11A and 11B
  - UFAS, 24 CFR Part 8, OR HUD Alternative 2010 ADAS
- The project must comply with State prevailing wage laws and City employment and contracting requirements, including local employment, apprenticeship, local and small local business enterprise contracting, equal benefits, and living wage requirements.

The City reserves the right to:

1. Withdraw, suspend, or modify this RFQ solicitation at any time without prior notice;
2. Waive any irregularities in the RFQ process, and reject any or all submissions not in the best interest of the City of Oakland;
3. Negotiate directly with an applicant, or request additional information and material from an applicant;
4. Fund any applicant's proposed property acquisition at any amount in order to further the City's goals to address homelessness; and/or
5. Retain all submitted applications as property of the City.

Selection or rejection of an applicant's proposal does not affect these rights. Please be advised that the City makes no representation that any contract will be approved or that funds will be awarded to any respondent to this solicitation. In addition, it must be understood that no binding action is in effect until the required City approval process is completed, including approval by the City Council in its sole discretion after a public hearing. This RFQ does not commit the City to pay any costs incurred in the preparation of any proposal.

All responses to this RFQ, including financial information, become a matter of public record, and shall be regarded by the City as public records disclosable upon request under the California Public Records Act and/or the City of Oakland Sunshine Ordinance, unless specifically exempted under the law. The City shall not in any way be liable or responsible for the disclosure of any such records or portions thereof if the disclosure is made pursuant to a request under the California Public Records Act or the City of Oakland Sunshine Ordinance.

The conflict of interest provisions of the California Fair Political Practices Act, California Government Code Section 1090, and/or the City's public ethics laws, among other statutes and regulations, may prohibit the City from contracting with a party if the party or an employee, officer or director of the party's firm, or any immediate family of the preceding, or any subcontractor or contractor of the party, is serving as a public official, elected official, employee, or board or commission member of the City who will award or influence the awarding of the contract or otherwise participate in the making of the contract. No public official of the City who participates in the decision-making process concerning selection of a developer or a project may have or receive a direct or indirect economic interest in the developer or the project.

The Oakland Campaign Reform Act prohibits parties doing business or seeking to do business with the City from making campaign contributions to Oakland candidates between commencement of negotiations and either 180 days after completion or termination of negotiations. Respondents to this RFQ are required to sign and submit an Acknowledgement of Campaign Contributions Limits form attached to this RFQ as Attachment B as part of their submission.

Please note that environmental review of the proposed project under the California Environmental Quality Act (CEQA) and, if Federal financing is involved, the National Environmental Policy Act (NEPA) must be completed prior to any City Council action approving the project or authorizing any funding. Applicants who anticipate using Federal funds must refrain from undertaking activities that would have an adverse environmental impact or would otherwise limit the choice of reasonable alternatives between the time of funding application submittal and when the City has completed the NEPA environmental review process. Such activities include acquiring, rehabilitating, converting, leasing, repairing or constructing property, or committing or expending either Federal or non-Federal funds. Federal funds may not be used to reimburse an applicant for project related costs incurred after the applicant has submitted the application for these funds and before the completion of the NEPA environmental review process except for activities that are excluded and not subject to Federal environmental review requirements, and for certain relocation costs.

### Questions

Please send questions to [HCDinfo@oaklandca.gov](mailto:HCDinfo@oaklandca.gov) and include ["Homekey RFQ Inquiry"] in the title. Responses to questions will be posted on a rolling basis on the HCD website.

**ATTACHMENT A**

**CITY SURPLUS LAND SITE LIST FOR POTENTIAL HOMEKEY PROPOSALS**

*(attached)*

DRAFT



## Attachment A: City Surplus Land Site List for Potential Homekey Proposals

The following sites have been set-aside by City Council for disposition and development with a priority for affordable housing and may be potentially suitable for Homekey proposals that feature rapid housing construction and/or interim housing, subject to City Council approval and resource availability.

Property/Site Name	Council District	APN(s)	Site Address	Lot Sq Ft	Zoning	Written findings for Surplus Land determination
<b>36th &amp; Foothill</b>	5	32-2084-50 32-2084-51 32-2115-37-1 32-2115-38-1	3614 Foothill Blvd 3600 Foothill Blvd 3566 Foothill Blvd 3550 Foothill Blvd	34,164	RU-5	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental commercial or mixed-use development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
<b>8280 &amp; 8296 MacArthur</b>	7	43A-4644-26 43A-4644-28	8280 MacArthur Blvd 8296 MacArthur Blvd	12,720	RU-4	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential/commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
<b>Clara &amp; Edes</b>	7	44-5014-5 44-5014-6-3	9418 Edes Ave 606 Clara St	26,311	RM-4	The intended use for this property is cited in ORSA's LRPMP as disposition for non-governmental residential/commercial development. Per CA Gov Code Section 54221, surplus land includes land that has been designated in the LRPMP either for sale or for future development, but does not include any specific disposal of land to an identified entity described in the plan.
<b>98th &amp; Stearns</b>	7	48-5617-9-1 48-5617-10-4	2656 98th Ave 2660 98th Ave	20,614	RD-1	Subject property is a remnant surplus parcel remaining from the 98th Avenue street widening project. The property is not being utilized by the City for any governmental purpose and is suitable for future development.
<b>Other City-Owned Sites</b>	The City is also open to proposals on City-owned sites not included on this list, subject to City Council approval and resource availability. Please see City-owned properties webmap at the following link: <a href="https://www.oaklandca.gov/resources/map-of-city-owned-parcels">https://www.oaklandca.gov/resources/map-of-city-owned-parcels</a>					

**ATTACHMENT B**

**CITY OF OAKLAND CAMPAIGN FINANCE DISCLOSURE FORM**

*(attached)*

DRAFT



**CONTRACTOR ACKNOWLEDGEMENT OF CITY OF OAKLAND CAMPAIGN CONTRIBUTION LIMITS  
FOR CONSTRUCTION, PROFESSIONAL SERVICE & PROCUREMENT CONTRACTS**

To be completed by City Representative prior to distribution to Contractor

City Representative \_\_\_\_\_ Phone \_\_\_\_\_ Project Spec No. \_\_\_\_\_

Department \_\_\_\_\_ Contract/Proposal Name \_\_\_\_\_

This is an \_\_\_\_\_ Original \_\_\_\_\_ Revised form (check one). If Original, complete all that applies. If Revised, complete Contractor name and any changed data.

Contractor Name \_\_\_\_\_ Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_, State \_\_\_\_\_ Zip \_\_\_\_\_

Type of Submission (check one) \_\_\_\_\_ Bid \_\_\_\_\_ Proposal \_\_\_\_\_ Qualification \_\_\_\_\_ Amendment

**Majority Owner** (if any). A majority owner is a person or entity who owns more than 50% of the contracting firm or entity.

Individual or Business Name \_\_\_\_\_ Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Street Address \_\_\_\_\_ City \_\_\_\_\_, State \_\_\_\_\_ Zip \_\_\_\_\_

The undersigned Contractor's Representative acknowledges by his or her signature the following:

The Oakland Campaign Reform Act limits campaign contributions and prohibits contributions from contractors doing business with the City of Oakland and the Oakland Redevelopment Agency during specified time periods. Violators are subject to civil and criminal penalties.

I have read Oakland Municipal Code Chapter 3.12, including section 3.12.140, the contractor provisions of the Oakland Campaign Reform Act and certify that I/we have not knowingly, nor will I /we make contributions during the period specified in the Act.

I understand that the contribution restrictions also apply to entities/persons affiliated with the contractor as indicated in the Oakland Municipal Code Chapter 3.12.080.

If there are any changes to the information on this form during the contribution-restricted time period, I will file an amended form with the City of Oakland.

\_\_\_\_\_  
Signature

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name of Signer

\_\_\_\_\_  
Position

To be Completed by City of Oakland after completion of the form

Date Received by City: \_\_\_\_/\_\_\_\_/\_\_\_\_ By \_\_\_\_\_

Date Entered on Contractor Database: \_\_\_\_/\_\_\_\_/\_\_\_\_ By \_\_\_\_\_