



4/15/2024

Gentlemen/Ladies:

**SUBJECT:** RFQ #23-030 Affordable Housing Development, Property Management, and Resident Services Provider.

The Housing Authority of the City of Oakland (“the Authority”) invites proposals from qualified applicants to provide Affordable Housing Development, Property Management, and Resident Services.

**Proposals will be accepted online through EconomicEngine.com until 2:00 p.m., (Pacific Time), on Thursday June 3, 2024.** Proposals received after the deadline will be rejected without consideration.

Questions of a procedural nature may be directed to Loretta Lovell, [V6llovell@oakha.org](mailto:V6llovell@oakha.org).

We look forward to receiving your proposal.

Sincerely,

DocuSigned by:  
*Patricia Wells*  
722CF180EE194A1...

Patricia Wells  
Executive Director  
Oakland Housing Authority  
1619 Harrison Street, Oakland, CA 94612



Oakland Housing  
Authority

**REQUEST FOR QUALIFICATIONS (RFQ)  
# 23-030**

**AFFORDABLE HOUSING DEVELOPER,  
PROPERTY MANAGER, AND RESIDENT  
SERVICES PROVIDER**

**HARRISON TOWER  
1621 HARRISON STREET  
OAKLAND, CA**

RFQ Issued:	April 16, 2024
Walk-through:	Thursday, April 25, 2024, at 10:00 AM – the site Walk-Through will begin in front of 1619 Harrison Street Oakland, CA 94612
Pre-Proposal Conference:	Monday, May 6, 2024, at 2:30 PM 1619 Harrison Street, Oakland, CA 94612 in the Board of Commissioner Room
Questions Due:	Thursday, May 16, 2024, at 2:00 PM
Email Questions To:	Please submit all questions through the Housing Agency Marketplace eProcurement site, via the following link: <a href="https://ha.economicengine.com/requests.html?company_id=50863">https://ha.economicengine.com/requests.html?company_id=50863</a> (Indicate above RFQ #23-030 in “Subject”)
Proposal Due:	<b>Monday, June 3, 2024, at 2:00 PM</b> (Pacific Time)

**Contract Compliance & General Services (CCGS) Department  
Oakland Housing Authority (The Authority)  
1619 Harrison Street, Oakland, CA 94612**

**Contact person for the above RFQ: Loretta Lovell, Special Advisor**  
Email: [v6llovell@oakha.org](mailto:v6llovell@oakha.org)

# REQUEST FOR QUALIFICATIONS (RFQ) # 23-030

**Affordable Housing Developer, Property Manager, and  
Resident Services Provider  
Harrison Tower  
1621 Harrison Street Oakland, CA**

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Documents (in the order of the RFQ Package)		MUST be submitted with Proposal.
<b>PROPOSAL SUBMISSION REQUIREMENTS</b> (in Section 3 of RFQ)		
	<p><b>1. Proposal Format</b></p> <p>A. Letter of Interest B. Demonstrated Experience and Past Performance C. Proposed Developer Fee Split (<b><u>See Exhibit D</u></b>)</p> <p><b>2. Required Forms/Certifications</b> (All forms attached – except addendum acknowledgement. This will be issued if an Addendum is issued)</p> <p>A. Proposed Developer Fee Split B. Current Client References C. Profile and Certification/Qualifications Form D. Section 3 Compliance Form E. Addendum Acknowledgement (if applicable)</p>	√
<b>ATTACHMENTS – EXHIBITS/ FORMS/ DOCUMENTS</b>		
A.	Scope of Work-Project Development – Exhibit A	
B.	Scope of Work – Property Management and Resident Services - Exhibit B	
C.	Excerpted Sheets from Design Development Plan Set – Exhibit C	
D.	Proposed Developer Fee Split – Exhibit D	√
E.	Profile and Certification/Qualifications Form – Exhibit E	√
F.	Current Client References – Exhibit F	√
G.	Section 3 Compliance – Exhibit G	√
H.	Vendor Protests and Claims Procedures	

## 1. GENERAL INFORMATION

### 1.1 RFQ Introduction

The Oakland Housing Authority (the Authority or OHA) is seeking a highly qualified developer (Developer) to provide affordable housing development, budgeting, financing as well as property management, asset management, and resident services for the substantial rehabilitation of a senior public housing property known as Harrison Tower located at 1619–1621 Harrison Street in downtown Oakland, California (Property) as detailed in **Exhibits A and B, Scope of Work**.

Built in 1972, Harrison Tower is a 13-story Type I mixed-use property that includes 100 apartments for Very Low-Income seniors (with incomes at or below 50% of the Area Median Income) plus one manager's unit, the Authority's administrative headquarters occupying the first two floors, and a below-grade garage with 37 parking spaces for use by the Authority.

The Property was approved for a Section 18 Disposition by the US Department of Housing and Urban Development (HUD) on July 5, 2018. The selected Developer will work closely with the Authority to subdivide the Property into a residential parcel consisting of the affordable senior housing and attendant community space (Housing Parcel), and one or two commercial parcels consisting of the Authority offices and parking (collectively, the Commercial Parcel), secure financing including tax-exempt bonds and 4% Low Income Housing Tax Credits (LIHTC), execute the substantial rehabilitation of the Property, and provide property management and resident support services. The rehabilitation scope includes significant voluntary seismic upgrades, the replacement of all major building systems, upgrading and refreshing unit interiors, upgrading the building exterior, and reconfiguring and upgrading the residential common areas.

The Authority is prepared to provide Section 8 Project Based Vouchers and Federal Moving to Work funds to assist in the construction and permanent financing of the development but expects the Developer to identify and potentially seek other soft financing sources to limit the amount of the Authority's permanent gap contribution. As of the date of this RFQ, the Authority has expended significant sums for predevelopment activities and expects that investment to be repaid at construction closing or rolled into its permanent gap financing for the project.

The notable upcoming tasks for the Developer include finalizing the scope of development; subdividing the Property; and finalizing the financing plan for the development.

The Authority has engaged a relocation consultant secured approval from its Board of Commissioners for the Relocation Plan in January 2023. Since then, forty-four residents have been successfully relocated or transferred to other OHA properties, and numerous additional residents have identified their prospective new homes and have active Section 8 applications that are in various stages of processing.

## Harrison Tower Project Goals

The Authority has established six (6) primary project goals for Harrison Tower:

- 1) Support a culturally, racially and linguistically diverse population of Very Low-Income seniors to comfortably age in place.
- 2) Significantly improve the seismic safety of the structure for both residents and OHA employees.
- 3) Maximize opportunities that include greater equity and inclusion for low-income individuals and emerging small businesses.
- 4) Upgrade all building systems, common areas and unit interiors to provide for an additional 50-year useful life.
- 5) Preserve the long-term affordability of Harrison Tower.
- 6) Provide for the asset's long-term financial viability.

The selected Property Management Agent and Resident Services Provider may be affiliated entities of the Developer or wholly separate, unaffiliated entities. If the Property Management Agent is not affiliated with the Developer, then it is the Authority's expectation that the Property Management Agent will be subcontracted by the selected Developer. The Property Management Agent is expected to directly provide all asset management and public funding compliance including, but not limited to, all required compliance with LIHTC rules and regulations.

If the Resident Services Provider is not affiliated with the Property Management Agent, it is the Authority's expectation that the Resident Services Provider will either be subcontracted by the Property Management Agent or by the Developer.

### **1.2 The Authority Reservation of Rights**

- The Authority reserves the right to reject any or all proposals, to waive any informality in the RFQ process, or to terminate the RFQ process at any time, if deemed by the Authority to be in its best interests.
- The Authority reserves the right not to award a Contract pursuant to this RFQ.
- The Authority reserves the right to terminate a Contract awarded pursuant to this RFQ, at any time for its convenience.
- The Authority reserves the right to determine the days, hours and locations that the successful Respondent(s) shall provide the services called for in this RFQ.
- The Authority reserves the right to negotiate the fees proposed by the proposed entity.

- The Authority reserves the right to reject and not consider any proposal that does not meet the requirements of this RFQ, including but not necessarily limited to incomplete proposals and/or proposals offering alternate or non-requested services.
- The Authority shall reserve the right at any time during the RFQ or contract process to prohibit any further participation by a Respondent or reject any proposal submitted that does not conform to any of the requirements detailed herein.
- The Authority is subject to the disclosure requirements of the California Public Records Act. This act will apply to all submitted proposals to the Authority.

### **1.3 The Authority Information**

The Housing Authority of the City of Oakland was established in 1938 to assure the availability of quality housing for low-income persons. The Authority operates federally funded and other low-income housing programs and assists over 16,000 of Oakland's lowest-income families, elderly and persons with disabilities. The Authority serves and embodies a diverse community; therefore, it is crucial that contractors understand the effects of race, class, ethnicity, income, and other issues of difference in our society, and display a high level of cultural competency throughout their interactions with the Authority.

The mission of the Housing Authority of the City of Oakland is:

*To assure the availability of quality housing for low-income persons and to promote the civic involvement and economic self-sufficiency of residents and to further the expansion of affordable housing within Oakland.*

### **1.4 Emerging Business**

The term "emerging business" as used in this RFQ shall mean any for-profit enterprise, that is independently owned and operated; that is not a subsidiary or franchise of another business and that is not dominant in its field of operation whose average gross annual revenue in the prior three (3) years does not exceed:

\$3.50 million -construction

\$2.25 million-specialty construction

\$2.25 million-goods/materials/services

\$2.25 million-trucking

\$1.75 million-professional services and architect/engineer

## 2. **SCOPE OF WORK**

It is the intent of this RFQ to establish a Lease Development and Disposition Agreement, with a highly qualified Developer to provide affordable housing development, budgeting, financing as well as property management, asset management, and resident services for the substantial rehabilitation of a senior public housing property.

OHA is looking for the most responsive and responsible entity that will be committed to provide the best level of service in providing affordable housing development, budgeting, financing as well as property management, asset management, and resident services for the substantial rehabilitation of Harrison Tower, a senior public housing property.

All work is to be performed according to industry standards, and to the requirements and satisfaction of OHA. The developer will perform affordable housing development, budgeting, financing as well as property management, asset management, and resident services for Harrison Tower. See **Exhibits A and B** for further details for expectations related to the Scope of Work.

Proposals will be accepted and awarded to the most responsive and responsible respondent.

### 2.1 **Minimum Respondent Requirements**

- 1) The selected Developer is available and can provide the requisite staff to begin work on the development immediately upon final approval of the selected Developer by the Oakland Housing Authority's Board of Commissioners. The Board of Commissioners is anticipated to approve the selection of a Developer in July 2024.
- 2) The selected Developer must be eligible for the maximum available General Partner (GP) experience points pursuant to the CDLAC adopted Regulations (dated August 12, 2023) Section 5230(f)(1)(A) and the TCAC adopted Regulations (dated May 10, 2023) Section 10325(c)(1)(A)(i).

## 3. **PROPOSAL SUBMISSION REQUIREMENTS**

The Authority intends to retain the successful Respondent or Respondents pursuant to a "Best Value" basis, not a "Low Proposal" basis ("Best Value," in that the Authority will consider factors other than just cost in making the award decision). Therefore, so that the Authority can properly evaluate the offers received, all proposals submitted in response to this RFQ must be formatted in accordance with the following sequence. None of the proposed services may conflict with any requirement the Housing Authority has published herein or has issued by addendum.



### **3.1 Proposal Format**

To provide objective criteria that can be used in determining various Respondents' abilities, please address the following items in the order presented. Exhibits, such as Resumes, Proposed Fees, or any other documents of a related nature developed by the Contractor may be attached. The Respondent may include any other general information that the Respondent believes is appropriate to assist the Housing Authority in its evaluation.

The Authority will not provide any reimbursement for the cost of developing, presenting or providing any response to this RFQ.

#### **A. Letter of Interest**

Please provide a letter of interest on the firm's letterhead, which includes the location of the primary office. Provide a narrative that gives a brief description of the firm, including the names and titles of principals, the main office address, phone number, fax number, website and email address, when the company was organized, the principal office from which services will be offered, alternative company names and affiliations, and principal areas of practice.

Provide a brief history of the Respondent's business including size, area of expertise, number of years engaged in business under the company's present name, relevant license number(s) and/or certifications, and other relevant information.

The Respondent entity must provide a concise description of its managerial capacity and financial viability to deliver the proposed services.

This page should also include the name and contact information (address, phone and fax numbers, and email address) of the proposal contact and the proposed staff member(s) for this assignment, branch office location(s) and contact information.

Briefly describe how your firm will meet the minimum qualifications.

Summarize the major highlights of the Respondent's affordable housing development proposal, and the proposals for property management, asset management, and resident services from its affiliated entity(ies) or proposed subcontractor(s).

#### **B. Demonstrated Experience and Past Performance**

Information describing the firm's demonstrated experience in performing similar work and the firm's past performance (including meeting cost, schedule and performance requirements) of contract work substantially similar to that required by this solicitation as verifiable by reference checks or other means.

- i) Respondent / Developer Entity:

- (a) Identify and describe the legal entity or entities that will develop the Property. Include each entity's name, mailing address, email address, contact phone number, and type of organization (i.e. 501(c)3, LLC, etc.).
  - (b) Authorized Personnel: Identify person(s) with the authority to represent the Respondent and make legally binding commitments.
  - (c) Firm Resume.
  - (d) Summary overview of the Respondent's affordable housing new construction and substantial rehabilitation experience highlighting the Respondent's track record of working with a racially, ethnically and linguistically diverse population of very low-income seniors.
- ii) Respondent's specific affordable housing development experience with the following:
  - (a) Substantial rehabilitation of multifamily and/or mixed-use buildings, highlighting any experience rehabilitating Type I multifamily structures that required seismic retrofit work in the past twelve (12) years.
    - Provide a table that includes project name, location, number of units, construction type, start and completion dates, total development cost, financing sources, target resident population, any innovative aspects or features, and the role of the Respondent in each development.
    - Provide project photos, where possible.
- iii) Describe Respondent's experience with successfully executing a vertical subdivision of a mixed-use structure.
- iv) Describe Respondent's approach to change orders by addressing the following:
  - (a) How are change orders minimized?
  - (b) What is the Respondent's evaluation process?
  - (c) What is the Respondent's negotiation process?
  - (d) What is the Respondent's approach to finding mutually agreeable solutions?
- v) Green Building: Describe Respondent's experience with green building methods, techniques, and certification programs.
- vi) Experience securing and utilizing multifamily tax-exempt bonds and 4% Low Income Housing Tax Credits allocated by CDLAC and TCAC, respectively.
  - (a) Provide a table that includes the following information for new construction or

rehabilitation projects in the last twelve (12) years that were financed utilizing tax exempt bonds and 4% credits: Project name, location, number of units, construction type, start and completion dates, total development cost, financing sources, target resident population, any innovative aspects or features, and the role of the Respondent in each development.

vii) Development Staff and Construction Manager

(a) Project Staff: Identify the key staff members including Senior Development Manager/ Director and lead Project Manager and any other applicable staff and include the following for each:

- Staff resume(s).
- For the Senior Manager / Director and the assigned Project Manager: Provide a table of comparable affordable housing major rehabilitation projects, highlighting any experience with Type I structures and any that required seismic retrofit work. Include the project name, type of rehab, number of units, and the year completed.
- Include an organizational chart that clearly delineates internal communication and reporting relationships.

(b) Construction Manager / Owner's Representative:

- Resume.
- If the Respondent does not employ an in-house Construction Manager, provide the name of the proposed construction management firm, a firm resume, and the assigned staff member's resume.
- Provide a table of comparable major rehabilitation of Type I multifamily projects. Include project name, construction type, number of units, rehab costs per unit, rehab duration, and the year completed. Highlight any projects that required seismic retrofit work.

viii) General Partner Experience: The selected Developer **must** be eligible for the maximum available General Partner (GP) experience points pursuant to the CDLAC adopted Regulations (dated August 12, 2023) Section 5230(f)(1)(A) and the TCAC adopted Regulations (dated May 10, 2023) Section 10325(c)(1)(A)(i).

- Provide the most recent and dated documentation as evidence that the Respondent has previously been deemed by TCAC to be qualified for seven (7) General Partner Experience points.

ix) Relevant Property Management / Asset Management and Resident Services Experience

(a) Identify and describe the legal entity or entities that will provide property

management / asset management and resident services at Harrison Tower, and each entity's relationship to the Respondent. Include the Property Management Agent's and Resident Services Provider's name, mailing address, email address, contact phone number, and type of organization (i.e. 501(c)3, LLC, etc.).

- (b) Name the authorized personnel of the proposed Property Management Agent and Resident Services Provider: identify person(s) with the authority to represent the Respondent and make legally binding commitments.
- Firm Resumes for the proposed Property Management Agent and Resident Services Provider.
  - Executed Memorandum of Understanding with the proposed Property Management Agent and / or Resident Services Provider, as applicable if the providers are a separate legal entity.
- (c) Comprehensive overview of the Property Management Agent's and Resident Services Provider's affordable housing experience. Include experience with asset management, LIHTC and other affordable housing funding compliance, and track record working with a culturally, racially, and linguistically diverse population of Very Low-Income seniors.
- (d) Provide a table of the Property Management Agent's affordable housing experience that includes the following: Project name, location, number of units, completion dates, financing sources, target resident population (i.e. families, persons with special needs, seniors), asset management role, and any innovative aspects or features.
- (e) Provide a table of the Resident Services Provider's affordable housing experience that includes the following: Project name, location, number of units, financing sources, target resident population (i.e. families, persons with special needs, seniors), and a summary of the services program.
- (f) Describe community outreach and marketing strategy(ies) to maximize housing opportunities to serve a diverse range of residents who reflect the demographics of our community.
- (g) Property Management / Asset Management staff
- Identify the key property management and asset management compliance personnel who would be assigned to Harrison Tower. Include a brief description of their job functions and office locations.
  - Provide staff resumes, specifying educational, work experiences and certifications (e.g. Certified Occupancy Specialist (COS), Rent Calculation, etc.) deemed relevant.

- Include an organizational chart that clearly delineates communication and reporting relationships.

(h) Resident Services staff

- Identify the key resident services personnel who would be assigned to Harrison Tower. Include a brief description of their experience working with and supporting Very Low Income seniors, job functions and office locations.
- Provide staff resumes.
- Include an organizational chart that clearly delineates communication and reporting relationships.

(i) Provide a sample Management Plan.

(j) Provide a sample Marketing Plan.

(k) Provide a sample Resident Services Plan for Very Low-Income seniors.

x) The Authority is committed to diversity, equity and inclusion in its business practices and includes, by example, a diverse Board of Commissioners and staff that reflects the richness and diversity of the residents of the City of Oakland. We strongly encourage developers that are interested in the opportunity to rehabilitate Harrison Towers to consider inclusionary practices that foster the growth of emerging businesses and maximize the positive benefits to the surrounding community.

(a) Describe proposed strategies to advance diversity, equity and inclusionary objectives within Respondent's company and/or in the work that it engages in.

(b) Describe experience meeting or exceeding the minimum Section 3 requirements as delineated in **Exhibit G**, "Oakland Housing Authority, Section 3 Policy for MTW Funded Projects, Contractor's Summary Guide to Section 3 Compliance, August 18, 2023".

(c) Describe the outreach strategy(ies) that will be deployed to serve the broadest range of Oakland residents at Harrison Tower including prospective building residents as well as the surrounding community.

(d) Describe the approach to engaging Emerging Businesses as described in Section 1.4.

xi) Financial Proposal – See Proposed Developer Fee Split, **Exhibit D**.

(a) Provide proposed Developer Fee split between the Respondent and OHA as a percentage of the total maximum allowed Net Developer Fee taken during the development of the project and/or deferred to be taken out of cash flow. While the Authority is amenable to further discussion and negotiation, for the

purposes of the proposed Developer Fee split, Respondents should assume the following:

- The separation of Roles and Responsibilities between the Respondent and OHA are as described in **Exhibit A**.
- There are no changes to the Development Team as delineated in the “Project Overview” section of **Exhibit A**.

(b) Provide proposed Property Management Fee per unit per month.

xii) Provide a minimum of five (5) affordable housing development references, five (5) property management references, and three (3) resident services references with contact person name(s), company / agency, nature of reference (lender, client, government representative, etc.), phone number, and email address.

xiii) Respondent’s Financial Strength and Capacity

(a) Provide a statement of Respondent’s financial capacity to undertake the development and to access favorable equity and debt commitments in a timely manner.

(b) Include any applicable financial information that can assist OHA in determining how efficiently the Respondent can secure the necessary financing to execute the development plan for the Property.

(c) Provide a separate submittal (marked Confidential) of one set of audited financial statements for the past three fiscal years of each legal entity that will be engaged in developing, managing, and providing resident services at the Property.

### **C. Required Forms**

See next Section 3.2, Required Forms/Certifications.

## **3.2 Required Forms/Certifications**

The following forms must be submitted with your Proposal in the following order:

### **A. Proposed Developer Fee Split – Exhibit D**

The Cost Form must be completed.

### **B. Profile and Certification Form/Statement of Qualifications – Exhibit E**

The form Profile and Certification Form/Statement of Qualifications Form must be completed and signed.

### **C. Current Client References – Exhibit F**

The Current Client References Form must be completed and signed.

**D. Section 3 Form – Exhibit G**  
Must be completed and signed.

**E. Addendum Acknowledgement** (if applicable)

#### **4. PROCESS FOR SELECTING CONTRACTOR**

##### **4.1 RFQ Timeline**

The following are proposed dates relating to this Contractor selection process:

RFQ Issued:	April 16, 2024
Walk-through:	April 25, 2024, at 10:00 AM – the site Walk-Through will begin in front of 1619 Harrison Street Oakland, CA 94612
Pre-Proposal Conference:	May 6, 2024, at 2:30 PM 1619 Harrison Street, Oakland, CA 94612 in the Board of Commissioners Room
Questions Due:	May 16, 2024, at 2:00 PM
Proposal Due:	<b>June 3, 2024, at 2:00 PM</b> (Pacific Time)

##### **4.2 Questions/Answers**

Questions must be submitted through Economic Engine at [https://ha.economicengine.com/requests.html?company\\_id=50863](https://ha.economicengine.com/requests.html?company_id=50863). All questions must be submitted in writing. All questions will be answered in writing in an Addendum issued and posted on the Economic Engine’s website. No questions will be responded to after the question and answer period has expired.

##### **4.3 Proposal Due Date**

Responses to this solicitation will be accepted online until the due date and time specified above. Late proposals will not be considered.

[https://ha.economicengine.com/requests.html?company\\_id=50863](https://ha.economicengine.com/requests.html?company_id=50863)

**Respondents MUST register with Economic Engine in order to submit proposals.** It may take time to upload proposals so please take that into consideration when deciding what time to start uploading your proposal. **Please make sure that your proposal has been successfully uploaded even if you receive a notice acknowledging your proposal.** If you have any technical issues with the site, please contact Larry Hancock at 1-866-526-0160.

#### **4.4 Selection Process**

All responses will be reviewed for completeness and responsiveness. Proposals will be reviewed, and the most qualified Proposers may be required to be interviewed by a selection committee that will complete a final evaluation. The selection will be the sole responsibility of the Authority. The Authority reserves the right to reject any and all proposals, and shall select a service provider based on the most advantageous conditions for the Authority.

##### **A. Evaluation Committee**

Internally, an Evaluation Packet will be prepared for each Evaluator. The OHA anticipates that it will select a minimum of three (3) people to serve on a committee to evaluate each of the Proposals submitted in response to this RFQ. PLEASE NOTE: No proposer shall be informed at any time during or after the RFQ process as to the identity of any Evaluation Committee Member. If, by chance, a proposer does become aware of the identity of such person(s), he/she SHALL NOT make any attempt to contact or discuss with such person anything related to this RFQ. As indicated in this document, the designated CCGS Staff is the only person at the OHA that the proposers shall contact pertaining to this RFQ. Failure to abide by this requirement may (and most likely will) cause such proposer(s) to be eliminated from consideration for award.

##### **B. Evaluation**

The appointed Evaluation Committee, independent of CCGS, shall evaluate the Proposals submitted and award points pertaining to the Evaluation Criteria.

##### **C. Potential “Competitive Range” and “Best and Finals” Negotiations**

The OHA reserves the right to conduct “Best and Finals” Negotiations, which may include oral interviews with all firms deemed to be in the competitive range. Any firm deemed not to be in the competitive range shall be notified of such, in writing, by the OHA in as timely a manner as possible.

##### **1. Determination of Top Ranked Proposer**

Typically, all points are awarded by the Evaluation Committee. The Committee’s scores (points) will determine the final ranking. The final ranking is then typically forwarded by CCGS to the Executive Director for approval. If the evaluation was performed to the satisfaction of the Executive Director, the final ranking may be forwarded to the Housing Authority Board of Commissioners (BOC) at a scheduled meeting for approval. Contract negotiations may, at the OHA’s option, be conducted prior to or after the BOC approval.



2. Restrictions

All persons having familial (including in-laws) and/or employment relationships (past or current) with principals and/or employees of a Respondent entity will be excluded from participation on the Evaluation Committee. Similarly, all persons having ownership interest in and/or contract with a Respondent entity will be excluded from participation on the Evaluation Committee.

**4.5 Evaluation Criteria.**

All responses to this RFQ that are received on or before the stated deadline will be evaluated by an Evaluation Committee according to the criteria listed below.

Points will be assigned to each of the criteria. The Evaluation Committee will make a recommendation to the Authority's Board of Commissioners. Final selection will be made by the Board of Commissioners. **Total points possible: 100**

A Developer selection, if made, will be the Respondent that receives the highest overall points in accordance with the stated evaluation criteria and provides the best overall value to OHA.

A description of the required Proposal Submission Format is set out from Section 3.1.

No.	Criteria	Points
1.	<p>Substantial Rehabilitation and Affordable Housing Development Experience</p> <ul style="list-style-type: none"> <li>a) Rehabilitation of: Type I Structures, Mixed-Use Subdivided Buildings</li> <li>b) Affordable Housing Development Experience</li> <li>c) Utilization of Section 8 Project-Based Vouchers, Tax Exempt Bonds, and 4% Low-Income Housing Tax Credits</li> <li>d) Assigned Staff Experience</li> <li>e) Construction Manager Experience</li> </ul>	30
2.	<p>Property Management and Asset Management Experience</p> <ul style="list-style-type: none"> <li>a) Affordable housing property management and asset management / compliance experience</li> <li>b) Experience working with a culturally, racially, and linguistically diverse population of Very Low-Income seniors.</li> </ul>	15
3.	<p>Resident Services Experience</p> <ul style="list-style-type: none"> <li>a) Resident support services experience</li> <li>b) Experience serving and supporting a culturally, racially, and linguistically diverse population of Very Low-Income seniors.</li> </ul>	15
4.	<p>Inclusionary Practices and Economic Opportunity</p> <p>The proposed approach and practices to promote the Authority's diversity, equity and inclusion (DEI) goals such as the growth of Emerging Businesses and maximize the positive benefits to the surrounding community.</p> <ul style="list-style-type: none"> <li>a) Respondent's DEI practices.</li> <li>b) Demonstrated ability to exceed minimum Section 3 requirements as described in Exhibit G.</li> <li>c) Approach to engaging Emerging Businesses.</li> <li>d) Strategy(ies) to serve the broadest range of Oaklanders at Harrison Tower such as prospective building residents as well as the surrounding community.</li> </ul>	15
5.	Financial Proposal	15
6.	Financial Capacity	10

<b>Total Points Possible</b>	<b>100</b>
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## **5. CONTRACT REQUIREMENTS**

### **5.1 Contractor Requirements**

The Proposer(s) selected must be fully qualified to perform the services described above and must possess the appropriate licensing. In addition, as the work is funded with U.S. Department of Housing and Urban Development (HUD) funds, any required documents generated by the Proposer and/or the Authority must comply with all applicable HUD regulations.

Prior to award, the *successful proposer(s)* will be required to provide the proper license documents and insurance certificates.

The Authority Insurance Requirements are listed below:

Consultant/Contractor/Organization shall procure and maintain for the duration of the Contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant/Contractor/Organizer, its agents, representatives, or employees.

#### ***Minimum Scope of Insurance***

Coverage shall be as least as broad as:

1. Insurance Services Office **Commercial General Liability coverage** (occurrence Form CG 0001).

General Liability (Including operations, products and completed operations as applicable): **\$2,000,000** per occurrence/\$4,000,000 in the aggregate for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

2. **Workers' Compensation insurance** as required by the State of California and Employer's Liability Insurance.

Workers' Compensation and **\$1,000,000** per accident for bodily injury and Employer's Liability: property damage.

3. Insurance Services Office Form Number CA 0001 covering **Automobile Liability**, Code 1 (any auto).

**\$1,000,000** per accident for bodily injury and property damage.

4. **Professional Liability Coverage** is to be endorsed to include indemnification from misleading or fraudulent acts. **\$2,000,000** is to be endorsed to include (Errors & Omissions) indemnification from misleading or fraudulent acts, defense against negligent claims and damages. Failure to perform on the part of the service provider

up to and including breach of contract.

All work performed pursuant to this RFQ must conform and comply with all applicable local, state and federal codes, statutes, laws and regulations.

## 5.2 **Contract Award**

**A. Negotiations.** Once Proposals have been evaluated and ranked, the Authority may use the contract negotiation process to obtain the most highly qualified Proposer(s) at a fair and mutually agreed-to price. The proposed Contract will include tasks with a Scope of Services and a Fee-Schedule.

The Authority reserves the right to enter into discussions with the firm(s) whose Proposal is deemed most advantageous and in the Authority's best interest for the purpose of negotiations. The Authority reserves the right to enter into negotiations with the responsible and responsive firms within the competitive range without the need to repeat the formal solicitation process.

The Authority reserves the right to award without discussions.

**B. Meetings.** Once the Contract is awarded, the Contractor(s) will meet with the Project Manager for this RFQ and key staff to discuss the needs, method, and timeline of this requirement/service.

**C. Contract Award Procedure:** If a Contract is awarded pursuant to this RFQ, the following detailed procedures will be followed:

1. By completing, executing and submitting a Proposal, the proposer is thereby agreeing to abide by all terms and conditions pertaining to this RFQ as issued by the Authority, including the Contract clauses already attached in the 'Sample Contractor Agreement' under the Attachment section of the Table of Contents. Accordingly, the Authority has no responsibility to conduct after the submittal deadline any negotiations pertaining to the contract clauses already published.

## 5.3 **Contract Conditions**

The following provisions are considered mandatory conditions of any Contract Award made by the Authority pursuant to this RFQ:

1. **Contract Form:** The Authority will not execute a Contract on the successful Proposer's Form. Contracts will only be executed on OHA's Form and by submitting a Proposal the successful proposer agrees to do so (please note that the Authority reserves the right to amend this form as OHA deems necessary).

***Please note: OHA has no legal right or ability to (and will not) at any time, negotiate any clauses contained within ANY of the HUD Forms.***

2. **Assignment of Personnel:** The Authority shall retain the right to demand and receive a change in personnel assigned to the work if the Authority believes that such change is in the best interest of the Authority and the completion of the contracted work.
3. **Unauthorized Sub-Contracting Prohibited:** The Proposer shall identify hereunder whether or not he/she intends to use any subcontractors for this job, if awarded, and/or if the Proposal is a joint venture with another firm. The successful Proposer shall not assign any right, nor delegate any duty for the work proposed pursuant to this RFQ (including, but not limited to, selling or transferring the Contract) without the prior written consent of the Authority. Any purported assignment of interest or delegation of duty without the prior written consent of the Authority shall be void and may result in the cancellation of the Contract with the Authority, or may result in the full or partial forfeiture of funds paid to the successful Proposer as a result of the proposed Contract; either as determined by the Authority.

#### **5.4 Contract Terms**

The Authority intends to enter into a Lease Development and Disposition Agreement.

Once the Developer has been notified of its selection by OHA, the Developer will have a negotiated period of time to work with OHA staff to negotiate and execute an exclusive negotiating rights agreement (ENRA).

The ENRA will include due diligence activities to be performed by the Developer while the parties negotiate the terms of the lease disposition and development agreement (LDDA) governing the lease of the Residential Parcel to the Developer. If necessary, during this period, the parties may negotiate a site control document necessary for the Developer to apply for financing.

## **EXHIBIT A** **SCOPE OF WORK** **PROJECT DEVELOPMENT**

### **Introduction**

Harrison Tower is a mixed-use thirteen (13) story Type I concrete building constructed in 1973 and located at 1619-1621 Harrison Street in Oakland, California. The residential component includes one hundred (100) one-bedroom apartments for very low-income seniors and one (1) two-bedroom manager's unit, property management and resident services offices, and approximately 1,185 square feet of community amenity space (not including the laundry room and first floor lobby).

The building also includes the Authority's administrative headquarters on the first two levels (26,418 square feet) and one level of below-grade structured parking (14,983 square feet). The parcel is approximately 0.48 acres or 20,800 square feet. The Property will be subdivided into a residential parcel consisting of the affordable senior housing and attendant community space (the Housing Parcel), and one or two commercial parcels consisting of the Authority offices and parking (collectively, the Commercial Parcel).

The Property is in the Central Business District of Downtown Oakland near Snow Park and Lake Merritt and is within an easy walk to Oakland's Chinatown neighborhood, where many of Harrison Tower's residents seek services such as healthcare, groceries, and entertainment. The neighborhood is also well served by public transit with the 19<sup>th</sup> Street BART station, AC Transit's BRT line, and multiple standard AC Transit bus lines within a 7 to 8-minute walk.

On July 5, 2018, the Oakland Housing Authority (Authority or OHA) received approval from HUD for the disposition of Harrison Tower under Section 18 of the Federal Housing Act of 1937 and the implementing regulations 24 CFR Part 970. As such, the Property may be subject to a Use Agreement with HUD to be recorded in a senior position.

### **Project Goals**

The Authority has established five (5) primary project goals for Harrison Tower:

- 1) Support a culturally, racially and linguistically diverse population of Very Low-Income seniors to comfortably age in place.
- 2) Significantly improve the seismic safety of the structure for both residents and OHA employees.
- 3) Maximize opportunities that include greater equity and inclusion for low-income individuals and Emerging Businesses.
- 4) Upgrade all building systems, common areas and unit interiors to provide for an additional 50-year useful life.
- 5) Preserve the long-term affordability of Harrison Tower.

6) Provide for the asset's long-term financial viability.

### **Project Overview**

The Authority has been working to advance the substantial rehabilitation of Harrison Tower since 2020 and is actively working with the following project development team members:

- Architect and Engineers: Saida + Sullivan Design Partners (architect); Degenkolb Structural Engineers (structural engineer); EDesignC, Inc. (MEP engineer); Peralta Energy (Greenpoint rating and energy consultant); and Steelhead Engineers (waterproofing)
- Civil Engineer: Luk & Associates
- General Contractor: Nibbi Brothers
- Environmental Consultant: Rincon Consultants
- Financial Consultant: California Housing Partnership Corporation
- Relocation Consultant: Overland Pacific & Cutler

The architectural and engineering plans are at 100% Design Development as further detailed in the "Rehabilitation Program" section below. Other notable project updates include resident permanent relocations are well underway, the Phase I and Phase II environmental assessments are complete, CEQA and NEPA approvals are pending.

It is expected that the Developer will form a limited partnership (the Partnership) to own and operate the housing development, and that the Partnership will assume all consultant contracts and as such, each contract will be amended to reflect the selected Developer's role with respect to management and oversight of the consultants listed above. The selected Developer (or to be formed Partnership) will be responsible for contracting with any additional necessary consultants, as approved by the Authority, which may include, but are not limited to property managers, resident services, lease-up/marketing, community outreach, public art, security, and hauling services. The Authority reserves the right to approve any proposed contract terminations.

### **Rehabilitation Program**

The Authority's current plans include the substantial rehabilitation of the residential tower including replacing all building systems (HVAC, electrical and plumbing), updating all units, reconfiguring the residential common area spaces on the 3<sup>rd</sup> Floor, updating the building exterior, and seismically retrofitting both the residential and office commercial components of the building. In general, the proposed work within the Authority's offices is limited to seismic upgrades and work directly related to those improvements such as relocating HVAC ducts, electrical conduit, and modifications to affected office suites (relocating and/or replacing furniture, fixtures, and equipment). All costs related to the work for the commercial office portion will be financed separately by the Authority.

The Authority has identified the following scope of rehabilitation work to be undertaken to improve the comfort and safety of the residents and employees and extend the useful life of Harrison Tower.

#### Upgrades to the Building Shell

1. Remove and replace all windows and sliding glass doors
2. Remove and replace all balcony railings
3. Repaint exterior
4. Replace exterior doors as needed

#### Seismic Upgrades

1. Install new columns, beams, shear walls and a portion of the foundation in the residential tower, the garage, and in certain OHA administrative offices

#### Upgrades to Building Systems

1. Replace the ventilation system throughout the residential floors, office locations, and the garage, as needed to accommodate the seismic retrofit work.
2. Replace the electric baseboard heating system with electric heat pumps with air conditioning
3. Replace the electrical system throughout the residential floors, as well as in office locations, as needed to accommodate the seismic retrofit work
4. Replace the plumbing system
5. Improve the exterior and interior lighting system
6. Improve the trash, recycling and compost collection systems.

#### Upgrades to all Apartment Units

1. Remove and replace all appliances
2. Install new flooring, cabinets, countertops and fixtures in kitchens and bathrooms
3. Repaint interiors

#### Improvements to Accessibility

1. Improvements to create accessible and adaptable residential units for compliance with HUD and all applicable building codes
2. Improvements to paths of travel as needed and required by code
3. Improvements to accessibility of common areas as needed and required by code

#### Site and Landscaping

1. Improvements to existing third floor residential common area outdoor deck above Harrison Street
2. Install new outdoor rear-facing patio on the third floor for resident community gardening



3. Improvements to wayfinding and signage in the residential areas
4. Public art
5. Rebuild existing planters along Harrison Street sidewalk to accommodate a new handicap access ramp

#### Energy Efficiency Upgrades

1. All building improvements shall be done to achieve energy and water efficiency beyond minimum code requirements, given available funding.

The lead architect, Mimi Sullivan with Saida+Sullivan Design Partners, along with their subconsultants, have completed a 100% Design Development set of plans. For more information about the planned scope of work, please refer to **Exhibit C** for summary sheets from the Design Development plans dated November 6, 2023.

#### Financing

As a HUD-approved Section 18 Disposition and rehabilitation project, Harrison Tower qualifies as a "Preservation Project" under the current CDLAC regulations for Qualified Residential Rental Projects and is expected to be a strong contender for a tax-exempt bond allocation. The current financing plan anticipates the following sources: 100% Section 8 Project-Based Vouchers, OHA seller carryback note, tax exempt bonds, 4% tax credits, and gap funding from the Authority.

As detailed below, one of the primary responsibilities of the selected Developer is to secure an allocation of tax-exempt bonds and 4% tax credits as quickly and efficiently as possible. The Authority is prepared to provide gap funding, at its sole discretion, to ensure the viability of the project, but expects the Developer to seek additional soft sources in order to limit the Authority's financial exposure. The project will also include one hundred percent (100%) Section 8 Project- Based Vouchers.

#### Proposed Roles and Responsibilities

The table below illustrates the anticipated delineation of roles and responsibilities between the Authority and the Developer during predevelopment and construction. As necessary, details are expected to be further discussed, negotiated and documented in the applicable agreements. Provide any objection to these broad delineations of roles in your proposal.

RESIDENT ENGAGEMENT	OHA	Developer
Resident Meetings and Communications	<i>Lead</i> Responsible for coordinating resident meetings and managing all resident communications	<i>Support, as needed</i>
Relocation	<i>Lead</i> Responsible for all permanent resident relocations with the assistance of the relocation consultant as well as the relocation of the Authority's administrative offices.	<i>Support, as needed</i>

HUD LIAISON	OHA	Developer
Section 18 correspondence and coordination with HUD	<i>Lead</i> Responsible for all communications with HUD regarding the Section 18 Disposition, including coordination prior to construction closing	<i>Support, as needed</i>
Section 8 Project-Based Vouchers	<i>Lead</i> Request and administer all Section 8 Vouchers (Tenant Protection Vouchers for current residents and Project-Based Vouchers upon conversion); facilitate the AHAP and HAP contracts.	<i>Support, as needed</i>

DEVELOPMENT	OHA	Developer
Design Process	<i>Active Participant</i> Will actively participate in design process including all communications and meetings, and will participate in all decision-	<i>Lead</i> Responsible for advancing the design process and maintaining the schedule; provide primary oversight of the architect and any necessary coordination with other

	making.	owner-contracted design and engineering consultants such as the geotechnical / civil engineer, green building consultant, and security consultant.
Environmental	<i>Active Participant</i> Will actively participate in environmental review process including all communications and meetings, and will participate in all decision making.	<i>Lead</i> Responsible for advancing the environmental review process and maintaining the schedule; provide primary oversight of the consultant and any necessary coordination with the City of Oakland and HUD.
Finance	<i>Active Participant</i> Responsible for requesting and securing internal approvals for any OHA Development/Gap Loan; will actively participate in all other project finance-related communications, meetings, and decision making.	<i>Lead</i> Responsible for securing third party capital financing including tax exempt bonds and 4% LIHTC allocations, investor, construction and permanent lenders, and any additional financing sources required.
Subdivision	<i>Active Participant</i> Cooperate as Fee Owner of the Property	<i>Lead</i> Responsible for managing the process, securing approvals, and overseeing all applicable consultants necessary to subdivide the property between the residential and commercial components.
Construction	<i>Active Participant</i> Will actively participate in all pre-construction and construction communications, meetings, and decision making.	<i>Lead</i> Responsible for the oversight of the general contractor and Owner's Representative / Construction Manager from pre-construction (including constructability reviews, bidding, contract negotiation) through construction and final close-out and any warranty or repair needs.

PROPERTY OPERATIONS	OHA	Developer
Lease Up	<i>Support, as needed</i>	<i>Lead</i> The property management agent will be responsible for executing the lease up process and ensuring

		full compliance with all applicable requirements
Property Management/ Resident Services	<i>Active Participant</i> Participate in the transfer of the management of the Residential Parcel from the Authority to the new Property Manager. Coordinate management of the Commercial Parcel with that of the Residential parcel.	<i>Lead</i> Responsible for the provision of all property management and resident services that are included but not limited to those described in Exhibit B.

### **Ownership Structure and OHA Financial Participation**

The Authority intends to retain ownership of the land and will require that the Property be vertically subdivided into two or more separate residential and office/commercial parcels. The Residential Parcel will be leased to the Partnership under a long-term ground lease. The Authority's fee interest in the Commercial Parcel will not be encumbered by any of the financing for the residential development, and the Authority's leasehold interest in the Residential Parcel will not be encumbered by any financing for the residential development. The Authority will have the option/ right of refusal to purchase the limited partner interest or the property and the general partner interest at the end of the fifteen- year tax credit compliance period.

The Authority anticipates contributing one hundred (100) Section 8 Project- Based Vouchers and gap financing for predevelopment and construction, at its sole discretion, to ensure the project's financial viability.

### **Project Milestones**

The architectural and engineering plans are nearing 100% Design Development. The Authority is targeting the submittal of an application for an allocation of tax-exempt bonds and 4% Low Income Housing Tax Credits to CDLAC and TCAC in the April 2025 application round. Closing all financing and starting construction is projected to be January 2026.

### **Conditions and Contingencies**

A. Property Condition

The Residential Parcel will be leased in "as is" condition.

B. Development Agreements

Once the Developer has been notified of its selection by OHA, the Developer will have a negotiated period of time to work with OHA staff to negotiate and execute an exclusive negotiating rights agreement

(ENRA).

The ENRA will include due diligence activities to be performed by the Developer while the parties negotiate the terms of the lease disposition and development agreement (LDDA) governing the lease of the Residential Parcel to the Developer. If necessary, during this period, the parties may negotiate a site control document necessary for the Developer to apply for financing.

C. Due Diligence

Upon being selected, the Developer and Authority will enter into an ENRA. During the term of the ENRA, the Developer will expeditiously perform all Due Diligence and both parties will negotiate the LDDA, including the Project development schedule and business terms and conditions.

The Due Diligence review shall include all environmental, physical, and legal conditions of the Property. A preliminary title report issued by Republic Title Company will be provided by OHA.

The term of the ENRA is anticipated to be 90 days, which can be extended subject the Authority's discretion.

**EXHIBIT B**  
**SCOPE OF WORK**  
**PROPERTY MANAGEMENT AND RESIDENT SERVICES**

The following is a general outline of basic services to be provided by the Property Management Agent (Agent). The Agent will be responsible for the full range of services, including related tasks and services not specifically listed herein. In performance of these responsibilities, the Agent must comply with all applicable Federal, State and local laws.

The Agent will:

1. Operate the property at a generally accepted industry standard level for companies providing housing services to family and elderly populations. Maintain a management office within the Project. Maintain a continuing (24-hour, 7 day/week) management presence.
2. Prepare annual operating budgets.
3. Establish and maintain a comprehensive system of records, books, and accounts, including, but not limited to, resident records, maintenance records, resident applications, occupancy reports, credit reports when obtained, leases, and work orders.
4. Facilitate inspections when requested by the Authority or applicable Regulatory Agencies, lenders or investors with respect to the financial, physical, or operational condition of the Project.
5. Marketing of Vacancies

The Agent shall aggressively pursue marketing practices that minimize vacancies and target residents in compliance with all applicable laws. Marketing and leasing efforts shall feature the site, recent renovation and social service amenities offered at the Property. The Agent will be responsible for certifying and re-certifying each family by completing initial, annual and interim certifications in compliance with all applicable requirements.

6. Operations and Maintenance

The Agent shall maintain the Property in a good, clean, habitable, and attractive condition. Repairs shall be performed as necessary, and shall be budgeted as part of Property operating expenses.

## 7. Financial Management and Reporting

The Agent shall reconcile all operating accounts monthly. Bank statements and reconciliations shall be part of the reporting package. The Agent shall collect all rents, security deposits and revenues from the Property and disburse, from funds collected and deposited in the operating accounts, all operating expenses for the Property.

## 8. Books and Records

The Agent agrees to keep accurate, complete, and separate books and records of account for the Property on the basis of a fiscal year.

## 9. Financial Reports

Each month the Agent shall prepare and submit financial reports for the Property on an accrual basis for the preceding month on the 12<sup>th</sup> calendar day of the current month.

## 10. Resident Relations

The Agent, or its subcontracted resident services provider, will encourage residents to form and maintain representative organizations to promote their common interests and will maintain good faith communication with such organizations to the end that problems affecting the Project and its residents may be avoided or solved on the basis of mutual self-interest.

## 11. Resident Support Services

The Agent, or its subcontracted resident services provider, will be responsible for providing support services for the senior and disabled residents. The Agent will conduct needs assessments to identify the services that are required and provide a plan and budget for services. The Agent will provide ongoing case management and referrals, health and wellness checks, social and educational activities, community building events, and tenancy support services.

## 12. Employees

The Agent will have the sole responsibility for all hiring, termination and training of its employees and will be expected to retain a full staff to maintain the terms of the contract as proposed and approved in the annual budget review process.

**EXHIBIT C**  
**EXCERPTED SHEETS FROM DESIGN DEVELOPMENT PLAN SET**



# HARRISON TOWER

1621 HARRISON STREET,  
 OAKLAND, CA

ISSUE INFORMATION  
 100% CD  
 10/15/2018  
 DATE

11892000  
 ISSUE DATE  
 1902  
 PROJECT NO.  
 DD (2)  
 SCALE  
 As Indicated

BASEMENT PLAN -  
 PRESENTATION PLANS

PP200

- SHEET NOTES PROPOSED:**
- GENERAL NOTES:
    1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES OF CALIFORNIA AND ALL APPLICABLE LOCAL ORDINANCES.
    2. ACCESSIBILITY REQUIREMENTS SHALL BE VERIFIED IN ALL CASES BY CONTRACTOR'S COMPETENT PERSONNEL.
    3. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM ALL APPLICABLE AGENCIES PRIOR TO COMMENCEMENT OF WORK.
    4. ALL WORK SHALL BE SUBJECT TO THE SUPERVISION AND CONTROL OF THE ARCHITECT'S REGISTERED PROFESSIONAL STAFF.
    5. ALL MATERIALS SHALL BE SUBJECT TO THE SUPERVISION AND CONTROL OF THE ARCHITECT'S REGISTERED PROFESSIONAL STAFF.
    6. ALL MATERIALS SHALL BE SUBJECT TO THE SUPERVISION AND CONTROL OF THE ARCHITECT'S REGISTERED PROFESSIONAL STAFF.
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  - NOTES:
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    10. ALL MATERIALS SHALL BE SUBJECT TO THE SUPERVISION AND CONTROL OF THE ARCHITECT'S REGISTERED PROFESSIONAL STAFF.



Room Name	Room Number	Room Area
TRUCK GARAGE	1	1111 SF
MTR-1	13-4	583 SF
MTR-2	13-5	583 SF
MTR-3	13-6	583 SF
EV-1	13-7	583 SF
EV-2	13-8	583 SF
EV-3	13-9	583 SF
EV-4	13-10	583 SF
EV-5	13-11	583 SF
EV-6	13-12	583 SF
GARAGE MECHANICAL ENTRY	14	348 SF
LONG-TERM PARKING	15	1718 SF
TRUCK TRAILER STORAGE	16	1000 SF
TRUCK TRAILER STORAGE	17	1000 SF
TRUCK TRAILER STORAGE	18	1000 SF
TRUCK TRAILER STORAGE	19	1000 SF
TRUCK TRAILER STORAGE	20	1000 SF
MTR-4	21	583 SF
MTR-5	22	583 SF
MTR-6	23	583 SF
MTR-7	24	583 SF
MTR-8	25	583 SF
MTR-9	26	583 SF
MTR-10	27	583 SF
MTR-11	28	583 SF
MTR-12	29	583 SF
MTR-13	30	583 SF
MTR-14	31	583 SF
MTR-15	32	583 SF
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MTR-87	104	583 SF
MTR-88	105	583 SF
MTR-89	106	583 SF
MTR-90	107	583 SF
MTR-91	108	583 SF
MTR-92	109	583 SF
MTR-93	110	583 SF
MTR-94	111	583 SF
MTR-95	112	583 SF

**Area Plan Legend**

- CIRCULATION
- PARKING
- RESIDENTIAL AMENITIES
- UTILITY
- VERTICAL CIRCULATION



**SHEET NOTES PROPOSED:**

**GENERAL NOTES:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
2. ALL DIMENSIONS SHALL BE UNLESS OTHERWISE NOTED.
3. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
4. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.
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10. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.

**REVISIONS:**

NO.	DATE	DESCRIPTION
1	08/11/2010	ISSUE FOR PERMITTING
2	08/11/2010	ISSUE FOR PERMITTING
3	08/11/2010	ISSUE FOR PERMITTING
4	08/11/2010	ISSUE FOR PERMITTING
5	08/11/2010	ISSUE FOR PERMITTING
6	08/11/2010	ISSUE FOR PERMITTING
7	08/11/2010	ISSUE FOR PERMITTING
8	08/11/2010	ISSUE FOR PERMITTING
9	08/11/2010	ISSUE FOR PERMITTING
10	08/11/2010	ISSUE FOR PERMITTING

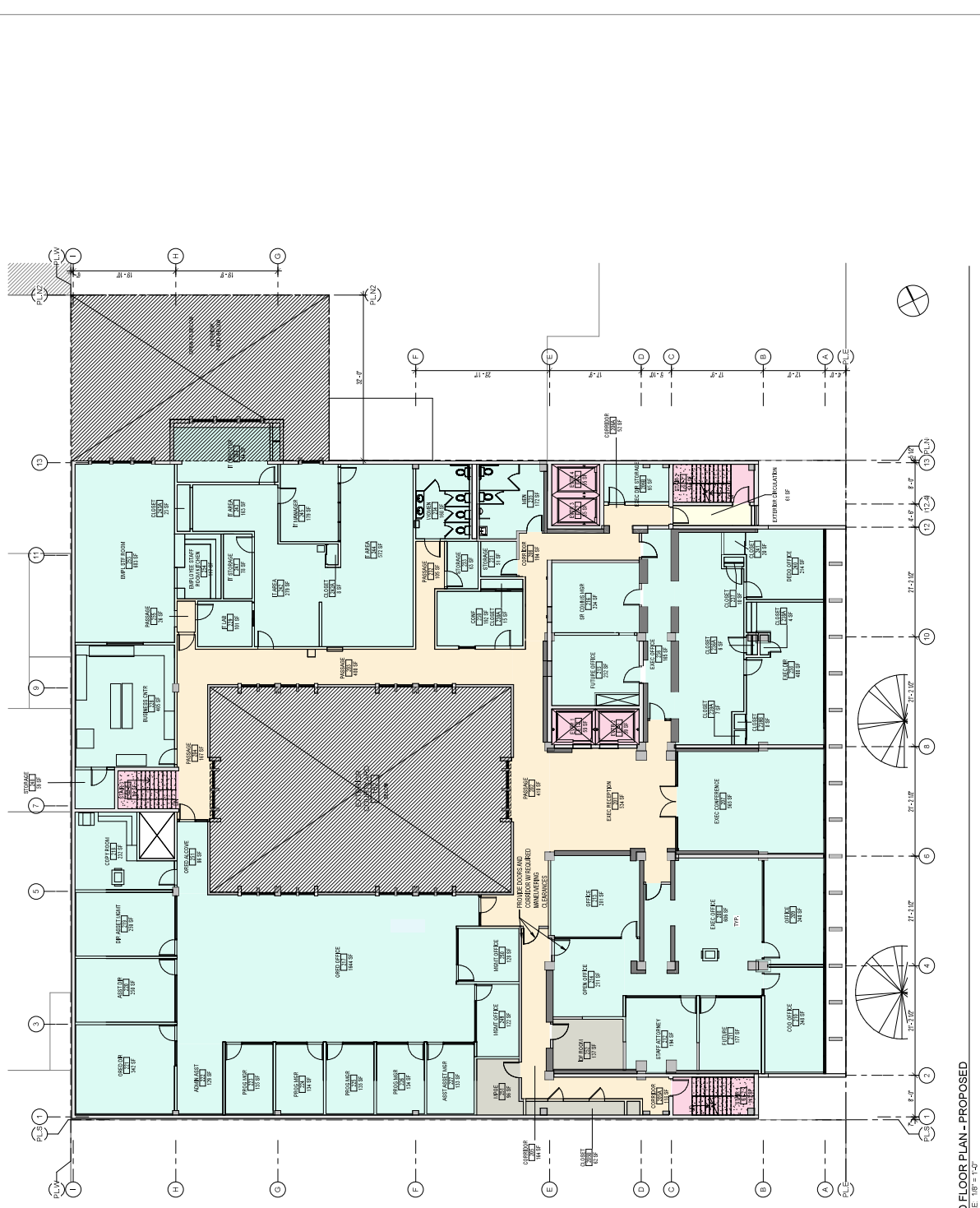
**REVISIONS:**

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND ALL APPLICABLE REGULATIONS.

Room Name	Room Number	Room Area
EXECUTIVE STORAGE	208	18.5 SF
CONFERENCE	209	18.5 SF
MEETING	210	18.5 SF
STORAGE	211	18.5 SF
STORAGE	212	18.5 SF
STORAGE	213	18.5 SF
STORAGE	214	18.5 SF
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STORAGE	297	18.5 SF
STORAGE	298	18.5 SF
STORAGE	299	18.5 SF
STORAGE	300	18.5 SF

**Area Plan Legend**

- CIRCULATION
- EXTERIOR
- OFFICE
- UTILITY
- VERTICAL CIRCULATION



2ND FLOOR PLAN - PROPOSED  
SCALE: 1/8" = 1'-0"



**SHEET NOTES:**

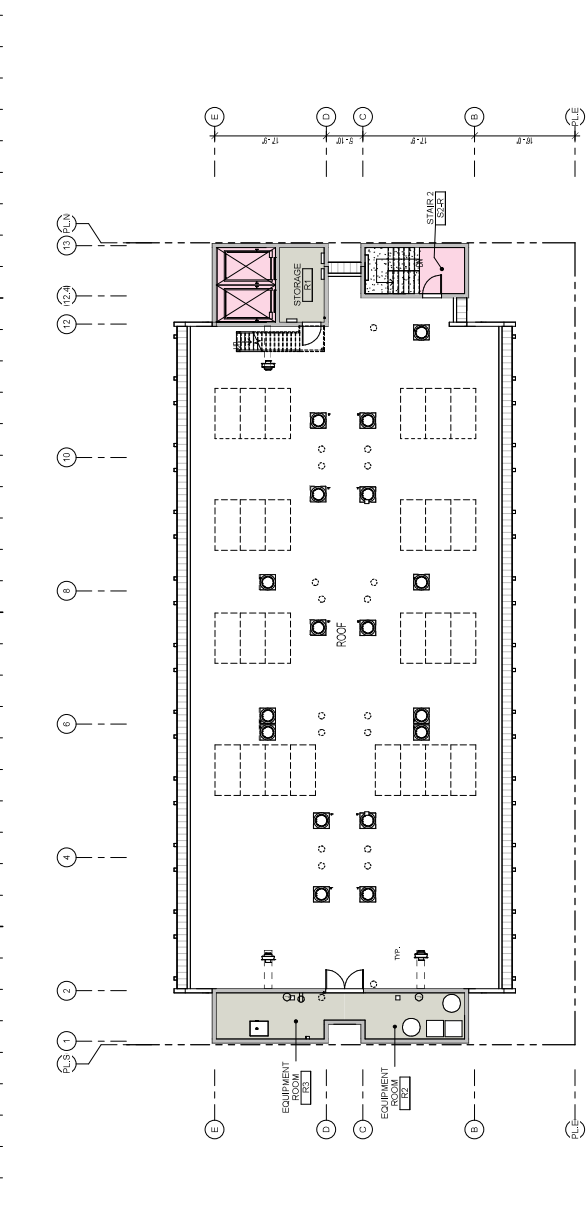
- GENERAL NOTES:**
1. VERIFY ALL DIMENSIONS AND CONDITIONS OF FINISH TO EXISTING FACE OF FINISH SURFACING MATERIALS.
  2. VERIFY ALL DIMENSIONS AND CONDITIONS OF FINISH TO EXISTING FACE OF FINISH SURFACING MATERIALS.
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  10. VERIFY ALL DIMENSIONS AND CONDITIONS OF FINISH TO EXISTING FACE OF FINISH SURFACING MATERIALS.
- FINISHES:**
1. FLOOR FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
  2. WALL FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
  3. CEILING FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
  4. EXTERIOR FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
  5. INTERIOR FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
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  8. FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.
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  10. FINISHES TO BE DETERMINED BY ARCHITECT AND CONTRACTOR.

**ROOM SCHEDULE - ROOF**

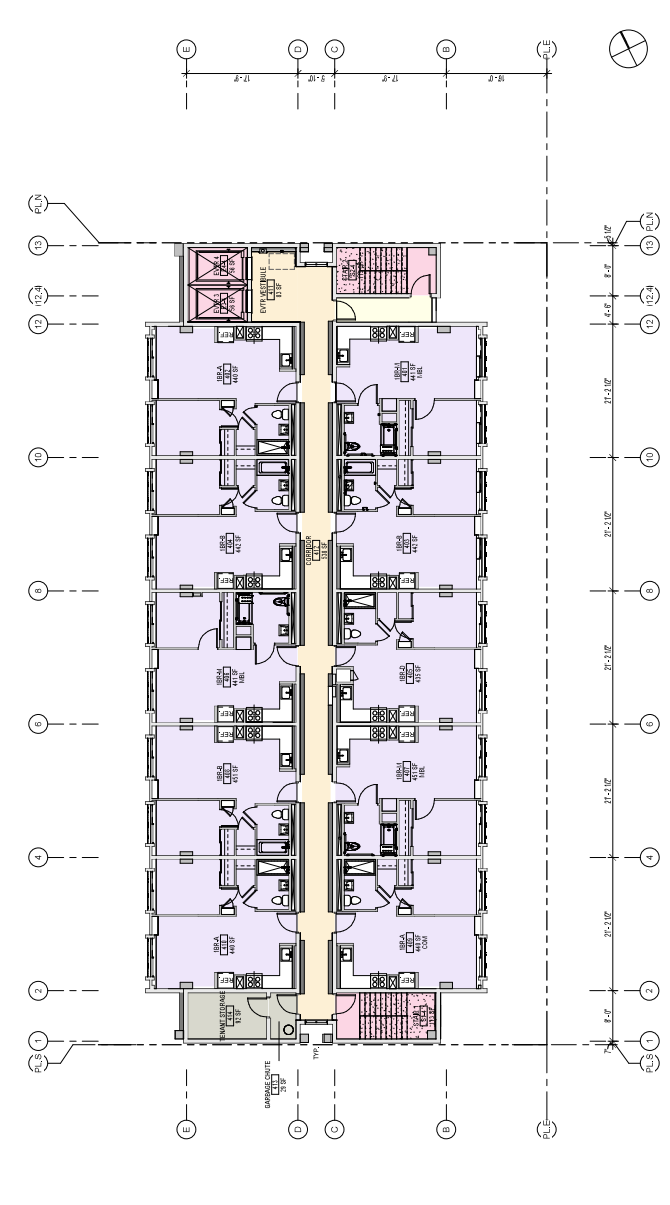
Room Name	Room Number	Room Area
STAIR 1	101	11.1 SF
STAIR 2	102	11.1 SF
STAIR 3	103	11.1 SF
STAIR 4	104	11.1 SF
STAIR 5	105	11.1 SF
STAIR 6	106	11.1 SF
STAIR 7	107	11.1 SF
STAIR 8	108	11.1 SF
STAIR 9	109	11.1 SF
STAIR 10	110	11.1 SF

**ROOM SCHEDULE - TYPICAL RESIDENTIAL FLOOR**

Room Name	Room Number	Room Area
STAIR 1	101	11.1 SF
STAIR 2	102	11.1 SF
STAIR 3	103	11.1 SF
STAIR 4	104	11.1 SF
STAIR 5	105	11.1 SF
STAIR 6	106	11.1 SF
STAIR 7	107	11.1 SF
STAIR 8	108	11.1 SF
STAIR 9	109	11.1 SF
STAIR 10	110	11.1 SF



**1 ROOF PLAN - PROPOSED**  
 SCALE: 1/8" = 1'-0"



**2 TYPICAL RESIDENTIAL FLOOR PLAN - PROPOSED**  
 SCALE: 1/8" = 1'-0"

**Area Plan Legend**

- CIRCULATION
- EXTERIOR
- RESIDENTIAL
- UTILITY
- VERTICAL CIRCULATION

**EXHIBIT D**  
**COST FORM**

1) Provide proposed Developer Fee split between the Respondent and OHA as a percentage of the total maximum allowed Net Developer Fee taken during the development of the project and/or deferred to be taken out of cash flow. While the Authority is amenable to further discussion and negotiation, for the purposes of the proposed Developer Fee split, Respondents should assume the following:

(a) The separation of Roles and Responsibilities between the Respondent and OHA are as described in Exhibit A.

(b) There are no changes to the Development Team as delineated in the "Project Overview" section of Exhibit A.

Respondent / Developer Share of Developer Fee	%
Oakland Housing Authority Share of Developer Fee	%

2) Provide proposed Property Management Fee per unit per month.

Respondent / Property Management Fee Per Unit Per Month	
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**EXHIBIT E  
PROFILE AND CERTIFICATION FORM**

<b>PROFILE AND CERTIFICATION FORM (Page 1 of 3)</b>
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- (1) Prime \_\_\_\_ Sub-contractor \_\_\_\_ (This form must be completed by and for each).
- (2) Name of Firm: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_
- (3) Street Address, City, State, Zip: \_\_\_\_\_
- (4) Primary Contact for this Project: \_\_\_\_\_ Email Address: \_\_\_\_\_
- (5) Identify Principals/Partners in Firm (Attach *professional resumes* for each):

NAME	TITLE	% OF OWNERSHIP

- (6) Identify the individual(s) that will act as project manager and any other supervisory personnel that will work on project; please attach *professional resumes* for each. (Do not duplicate any resumes required above):

NAME	TITLE

- (7) Bidder Diversity Statement: You must circle all of the following that apply to the ownership of this firm and enter where provided the correct percentage (%) of ownership of each:

- |   |   |   |   |
|---|---|---|---|
| <input type="checkbox"/> Caucasian<br>American (Male)<br>_____% | <input type="checkbox"/> Public-Held<br>Corporation<br>_____% | <input type="checkbox"/> Government<br>Agency<br>_____% | <input type="checkbox"/> Non-Profit<br>Organization<br>_____% |
|---|---|---|---|

Resident- (RBE), Minority- (MBE), or Woman-Owned (WBE) Business Enterprise (Qualifies by virtue of 51% or more ownership and active management by one or more of the following:

- |   |   |   |   |  |   |   |
|---|---|---|---|--|---|---|
| <input type="checkbox"/> Resident-<br>Owned*<br>_____%  | <input type="checkbox"/> African<br>American<br>_____%        | <input type="checkbox"/> **Native<br>American<br>_____% | <input type="checkbox"/> Hispanic<br>American<br>_____% | <input type="checkbox"/> Asian/Pacific<br>American<br>_____% | <input type="checkbox"/> Hasidic<br>Jew<br>_____% | <input type="checkbox"/> Asian/Indian<br>American<br>_____% |
| <input type="checkbox"/> Woman-Owned<br>(MBE)<br>_____% | <input type="checkbox"/> Woman-Owned<br>(Caucasian)<br>_____% | <input type="checkbox"/> Disabled<br>Veteran<br>_____%  | <input type="checkbox"/> Small Business<br>_____%       | <input type="checkbox"/> Other (Specify):<br>_____%          |   |   |

If applicable, WMBE Certification Number: \_\_\_\_\_

Certified by (Agency): \_\_\_\_\_

- (8) Federal Tax ID No.: \_\_\_\_\_
- (9) Business Name as Listed on the California Secretary of State Website: \_\_\_\_\_
- (10) California Secretary of State Entity Number: \_\_\_\_\_
- (11) [APPROPRIATE JURISDICTION] Business License No.: \_\_\_\_\_

(12) State of \_\_\_\_\_ License Type and No.: \_\_\_\_\_

\* The undersigned party submitting this bid hereby certifies that the firm can meet and comply with OHA's "Section 3 Requirements" attached hereto. (**See 'Section 3 Requirements Form and Action Plan'**)



<b>PROFILE AND CERTIFICATION FORM (Page 2 of 3)</b>
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(13) Vendor Diversity Outreach Requirements: The Authority requires vendors/contractors/proposers undertake good faith efforts to ensure that Minority Business Enterprises and Woman Business Enterprises are provided opportunities to contract with the Authority for the delivery of goods and services. The undersigned, as an authorized representative of the business identified herein, hereby declares that the following statements are, to the best of his/her/its knowledge, true and correct with respect to the efforts made in a "good-faith" attempt to comply with the Authority's outreach requirements and that said business will provide to the Authority evidence of the efforts described herein within three working days of such request.

**a.) Written Notice**

- Not less than \_\_\_\_\_ days prior to the submission of the bids/proposals, we provided written notice of our interest in bidding and requested assistance from organizations that provide assistance in the recruitment and placement of MBE/WBE and other business enterprises. **[NOTE: You may be requested to submit a list of organizations that provided such assistance.]**
- We **did not** provide such written notice.

**b.) Advertisement**

- Not less than \_\_\_\_\_ days prior to the submission of the bids/proposals, the undersigned party advertised for bids/proposals from interested MBE/WBE businesses in more than one daily or weekly newspaper, trade association publications, minority or trade oriented publications, trade journals, internet, social media and/or other media. **[Proof of advertisement must be attached.]**
- The undersigned party **did not** advertise for bids from MBE/WBE businesses.

**c.) Participation**

- The undersigned party directly solicited MBE/WBE businesses that have agreed to participate in this contract if awarded.
- The undersigned party **did not** obtain participation by MBE/WBE businesses.

(14) Insurance Certification: The undersigned party submitting this bid hereby certifies that the firm can meet and comply with OHA's "Insurance Requirements" attached hereto. **(See 'OHA Insurance Requirements' attached)** Copies of insurance certificates may be submitted with the proposal or the information completed below. The insurance policies must name OHA as an additional insured and maintained throughout the term of the contract. The firm(s) must provide OHA with Certificates of Insurance for the preceding coverage. The insurance policies must provide a 30-day notice of cancellation and be primary to any other insurance carried by OHA.

Worker's Compensation Insurance Carrier: \_\_\_\_\_

Policy No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

General Liability Insurance Carrier: \_\_\_\_\_

Policy No. \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Professional Liability Insurance Carrier: \_\_\_\_\_

Policy No. \_\_\_\_\_ Expiration Date: \_\_\_\_\_

(15) Debarred Statement: Has this firm, or any principal(s) ever been debarred from providing any services by the Federal Government, any state government, the State of \_\_\_\_\_, or any local government agency within or without the State of \_\_\_\_\_? Yes  No

If "Yes," please attach a full detailed explanation, including dates, circumstances and current status.

<b>PROFILE AND CERTIFICATION FORM (Page 3 of 3)</b>
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(16) Authorized Personnel: Please state the name of your personnel authorized to sign legal and binding proposal and contract documents for this procurement below (please submit proof/ documentation stating the below individual has this authorization):

Name:

Title:

(17) Disclosure Statement: Does this firm or any principals thereof have any current, past personal or professional relationship with any Commissioner or Officer of the HA? Yes  No

If "Yes," please attach a full detailed explanation, including dates, circumstances and current status.

(18) Non-Collusive Affidavit: The undersigned party submitting this bid hereby certifies that such bid is genuine and not collusive and that said bidder entity has not colluded, conspired, connived or agreed, directly or indirectly, with any bidder or person, to put in a sham bid or to refrain from bidding, and has not in any manner, directly or indirectly sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or of any other bidder, to fix overhead, profit or cost element of said bid price, or that of any other bidder or to secure any advantage against the OHA or any person interested in the proposed contract; and that all statements in said bid are true.

(19) Indemnification Certification: The undersigned party submitting this bid hereby certifies that the firm expressly agrees to indemnify, defend, hold harmless and indemnify the Authority, and its 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 this Contract and any of 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.

(20) Section 3 and Labor Compliance (if applicable): The undersigned party submitting this bid hereby certifies that the firm can meet and comply with OHA's "Section 3 Requirements" and Labor Compliance standards including submission of certified payrolls and paying employees the required prevailing wages. (*Section 3 Information, Economic Opportunities Policy, and Labor Compliance standards may be found on our website at [www.oakha.org/ Business Opportunities/Section 3.](http://www.oakha.org/Business%20Opportunities/Section%203)*)

(21) Labor Code Certification: The undersigned party submitting this bid hereby certifies that party submitting this bid hereby is aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self insurance in accordance with the provisions of that Code, and will comply with such provisions before commencing the performance of the work of this Agreement".

(22) Verification Statement: The undersigned party hereby states that by completing and submitting this form he/she is verifying that all information provided herein is, to the best of his/her knowledge, true and accurate, and agrees that if the HA discovers that any information entered herein is false, that shall entitle the HA to not consider nor make award or to cancel any award with the undersigned party.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company

**EXHIBIT F**  
**CLIENT REFERENCES**

**CURRENT CLIENT REFERENCES (REQUIRED)**

*Submit this form with the BID, failure to do so is grounds for disqualification.*

Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, ST, Zip \_\_\_\_\_  
 Fax/Phone Numbers \_\_\_\_\_  
 Contact Name/Title \_\_\_\_\_  
 Type of Engagement \_\_\_\_\_

Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, ST, Zip \_\_\_\_\_  
 Fax/Phone Numbers \_\_\_\_\_  
 Contact Name/Title \_\_\_\_\_  
 Type of Engagement \_\_\_\_\_

Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, ST, Zip \_\_\_\_\_  
 Fax/Phone Numbers \_\_\_\_\_  
 Contact Name/Title \_\_\_\_\_  
 Type of Engagement \_\_\_\_\_

Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, ST, Zip \_\_\_\_\_  
 Fax/Phone Numbers \_\_\_\_\_  
 Contact Name/Title \_\_\_\_\_  
 Type of Engagement \_\_\_\_\_

Company \_\_\_\_\_  
 Address \_\_\_\_\_  
 City, ST, Zip \_\_\_\_\_  
 Fax/Phone Numbers \_\_\_\_\_  
 Contact Name/Title \_\_\_\_\_  
 Type of Engagement \_\_\_\_\_

Bidder's Company Name .....

Legal Structure (corp./partner/proprietor) .....

Principle Office Address .....

City, ST, Zip .....

Phone Number & Fax Numbers .....

Email .....

Federal Employer Identification Number .....

Title of Person Authorized to Sign .....

Print Name of Person Authorized to Sign .....

Date Signed and Authorized Signature .....

**EXHIBIT G**  
**Section 3 Compliance**



# Oakland Housing Authority

## Section 3 Procedures

### Contractor's Summary Guide to Section 3 Compliance

August 18, 2023

#### A. INTRODUCTION AND SUMMARY

The Oakland Housing Authority (OHA) has established a policy whereby any project or activity funded with Moving to Work (MTW) funds, to the extent applicable, must meet the requirements of OHA's Section 3 Policy as outlined in this document. This Section 3 Policy is required to be a flow down provision and applies to each subcontract at every tier. "Section 3" is established by Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u, and implementing Regulations at 24 C.F.R. 75. This Policy is intended to be consistent with the federal requirements.

This document serves to fulfill two (2) main objectives: 1) it contains program definitions, requirements, information on program assistance provided by OHA and 2) it outlines the Section 3 program compliance measures of OHA.

#### B. DEFINITIONS

##### Low-Income Person

A family (including single persons) whose income does not exceed 80% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families (See OHA income eligibility chart attached.)

##### Very Low-Income Person

A family (including single persons) whose income does not exceed 50% of the median family income for the area, as determined by HUD, with adjustments for smaller or larger families (See OHA income eligibility chart).

##### Section 3 Worker

A Section 3 worker is any worker who currently fits into, or when hired within the past five years fit into, at least one of the following categories:

1. The worker's income for the previous or annualized calendar year is below the income limit established by HUD.
2. The worker is employed by a Section 3 business concern.
3. The worker is a YouthBuild participant.

### Section 3 Business Concern

A Section 3 business concern is any type of business (e.g. sole proprietorship, partnership, non-profit, corporation) that meets at least one of the following criteria, documented within the last six-month period:

1. At least 51 percent owned and controlled by low- or very low-income persons;
2. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
3. A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

### YouthBuild Program

YouthBuild programs receive assistance under the Workforce Innovation and Opportunity Act (29 U.S.C. 3226).

YouthBuild is a community-based pre-apprenticeship program that provides job training and educational opportunities for at-risk youth ages 16-24 who have previously dropped out of high school.

YouthBuild participants learn vocational skills in construction, as well as in other in-demand industries that include health care, information technology, and hospitality. Youth also provide community service through the required construction or rehabilitation of affordable housing for low-income or homeless families in their own neighborhoods.

Targeted Section 3 Worker

A targeted Section 3 worker is a Section 3 worker who:

- (1) is employed by a Section 3 business concern: or
- (2) currently fits or when hired fit at least one of the following categories, as documented within the past five years:
  - a. A resident of public housing projects or Section 8-assisted housing managed by Oakland Housing Authority; or
  - b. A YouthBuild participant.

**C. GENERAL FEDERAL REQUIREMENTS**

Pursuant to Section 3, and consistent with existing Federal, state, and local laws and regulations Contractor shall make best efforts to provide:

- (1) employment and training opportunities arising in connection with the Project to Section 3 workers in the following order of priority: (i) to residents of public housing projects managed by OHA or residents of Section 8-assisted housing managed by the Authority, (ii) to participants in YouthBuild programs; and (iii) to low- and very low-income persons residing within the metropolitan area (or nonmetropolitan county) in which the Project is located.
- (2) contracts and subcontracts for work awarded in connection with the Project are provided to business concerns that provide economic opportunities to Section 3 workers in the following order of priority: (i) to Section 3 business concerns that provide economic opportunities to residents of public housing projects managed by the Authority or residents of Section 8-assisted housing managed by the Authority, (ii)



to YouthBuild programs; and (iii) to Section 3 business concerns that provide economic opportunities to Section 3 workers residing within the metropolitan area (or nonmetropolitan county) in which the Project is located.

Contractor will be considered to have complied with the Section 3 requirements, in the absence of evidence to the contrary, if it certifies that it has followed the prioritization of effort set forth above, and meets or exceeds the applicable Section 3 benchmark as described in 24 C.F.R. 75.13(b).

#### **D. OHA SPECIFIC SECTION 3 GOALS**

There are two specific OHA Section 3 Goals: one for **Section 3 Workers**, and one for **Targeted Section 3 Workers**. For OHA, the goal for Section 3 Workers is set at *25 percent* or more of the total number of labor hours worked by all workers employed by the contractor/subcontractor on the Project from June 30 to July 1 of the following year (OHA's fiscal year). The benchmark for **Targeted Section 3 Workers** is set at *5 percent* or more of the total number of labor hours worked by all workers employed by the contractor/subcontractor on the Project within OHA's fiscal year. This means that the *5 percent* is included as part of the *25 percent* threshold.

#### **E. SECTION 3 PLAN**

The Contractor is required to submit with its bid/proposal package a Section 3 Plan for OHA review and written approval. The Section 3 Plan will detail the processes to be implemented to ensure that the above Section 3 goals will be met. The plan should specify the number of positions expected to be created and what minimum qualifications and skills will be required in order to perform the positions. The plan should also address the Contractor's strategy for recruiting OHA residents for the available positions, which should include consultation with OHA's Section 3 Coordinator.

Qualitative processes to be included, but not limited to, in the Section 3 Plan are identified below. The HUD Section 3 website has additional educational resources and tools for developing the Section 3 Plan. The HUD website can be accessed at <https://www.hud.gov/section3/>.

#### **F. OUTREACH FOR SECTION 3 PLAN**

The OHA Resident & Community Services Coordinator (from the Department of Family and Community Partnerships or FCP) is the OHA's point of contact for assistance in identifying OHA's Section 3 and Targeted Workers.

FCP will generate potential job applicants who are Targeted Section 3 workers with the following:

- Providing technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching)
- Providing or connecting Section 3 workers with assistance in seeking employment including: drafting resumes, preparing for interviews, and finding job opportunities connecting residents to job placement services
- Holding one or more job fairs
- Providing or referring Section 3 workers to services supporting work readiness and retention (e.g., work readiness activities, interview clothing, test fees, transportation, childcare).
- Providing assistance to apply for/or attend community college, or vocational/technical training
- Assisting Section 3 workers to obtain financial literacy training and/or coaching
- Engaging in outreach efforts to identify and secure bids from Section 3 business concerns.

Contractors will generate potential job applicants who are Section 3 workers with the following:

- Contact various trade union hiring halls
- Contact the City of Oakland's LEP Program
- Contact West Oakland Jobs Resource Center
- Contact Rising Sun Pre-apprenticeship Program
- Contact Cypress Mandela Pre-apprenticeship Program
- Contact the Alameda County Building and Trades Council Pre-apprenticeship Program

## **G. DOCUMENTING AND REPORTING-SECTION 3 PLAN**

1. Contractor shall maintain records of its Section 3 activities and cause such records to be accurate and current and in a form that allows OHA to comply with the reporting requirements of 24 C.F.R. 75.15.
2. Contractor agrees to report the labor hours performed by Section 3 Workers for the work identified in each payment request to the project owner. The monthly reporting of Section 3 Worker hours, as prepared by the Contractor, must be approved in writing by OHA's Labor Compliance Officer.
3. The Contractor and its subcontractors shall provide all required compliance data with respect to Contractor's Section 3 Plan to OHA via LCP tracker software. The Contractor and its subcontractors shall be responsible for responding to any requests for data or information by the noted response due dates. The Contractor shall also be responsible for ensuring that all subcontractors have completed all requested items with complete and accurate information and that their contract information is current.

## **H. COMPLIANCE REPORTING SYSTEMS**

OHA utilizes LCPtracker in order to monitor the compliance requirements for Davis-Bacon, and Section 3 labor hour tracking policy requirements for construction projects.

LCPtracker, is accessible to **ALL** OHA Prime Contractors (as well as Subcontractors). Contractors will use LCP Tracker for certified payroll submission activities.

## I. SECTION 3 CALCULATIONS

Below are the formulas for calculating Section 3 Workers and Targeted Section 3 Workers. This formula will be utilized to validate that contractors have met OHA's Section 3 goals:

Section 3 Workers =  $\geq$  25% of Total Labor Hours

Targeted Section 3 Workers =  $\geq$  5% of Total Labor Hours

## J. Resident Referral Process

OHA is committed to working with general contractors and subcontractors to help them reach their Section 3 goals. This process ensures that each candidate is in good standing with the housing authority and has a background that qualifies him/her to perform the essential functions of the job.

To ensure the best possible match, it is important that contractors communicate their hiring needs to OHA well in advance of the project start date. We request at least 2 business days' notice before the employee's start date, but earlier notice is preferred. We will work with you to identify a pool of candidates for each position. If we cannot provide you with a candidate, we will grant you a waiver to document your efforts to meet the Section 3 goals.

Union Contractors: OHA's Family and Community Partnerships department (FCP) has established a list of current OHA residents in construction trade unions that is sent to contractors on a regular basis. If there is no candidate that meets your hiring needs, you are encouraged to consider sponsoring an OHA resident who is not a member of a trade union to meet your Section 3 hiring goals.

Please contact **Oakland Housing Authority's Family and Community Partnerships Department** at [S3hire@oakha.org](mailto:S3hire@oakha.org) for a list of qualified residents, who are Targeted Section 3 workers, to request a candidate(s) who lives at an Oakland Housing Authority site(s).

## K. Monthly Reports

OHA requires monthly reports listing all new hires and Section 3 hires from all contractors and subcontractors on Section 3 covered projects. A sample report will be provided. Reports shall be due on the fifth day of each month for the preceding month. These reports shall be submitted to:

Rufus Davis, Labor and Section 3 Compliance Officer

Phone: 510.587.2176

Email: [rdavis@oakha.org](mailto:rdavis@oakha.org)

**Record Maintenance and Documentation**

All projects and activities that are subject to Section 3 requirements shall maintain comprehensive documentation of their Section 3 outreach efforts and implementation activities. Section 3 documentation files should be clearly maintained and be available for review by Oakland Housing Authority and/or HUD officials.

Questions regarding the Oakland Housing Authority  
Section 3 Program should be addressed to:

Rufus Davis, Labor and Section 3 Compliance Officer

Oakland Housing Authority

1805 Harrison Street, First Floor

Oakland, CA 94612

Phone: 510.587.2176

Email: [rdavis@oakha.org](mailto:rdavis@oakha.org)



**Section 3 Action Plan (2 pages)**

All firms and individuals bidding on any Section 3 covered contract with the Oakland Housing Authority (OHA) **MUST COMPLETE AND SUBMIT THIS ACTION PLAN WITH THE BID, OFFER, OR PROPOSAL.** Any solicitation response that does not include this document (completed and signed) will be considered non-responsive and not eligible for award.

**PRELIMINARY STATEMENT OF CURRENT WORKFORCE AND HIRING NEEDS**

*THIS PLAN OUTLINES YOUR COMMITMENT TO OHA'S SECTION 3 HIRING GOALS*

COMPANY NAME:

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ADDRESS:

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PROJECT (Bid/RFP#):

GENERAL  SUBCONTRACTOR

JOB CATEGORY: EXAMPLES	(A)	(B)	(C)	(D)
ADMINISTRATIVE ASST., OFFICE MANAGER, CLERK, PROJECT MANAGER, EQUIPMENT MECHANIC, JANITORIAL, HOUSING MANAGEMENT, LABORER, LANDSCAPER, GLAZIER-JOURNEYMAN, GLAZIER-APPRENTICE, PLUMBER-JOURNEYMAN, PLUMBER-APPRENTICE	# of CURRENT Employees (Core Staff)	PROJECTED # Total Hours FOR THIS PROJECT	PROJECTED Section 3 Worker Hours FOR THIS PROJECT	PROJECTED Targeted Section 3 Worker Hours FOR THIS PROJECT

OTHER, PLEASE LIST.				

\_\_\_ (Check here and attach another sheet if applicable)

**I attest that the above information is true and correct. The company certifies that the above table represents the appropriate number of employee positions and also represents the number of Section 3 employees that the company proposes to hire.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_

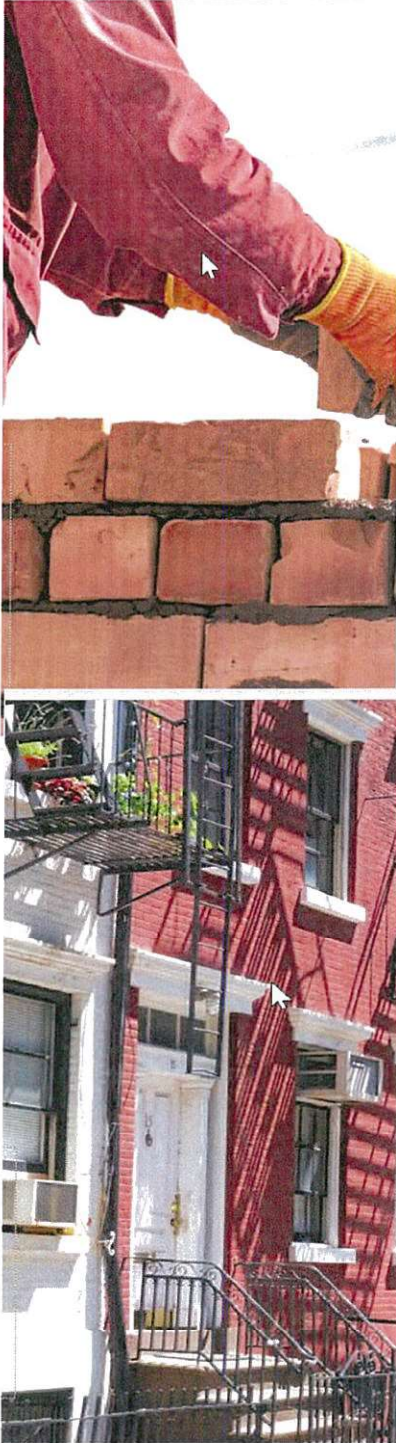
\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**Intentionally Left Blank**



## Section 3 Business Concern Certification for Contracting (Sample Form)



### About this Tool

**Description:** Businesses seeking a preference in contracting on applicable Section 3 projects may qualify as a Section 3 business concern if they meet the following criteria: At least 51 percent of the business is owned and controlled by low- or very low-income persons, or at least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing, or over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers.

This tool is designed to help grantees and their subrecipients, contractors, and subcontractors comply with the Section 3 requirements and achieve the Section 3 goals. It is intended to be a sample form to help grantees certify and track Section 3 business concerns seeking a preference in contracting.

**How to Adapt this Document:** This document is intended to be used as a reference tool to help grantees certify Section 3 business concerns and provide the appropriate records to support the business' Section 3 status claims. Grantees are encouraged to adapt the form to fit the resources within their individual communities and to meet the needs of their program.

**Source of Document:** This document was developed by consultants affiliated with the consulting firm ICF.

**Disclaimer:** The following is a sample Section 3 Business Concern Certification form that PHAs or Community Development Offices may wish to use to begin developing their own form. They may work with their legal counsels to ensure it meets all local and state laws.

This resource will be part of a Section 3 Toolkit coming Fall of 2021. It will be hosted on the HUD Exchange at <https://www.hudexchange.info/>.

*Updated as of: December 20, 2021*



## Section 3 Business Concern Certification for Contracting (Sample Form)

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**Instructions:** Enter the following information and select the criteria that applies to certify your business' Section 3 Business Concern status.

### Business Information

Name of Business \_\_\_\_\_

Address of Business \_\_\_\_\_

Name of Business Owner \_\_\_\_\_

Phone Number of Business Owner \_\_\_\_\_

Email Address of Business Owner \_\_\_\_\_

### Preferred Contact Information

Same as above

Name of Preferred Contact \_\_\_\_\_

Phone Number of Preferred Contact \_\_\_\_\_

### Type of Business (select from the following options):

Corporation

Partnership

Sole Proprietorship

Joint Venture

### Select from **ONE** of the following three options below that applies:

At least 51 percent of the business is owned and controlled by low- or very low-income persons (Refer to income guidelines on page 4).

At least 51 percent of the business is owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers (Refer to definition on page 4).

(frontside)



**Business Concern Affirmation**

I affirm that the above statements (on the frontside of this form) are true, complete, and correct to the best of my knowledge and belief. I understand that businesses who misrepresent themselves as Section 3 business concerns and report false information to [insert name of recipient/grantee] may have their contracts terminated as default and be barred from ongoing and future considerations for contracting opportunities. I hereby certify, under penalty of law, that the following information is correct to the best of my knowledge.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*Certification expires within six months of the date of signature

Information regarding Section 3 Business Concerns can be found at [24 CFR 75.5](#)

**FOR ADMINISTRATIVE USE ONLY**

Is the business a Section 3 business concern based upon their certification?

YES       NO

**EMPLOYERS MUST RETAIN THIS FORM IN THEIR SECTION 3 COMPLIANCE FILE FOR FIVE YEARS.**

**Section 3 Worker Definition:**

- A low or very low-income resident (the worker's income for the previous or annualized calendar year is below the income limit established by HUD); or
- Employed by a Section 3 business concern; or
- A YouthBuild participant.

**Targeted Section 3 Worker Definition:**

- Employed by a Section 3 business concern or
- Currently meets or when hired met at least one of the following categories as documented within the past five years:
  - A resident of public housing; or
  - A resident of other public housing projects or Section 8-assisted housing; or
  - A YouthBuild participant.

(backside)



<b>Section 3 Housing and Community Development Employer Certification Form</b>	<b>U.S. Department of Housing and Urban Development Office of Field Policy and Management</b>	<b>HUD FORM 4736A</b> OMB Approval Number 2501-0041 (Exp. 04/30/2025)
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*(In compliance with Section 3 of the HUD Act of 1968 and 24 CFR Part 75)*

Public reporting for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information.

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992 (Section 3), and 12 U.S.C. § 1701u ensure that employment and other economic opportunities generated by Federal financial assistance for housing and community development programs are, to the greatest extent feasible, directed toward low- and very low-income persons, particularly those who receive government assistance for housing. The regulations are found at 24 CFR Part 75. This collection of information is required in order to ensure that a worker can be certified as an eligible Section 3 worker as outlined in 24 C.F.R. § 75.31. The information will be used by the Department to ensure compliance with Section 3 of the HUD Act of 1968 employer certification requirements listed in 24 CFR § 75.31, to assess the results of the Department's efforts to meet the statutory objectives of Section 3, to prepare reports to Congress, and by recipients to ensure they are complying with their recordkeeping requirements found in the regulation, and as a self-monitoring tool.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2501-0041. HUD may not conduct and sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. No assurances of confidentiality are provided for this information collection.

The purpose of this form is to comply with Section 3 of the HUD Act of 1968 employer certification requirements listed in 24 CFR § 75.31. To qualify as a Section 3 worker, the United States legal resident's annual income must not exceed the HUD income limits for the year before the worker was hired, or the individual's current income annualized on a full-time basis for the year must be below the HUD income limit. Additionally, an individual can qualify as a Section 3 worker and Targeted Section 3 worker, if an employee of a Section 3 Business Concern. To qualify as a Targeted Section 3 worker, an employer can confirm that the employee lives within the service area or neighborhood of the project.

Please provide the following information about the business/employer:

Name of Business: \_\_\_\_\_

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

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Continuation of Section 3 Employer Certification Form**

Please Provide the following information about the worker/employee:

Printed Name of Worker: \_\_\_\_\_

Street Address (*Not a PO Box*)                      Apt#                      City                      State                      Zip

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

Please indicate which of the following is true for the worker listed above: (Select all that apply)

<input type="checkbox"/> Worker's income from your employment is below the income limit based on a calculation of what the worker's wage rate would translate to if annualized on a full-time basis*	Income limit  \$
<input type="checkbox"/> Worker is employed by a Section 3 Business Concern (Select if your business qualifies as a Section 3 Business Concern)	
<input type="checkbox"/> Worker's residence is within the service area or neighborhood of the project	

\*Currently or at the time of hire if hired within the past 5 years.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct and certifies that the worker identified above meets the definition of a Section 3 worker. **WARNING:** Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012; 31 U.S.C. §3729, 3802)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Section 3 Income Limits by California County of Residence**  
**FY 2023 Income Limits Summary**  
**FY 2023 Income Limit Category**  
**Low (80%) Income Limit (One-person Household)**  
 Source: <https://www.huduser.gov/portal/datasets/il.html>

<u>County of Residence</u>	<u>Gross Annual Income FY 2023</u>
Alameda	< \$78,550
Contra Costa	< \$78,550
Lake	< \$46,200
Marin	< \$104,100
Mendocino	< \$47,600
Merced	< \$46,200
Monterey	< \$67,450
Napa	< \$74,700
Sacramento	< \$60,050
San Benito	< \$62,350
San Francisco	< \$104,100
San Joaquin	< \$49,100
San Mateo	< \$104,100
Santa Clara	< \$96,000
Santa Cruz	< \$92,500
Solano	< \$64,050
Sonoma	< \$70,500
Stanislaus	< \$47,250
Yolo	< \$58,750



### Section 3 Compliance Request for OHA Residents

To be completed by Subcontractors Requesting Section 3 Hires

**Subcontractors:** Please fill out this form every time you request a Section 3 construction trade hire. This request gives us the information needed to make a referral and documents that OHA residents were given first consideration in hiring for the position requested. **Please send your request at least 3 days before you need to hire.**

Please email your request to:

- Dan Abrami at OHA Family and Community Partnerships [dabrami@oakha.org](mailto:dabrami@oakha.org); (510) 587-5127
- Copy Rufus Davis at OHA Contract Compliance and General Services [rdavis@oakha.org](mailto:rdavis@oakha.org)
- Copy Contractor coordinating Project

**If we cannot meet your request, we will send you an OHA Compliance Report** that documents your efforts to the "greatest extent feasible" in complying with OHA's Section 3 hiring goals and priorities.

**Date of Job Request:**

**Name of Individual Making Request:**

**Contact Info:** Phone \_\_\_\_\_

Email: \_\_\_\_\_

**General Contractor:**

**Subcontractor:**

**Project Name:**

**Position Start Date:** \_\_\_\_\_

**Position End Date:** \_\_\_\_\_

Full – time \_\_\_\_\_

Part time \_\_\_\_\_

**Position/Trade Requested:**

Journeyman

Union \_\_\_\_\_ Non Union \_\_\_\_\_

Apprentice

Union \_\_\_\_\_ Non Union \_\_\_\_\_

*Note: You can use one form to request more than one person needed for the same trade. If you are requesting more than one trade, please use a separate form for each trade.*

**Date: OHA response** \_\_\_\_\_

The Oakland Housing Authority has established partnerships with community based organizations for the purpose of assisting construction contractors in identifying Section 3 residents who have construction skills and reside in the City of Oakland. If the Oakland Housing Authority's Family and Community Partnerships Department was unable to refer a Section 3 resident to a contractor for an interview, the contractor must contact the following referral organizations in order to further establish a "Good Faith Effort" to hire Section 3 residents and complete the information below. *Contractors are expected to complete this form, if a hire was not made as a direct result of a referral from the Family and Community Partnerships Department. The contractor must keep a record of contacting the aforementioned community-based organizations, as this information can be requested at any time.*

**Cypress Mandela Training Center**  
977 66<sup>th</sup> Ave, Oakland, CA 94607  
Contact: Eric Shanks  
Phone: 510-208-7350  
[eshanks@cypressmandela.org](mailto:eshanks@cypressmandela.org)

**West Oakland Job Resource Center**  
1801 Adeline St. Oakland, CA 94607  
Contact: Undrae Brooks  
Phone: 510-907-3328  
[ubrooks@wojrc.org](mailto:ubrooks@wojrc.org) or  
Matt Fernandes 510-907-3327  
[mfernandes@wojrc.org](mailto:mfernandes@wojrc.org)

**Rising Sun Energy**  
2998 San Pablo Ave.  
Berkeley, CA 94607  
Contact: Marlin Jeffreys  
Phone: 510-665-1501 ext. 342  
[Jeffrey@risingsunopp.org](mailto:Jeffrey@risingsunopp.org)

**Laney College**  
900 Fallon St. Oakland, CA 94607  
Contact: Peter Crabtree  
Phone: 510-464-3218  
[pcrabtree@peralta.edu](mailto:pcrabtree@peralta.edu)

**Service Providers Contacted**

1. Agency \_\_\_\_\_ Date \_\_\_\_\_ Outcome \_\_\_\_\_
2. Agency \_\_\_\_\_ Date \_\_\_\_\_ Outcome \_\_\_\_\_
3. Agency \_\_\_\_\_ Date \_\_\_\_\_ Outcome \_\_\_\_\_
4. Agency \_\_\_\_\_ Date \_\_\_\_\_ Outcome \_\_\_\_\_

**Additional Comments:**  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Was the position filled?

YES

NO

*Thank you for supporting OHA's Section 3 program.*



<b>Section 3 Worker Self-Certification Form- Public Housing</b>	<b>U.S. Department of Housing and Urban Development</b> <b>Office of Field Policy and Management</b>	<b>HUD FORM 4736D</b> OMB Approval Number 2501-0041 (Exp. 04/30/2025)
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*(In compliance with Section 3 of the HUD Act of 1968 and 24 CFR Part 75)*

Public reporting for this collection of information is estimated to average 0.5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information.

Section 3 of the Housing and Urban Development Act of 1968, as amended by the Housing and Community Development Act of 1992 (Section 3), and 12 U.S.C. § 1701u ensure that employment and other economic opportunities generated by Federal financial assistance for housing and community development programs are, to the greatest extent feasible, directed toward low- and very low-income persons, particularly those who receive government assistance for housing. The regulations are found at 24 CFR Part 75. This collection of information is required in order to ensure that a worker can be certified as an eligible Section 3 worker as outlined in 24 C.F.R. § 75.31. The information will be used by the Department to ensure compliance with Section 3 of the HUD Act of 1968 employer certification requirements listed in 24 CFR § 75.31, to assess the results of the Department's efforts to meet the statutory objectives of Section 3, to prepare reports to Congress, and by recipients to ensure they are complying with their recordkeeping requirements found in the regulation, and as a self-monitoring tool.

Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions to reduce this burden, to Anna P. Guido, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 7th Street, SW, Room 4176, Washington, DC 20410-5000. When providing comments, please refer to OMB Approval No. 2501-0041. HUD may not conduct and sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number. No assurances of confidentiality are provided for this information collection.

The purpose of this form is to comply with Section 3 of the HUD Act of 1968 self-certification requirements. To qualify as a Section 3 worker, the United States legal resident's annual income must not exceed the HUD income limits for the year before the worker was hired, or, the individual's current income annualized on a full-time basis for the year must be below the HUD income limit. Additionally, an individual can qualify as a Section 3 worker if they are a YouthBuild participant or employee of a Section 3 Business concern.

Printed Name: \_\_\_\_\_

Street Address (Not a PO Box)                      Apt#                      City                      State                      Zip

Phone #: \_\_\_\_\_ Email: \_\_\_\_\_

**Continuation of Section 3 Worker Self-Certification Form**

To qualify as a Section 3 Worker, you must self-certify that you meet **one** of the following requirements **OR** have your employer certify that you are employed by a Section 3 Business concern:

<ul style="list-style-type: none"> <li>• Income for the previous calendar year is below the income limit*</li> <li>• A participant in a means-tested program such as public housing or Section 8-assisted housing</li> <li>• A YouthBuild Participant*</li> </ul>	<p>Income limit</p> <p>\$</p>
---	-------------------------------

\*Currently or at the time of hire if hired within the past 5 years

I meet at least one of the requirements in the box above and therefore qualify to be counted as a Section 3 Worker under 24 CFR § 75.

If applicable, please indicate which requirement listed below you meet to be considered a Targeted Section 3 worker in the box below. If you do not meet any of these requirements or do not know if you meet any of the requirements listed below, you may leave this section blank.

<p>___ A participant in a means-tested program such as public housing or Section 8-assisted housing</p> <p>___ A YouthBuild participant*</p>
--

\*Currently or at the time of hire if hired within the past 5 years

In addition to qualifying as a Section 3 Worker, I meet at least **one** of the requirements in the box above and therefore qualify to be counted as a Targeted Section 3 Worker under 75 CFR § 75.

I/We, the undersigned, certify under penalty of perjury that the information provided above is true and correct and certifies that the worker identified above meets the definition of a Section 3 worker. **WARNING:** Anyone who knowingly submits a false claim or makes a false statement is subject to criminal and/or civil penalties, including confinement for up to 5 years, fines, and civil and administrative penalties. (18 U.S.C. §§ 287, 1001, 1010, 1012; 31 U.S.C. §3729, 3802)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**EXHIBIT H**

# VENDOR PROTESTS AND CLAIMS PROCEDURES

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 Procurement Policy (Revised 02/28/11)

Oakland Housing Authority (OHA)

## VENDOR PROTESTS AND CLAIMS PROCEDURES

The following are the definitions of terms used in this section.

**Definitions:**

<i>OHA:</i>	The abbreviation for the Housing Authority of the City of Oakland, California, commonly known as the Oakland Housing Authority.
<i>Claim:</i>	The assertion of facts which serves as the basis for a demand of payment, reimbursement, or compensation believed by the vendor to be due the vendor. The claim must be submitted in writing, by the affected vendor, on the "Notice of Protest or Claim" form (Form MMO9501; hereinafter referred to as "Notice" or "the Notice") furnished by OHA (form attached).
<i>Contract Award Date:</i>	Date of Board Approval (if applicable) or Purchase Order Date
<i>Contracting Officer:</i>	The Executive Director of OHA or the person designated by the Executive Director in writing.
<i>Finding of Fact:</i>	Results of investigation of information presented.
<i>Posted Website Date:</i>	Date When Information was Posted on Website
<i>Protest:</i>	A written complaint about, or an objection to, an administrative or procurement action or decision by OHA. The protest must be submitted, including any and all facts on which it is based, by the affected vendor, on the "Notice of Protest or Claim" form (MMO-9501) provided by OHA (form attached).
<i>Response to Solicitation:</i>	The vendor's written bid, quotation or proposal submitted in response to OHA's call for bids, quotations or request for proposals.
<i>Vendor:</i>	The person or firm that is involved in bidding, proposing, or quoting on an OHA material or service requirement, or has contracted with OHA to provide material or perform a service, or a person who has an interest in such matters.

**Who May Submit A Protest or Claim:**

Any person or entity that meets the definition of vendor as referenced above may submit a protest or claim.

This procedure applies to bidding procedures for amounts above the 'Small Purchase' threshold (> \$100,000). For Small Purchases (\$2,000 - \$100,000), all complaints, protests, or claims will be referred to the Deputy Executive Director for resolution.

## **Procurement Policy (Revised 02/28/11)      Oakland Housing Authority (OHA)**

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Vendor protests, claims, or disputes shall be resolved using the following procedures:

### **A. Protests after the Bid, Quote, or Proposal Opening, but Prior to Award of Contract:**

1. Any protest or claim must be submitted in writing by the vendor on the Notice of Protest or Claim form. The form, along with any supporting documents, must be sent by certified, registered or overnight mail or delivered by a reputable delivery service with a delivery receipt to the following address:

CCGS (Contract Compliance & General Services)  
Oakland Housing Authority  
1619 Harrison St  
Oakland, CA 94612

2. ***Under the Competitive (Sealed) Bids Process:*** Vendor must submit a written Notice of Protest or Claim to the Authority's Contracting Officer within ***five business days*** of the *bid opening date*.

***Under the RFPs (Request for Proposals) Process:*** For RFPs where there is no bid opening, Vendor must submit a written Notice of Protest or Claim to the Authority's Contracting Officer within ***five business days*** of the date on which the name of the Contractor has been released after the completion of the evaluation process or the "Posted Website Date". The 'Posted Website Date' is the date that CCGS will post the selected Contractor as a result of the evaluation panel member decision. Please note that the selection of the final Contractor is contingent upon final board approval (if applicable) and/or all required documents have been received.

3. All protests or claims must contain, at a minimum, the following to be considered valid:

- The Name(s), address(es), telephone and fax number(s), email address(es) and title(s) of the person(s) filing the protest or claims;
- The name of the company and the address, telephone and fax number(s) and email addresses thereof (if different from above);
- The title and number of the solicitation (i.e., bid, proposal and quotation);
- The signature of the vendor or agent representing the vendor;
- A detailed description of the grounds for the protest or claim, and identification of the specific statutory or regulatory provision(s) that the OHA contracting personnel or other relevant employees allegedly have violated;
- A detailed statement of all the relevant fact (including how the vendor was aggrieved or prejudiced against) with any supporting documentation; and,
- The type of relief and redress the vendor is seeking.

4. Immediately upon receipt of the vendor's notice, the Contracting Officer shall send the vendor an acknowledgement for receipt of the Notice. The Oakland Housing Authority acknowledgement shall indicate if the Notice was filed within the required time period. A late notice is not eligible for consideration under this procedure and will be rejected.

**Procurement Policy (Revised 02/28/11)****Oakland Housing Authority (OHA)**

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5. The vendor's protest, along with the tabulation sheet, scope of work of the solicitation, copies of responses received, and any other relevant documents, shall be provided to the Contracting Officer. The Contracting Officer shall review the vendor's protest and the circumstances and prepare a "Finding of Fact."

6. Based upon the "Finding of Fact", the Contracting Officer may take any of the following actions or any other actions deemed to be appropriate and within the scope of statutory and regulatory requirements.

- (a) Determine that the protest is invalid.
- (b) Reject all responses to the solicitation.
- (c) Cancel or revise the solicitation.

The decision of the Contracting Officer shall be final.

**B. Special Circumstances:**

Board Approval: If the dollar amount of the lowest responsive, responsible bidder is above the amount threshold requiring approval by the Board of Commissioners, the Contracting Officer shall make a recommendation of action to the Board ratifying this finding.

**C. OHA Recordkeeping Requirement:**

OHA shall maintain a complete and detailed record of all protests and claims. The record shall include all pertinent correspondence, the written or recorded minutes of any meetings with the vendors making the protests or claims, and any information used in determining OHA's actions in the disposition of protests or claims.

## NOTICE OF PROTEST OR CLAIM

All protests or claims must contain, at a minimum, the following to be considered valid:

- The Name(s), address(es), telephone and fax number(s), email address(es) and title(s) of the person(s) filing the protest or claims;
- The name of the company and the address, telephone and fax number(s) and email addresses thereof (if different from above);
- The title and number of the solicitation (i.e., bid, proposal and quotation);
- The signature of the vendor or agent representing the vendor;
- A detailed description of the grounds for the protest or claim, and identification of the specific statutory or regulatory provision(s) that the OHA contracting personnel or other relevant employees allegedly have violated;
- A detailed statement of all the relevant fact (including how the vendor was aggrieved or prejudiced against) with any supporting documentation; and,
- The type of relief and redress the vendor is seeking.

*This form must be completed with additional applicable documents attached.*

<b>CLAIMANT INFORMATION</b>			
Name of Claimant:		Date:	
Address:		Phone:	
Email:		Fax:	
<b>COMPANY INFORMATION (if different from above)</b>			
Name of Company:			
Address:		Phone:	
<b>AGENT INFORMATION (if Agent Filing)</b>			
Name of Agent:	Date:		
Address:		Phone:	
Email:		Fax:	

Referenced (if applicable):

Bid/RFP No.:	
Project Description:	
Purchase Order No.:	
Invoice No.:	

**REASON FOR CLAIM OR PROTEST:** *(Attach copies of detail documents if any)*

*(OHA Use Only)*

Date Received:	Contracting Officer:
Notification:	Filing Date:
Comments:	