

**City Of Oakland
Community and Economic Development Agency**

Minimum Developer Qualifications

September, 2005

This section contains criteria for assessing developer experience, competence, and capacity. The criteria can help developers and development teams to evaluate the likelihood of obtaining City/Redevelopment Agency funding. Staff is available to discuss any of the criteria provided herein.

DEVELOPER QUALIFICATIONS

The following set of developer criteria apply to the development entity that has applied for funding. All development entities applying for funding must meet the experience requirements below. A developer which does not meet the criteria for experience may joint-venture with a developer which does. Joint-venture criteria are outlined below in Section III.

I. NONPROFIT DEVELOPERS

DEVELOPMENT EXPERIENCE. The development entity applying for funding must have experience successfully completing at least three affordable housing development projects. At least one of the completed projects must be similar to the project for which funding is being sought. Developers must submit the following information concerning completed projects.

1. The type of project developed (Number of units, funding sources, total development cost, new construction or rehabilitation).
2. Location of project.
3. Date of project start and completion.
4. List of staff members involved in the development of the project.
5. The income level of the households that were served.
6. Name, title, and telephone number of staff member of local governing body most familiar with the project.
7. Whether project was on time and on budget (relative to schedule and budget at start of construction)

II. FOR-PROFIT DEVELOPERS

In general, the experience of a for-profit developer will be treated similarly to the experience of a nonprofit developer. For-profit developers must also submit the resumes of the firm principals.

III. JOINT VENTURES

- A.** Prior to funding approval, the City (or Agency) must review and approve all joint venture agreements. In all joint ventures, a majority interest and control must be held by the development entity meeting the City requirements for experience as described in Sections I & II above.

- B.** If the joint venture entity is composed of a for-profit developer and a nonprofit developer, the City (or Agency) will decide which criteria are applicable by determining which joint venture partner has the majority interest in the management and operation of the joint venture

In special circumstances only, the City (or Agency) may approve joint-venture agreements in which the development entity meeting the City experience requirements does not hold a majority interest in the development, but holds control over key development and management decisions.

IV. LIMITED PARTNERSHIPS

For projects proposed as limited partnerships, the City reserves the right to approve the limited partnership agreement.

DEVELOPMENT TEAM QUALIFICATIONS

The following section addresses the required elements of the development team. Resumes must be included for each development team member to document their qualifications and experience.

I. REQUIRED EXPERIENCE OF THE DEVELOPMENT TEAM

A. Developer Project Management: Experience with 3 similar projects is required.

- 1. Please show experience with at least 3 projects similar to the project proposed.
- 2. Please show that the lead staff person assigned has completed one project from start to finish, which should be of the same general type and complexity as the project being proposed.
- 3. Submit resumes and job descriptions of key staff.

B. Architect: Experience with 3 similar projects is required.

- 1. Please show experience with at least 3 projects similar to the project proposed.
- 2. Please show experience with a project that was financed by similar types of funding sources (e.g. local, state or federal). Experience in this area is desirable, not mandatory.
- 3. Please show experience with similar construction types, e.g. steel or wood frame, podium construction.

4. If this is unusually complex, please demonstrate experience with a project of similar complexity.
5. Please show that the lead staff person assigned to the project has the required experience.
6. Submit resumes and job descriptions of key staff.

C. Attorney: If the developer uses different law firms for different aspects of the projects, then key staff for the assignment should have experience in the relevant area.

1. Please show experience in housing and redevelopment law.
2. Please show experience in corporation law (nonprofit corporate law desirable, if a nonprofit developer is involved).
3. Please show experience in real estate law.
4. Please demonstrate experience in low income housing tax credit syndication (if the project is proposed to be syndicated).
5. Submit resumes and job descriptions of key staff.

D. Development Consultant: Experience with 3 similar projects required. A development consultant is not required if the developer and development team possess sufficient experience.

1. Please show experience with a project that was financed by similar types of funding sources (e.g. local, state or federal). Experience in this area is mandatory.
2. If this project is unusually complex, please demonstrate experience with a project of similar complexity. Please show that the lead staff person assigned has completed one project from start to finish, which should be of the same general type and complexity as the project being proposed.
3. Submit resumes and job descriptions of key staff.

E. General Contractor: Experience with 3 similar projects required. Designation of a general contractor is not required with the NOFA application submission. Upon designation of a general contractor, the following information must be submitted as part of the City approval process.

1. Please demonstrate experience with similar construction types, e.g. steel or wood frame, podium construction.
2. If this project is unusually complex, please demonstrate experience with a project of similar complexity.
3. Please show experience with prevailing wage/Davis-Bacon requirements. Experience in this area is desirable. If contractor has been involved with a previous project partially financed by the City or Agency, previous performance will be considered.
4. Please show experience with local hiring programs. Experience in this area is desirable. If contractor has acted on a previous project partially financed by the City or Agency, previous performance will be considered.
5. Please demonstrate that the contractor has the capacity to take on the project.

6. Please show that the on-site construction supervisor has the experience required of the contractor.
7. Submit resumes and job descriptions of key staff including the on-site manager.
8. Submit evidence that the contractor has the ability to obtain the required labor and materials, and performance bonds in an amount equal to one hundred percent (100%) of the construction contract amount.

F. Property Manager

1. Submit evidence of experience with 3 similar projects.
2. Submit list of all projects managed within the past five years and show the current status.
3. Submit evidence of experience with the management of projects that are subject to rent and occupancy restrictions.
4. If the proposed project is unusually complex, please demonstrate experience with a project of similar complexity.
5. Please show that the lead staff person assigned has the same management experience that is required of the manager.
6. Please provide evidence that the management company has the capacity to take on the project.
7. Submit resumes and job descriptions of key staff.

G. Developer as Builder

If the developer desires to act as the builder, all the requirements that have been listed under “E. Contractor” must be met by the developer.

H. Developer as Property Manager

If the developer desires to act as the property manager, all the requirements that have been listed under “F. Property Manager” must be met by the developer.