

LHA PROPERTIES FOR SALE

SUMMARY (See RFP For Full Details)

Properties for Sale:	Appraised Value
1. 18 Corticelli Street, Florence, MA	\$105,000

Properties Sold In AS-IS Condition:
 All of the Properties are being sold in "as is" condition. The LHA will not make any repairs or improvements before or after the sale, and makes no warranties or representations of habitability. The selected buyer shall have the opportunity to conduct all inspections reasonably necessary to evaluate the Property prior to the execution of a Purchase and Sales Agreement.

Property Purchase Options A or B
 Buyers can purchase each property utilizing one of two options below:

- A. Sold for \$1.00 each if proposing a feasible and permanent affordable housing solution.
- B. Sold to the highest bidder if not providing affordable housing.

Proposal Schedule:

RFP Schedule (Rolling after Initial)	
RFP Released	03/02/2022
Initial Proposal Opening Deadline	04/06/2022
2nd Opening Deadline (if needed)	05/04/2022
3rd Opening Deadline (if needed)	06/01/2022
4th Opening Deadline (if needed)	07/06/2022
5th Opening Deadline (if needed)	08/03/2022
6th Opening Deadline (if needed)	09/07/2022
7th Opening Deadline (if needed)	10/05/2022

Option A Proposal Summary:

- Not optional for "flippers".
- Property must be developed by purchaser and utilized for affordable housing.
- Deed subject to deed restriction to guarantee affordability.
- LHA will not convey property deed until purchaser has secured all financing and is prepared to begin construction, which must begin within one (1) year of award. Purchaser assumes all risks and shall not hold the LHA liable for any costs pertaining to a failed attempt to develop as affordable housing.
- Purchaser has three years to obtain Certificates of Occupancy for the redeveloped site and to make that housing available to households under 80% AMI; otherwise, the property would revert to the housing authority.

Send Proposals To:

PROPOSAL TO PURCHASE REAL ESTATE
 C/O Jack Redman
 Senior Property Manager
 Northampton Housing Authority
 49 Old South Street, Northampton, MA 01060

LHA Point of Contact:

Jack Redman, Senior Property Manager
 Northampton Housing Authority
 49 Old South Street, Northampton, MA 01060
 SrPmgr@northamptonhousing.org

Option B Proposal Summary:

- A returnable bid deposit of \$500 is required.
- Sold to the highest priced proposal offered within the RFP deadlines and acceptable to the LHA.
- Property not subject to any restrictions.

Realtor and for Scheduling Showings Contact:

TBD

Governing Statutes:

MGL c.121B, sec. 26(p)
 MGL c.30B, sec. 16.

ADVERTISEMENT

REQUEST FOR PROPOSALS

SALE OF RESIDENTIAL PROPERTY IN NORTHAMPTON, MA

The Northampton Housing Authority (LHA) is selling a residential property and is requesting proposals from interested buyers. Property can be purchased under two (2) options:

- Option A: Property sold for \$1 to the most advantageous proposer who develops the property for affordable housing in perpetuity.
- Option B: Property sold to highest bidder. (Option A proposals will be given preference over Option B proposals).

The properties is as follows:

<u>Address:</u>	<u>Appraised Value</u>
18 Corticelli Street, Florence, MA	\$105,000

Property RFP Specifications and information may be obtained online at our website: <https://www.northamptonhousing.org/about/procurement-opportunities/>, or at the Northampton Housing Authority Administrative Offices, 49 Old South Street, on Monday through Friday from 9AM to 4PM.

Proposals must be submitted using the proposal forms attached to the RFP specifications and a \$500 bid deposit is required for all Option B proposals. All proposals and bid deposits are to be submitted together to the Northampton Housing Authority, 49 Old South Street, Northampton, MA 01060, **by an initial deadline of Wednesday, April 6, 2022 by 11:00 a.m.** If the LHA does not select a proposal for the purchase of any property from this initial round, we will accept further proposals the first Wednesday of every month, but not later than six months from the initial opening deadline. Any proposals received after an opening deadline will be deemed submitted for consideration at the next available opening deadline, unless the LHA selects a proposal for a property, in which case proposals received for a previously selected property after an opening deadline will be returned to the proposer.

The LHA reserves the right to reject any and all proposals, to waive any informalities in the proposals received, and to accept the proposal which it deems most favorable. The sale of both properties is subject to approval by the Northampton Housing Authority Board of Commissioners and MA Department of Housing and Community Development.

Request for Proposals

Sale of Residential Property in Northampton, MA

The Northampton Housing Authority (LHA) is selling two residential properties owned by the LHA and is requesting proposals from interested buyers. Buyers may submit proposals to purchase one or more of these properties - they are not required to purchase both of them. Successful buyers will be chosen on a property-by-property basis.

The Properties are as follows:

Leominster Housing Authority:

- 18 Corticelli Street, Florence, MA

This property is a single family built in 1870 with 3 bedrooms, 1 bathroom, and 6 total rooms. It is currently in disrepair and will require a significant investment to be made habitable. The appraised value is \$105,000.

The Property is being sold in “as is” condition. The LHA will not make any repairs or improvements before or after the sale, and makes no warranties or representations of habitability. The selected buyer (s) shall have the opportunity to conduct all inspections reasonably necessary to evaluate the Property prior to the execution of a Purchase and Sales Agreement.

Parties interested in viewing properties or for any questions please contact Real Estate Broker:

TBD

The Authority intends to convey the same premises conveyed to the Authority by the deeds recorded as follows:

- 18 Corticelli Street, Florence, MA HC Registry Book 02378 Page 198

SUBMISSION REQUIREMENTS - TWO PROPOSAL OPTIONS: Proponents can seek to purchase any one or more of the Properties by submitting proposals for individual Properties under either of two options:

Option A: The LHA will give first priority in the sale of each Property to the strongest feasible plan to preserve the Property as housing affordable in perpetuity to households under 80 per cent of area median income as defined by the Massachusetts Department of Housing and Community Development. A buyer submitting an Option A proposal, if accepted, shall pay only the nominal sum of \$1.00 for each Property that is proposed under Option A.

All Option A proposals must be accompanied by a narrative description of the plan to meet this affordable housing requirement, including:

- 1) a description of the plan,
- 2) the level of affordability that will be maintained, and a detailed explanation of how the affordability for the Property will be achieved and maintained,
- 3) Development budget pro forma, including projected development costs and expected funding sources,
- 4) A 20-year projected operating pro forma, showing projected income and expenses,
- 5) the experience of the Proponent and/or its team in the work necessary to implement this plan, including its experience in developing affordable housing, and its financial capacity, and
- 6) an estimated schedule.

The LHA will not convey the property deed until purchaser has secured all financing and is prepared to begin construction, which must begin within one (1) year of award. Purchaser assumes all risks and shall not hold the LHA liable for any costs pertaining to a failed attempt to develop as affordable housing.

Purchaser has three years to obtain Certificates of Occupancy for the redeveloped site and to make that housing available to households under 80% AMI; otherwise, the property would revert to the housing authority.

Option B: Option B proposals will be judged by price only, with the award for each Property going to the Proposal with the highest acceptable price only if no acceptable Option A proposal has been received. All Option B proposals must be accompanied by sufficient evidence of the buyer's ability to finance the purchase. The LHA may seek additional information if needed to determine the proponent's ability to finance.

All Option B proposals must to be accompanied by a bid deposit of \$500 in the form of a bank or cashier's check payable to Attorney Thomas O'Connor as escrow agent. The requirement of a deposit is waived for Option A proposals.

All Proposals submitted must include the following completed forms:

- Proposal Form (Attachment 1)
- Disclosure of Beneficial Interests Form (Attachment 2). If selected as a successful bidder, this form must be filed with the Massachusetts Division of Capital Planning and Operations, as required by M.G.L. c. 7C, section 38, prior to the conveyance.
- Commonwealth of Massachusetts Statement of Tax Compliance (Attachment 3)
- Certificate of Non-Collusion (Attachment 4)

The Proposal and bid deposit, if applicable, should be placed in a sealed envelope and addressed as follows:

PROPOSAL TO PURCHASE REAL ESTATE
 C/O Jack Redman
 Senior Property Manager
 Northampton Housing Authority
 49 Old South Street, Northampton, MA 01060

ROLLING PROPOSAL DEADLINES: Proposals will be received and evaluated on a rolling basis as described in this RFP until the LHA has accepted a proposal for the purchase of each property. Proposals will be received until the initial opening deadline of Wednesday, April 6, 2022 at 11:00 a.m. at which time they will be publicly opened and made available for public review at the Northampton Housing Authority's office (address shown above).

If the LHA does not select a proposal for the purchase of any property from this initial round, we will accept further proposals the first Wednesday of every month, but not later than six months from the initial opening deadline. Any proposals received after an opening deadline will be deemed submitted for consideration at the next available opening deadline, unless the LHA selects a proposal for a property, in which case proposals received for a previously selected property after an opening deadline will be returned to the proposer.

RFP Schedule	
RFP Released	03/02/2022
Initial Proposal Opening Deadline	04/06/2022
Second Opening Deadline (if needed)	05/04/2022
Third Opening Deadline (if needed)	06/01/2022

RFP Schedule (Continued)	
Fourth Opening Deadline (if needed)	07/06/2022
Fifth Opening Deadline (if needed)	08/03/2022
Sixth Opening Deadline (if needed)	09/07/2022
Seventh Opening Deadline (if needed)	10/05/2022

Any proposals received after an opening deadline will be deemed submitted for consideration at the next available opening deadline, unless the LHA selects a proposal for the purchase of the property, in which case proposals received for a previously selected property after an opening deadline will be deemed non-responsive and returned to the proposer.

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EVALUATION CRITERIA: Proposals submitted under Option A will be evaluated pursuant to the following comparative criteria. Proposals submitted under Option B will be evaluated by price.

Developer Capacity	Unacceptable	Advantageous	Highly Advantageous
<p>Demonstrated experience in and capability for designing, permitting, developing, financing and managing similar affordable residential projects.</p>	<p>Development team members have had little or no experience in and capability for designing, permitting, developing, financing and managing affordable residential projects of similar scope.</p>	<p>Development team members have demonstrated significant and substantial experience in and capability for designing, permitting, developing, financing and managing an affordable residential project of similar scope in the past five years.</p>	<p>Development team members have demonstrated significant and substantial experience in and capability for designing, permitting, developing, financing and managing more than one affordable residential project of similar scope in the past five years..</p>
Project Feasibility	Unacceptable	Advantageous	Highly Advantageous
<p>Proposed project has a feasible plan for development of permanently affordable housing of this scale, including a reasonable development budget, operating budget, schedule, and plan to obtain all necessary local permits and approvals.</p>	<p>Proposal does not demonstrate an understanding of development planning, costs, operating budget and schedule for an affordable housing project of this scope.</p>	<p>Proposal contains a realistic development plan, development and operating budgets, and schedule for an affordable housing project of this scope and evidence of a reasonable likelihood of success in securing necessary financing and other sources of funding.</p>	<p>Proposal contains a realistic development plan, development and operating budgets and schedule for an affordable housing project of this scope, and evidence of a high degree of success in securing necessary financing and other sources of funding</p>

REVIEW AND SELECTION PROCESS: The awarding authority for the sale of these properties is the Board of Commissioners of the LHA. Proposers are to submit separate proposals for each property. The LHA reserves the right to award properties individually to multiple proposers. Each proposal will be evaluated equally on completeness and responsiveness to this RFP.

The LHA shall first consider any Option A Proposals that meet the goals of this RFP to preserve the use of the Property as affordable housing in perpetuity. The LHA may seek additional information from such proponents if needed to assess the feasibility of the Proposal. The LHA will give first priority in the selection process to the strongest feasible plan to preserve the Property as affordable housing in perpetuity, under Option A on the attached Proposal Form. These Option A Proposals will be evaluated under the above-stated Evaluation Criteria. If an acceptable Option A Proposal is received, the Board will award to the Proponent a time-limited option to purchase the Property for the cost of \$1.00, subject to reasonable legal contractual obligations to ensure the proposed affordable housing plan is achieved and maintained. Once the successful Proponent has received bids for any needed construction work at the Property, and has secured all necessary permits and all financing needed to fund its affordable housing plan, the Authority will convey the Property to the Proponent by deed, subject to a deed restriction to guarantee affordability in perpetuity.

If no such feasible Proposals are received under Option A, the LHA will next consider the highest price offered by proponents under Option B on the Proposal Form, and will award the Property to the proponent with the highest acceptable price. The selected buyer will execute a Purchase and Sales Agreement with the LHA, and an additional deposit not to exceed 5% of the purchase price will be required from the buyer seeking to purchase under Option B, which shall be held by the escrow agent in accordance with normal & customary real estate practice. Should the buyer fail to complete the purchase of the Property on the agreed upon date, in accordance with the terms of the said Purchase and Sales Agreement, all deposit money shall be forfeited to the LHA as liquidated damages. Notwithstanding any extension provisions contained in the Purchase and Sale Agreements, all sales must take place on or before six (6) months after the date of execution of said Purchase and Sale Agreement. Any award must also be approved by the Massachusetts Department of Housing and Community Development (DHCD), the LHA's funding agency. The LHA reserves the right to reject any and all bids if it is in the public's best interest to do so.

ATTACHMENT 1

PROPOSAL FORM

The undersigned Buyer proposes to purchase from the Northampton Housing Authority (the "Authority") the Property located at _____, (address) Massachusetts (the "Property") in accordance with the option selected below (please select either Option A or Option B):

OPTION A: The Buyer proposes to purchase the Property for the price of \$1.00 and to provide housing on the site that is affordable in perpetuity to households under 80 per cent of area median income as defined by the Massachusetts Department of Housing and Community Development, and in compliance with the requirements of the Request for Proposals. No deposit is required. The Buyer has attached a description of his/her plan to meet this affordable housing requirement, including a narrative description of the plan, including how the housing will be made affordable, an estimated schedule, and an estimated budget, including expected funding sources, if known.

OPTION B: The Buyer proposes to purchase the Property for the price of _____. The Buyer does not pledge to maintain affordable housing at the Property in perpetuity. The Buyer has enclosed with its proposal a bid deposit of \$500 in the form of a bank or cashier's check payable to Attorney Thomas O'Connor as escrow agent.

The Buyer certifies that: he/she has read the Authority's Request for Proposals for the sale of this Property, and that the Buyer understands that said purchase is subject to the approval of the Massachusetts Department of Housing and Community Development (DHCD).

BUYER(*)

BUYER'S AGENT

Name: _____ Name: _____

Address: _____ Address: _____

Telephone: _____ Telephone: _____

Date: _____ Date: _____

Signature: _____ Signature: _____

(*) Where title to the property is held in the name of a trust or corporation, the appropriate certificate of authorization to submit this Proposal (trustee's certificate or certificate of vote) must be attached. Where the title is held in the name of more than one individual, all owners of record must sign.

ATTACHMENT 2

DISCLOSURE STATEMENT FOR TRANSACTION WITH A PUBLIC AGENCY CONCERNING REAL PROPERTY M.G.L. c. 7C, s. 38 (formerly M.G.L. c. 7, s. 40J) INSTRUCTION SHEET

NOTE: The Division of Capital Asset Management and Maintenance (DCAMM) shall have no responsibility for insuring that the Disclosure Statement has been properly completed as required by law. Acceptance by DCAMM of a Disclosure Statement for filing does not constitute DCAMM's approval of this Disclosure Statement or the information contained therein. Please carefully read M.G.L. c. 7C, s. 38 which is reprinted in Section 8 of this Disclosure Statement.

Section (1): Identify the real property, including its street address, and city or town. If there is no street address then identify the property in some other manner such as the nearest cross street and its tax assessors' parcel number.

Section (2): Identify the type of transaction to which this Disclosure Statement pertains --such as a sale, purchase, lease, etc.

Section (3): Insert the exact legal name of the Public Agency participating in this Transaction with the Disclosing Party. The Public Agency may be a Department of the Commonwealth of Massachusetts, or some other public entity. Please do not abbreviate.

Section (4): Insert the exact legal name of the Disclosing Party. Indicate whether the Disclosing Party is an individual, tenants in common, tenants by the entirety, corporation, general partnership, limited partnership, LLC, or other entity. If the Disclosing Party is the trustees of a trust then identify the trustees by name, indicate that they are trustees, and add the name of the trust.

Section (5): Indicate the role of the Disclosing Party in the transaction by checking one of the blanks. If the Disclosing Party's role in the transaction is not covered by one of the listed roles then describe the role in words.

Section (6): List the names and addresses of **every** legal entity and **every** natural person that has or will have a **direct or indirect** beneficial interest in the real property. The only exceptions are those stated in the first paragraph of the statute that is reprinted in Section 8 of this Disclosure Statement. If the Disclosing Party is another public entity such as a city or town, insert "inhabitants of the (name of public entity)." If the Disclosing Party is a non-profit with no individual persons having any beneficial interest then indicate the purpose or type of the non-profit entity. If additional space is needed, please attach a separate sheet and incorporate it by reference into Section 6.

Section (7): Write "none" in the blank if none of the persons mentioned in Section 6 is employed by DCAMM. Otherwise list any parties disclosed in Section 6 that are employees of DCAMM.

Section (8): The individual signing this statement on behalf of the Disclosing Party acknowledges that he/she has read the included provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts.

Section (9): Make sure that this Disclosure Statement is signed by the correct person. If the Disclosing Party is a corporation, please make sure that this Disclosure Statement is signed by a duly authorized officer of the corporation as required by the statute reprinted in Section 8 of this Disclosure Statement.

This completed and signed Disclosure Statement should be mailed or otherwise delivered to:

Deputy Commissioner for Real Estate
Division of Capital Asset Management and Maintenance
One Ashburton Place, 15th Floor, Boston, MA 02108

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DISCLOSURE STATEMENT

The undersigned party to a real property transaction with a public agency hereby discloses and certifies, under pains and penalties of perjury, the following information as required by law:

(1) REAL PROPERTY:

(2) TYPE OF TRANSACTION, AGREEMENT, or DOCUMENT:

(3) PUBLIC AGENCY PARTICIPATING in TRANSACTION:

(4) DISCLOSING PARTY'S NAME AND TYPE OF ENTITY (IF NOT AN INDIVIDUAL):

(5) ROLE OF DISCLOSING PARTY (Check appropriate role):

- Lessor/Landlord Lessee/Tenant
- Seller/Grantor Buyer/Grantee
- Other(Please describe):

(6) The names and addresses of all persons and individuals who have or will have a direct or indirect beneficial interest in the real property excluding only 1) a stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation or 2) an owner of a time share that has an interest in a leasehold condominium meeting all of the conditions specified in M.G.L. c. 7C, s. 38, are hereby disclosed as follows (attach additional pages if necessary):

<u>NAME</u>	<u>RESIDENCE</u>
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(7) None of the above- named persons is an employee of the Division of Capital Asset Management and Maintenance or an official elected to public office in the Commonwealth of Massachusetts, except as listed below (insert "none" if none):

(8) The individual signing this statement on behalf of the above-named party acknowledges that he/she has read the following provisions of Chapter 7C, Section 38 (formerly Chapter 7, Section 40J) of the General Laws of Massachusetts:

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement, shall be valid and no payment shall be made to the lessor or seller of such property unless a statement, signed, under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the commissioner of capital asset management and maintenance. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten per cent of the outstanding stock entitled to vote at the annual meeting of such corporation. In the case of an agreement to rent property from a public agency where the lessee's interest is held by the organization of unit owners of a leasehold condominium created under chapter one hundred and eighty-three A, and timeshares are created in the leasehold condominium under chapter one hundred and eighty-three B, the provisions of this section shall not apply to an owner of a time-share in the leasehold condominium who (i) acquires the time-share on or after a bona fide arms length transfer of such time-share made after the rental agreement with the public agency is executed and (ii) who holds less than three percent of the votes entitled to vote at the annual meeting of such organization of unit owners. A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the commonwealth, or any employee of the division of capital asset management and maintenance disclosing beneficial interest in real property pursuant to this section, shall identify his position as part of the disclosure statement. The commissioner shall notify the state ethics commission of such names, and shall make copies of any and all disclosure statements received available to the state ethics commission upon request.

The commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

(9) This Disclosure Statement is hereby signed under penalties of perjury.

PRINT NAME OF DISCLOSING PARTY (from Section 4, above)

AUTHORIZED SIGNATURE of DISCLOSING PARTY DATE (MM / DD / YYYY)

PRINT NAME & TITLE of AUTHORIZED SIGNER

ATTACHMENT 3

**COMMONWEALTH OF MASSACHUSETTS
STATEMENT OF TAX COMPLIANCE**

Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, I certify

under the penalties of perjury that _____ has fully
Name of Entity

complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Company Name: _____

Address: _____

Name & Title of Signatory: _____

Date: _____

Federal Tax ID or Social Security Number: _____

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ATTACHMENT 4

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Name of Business

Signature of Individual/Corporate Name

Signature of individual submitting bid or proposal

Social Security Number or Federal Identification Number

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