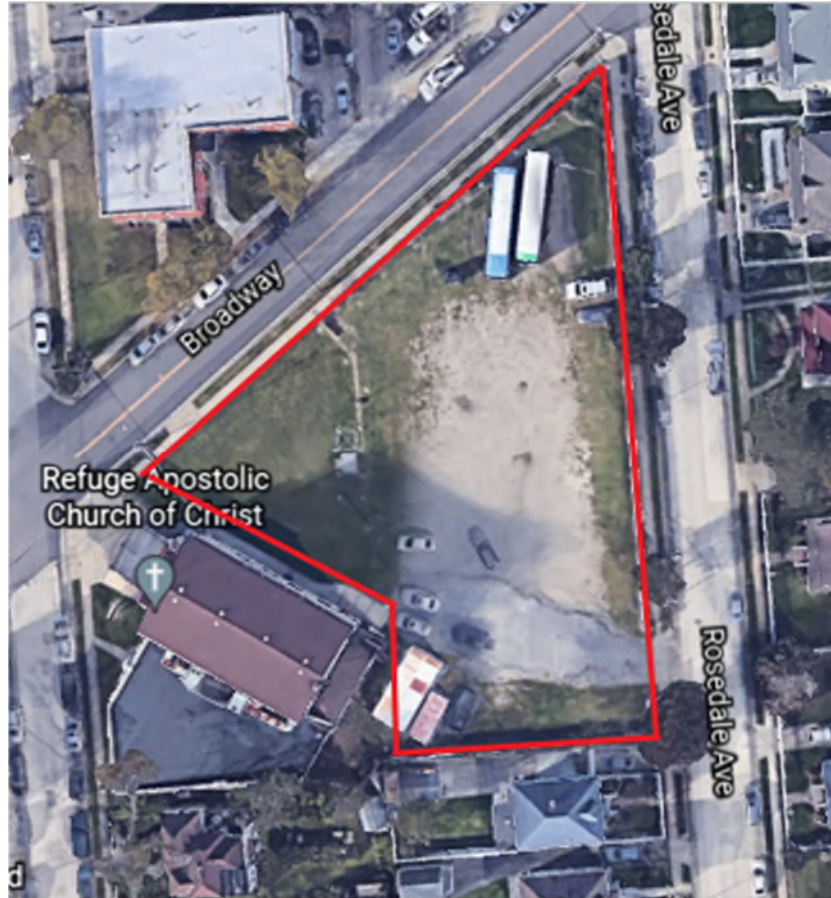


BROADWAY LEGACY HOUSING FUND COMPANY, INC. REQUEST FOR PROPOSALS

DEVELOPMENT OF AFFORDABLE SENIOR HOUSING

DATE OF ISSUE: January 19, 2022



Proposing parties are advised that the dedicated contact persons for all matters concerning this

Request for Proposals are:

Bishop Ronald Carter

Tanya Carter, President/CEO

Eldertanyacarter@gmail.com

(516) 770-4238

I. INTRODUCTION

Broadway Legacy Housing Development Fund Company, Inc. (“Broadway Legacy”), a not-for-profit housing development fund company, is being organized to develop affordable senior housing on currently unimproved property belonging to the Refuge Church of Christ of Roosevelt, Inc. (the “Church”), located at 106 Broadway, Freeport, New York (the “Development Site”). Broadway Legacy is looking to partner with an entity experienced in the development of such affordable senior housing. In furtherance of this vision, Broadway Legacy invites qualified developers (“Respondents”) to submit written proposals from prospective partners for the design, financing, construction and operation of affordable senior housing at the Development Site.

Broadway Legacy is seeking a Respondent partner who possesses a high degree of competency in affordable senior housing and downtown development projects, can physically and aesthetically integrate the development into the surrounding community, and can provide affordable housing for eligible residents.

The contract (the “Contract”) that results from this request for proposals (“RFP”) will be awarded to the Respondent with the best development design, experience, merit and ownership structure, as determined by Broadway Legacy, where the primary objectives of this RFP are to provide affordable senior housing for an active and engaged aging population and contribute to the economic growth of the community (the “Awardee”).

II. PROJECT OBJECTIVES AND REQUIREMENTS

A. *Project Objectives:*

The following is a summary of objectives that should be addressed by Respondents and/or provided for in all proposals for the affordable senior housing development:

- Ensure housing is affordable and accessible to the senior population in the Village of Freeport and surrounding communities.
- Envision partnerships with existing neighborhood service providers and/or community based organizations to provide support services, senior programs and/or volunteer/part-time work.

- Procure services and supplies from local minority and women-owned businesses.

B. Information, Requirements and Conditions:

The following contains a brief description of information unique to the Development Site, as well as the general requirements of this RFP.

1. Development Site Information	
Location	The Development Site is located at 106 Broadway, Freeport, New York, and is designated on the Nassau County Land and Tax Map as: Section: 55, Block: 232, Lot: 201.
Character and Demographics for the Surrounding Community	<p>The Development Site is in walking distance of the Freeport Village Hall, Freeport Train Station and downtown Freeport.</p> <p>Census quick facts for the Village of Freeport are available by clicking the below link:</p> <p>https://www.census.gov/quickfacts/fact/table/freeportvillagenewyork,US/PST045219</p>
Zoning	The property is zoned Residence Apartment (“R-Apartment”).
Lot Size	The property consists of a partially improved lot measuring approximately .9743 acres or 42,440 total square feet. The improved portion of the lot, measuring approximately .2231 acres or 9,719 square feet, is occupied by the Refuge Church of Christ of Roosevelt. The unimproved portion of the lot, the location of the Development Site, measures approximately .7548 acres or 32,877 total square feet.
Property Restrictions	There are no known easements, encroachments, encumbrances, or restrictions.
Current Lot Use	Church property with contiguous unimproved land.
Environmental	The property will be offered “as is where is” and “with all faults”. No claims or representations are being made as to the condition of the property relative to the environmental quality of the land and/or improvements thereon. Upon request, reasonable access may be provided to Respondents to investigate environmental conditions, Phase I investigations opportunity shall be permitted at Respondent’ sole costs and expense, no Phase II environmental investigations shall be granted as a part of this RFP process on the Development Site.

2. General Requirements	
Program	Proposals for the Development Site should be for affordable senior housing development. Respondents should have experience in developing and the ongoing operations of operating senior housing projects.
Project Funding	Proposals must demonstrate the Respondent's ability to obtain project funding/financing. Proposals should include the anticipated time schedule to assemble needed financial commitments, types of financing expected and letters of interest from banks or other sources. Financial partnerships (e.g., public/private; nonprofit/profit) must be identified. If a PILOT is proposed, the Respondent must confirm its willingness to enter into a "Community Host Agreement" with the Village.
Proposed Tax Lot	New building(s) are restricted to the unimproved portion of the Development Site.
Design	Respondents should provide a schematic plan including a site plan(s) and a conceptual design plan. At minimum, the design should: incorporate on-site resident parking and parking for the ongoing operations of the church; improve the safety, security and pedestrian experience of the immediate surroundings; incorporate green space into the design, including the use of open space, rooftops and/or terraces; incorporate environmental design principles to promote water, energy and material conservation.
Landscaping	Proposals should incorporate a landscape plan.
Off-Street Parking	To the extent practicable, proposals should provide for screened on-site parking.
Land Use / Zoning Requirements	Proposals are subject to applicable zoning requirements of the Village of Freeport. The developer will also likely require permits and approvals from, including but not limited to, the following entities: Nassau County Department of Health Services and Nassau County Fire Marshall.
Project Schedule	A project completion schedule including start and completion dates and other key dates as identified for action. The schedule should consider the time needed for obtaining financing, completing the project design, securing permits and board approvals, conducting environmental review, preparing the site, completing construction, marketing units and leasing-up available space.

3. Conditions of Sale	
Non-Discrimination	Broadway Legacy will only contract with firms or companies that do not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability, marital status, sexual orientation or citizenship status with respect to all employment decisions.
No Brokers	Broadway Legacy will pay no broker's fee, finder's fee, commission, or other compensation to any party claiming to counsel or represent any proposer regarding the sale and/or development of the Development Site.
Representations	No representations will or have been made by the Broadway Legacy that the Development Site meets local, City, or Federal ordinances, regulations or laws governing development of properties commercially, industrially or otherwise. All permits, permissions and grants necessary for the sale and/or development of the Development Site is at Respondent's cost and responsibility. Any variances, permissions or grants necessary to meet these requirements are likewise at Respondent's risk, cost and expense.
Hazardous Materials	Broadway Legacy makes no assertions or warranties regarding the presence, if any, or absence of asbestos, chemicals, hydrocarbons or other hazardous materials on the property.
Utilities	Any public utilities or municipalities having facilities under, over, to, through the Development Site as of the date of the conveyance to the selected Respondent shall have the right and easement to continue to maintain, operate and renew their facilities within the Development Site.

III. PROPOSAL PROCEDURES AND REQUIREMENTS

A. Submission Period

Proposals shall be submitted no later than 12:00 P.M. on March 9, 2022 (the "Due Date")*.

Modifications* - A Respondent may submit a modified Proposal to replace all or any portion of its previously submitted Proposal *on or before the Due Date***.

Addenda*: Receipt of an addendum to this RFP by a Respondent must be acknowledged by attaching an original signed copy of the addendum to the Proposal. Addenda acknowledgements *shall be received on or before the Due Date***.

B. Tentative Schedule

The following schedule is preliminary and is provided for informational purposes ONLY. Broadway Legacy reserves the right to modify the schedule at its sole discretion at any time.

Issuance of RFP	January 19, 2022
Pre-RFP Conference and Site Visit	February 9, 2022
Deadline to Submit Questions in Writing	February 16, 2022
Official Responses to Submitted Questions	March 2, 2022
Deadline to Submit Response to RFP to Broadway Legacy	March 9, 2022
Review and Negotiation of Proposals	March 23, 2022
Anticipated Selection by Broadway Legacy	April 13, 2022
Award	2022

C. Preparation of Proposals

Each proposal shall be prepared concisely, avoiding the use of elaborate promotional materials beyond those sufficient to provide a complete, accurate and reliable presentation. In preparing its proposal, Respondents shall not rely on any representations, statements or explanations other than those made in this RFP and/or those made in a formal addendum issued by Broadway Legacy. Prior to submitting its proposal, a Respondent shall verify with Broadway Legacy that it has received and responded to all addenda.

D. Page Limitation

Proposals shall be no more than forty (40) pages with a minimum 12 point font size, excluding appendices, design imagery (renderings, elevations, etc.). Broadway Legacy retains the absolute right to reject any proposal that does not meet this requirement at its sole discretion.

E. Number of Copies of Proposal Required

Each Proposal prepared in response to this RFP will be prepared solely at the cost and expense of the respondent with the express understanding that there will be no claim whatsoever for reimbursement from Broadway Legacy.

Along with the Respondent's cover letter – in the sample form provided below as "Exhibit A", Respondents shall submit:

1. One (1) original signed Proposal with any attachments, addenda, etc.;

2. Five (5) hard copies of the Proposal with any attachments, addenda, etc.; and
3. One (1) electronic copy of the Proposal with attachments, addenda, etc. (*in PDF Format on a flash drive, etc.*), to Broadway Legacy.

NOTE: Facsimile or electronic transmissions will not be accepted. All materials submitted in response to this RFP will become the property of Broadway Legacy. All information contained in the proposal will be considered public information. In the event that a proposal contains confidential information, Respondents should *specifically identify* those portions of the Proposal deemed to be confidential, proprietary information or trade secrets, and provide any justification why such material should not be disclosed by Broadway Legacy.

F. Inquiries

All inquiries concerning this RFP solicitation should be addressed ***in writing*** via email to Elder Tanya Carter at: Eldertanyacarter@gmail.com by the deadline set forth in the schedule listed above. Replies to questions will be issued by Addenda electronically to all parties who have supplied Broadway Legacy with an email address, or will be physically available for pick up at the Church.

G. Submission of Proposals

Proposals shall be submitted in the number and format set forth above, and shall be addressed as follows:

FROM: Respondent's Name/Address
TO: Bishop Ronald Carter and Elder Tanya Carter
c/o Refuge Church of Christ of Roosevelt, Inc.
106 Broadway, Freeport, NY 11520
RE: RFP for Development of Senior Housing

All Proposals must be delivered, either by hand delivery or public carrier, in a sealed envelope, to the above office. Deliveries shall be made on weekdays only between the hours of 9:00 AM – 2:00 PM.

NOTE: Respondents are responsible for ensuring that the RFP response package is received by the above-listed contact person by the deadline. Respondents are warned not to rely on signed delivery slips from their messenger services.

G. Longevity of Proposals

A proposal may not be withdrawn following submission except at the request of Broadway Legacy, or with Broadway Legacy's written consent. **NOTE:** Broadway Legacy is under no obligation to return proposals.

H. Pre-Proposal Site Visit and Conference

Broadway Legacy will hold a Pre-Proposal Site Visit and Conference at the Development Site, on February 9, 2022, beginning at 10:00 A.M. Prospective Respondents are *strongly encouraged* to attend. Comfortable Clothing is suggested.

Respondents planning to attend the Pre-Proposal Site Visit and Conference shall RSVP to Tanya Carter at (516)770-4238 or Eldertanyacarter@gmail.com, no later than 24 hours before the scheduled date. Respondents shall indicate the number of attendees attending on its behalf at this time.

Proposers are STRONGLY ENCOURAGED to *submit written questions in advance* of the Pre-Proposal Site Visit and Conference to: Eldertanyacarter@gmail.com.

I. Right of Rejection by Broadway Legacy

Notwithstanding any other provisions of this RFP, Broadway Legacy reserves the right to select the respondents that best meets the requirements of the RFP. Further, Broadway Legacy reserves the right, for any or no reason and in its sole and absolute discretion, to (1) amend, in whole or part, withdraw or cancel this RFP, (2) accept or reject any or all proposals prior to execution of the contract for any or no reason and with no penalty to Broadway Legacy; and (3) waive any irregularities contained in a Respondent's proposal. This RFP does not represent any obligation or agreement whatsoever on the part of Broadway Legacy Inc.

IV. MANDATORY PROPOSAL CONTENT REQUIREMENTS

Proposals shall consist of the following (Use the checklist attached as "Exhibit B"):

- A. Respondent Form Letter:** Use attached Respondent Letter format, signed by an authorized representative/agent of the entity submitting the proposal, and including the name, address, telephone number, facsimile number and email address of the individual to be contacted by Broadway Legacy in connection with this proposal.
- B. Project Approach/Narrative:** This should provide a description of the key points of your proposal, relating to the requirements of the project set forth herein, and described in Section II above, including a narrative summary description of the proposed project. The description should include, at minimum, the proposed land uses and approvals required, number and type of housing units, dimensions and type of housing units, parking provisions, access and circulation plan and organizational structure.
- C. Target Population:** This section should describe the targeted residents for proposed housing units. The general price points and income eligibility for affordable units should be provided within this section. Respondent will be responsible for marketing the homes and qualifying the eligible residents. Respondents must describe their anticipated approach for marketing the project to the target population.
- D. Impact Assessment:** This section should describe the expected impact of the project upon the community including housing access, economic impact through commercial activities,

traffic impacts. This section should also include the Respondent's approach to complying with the State Environmental Quality Review Act.

E. Drawings: This section should provide a schematic plan including site plan data and schematic floor plans for each level, as well as renderings. Plans shall be no larger than 24 inches x 30 inches in size.

F. Project Schedule: This section should include a project completion schedule including start and completion dates and other key dates as identified for action. The schedule should consider the time needed for obtaining financing, completing the project design, securing permits and board approvals, conducting environmental review, preparing the site, completing construction, marketing units and leasing-up available space.

G. Respondent Profile: This section should identify the professionals who will provide the following components of the project: planning, design, environmental evaluation, legal compliance, construction oversight and construction. Include the name of executive and professional personnel, their anticipated role in the project, their skills and any qualifications that will be employed in the work. Resumes or qualifications of proposed project personnel may be submitted as an appendix. Respondents should identify any subcontractors by role.

H. Qualifications and Experience: A Respondent (or Respondents where joint-venture) shall provide a detailed summary of relevant accomplishments, particularly those involving similar affordable senior housing developments.

I. Development of Similar Projects:

- a. A description and examples of the Respondent's experience in development categories such as: affordable senior housing development, and residential developments;
- b. Any analysis or reports which depict the impact of the Respondent's previous development projects on the surrounding community. More specifically tax implications, school district impacts, traffic, economic development, etc.;
- c. Names and addresses of similarly developed or managed projects;
- d. Relevant experience developing or managing similar projects; and
- e. A minimum of three (3) references, including contact person, title, telephone number and mailing address from local officials, residents, community organizations and/or businesses you have worked with or have been impacted by your previous development projects.

J. Performance History:

- a. List all projects from which the Respondent was terminated from prior to project completion within three (3) years from the date of issuance of this RFP;

- b. State whether your firm has ever been cited by any authority for unscrupulous practice. If so, please provide details;
- c. List and describe “success stories” or those projects involving unusually difficult situations or management tasks that the Respondent resolved;
- d. List any awards received; and
- e. Any other information that will permit Broadway Legacy to determine capability of Respondent to meet its contractual requirements.

K. Compliance with Health and Safety Regulations:

- a. List any safety violations, fines penalties or other similar notices from any federal, state or local agency (*e.g.* OSHA, EPA, DEC) issued to Respondent, within three years from the date of issuance of this RFP while developing similar projects; and
- b. Identify labor related issues (*e.g.* strikes, work stoppages) experienced by Respondent, within three (3) years from the date of issuance of this RFP, while developing similar project, and the resolution of said issues.

L. Financials: Respondent shall demonstrate that it has the financial resources to complete a senior affordable housing development, including, but not limited to the ability and willingness to: maintain sufficient cash flow; and obtain and maintain appropriate levels of insurance and a performance bond until project completion.

- a. To demonstrate Respondent’s ability to accomplish these goals, each Respondent shall submit the following:
 - i. Fees/Costs: Provide a detailed schedule of fees or costs;
 - ii. If available, a copy of the most recent Dun and Bradstreet Financial Report (complete full report), as well as any updates subsequent to the date of the complete report;
 - iii. Three (3) years most recent annual financial statements since the last available annual financial statement, in form and content satisfactory to Broadway Legacy;
 - iv. A demonstration of the Respondent’s ability to acquire a letter of credit, performance bond or surety bond from a financial institution with an “A” rating or higher by Standard & Poor’s Corporation and Moody’s Investors service;
 - v. Three (3) bank references;
 - vi. Evidence of insurance availability; and

- vii. Any other documents necessary to demonstrate the financial strength of the Respondent.

M. Anticipated Project Financing: This section should include information regarding anticipated project financing. Include the anticipated time schedule to assemble needed financial commitments, types of financing expected and letters of interest from banks or other sources. Financial partnerships (e.g., public/private; nonprofit/profit) must be identified. Should Broadway Legacy decide to move forward with a proposal, a full development budget and 10 year operating pro forma may be required. **Where a proposal is being submitted on behalf of multiple firms, the proposals must clearly identify the firm(s) which will be providing any financial guarantee(s) to a bank or other lender.

N. Appendix: Respondents are permitted to include additional relevant information or supporting documentation in support of its Proposal attached as an appendix to its Proposal.

VI. EVALUATION OF PROPOSALS

A. *Review Committee*

Broadway Legacy will establish an evaluation committee (the “Committee”) that shall be comprised of a minimum of a panel qualified to evaluate submitted proposals. The Committee will make a determination to recommend award of a contract based on the submitted proposal using the evaluation criteria set forth below.

B. *Evaluation Criteria*

The following evaluation criteria, including minimum qualifications and highest offer, will be used by the Committee to rate and rank each proposal received by Broadway Legacy:

- **Design and Objectives.** A senior housing development that is affordable and accessible and designed to maximize the independence of the senior residents. 25 points
- **Experience.** The principal or developer should possess at least 10 years of experience in their field of expertise, and at least 5 years in managing and/or supervising a like business. 25 Points
- **Financial Capacity.** Demonstrated financial capacity and experience to complete an affordable senior housing development, that is compatible with the immediate neighborhood and can be accomplished in a timely manner. 25 Points
- **Ownership Structure.** 25 Points
- **Sustainability.** Exceeds basic environmental design principles to promote water, energy and material conservation. Bonus 10 Points

C. *Review and Negotiation of Initial Proposals*

Broadway Legacy Committee will review the initial proposals to determine whether it is responsive, and negotiate any terms and conditions, including, but not limited to, the price offered, with those submitting acceptable proposals. Broadway Legacy reserves the right to contact, interview and/or visit the offices of Respondents for the purpose of clarifying their proposals.

D. *Notice of Award*

Broadway Legacy shall inform the Awardee that they have been selected by means of a Notice of Award issued by Broadway Legacy. Neither the selection of a respondent as the Awardee nor the issuance of a Notice of Award shall constitute a binding commitment on behalf of Broadway Legacy to enter into any contract with the Awardee, as any binding arrangement must be set forth in definitive documentation negotiated between and signed by the Awardee and Broadway Legacy. The Award issued by Broadway Legacy will only mean that Broadway Legacy may commence negotiations with the Developer. No rights on the part of the Respondent shall be created as a result of the Award, including without limitation, rights of enforcement, equity, or reimbursement.

E. *Contract of Sale*

Broadway Legacy shall enter into contract negotiations with the Awardee. The final contract of sale/Lease may contain provisions not contained herein and may be subject to the approval of the office of the NYS Attorney General.

F. *General Conditions*

Broadway Legacy and its respective officials and employees or affiliates make no representation or warranty and assume no responsibility for the accuracy of the information set forth in this RFP. Further, Broadway Legacy does not warrant nor make any representations as to the quality, content, accuracy or completeness of the information, text, graphics, links or other facet of this RFP once it has been downloaded or printed from this or any server, and hereby disclaims any liability for technical errors or difficulties of any nature that may arise in connection with the Webpage on which this RFP is posted, or in connection with any other electronic medium utilized by respondents or potential respondents in connection with or otherwise related to the RFP. Broadway Legacy is not obligated to pay nor shall it pay any costs or losses incurred by any Respondent at any time including the cost of responding to the RFP.

Awardee shall agree that, to the fullest extent permitted by law, the Awardee shall bear any and all costs, liabilities and expenses (including, without limitation, reasonable attorneys' fees and disbursements) required for or in connection with (i) actions taken by the Awardee, Broadway Legacy and the Church up to the effectiveness of the Contract, including clarification of the Awardee's proposal; (ii) all taxes, duties, fees, and other charges that may be associated with completion of the improvements at the Development Site; and (iii) compliance with all local, state, and federal laws and regulations that may affect the completion of the improvements at the Development Site. Further, Awardee shall indemnify, defend and hold harmless Broadway Legacy, the Church, and any officer, agent, servant, or employee of Broadway Legacy, the Church and/or

their sub-consultants, and each of their respective representatives, employees, directors, officers, and agents, from and against any and all claims, suits, actions, debts, damages, fines, penalties, costs, charges and expenses, including attorneys' fees and court costs, arising out of, relating to or resulting from the Awardee's work, including, but not limited to, bodily injury and/or property damage, to the extent caused, in whole or in part, by acts, actions, omissions, negligence, fault or breach of contract of the Awardee, its employees, agents, subcontractors, suppliers and/or materialmen, regardless of whether or not such claim is caused in part by a party to be indemnified hereunder.

EXHIBIT A

Respondent's Letter

(Submit on Respondent's letterhead)

Bishop Ronald Carter &
Elder Tanya Carter, CEO
Broadway Legacy Inc.
106 Broadway,
Freeport, NY 11520

Dear Bishop. Carter and Elder Tanya Carter:

This letter is being submitted in connection with my qualifications submitted in response to the Development of Affordable Senior Residence issued by Broadway Legacy Inc.

I have reviewed, read and understood the provisions of the RFP and certify that the information submitted in and with the submission is true and accurate, and that I am authorized to submit this submission.

Sincerely,

Respondent (Name

Signature

EXHIBIT B

RFP COMPLETENESS CHECKLIST

Responders should use the following format when submitting the requirements of this RFP:

- ❖ Respondent Cover letter
- ❖ Project Approach/Narrative
- ❖ Target Population Narrative
- ❖ Impact Assessment
- ❖ Project Schedule
- ❖ Drawings
- ❖ Financial Statements
- ❖ Anticipated Project Financing
- ❖ Respondent's Profile
 - Qualification and Experience
 - Development of Similar Projects
 - Performance History
 - Compliance with Health and Safety Regulations
- ❖ Key Resumes