| | | Mixed-Finance Responsibility Checklist |
|---------------------------|------------------------------|---|
| PHA Staff PHA Consultants | Project Manager Developer | Instructions: Enter a 1, 2 or 3 in the left-hand columns to indicate the level of responsibility that each party has in completing the listed tasks. The party with ultimate responsibility for task completion should be ranked 1. The party that assists in task completion should be ranked 2. The party that only reviews or monitors task completion sould be ranked 3. If a party is not involved in task completion, leave its block blank. If a column to the left or section below does not apply, cross out the column or section title. TASK General Facilitate and foster involvement of residents in major decisions. Promote communication with neighborhood groups. Supervise and coordinate activities of all HOPE VI team members/partners. |
| | | Prepare and update/revise, as necessary, the project implementation schedule and budget. |
| | | Submit monthly financial, management and project status activity reports to HUD. |
| | | Prepare all required submissions and reports to HUD and other agencies. |
| | - 1 | Predevelopment Activities |
| | | Initiate Site Acquisition Activities. |
| | | Provide evidence of adequate zoning; prepare PUD, if required. |
| | | Develop a Relocation Plan; relocate residents. |
| | | Test for hazardous materials and develop an abatement procedure; obtain environment review. |
| ++ | | Prepare Demolition and/or Disposition Plan and submit to HUD for approval. Prepare Acquisition Plan (if applicable) and submit to HUD for approval. |
| | | Design and obtain commitments for site improvements |
| | | |
| | | Revitalization Plan |
| | | Structure and implement participatory planning process |
| | | Develop Master Plan for site and neighborhood revitalization activities. |
| | | Submit additional information requested by HUD for revitalization plan approval. Obtain local backing and secure letters of support. |
| | | Stain local backing and secure letters of support. |
| | , | Legal |
| | | HUD Compliance |
| | | Certify that the PHA has legal authority under local laws to develop housing and to proceed with the project as proposed. |
| | | Provide evidence the owner has site control. |
| | | Provide evidence the proposed development complies with applicable zoning or won't be delayed by rezone. |
| | | Complete subdivision if necessary. |
| | | Provide ALTA form title policy. Provide evidence of real estate property and leasehold tax exemption (PILOT). |
| | | Provide evidence that the existing Cooperation Agreement covers the mixed-finance PHA units. |
| | | Assist HUD field office/City with environmental (parts 50 and 58) review and Section 213 Clearance. Advise team on mixed-finance regulations. |
| | | Procurement Advise team on federal and local procurement regulations. Draft and/or review RFPs/RFQs. |
| | | Draft and/or review contracts between all team members. |
| | | Negotiating the Deal |
| | | Represent PHA in negotiations with the developer. |
| | | Develop ownership structure for mixed-finance rental and homeownership (LP, GP). |
| | | Develop Organizational Documents of the owner. Prepare the Limited Partnership Agreement/Development Agreement. |
| | | Prepare the Regulatory and Operating Agreement - method for allocating operating subsidy and terms if unable to provide. |
| | | Coordinate/draft all mixed-finance legal evidentiaries, including loan documents, regulatory & operating agreement. |
| | | Negotiate with HUD on HUD evidentiaries and requirements. |
| | | Provide legal structure for ensuring the long-term affordability of the PHA stock. |
| | | Prepare the Management Agreement. |
| | | Advise on creation of management-related documents (e.g. site-based waiting list, tenant leases, ACOP) |
| 1 1 | | Financing/Real Estate Services Assist in financial structuring (a.g., LIHTC, tax exampt hands) |
| \dashv | | Assist in financial structuring (e.g., LIHTC, tax-exempt bonds). Provide legal counsel on tax credit syndication to assure compliance with tax provisions. |
| | | Provide legal counsel on bond issuance. |
| | | Record real property legal description and title. |
| | | Nonrental Components |
| | | Analyze and advise team on homeownership models. |
| | | Draft homeownership-related loan documents, use restriction covenants, and sales contracts. |
| + | | Advise on commercial/retail development (includes development of leases, Section 3 businesses) |
| | | Procurement |
| | | Prepare RFPs for consultants such as program manager, legal, financial, design, relocation, services, etc. |
| + | | Prepare RFQ for developer partner and/or A/E. |
| + | | Coordinate pre-proposal conferences; review, analyze and score proposals; check references. |
| | | Obtain an independent cost estimate; negotiate fees. |

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| PHA Staff | PHA C | Projec | Developer | TASK |
| | | | | Develop consultant contracts. |
| | | | | Create Developer Agreement. |
| | | | | Certify appropriate procurement procedures Submit contracts to HUD for review and approval. |
| | | | | Custific Contractor to 1105 for 1011011 and approval. |
| | | | | Finance |
| | 1 1 | | | Financial Feasibility/Program Development |
| | | | | Conduct market analysis and feasibility study to assess financial feasibility. Identify potential financial resources including PHA funding, LIHTC, conventional financing and other capital. |
| | | | | Prepare initial development budget. |
| | | | | Prepare preliminary operating proforma projecting annual income and expenses for 15 year period. |
| | | | | Securing of Financing |
| | | | | Secure public housing HOPE VI and CGP development funds. |
| | | | | Prepare state/local financing applications and secure funding (e.g., LIHTC, bond cap). Request HUD authorization for 6-month predevelopment budget for environmental remediation, demolition, relocation, planning and fees. |
| | | | | Develop subsidy layering assumptions, operating & capital reserves assumptions and new ACC level. |
| | | | 1 | Negotiate Financial Arrangements |
| | | | | Advise the PHA on the impact of the mixed-finance transaction on the PHA-wide budget. |
| | | | | Secure credit enhancement for bonds. |
| | | | | Underwrite and issue bonds and develop loan agreements. Syndicate tax credits and develop limited partnership agreement. |
| | | | | Preparation for Closing |
| | | | | Conduct subsidy layering analysis to ensure project is not over-subsidized. |
| | | | | Submit mixed-finance proposal to HUD. |
| | | | | Assure HUD that the Developer Fee and Operating Reserve are not funded from public housing capital funds. |
| - | | | | Assure HUD that common area improvements are paid pro-rata by public housing funds. Provide TDC calculation for HUD review. |
| | | | | Submit proposed methodology for allocating operating subsidy to the development for HUD review. |
| | | | | Submit evidentiaries to HUD |
| | | | | Execute mixed-finance ACC with HUD. |
| | | | | Close on all loans. |
| | | | | Execute final documentation with HUD to release HOPE VI funds. Ongoing Financial Monitoring |
| | | | | Maintain the required budgets and accounts in accordance with HUD and other funder requirements. |
| | | | | Track funding contributions compared to loan and grant agreements. |
| | | | | Review and certify construction draw schedule on pro-rata PHA share. |
| | | | | Release funds to development partner proportionate to construction work related to PHA units. |
| | | | | Represent PHA with HUD regarding ACC phase-out and Section 8 replacement. Provide on-going operating subsidy. |
| | | | | Trovide of going operating subsidy. |
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| | | | | Design |
| | | | | Concept/Feasibility |
| | | | | Conduct market analysis and feasibility study to identify specific design amenities. |
| | | | | Develop preliminary site plan, design concepts and phasing. Develop cost and contingency estimates at concept phase. |
| | | | | Prepare preliminary development schedule. |
| | ıl | | ' | Design Development |
| | | | | Develop design guidelines and construction quality standards for Development Agreement. |
| <u> </u> | | | | Develop cost and contingency estimates at design development phase. |
| l | | | l | Prepare design development documents that satisfy ADA requirements. |

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| | | | | Mixed-Finance Responsibility Checklist |
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| <u> </u> | Δ. | <u> </u> | | |
| | | | | Perform cost justification/value engineering. Coordinate cost information with financial advisor. |
| | | | | Construction Documentation |
| | | | | Develop cost and contingency estimates at construction document phase. |
| | | | | Complete life cycle cost analysis for HUD. |
| | | | | Complete new construction (Section 6h) certification. |
| | | | | Submit construction documents to HUD to confirm PHA units are same size, appearance & reasonably distributed with market-rate units. **Monitoring of Construction** |
| | | | | Monitor construction schedules and budgets. |
| | | | | Ensure that work performed is consistent with quality standards. |
| | | | | Review and approve/reject change orders. |
| | | | | Develop punch list and conduct final inspection. |
| | | | | Hamaayanahin |
| | 1 | - 1 | | Homeownership Conduct market analysis and faceibility study |
| H | + | \dashv | | Conduct market analysis and feasibility study. Procure developer(s)/homebuilder(s) for the homeownership units. |
| | | | | Identify financing sources (private lenders, existing soft second or downpayment assistance programs). |
| | | | | Set repayment and loan terms, including antispeculation and long-term affordability clauses. |
| | | | | Set purchaser eligibility and selection criteria. |
| | | | | Prepare a 5(h) or Nehemiah homeownership plan for HUD review and approval. |
| | | | | Subdivide/acquire property as necessary. Develop a resident homeownership counseling program. |
| | | | | Develop a resident nomeownership codrisening program. Develop a marketing program. |
| | | | | Create pool of qualified buyers. |
| | | | | Prepare addendum to HOPE VI Grant Agreement for mixed-finance development of homeownership replacement units. |
| | | | | Prepare all loan documents, sales contracts, covenants and restrictions. |
| | | | | Relocation |
| | 1 | | | Survey residents to determine their relocation needs and preferences. |
| | | | | Prepare relocation plan in accordance with URA and other applicable federal, state or local regulations. |
| | | | | Identify relocation resources. |
| | | | | Provide residents with required legal notices for relocation. |
| | | | | Counsel residents regarding relocation options, timing and relocation payments. |
| | | | | Schedule moves. Maintain accurate files. |
| | | | | Track and report relocation expenditures and obligations. |
| | | | | Maintain communication with relocated residents; provide required 18 month tracking and follow-up. |
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| | | - 1 | | Supportive Services/Self-Sufficiency |
| | | | | Develop a resident consultation plan. |
| | | | | Prepare a needs assessment survey and implementation procedures. |
| | | 1 | | Survey residents to determine their needs regarding self-sufficiency, job training, child care, transportation, etc. |
| | _ | 4 | | Inventory programs provided by neighborhood service providers. |
| \vdash | | \dashv | | Prepare a preliminary supportive services and self-sufficiency plan. Collaborate with and obtain commitments from neighborhood service providers. |
| \vdash | \dashv | \dashv | | Submit community and supportive services (CSS) plan to HUD for approval. |
| H | 1 | 1 | | Develop RFPs for services providers. |
| | | | | Develop performance-based contracts for selected service providers. |
| | | I | | Initiate and oversee services programs. |
| \sqcup | | 4 | | Update the HUD approved CSS Plan every six months |
| \vdash | - | - | | Meet with residents on a continual basis and report on effectiveness of programs. |
| \vdash | | \dashv | | Develop Section 3 employment plan, goals and monitoring forms. Monitor Section 3 performance of consultants/contractors. |
| H | + | \dashv | | Educate residents regarding any Section 3 employment opportunities. |
| | 1 | | | , |

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| PHA Staff | PHA Consultants | Project Manager | Developer | TASK |
| 立 | 立 | Ţ | ۵ | TASK |
| | | | | |
| | | | | Construction |
| | | | | Develop phasing plan and construction critical path schedule. |
| | | | | Obtain regulatory approvals and permits. |
| | | | | Develop M/W/DBE participation goals. |
| | | | | Prepare bidding package strategy and coordinate with A/E. |
| | | | | Advertise, bid and award construction contracts. |
| | | | | Initiate and complete hazardous materials abatement. |
| | | | | Initiate and complete demolition. |
| | | | | Initiate and complete construction of infrastructure. |
| | | | | Initiate and complete construction of housing. |
| | | | | Initiate and complete construction of community facilities. |
| | | | | Establish construction draw schedule and monitor draws against schedule. |
| | | | | Compile maintenance manuals and guarantees for transmittal to PHA. |
| | | | | Perform inspections, monitor contractor compliance and certify completion. |
| | | | | Tenoriti inspections, monitor complicance and contry completion. |
| - 1 | | | | Property Management/Reoccupancy |
| - 1 | | | | Prepare a management plan that is responsive to the mixed-income and self-sufficiency goals. |
| | | | | Prepare operating expense and proforma. |
| | | | | Develop management policies including community rules, lease, orientation, application process, etc. |
| | | | | Submit waiver request to HUD FHEO and PHM if proposing site-based waiting list. |
| | | | | Develop a marketing program. |
| | | | | Develop and hold reoccupancy training. |
| | | | | Implement interim management, particularly if involving phased construction. |
| | | | | Return temporarily relocated residents to the development. |
| | | | | Complete unit rent-up/sales. |
| | + | | | Implement long-term management plan. |
| | | | | Provide documentation for on-going compliance. |
| | | | | |
| - 1 | | | | Asset Management (PHA Ongoing Regulatory and Compliance Responsibilities) |
| | | | | Create an asset management implementation manual to guide PHA staff. |
| | | | | Identify PHA personnel responsible for asset management. |
| | | | | Monitor compliance with the R&O Agreement and all applicable statutes and regulations, and report to HUD as required. |
| | | | | |
| | | | | Close-Out of Capital Grant |
| | | | | Initiate DOFA. |
| | | | | Complete cost certification. |
| | | | | Conduct final audit of program activities and expenditures. |
| _ | | | | Prepare final report in accordance with HUD's Grant Agreement. |
| \dashv | | | | Transfer archival information. |
| | | | | Reach EIOP. |

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