

RESOLUTION 20-20

To Authorize DCHA'S Executive Director To Negotiate an Exclusive Right To Negotiate (ERN)
With A Co-Development Partner For The Greenleaf Housing Community

Summary

The purpose of this resolution is to authorize the Executive Director of District of Columbia Housing Authority ("DCHA") to take all necessary steps to enter into an Exclusive Right to Negotiate (ERN) with an approved developer for the Greenleaf housing community, and to agree upon terms to be set forth in a Term Sheet/Operating Agreement.

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FOR THE GREENLEAF HOUSING COMMUNITY**

WHEREAS, the District of Columbia Housing Authority ("DCHA") has a need to acquire a Co-Development Partner for DCHA's Greenleaf Housing community which consists of five properties: Greenleaf Senior, Greenleaf Gardens, Greenleaf Family, Greenleaf Extension & Greenleaf Additions; and

WHEREAS, on April 19, 2019, Request for Proposal #0006-2018 for the Greenleaf Housing Community Co-Developer was issued by DCHA; and

WHEREAS, an evaluation panel reviewed proposals from interested parties to establish the following: Qualifications and Experience of the Development and Planning Team; Development Vision and Approach; Detailed Financing Plan; Financial Offer and Considerations to DCHA; Off-Site Housing Proposal; Resident Training and Hiring Plan (Section 3); Minority and Women Business Enterprises (M/WBE) and Certified Business Enterprises (CBE) Team Composition and Participation.

WHEREAS, DCHA hosted a public forum at the DC Envision Center/Southwest Family Enhancement and Career Center on December 10, 2019, where respondent teams presented their qualifications to the residents of the development, as well as the surrounding neighbors; and

WHEREAS, the solicitation provided the award would be made to the respondent determined to be the most responsible and responsive to the requirements and who will serve in the best interest of DCHA; and

WHEREAS, it has been determined that the scores properly identified the team that was the most responsible and responsive to the solicitation requirements, and further determined the team that would best serve the interest of DCHA in providing Co-Development services for Greenleaf; and

WHEREAS, the Executive Director is recommending the Greenleaf District Partners team that includes principals Pennrose, EYA, and the Bozzuto Group, to the DCHA Board of Commissioners for selection and approval; and

WHEREAS, a review of the Federal List of Parties Excluded from the Procurement and Non-Procurement Program, as published by the U.S. General

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Services Administration has been conducted and the recommended team does not appear on the list; and

WHEREAS, the Greenleaf District Partners team, has proposed a Section 3 Plan which complies with the RFP; the Greenleaf District Partners Team will provide DCHA with a competitive Section 3 Plan that proposes economic opportunities for DCHA clients prior to entering into the operating agreement and the Master Development Agreement.

WHEREAS, in addition, per DCHA Resolution 20-05 that authorized the implementation of Certified Business Enterprise requirements, additional preferences will be utilized for hiring that will be reflected in the terms of Board resolutions approved under Resolution 19-01.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the District of Columbia Housing Authority authorizes the Executive Director to enter into an Exclusive Right to Negotiate (ERN) with the recommended team of Greenleaf District Partners for the redevelopment of the Greenleaf Housing Community to negotiate a term sheet/operating agreement which will in accordance with the RFP, be referred to as an "operating agreement."

BE IT FURTHER RESOLVED, that in accordance with the RFP, DCHA and the proposed development partner shall have one hundred and eighty (180) days to negotiate the operating agreement. In the event DCHA and the selected development partner do not enter into an operating agreement, the ERN will terminate; provided however, such one hundred and eighty (180) day period shall be subject to extension in the Executive Director's sole discretion.

BE IT FURTHER RESOLVED, that in the event the parties are unable to enter into an operating agreement (subject to extension by the Executive Director in his sole discretion), the ERN shall terminate and DCHA shall have the right to enter into ERN negotiations and an operating agreement with the next qualified bidder.

BE IT FURTHER RESOLVED, that the parties shall negotiate and enter into a Master Development Agreement (MDA) within one hundred eighty (180) days of concluding the ERN and the operating agreement, provided however, If the MDA is not concluded within one hundred eighty (180) days (subject to extension by the Executive

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Director in his sole discretion), the ERN and operating agreement shall terminate and DCHA shall have the right to enter into ERN negotiations with the next qualified bidder.

BE IT FURTHER RESOLVED, that the Executive Director will seek and obtain required further approvals by the DCHA Board of Commissioners for the Greenleaf Housing Community redevelopment financing transactions in accordance with Resolution 19-01 adopted by the Board of Commissioners.

ADOPTED, by the Board of Commissioners and signed in authentication of its passage the 14th day of October, 2020.

ATTEST:

APPROVAL:

Tyrone E. Garrett
Executive Director/Secretary

Neil Albert
Chairman

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Greg Mays
General Counsel