

CITY AND COUNTY OF SAN FRANCISCO



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TO ALL INTERESTED PARTIES:

Attached is the City Attorney's title and summary for the measure entitled "Competitive Bid Process for City-Funded Housing Ordinance." In preparing this title and summary, the City Attorney makes no representation regarding the merits or legality of the proposed legislation. Nor does the City Attorney verify or confirm any factual or legal assertion made in the proposal. The title and summary is presented as a "true and impartial statement of the purpose of the proposed measure." Elections Code § 9203.

Very truly yours,

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/s/ Joshua S. White

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Competitive Bidding for Affordable Housing Projects on City-Owned Property

The City has various programs that provide financing to developers to build new affordable housing and rehabilitate existing affordable housing on City-owned property (“affordable housing projects”). The Mayor’s Office of Housing and Community Development (MOHCD) administers most of these programs.

When MOHCD has funds available for an affordable housing project, MOHCD posts a description of the proposed project on its website and invites developers to submit proposals. The posting describes the criteria MOHCD will use to select a proposal and sets a deadline for submissions. Criteria generally include the anticipated cost to the City, how much experience the developer has with similar projects, the feasibility of the developer’s proposal, the quality of the developer’s design, and the extent to which the proposal meets community needs. After the deadline for submissions, MOHCD applies the evaluation criteria to select a proposal.

MOHCD may select a qualified developer to proceed with an affordable housing project even if it receives fewer than three proposals.

This measure would require MOHCD, any time it invites developers to submit proposals for an affordable housing project on City-owned property, to:

- publish the proposed project to the public and invite the submission of proposals;
- receive at least three proposals for the project;
- accept the proposal with the “best value.”

Criteria for evaluating whether a proposal has the “best value” include, but are not limited to, the extent to which, the developer submitting the proposal:

- demonstrates the ability to engage in a community design process;
- describes ways to demonstrate cost control efforts while providing durability and sustainability;
- includes in the proposal community-oriented amenities; and
- demonstrates the proposal’s financial feasibility.

Under this measure, the City could not proceed with an affordable housing project if MOHCD receives fewer than three proposals.

[Department of Elections file no. 16-]